



BUSINESS PAPER

ORDINARY MEETING

Thursday 18 June 2026
10:00am
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 June 2026

Councillors

Dear Members

Ordinary Meeting of Council

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 18 June 2026** in the **Council Chambers** commencing at **10:00am**.

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	nswombo@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 May 2026	12
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UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 21 MAY 2026

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

THE MAYOR DECLARED THE MEETING OPEN AT 10.01am

SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING

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

Mayor Culhane also welcomed the public gallery and noted a public forum had been held prior to the ordinary Council meeting between 9:30-9:45am.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

An apology was received from Mr A Croke (Director of Finance and Administration).

65/26 **RESOLVED** by Cr Searl and Cr Peirce

1. That the apology of Mr A Croke be received and a leave of absence granted.

- 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

It was noted that Cr Meggitt would be late to the meeting.

SECTION 3: DECLARATIONS OF INTEREST

Nil

UPPER LACHLAN SHIRE COUNCIL
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SECTION 4: CITIZENSHIP CEREMONY

Nil

A minutes silence was observed for the passing of Mr John Nicholson and Gwenda Romer.

SECTION 5: CONFIRMATION OF MINUTES

66/26 **RESOLVED** by Cr Searl and Cr Reynolds

That the minutes of the Ordinary Council Meeting held on 16 April 2026 be adopted.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

SECTION 7: MAYORAL MINUTES

ITEM 7.1 **MAYORAL MINUTE**

67/26

RESOLVED by Mayor Culhane and Cr Peirce

1. That Council receive and note the activities attended by the Mayor for April and May.

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
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SECTION 8: CORRESPONDENCE

Nil

SECTION 9: LATE CORRESPONDENCE

Nil

SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT

68/26

RESOLVED by Cr Searl and Cr Yallouris

1. Council receives and notes the report as information.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 10.2-10.9 INFORMATION ONLY ITEMS

69/26

RESOLVED by Cr Searl and Cr Flanagan

1. Council receive and notes Items 10.2-10.9 in the reports as information.

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
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REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 ALCOHOL FREE ZONES

70/26 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council notes, there were no formal submission received during the public exhibition period between 3 November 2025 to 3 December 2025.
2. The Alcohol-Free Zones in Crookwell be re-established from 1 July 2026 to 1 July 2030.
3. The existing Alcohol-Free Zones signage be updated to include the re-established Alcohol-Free Zones dates of 1 July 2026 to 1 July 2030.
4. Informs the relevant Police Local Area District Commander, affected liquor licensees and other organisations of the original proposal and the adoption of the resolution.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 11.2 DA 126/2012.2 - MODIFICATION TO SUBDIVISION STAGE 2

71/26 **RESOLVED** by Cr Searl and Cr Yallouris

1. That the application be approved subject to the attached conditions within report.

- CARRIED

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

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

UPPER LACHLAN SHIRE COUNCIL
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Cr Meggitt entered the Chambers the time being 11.23am

ITEM 11.3 REVIEW OF SUBMISSIONS RECEIVED FROM THE PUBLIC EXHIBITION OF THE DRAFT UPPER LACHLAN HOUSING STRATEGY AND DRAFT UPPER LACHLAN DEVELOPMENT CONTROL PLAN

72/26 RESOLVED by Cr Searl and Cr Flanagan

1. Council notes the Upper Lachlan Housing Strategy and Development Control Plan Review of Submissions Report 2026.
2. Council resolves to support the revisions to the Draft Upper Lachlan Housing Strategy and Draft Upper Lachlan Development Control Plan (with the exception of the removal of the preamble at Part D7) for further public exhibition.
3. Council place the Draft Upper Lachlan Housing Strategy, Draft Upper Lachlan Development Control Plan and Upper Lachlan Review of Submission Report 2026 on public exhibition for a minimum period of 56 days.
4. Upon completion of the exhibition period, a further report be provided to Council outlining any submissions received.
5. Accept the Fee Proposal of \$12,500 plus GST from Currajong – Planning, Property & Project Management Services to undertake the associate work for Re-exhibiting the Upper Lachlan Housing Strategy and Development Control Plan.
6. Approve the Allocation and Expenditure of \$12,500 plus GST of funding from Councils Section 7.11 Developer Contribution Plan (Upper Lachlan Development Contributions Plan 2007) – ‘Plan Administration’ reserves to fund the associated works.

- CARRIED

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

Councillors who voted against:- Crs P Culhane and G Harris

SECTION 12: INFRASTRUCTURE DEPARTMENT

Nil

UPPER LACHLAN SHIRE COUNCIL
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SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 QUARTERLY BUDGET REVIEW STATEMENTS - 3RD QUARTER 2025/2026

73/26 **RESOLVED** by Cr Peirce and Cr Flanagan

1. Council endorses the 3rd Quarter Budget Review Statements for 2025/2026 including revotes of income and expenditure to the Operational Plan; and
2. Council endorses the Operational Plan Performance Summary Report.

- CARRIED

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

Councillors who voted against:- Nil

Cr Peirce left the chamber the time being 11.39am.

Cr Peirce returned to the chamber the time being 11.42am.

Cr Cameron left the Chamber the time being 11.48 am.

Cr Cameron returned to the Chamber the time being 11.49am.

ITEM 13.2 REVIEW OF COUNCIL BORROWINGS/LOANS POLICY

74/26 **RESOLVED** by Cr Flanagan and Cr Cameron

1. Council adopt the reviewed Borrowings/Loans 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/>

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SECTION 14: CHIEF EXECUTIVE OFFICER

Nil

SECTION 15: LATE REPORTS

Nil

*Council took a short break at 11:55 am and paused live streaming to the public.
Council resumed at 12.31pm live streaming returned to the public.*

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

**ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTHS OF APRIL
AND MAY**

75/26 **RESOLVED** by Cr Peirce and Cr Reynolds

That Minutes of Committee/Information listed below be received:

1. Stonequarry Cemetery Committee - Minutes from meeting held 15 April 2025.
2. Breadalbane Hall Section 355 Committee - Minutes from meeting held 12 April 2026.
3. Audit Risk and Improvement Committee - Minutes from meeting held 31 March 2026.

- 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

UPPER LACHLAN SHIRE COUNCIL
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SECTION 17: NOTICES OF MOTION

ITEM 17.1 NOTICE OF MOTION - GREEN WASTE COLLECTION AND FUEL SUPPLY

MOVED by Cr Cameron and Cr Reynolds

Council:

1. receives a report from the CEO each month until the green waste service is resumed, detailing the volume of fuel saved and subsequently stored to be available for critical services if Council's fuel is not supplied as contracted;
2. receives a report from the CEO each month until the green waste service is resumed, detailing whether fuel supply uncertainty has actually resulted in non-delivery of contracted supply, and
3. receives a report from the CEO at or before its June meeting, detailing the periodic review process including factors that will be considered when deciding whether or not fuel supply challenges have been alleviated and the green waste service can be resumed."

- LOST

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

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

A foreshadowed motion was moved by Cr Cameron and Cr Reynolds That Council receive at each meeting until the green waste service is resumed a brief update on fuel supply certainty and usage, and current thinking re the resumption of the service.

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

76/26 **RESOLVED** by Cr Cameron and Cr Reynolds

1. That Council receive at each meeting until the green waste service is resumed a brief update on fuel supply certainty and usage, and current thinking re the resumption of the service.

- CARRIED

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

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Peirce, S Reynolds, and T
Yallouris

Councillors who voted against:- J Searl

ITEM 17.2 **NOTICE OF MOTION - LIMERICK WIND FARM AND OTHER SSD -
PRELIMINARY RISK ASSESSMENT**
77/26 **RESOLVED** by Cr Yallouris and Cr Cameron

That Upper Lachlan Shire Council undertake a preliminary investigation, and that the General Manager provide a preliminary report to Council, regarding future potential risks to Council should the Limerick Wind Farm and other active SSD being developed, with specific reference to:

- Responsibilities of Council to protect the value of land through planning controls
- Responsibilities of Council to investigate a public nuisance complaint or order abatement
- Responsibility of Council to commission scenic or landscape assessments
- Responsibility of Council to manage local traffic impacts arising from wind farm construction and operation
- Exposure of Council should ratepayers suffer property diminution due to inappropriate wind farm development affecting land values and amenity expectations

- 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 18: QUESTIONS WITH NOTICE

ITEM 18.1 QUESTION WITH NOTICE - FUEL SUPPLY STATUS

Refer to the business paper for 21 May 2026 Council Meeting for the CEO's comments.

UPPER LACHLAN SHIRE COUNCIL
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CLOSED COUNCIL ITEMS

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in 10A (2) of the Act and should be dealt with in a part of the meeting closed to the public and the media.

Note: Pursuant to Clause 25(1) of the Local Government (Meetings) Regulation, Council invites verbal representation by members of the public about whether the items listed below should not be considered by Council in a Closed Meeting. The items are:

78/26 **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 10A 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 (2g) (2c) and (2d(i) as outlined above.
3. That the report relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.

- CARRIED

Councillors who voted for:- Crs P 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 13.26 pm and the public, staff and press left the chambers and live streaming ceased.

79/26 **RESOLVED** by Cr Reynolds and Cr Cameron

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

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Councillors who voted against:- Nil

Open Council resumed at 14.21pm 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 **LEGAL PROCEEDINGS REPORT**
80/26 **RESOLVED** by Cr Cameron and Cr Meggitt

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 Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

ITEM 19.2 **UPDATE ON PROCUREMENT OF ONE MULTIPURPOSE ROAD**
81/26 **MAINTENANCE TRUCK**
RESOLVED by Cr Searl and Cr Peirce

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

UPPER LACHLAN SHIRE COUNCIL
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ITEM 19.3 **RESPONSE TO NOTICE OF MOTION - 16 OCTOBER 2025 (191/25)**
82/26 **RESOLVED** by Cr Yallouris and Cr Peirce

1. Council receive and notes the Legal Advice provided by BAL Lawyers on 1 April 2026.

- 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 14.22pm

Minutes confirmed 18 JUNE 2026

.....
Mayor

7 MAYORAL MINUTES

The following item is submitted for consideration -

7.1 Mayoral Minute

26

Mayoral Minutes - 18 June 2026

ITEM 7.1 Mayoral Minute

FILE REFERENCE I26/147

May 2026

21 May 2026	Council Public Forum Council Meeting
25 May 2026	Cullerin Range Wind Farm CF 2026/2027 - Committee Applications Meeting Crookwell II & III Wind Farms CF 2026/2027 - Committee Applications Meeting
27 May 2026	Radio Interview 2GN

June 2026

1 June 2026	Gullen Range Wind Farm CF 2026/2027 - Committee Applications Meeting
3 June 2026	Radio Interview 2GN Travel to Sydney for CRJO Board meeting with CEO
4 June 2026	CRJO Board meeting at NSW Parliament House – Sydney with CEO
6 June 2026	Taralga Art Show
8 June 2026	Meeting with Minister Penny Sharpe and CRJO Mayors in Wagga Wagga
10 June 2026	Radio Interview 2GN
15 June 2026	Collector Wind Farm CF 2026/2027 - Committee Applications Meeting Taralga Wind Farm CF 2026/2027 - Committee Applications Meeting
16 June 2026	Rye Park Wind Farm CF 2026/2027 - Committee Applications Meeting
17 June 2026	Radio Interview 2GN
18 June 2026	Citizenship ceremony Council Meeting

Mayoral Minutes
MAYORAL MINUTE cont'd

18 June 2026

Councillor Workshop – to provide information on Council Resolution 165/25.

8 CORRESPONDENCE

The following item is submitted for consideration -

8.1	Correspondence for the months of May and June	30
-----	---	----

ITEM 8.1**Correspondence for the months of May and June****RECOMMENDATION:**

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

1. Office of Local Government – Circular 26-05 - 2026/2027 Determination of the Local Government Remuneration Tribunal.
2. Office of Local Government - Circular 26-06 - Rates Related Determinations for Councils 2026-2027.
3. Office of Local Government – Circular 26-07 – Time Series Data 2024-2025.

ATTACHMENTS

1. ↓	Office of Local Government - circular-26-05- 2026-2027 - Determination-of-the-local-government-remuneration-tribunal	Attachment
2. ↓	Office of Local Government - Circular 26-06-rates-related-determinations-for-councils	Attachment
3. ↓	Office of Local Government - Circular 26-07- Time Series Data 2024-2025	Attachment

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	2026/27 Determination of the Local Government Remuneration Tribunal
Circular Details	Circular 26-05 / 15 May 2026 / A1005478
Previous Circular	Circular 25-10 - 21-05 2025/26 Determination of the Local Government Remuneration Tribunal
Who should read this	Councillors / General Managers / 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?

- The Local Government Remuneration Tribunal (the Tribunal) has determined an increase of 3.7% to mayoral and councillor fees for the 2026-27 financial year, with effect from 1 July 2026.
- The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every 3 years under section 239 of the *Local Government Act 1993* (the Act). The Tribunal last undertook a significant review of the categories as part of its 2023 determination.
- In undertaking its review this year, the Tribunal concluded that it was necessary to rectify a criteria anomaly identified in the 'Regional Strategic' category established by the 2023 annual determination, and to adjust the population criteria for the 'Major Strategic Area' category, from 300,000 to 200,000.
- The Tribunal found that the allocation of most councils into the current categories continued to be appropriate having regard to the 2023 review, the current category model and criteria, and the evidence put forward in the submissions received. However, the Tribunal has reclassified Dungog Shire Council as 'Rural Large' due to population growth.
- The Tribunal has indicated it will undertake a further review of the categories of councils as part of its 2027 determination.

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www.olg.nsw.gov.au



What will this mean for council?

- Section 248 and 249 of the Act require councils to fix and pay an annual fee to councillors and mayors from 1 July 2026 based on the Tribunal's determination for the 2026-27 financial year.

Key points

- The level of fees paid will depend on the category the council is in.
- A council cannot fix a fee higher than the maximum amount determined by the Tribunal.
- If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

Where to go for further information

- The Tribunal's report and determination is available at:
<https://www.remtribunals.nsw.gov.au/local-government/current-lgrt-determinations>.
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

A handwritten signature in blue ink, appearing to read "Brett Whitworth".

Brett Whitworth PSM
Deputy Secretary, Office of Local Government

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Rating information 2026-27
Circular Details	Circular 26-06 / 15 May 2026 / A994414
Previous Circular	25-06 – Rating-information-2025-26
Who should read this	General Managers / All council staff
Contact	Performance Team / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

What’s new or changing?

- Maximum boarding house tariffs for 2026-27 have been determined
- Maximum interest rate payable on overdue rates and charges for 2026-27 has been determined
- Section 603 Certificate fee for 2026-27 has been determined
- Statutory limit on the maximum amount of minimum rates for 2026-27 has been determined

What will this mean for council?

- Councils should incorporate these determinations into their 2026-27 rating structures, Operational Plan and Revenue Policy.

Key points

Boarding House Tariffs

- In accordance with section 516 of the *Local Government Act 1993* (the Act), it has been determined that for the purpose of the definition of ‘boarding house’ and ‘lodging house’, the maximum tariffs, excluding GST, that a boarding house or lodging house may charge tariff-paying occupants are:



- a) Where full board and lodging is provided:
 - \$482 per week for single accommodation; or
 - \$794 per week for a family or shared accommodation.
- b) Where less than full board or lodging is provided:
 - \$325 per week for single accommodation; or
 - \$534 per week for family or shared accommodation.
- Notice giving effect to these decisions has been published in the NSW Government Gazette (Government Gazette No 184 – 15th day of May 2026).

Maximum Interest Rate on Overdue Rates and Charges

- In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2026 to 30 June 2027 will be 9.5% per annum
- The methodology used to calculate the interest rate applicable for the period 1 July 2026 to 30 June 2027 is the Supreme Court methodology (the Reserve Bank cash rate plus 6%), rounded to the nearest half per cent. The cash rate used for the purposes of the maximum interest rate for local government is based on the cash rate set by the Reserve Bank of Australia on 9 December 2025.
- Notice giving effect to these decisions has been published in the NSW Government Gazette (Government Gazette No 184 – 15th day of May 2026)

Section 603 Certificate

- Under section 603 of the Act, councils may issue a certificate as to the amount (if any) of rates, charges, etc. due or payable to the council for a parcel of land. Section 603(2) states the application must be accompanied by the approved fee. In accordance with the approved methodology, the approved fee for 2026-27 is determined to be \$105.
- This determination applies to the issuing of a certificate for the matters specified in section 603(2) of the Act. Where a council offers to provide other information as an optional service, the council is not prevented from separately determining an approved fee for that additional service. Furthermore, a council is not prevented from determining approved fees for additional services required by an applicant for the expedited processing of a Section 603 Certificate.



Statutory limit on the maximum amount of minimum rates

- Following a recommendation by Independent Pricing and Regulatory Tribunal (IPART), clause 126 of the Local Government (General) Regulation 2021 will be amended on 1 July 2026 by the Local Government (General) Amendment (Minimum Amounts of Rate) Regulation 2026, so that under section 548(3)(a) of the Act, the maximum amount of the minimum ordinary rate will be \$655 for 2026-27.
- The maximum amount of a minimum special rate (not being a water supply special rate or a sewerage special rate) prescribed by section 548(3)(b) of the Act will remain unchanged at \$2.

Where to go for further information

- Office of Local Government has further information available at <https://www.olg.nsw.gov.au/councils/council-finances/rating-and-special-variations/>.

A handwritten signature in blue ink, appearing to read "Brett Whitworth".

Brett Whitworth PSM
Deputy Secretary, Local Government

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject	Time Series Data 2024-25
Circular Details	Circular No 26-07 /19 May 2026 / A998200
Previous Circular	N/A
Who should read this	Councillors / General Managers / All council staff
Contact	Performance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

What's new or changing?

- The Time Series data for 2024-25 has been released.

What will this mean for council?

- Councils will be able to monitor their performance against similar or neighbouring councils.

Key points

- For data to be useful, it is important that it is released in a timely manner.
- Some councils have been granted an extension to lodge their financial statements, and this data has not been captured.

Where to go for further information

- The data can be accessed via [Your council reports – Office of Local Government NSW](#)

Brett Whitworth
Deputy Secretary
Office of Local Government

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10 INFORMATION ONLY

The following items are submitted for consideration -

10.1	Development Statistics Report	38
10.2	2025/2026 End of Pool Season Report	46
10.3	Works In Progress - Construction & Maintenance	51
10.4	Investments for the month of May 2026	59
10.5	Bank Balance and Reconciliation - May 2026	64
10.6	Rates and Charges Outstanding for the month of May 2026	65
10.7	Grants Report	67
10.8	Action Summary - Council Decisions	71

Information Only - 18 June 2026

ITEM 10.1 **Development Statistics Report**

FILE REFERENCE **I26/145**

AUTHOR **Manager Planning & Regulatory Services**

ISSUE

This report provides Council with an overview of the development application consents that have occurred in the period of 1 May 2026 – 31 May 2026, 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 May 2026 – 31 May 2026.

REPORT

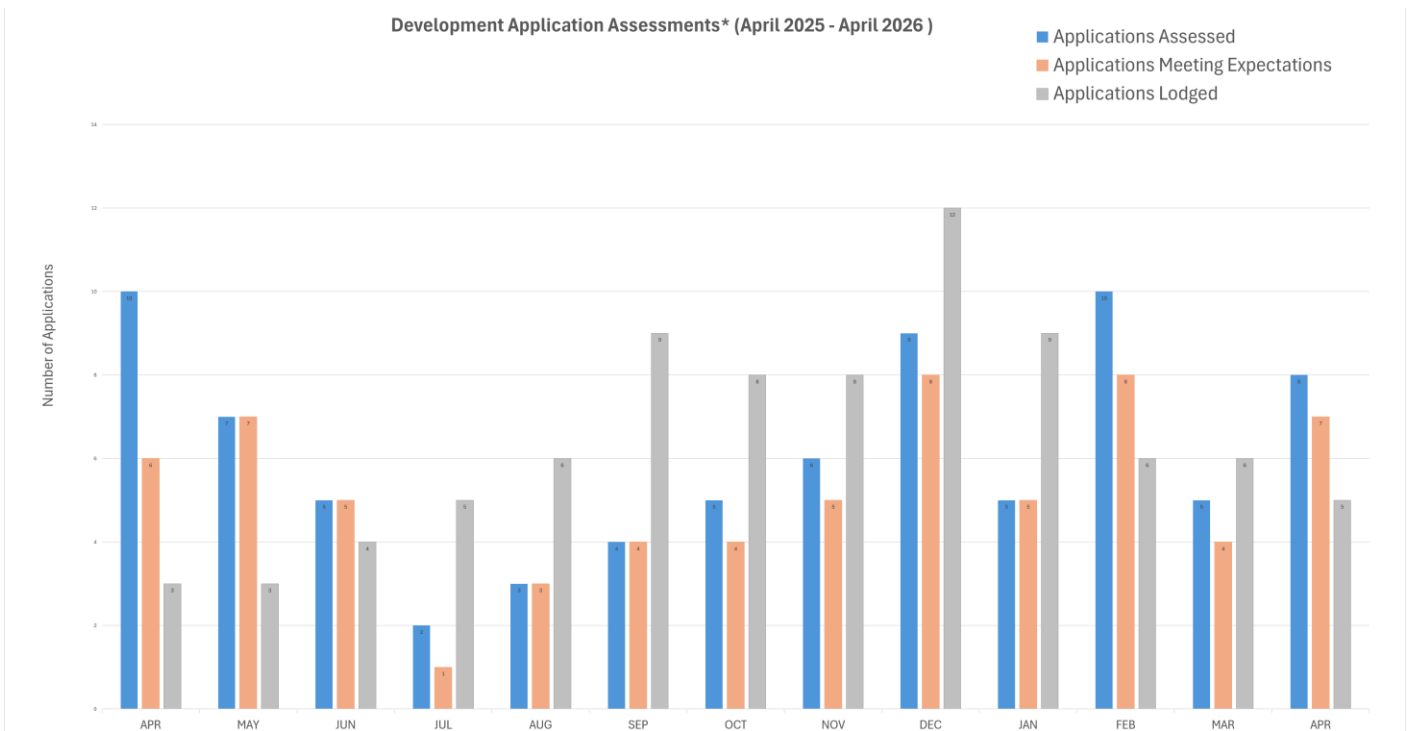
This report provides Council with an overview of the development control activities that have occurred in the period of 1 May 2026 – 31 May 2026. This report contains information detailing Upper Lachlan Shire Councils performance in relation to the NSW Planning Ministers Expectations for Development Application Assessments.

As identified in Figure 1, Council achieved the NSW Planning Ministers expectation of 105 days for 88% of applications determined in the month of April 2026. (Note: A monthly delay remains on this data, as it still relies on NSW Planning Portal).

As shown in Figure 2, average assessment days are being maintained between 60 and 70 days.

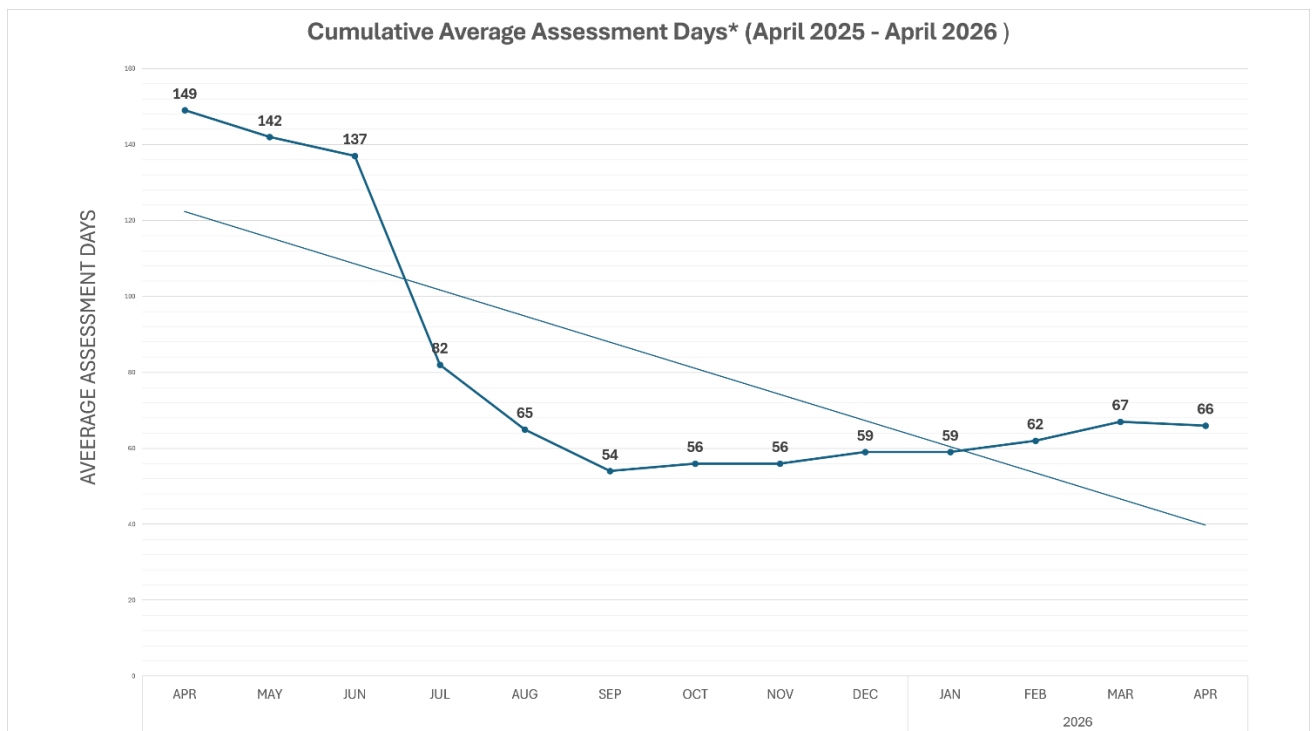
Information only
DEVELOPMENT STATISTICS REPORT cont'd

Figure 1. Comparison of Applications Lodged/Assessed/Meeting Expectations (April 2025 - April 2026*)



* 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.

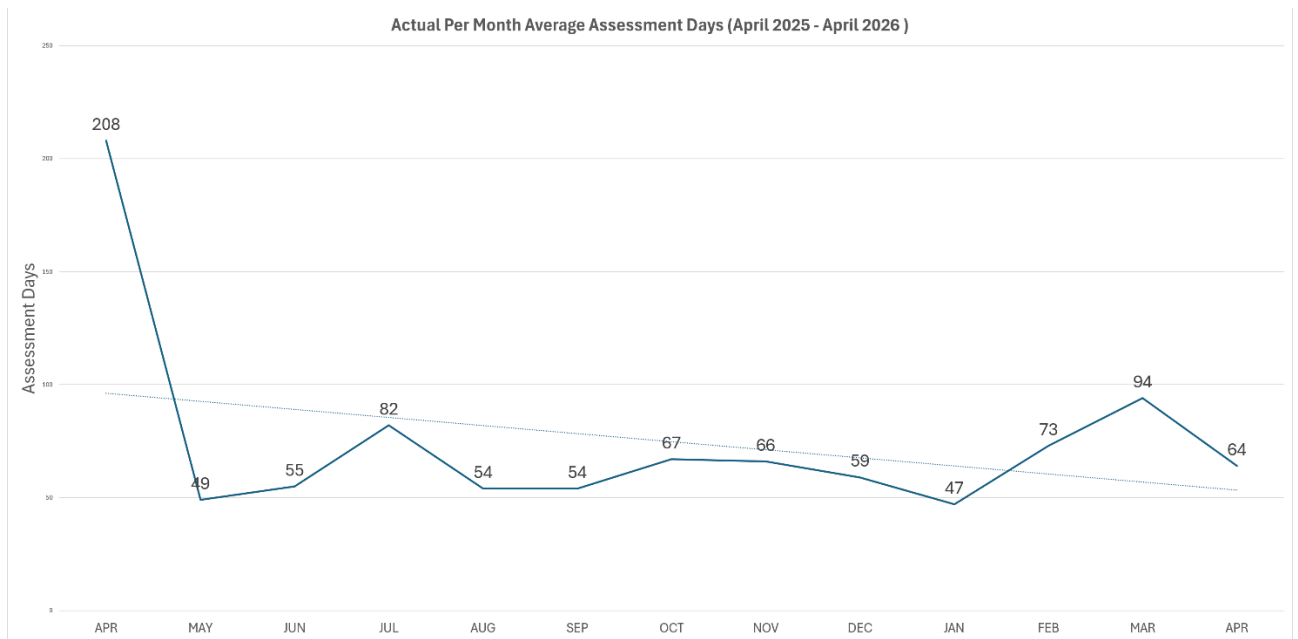
Figure 2. Cumulative Average Assessment Days (April 2025 - April 2026 *)



* 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

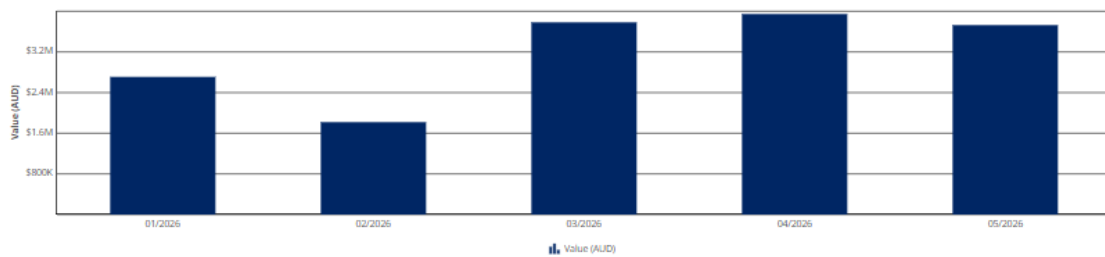
Figure 3. Actual Per Month Average Assessment Days (April 2025 - April 2026 *).



* 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 4. Total Estimated Cost of Development (December 2025 to Present)

~ Total estimated cost of development

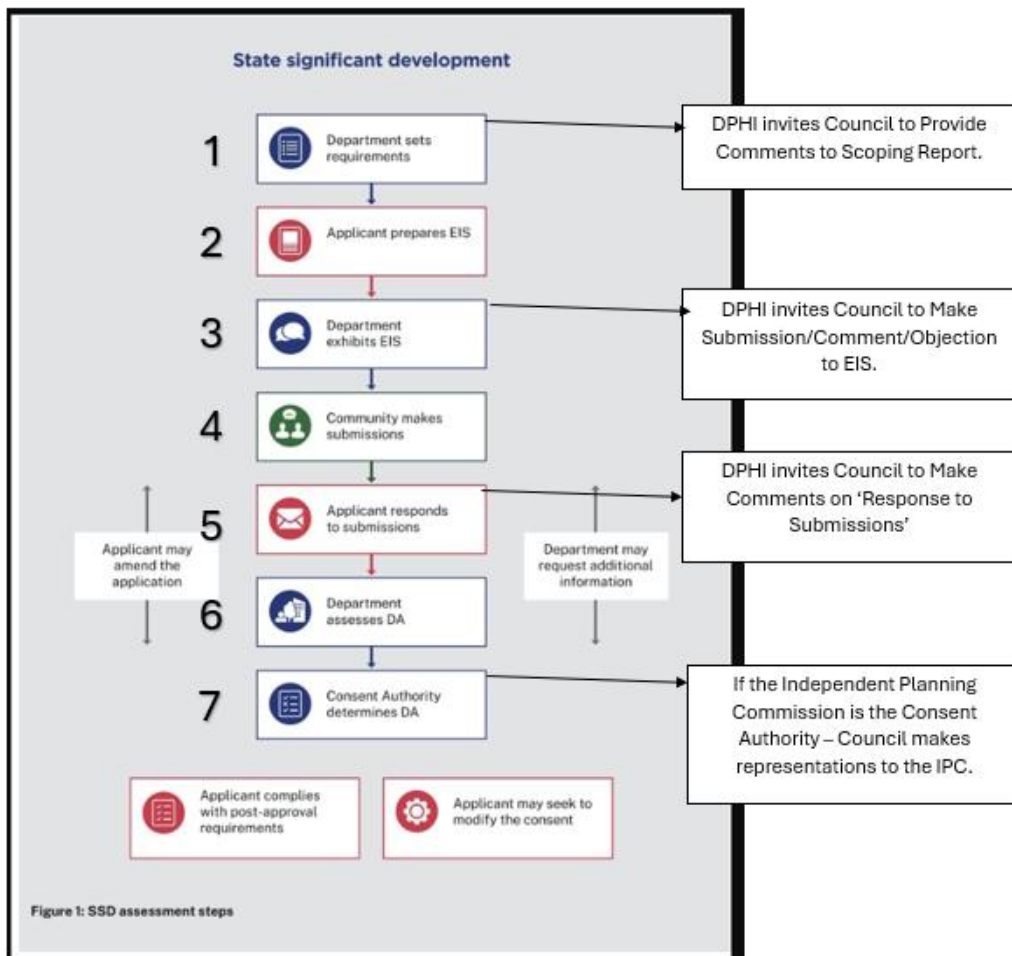


Information only
DEVELOPMENT STATISTICS REPORT cont'd

Figure 5. State Significant Developments – Under Assessment by NSW DPHI (March 2026)

Project Name	Case ID	Engagement Type	Start Date	ULSC Status	Stage
Marulan Gas-Fired Power Station Project Modifications	MP07_0176-Mod-4	-	-	SEARS Issued – 14 May 2026	2
Willvale Park Battery Energy Storage System	PAE-99882208	Advice on SEARS	19/11/2025	EIS Advice Provided – 19 February 2026.	3
Merino Solar Farm	PAE-102554206	Provide Advice	18/12/2025	DRAFT EIS Response - 19 March 2026.	1
Langley Vale Solar Farm	PAE-100680966	Advice on SEARS	28/11/2025	DRAFT SEARS Response - 19 March 2026.	2
Modification 3 Quarry Continuation and Stockpile Area Extension	PAE-92072963	Advice on Modification Report	27/08/2025	RTS Provided. – 19 February 2026.	5
Wattle Creek Battery Energy Storage System	PAE-83708956	Advice on EIS	8/05/2025	EIS Response Provided - 24 July 2026.	5
Wattle Creek Solar Farm	PAE-83706707	Advice on EIS	8/05/2025	EIS Response Provided - 24 July 2026.	5
Bannaby Battery Energy Storage System	PAE-78998968	Advice on SEARS	6/01/2025	Advice on SEARs provided – 13 January 2026.	2
Hanworth Battery Energy Storage System	PAE-78219019	Advice on SEARS	27/11/2024	SEARS Response Provided – 11 February 2026.	2
Swallow Tail Battery Energy Storage System	PAE-78056497	Advice on SEARS	21/11/2024	SEARs Response Provided – 17 December 2024.	2
HumLink	PAE-71046964	Advice on RTS	21/05/2024	Determined.	7
Gunning Solar Farm	PAE-64586467	Advice on EIS	15/11/2023	Determined. (VPA Offer)	7

Figure 6. State Significant Development – Opportunities for Local Government Input



Development Applications

Information only
DEVELOPMENT STATISTICS REPORT cont'd

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

Determined Development/Planning Applications

Determined from 1/05/2026 to 31/05/2026

Application Number	Date Submitted	Address	Proposal	Date Determined	Determination
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Development Application

10/2025/136/1	23 Jan 2026	6 Biala Street GUNNING	Dwelling	08 May 2026	Approved by Delegation
10/2026/43/1		415 Mullins Creek Road BREADALBANE	Dwelling	14 May 2026	Returned
10/2026/53/1		60 Macarthur Street TARALGA	Outbuilding	21 May 2026	Returned
10/2026/58/1		Wheeo Road GRABBEN GULLEN	Two (2) Lot Torrens Title Subdivision	14 May 2026	Returned
10/2025/137/1	08 Jan 2026	18 Chisholm Street TARALGA	Two (2) Lot Torrens Title Subdivision	06 May 2026	Approved by Delegation
10/2026/32/1	18 Mar 2026	16 Carr Street CROOKWELL	Dwelling	22 May 2026	Approved by Delegation
10/2025/124/1	12 Dec 2025	39-41 Goulburn Street CROOKWELL	Change of Use	08 May 2026	Approved by Delegation
10/2026/6/1	28 Jan 2026	72 Grovenor Street GUNNING	Outbuilding	19 May 2026	Approved by Delegation
10/2026/14/1	16 Feb 2026	49 Tyrl Tyrl Road LAGGAN	Dwelling	14 May 2026	Approved by Delegation
10/2026/17/1	23 Feb 2026	1 Church Street COLLECTOR	Outbuilding	19 May 2026	Approved by Delegation

Information only
DEVELOPMENT STATISTICS REPORT cont'd

10/2026/44/1	22 Apr 2026	2717 Sapphire Road WHEEO	Dwelling	20 May 2026	Approved by Delegation
10/2024/80/4	17 Apr 2026	Range Road GRABBen GULLEN	Modification - Telecommunication Facility	12 May 2026	Approved by Delegation
10/2026/47/1		412 Jerrawa Road JERRAWA	Dwelling	22 May 2026	Approved by Delegation
10/2012/126/2	23 Apr 2026	41 East Street CROOKWELL	Subdivision - Modification	21 May 2026	Approved by Council
10/2026/46/1	23 Apr 2026	682 Dalton Road GUNNING	Alterations and Additions - Dual Occupancy	13 May 2026	Withdrawn
10/2026/64/1		12 Kennedy Road GRABBen GULLEN	Dwelling	21 May 2026	Returned

Total Applications: 16

Outstanding Development/Planning Applications

Lodged since 1/01/2010

Application Number	Submitted	Address	Proposal	Status	Net Days
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Development Application

10/2025/105/1	04 Nov 2025	262 Goulburn Street CROOKWELL	Thirteen (13) Lot Torrens Title Subdivision	Under Assessment	120
10/2025/129/2	20 Apr 2026	24B Carrington Street CROOKWELL	Two (2) Lot Torrens Title Subdivision	Under Assessment	42
10/2026/8/1	28 Jan 2026	120 Greenwich Meadows Road GREENWICH PARK	Alterations and Additions Outbuilding	Under Assessment	119

Information only
DEVELOPMENT STATISTICS REPORT cont'd

10/2026/19/1	02 Mar 2026	McDonald Street CROOKWELL	Fifty (50) Lot Torrens Title Subdivision & Drainage	Under Assessment	67
10/2026/23/1	05 Mar 2026	12 Barry Place CROOKWELL	Detached Dual Occupancy & Strata Subdivision	Under Assessment	68
10/2026/36/1	10 Apr 2026	600 Felled Timber Road DALTON	Dwelling	Request for Information	44
10/2026/42/1	20 Apr 2026	50 Biala Street GUNNING	Dwelling	Under Assessment	33
10/2026/45/1	27 Mar 2026	1721 Golspie Road GOLSPIE	Dwelling	Under Assessment	41
10/2026/50/1	05 May 2026	Spring Street CROOKWELL	Two (2) Lot boundary adjustment subdivision	Under Assessment	28
10/2026/54/1	19 May 2026	Spring Street CROOKWELL	Alteration and Addition to Existing Dwelling	Under Assessment	15
10/2026/55/1	13 May 2026	27 Tait Street CROOKWELL	Dwelling	Under Assessment	20
10/2026/56/1	13 May 2026	29 Tait Street CROOKWELL	Dwelling	Under Assessment	20
10/2026/57/1	13 May 2026	31 Tait Street CROOKWELL	Dwelling	Under Assessment	20
10/2026/59/1	26 May 2026	11 Carrington Street CROOKWELL	Alterations and Additions Commercial Building	Under Assessment	5

Information only
DEVELOPMENT STATISTICS REPORT cont'd

10/2026/61/1	19 May 2026	Arthur Street BINDA	Dwelling	Under Assessment	14
10/2026/62/1	18 May 2026	Woodhouselee Road WAYO	Outbuilding	Under Assessment	14
10/2026/63/1	22 May 2026	Arthursleigh Road BIG HILL	Outbuilding	Under Assessment	9
10/2026/65/1	29 May 2026	1798 Towrang Road GREENWICH PARK	Secondary Dwelling	Under Assessment	2
10/2020/18/5	25 Mar 2026	43 Povey Place BREADALBANE	Outbuilding	Under Assessment	68
10/2025/38/4	27 May 2026	161 Strathaird Lane TARALGA	Dwelling	Under Assessment	7

Total Applications: 20

RECOMMENDATION That -

1. Council receives and notes the report as information.

ATTACHMENTS

Nil

Information Only - 18 June 2026

ITEM 10.2 **2025/2026 End of Pool Season Report**

FILE REFERENCE **I26/96**

AUTHOR **Manager Water, Waste and Sewer**

ISSUE

This report provides a summary of the activities in the Upper Lachlan Shire Council pools for the 2025/2026 pool season.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

The purpose of this report is to provide a summary of the 2025–26 pool season, including participation, operational outcomes, community feedback, and an update on Council’s ongoing aquatic planning process.

REPORT

The 2025–26 pool season was characterised by strong community engagement, steady participation, and a diverse range of programs across both facilities. Cooler weather resulted in low early attendance in the season. Notwithstanding this, favourable conditions in the latter half supported consistent attendance across the facilities.

Table 1: Pool Highlights

Pool	Highlights
Crookwell	<ul style="list-style-type: none">• Successfully conducting SwimVac Swim and Survive and School Swimming lessons.• Regulars enjoying a swim several times a week to improve their health and fitness.• Greatly improved youth behaviour = improved amenity for all pool users.• Plant operating consistently.• Improvements to landscaping enjoyed by the users.
Gunning	<ul style="list-style-type: none">• Successfully conducting SwimVac Swim and Survive and School Swimming lessons.• Initial training and licensing of 4 new lifeguards was held at Gunning.• Lifeguards managing to run the pool within health standards despite a plant failure.• Many compliments from travellers camping in the Barbour Park campground at what a lovely pool it is.

Information only

2025/2026 END OF POOL SEASON REPORT cont'd

Table 2: Total Attendance – 3-Year Comparison

Pool	2023-2024	2024-2025	2025-2026
Crookwell	-	13,266	7,659
Gunning	3,794	4,171	3,972
Total	3,794	17,437	11,631

(Note: Attendance figure for the 2024/25 financial year for the Crookwell pool was based on free access)

Average daily patronage for both pools combined was 77 visits, with Table 3 outlining figures by asset.

Table 3: Average Daily Patronage 2025–26

Pool	Average attendance
Crookwell	50
Gunning	26

Operational and Maintenance Summary

The season was successfully managed by Council staff, through the engagement of lifeguards in a casual role, with positive feedback reflecting satisfaction, particularly regarding:

- Staff professionalism
- Water quality
- Community programs and events

Staff also experienced improved behaviour especially from the youth, which assisted in providing an improved experience overall for all users.

Issue / discussion

Management of Pool Operations

Council manages the day to day operations associated with the pool, sitting under the Water, Sewer and Waste Department. Lifeguards are engaged annually on a part time basis, with challenges being experienced around engaging significant staff numbers and ensuring all are suitably trained.

Addition costs were experienced associated with providing training where required to assist in staff numbers.

Council Water and Sewer operators oversee the operations associated with the plant, with no significant operational challenges experienced over this reporting period.

The Lions Club of Crookwell got behind the pools and obtained wind farm grant to donate safety equipment to both pools which included additional Rescue tubes, kick boards, swim toys, and an Aqua Chair for the Crookwell Pool. The Lions Club has also partially funded a new spinal board for Gunning Pool.

Events

Total Bookings for Season, 12 events were held at the Crookwell pool and 3 events at the Gunning pool, with such including;

- SwimVac and School swimming lessons;
- School sport booking;
- School Swimming carnivals; and;

Information only

2025/2026 END OF POOL SEASON REPORT cont'd

- A number of group functions were catered for without being formally booked, these were small community events, birthday parties and family gatherings.

Closures

Both Pools experience interruptions from storm activity with closures due to lightning.

Pool closures were related to;

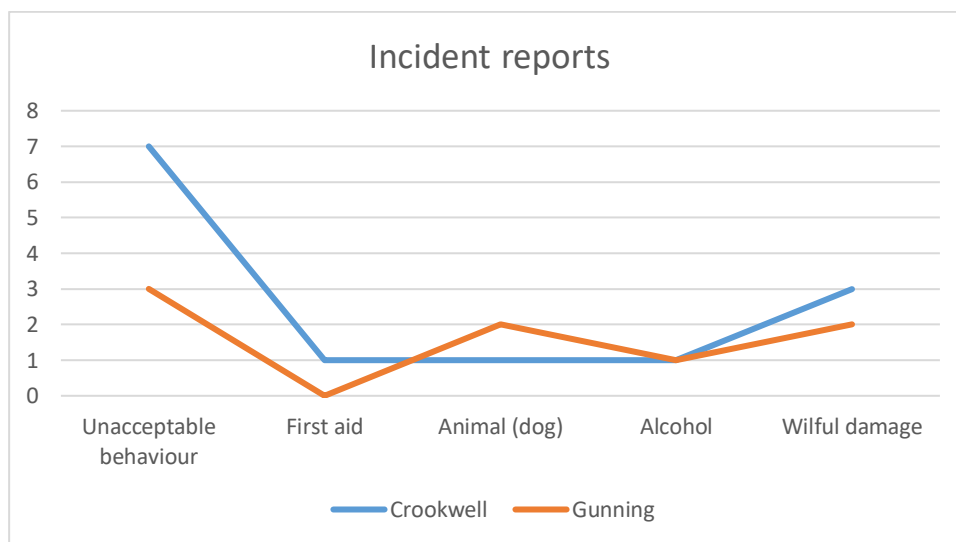
- Lack of Staff 1 full day (Gunning);
- Inclement weather 4 full days (2 days at both pools); and;
- Staff sent home for storm safety – 2 part days.

Staffing

Council employed 13 Pool Attendants over the season, 11 fully qualified lifeguards and 2 First Aid+CPR trained staff. Council trained 4 Pool Attendants.

Incident Reporting

Pool Staff experienced 24 reportable incidents, 10 at Gunning and 14 at Crookwell. Unacceptable youth behavior has continued to be a feature at Crookwell, while dogs and alcohol were an unexpected feature at Gunning Pool. Both pools experienced willful damage incidents.



Strategic Planning

Officers are progressing a strategic review of the service delivery options for the Crookwell pool as requested. This review will be considered extending the swim season through the heating of the 25m pool.

Staff will evaluate the operational options and operational sustainability and provide Council with the evidence to make an informed decision, balancing community needs, financial sustainability and asset risk.

Council will be reviewing the management of pool operations over the off-season with a focus on how these responsibilities should be managed based on the VIC being operational.

POLICY IMPACT

Council plan compliance

- Theme A – Our community
Strategic objective: Our community’s health and wellbeing is supported by access to services, facilities, and activities.
- Theme D – Our infrastructure
Strategic objective: Our network of community infrastructure supports connected communities and meets community and visitor needs
- Theme E – Our civic leadership
Strategic objective: Council is a financially sustainable organisation that can meet community needs

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Details with respect to both expenditure and income are summarised below and compared to the estimates as detailed in Council’s 2025/26 Operational Plan.

Table 4: 2025-26 expenditure overview

Pool	Budget	YTD	Variance
Crookwell	\$278,992.00	\$237,626.00	88%
Gunning	\$119,683.00	\$111,988.00	95%

(Note: Crookwell pool will continue to incur operational costs for the remainder of the financial year based on the requirements to maintain water within the 25m pool).

Table 5: 2025-26 Income overview

Pool	Forecasted revenue	Actual revenue	Variance
Crookwell	\$24,308.00	\$21,277.00	-12%
Gunning	\$11,536.00	\$12,018.00	4%

(Note: Income for Crookwell pool was below the estimated figure based on limited historical data and access to the pool in 2024/25 being free and a reduction in the 2025/26 admission fee mid-season.)

In summary the overall operating budget for the pools came in under that adopted in the 2025/26 Operational Plan. With the total year to date expenditure for both facilities being \$349,614.00 and a combined income of \$33,295.00 resulting in Council subsidising the overall operations to an amount of \$316,319.00.

Within the current YTD figures, the average subsidy per pool visits in 2025-26 was \$27.20. Subsidy rates per facility are detailed in Table 6 below.

Table 6: subsidy rate per visit – 2025/26

Pool	Visits	Expense (- income)	Subsidy / visit
Crookwell	7,659	\$216,349.00	\$28.24
Gunning	3,972	\$99,970.00	\$25.17
Total	11,631	\$316,319.00	\$27.20

Information only

2025/2026 END OF POOL SEASON REPORT cont'd

Future financial risks

While Council Officers have effectively managed operational expenditure throughout the 2025–26 season, potential capital finance considerations remain regarding aging assets and potential works at the Gunning pool.

Officers will continue to monitor and provide updates and related cost implications as part of the asset management requirements, with financial and operational decisions prior to required capital works progressing.

The operational costs associated with the Crookwell pool will continue to be monitored and reviewed to ensure greater accuracy of allocations of funds across each cost component. These figures are to be continually reviewed based on the pool operations being relatively new and to enable staff to obtain a greater understanding of actual costs.

CONCLUSION

Council recognises the significant social, health, and recreational value of public swimming pools and continues to invest in their seasonal delivery. The annual review process aims to ensure that the asset is managed effectively, with financial and operational decisions proportionate to community demand and broader service obligations.

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 18 June 2026

ITEM 10.3 **Works In Progress - Construction & Maintenance**

FILE REFERENCE **I26/112**

AUTHOR **Manager of Infrastructure Delivery**

ISSUE

This report provides Council with details regarding major construction and maintenance works in progress or recently completed.

RECOMMENDATION That -

1. Council receive and note the report as information.

REPORT

RMCC Contract Binda Road (State Road MR54):

Routine maintenance budget (RMAP) for the year is \$853,892.50. This covers all routine maintenance associated with MR54, funding a four man works crew on the road and other associated staff and resources for the contract.

In addition to RMAP, works orders are being delivered by Council for Transport for NSW as part of the RMCC contract, this financial year these works included:

- Binda Road Rehabilitation has been completed with guardrail and line marking finalised early December 2025. Total approximately \$2,200,000
- Culvert grouting of a damaged stormwater line near Alison Hone Reserve was completed in October 2025 at a cost of \$69,000.
- Guardrail replacement at a fatality site south of Pejar Dam. \$56,000
- Installation of upgraded signage at Tuena Creek was completed October 2025 at a cost of \$56,000
- Installation of vehicle activated sign at Tuena Creek was completed in July 2025 at a cost of \$36,000.
- Heavy patching – Council has completed four work orders across the network
 - o reseal areas mostly north of Crookwell \$263,000
 - o from Rylstone Rd to Abercrombie River \$639,000
 - o south of Tuena Creek at the Abercrombie over two work orders totalling \$455,000

Information only

WORKS IN PROGRESS cont'd

Council is currently completing further heavy patching between Crookwell and Goulburn, including asphalt works at Sooley Creek Bridge and Pejar as well as an asphalt overlay to Woodhouselee Road intersection totaling \$1,150,000

Council has engaged contractors to complete Stage 1 and 2 of a mass action safety installation of guardrail and motorcycle underrun at approximately 14 sections of MR54. The work is now complete with the total of the two work orders being \$575,000.

Stage 3 is the installation of 5 vehicle activated warning signs in areas of windy road at an approximate cost of \$260,000

Boorowa Road intersection 90% concept design will be presented to Transport for NSW by June for assessment.

- * Design of road widening and rehabilitation including Boorowa Road intersection to 1km South of Crookwell River bridge, \$100,000
- * Design of culvert extension in the northern end of these works \$30,000.
- * Further Geotechnical investigation has been completed with Council awaiting the delivery of the structural design \$53,000.

Planning including survey, geotechnical investigation and design is being undertaken for 2.5km of road widening south of Binda. This will be a continuation of the recently completed section of rehabilitation north of Rylstone Road. These works are proposed for 26/27 FY \$149,000

Council have requested suitable contractors to quote on the remediation of the landslide area on the southern approach to Abercrombie River. This specialist work including slope stabilisation and horizontal drains will be awarded before June 2026 and is expected to be completed this year. Works will be managed by Council.

Bitumen resealing of 10 segments had been planned but has now been postponed. This was due to contractor delays and escalating prices. Council and TfNSW are now prioritising sections for 26/27 FY.

Building Assets

Asbestos register & management plan- Update

Council's Asbestos Register and Asbestos Management Plan are due for the five-year review. The revision of these documents is expected to be completed by the end of 2026.

Crookwell Administration Buildings – Exterior Painting

The Council administration buildings require exterior repainting. Timber window repairs have been completed. Painting works has started, completion will be in June.

Information only

WORKS IN PROGRESS cont'd

Crookwell Administration Buildings – Rising Damp Remediation

The Council administration building which is constructed on the lot boundary and set lower than ground level has experienced water ingress and rising damp. The last of the remediation works were completed in May 2026.

Crookwell Banfield House - Boiler replacement

The secondary LPG boiler unit failed during routine servicing. Boiler has been replaced in April 2026 and final commissioning completed in early May 2026.

Crookwell Council Chambers – Solar, Battery and EV Chargers (CEUF grant)

Council was successful in obtaining funding for this and several other projects through the Community Energy Upgrade Fund (CEUF). The approved grant includes 30kW Solar, 30kWh battery and 2 x 2 bay EV chargers. Project is in preliminary stages of design.

Crookwell Depot – Solar, Battery and EV Chargers (CEUF grant)

Council was successful in obtaining funding for this and several other projects through the Community Energy Upgrade Fund (CEUF). The approved grant includes 25kW Solar, 20kWh battery and 2 x 2 bay EV chargers. Project is in preliminary stages of design.

Crookwell Library- Electrical Point of Attachment (POA) upgrade

The library's electrical POA currently passes through the Memorial Hall's DP/LOT, which is non-compliant. Electricians have advised that no future electrical repairs will be undertaken until this issue is rectified. All work has been completed.

Crookwell Library – Solar and Battery (CEUF grant)

Council's application for the Public Libraries Infrastructure Grant (PLIG) was unsuccessful. Council was successful in obtaining funding for this and several other projects through the Community Energy Upgrade Fund (CEUF). The approved grant includes 25kW Solar, 30kWh battery. Project is in preliminary stages of design.

Crookwell Memorial Hall - Install Access to Roof Cavity

The ceiling cavity of the Crookwell Memorial Hall requires safe access for servicing of air-conditioning units and cabling. The contract for the works was awarded on 27 March 2026, and the works start on 7 April 2026, works are planned to be completed in June.

Crookwell Senior Citizens Centre - Exterior Painting

Exterior painting works have been completed in May 2026.

Fire Safety Upgrades – Multiple Sites

All class 1b and class 2 to class 9 buildings in NSW must have essential fire safety measures inspected and tested in accordance with AS 1851-2012. Environment and

Information only

WORKS IN PROGRESS cont'd

Planning have advised that they are unable to assist to complete the necessary inspections and will need to be conducted by a contractor.

Gunning Administration Building - Structural Investigation and Repairs

The Gunning Administration Building was exhibiting structural movement due to unstable footings. The primary causes are insufficient footing design at the time of construction and fluctuations in ground moisture levels. Footing rectification, external helical bars to stabilize cracking and internal painting work have been completed.

Gunning Court House - Toilet Block Plumbing

The public toilets at the Gunning Court House experience recurrent sewer blockages. Preliminary camera inspections identified misaligned earthenware pipes that were not replaced during the 2004 construction. Further investigations have been undertaken, and repair work has been completed. Exterior and interior painting has been completed in early May 2026.

Gunning Library - Footing Remediation and Structural Repairs

The Gunning Library has experienced structural movement caused by inadequate footing design and soil expansion and contraction due to variable moisture levels

Remedial works completed to date include roof replacement to the front section, repair of leaking plumbing, tree removal, and improved surface drainage. In early November 2025, epoxy resin injection was undertaken to raise sunken footings, followed by installation of helical tie bars to stabilise cracks. Further stormwater, internal patching, and painting works also have been completed.

Gunning Showground – Solar, Battery and Solar Lighting (CEUF grant)

Council was successful in obtaining funding for this and several other projects through the Community Energy Upgrade Fund (CEUF). The approved grant includes 30kW Solar, 50kWh battery and solar lighting. Project is in preliminary stages of design. Please note - 2 x 2 bay EV chargers are also being considered at alternate locations in Gunning.

Taralga Memorial Hall - Electrical Meter Board Upgrade

The Taralga Memorial Hall meter board is the next priority within Council's ongoing switchboard upgrade program. The existing asbestos-containing board includes outdated switchgear. Quotations are being sourced, with works anticipated for July/August 2026.

Capital Works Projects:

Sealing of Unsealed section of Wombeyan Caves Road

Works will include tree pruning, road widening, drainage improvements, guardrail and sealing. REF, Survey, detailed design and RSA have been completed. Works are scheduled to start late June 2026 and carry into next financial year.

Wombeyan Caves Road MR258 Guardrail (Safer Roads Program – Towards Zero)

Information only

WORKS IN PROGRESS cont'd

Works included tree pruning, road widening and guardrail installation on the windy sealed section of Wombeyan Caves Road towards the Caves themselves. All other works have been completed.

Pedestrian Lighting to raised Pedestrian Crossings (Safer Roads Program - School Zone Infrastructure)

This project will include the installation of pedestrian lighting at the newly installed raised pedestrian crossings at Crookwell - two being installed at this location, Collector and Taralga. Installation of lighting has been completed. Variation has been lodged to install footpaths and kerb around the schools and approved. All footpath and kerb works have been completed.

Design and Construction of Gunning Levee

The feasibility report and preliminary cost estimate for the construction of the levee is complete with the cost significantly higher than the grant amount. Council has requested a variation to utilise the available grant funding to undertake the detailed design of the levee, construction of Warrataw Street stormwater works and the raising of one dwelling house, variation has been approved mid-August and design works are in progress and completion in December 2026. Raising the dwelling will not progress due to the age of the structure and structural components. Draft designs for the levee and Warrataw Street stormwater works have been completed.

Woodhouselee Road Pavement Rehabilitation (Roads to Recovery)

A continuation of pavement rehabilitation/upgrade from Laggan has been completed on Woodhouselee Road. Works involve clearing, drainage improvements, earthworks and bitumen sealing. Bitumen sealing has also been completed.

Redground Road Pavement Rehabilitation (Roads to Recovery)

Pavement Rehabilitation has been completed on Redground Road from the intersection of Redground Heights Road to Diamond Road. Design work and Review of Environmental Factors (REF) have been completed along with major clearing and grubbing, drainage works and pavement rehabilitation. Bitumen sealing has also been completed.

King Road Crookwell Kerb & Gutter and Stormwater

Works on King Road have been complete. The works included subsurface stormwater upgrades, kerb & gutter, retaining wall construction with pedestrian fencing have been installed. This project will continue next financial year with stormwater works carrying on to Crown Street and pavement rehabilitation along King Road to tie everything together.

Orchard Street Taralga Stormwater

Stormwater improvements have been completed in Orchard Street Taralga to address previous investigations of collapsed, aged and ineffective infrastructure. Works have been completed to replace subsurface stormwater pipes, pits and kerb and gutter along Orchard and Church Streets in November 2025. Works to repair a section of

Information only

WORKS IN PROGRESS cont'd

kerb and road shoulder in front of the Taralga RFS shed have been completed except for sealing the road shoulder that will happen when weather allows.

Kerb and Gutter Renewal Program

Kerb and gutter renewal are undertaken largely reactively and driven by staff inspections and risk ratings. Works are delivered intermittently through the year.

Tablelands Way MR256

Council has received grant funding from the NSW State Government to upgrade four sections of Tablelands Way (also known as Taralga Road) north of Taralga. These sections have been numbered in order of priority. Stage 1 (the highest priority) was the replacement of an underperforming culvert/causeway arrangement over Burra Burra Creek with a single span bridge – works are now complete. Stages 2-4 are road upgrades with several curve realignments, widening and furnishing. Stage 4 has been removed from the scope due to Stage 1 budget overruns.

Stage 2 works are complete mostly complete (signage and line marking is scheduled for April 2026). Stage 3 works have started and planned to be completed in June.

Rugby Road (Blackspot)

Council has received Federal Blackspot funding to address a 3km section of Rugby Road (South from Bulleys Crossing Road) that has had several accidents. A design has been completed along with Environmental studies. Initial clearing and grubbing have been completed, and council crews have begun construction works including drainage, correction of horizontal and vertical alignment (earthworks). Works will continue through Winter with further tree removal, earthworks and pavement construction. Bitumen sealing to align with warmer temperatures in September/October 2026.

Maintenance Works:

Regional Emergency Road Repair Fund (RERRF) and Local Roads Pothole Repair Program (RLRRP)

Council received funding in 2023/2024 of \$4,881,781 under the Regional Emergency Road Repair Fund (RERRF). Council has previously received funding through the Fixing Local Roads Pothole Repair Program and Regional and Local Roads Repair Program (RLRRP). This brings the total received through these programs to \$9,020,038. This critical funding injection will assist with completion of road repairs; priority corrective maintenance works and repair of potholes on our local and regional road network that are not covered under the Disaster Declaration funding.

Some of the highest priority projects such as heavy patching on Regional Roads have been completed with an indicative program of works approved by the funding body and in place. An extension of time to complete the works has been granted to all recipients of these grants, with all works now to be completed by 31 October 2027.

Information only

WORKS IN PROGRESS cont'd

Gravel Resheeting

Council's gravel resheeting program for the 2025/2026 financial year comprises of funding from Section 7.11 Contributions, Regional Emergency Roads Repair Fund and Roads to Recovery grant. Works on Woodville Road and Lost River Road have been completed. Further funding has been set aside for reactive resheeting and will be scheduled for the remaining months of the financial year.

Maintenance Grading

Council has over 1,200 kilometres of unsealed maintained road network, maintenance grading is essential for the ongoing maintenance of this network. Council has three maintenance grading crews and uses a contractor as required. Maintenance grading is largely reactive and priorities are constantly shuffling, driven by changing weather patterns, CRM's, staff inspections and Road Management Policy for frequency of grading.

Natural Disaster Restoration Works:

Council has approval for \$12.43 million in funding from Transport for NSW for three Natural Disasters that were encountered within the Shire in past years. These funds have been allocated for designated projects associated with impacted roads. These works align with Council's submissions for each declared event and cannot be diverted for other purposes.

Council's teams will undertake a substantial portion of the required work over the next six months. Additionally, where required contractors will be engaged for assistance through the Council's Minor Works Panel to ensure the completion of these projects.

This comprehensive program encompasses several thousand individual pieces of work. Works are complete and Council is in the process of completing claims for end of financial year.

North Maintenance Grading -

Recently Completed Grading

Greenmantle Road
Reids Flat Road
Foggs Crossing Road
Yarraman Road
Hollywood Road
Reisdale Road
Golspie Road
Collector Road
Salisbury Road
Valley Road

Upcoming Grading

Fullerton Road
Millsvale Road
Jerrong Road
Wiaborough Road
Mulgowrie Road
Tyrl Tyrl Road
Turkey Hill Road
Hollydene Road

South Maintenance Grading -

Recently Completed Grading

Rugby Road
Maryvale Road
Mullengrove Road

Upcoming Grading

Berrebanglo Road
Elms Road
Chain of Ponds Road

Information only

WORKS IN PROGRESS cont'd

Jerrara Road
Clarevale Road
Sapphire Road

Rye Park Road (MR141)

Gunning Maintenance Crew

Recently Completed Work

Pre-Mix Patching - Grabben Gullen Rd (MR52)
Gundaroo Rd (MR52)
Jerrawa Rd
Collector Rd
Gunning Streets
Dalton Streets

Culvert Replacement Bevendale Rd

Kerb & Gutter Gunning

Upcoming Work

Pre-Mix Patching : Biala Rd
Grabben Gullen Rd (MR52)
Gundaroo Rd (MR52)
Breadalbane Rd
Cullerin Rd

Signs : Grabben Gullen Rd (MR52)
Rye Park Rd (MR241)
Rural Rds

Tree Clearing : Grabben Gullen Rd (MR52)
Cullerin Rd

Kerb & Gutter / Stormwater drains Gunning Streets

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 18 June 2026

ITEM 10.4 **Investments for the month of May 2026**

FILE REFERENCE **I26/146**

AUTHOR **Director of Finance and Administration**

ISSUE

Council Investment Portfolio Register as at 31 May 2026.

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 May 2026

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
CBA BOS	Call	\$430,000	2.85%	30	30-05-26	\$1,007.26
CBA	TD	\$1,000,000	4.02%	253	03-06-26	\$27,864.66
IMB	TD	\$500,000	4.00%	245	10-06-26	\$13,424.66
Bank of Qld	TD	\$500,000	4.13%	238	17-06-26	\$13,464.93
IMB	TD	\$1,000,000	4.05%	231	24-06-26	\$25,631.51
Bank of Qld	TD	\$1,000,000	4.25%	230	30-06-26	\$26,780.82
Bank of Qld	TD	\$600,000	4.65%	90	07-07-26	\$6,879.45
CBA	TD	\$500,000	4.23%	231	08-07-26	\$13,385.34
CBA	TD	\$1,000,000	4.79%	84	08-07-26	\$11,023.56
CBA	TD	\$500,000	4.25%	231	15-07-26	\$13,448.63
Bendigo Bank	TD	\$1,000,000	4.70%	77	22-07-26	\$9,915.07
IMB	TD	\$500,000	4.45%	189	22-07-26	\$11,521.23
NAB	TD	\$1,000,000	4.15%	273	29-07-26	\$31,039.73
Bank of Qld	TD	\$1,000,000	4.95%	141	05-08-26	\$19,121.92
Bendigo Bank	TD	\$1,000,000	4.70%	77	05-08-26	\$9,915.07
IMB	TD	\$1,000,000	4.85%	147	12-08-26	\$19,532.88
Bendigo Bank	TD	\$1,000,000	4.80%	89	12-08-26	\$11,704.11
NAB	TD	\$1,000,000	4.98%	84	12-08-26	\$11,460.82
NAB	TD	\$1,000,000	4.10%	364	19-08-26	\$40,887.67
IMB	TD	\$1,000,000	4.85%	84	19-08-26	\$11,161.64
CBA	TD	\$300,000	4.91%	84	19-08-26	\$3,389.92
Bendigo Bank	TD	\$1,000,000	5.05%	154	26-08-26	\$21,306.85

Information only**INVESTMENTS FOR THE MONTH OF MAY cont'd**

CBA	TD	\$1,500,000	4.01%	364	02-09-26	\$59,985.21
NAB	TD	\$1,000,000	4.15%	365	09-09-26	\$41,500.00
NAB	TD	\$1,000,000	4.20%	301	16-09-26	\$34,635.62
NAB	TD	\$1,000,000	4.20%	364	23-09-26	\$41,884.93
Bendigo Bank	TD	\$1,000,000	5.20%	224	11-11-26	\$31,912.33
Bank of Qld	TD	\$1,000,000	4.30%	371	09-12-26	\$43,706.85
CBA	TD	\$1,076,000	4.58%	364	06-01-27	\$49,145.78
CBA	TD	\$1,000,000	4.52%	370	13-01-27	\$45,819.18
Bank of Qld	TD	\$500,000	4.50%	364	20-01-27	\$22,438.36
NAB	TD	\$1,000,000	4.70%	364	27-01-27	\$46,871.23
CBA	TD	\$1,100,000	4.72%	362	27-01-27	\$51,493.26
Bendigo Bank	TD	\$1,000,000	4.55%	364	03-02-27	\$45,375.34
Bank of Qld	TD	\$1,100,000	4.75%	371	10-02-27	\$53,108.90
Bendigo Bank	TD	\$1,000,000	4.60%	371	17-02-27	\$46,756.16
Bank of Qld	TD	\$1,000,000	4.80%	371	24-02-27	\$48,789.04
CBA	TD	\$1,000,000	4.75%	378	03-03-27	\$49,191.78
NAB	TD	\$500,000	4.80%	378	10-03-27	\$24,854.79
IMB	TD	\$1,000,000	4.80%	378	17-03-27	\$49,709.59
Bank of Qld	TD	\$1,500,000	4.97%	385	24-03-27	\$78,634.93
		\$37,106,000				\$1,219,681.02

*TD: Term Deposit**BOS: Commonwealth Bank Business Online Saver***Council Investment Performance:*****Budget Comparison to 31 May 2026***

Interest on Investments Received YTD	\$1,438,973.88
Annual budgeted amount for all funds	\$1,350,000
Percentage of Interest Received YTD	106.59%
Percentage of Year Elapsed	92.05%
Average market interest rate (90-day BBSW)	4.44%
Average return on all investments	4.51%

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.

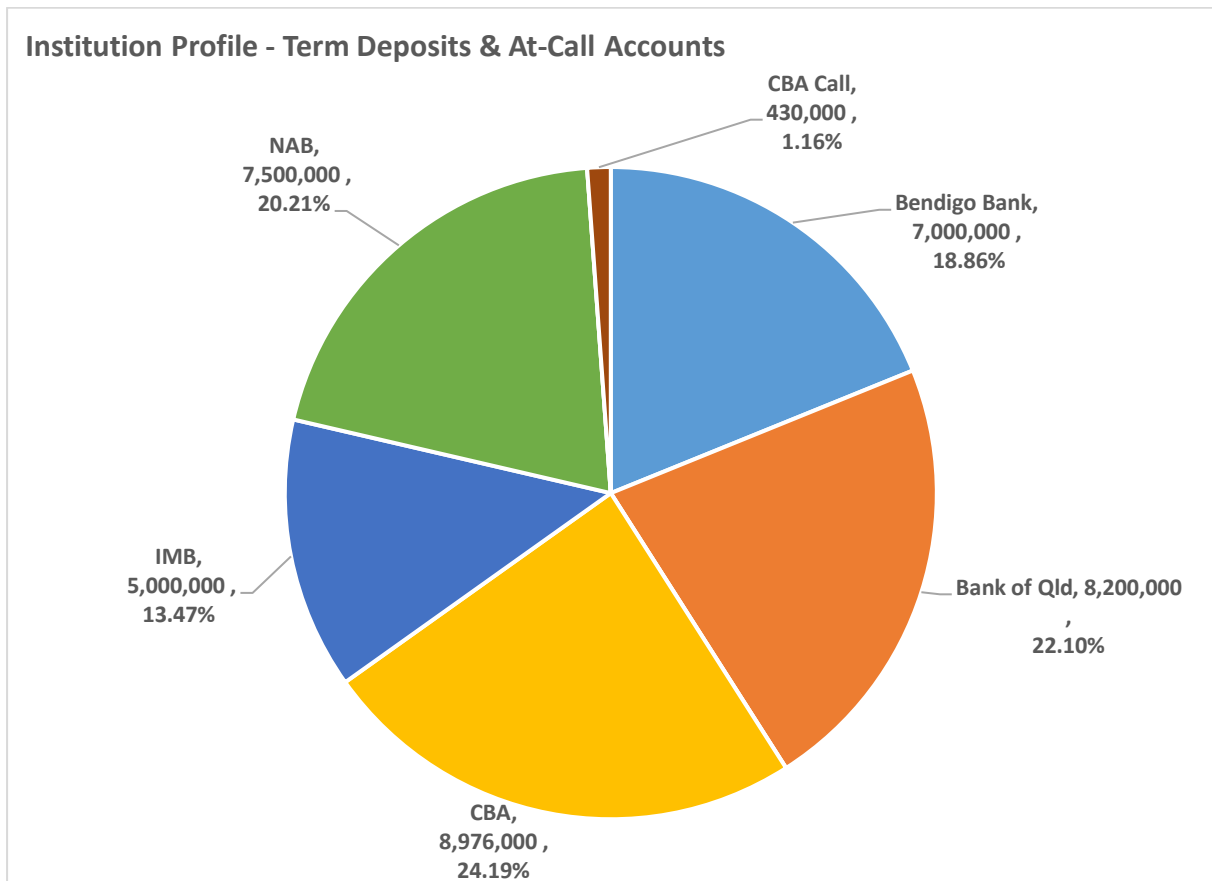
Information only

INVESTMENTS FOR THE MONTH OF MAY cont'd

Financial Institution Investments Profile as at 31 May 2026

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%."

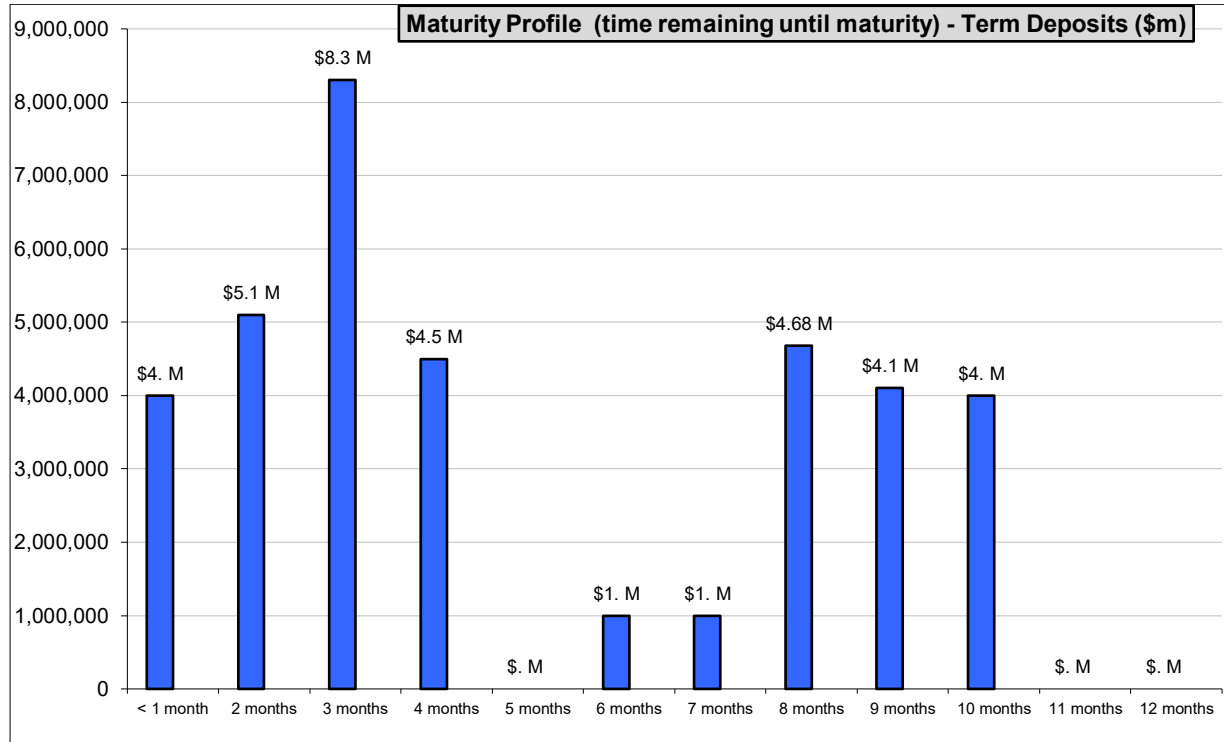


Information only

INVESTMENTS FOR THE MONTH OF MAY cont'd

Investments - Maturity Profile as at 31 May 2026

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.



Summary of Available Cash at 31 May 2026

Total Investments: \$37,106,000

Investments By Fund (Includes Restricted and Unrestricted Cash):

Funds	(\$)
General Fund Reserves	\$20,762,312
Water Supply Fund Reserves	\$4,713,958
Sewerage Fund Reserves	\$9,028,645
Domestic Waste Management Fund Reserves	\$2,598,730
Trust Fund Reserves	\$2,355

Information only

INVESTMENTS FOR THE MONTH OF MAY cont'd

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 June 2026

ITEM 10.5 **Bank Balance and Reconciliation - May 2026**

FILE REFERENCE **I26/148**

AUTHOR **Director of Finance and Administration**

ISSUE

Statement of Bank Balance and Reconciliation as at 31 May 2026.

RECOMMENDATION That -

1. Council receive and note the report as information.
-

BACKGROUND

Nil

REPORT

STATEMENT OF BANK BALANCE & RECONCILIATION

General Ledger Balance brought forward 30 April 2026	699,503.69
Add: Receipts for May 2026	<u>7,371,643.00</u>
	8,071,146.69
Deduct: Payments for May 2026	<u>7,908,557.02</u>
Balance as at 31 May 2026	<u>162,589.67</u>
Balance as per Bank Statement 31 May 2026	154,903.71
Add: Outstanding Deposits	<u>8,507.10</u>
	163,410.81
Less: Unpresented Cheques/ EFTs	<u>821.14</u>
Balance as at 31 May 2026	<u>162,589.67</u>

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 June 2026

ITEM 10.6 **Rates and Charges Outstanding for the month of May 2026**

FILE REFERENCE **I26/149**

AUTHOR **Director of Finance and Administration**

ISSUE

Rates and Charges Outstanding Report to 31 May 2026.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

A Summary report of the Rates and Charges outstanding at 31 May 2026 is detailed.

REPORT

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

Description	31/05/2026	31/05/2025	31/05/2024
Total % Rates and Charges Outstanding	7.23%	7.16%	7.68%
Total \$ Amount Rates and Charges Outstanding	\$1.22 million	\$1.15 million	\$1.14 million

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

1. ↓	Rates Collection by Year - June 2026	Attachment
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Rate Collection 2026 Year

Rating Categories	Levy Raised to date	Rates Received to 1 June 2026	Rates Outstanding to 1 June 2026	% Rates Outstanding 1 June 2026
Farmland	6,201,731.17	5,854,789.38	346,941.79	5.59%
Residential	1,726,157.80	1,568,111.66	158,046.14	9.16%
Rural Residential	962,309.21	891,672.65	70,636.56	7.34%
Business	754,525.69	739,296.59	15,229.10	2.02%
Mining	2,372.10	2,372.10	-	0.00%
Water	1,423,690.19	1,303,769.36	119,920.83	8.42%
Sewerage	2,162,471.91	1,990,836.96	171,634.95	7.94%
Domestic & Comm Waste	1,871,339.94	1,721,862.80	149,477.14	7.99%
Rural Waste	1,001,478.92	930,828.26	70,650.66	7.05%
Storm Water	51,031.78	46,960.37	4,071.41	7.98%
**Arrears	772,899.67	655,976.85	116,922.82	15.13%
Credits		353,849.15	-353,849.15	
Overall Total Rates	16,930,008.38	16,060,326.13	869,682.25	5.14%

Information Only - 18 June 2026

ITEM 10.7 **Grants Report**

FILE REFERENCE **I26/150**

AUTHOR **Grants and Project Officer**

ISSUE

This quarterly grant report advises Council of grants available, grant applications in progress, submitted or unsuccessful applications and grant projects funded.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Nil

REPORT

The updated Grants Report Spreadsheet is an attachment to this report for Councillor information as of 2 June 2026.

A list of grants available and ongoing grants listed on Council's website can be accessed by the following link:

<https://www.upperlachlan.nsw.gov.au/community/grants>

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

1. ↓	Grants Report June 2026	Attachment
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Grants Report June 2026

Grant Applications in progress											
Grantee	Cwealth or State	Project Dept	Due or Submitted	Project	Area	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Veolia MT Community Grant - Round 2	NSW	Infrastructure	3-Jun-26	Safe, Dignified Access Crookwell Health Care Centre	Crookwell, Shire Wide	\$77,358	\$ -	\$ 60,000	\$ 137,358	\$ 137,358	Application lodged
Active Regional Communities Local Priorities Stream	NSW	Infrastructure	22-May-26	Disability Access Crookwell Health Care Centre	Crookwell, Shire Wide	\$37,358	\$ -	\$ 100,000	\$ 137,358	\$ 137,358	Application lodged
Safer Local roads and Infrastructure (SLRIP) Program - Tranche 5	NSW	Infrastructure	29-Apr-26	Breadalbane Road Upgrade: comprehensive road widening, pavement improvement, drainage enhancement, and safety upgrades	Breadalbane	\$0	\$ 600,000	\$ 2,400,000	\$ 3,000,000	\$ 3,000,000	Application lodged
				Grabine Road Culvert Upgrades	Bigga	\$0	\$ 552,740	\$ 2,210,960	\$ 2,763,700	\$ 2,763,700	Application lodged
Community Building Partnerships 2026	NSW	Infrastructure	8-May-26	Disability Access Crookwell Health Care Centre	Crookwell, Shire Wide	\$43,081	\$ -	\$ 100,000	\$ 143,081	\$ 143,081	Application lodged
Active Regional Communities Community Participation Stream	NSW	MAAC	1-May-26	Changing Places Facility Crookwell Aquatic, Park and Visitor Information Centre (CAPVIC)	Crookwell	\$ 310,000	\$ 140,000	\$ 900,000	\$ 1,350,000	\$ 1,350,000	Application lodged. Includes \$140,000 changing places grant
Regional Event Fund Incubator Event Stream	NSW	Tourism and Economic Development	12-Apr-26	Crookwell Summer Graze, Crookwell Pool and Visitor Information precinct - February 2027	Shire wide	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ 20,000	Application lodged
2026/2027 Flood Plain Management	Comm	Infrastructure	15-Apr-26	Consistency review of ULSC Flood Management Study.	Shire wide	\$ 82,859	\$ -	\$ 165,721	\$ 248,580	\$ 248,580	Application lodged
LG Innovations Grant	Australia	Environment and Planning	2-Apr-26	Autonomous Line Marking Robot	Shire wide	\$ 36,300	\$ -	\$ 36,300	\$ 72,600	\$ 72,600	Application Unsuccessful
Telstra Connected Communities Grant	Australia	Tourism and ED	26-Mar-26	Smart Board for workshops and events	Shire wide	\$ -	\$ -	\$ 4,000	\$ 4,000	\$ 4,000	Application lodged
Youth Week Grants	NSW	Tourism and ED	15-Mar-26	Business Workshops for Youth 12-24 years	Shire wide	\$ 2,075	\$ -	\$ 2,925	\$ 5,000	\$ 5,000	Application Successful
2026 Veolia MT Community Grant R1	Local	Tourism and ED	18-Feb-26	Inclusive BBQ and Communal Facilities Crookwell Caravan Park	Crookwell	\$ 25,246	\$ -	\$ 20,000	\$ 45,246	\$ 45,246	Application Successful
FRRR Small & Vital	NSW	Community	4-Dec-25	Building Safe Community Spaces: New fence Senior Citizens building	Crookwell	\$ 1,000	\$ -	\$ 6,000	\$ 7,000	\$ 7,000	Application Unsuccessful
Regional Housing Strategic Planning Fund	NSW	Planning	12-Dec-25	Upper Lachlan Housing Strategy Infrastructure Implementation Plan	Crookwell Gunning	\$ 50,000	\$ -	\$ 150,000	\$ 200,000	\$ 200,000	Application Unsuccessful
Get NSW Active 2026-27	NSW	Infrastructure	12-Dec-25	Queen Street Binda Footpath	Binda	\$ -	\$ -	\$ 321,563	\$ 321,563	\$ 321,563	Application lodged
				Tait Street Crookwell Footpath	Crookwell	\$ -	\$ -	\$ 364,826	\$ 364,826	\$ 364,826	Application lodged
				Grovenor Street Gunning Footpath	Gunning	\$ -	\$ -	\$ 298,983	\$ 298,983	\$ 298,983	Application lodged
Black Spot Program	C	Infrastructure	30-Oct-25	Grabben Gullen Rd Safety Upgrades	Grabben Gullen	\$ -	\$ -	\$ 779,000	\$ 779,000	\$ 779,000	Application lodged
	C	Infrastructure	30-Oct-25	Taralga Rd Safety Upgrades	Taralga	\$ -	\$ -	\$ 1,289,000	\$ 1,289,000	\$ 1,289,000	Application lodged
Safer Local roads and Infrastructure (SLRIP) Program - Tranche 4	NSW	Infrastructure	25-Sep-25	Backarm Road causeway upgrade	Backarm	\$ 66,471	\$ -	\$ 265,884	\$ 332,355	\$ 332,355	Application Unsuccessful
				Breadalbane Road Upgrade	Breadalbane	\$ -	\$ 600,000	\$ 2,400,000	\$ 3,000,000	\$ 3,000,000	Application Unsuccessful
				Pejar Causeway	Pejar	\$ 68,750	\$ -	\$ 275,000	\$ 343,750	\$ 343,750	Application Unsuccessful
				Range Road Safety Upgrades	Bannister	\$ 40,000	\$ -	\$ 160,000	\$ 200,000	\$ 200,000	Application Unsuccessful
				Wombeyan Caves Road Upgrade	Taralga	\$ -	\$ 429,469	\$ 1,717,876	\$ 2,147,345	\$ 2,147,345	Application successful through Road Safety Program
Grabine Road Culvert Upgrades	Bigga	\$ -	\$ 552,740	\$ 2,210,960	\$ 2,763,700	\$ 2,763,700	Application Unsuccessful				

Grant Projects Funded												
Grantee	Cwealth or State	Project Dept	Due or Submitted	Project	Area	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress	
Country Passenger 25/26	NSW	Infrastructure	19-Aug-25	Bannister Lane Bus Stop	Bannister	\$ -		\$ 20,000	\$ 20,000	\$ 20,000	Application Successful	
Crookwell II Windfarm	NSW	Community	9-May-25	Aquatic Wheelchair	Shire	\$ -		\$ 45,747	\$ 8,425	\$ 8,425	Project Complete.	
Floodplain Management Program	NSW	Infrastructure	11-Jun-25	Consistency Review of Floodplain Risk Management Study	Crookwell, Gunning, Taralga and Collector	\$ 66,666		\$ 133,334	\$ 200,000	\$ 200,000	Application Unsuccessful	
TransGrid Community Partnerships Program	NSW	Water and Sewer	2-May-25	Rescue Ready Initiative Crookwell and Gunning Pools: Lifeguard equipment	Crookwell, Gunning	\$ -		\$ 4,015		\$ 4,015	Project Complete.	
Safer Local roads and Infrastructure (SLRIP) Program - Tranche 3	NSW	Infrastructure	7-May-25	Backarm Road causeway upgrade	Backarm	\$ 66,471		\$ 265,884	\$ 332,355	\$ 332,355	Application Unsuccessful	
				Breadalbane Road Upgrade	Breadalbane	\$ -	\$ 600,000	\$ 2,400,000	\$ 3,000,000	\$ 3,000,000	Application Unsuccessful	
				Pejar Causeway	Breadalbane							Application Unsuccessful
				Range Road Safety Upgrades	Bannister	\$ 40,000	\$ -	\$ 160,000	\$ 200,000	\$ 200,000	\$ 200,000	Application Unsuccessful
				Wombeyan Caves Road Upgrade	Taralga		\$ 429,469	\$ 1,717,876				Application successful through Road Safety Program
Grabine Road Culvert Upgrades	Bigga		\$ 552,740	\$ 2,210,960				\$ 2,763,700	Application Unsuccessful			
Regional Precincts and Partnerships	Cwealth	Council	15-Oct-24	Multi Purpose Activity Centre Crookwell	Crookwell	\$ -		\$ 7,155,901	\$ 7,155,901	\$ 7,155,901	Application Unsuccessful	
Road Safety Program	NSW	Infrastructure	10-May-25	Warrataw Street Footpath	Crookwell			\$ 140,000	\$ 140,000	\$ 140,000	Application Successful, currently in design stage	
				Sealing unsealed section Wombeyan Caves Rd	Wombeyan Caves			\$ 1,640,000	\$ 1,640,000	\$ 1,640,000	Application Successful, design complete. Construction to start in July 2026	
				Orchard Street Taralga Footpath	Taralga			\$ 180,000	\$ 180,000	\$ 180,000	Not needed. Covered through remaining funds in previous Road Safety Program funding	
				Lin Cooper Crookwell Footpath	Crookwell			\$ 196,000	\$ 196,000	\$ 196,000	Application Successful, currently in design stage	
Fresh Start Round 3	Cwealth	Infrastructure	8-Aug-25	Apprentice Carpenter	Shire	\$ -					Position recruited	
Fresh Start Round 2	Cwealth	Infrastructure	31-Mar-25	Cadet Building Surveyor	Shire	\$ -						Position recruited
	Cwealth	Environment	31-Mar-25	Trainee Horticulture	Shire	\$ -						Position recruited
Fresh Start Round 1	Cwealth	Infrastructure	8-Nov-24	Apprentice Mechanic	Shire	\$ -						Position recruited
Community Energy Upgrade Fund R2	Cwealth	Council	13-Jun-25	Upper Lachlan Energy Upgrade Project	Shire wide	\$ 1,144,180		\$ 1,144,180	\$ 2,288,361	\$ 2,288,361	Detailed design tender to be sent out in June	
Australia Day Council	NSW	Tourism	18-Nov-25	Australia Day Crookwell Event	Crookwell		\$ -	\$ 10,000	\$ 10,000	\$ 10,000	Project complete and acquitted.	
EV Destination Charging Round 3	NSW	Tourism & Economic Development	28-Mar-25	60W EV Charging Plugs & Parking Bay - Warne St Crookwell Pool	Gunning Crookwell	\$ -		\$ 300,000		\$ 300,000	In discussions with Karr. Project aligned with Substation installation.	
Black Spot Program	C	Infrastructure	13-Dec-24	Rugby Road Safety Upgrades (5.3km from Bevendale Rd): widening the road, sealing the unsealed road, installing safety barrier, installing line marking and signage.	Bevendale	0		\$ 2,977,000	\$ 2,977,000	\$ 2,977,000	Design complete and construction started in April 2026	
Safer Roads Program	NSW	Infrastructure	10-May-24	Pedestrian lighting for raised crossings	Shire wide			\$ 559,000	\$ 559,000	\$ 559,000	Project Complete.	
				Guard rails on Wombeyan Caves Road	Wombeyan Caves			\$ 825,000	\$ 825,000	\$ 825,000	Project Complete	

Grant Projects Funded											
Grantee	Cwealth or State	Project Dept	Due or Submitted	Project	Area	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Local Government Heritage Grant 2025/2027	NSW	Planning	29-Jan-25	Mixed Heritage: - Heritage Assessments/Advice - Review Heritage DCP- Review of potential LEP listings/HCA- SoHS Assessments as required.	Shire wide	\$ 25,000		\$ 25,000	\$ 50,000	\$ 50,000	Application Successful. Interviews for Heritage Advisor completed.
Changing Places Commonwealth Funding	C	MAAC	22-Mar-24	Changing Facilities within the MAAC Amenities Building	Crookwell	\$ 140,000		\$ 140,000	\$ 280,000	\$ 280,000	Grant extended. Waiting on outcome of ActiveRC-CP grant
Office of Responsible Gambling - 2023/24	NSW	MAAC	18-Dec-23	Tiling of the Toddler and Program Pools at the Multipurpose Aquatic and Activity Centre	Crookwell	\$ 243,242		\$ 243,242	\$ 486,484	\$ 486,484	Project Complete. Acquittal to be done.
Block Grant Transport NSW	NSW	Transport		Road Component (\$1,592k), Traffic Facilities (\$77k) and Supplementary component (\$123k).	Shire wide			\$ 1,792,000	\$ 1,792,000	\$ 1,792,000	Regional Road resealing is ongoing. Routine maintenance with heavy patching works on MR248W (Boorowa Road).
Disaster Ready Fund - Round 1 (Commonwealth)	C	Infrast	14-Feb-23	Gunning Flood Mitigation Works (Commonwealth approved \$1,377,631.58 with 2,631.58 allocated to NSW Reconstruction Authority for admin costs)	Gunning	\$ 350,000		\$ 2,400,000	\$ 2,750,000	\$ 2,750,000	Procurement of the design consultant complete, feasibility study for the levee completed. Variation has been approved to utilise the money to undertake the design, raising the house and Warrataw street stormwater works. The levee construction will have to be undertaken under a different grant since the preliminary costs indicate the construction cost will be around \$7m. Completion Dec 2026
Disaster Ready Fund - Round 1 (NSW Government)	NSW	Infrast		Gunning Flood Mitigation Works (NSW Gov't cash waiver amount \$1,025,000)							
Community Heritage Grants	C	Planning	2-Dec-22	ULSC Oral Aboriginal History Project: Traditional stories and oral histories	Shire wide	\$ -	\$ -	\$ 49,350	\$ 49,350	\$ 49,350	Council met with Pejar LALC and they are amenable to the project. Council is currently working to meet with Onerwal LALC (new board started 1 June) and Cowra LaLC. Propose to run parallel with re-exhibition of draft Housing Strategy and draft DCP
Stronger Country Communities Fund (Round 5)	NSW	MAAC	23-Sep-22	Program 1 Sustainable fit out for Crookwell Multi Aquatic Activity Centre	Crookwell	\$ -	\$ -	\$ 829,915	\$ 829,915	\$ 829,915	External and Internal works on track to be completed in tandem with BLERF Fit out. Variation approved until 30 June 2026.
Regional Emergency Road Repair Fund (Regional and Local Roads Repair Program)	NSW	Transport		Corrective Maintenance and Rehabilitation Works in the Shire between 1 January 2023 and 29 February 2024	Shire wide			\$ 8,364,154	\$ 8,364,154	\$ 8,364,154	Work plan submitted and approved by TINSW. Project to be completed by June 2027.
Integrated Water Cycle Management		Planning	9-Jun-21	Delivery of an Integrated Water Cycle Management (WCM) Strategy for Upper Lachlan Shire Council.	Shire wide	\$ 116,365		\$ 349,096	\$ 465,461	\$ 465,461	Extension of variation grant to now expire Dec 2026. Groundwater and bore water testing complete, Gunning sewer modelling and 72 hour flow testing completed, and water modelling 75% complete. Variations underway. Sewer modelling has been reviewed by Council with no changes.
Bushfire Local Economic Recovery Fund (BLERF)	NSW	MAAC	28-Jan-21	Visitors Information Centre	Crookwell	\$ 150,000	\$ -	\$ 2,462,947	\$ 2,612,947	\$ 2,612,947	Fit out of VIC, including installation of substation will be completed 30 June 2026.
Veolia Community Grants		MAAC	24-Sep-24	Solar for VIC	Crookwell	\$ 33,000		\$ 32,251	\$ 65,251	\$ 65,251	Solar installed on VIC. Acquittal to be done.

Information Only - 18 June 2026

ITEM 10.8 **Action Summary - Council Decisions**

FILE REFERENCE **I26/138**

AUTHOR **Chief Executive Officer**

ISSUE

Details are provided of action taken to implement Council Meeting 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: 18 September 2025

165/25	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.	DFA	A report will be tabled to the 16 July 2026 Council Meeting.
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Council Meeting: 16 October 2025

	Draft Upper Lachlan Development Control Plan. 1. Council note the draft Upper Lachlan Development Control Plan. 2. Council amend the Draft Development Control Plan part D.7.1 to Insert the below addition within the <i>Terms and Definitions</i>	DEP	The Draft Upper Lachlan Development Control Plan closed its Public Exhibition but resolved to extend the period by 56 days following the May 2026 Council Meeting.
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	<p><i>“Electricity generation works including making, generating, storage or transmission”</i></p> <p><i>Insert the below addition within Objectives</i></p> <p><i>To ensure that electricity generating works are appropriately located so as not to create adverse impacts on rural lands as concerns the “scenic quality and landscape character” including watercourses, wetland and riparian areas, biodiversity, sensitivity receivers, public roads and the like.</i></p> <p>Standards</p> <p><i>The addition of the below standards:</i></p> <p><i>F. Development involving windfarms not only comply with separation guidelines between turbines but also justify any increase in the proliferation and cumulative impact of wind turbines within the local government area of Upper Lachlan Shire.</i></p> <p><i>G. Developments must demonstrate broad community benefit by way of adequate financial contribution both through direct financial compensation to the Upper Lachlan Shire Council as well to its ratepayers inclusive but not limited to host land owners, over the full term of the development operation. This compensation to be a combination of the guidelines set out by Planning NSW and a voluntary planning agreement.</i></p> <p>3. The Draft Upper Lachlan Development Control Plan be placed on public exhibition in accordance with the requirements of the Upper Lachlan Community Participation Plan 2020 from 27 October 2025 to 21 November 2025.</p> <p>4. A further report be prepared for Council presenting the findings of public exhibition and recommendations for finalisation of the draft Upper Lachlan Development Control Plan.</p>		
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Information Only

ACTION SUMMARY - COUNCIL DECISIONS cont'd

Council Meeting: 19 February 2026

26/26	<p>Councils Environment and Planning directorate review the following 4 items and report back to Council on the practical implementation of the following proposed changes, noting quarterly changes as a quarterly report:</p> <ol style="list-style-type: none">1. Expand the current Council provided DA report to include a live, dynamic Infrastructure and Services Capacity Matrix Report. Capacity is a question that is asked during every assessment and would certainly be of valuable to us all if we have a live and dynamic version that would highlight all aspects that need to be considered and recorded.2. That the report quantify current and committed capacity as a percentage (%), identify remaining capacity and trigger points for upgrades, and address any risks.<ol style="list-style-type: none">1. Sewerage and wastewater2. Water supply3. Electricity and power4. Council infrastructure and services, including roads, stormwater, waste, community facilities, and emergency RFS access.3. That the assessment accounts for cumulative impacts, including approved and pending developments and both major and minor subdivisions.4. That this information be recognised as vital for Councillors and Council officers when assessing Development Applications, to ensure capacity thresholds and associated risks are identified early in the assessment process.	DEP	A review to occur and come back to future Council Meeting in line with the quarter.
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Council Meeting: 16 April 2026

57/26	<ol style="list-style-type: none">1. Resolve to subdivide a portion of the road reserve located at the intersection of Hume Street and Grovenor Street, Gunning, to create a separate lot and deposited plan.2. Retain ownership of the newly created lot following subdivision.3. Permit the use of the land by the NSW Rural Fire Service for the	DOI	Referred to Council solicitors for next stages of gazetting.
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Information Only

ACTION SUMMARY - COUNCIL DECISIONS cont'd

	<p>purpose of constructing and operating a fire station, subject to appropriate agreements being executed between the parties.</p> <p>4. Classify the newly created lot as Operational Land pursuant to Section 31 (2) of the Local Government Act 1993 (NSW), noting that the land is to be used for a specific operational purpose associated with the construction and ongoing operation of a fire station, and that Council will undertake all necessary administration and statutory processes to give effect to this classification.</p>		
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Council Meeting: 21 May 2026

70/26	<ol style="list-style-type: none">1. Council notes, there were no formal submission received during the public exhibition period between 3 November 2025 to 3 December 2025.2. The Alcohol-Free Zones in Crookwell be re-established from 1 July 2026 to 1 July 2030.3. The existing Alcohol-Free Zones signage be updated to include the re-established Alcohol-Free Zones dates of 1 July 2026 to 1 July 2030.4. Informs the relevant Police Local Area District Commander, affected liquor licensees and other organisations of the original proposal and the adoption of the resolution.	DEP	Completed implementation as per Council Resolution.
71/26	<ol style="list-style-type: none">1. That the application be approved subject to the attached conditions within report.	DEP	Completed.
72/26	<ol style="list-style-type: none">1. Council notes the Upper Lachlan Housing Strategy and Development Control Plan Review of Submissions Report 2026.2. Council resolves to support the revisions to the Draft Upper Lachlan Housing Strategy and Draft Upper Lachlan Development Control Plan (with the exception of the removal of the preamble at Part D7) for further public exhibition.	DEP	Awaiting updates to be finalised by consultants, prior to exhibition for 56 days.

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

	<ol style="list-style-type: none">3. Council place the Draft Upper Lachlan Housing Strategy, Draft Upper Lachlan Development Control Plan and Upper Lachlan Review of Submission Report 2026 on public exhibition for a minimum period of 56 days.4. Upon completion of the exhibition period, a further report be provided to Council outlining any submissions received.5. Accept the Fee Proposal of \$12,500 plus GST from Currajong – Planning, Property & Project Management Services to undertake the associate work for Re-exhibiting the Upper Lachlan Housing Strategy and Development Control Plan.6. Approve the Allocation and Expenditure of \$12,500 plus GST of funding from Councils Section 7.11 Developer Contribution Plan (Upper Lachlan Development Contributions Plan 2007) – ‘Plan Administration’ reserves to fund the associated works.		
73/26	<ol style="list-style-type: none">1. Council endorses the 3rd Quarter Budget Review Statements for 2025/2026 including revotes of income and expenditure to the Operational Plan; and2. Council endorses the Operational Plan Performance Summary Report.	DFA	Budget Revotes updated in Civica Authority system. QBRS reported to OLG on 27 May 2026.
74/26	<ol style="list-style-type: none">1. Council adopt the reviewed Borrowings/Loans Policy.	DFA/EA	Policy placed on website 21 May 2026.
76/26	<ol style="list-style-type: none">1. That Council receive at each meeting until the green waste service is resumed a brief update on fuel supply certainty and usage, and current thinking re the resumption of the service.	CEO	Report will be tabled to 18 June 2026 Council Meeting.

Information Only

ACTION SUMMARY - COUNCIL DECISIONS cont'd

77/26	1. That Upper Lachlan Shire Council undertake a preliminary investigation, and that the General Manager provide a preliminary report to Council, regarding future potential risks to Council should the Limerick Wind Farm and other active SSD being developed, with specific reference to: <ul style="list-style-type: none">• Responsibilities of Council to protect the value of land through planning controls• Responsibilities of Council to investigate a public nuisance complaint or order abatement• Responsibility of Council to commission scenic or landscape assessments• Responsibility of Council to manage local traffic impacts arising from wind farm construction and operation• Exposure of Council should ratepayers suffer property diminution due to inappropriate wind farm development affecting land values and amenity expectations	CEO	Report to come back to future Council meeting.
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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 | DA 19/2026 (PAN-614930) - 52 Lot Subdivision - Corner McDonald Street and Tait Street CROOKWELL, Lot 350 DP 1301003 | 78 |
| 11.2 | Energy Legislation Amendment (Prioritising Renewable Energy) Bill 2026 | 92 |

Environment and Planning - 18 June 2026

ITEM	DA 19/2026 (PAN-614930) - 52 Lot Subdivision - Corner McDonald Street and Tait Street CROOKWELL, Lot 350 DP 1301003
FILE	I26/120
ZONING	R2 Low Density Residential
DATE OF LODGEMENT	2 March 2026
APPLICANT	Phil Purnell c/o Civil Development Solutions
OWNERS	Darjeeling Pastoral Pty Ltd
ESTIMATED VALUE	\$2,663,575.00 (incl GST)
AUTHOR	Senior Town Planner
DISCLOSURE OF POLITICAL /DONATIONS & GIFTS	Nil declared

SUMMARY REPORT

This matter is reported to Council as a result of:

- The Applicant submitting a draft Voluntary Planning Agreement (VPA). The VPA generally included the construction of a stormwater detention basin and sewer pumping station and dedication to Council on registration and the creation of a community reserve.
- The notification of the development application attracting nine (9) submissions received during the public exhibition period (one (1) generally in support and eight (8) with concerns or objections).
- Proposal to name the new public road created as a result of the subdivision as “Hills” after the Hills family butchery in Crookwell.

A street naming proposal was received under the previous development application for “Hills” to be used for the proposed new public road as a result of the subdivision. The street name has received the Geographical Names Board pre-approval. This report seeks Council endorsement to proceed with the street naming request should the development application be approved.

Environment and Planning

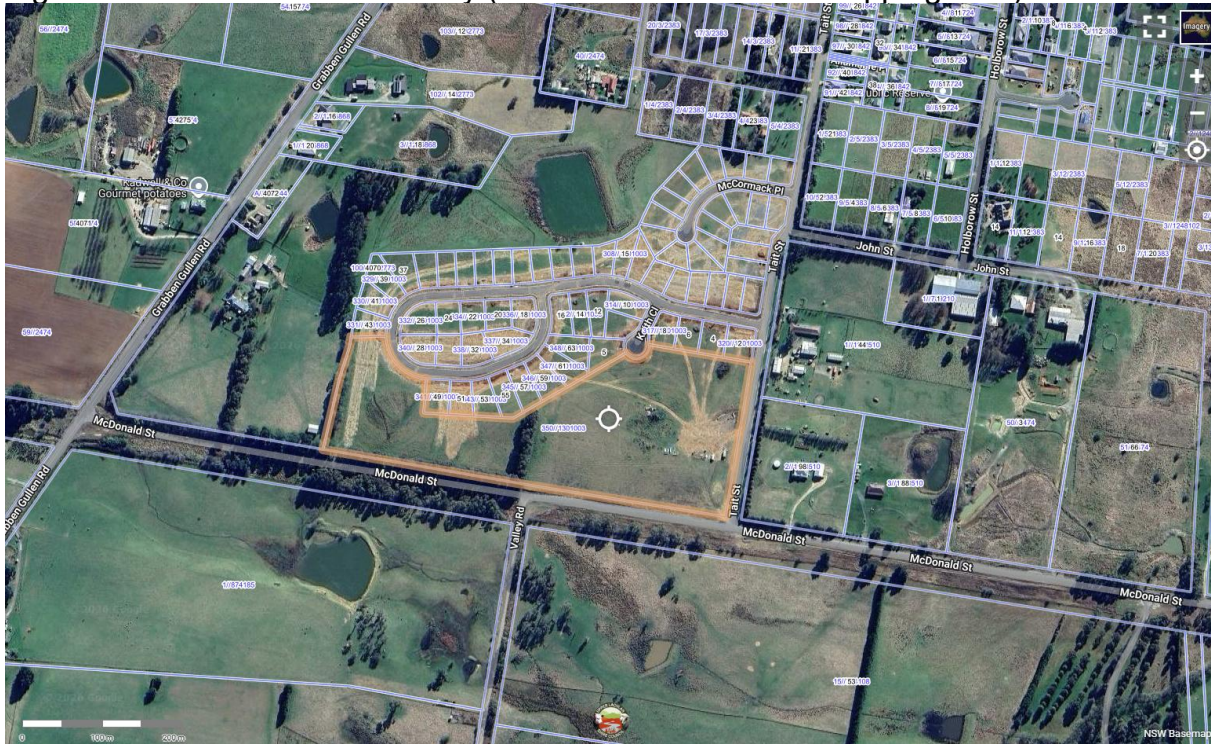
DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

THE SITE

The subject site is legally described as Lot 350 of DP 1301003 and located on the corner of McDonald Street and Tait Street Crookwell (Refer to Figure 1: Site Plans). The site is zoned R2 Low Density Residential and is on the southwestern periphery of the town of Crookwell. The allotment has an area of 6. is irregular in shape and also has frontage to the recently developed Nicholson Circuit and Keith Close.

The land to the north, east and west is also zoned R2 Low density residential with a mixture of lot sizes characterised by detached houses and outbuildings. Land to the south is zoned R5 Large Lot Residential (for a depth of approximately 250m) and currently used as agricultural purposes, then zoned RU4 Primary Production Small Lots and used for agriculture.

Figure 1: Site Plan Aerial Overlay (Source: Council's GIS Mapping Pozi)



THE PROPOSED DEVELOPMENT

Development Application No. 19/2026 (PAN- 614930) seeks development consent for the subdivision of Lot 350 DP 1031003, Crookwell into a 52-lot subdivision consisting of:

- 50 residential allotments;
- the design and construction of a landscaped stormwater detention basin and sewer pumping station on 1 additional allotment;
- 1 allotment for the purpose of passive open space/recreation containing basic landscaping and a table and bench with shelter;
- 1 new road (public road); and
- removal of 12 existing trees and retention of approximately 20 existing trees;

Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

The application also incorporates a draft Voluntary Planning Agreement, which encompasses;

- the construction of the detention basin, sewer pump station and embellishment; and
- the dedication of land to Council for the purpose of a community reserve and drainage reserve.

Documents submitted with the development application can be found with the Attachments including

Attachment 1 – Subdivision Design Plans

Attachment 2 – Statement of Environmental Effects

Attachment 3 – Flood Impact Assessment Report

Attachment 4 – Biodiversity Development Assessment Report

Attachment 5 – draft VPA

Submissions Summary

The application was notified in accordance with Council’s Community Participation Plan to adjoining landowners from 2 March 2026 to 20 March 2026. Nine submissions were received during the notification period, 1 generally in support, and 8 raising concerns or objecting (Refer to **Attachment 6**).

The submissions were forwarded to the Applicant with a request for additional information from Council on 27 March 2026. The Applicant provided a response to the submissions on 22 April 2026 (refer to **Attachment 7**).

The submissions that were received during this period, raised concerns generally relating to the items in the following table (Table 1). A summary of the Applicant’s response to the submissions received and Council’s response is also included in Table 1.

Table 1: Summary of issues and response to issues raised

Issue/Concern	Applicants Response (Summary)	Council Response
Flood Zone comments <ul style="list-style-type: none">- Impact on property down catchment of development site- evacuation	The flood report addresses these matters and demonstrates that the lots are safe for dwellings and that there is no adverse impact on adjoining and nearby land.	The subdivision design requires that all stormwater will be detained and/or released at no greater rate than the pre-development flows. As a result, there is no anticipated additional stormwater risk to properties down gradient. In addition, it is recommended that further details and calculations are

Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

		<p>required to be justified before the subdivision works being approved.</p> <p>The development as designed and subject to the recommended conditions is considered appropriate to address flooding concerns and meet the flood assessment requirements.</p> <p>It is agreed that future development applications (i.e. dwellings/ sheds on the individual lots) will be required to address the potential for flooding and stormwater runoff in accordance with the revised Flood Impact Assessment and finished ground levels.</p>
<p>Loss of Amenity</p> <ul style="list-style-type: none">- stockpiles- dust- noise- sedimentation	<ul style="list-style-type: none">- Applicant prepared to relocate stockpiles to minimise impact to neighbours- A Construction Management Plan (CMP) will address concerns and can be prepared before the issue of the subdivision works certificate	<p>Council will condition the consent to relocate the stockpiles and a requirement for a CMP to be submitted for approval prior to Council issuing the SWC.</p> <p>It is assessed that the concerns relating to amenity loss can be conditioned to meet acceptable standards.</p>
<p>Stormwater</p> <ul style="list-style-type: none">- insufficient infrastructure/drainage- McDonald Street frequently floods	<p>Note the concern was an observation and stormwater/flood modelling was undertaken. Not in a position to understand how this may be occurring</p>	<p>Council will condition that an upgrade be undertaken so that stormwater is provided to the point of discharge i.e. Kiamma Creek, including assessment of accesses. Piping of the stormwater to Kiamma Creek is not considered</p>

Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

		<p>reasonable for this application – refer further comment below.</p> <p>Furthermore, a detailed stormwater management plan accompanying the detailed design is required by condition of consent before subdivision construction works commence.</p>
<p>Sewer Management</p> <ul style="list-style-type: none">- Location, noise and smell of Sewer Pump Station (SPS)	<p>Location corresponds to the low point of the site. The SPS would be designed to meet the requirements of WSA and council and this would include a pump capacity that meets peak wet weather flow, standby pump, vent stack for odour control, emergency storage and generator connection point for times of power outage.</p>	<p>The developer upgraded the sewer main under previous stages to this development.</p> <p>With main capacity, it is reasonable for the developer to propose a residential subdivision in the appropriately zoned land.</p> <p>Council's Water, Sewer and Waste Services Manager has advised that a suitably sized SPS will meet the requirements for noise and odour which would be unlikely to cause concern particularly with the current distance from existing dwellings.</p>
<p>Ecological Impact</p> <ul style="list-style-type: none">- Request covenants for trees to be retained	<p>BDAR report provided and identified trees to be retained. Covenants possible on trees within the lots, Council issue for trees located within the road reserve.</p>	<p>It is agreed that Council should require inclusion of covenants on lots adjoining retained trees to ensure suitable setbacks and minimise impact from future development.</p> <p>Council will also require additional conditions to address protection of trees to be retained,</p>

Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

		<p>pre-commencement inspections, monitoring works and the like.</p> <p>The impact of the proposed development on trees located both on the development site and within Council's road reserve are detailed in Attachment 1 &4.</p> <p>The BDAR was prepared by a suitably accredited consultant and addressed the requirements of a streamlined BDAR. The development has been assessed against the relevant controls that apply to biodiversity and the development has been assessed as acceptable subject to the recommended conditions of consent including the biodiversity offset requirements.</p>
<p>Traffic and Pedestrian Management</p> <ul style="list-style-type: none"> - Intersection of McDonald and Grabben Gullen Rd 	<p>Defer matter to Council – and believe the works requested cannot be directly required as a result of this DA.</p> <p>Footpaths proposed for the frontage of the site and internal roads (except where the trees to be retained on Mc Donald St where the footpath cannot be provided).</p>	<p>The request for improvements to the intersection is considered outside the reasonable scope of the development application.</p> <p>A revised speed zone for McDonald Street adjacent to the subdivision will be required which will help address traffic and safety concerns.</p> <p>It is agreed with the developer that footpaths will not be possible over</p>

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DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

		part of McDonald Street due to the design constraints adjacent to the trees to be retained and road pavement location.
Future development	We can't make any comment on the future density of development of the lots as this would be a planning issue for council and relates to the applicable LEP and SEPP controls on this site at the time of dwelling construction.	<p>It is also acknowledged that the property owners in the vicinity currently enjoy an open scenic (undeveloped) outlook across the proposed development site.</p> <p>Submissions varied from requesting larger lots to concerns with potential for dual occupancies and multi-unit development. It is agreed that larger lots can positively contribute to retention of neighbourhood character, however planning control will also permit increased density of these large lots.</p> <p>This is noted however future development can only be considered on its merits under the applicable legislation at time of lodgement. It is considered unreasonable for Council to place a control to prohibit dual occupancy and multi-unit development, and this is not a regular practice where sufficient services are available, and the practice would be overly restrictive.</p> <p>Council agrees with controls to minimise the impact on the views to</p>

Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

		the area. Conditions and design elements have been recommended to retain a desirable character including landscaping, street trees, rural timber fencing and prohibition of metal fencing/Colourbond style fencing.
Community Reserve location	The reserve site has frontage to Tait St and is a corner lot which allows for it to be open on two adjacent sides which is best outcome for safety and access. We don't believe the alternative location suggested would be a better solution.	Council has assessed the location to be best suited to the site constraints and street frontages which meets current design standards and best practice for passive surveillance.
Council obligation and risk	Deferred for Council comment.	Council has assessed the application against the relevant planning requirements and conditions can be applied to mitigate or ameliorate concerns to an acceptable standard. Based on the design and recommended conditions there is no reason that warrants Council refusal and approval is recommended.
Erosion & Sediment Control, Weed Management and Biosecurity for seed production	We would suggest this is a matter for the subdivision works certificate approvals and relevant specific controls relating to weed management and sediment and erosion control can be	Council acknowledged the concerns from prior stages. The Applicant is accepting of additional controls to be conditioned, which have been incorporated into

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DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

	<p>conditioned by council. A concept erosion and sediment control plan and landscape plan has been provided with application but will be expanded upon for the post DA approval documentation and done in accordance with consent conditions.</p>	<p>the draft recommended conditions of consent.</p> <p>While the stormwater is proposed to be required to be upgraded to Kiamma Creek, it is unreasonable to require the developer to fully pipe the discharge to the river.</p> <p>Issues of biosecurity for seed potatoes production can occur from visitors into the area, flooding from Kiamma Creek upstream of the submitter and various other means. While all reasonable precautions have been applied, piping the drainage line will not prevent potential weed infestation or biosecurity issues. It is contended that the R5 Large Lot Residential zoning has been put in place as a buffer to the agricultural zone.</p> <p>Reshaping the natural swale will assist in containing much of the stormwater runoff from the subdivision and evidence from stormwater modelling to ensure post-development flows do not exceed pre-development flows is considered acceptable in this instance.</p> <p>Furthermore, the detention of stormwater within the basin will allow separation of</p>
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Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

		solids with the draining of the basin largely limited to the surface water.
Rural Lifestyle Impacts	The submission raises concerns regarding neighbouring land use to the south and the development does not consider the landholders on the southern side of McDonald St however we would reiterate the point made above – this land is zoned R5 residential and not rural and not zoned for agricultural use. The council has considered the transition to rural zoned land by placing this R5 zone along McDonald St as part of the LEP	<p>It is noted that the site is on the boundary of the town of Crookwell and changes will impact the current rural lifestyle.</p> <p>Additional conditions are proposed where practical and reasonable to control weed dispersion over stormwater drainage, noise, dust and hours of construction.</p> <p>The current design with the majority of existing trees to be retained will assist minimise visual impacts from part of the subdivision.</p>

POLICY IMPACT

A full assessment of the development application against relevant planning controls is provided at **Attachment 8** including

- *Biodiversity Conservation Act 2016*
- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2021*
- *Local Government Act 1993*
- *Roads Act 1993*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resources and Energy) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *NSW Voluntary Planning Agreement Guidelines*

The Guidelines state:

As a general guide, planning agreements should be directed towards achieving the following broad objectives

- *meeting the demands created by the development for new or augmented public infrastructure, amenities and services*

Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

- *securing off-site benefits for the community so that development delivers a net community benefit*
- *compensating for the loss of or damage to a public amenity, service, resource or asset by development through replacement, substitution, repair or regeneration.*

Council Plans and Policies

- *Community Participation Plan Policy*
- *Development Control Plan 2010*
- *Floodplain Risk Management Study and Plan*
- *Government Information (Public Access) Policy*
- *Local Environmental Plan 2010*
- *Local Strategic Planning Statement*
- *Pedestrian Access Mobility Plan 2017*
- *Section 64 Plan Sewer*
- *Section 64 Plan – Water*
- *Section 94 Development Contributions Plan*
- *Street and Road Naming Policy*

Assessment of the application against the relevant planning framework and consideration of matters by Council's assessment team has not identified any planning issues that cannot be dealt with by conditions of consent.

It is the role of Council to objectively weigh and consider the submitted information, as well as any issues raised during public notification/community consultation. This involves balancing the issues identified by all parties.

The issues raised in the public submissions have generally been addressed by the applicant, or capable of being managed through conditions of consent. The development has been conditioned where reasonable to address many of the items raised in the submissions. It has been assessed that the issues raised do not warrant refusal of this application.

Although the development is changing the existing character of the area, the development is considered appropriate to the context and setting of the site. The proposed development is consistent with the objectives of the Low Density Residential zone having lots greater than the required minimum lot size of 800m².

The application is therefore satisfactory when evaluated against Section 4.15 of the *Environmental Planning and Assessment Act 1979* (Refer to **Attachment 8**).

This report recommends that Council approve the application generally in accordance with conditions listed in **Attachment 9**.

Road Naming

That Council supports the proposed street name of "Hills" and publicly exhibits the name in accordance with the *NSW Roads Act* for a minimum of 28 days and should

Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

there be no objection received Council authorise the Chief Executive Officer to forward the names to the Geographical Names Board (GNB) seeking formal approval.

No objections received

The name will be forwarded to the GNB for formal approval and gazettal to the NSW Parliamentary Counsel's Office (PCO) under the delegation of the Chief Executive Officer (or delegate). Relevant stakeholders such as Australia Post, NSW Ambulance, Fire and Rescue NSW, NSW Rural Fire Service, NSW State Emergency Service, NSW Volunteer Rescue Association, Transport for NSW and the NSW Police Force, will be notified.

Objections from the relevant agencies

Council will not proceed with the naming request. A report to Council will be prepared for the next available meeting outlining the reason for rejection and an alternative road name.

Objections received from the community

If there is community objection, or reason to reconsider the proposed name, a report will be prepared for the next available Council meeting recommending withdrawal of the naming request and an alternative road name.

Voluntary Planning Agreement

The draft VPA went through a comprehensive review process with Council's Solicitors, BAL Lawyers, and the Applicant's Solicitors, Shaw Reynolds Lawyers, under a prior development application. The prior application was withdrawn and an amended subdivision design submitted under this development application with the prior draft VPA.

Since the time of original review of the VPA and resubmission of the development application, Council staff have been requesting a 30-year maintenance contribution as part of the draft VPA.

It is recommended that Council continue with this approach and request the draft VPA be amended prior to exhibition to include a 30-year maintenance contribution for the detention basin.

Following acceptance of the amendment it is therefore recommended that the parties proceed with the preparation, that the draft VPA be publicly exhibited for a minimum of 28 days and that Council delegate authority to the CEO to agree to and enter into the VPA should no significant submission be received or alternatively following receipt of lawful community submissions the VPA be reported back to Council for further consideration.

FINANCIAL IMPACT

Development contributions will be imposed as a condition of consent should the proposal be approved, which will contribute to the additional demands of roads, waste, open space, community facilities, emergency services and the like. It should also be noted that due to prior servicing constraints, Council staff agreed previously to offset developer contributions for the developer to undertake private construction of public

Environment and Planning

DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd

infrastructure under a Work-in-Kind (WIK) arrangement permitted under Council's Contributions Plans. The WIK would offset the cost of the sewer upgrade construction under the prior stages 3 / 4 process and the current stage 5 contributions. The WIK allowed development of the earlier stages to proceed and not be held up relying on Council to construct the upgrade.

With respect to the VPA process, the VPA will partly be covered by the fees and charges at the applicant's cost. The only appeal process under a VPA is that it can be appealed if there is a failure to follow procedures required in the EP&A Act or Regulation (per section 9.45 EP&A Act). Council's Solicitors BAL Lawyers reviewed both the WIK and VPA and agreed in principle. Following recent reviews of VPA inclusions, Council staff are recommending offers and VPAs include a 30-year maintenance component so that Council is not unduly out of pocket for maintenance of infrastructure required largely for private development (in this case the stormwater detention basin). It is recommended that the VPA be revised to reflect this component.

There are potential cost implications for Council if refusal is recommended. In the event of refusal, the applicant would have the right to appeal the decision to the Land and Environment Court, which may result in legal costs to Council.

SUMMARY

It is the role of Council to objectively weigh and consider the submitted information, as well as any issues raised during public notification. This involves balancing the issues identified by all parties.

The development is considered appropriate to the context and setting of the site. The proposed development is consistent with the objectives of the General Residential Zone and the controls in the LEP 2010 and the DCP 2010 and will contribute to the provision of additional residential land which is in demand throughout the region.

This assessment has concluded that the proposed development provides a suitable and satisfactory planning outcome. This application has been thoroughly assessed in accordance with the evaluation criteria set out in Section 4.15 of the *Environmental Planning and Assessment Act.1979* and based on the assessment and the considerations outlined above, the proposal is recommended for approval. A draft determination has been prepared and is provided at **Attachment 9** to this report for consideration.

RECOMMENDATION

It is recommended that:

1. DA 19/2026 (PAN- 614930) for a 32-lot subdivision be approved generally in accordance with the conditions contained in the draft conditions of consent.
2. The draft Voluntary Planning Agreement be revised to include a 30-year maintenance contribution for the stormwater detention basin and then be placed on public exhibition for a period of 28 days.

Environment and Planning**DA 19/2026 (PAN-614930) - 52 LOT SUBDIVISION - CORNER MCDONALD STREET AND TAIT STREET CROOKWELL, LOT 350 DP 1301003 cont'd**

3. Following the exhibition period, the matter be reported back to Council to consider any lawful concerns received with the submissions or the Chief Executive Officer be delegated authority to finalise and enter into the VPA should no significant submission be received.
4. Council's Chief Executive Officer and the developer endorse the VPA before any construction works commence on the subdivision.
5. That Council publicly exhibits the proposed street name of "Hill" in accordance with the *NSW Roads Act* for a minimum of 28 days and should there be no objection received, Council to forward the name to the Geographical Names Board seeking formal approval; or should any objection be received, the matter be reported back to Council to consider the submissions and any alternative name/s.

ATTACHMENTS

1. ↔	Subdivision Design Plans - DA 19/2026 - Cloverleigh Stage 5 Subdivision	Appendix
2. ↔	Statement of Environmental Effects DA 19.2026 - Cloverleigh Stage 5 Subdivision	Appendix
3. ↔	Flood Impact Assessment Report - DA 19.2026 - Cloverleigh Stage 5 Subdivision	Appendix
4. ↔	Biodiversity Development Assessment Report - Cloverleigh Stage 5 Subdivision	Appendix
5. ↔	Draft VPA - DA 19/2026 - Cloverleigh Stage 5 Subdivision	Appendix
6. ↔	Submissions redacted - DA 19/2026 - CM - Cloverleigh Stage 5 Subdivision	Appendix
7. ↔	Applicants Response to Submissions - DA 19.2026 - Cloverleigh Stage 5 Subdivision	Appendix
8. ↔	s4.15 Assessment - DA 19/2026 - Cloverleigh Stage 5 Subdivision	Appendix
9. ↔	Draft Conditions of Consent - DA 19/2026 - June Council Meeting - Cloverleigh Stage 5 Subdivision	Appendix

Environment and Planning - 18 June 2026

ITEM 11.2 **Energy Legislation Amendment (Prioritising Renewable Energy) Bill 2026**

FILE REFERENCE **I26/159**

AUTHOR **Director Environment and Planning**

ISSUE

The NSW State Government has announced plans to give Ministers new powers to prioritise and streamline critical renewable energy infrastructure projects, as part of legislation introduced into the State's Lower House.

RECOMMENDATION That -

1. Council receives and notes the report as information.

BACKGROUND

The Bill proposes to insert a new section into the *Electricity Supply Act 1995* (ES Act) which would allow the Energy Minister to declare a particular project or class of projects to be a '*priority energy project*', where '*energy project*' includes transmission/distribution infrastructure, renewable energy generation, and energy storage or firming infrastructure (which does not include any infrastructure that requires coal-fired energy generation or nuclear energy generation).

REPORT

The Bill's proposed amendments to the *Environmental Planning & Assessment Act 1979* in relation to streamlining approvals for these types of projects largely rely on the concept of a '*priority energy project*' as created by the amendments to the ES Act. In respect of such projects, the amendments can be summarised to include:

1. empower the NSW Energy Minister (or their appointee) to declare *priority energy projects* to accelerate assessment and approval of renewables projects;
2. vary the role of the Independent Planning Commission and expand the role of the Planning Minister; and
3. amend planning agreement provisions, including to enable the Planning Minister to add legal force to the existing Benefit Sharing Guideline (November 2024).

Environment and Planning

ENERGY LEGISLATION AMENDMENT (PRIORITISING RENEWABLE ENERGY) BILL 2026 cont'd

New Priority Energy Projects

The Bill introduces a power for the NSW Energy Minister to declare certain renewable energy projects to be a 'Priority Energy Project' (**PEP**). Projects capable of being declared a PEP are projects for:

1. transmission and distribution infrastructure;
2. renewable energy generation,
3. energy storage or firming infrastructure, being infrastructure that:
 - includes battery storage, gas-fired firming generation or pumped hydro, and
 - does not include storage or firming infrastructure that requires coal-fired energy generation or nuclear energy generation.

PEPs would be fast tracked via the new Development Coordination Authority which was established in December 2025 and commences operations on 1 July 2026. The Bill contains a new power for the Minister to direct the DCA, to prioritise PEPs. But the power could also be used more broadly for other kinds of development.

The Bill seeks to expand the Minister's powers to declare PEPs as State significant development (**SSD**) (without advice from the IPC, as is currently required), or as State significant infrastructure (**SSI**). This would expand the types of renewable energy-related development that is classed as SSD or SSI, centralising responsibility for such projects with the Planning Minister and Department of Planning, Housing and Infrastructure rather than local councils.

Varied role of IPC and Minister

The Bill clarifies that the IPC's functions include to hold public hearings about PEPs on request of the Planning Minister.

Public hearings of the IPC have become a key mechanism by which the NSW Government seeks to provide certainty to developers and the community, while preserving public participation and a thorough assessment. A determination made by public hearing blocks merits review by the court as an avenue of appeal to challenge the approval or refusal of a development application.

The Planning Minister is proposed under this Bill to have an express power to direct the IPC in relation to renewable energy projects, including for PEPs, to exercise functions at or within times specified in the direction.

Amended Planning Agreement Provisions.

In addition to facilitating renewable energy projects (and particularly '*priority energy projects*'), it is notable that the State Government is also using the Bill as an opportunity to tweak the law around voluntary planning agreements, including providing the Planning Minister with power to determine or direct the amount and method of calculating public benefits or contributions. This could reduce the complexity of negotiations and delays associated with infrastructure contributions, including for renewable energy projects.

More generally, the Bill would expand the Minister's power to control planning authorities in connection with VPAs by determining and directing a planning authority as to the amount of land to be dedicated, monetary contribution to be made or other

Environment and Planning

**ENERGY LEGISLATION AMENDMENT (PRIORITISING RENEWABLE ENERGY)
BILL 2026 cont'd**

material public benefit to be provided by a developer. At present, the Minister may only direct the method by which a planning authority determines these contributions.

The Bill, if passed, will provide greater opportunity for prospective large renewable energy projects to progress through the State's planning and electricity regulation systems in an efficient manner, by giving Ministers the ability to 'call in' projects of highest priority as State significant in order to streamline and accelerate approvals.

POLICY IMPACT

N/A – listed for information

OPTIONS

N/A – listed for information

FINANCIAL IMPACT OF RECOMMENDATIONS

N/A – listed for information

RECOMMENDATION That -

1. Council receives and notes the report as information.

ATTACHMENTS

Nil

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	Integrated Planning and Reporting - Adoption of 2026/2027 Council Plans	98
13.2	Mayor and Councillors' Fees - Determination by Local Government Remuneration Tribunal	127
13.3	Rescind 2025 Council Code of Meeting Practice Resolution	215
13.4	Review of Payment of Expenses and Provision of Facilities Policy	272

Finance and Administration - 18 June 2026

ITEM 13.1 **Integrated Planning and Reporting - Adoption of 2026/2027 Council Plans**

FILE REFERENCE **I26/126**

AUTHOR **Director Finance and Administration**

ISSUE

Adoption of Upper Lachlan Shire Council 2026/2027 Strategic Plans, Revenue Policy and making of rates and charges in accordance with the *Local Government Act 1993* and the Integrated Planning and Reporting legislation.

RECOMMENDATION That -

1. Council, in accordance with Sections 8A-8C and Sections 403-406, of the Local Government Act 1993 resolve to adopt the following Strategic Plans:-
 1. Operational Plan 2026/2027;
 2. Delivery Program 2026/2027 – 2029/2030;
 3. Long Term Financial Plan 2026-2035;
 4. Infrastructure Plan 2026-2035; and
 5. Workforce Plan 2026/2027 – 2029/2030.
2. Council approves expenditure and votes money according to the integrated financial budget contained within Council's 2026/2027 Operational Plan.
3. Council provide an acknowledgment and response to the public submissions received.
4. Council make the Revenue Policy, including Fees and Charges, and operational and capital budget as outlined in the 2026/2027 Operational Plan.
5. Council in accordance with Section 506, of the Local Government Act 1993, and the Office of Local Government advice, and in accordance with the Independent Pricing and Regulatory Tribunal of NSW determination, hereby adopt a 4.90% permissible Ordinary (General) Rates Increase for 2026/2027.
6. Council in accordance with Section 566 (3), of the Local Government Act 1993, hereby resolves that the Interest Rate to apply to all overdue Rates and Charges be calculated at the maximum permissible Interest Rate of 9.50% per annum, calculated on a daily basis, as determined by the Office of Local Government.
7. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0010674 for Farmland Rating Category inclusive of a Base Amount of \$550.00 per Assessment being 24% of the total amount payable for land categorised as Farmland, for the year 2026/2027.
8. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0018732 for the

- Residential Rating Category inclusive of a Base Amount of \$275.00 per Assessment being 37% of the total amount payable for land categorised as Residential, for the year 2026/2027.
9. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0013384 for the Residential – Non Urban Rating Category inclusive of a Base Amount of \$275.00 per Assessment being 31% of the total amount payable for land categorised as Residential – Non Urban, for the year 2026/2027.
 10. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0065910 for the Business – Crookwell Rating Category inclusive of a Base Amount of \$275.00 per Assessment being 23% of the total amount payable for land categorised as Business - Crookwell, for the year 2026/2027.
 11. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0039130 for the Business – Gunning Rating Category inclusive of the Base Amount of \$275.00 per Assessment being 31% of the total amount payable for land categorised as Business – Gunning for the year 2026/2027.
 12. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0033666 for the Business – Taralga Rating Category inclusive of the Base Amount of \$275.00 per Assessment being 30% of the total amount payable for land categorised as Business – Taralga for the year 2026/2027.
 13. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0156410 for the Business – General Rating Category inclusive of the Base Amount of \$280.00 per Assessment being 4% of the total amount payable for land categorised as Business – General for the year 2026/2027.
 14. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0056600 for the Mining Rating Category inclusive of the Base Amount of \$280.00 per Assessment being 11% of the total amount payable for land categorised as Mining for the year 2026/2027.
 15. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Water Supply Annual Charge subject to a Water Access Fee of \$656.00 and a Water Availability Charge of \$656.00, for the year 2026/2027.
 16. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Water Supply Annual Charge subject to a Water Access Fee of \$656.00 and a Water Availability Charge of \$656.00, for the year 2026/2027.

Finance and Administration

INTERGRATED PLANNING AND REPORTING – ADOPTION OF 2026/2027 PLANS

cont'd

17. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Dalton Water Supply Annual Charge subject to a Water Access Fee of \$656.00 and a Water Availability Charge of \$656.00, for the year 2026/2027.
18. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Water Supply Annual Charge subject to a Water Access Fee of \$656.00 and a Water Availability Charge of \$656.00, for the year 2026/2027.
19. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Access Charge of \$1,102.00 per Assessment categorised as Residential Occupied and an Access Charge of \$724.00 for Residential Unoccupied, for the year 2026/2027.
20. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,102.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.89, for the year 2026/2027.
21. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,102.00, a Sewer Discharge Factor of 0.50 and a Usage Charge \$4.89, for the year 2026/2027.
22. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,102.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.89, for the year 2026/2027.
23. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Access Charge of \$1,102.00 per Assessment categorised as Residential Occupied and an Access Charge of \$724.00 for Residential Unoccupied, for the year 2026/2027.
24. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,102.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.89, for the year 2026/2027.
25. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,102.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.89, for the year 2026/2027.

26. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,102.00, a Sewer Discharge Factor of 0.50 and a Usage Charge of \$4.89, for the year 2026/2027.
27. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Access Charge of \$1,102.00 per Assessment categorised as Residential Occupied and an Access Charge of \$724.00 for Residential Unoccupied, for the year 2026/2027.
28. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,102.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.89, for the year 2026/2027.
29. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,102.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.89, for the year 2026/2027.
30. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,102.00, a Sewer Discharge Factor of 0.50 and a Usage Charge of \$4.89, for the year 2026/2027.
31. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Service Charge of \$703.00 per service for the year 2026/2027.
32. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Availability Charge of \$278.00 per Rateable Assessment. This annual charge is for each vacant property that is categorised as Residential and is in the pickup service area, for the year 2026/2027.
33. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 501, Council make a Commercial Waste Service Charge of \$833.00 per service for each rateable Assessment categorised as Business – Gunning, Business – Taralga, Business – Crookwell, and Business – General, for the year 2026/2027.
34. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Commercial Waste Availability Charge of \$278.00 per Assessment for Rateable Assessments categorised as Business – Gunning, Business – Taralga, Business – Crookwell, and Business – General, for the year 2026/2027.
35. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Rural Waste Annual Charge of \$305.80 per Rateable

Assessment categorised as Farmland, Residential – Non Urban, and Residential, for properties that do not have a Domestic Waste Management Charge and do not have a Domestic Waste Management Availability Charge for the year 2026/2027.

36. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning and Collector of \$25.00 per Rateable Assessment categorised as Residential, for the year 2026/2027.
37. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning, and Collector of \$50.00 per Rateable Assessment categorised as Business – Gunning, Business – Taralga, Business – Crookwell, and Business – General, for the year 2026/2027.
38. Under the Local Government Act 1993, pursuant to Section 502, Council make a Water Supply User Pay Consumption Charge for the towns of Taralga, Crookwell, Gunning and Dalton. The charge Tariff 1 - \$4.89 per kilolitre consumed up to a maximum of 200 kilolitres and charge for Tariff 2 - \$6.47 per kilolitre consumed above 200 kilolitres, for the year 2026/2027.

BACKGROUND

Nil

REPORT

In accordance with NSW Government's Integrated Planning and Reporting requirements, provisions in Section 403 to 406, of the Local Government Act 1993, Council has prepared the 2026/2027 suite of strategic plans.

The following Plans have been prepared and were placed on public exhibition in accordance with the requirements of the Local Government Act 1993 (as amended):-

1. **Resource Strategy** in accordance with Section 403, of the Local Government Act 1993, contains the following:-
 - Long Term Financial Plan 2026-2035;
 - Infrastructure Plan 2026-2035; and
 - Workforce Plan 2026/2027 – 2029/2030.
2. **Delivery Program 2026/2027 – 2029/2030** (four year program and budget) – Section 404, of the Local Government Act 1993; and
3. **Operational Plan 2026/2027** (one year plan and budget contain the Fees and Charges and Revenue Policy) – Section 405, of the Local Government Act 1993.

Public Submissions

The Integrated Plans were placed on public exhibition for a five-week period and there were public notices, media releases, summary of the Plans and Mayoral Message supporting the Plans on Council's website and Facebook page. The Integrated Plans were also available for viewing at the two Shire administration offices and two libraries and available on Council's website.

There was two public submissions received with respect to Council's IP&R plans and they are provided as an attachment to this report. Council may determine appropriate response to the submission a commentary is provided by senior management below.

Response to Submission from "Rural-residential ratepayer near Gunning";

Council thanks the "Rural-residential ratepayer near Gunning" for taking the time to make a submission. Funding has not been allocated in the 2026/2027 Operational Plan for an expanded financial sustainability pathway analysis as recommended in the submission.

As background, in 2023 Council commissioned AEC Group to undertake a financial sustainability analysis report. AEC Group undertook the work and delivered what is recommended in the submission and that report is available to view on Council's website. Council at that time, did prepare three scenarios for consideration including; Base Scenario, Enhanced Asset Renewals Scenario and an Enhanced Asset Renewals Scenario and Enhanced Cash Scenario (this third scenario included a Special Rates Variation (SRV)). A year-by-year trajectory for the Operating Performance Ratio, Own Source Operating Revenue Ratio, Buildings and Infrastructure Renewals Ratio, and a restricted and unrestricted cash analysis, were all contained in the AEC Group report. Importantly, none of the enhanced services models are achieved without significant cash injection from ongoing external funding sources or from an SRV included permanently as part of council's rating income cap.

After community consultation in November 2023 was not supporting the enhanced model including an SRV; Council decided against pursuing an SRV application and decided against pursuing enhanced asset renewals due to cash flow shortages and decided to look inward at Council service levels and the organisation structure including staffing levels to reduce operating costs. The cost of living economic pressures continue to exist today, in addition to increased fuel costs and farm supply chain cost increases, along with higher interest rates on borrowings, these external factors are creating even greater family financial pressures than those that existed in 2023. Consideration of an SRV at this time may not be considered fair or prudent by our Shire communities.

The Council response to AEC Group report, including implementation of an Action Plan, by senior management and Council, over the past two years has already been reported to Council and reported to the Council's Audit, Risk and Improvement Committee and seen significant ongoing operational budget savings and efficiencies.

Council is already committed to being a member of the Canberra Region Joint Organisation (CRJO) in the long term and participates in shared service arrangements to help achieve cost savings and economies of scale in multiple business function areas including; internal audit and procurement services and the CRJO is strongly advocating

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INTERGRATED PLANNING AND REPORTING – ADOPTION OF 2026/2027 PLANS

cont'd

for changes to funding structural arrangements from other levels of government, including Financial Assistance Grants allocations.

In regard to biosecurity on road reserves, Council's Biosecurity Officers currently keep written records of roads reserves when spraying. These records incorporate the date, road and weed targeted. Road reserves within prime agricultural areas are the main focus for weed control with outlying areas usually actioned as a result of enquiries from rural landowners.

Council's contribution towards the Weed Action Plan Agreement commits to weed control of 1,600km of road reserve, including some high-risk pathways. Under the Weed Action Plan Council's focus is on the control of regional priority weeds (including gorse and Coolatai grass and sticky nightshade) and where these priority weeds are located within the road reserve that appropriate control action will be implemented by Council Biosecurity Officers.

Council's ability to manage weeds within road reserves is impacted by the reduction in funding from the State Government and increased costs associated with fuel, chemicals and similar.

In response to the rural-residential planning framework, the development of the Housing Strategy and review of the Draft Development Control Plan will guide where future development will occur, particularly around existing towns and villages and detail design and planning guidelines around specific development to support Council's Local Environmental Plan.

Contribution costs associated with development are considered under Council developer contribution plans, with such plans currently being reviewed. Local development contributions are funding mechanisms under Division 7.1, of the *Environmental Planning and Assessment Act 1979*.

Infrastructure contributions are payments made when development occurs, that help pay for and deliver the infrastructure needed to support development. They are a key source of funding for councils to deliver local infrastructure. This infrastructure can include roads, transport infrastructure, stormwater and drainage systems, parking facilities, open space, sports and recreation facilities, and other community services. Developments incorporating rural subdivisions normally would not capture water and sewer contributions based on these services not being available outside of the three townships of Gunning, Crookwell and Taralga. However, these developments would be captured under Council's 7.11 Development Contribution Plan as such development will have an impact on Council's assets including but not limited to roads, public facilities, sports fields and open spaces.

Most Section 7.11 development contribution plans can only charge up to \$20,000 or \$30,000 per lot or dwelling. If a council wants to charge a rate above their relevant threshold, the Independent Pricing and Regulatory Tribunal must review the plan to ensure that the plan is reasonable.

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In response to the rural-residential ratepayer near Gunning regarding the Road Hierarchy / Resheeting; Council acknowledges the community's interest in the management and maintenance of the unsealed road network. The adopted 30-year useful life for unsealed road assets is a long-term asset management and financial modelling assumption and does not imply that roads receive no maintenance during that period. Council undertakes ongoing grading, drainage maintenance, pothole repairs and targeted gravel re-sheeting based on inspections, operational priorities, road usage and available funding.

While the Operational Plan references a 30-year re-sheeting cycle for lifecycle planning purposes, actual intervention timing varies according to road hierarchy, condition, weather impacts and funding availability. Council's current Road Maintenance Policy provides different service levels across the road network.

Council is also reviewing its Road Maintenance Plan, Road Hierarchy Classification and supporting asset data to further strengthen maintenance planning and renewal prioritisation across the network.

There are currently several State and Federal Government inquiries examining options to improve the long-term financial sustainability of local government. In this context, it would be prudent for Council to await the outcomes of these reviews and any associated funding or reform opportunities before commissioning further financial sustainability studies.

Should Council elect to pursue additional financial sustainability reporting, consideration would need to be given to the staffing resources required to undertake the analysis, the engagement of suitably qualified external consultants, and the identification of an appropriate funding source to support the work.

At this time, staff do not recommend undertaking further pathway analysis. Council has already been implementing a range of measures arising from the AEC Group Financial Sustainability Report adopted in November 2023, with these initiatives continuing to deliver positive financial outcomes. Accordingly, staff consider that the current focus should remain on the continued implementation of these measures while monitoring the outcomes of the broader State and Federal reviews.

Response to Submission from resident from Clements Street Crookwell

Council thanks the resident and Clements Street Action Group for the submission. Council acknowledges the concerns raised regarding road access, vegetation, stormwater, water, sewer servicing and the potential future development of existing lots in Clements Street. The request is noted and will be referred to the relevant infrastructure, planning, water and sewer staff for further review. At this stage, no specific funding has been allocated in the 2026/2027 Operational Plan, however the matter may be considered through Council's future asset management, servicing and infrastructure capital works prioritisation processes, subject to technical assessment, funding availability and competing infrastructure priorities.

A preliminary review indicates that the land is identified as road reserve; however, the matters raised involve a range of engineering, servicing and planning considerations, including road construction, stormwater, water and sewer infrastructure requirements.

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These matters require further technical investigation and assessment before any future works or funding commitments can be considered.

At this stage, the proposal has not been sufficiently investigated to enable inclusion in Council's 2026/2027 Capital Works Program. Subject to future strategic priorities and available resources, Council may consider undertaking preliminary investigations to better understand the scope, cost and feasibility of the project.

There is no proposal to increase development density within this area based on the significant impact by flood waters as captured by Council's Flood Plan Management Plan.

Routine vegetation management within the road reserve will be considered as part of Council's normal maintenance programming and available operational budget.

Statistics on engagement while on public exhibition

Overall Views (Socials)	Links Clicks (Socials)	Reach (Socials)	Reactions (Socials)	Comments (Socials)	Shares (Socials)
2,554	54	1,422	2	0	2

Overall Views (Website)	Active Users (Website)	Views per active user (Website)	Average engagement – time per user (Website)	Event Count (Website)
101	73	1.38	13 seconds	302

At the Councillor Budget Workshop, held on 23 March 2026, Council has considered all pre-planning budget submissions and has allocated donations and section 356 contributions in the Operational Plan.

Changes made to Operational Plan since public exhibition

Following the close of the public exhibition period on 25 May 2026, a number of amendments were made to the advertised draft strategic plans. The financial impact of these amendments is a net increase in the operating deficit of \$275,121. These changes are included as follows:

Operating budget items:

1. Fees and Charges have been updated and minor changes made includes; changes to water pressure testing fees, a reduction to the non-shire resident non-drinking water standpipe access charge, and changes to statutory fees following advice from relevant state agencies.
2. An increased expense of \$35,000 has been included for software as a service fee relating to the delegations register, compliance register, and risk register system.
3. A reduced expense \$8,600 has been made to the RFS, SES and Fire and Rescue NSW ESL levy budget.
4. Fuel related costs estimate has been increased by \$266,200 due to fuel supply

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INTERGRATED PLANNING AND REPORTING – ADOPTION OF 2026/2027 PLANS

cont'd

uncertainty arising from the conflict in the Middle East.

5. Internal audit and ARIC committee expenses through CRJO have been reduced by \$53,900.
6. Net reduction in rates and annual charges income decrease by \$22,200.
7. A reasonable cost adjustment of \$25,000 has been included for Domestic Waste Management.
8. Operational grant revenue relating to the Fresh Start grant program has reduced council expenses by \$45,000.

Capital budget items:

An additional \$30,000 has been included in 2026/2027 for Council owned residential accommodation. A further increase of \$20,000 has been included in 2027/2028 for Council owned residential accommodation. Both increases are funded from internal restricted reserves.

Operational Plan Summary

The Operational Plan outlines the key performance indicators, principal activities and the Revenue Policy is summarised as follows:

- General (Ordinary) Rates will increase by 4.90% for the Shire and increases will vary within individual rating categories and individual rateable assessments;
- Water Supply Access Charge and Water Availability Charge will increase by 6% or \$37 per service;
- Water usage (consumption) charge will increase by 6%, dollar value increases will vary for each individual service dependent upon water consumption;
- Sewer Best Practice Pricing Access Charges will increase by 4% or \$43 per service;
- Domestic Waste Management Annual Charge will increase by 7% or \$46 per service;
- Commercial Waste Annual Charge will increase by 7%, or \$55 per service;
- Rural Waste Annual Charge will increase by 7% or \$20.90 per Assessment;
- Domestic Waste Management Availability Charge and Commercial Waste Availability Charge will increase by 7% or \$19 per Assessment respectively;
- Stormwater Annual Charges will have a zero increase.

THE FIVE INTEGRATED STRATEGIC PLANS ARE PROVIDED AS ANNEXURES TO THIS REPORT.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

The Operational Plan projects a consolidated net operating deficit, before capital grants and contributions, of \$2.361 million across all funds. This represents a reduction in the operating deficit of \$561,000 compared to 2025/2026, which is a positive improvement. In addition, Council has also consolidated its projected unrestricted cash position to remain at \$1.5 million by 30 June 2027.

The capital works program totals \$17.073 million. A net consolidated budget cash flow decrease of \$1.744 million is projected, which will be funded by transfers from internal and external reserves to support capital and operational expenditure.

RECOMMENDATION That -

1. Council, in accordance with Sections 8A-8C and Sections 403-406, of the Local Government Act 1993 resolve to adopt the following Strategic Plans:-
 1. Operational Plan 2026/2027;
 2. Delivery Program 2026/2027 – 2029/2030;
 3. Long Term Financial Plan 2026-2035;
 4. Infrastructure Plan 2026-2035; and
 5. Workforce Plan 2026/2027 – 2029/2030.
2. Council approves expenditure and votes money according to the integrated financial budget contained within Council's 2026/2027 Operational Plan.
3. Council provide an acknowledgment and response to the public submissions received.
4. Council make the Revenue Policy, including Fees and Charges, and operational and capital budget as outlined in the 2026/2027 Operational Plan.
5. Council in accordance with Section 506, of the Local Government Act 1993, and the Office of Local Government advice, and in accordance with the Independent Pricing and Regulatory Tribunal of NSW determination, hereby adopt a 4.90% permissible Ordinary (General) Rates Increase for 2026/2027.
6. Council in accordance with Section 566 (3), of the Local Government Act 1993, hereby resolves that the Interest Rate to apply to all overdue Rates and Charges be calculated at the maximum permissible Interest Rate of 9.50% per annum, calculated on a daily basis, as determined by the Office of Local Government.
7. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0010674 for Farmland Rating Category inclusive of a Base Amount of \$550.00 per Assessment being 24% of the total amount payable for land categorised as Farmland, for the year 2026/2027.
8. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0018732 for the Residential Rating Category inclusive of a Base Amount of \$275.00 per

Assessment being 37% of the total amount payable for land categorised as Residential, for the year 2026/2027.

9. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0013384 for the Residential – Non Urban Rating Category inclusive of a Base Amount of \$275.00 per Assessment being 31% of the total amount payable for land categorised as Residential – Non Urban, for the year 2026/2027.
10. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0065910 for the Business – Crookwell Rating Category inclusive of a Base Amount of \$275.00 per Assessment being 23% of the total amount payable for land categorised as Business - Crookwell, for the year 2026/2027.
11. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0039130 for the Business – Gunning Rating Category inclusive of the Base Amount of \$275.00 per Assessment being 31% of the total amount payable for land categorised as Business – Gunning for the year 2026/2027.
12. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0033666 for the Business – Taralga Rating Category inclusive of the Base Amount of \$275.00 per Assessment being 30% of the total amount payable for land categorised as Business – Taralga for the year 2026/2027.
13. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0156410 for the Business – General Rating Category inclusive of the Base Amount of \$280.00 per Assessment being 4% of the total amount payable for land categorised as Business – General for the year 2026/2027.
14. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0056600 for the Mining Rating Category inclusive of the Base Amount of \$280.00 per Assessment being 11% of the total amount payable for land categorised as Mining for the year 2026/2027.
15. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Water Supply Annual Charge subject to a Water Access Fee of \$656.00 and a Water Availability Charge of \$656.00, for the year 2026/2027.
16. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Water Supply Annual Charge subject to a Water Access Fee of \$656.00 and a Water Availability Charge of \$656.00, for the year 2026/2027.

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INTERGRATED PLANNING AND REPORTING – ADOPTION OF 2026/2027 PLANS

cont'd

17. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Dalton Water Supply Annual Charge subject to a Water Access Fee of \$656.00 and a Water Availability Charge of \$656.00, for the year 2026/2027.
18. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Water Supply Annual Charge subject to a Water Access Fee of \$656.00 and a Water Availability Charge of \$656.00, for the year 2026/2027.
19. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Access Charge of \$1,102.00 per Assessment categorised as Residential Occupied and an Access Charge of \$724.00 for Residential Unoccupied, for the year 2026/2027.
20. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,102.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.89, for the year 2026/2027.
21. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,102.00, a Sewer Discharge Factor of 0.50 and a Usage Charge \$4.89, for the year 2026/2027.
22. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,102.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.89, for the year 2026/2027.
23. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Access Charge of \$1,102.00 per Assessment categorised as Residential Occupied and an Access Charge of \$724.00 for Residential Unoccupied, for the year 2026/2027.
24. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,102.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.89, for the year 2026/2027.
25. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,102.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.89, for the year 2026/2027.

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INTERGRATED PLANNING AND REPORTING – ADOPTION OF 2026/2027 PLANS

cont'd

26. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,102.00, a Sewer Discharge Factor of 0.50 and a Usage Charge of \$4.89, for the year 2026/2027.
27. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Access Charge of \$1,102.00 per Assessment categorised as Residential Occupied and an Access Charge of \$724.00 for Residential Unoccupied, for the year 2026/2027.
28. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,102.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.89, for the year 2026/2027.
29. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,102.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.89, for the year 2026/2027.
30. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,102.00, a Sewer Discharge Factor of 0.50 and a Usage Charge of \$4.89, for the year 2026/2027.
31. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Service Charge of \$703.00 per service for the year 2026/2027.
32. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Availability Charge of \$278.00 per Rateable Assessment. This annual charge is for each vacant property that is categorised as Residential and is in the pickup service area, for the year 2026/2027.
33. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 501, Council make a Commercial Waste Service Charge of \$833.00 per service for each rateable Assessment categorised as Business – Gunning, Business – Taralga, Business – Crookwell, and Business – General, for the year 2026/2027.
34. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Commercial Waste Availability Charge of \$278.00 per Assessment for Rateable Assessments categorised as Business – Gunning, Business – Taralga, Business – Crookwell, and Business – General, for the year 2026/2027.
35. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Rural Waste Annual Charge of \$305.80 per Rateable

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INTERGRATED PLANNING AND REPORTING – ADOPTION OF 2026/2027 PLANS

cont'd

Assessment categorised as Farmland, Residential – Non Urban, and Residential, for properties that do not have a Domestic Waste Management Charge and do not have a Domestic Waste Management Availability Charge for the year 2026/2027.

36. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning and Collector of \$25.00 per Rateable Assessment categorised as Residential, for the year 2026/2027.
37. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning, and Collector of \$50.00 per Rateable Assessment categorised as Business – Gunning, Business – Taralga, Business – Crookwell, and Business – General, for the year 2026/2027.
38. Under the Local Government Act 1993, pursuant to Section 502, Council make a Water Supply User Pay Consumption Charge for the towns of Taralga, Crookwell, Gunning and Dalton. The charge Tariff 1 - \$4.89 per kilolitre consumed up to a maximum of 200 kilolitres and charge for Tariff 2 - \$6.47 per kilolitre consumed above 200 kilolitres, for the year 2026/2027.

ATTACHMENTS

1. ↓	ULSC-Public Submission	Attachment
2. ↓	Clement Street Action Group Infrastructure Budget Submission	Attachment
3. ⇒	Operational Plan 2026-2027	Appendix
4. ⇒	Delivery Program - 2026-2027	Appendix
5. ⇒	Long Term Financial Plan 2026-2035	Appendix
6. ⇒	Infrastructure Plan 2026-2035	Appendix
7. ⇒	Workforce Plan-2026-2027	Appendix



22 April 2026

The Chief Executive Officer
Ms Alex Waldron
Upper Lachlan Shire Council
PO Box 42
Gunning NSW 2581
council@upperlachlan.nsw.gov.au

**Submission on the Draft Integrated Planning and Reporting Plans 2026/2027 – 2035
(Public exhibition closing 4:00pm Monday 25 May 2026)**

Request for confidential treatment of personal details



Dear Ms Waldron,

Thank you for placing the draft Operational Plan, Delivery Program, Long Term Financial Plan, Infrastructure Plan and Workforce Plan on public exhibition. This submission is offered constructively. I want Upper Lachlan Shire to be a place that is prospering, not quietly declining, and the purpose of this submission is to ask Council to do one additional piece of planning work before adopting the suite.

I am a rural-residential ratepayer on approximately 60 acres near Gunning. My property is off-grid for power and water and is not connected to town water or sewer, though it does receive kerbside waste collection, and it is accessed via a sealed road in good condition. My interest is squarely in the long-term financial and service sustainability of the shire.

1. What the draft plans do well

The plans are transparent about the numbers and credit should be given where it is due. In particular:

- The service-level review completed in 2024 produced genuine, measurable change — withdrawal from the Taralga Licensed Post Office contract and the Accredited Visitor Information Centre program, revised maintenance levels for sportsgrounds and parks, and alignment of biosecurity service levels with Local Land Services and Weeds Action Program agreements.
- Organisational restructure reducing 16.7 FTE, asset rationalisation, and approximately \$4.15 million of combined savings and financial improvements over two years without resorting to a Special Rate Variation.
- Rebuilding unrestricted cash from \$117,000 in 2023 to \$1.524 million at 30 June 2025, against a \$2 million target.
- Honest disclosure of the Operating Performance Ratio trajectory (3.82% in 2022/23, -1.58% in 2023/24, -21.48% in 2024/25) and of the structural pressures from rate pegging, materials inflation, insurance premiums and a large infrastructure base relative to the rateable assessment count.

These are the actions of a council taking its situation seriously. They are not criticised here.

2. The gap in the current plans

Despite the strengths above, the draft plans do not, on my reading, answer the most important question they raise: how does Council get the Operating Performance Ratio back to the OLG benchmark of greater than 0% within the ten-year window of the Long Term Financial Plan?

On operating revenue of approximately \$39 million (excluding capital grants and contributions, which the ratio correctly strips out as one-off and unreliable), a –21.48% ratio implies an annual operating gap of approximately \$8 million. The \$4.15 million of savings extracted over the past two years is real, creditable work, but it is still a fraction of that gap, and the easier savings have largely been taken. Meanwhile cost pressures continue to run at 4 to 10 per cent per annum while rates income is capped near 4 to 5 per cent. The gap widens, not narrows, in every year of inaction.

The draft LTFP acknowledges this pressure and flags that a Special Rate Variation “will continue to be reviewed and considered in future”, but its base case assumes no SRV and no structural change. That is effectively a forecast of continued deficit rather than a plan to eliminate it. Ratepayers, and I suspect councillors, deserve more than that.

3. Primary request: a Financial Sustainability Pathway

I respectfully ask that Council commission and publicly consult on a Financial Sustainability Pathway document, to be completed before the next annual review of the Delivery Program. The purpose of that document would be to model, transparently, three scenarios over the 10-year LTFP horizon:

- **Scenario A — Status quo:** current settings, no SRV, no structural change. Shows where the Operating Performance Ratio, unrestricted cash, and Buildings and Infrastructure Renewals Ratio actually land by 2035.
- **Scenario B — Moderate intervention:** a staged SRV combined with a further service-level review, deeper efficiency measures, and continued asset rationalisation.
- **Scenario C — Structural intervention:** SRV plus formal shared-service arrangements with neighbouring councils, and an honest community-facing service-level reset identifying which roads, facilities and services will be maintained at current standards and which will be reduced, re-prioritised or discontinued.

For each scenario, the document should publish:

- A year-by-year trajectory for the Operating Performance Ratio, Own Source Operating Revenue Ratio, and Buildings and Infrastructure Renewals Ratio.
- The specific shared-service options formally explored with Goulburn Mulwaree, Yass Valley, Hilltops and other Canberra Region Joint Organisation members — procurement, payroll, IT, planning assessment, ranger services, plant and workshop — with the findings of each.
- A plain-English description of what Upper Lachlan Shire looks like in 2035 under each scenario: road condition, service levels, workforce numbers, population, and the state of town infrastructure.
- Identification of the trade-offs that are implicit but unstated in the current draft plans.

This request does not prejudge the outcome. It does not demand an SRV, a merger, or any particular service cut. It asks only that the options be honestly costed and presented so that the community can participate meaningfully in the decision.

4. Observations from a rural ratepayer

In addition to the primary request above, I note the following matters specific to rural-residential ratepayers that I would be grateful to see addressed in the final plans or in Council’s response:

- **Road hierarchy and maintenance intervention standards.** The Operational Plan commits to an annual review of the Road Hierarchy Classification and to resheeting every road on a

30-year cycle. A 30-year resheet cycle is long by industry standards. Could Council publish the intervention triggers (roughness, pothole density, drainage failures) and confirm whether the 30-year cycle is fully funded or aspirational?

- **Biosecurity on road reserves.** Rural landholders carry legal obligations to control weeds on private land; the condition of adjacent road reserves materially affects our compliance cost. Could Council publish the kilometres of road reserve actually inspected and treated in the last two years, alongside the private-land inspection effort?
- **Rural-residential planning framework.** The Draft Housing Strategy appears to direct growth toward townships, which is sound. Will the LEP and DCP review explicitly recognise the high servicing cost of scattered rural-residential subdivision through minimum lot sizes or differentiated Section 7.11 contribution rates?

5. On a possible Special Rate Variation

I would consider supporting a modest, staged Special Rate Variation — but only if it is presented as part of a credible overall pathway. Specifically, conditional on:

- A published year-by-year Operating Performance Ratio trajectory showing the shire returning to the OLG benchmark within a defined period.
- Demonstrated, documented effort on shared services with neighbouring councils, not simply CRJO advocacy.
- Explicit protection of rural road maintenance funding within any revised service-level settings.
- A genuine community engagement process, not a compliance exercise.

Conditional support from rural ratepayers should be more useful to Council than blanket opposition or blanket support, because it describes what a winnable SRV proposition would look like.

6. Closing

Upper Lachlan Shire has real assets to work with: proximity to Canberra, a strong renewable-energy revenue stream, heritage towns, a productive agricultural base, and genuine landscape appeal. None of that is destiny. The shires on the Southern Tablelands that are genuinely prospering are the ones that have made hard planning choices about scale, service mix and revenue base five to ten years earlier than felt comfortable at the time.

The draft plans in front of the community are a solid piece of self-help. They are not yet a plan for recovery. The additional Financial Sustainability Pathway work requested above would, I believe, close that gap and give both Council and the community something substantive to debate.

I ask that this submission be included in the report to Council before the draft plans are adopted.

Yours sincerely,





28 May 2026

Chief Executive Officer
Upper Lachlan Shire Council
PO Box 42
Gunning NSW 2581

Email: council@upperlachlan.nsw.gov.au

CC:

Mayor Paul Culhane
Councillors, Upper Lachlan Shire Council
Mr Alex Waldron, Chief Executive Officer
Mrs Wendy Tuckerman MP, Member for Goulburn
The Hon. Ron Hoenig MP, Minister for Local Government
The Hon. Paul Scully MP, Minister for Planning and Public Spaces.

Additional copies may also be provided to relevant oversight and governance bodies should the matter remain unresolved.

**FORMAL SUBMISSION - REQUEST FOR INCLUSION IN THE 2026/27
INFRASTRUCTURE, DEVELOPMENT, ROADS AND SERVICING PROGRAM FOR:**

- 1. CLEMENTS STREET (BETWEEN TAIT STREET AND STEPHENSON STREET),
CROOKWELL.**

Dear Chief Executive Officer and Councillors,

This submission is made by the Clements Street Action Group (CSAG), representing affected landowners and ratepayers within Clements Street (between Tait Street and Stephenson Street), Crookwell.

CSAG formally requests that Upper Lachlan Shire Council include Clements Street within its 2026/27 Infrastructure Works Program, Capital Works Budget and future servicing strategy.

Clements Street Action Group (CSAG)

Page 1 of 11

This submission specifically requests that Council:

1. Include Clements Street within the 2026/27 and forward years road infrastructure program and prioritises the project;
2. Include an allowance for the Clements Street roadway within the 2026/27 Capital Works Budget
3. Undertake engineering assessment and design for construction and surfacing of the road reserve as a priority;
4. Undertake investigation and budgeting for water, sewer and stormwater servicing as a priority;
5. Undertake vegetation management and maintenance within the road reserve urgently;
6. Consider the broader strategic housing and financial benefits associated with enabling development of the 17 existing residential lots;
7. Arrange a formal site inspection involving Councillors and Council engineering staff urgently;
8. Provide a formal written response to the issues raised within this submission.

Historical Background

The history of Clements Street demonstrates a longstanding and unresolved inequity in infrastructure provision despite continuous rating and revenue collection by Council and its predecessor entities.

Under the Local Government (Shires) Act 1905, Crookwell Council was formed on 7 March 1906. From that time, Council commenced charging rates on the 17 subdivided lots located within Clements Street.

For the next 45 years, rates were continuously levied on these lots with the reasonable expectation that funds collected would contribute toward the construction of the public road and provision of municipal infrastructure. Despite this, Council failed to construct the road.

Reticulated town water was introduced to Crookwell between 1935 and 1938. Although Clements Street had already been subdivided for decades and was part of the township, this section of the town was excluded from water servicing while rates continued to be collected from owners.

Reticulated sewer infrastructure was also introduced during the same period. Again, Clements Street was omitted from servicing despite ongoing rates collection and despite these charges now also being intended to support sewer and water infrastructure delivery.

The sewer connection point for blocks at the Western end are within 75m of a sewer line so they are paying a premium on rates, yet it is on private land so the Lot owners have no right or guarantee connection is even possible.

From approximately 1950 until the present day, Council has continued to charge rates on all 17 lots while effectively providing no meaningful infrastructure or municipal services to the area.

To this day:

- there is no formed or surfaced road;
- there is no sewer servicing;
- there is no reticulated water servicing;
- there has been no meaningful vegetation management within the road reserve;
- owners have personally borne significant costs removing invasive blackberries and hawthorn infestations after repeated requests to Council for maintenance were ignored;
- rubbish services and even tip cards were reportedly denied despite rates being paid;
- sewer contributions were charged despite many lots being physically unable to access the sewer system because the available sewer infrastructure was located at insufficient depth and grade, despite being within approximately 75 metres;
- Council constructed a drainage channel approximately one metre deep across the Stephenson Street end of Clements Street which both redirected drainage contrary to the natural fall of the land and materially impeded physical access to the lots.

This situation has persisted for decades despite uninterrupted rates revenue being collected from affected landowners.

As a direct consequence of the longstanding lack of action, affected owners have now informally established the Clements Street Action Group (CSAG) to coordinate information sharing, engage collectively with Council and government agencies, and as a body - pursue appropriate administrative, political and legal avenues to seek resolution of this matter.

Consistency with Council Strategic Objectives

CSAG notes that the requests contained within this submission are directly consistent with Upper Lachlan Shire Council's adopted Community Strategic Plan, Delivery Program, Infrastructure Plan and Operational Plan objectives.

Council's own strategic documents identify the following priorities:

- improvement of roads, water and sewer infrastructure;
- enhancement of community liveability;
- activation of residential land and infrastructure certainty;
- support for housing supply and regional growth;
- improved government services;
- and transparent community-informed infrastructure planning.

CSAG submits that addressing the longstanding infrastructure deficiencies affecting Clements Street would directly advance these stated objectives while also supporting broader NSW Government regional housing and infrastructure priorities.

Accordingly, CSAG respectfully submits that inclusion of Clements Street within Council's infrastructure planning framework would be consistent with both Council's adopted strategic direction and the publicly stated aspirations for the future development of Crookwell and the wider Upper Lachlan Shire.

In specific response to Councils Strategic statements

1. Council says "The provision of essential infrastructure, such as roads, bridges, water supply and sewerage network, these issues are our biggest challenge" – Clements street offers easy access and close by services, providing rapid improvement at minimal relative costs .
2. "Council is aiming to enhance the lifestyles for all the communities within the Upper Lachlan Shire Council area" – It is inconsistent to promote liveability while leaving long-rated township land without basic access or services.

3. "The Delivery Program will be reviewed and updated...incorporating... community submissions" – this Clements Street application should be accepted as a community submission with merit.
4. "Achieve infrastructure certainty" – Clement Street Lots are currently sterilised by missing infrastructure and continued lack of action and uncertainty.
5. Council specifically references State Government priorities of:
 - a. Building infrastructure,
 - b. Creating jobs,

The Clements Street new road will support:

1. State housing goals,
2. Regional economic activation,
3. Infrastructure delivery,
4. Creating jobs for the roadway, then the potential 17 new houses that can be built soon after a road and services is added.
6. The Council CEO states Council is committed to open and transparent governance. This is why CSAG has requested written explanation of acceptance, prioritisation methodology and historical infrastructure reasoning for taking rates, but delaying maintenance and improvements.
7. The Mayor states "Council has developed a long-term outlook... based on what the community desires" - CSAG is literally a community stakeholder group expressing a documented infrastructure priority.

Urgency of Action

The condition of Clements Street (between Tait Street and Stephenson Street) can no longer reasonably be regarded as acceptable within an established and growing NSW township.

It is a small project to Council standards, but with existing roads to each end, it can be quickly and cost-effectively activated.

The State urgently needs affordable housing, and here is an opportunity for 17 blocks to be developed quickly with the addition of a sealed road.

The continued absence of basic infrastructure after many decades of uninterrupted rates collection raises serious concerns regarding equity of service delivery, infrastructure prioritisation and long-term treatment of affected ratepayers.

The attached photographs demonstrate the current condition of the road reserve and surrounding land, including unmanaged vegetation, lack of formed access and

the effective absence of municipal maintenance. Local owners have personally undertaken vegetation management and weed control activities at their own expense for many years in the absence of meaningful Council intervention.

Importantly, the current condition of the road reserve also raises broader concerns regarding:

- bushfire fuel loading;
- emergency vehicle accessibility;
- stormwater management;
- public liability exposure;
- environmental weed proliferation;
- and the sterilisation of existing residential land during a period of critical regional housing shortage.

The NSW Government is actively encouraging regional councils to facilitate additional housing supply and activation of existing residential land. The 17 lots within Clements Street represent immediately available township land that has effectively remained unusable due primarily to the absence of basic infrastructure delivery. As the road is only small at ~200 metres, it is a relatively minor infrastructure cost and can be completed quickly, helping support State and local Council benefits almost immediately upon completion.

Given the substantial cumulative rates revenue collected over many decades, affected owners reasonably expect that this matter now be treated as a priority infrastructure issue rather than deferred indefinitely.

Should Council determine not to prioritise the matter within the current planning cycle, CSAG formally requests detailed written justification outlining:

- the basis upon which rates have continued to be levied without corresponding infrastructure delivery;
- Council's infrastructure prioritisation methodology;
- whether funds collected from these lots have historically contributed toward broader township infrastructure;
- whether Council considers the present servicing situation equitable relative to other residential land within Crookwell;

- and whether Council intends to continue levying full urban rates despite the ongoing absence of basic infrastructure.

Financial and Strategic Considerations

The 17 vacant lots currently generate approximately \$2,100 per annum each in rates as "Unoccupied" land classifications (2025 figures), equating to approximately \$35,700 per annum in ongoing rate revenue to Council for little or no services.

Revenue has been collected continuously for MANY decades despite the absence of basic road access and municipal servicing.

Council is therefore in the unusual position of receiving long-term recurrent revenue from rated urban lots while providing effectively none of the infrastructure ordinarily associated with urban residential land within a township.

Importantly, the financial case for addressing this issue is now compelling.

Following completion of these works, Council would benefit from:

- increased annual rate revenue as currently vacant lots become occupied residential properties;
- development application fees;
- subdivision fees;
- water connection fees;
- sewer connection fees;
- construction certificate and inspection fees;
- increased long-term economic activity within Crookwell;
- possible subdivision/ Strata fees
- increased housing supply consistent with NSW Government strategic housing objectives.

At present, these 17 lots are substantially sterilised due to the absence of infrastructure.

Provision of road access and services would unlock the land for affordable housing opportunities within Crookwell at a time when both the NSW Government and regional councils are under increasing pressure to facilitate additional housing supply.

This proposal therefore aligns directly with broader State Government planning objectives encouraging activation of existing serviced urban land and increased regional housing supply.

Engineering and Infrastructure Request

Accordingly, CSAG formally requests that Council:

1. Include Clements Street within its road and infrastructure priority assessment framework;
2. Allocate funding for preliminary engineering design and cost planning;
3. Undertake detailed investigation into:
 - o road formation and surfacing;
 - o stormwater management;
 - o sewer extension and gravity feasibility;
 - o water servicing;
 - o utility coordination;
4. Include the project within future capital works planning, and as a priority;
5. Undertake vegetation clearing and maintenance within the road reserve as an immediate interim measure;
6. Provide a written response outlining:
 - o Council's position regarding the historical lack of servicing;
 - o whether Clements Street has ever been included within a formal infrastructure program;
 - o any existing engineering assessments relating to the street;
 - o proposed next steps and indicative timelines.

Conclusion

This matter concerns not merely a local road issue, but a longstanding infrastructure inequity affecting ratepaying landowners over many decades.

The ongoing collection of substantial rates revenue without provision of even basic road access or municipal services is increasingly difficult to justify in contemporary planning, governance and equity terms.

The requested works would finally recognise the financial contribution of affected landowners over many years, provide clear public benefit, increase housing supply, improve amenity, enhance Council's future revenue base, and allow long-standing township lots to become productive residential land.

CSAG respectfully requests that this submission be formally tabled before Council and considered as part of the 2026/27 Operational Plan, Infrastructure Program and future capital works budgeting process.

CSAG also requests the opportunity for an onsite meeting involving Councillors, Council engineering staff and affected owners.

Yours faithfully,




Clements Street Action Group (CSAG)

See 3 images below:

Image A - Existing condition of Clements Street - Council verge



Image B - Existing access and unmanaged vegetation – Council land.



Image C – Where the road should be. Owners Lots on the right and temporary path being cleared and paid for by owners at their expense just to get access to the Lots to keep them fenced and clear.



END.

Finance and Administration - 18 June 2026

ITEM 13.2 **Mayor and Councillors' Fees - Determination by Local Government Remuneration Tribunal**

FILE REFERENCE **I26/140**

AUTHOR **Director of Finance and Administration**

ISSUE

Providing details on the 2026 Determination of the Local Government Remuneration Tribunal. Office of Local Government (OLG) Circular 26-05 provides information for consideration of Council.

RECOMMENDATION That -

1. Council notes the determination of annual fees by the Local Government Remuneration Tribunal for Councillors and Mayors and resolves to set a Rural Category fee structure for the period 2026/2027 as a Councillor Fee of \$14,450 and a Mayor Fee of \$31,510.

BACKGROUND

The 2026 Annual Determination of the Local Government Remuneration Tribunal dated 23 April 2026, in respect of fees for Councillors and Mayors is available for viewing at remtribunals.nsw.gov.au and olg.nsw.gov.au.

REPORT

Section 239, of the *Local Government Act 1993*, requires the Tribunal to determine the categories of councils and mayoral offices. Upper Lachlan Shire Council remains a General Purpose Council – Non-Metropolitan – Rural.

Section 241, of the *Local Government Act 1993*, requires the Tribunal to determine the maximum and minimum amount of fees to be paid to Mayors and Councillors, as well as members of county councils. The Local Government Remuneration Tribunal's Report and Determination of 2026 provided a general increase of 3.70%.

Pursuant to Section 239 and 241, of the *Local Government Act 1993*, the Local Government Remuneration Tribunal has reported and determined the categories for councils, county councils and mayoral officers and the maximum and minimum amount of fees to be paid during the period 1 July 2026 to 30 June 2027, to Mayors and Councillors of councils.

Sections 248 and 249, of the *Local Government Act 1993*, require councils to fix and pay an annual Councillor fee and Mayor fee based on the Tribunal's determination for the 2026/2027 financial year.

Finance and Administration

MAYOR AND COUNCILLORS' FEES – DETERMINATION BY LOCAL GOVERNMENT REMUNERATION TRIBUNAL cont'd

Upper Lachlan Shire Council continues to be categorised as a Rural Council. The report recommendation is to fix the annual fee as the maximum permitted by the Tribunal for category of Rural.

General Councils - Metropolitan	Purpose - Non-	Councillor/Member Annual Fee		Mayor/Chairperson Annual Fee	
		Minimum \$	Maximum \$	Minimum \$	Maximum \$
Major Regional City		21,900	38,050	46,500	118,530
Major Strategic Area		21,900	38,050	46,500	118,530
Regional Strategic Area		21,900	36,110	46,500	105,220
Regional Centre		16,420	28,890	34,160	71,350
Regional Rural		10,920	24,080	23,250	52,560
Rural Large		10,920	19,590	17,440	42,030
Rural		10,920	14,450	11,620	31,510

POLICY IMPACT

Councillor fees and Mayor fees are included in the Council Payment of Expenses and Provision of Facilities Policy.

OPTIONS

1. Determine the annual Councillor fee and Mayor fee as the maximum permitted by the Tribunal that includes a 3.70% increase. This is the staff recommendation.
or
2. Determine the annual Councillor fee and Mayor fee as the minimum permitted by the Tribunal or a Councillor fee and Mayor fee that are lower than the maximum permitted. This is not recommended by staff.

FINANCIAL IMPACT OF RECOMMENDATIONS

The 3.70% increase in fees has been included in the 2026/2027 Council Operational Plan.

RECOMMENDATION That -

1. Council notes the determination of annual fees by the Local Government Remuneration Tribunal for Councillors and Mayors and resolves to set a Rural Category fee structure for the period 2026/2027 as a Councillor Fee of \$14,450 and a Mayor Fee of \$31,510.

ATTACHMENTS

1. LG Remuneration Tribunal 2026 Annual Determination final report.pdf	Attachment
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Local Government Remuneration Tribunal

Annual Determination

Report and determination
under sections 239 and 241 of the
Local Government Act 1993

23 April 2026



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Executive Summary

Functions of the Tribunal

1. Section 241 of the *Local Government Act 1993 (the Act)* requires the Local Government Remuneration Tribunal (**the Tribunal**), by 1 May each year, to determine for each of the categories of Councils determined under s 239, the maximum and minimum fees to be paid to Mayors and Councillors in the following year. As well as those of Chairpersons and members of County Councils: s 400. The Tribunal may also amend a determination it has made for fees to be paid to the appointed Chairperson and appointed Councillors of a council designated as a Rural and Remote Council: c 12(c), sch 11.
2. Section 239(1) of the Act requires the Tribunal to determine the categories of Councils and mayoral offices at least once every three years. It must then also place each Council and mayoral office into one of those categories. There are presently 135 Councils in the State, including County Councils, which are allocated into 15 different categories, with Central Darling Council being the subject of a 2025 Special Determination.
3. The Tribunal must also report its determination to the Minister within seven days: s 244. The Tribunal's Annual Determination takes effect from 1 July each year.
4. All of the Tribunal's functions must be undertaken in accordance with the purposes of the Act, specified in s 7 to be:
 - (a) *to provide the legal framework for the system of local government for New South Wales,*
 - (b) *to set out the responsibilities and powers of Councils, Councillors and other persons and bodies that constitute the system of local government,*
 - (c) *to provide for governing bodies of Councils that are democratically elected, or for certain rural and remote Councils, part elected and part appointed,*

Executive Summary

(d) to facilitate engagement with the local community by Councils, Councillors and other persons and bodies that constitute the system of local government,

(e) to provide for a system of local government that is accountable to the community and that is sustainable, flexible and effective.

Fees

5. For reasons explained below, the Tribunal has determined that from 1 July 2026 there must be a **3.7%** increase in the current minimum and maximum fees applicable to each category of Council, as well in the fees of the appointed Chairperson and appointed Councillors of Central Darling Shire Council. That reflecting increases in the cost of living. Relevant indicators since the 2025 adjustment, including:
 - Consumer Price Index for the 12 months to February 2026 of 3.7%;
 - Wage Price Index for the 12 months to December 2025 of 3.4%;
 - Full-time average weekly ordinary time earnings for the 12 months to November 2025;
 - NSW Public Sector Salaries increases for FY 2025/26 of 3%;
 - Local Government State Award increases for FY 2025/26 of 3%;
 - IPART Rate Peg Base Cost Change for FY 2025/26 of 3.6%;
 - The 2025 Public Service Senior Executive remuneration determinations of the Statutory and Other Offices Remuneration Tribunal; and
 - The 2025 State Members of Parliament Basic Salary remuneration determination of the Parliamentary Remuneration Tribunal.

6. The Tribunal has also taken note of the current war in the Middle East, which is likely having an adverse impact on the cost of living. But takes the view that its effects and their potential impact on fee adjustment, cannot reliably be determined at this point.

Executive Summary

7. What was advanced in submissions included that not only should there be a cost of living increase in 2026. But that there should be a much more significant increase in fees, to reflect that current fees no longer adequately reflect the challenging work which Mayors and Councillors must undertake in their important elected offices. With the result that fees should be increased to reflect those determined by the Tribunal for the Chairperson and appointed Councillors of the Central Darling Council in its 2025 Special Determination. As well as the remuneration and allowances paid to Mayors and Councillors in Queensland and Victoria.
8. The Tribunal accepts that it has the discretion to determine that fees should justly be increased, by more than a cost of living adjustment, as was urged. That permitting its consideration of the adequacy of current fees, given the work which Mayors and Councillors are elected to perform and how that has changed over time.
9. That is because while s 242A of the Act requires the Tribunal to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under s 146C of the *Industrial Relations Act 1996* (NSW) when making or varying awards or orders relating to the conditions of employment of public sector employees. That section has now been repealed, that removing the prior fetter on the Tribunal's discretion to adjust fees in the way urged on this review.
10. The Tribunal also accepts that a greater increase than that which it has determined, may be warranted. But has concluded that the amount of any such increase requires further consideration in light of changes which have taken place over time. Not merely in the amount of the fees fixed by past Determinations, but also in the work Mayors and Councillors have to perform in their elected offices.
11. Understandably, some submissions sought to draw comparisons with the fees fixed by the 2025 Special Determination for the appointed Councillors and Chairperson for the Central Darling Shire Council and those fixed for other Mayors, as well as with payments made to Councillors and Mayors in other States.

Executive Summary

12. When such comparisons are drawn, consideration can not only be given to the amount of such fees and remuneration. It must also be given to matters such as the nature of the appointments, the work required and the hours and nature of the work performed as a result. As well as to how that compares to what is required of Mayors and Councillors of Local and County Councils in this State and the fees which they receive, as a result. That also requiring an understanding of the applicable statutory schemes and the reasons for the past fixation of the fees and remuneration relied on.
13. The Tribunal was provided with little information or submissions about such matters and so is unable to come to conclusions about whether increases based on the comparisons sought to be drawn, can be entertained.
14. Other submissions about desirable fee adjustment depend on the NSW Parliament amending the Act, to provide for Mayors and Councillors to receive remuneration or salary, rather than a fee for office.
15. Even if such comparisons are presently available to be made, the differences in the statutory regimes, which were not addressed, as well as similarities and differences in the work being compared, would have to be considered. Conclusions about such matters cannot rest merely on opinions advanced in submissions.

Categories

16. In its 2026 Annual Review, as it has done in past three yearly reviews, the Tribunal undertook a s 239 determination, having invited and received submissions about proposed changes. As a result, it has concluded that it is necessary to rectify a criteria anomaly identified in the Regional Strategic category established by the 2023 Annual Determination, as well as adjusting the population criteria for the Major Strategic Area category, from 300,000 to 200,000.

Executive Summary

- 17. The Tribunal also identified that Dungog Shire Council has met the population threshold and Councillor to population ratio criteria for Rural Large and will, as a result, be placed in the Rural Large category.
- 18. The Tribunal also concluded that in 2026 there should be no other change to the present categories, which will thus continue to be:

Metropolitan	Non-Metropolitan	County Councils
Principal CBD	Major Regional City	Water
Major CBD	Major Strategic Area	Other
Metropolitan Major	Regional Strategic Area	
Metropolitan Large	Regional Centre	
Metropolitan Medium	Regional Rural	
Metropolitan Small	Rural Large	
	Rural	

2027 Annual Review

- 19. For reasons explained further below, in the 2027 Annual Review the Tribunal will invite further submissions from every Council, Local Government NSW and the Minister, about the current categories, criteria and fee structure and whether they remain fit for their statutory purpose. That will provide an opportunity for reliable information and submissions to be provided about claimed changes and available comparisons.
- 20. The Tribunal will then give further consideration to the current structure of the categories by reference to which it must fix minimum and maximum fees. That consideration may also have an impact on further fee adjustment in 2027, given that the submissions advanced on this review have raised the question of whether the current system of categories and the criteria by which Councils are allocated to them, remain fit for their purpose.

Executive Summary

21. The new structure and criteria will reflect the requirements of the Act, as will the new criteria adopted and Councils' allocation to the revised categories. The Tribunal will also determine which criteria individual Councils satisfy, which they will have an opportunity to address, having been invited to provide the Tribunal with the relevant, reliable information.

Section 1 – Introduction

Methodology

22. The Tribunal's inquiries are regulated by s 243 of the Act, which permit it to make such inquiry as it thinks necessary, before making a determination.
23. Section 248 requires Councils to pay Councillors fees which are fixed by reference to the minimum and maximum fees determined by the Tribunal. Section 239 also requires the Tribunal, at least once every 3 years, to determine categories for Councils and mayoral office and to place Councils into those categories.
24. The Tribunal's 2026 Annual Review commenced in October 2025 with the assistance of its Secretariat, when all Councils and the Association were invited to provide submissions about fees and categorisation. Its invitation asked that submissions be endorsed by Councils. All submissions received from Councils were endorsed. The Tribunal also received a submission from some individual Councillors and the Association.
25. Some twenty-five submissions were received from Councils, only some of which addressed fee increases. In its submissions the Association addressed proposed fee increases, as well as problems with the Determination flowing from the operation of the Act, proposed alterations to Council categories and the criteria by which they are allocated.
26. The Tribunal later met with representatives of 19 Councils, seven Councillors and the Association, who addressed written submissions and, in some cases, provided further data to support the submissions advanced. Not all of that provided was sourced from publicly available sources such as the Australian Bureau of Statistics and its reliability was thus not able to be assessed.
27. The Tribunal also had regard to the other information referred to in this report.

Section 1 – Introduction

Summary of submissions

28. Most of the submissions received focused on the inadequacies of the fees and the statutory system which requires them to be fixed as they are. Issues raised including that:
- The remuneration which the fees generate being grossly inadequate, not adequately compensating for the skills, knowledge and responsibilities the Act requires Councillors and Mayors in urban, regional and rural contexts to have and exercise;
 - There has been significant, increasing complexity in the work which has to be undertaken, as well as an increase in the time it requires, without a change in remuneration to compensate for these changes;
 - That including as the result of changes to the Code of Meeting Practice which Councils have to observe, which has resulted in increased expenses having to be born, for which there is no compensation;
 - There is a need for a Deputy Mayor fee to be implemented, to reflect what this role now requires;
 - That the current fee structure and meeting requirements act as a barrier to desirable skilled representation in local government, as well as to desirable diversity in that representation;
 - It has also driven the loss of able and experienced representatives;
 - The existing differences in fees received by Councillors and Mayors in Metropolitan Councils, by comparison to those received by those in Regional and Rural Councils, did not reflect the similarities in their roles and responsibilities. Nor the additional responsibilities which have to be undertaken in Regional and Rural Councils;
 - The Determination drives politicisation of Councils, by requiring them to set their own fees within the minimum and maximum set by the Tribunal, which also put them into an undesirable position of conflict: ss 239 and 248; and

Section 1 – Introduction

- Fees were out of step with those which are paid to Board members and those who accept appointments to advisory committees, with which comparisons were also sought to be drawn, but no concrete information was provided about.
29. On this review the Tribunal was urged to undertake a similar assessment of fees to that undertaken in 1995 and not to limit its consideration of what fee increase a cost of living adjustment would warrant. It was also urged to also consider the range of factors it has taken into account in the past, in determining what a cost of living adjustment should be.
30. Various submissions also urged the desirability of various other proposed legislative changes. For example:
- Introducing a new model of remuneration for Mayors and Councillors to replace the current fee based structure;
 - Removing the Tribunal's obligations to fix maximum and minimum fees for Mayors and Councillors;
 - Introducing a separate fixed fee for the Deputy Mayor position;
 - Deputy Mayors receiving mayoral fees while acting as Mayor, but Mayors still continuing to be paid their Mayoral fees;
 - Indexed pro rata remuneration; and
 - Recognition that the work of Mayors and Councillors involves a full time job. As to which, it must be noted, no information provided to the Tribunal established this to be the case.
31. These matters are not within the Tribunal's control, but they will be drawn to the attention of the Minister.
32. The Tribunal accepting the importance of the various views raised by Councils, Councillors and the Association and as a result, will draw them to the attention of the Minister. But that

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it has power to act on some of them on this review, has not been established, given the current statutory scheme.

33. The Tribunal also notes that consideration of future expected developments when Councils are categorised was also urged by some submissions. While others expressed satisfaction with the Council's current categorisation, as the basis for fixing its fees, while not addressing whether it still satisfied the applicable criteria. This will have to be revisited in the 2027 Annual Review.
34. If further submissions are then advanced, which provide a basis for different conclusions being arrived at about any of the above matters, they will of course be considered by the Tribunal. And if the Act is amended in response to what has been urged, the Tribunal will then undertake whatever statutory tasks it is given.

Section 2 – 2025 Determinations

2025 Annual Determination

35. In 2025, the Tribunal received sixteen written submissions, which included two requests for re-categorisation. As a result, it reviewed population and other data relating to those Councils, to ensure categorisation was consistent with the applicable criteria.
36. The Tribunal found that the then current allocation of the Councils remained appropriate, with the exception of Mid Coast Council. As a result of it meeting the population benchmark, it was re-categorised from Regional Centre to Regional Strategic Area: 2025 Annual Determination report at [58]-[59].
37. The Tribunal also determined that the minimum and maximum fees applicable to each category would increase by 3% from 1 July 2025.

2025 Special Determination

38. The Tribunal also made a Special Determination in 2025, following the introduction of the *Local Government Amendment (Rural and Remote Councils) Act 2024* and the *Local Government (General) Amendment (Rural and Remote Councils) Regulation 2025*. Having on 6 June 2025 received a direction from the Minister for Local Government under s 242 of the Act, to determine the maximum and minimum fees for Appointed Councillors and the Chairperson for Central Darling Shire Council.
39. The effect of the legislation was to insert Schedule 11 into the Act, cl 3 permitting a Council to be designated as a Rural and Remote Council by regulation, as the Central Darling Shire Council was, when the Minister recommended that it met criteria specified by the regulation: cl 3(2). The Regulations now provide that a Council may be designated as a Rural and Remote Council if, at the time of designation, its area has a population of 5,000 persons or fewer as recorded in data series 1410.0–Data by Region published by the Australian Bureau of Statistics: r 413F.

Section 2 – 2025 Determinations

40. Central Darling Shire Council is designated as a Rural and Remote Council for 10 years: r 413G. With the result that it must have six Councillors, one elected from each ward, as well as three appointed by the Minister r 413G(3).
41. The Minister must also appoint an appointed Councillor as chairperson of the Council: cl 10(1) sch 11. The Tribunal's determinations under s 241 do not apply to appointed Councillors: cl 12(2)(a) sch 11. But it must determine their maximum and minimum fees and may at any time amend such a determination: cl 12(2)(b) and (c) sch 11.
42. In its Special Determination the Tribunal determined a minimum fee of \$13,830 and a maximum of \$13,930 for appointed Councillors and a minimum of \$72,080 and a maximum of \$72,180 for the appointed Chairperson.
43. This Determination was relied on in this review to advance the Association's submissions that the functions of the appointed chairperson of Central Darling Shire Council are substantially the same as those of Mayors of other Rural Councils. With the result that their fees should be increased to similar amounts. That was supported by submissions advanced by some Councils.

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The relevant history

44. The submissions advanced require not only a consideration of the current fees and what the statutory scheme provides for, but also of the history by which they have been arrived at. As well as the impact of changes which have occurred.
45. The history was not addressed by the submissions advanced.
46. Relevantly, it includes that in 1994 the Tribunal undertook wide ranging consultations to establish what was then involved in the roles and functions of elected representatives of local government, conducting public hearings to obtain a representative cross section across the State.
47. It then examined matters such as Councillors' backgrounds and experience; community activities engaged in before and after election; time spent on meetings as well as preparation time; Council's functions and the issues and problems they had to deal with. As well as remuneration levels and ratios between Councillors and Mayors. The Tribunal having received submissions from 66 Councils, 7 County Councils, associations and the public: at page 3 – 5 of the 1994 Determination.
48. The functions of Councils and the roles of their elected officials under the Act were explained, with contrasts drawn with the predecessor 1919 legislation. Under which members of Councils "*were regarded in effect, as performing honorary community roles, with some provision for recompense for prescribed incurred expenses*": at 11 of the 1995 Determination.
49. Existing fees were then found not to adequately recompense those elected for the performance of their duties at regular Council meetings, special community and committee meetings, communication with the community and representing Council at functions: at 11

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of the 1995 Determination. That requiring lengthy periods to be spent on Council business and associated interviewing, reading and preparation: at 12 of the 1995 Determination.

50. The Tribunal had regard to all such activities in setting fees under the 1993 Act, at a time when they were performed in addition to Mayors and Councillor's normal occupations: at 12 of the 1995 Determination. It then being the common experience that the substantial majority of Councillors and Mayors were involved in some other employment or engagement, either full-time or part-time.
51. The fees then fixed were based on an assumption that Councillors would also be recompensed for expenditure reasonably incurred in relation to their Council duties. That being a matter of discretion for each Council, according to the particular circumstances of that Council. That allowing them to determine the extent of any absorption of expenses in fees: at 16 of the 1995 Determination.
52. The minimum fees were determined on the basis that Councillors and Mayors were *"performing a community service in addition to their normal occupations"*: at 16 of the 1995 Determination. The usual practice being *"to programme the attendance of councillors and mayors outside normal business hours for meetings and other activities to accommodate their other time commitments. Their duties not requiring continuous attendance during the course of each working day."*: at 16 – 17 of the 1995 Determination.
53. And that *"The duties performed as mayor attract an additional fee for extra delegated duties and functions actually performed"*: at 17 of the 1995 Determination. It was further explained at 19 of the 1995 Determination:

"The minimum fees determined provide the statutory minimum payment for councillors and mayors. They are based on an assessment of the average council in each category. As - with any averaging, the fees may be generous for some councils but modest for others. The maximum fees provide the necessary ambit of discretion to enable each council to assess its performance compared with other councils in its category. Such discretion

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enables each council to determine whether its performance as a whole compared with the other councils justifies a payment in excess of the minimum to its councillors and/or mayor. It is conceivable that because of significant delegations by a council to the mayor, this situation may warrant a fee greater than the minimum for the mayor, but not for councillors. The reverse situation could also apply.”

54. What was then being evaluated by the Tribunal being “*the knowledge, skills and community interests of councillors and mayors*”: at 19 of the 1995 Annual Determination.
55. This Determination also explained, in detail, how the categories were then arrived at. With various distinctions drawn between Metropolitan and Non-metropolitan Councils, with consideration of matters such as their size, population, assets and expenditure, amongst other factors. Consideration also then being given to the unique position of the Council of the City of Sydney.
56. It also explained how this related to the fees determined, given the relevant history. Which included a change from the original position under the 1919 Act, that Local Government elected officials had traditionally been seen as civic minded citizens providing a voluntary service to the community, being born in mind. As well as what had been recognised when the *Local Government (Payment of Fees) Amendment Act 1993* (NSW) was introduced. It recognising payment of a fee for attending to Council business, i.e., meetings, inspections, etc, which did not involve the payment of salaries: at 64-66 of the 1995 Annual Determination.
57. Consideration was also given to the statutory roles and responsibilities of Councils in other States and overseas, as well as of comparisons then sought to be drawn with members of Parliament.
58. It was not then accepted that local government representation had progressed to the status of an independent career. Even though some elected officers chose to spend their time, full time, on Council duties: at 69-70 of the 1995 Determination.

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59. It was also explained that the minimum and maximum fee range fixed required Councils to each evaluate the functions and responsibilities which were actually performed by their Councillors: at 76 of the 1995 Determination.
60. After 1995, over time the fees fixed by the Determination have been increased by the Tribunal, to reflect changes it made to the categories of Councils which the Act required it to review regularly, in order to fix appropriate maximum and minimum fees.
61. In 2017 the Tribunal noted that what the Act required was “a categorisation model in which Councils with the largest number of features in common can be grouped together for remuneration purposes. This is not straightforward, as each Council has challenges and issues which are unique”: at [16].
62. It then found that while the then existing criteria continued to provide an equitable and transparent model by which to differentiate Councils for the purposes of determining remuneration, there was some scope to refine the criteria to address a number of anomalies and to better reflect the composition of Councils after amalgamations: at [18] – [19] 2017 Annual Report.
63. It also sought to improve consistency and transparency in the allocation of Councils into categories, with the result that a number were either recategorised into an existing category, or a new category: at [19].
64. Fees were determined for the new categories, having regard to relativities between the existing groups: [54].
65. Fees were later increased to reflect not only cost of living increases, but also changes which the Tribunal made to Council categories and the applicable criteria. But for a time, the Tribunal’s powers to increase fees were frozen and at other times available fee increases were capped, as the result of steps taken by Governments.

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66. These changes to its discretions were explained in the Tribunal's various Annual Determinations. They help explain the complaints received on this review about the current fees, which it must be accepted, as a result, do not reflect all increases in the cost of living over time.
67. On the Association's approach, this has resulted in fees which no longer accurately reflect what the Tribunal first assessed, independently, in 1995.
68. In 2020 the Tribunal considered recategorisation proposals it received in 2019, about which it sought and received submissions: at [13]-[19] 2020 Annual Report. Then creating the new category of Regional Centre; renaming Regional City to Major Regional City and also adopting some changed criteria. As well as reordering the Regional Strategic Area criteria, considering that it warranted further differentiation.
69. It also altered the criteria for Metropolitan Medium and Metropolitan Large categories, with resulting changes for other categories: at [23]-[30]. In some cases, additional criteria being significant enough to warrant some Councils' categorisation into a group with a higher population: at [30]. Fees were set to reflect resulting activities: at [69].
70. In 2023 the Tribunal sought to improve consistency of the criteria and also adopted non-resident population criteria for some categories, with resulting reclassification of some Councils: at [23]-[25] 2023 Annual Report. As well as creating two new categories, Rural Large and Metropolitan Major, to bridge identified gaps: [26]-[36].

2026 Annual Review process - Fees

71. As explained, this year's submissions pursued various concerns about the current fees. They not being considered to adequately compensate for the skills and knowledge Councillors and Mayors are required to exercise, or the time they have to spend in performing the duties of their offices, given considerable changes over time. In

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considerable part this having been driven by population increases and changes introduced by Governments.

72. The view repeatedly urged being that current fees result in a considerable barrier to desirable diversity in representation in local government, as well as problems in attracting and retaining suitably qualified people to stand for and remain in office, when elected.
73. The Tribunal accepts that there are such problems, given the information and submissions it has received.
74. There were various submissions that an increase was necessary, given the increased cost of living. But few submissions addressed the quantum of the increase. Narrabri Council urging a 10% increase and Lake Macquarie a 3-4% increase. Another that fees should be doubled. Other submissions urging that Mayoral fees be increased substantially to reflect the 2025 Special Determination. The Association and some Councils also seeking increases which resulted in fees similar to the remuneration paid in Queensland and Victoria.
75. The City of Sydney Council did not seek such increase in the fees payable to the Lord Mayor, but urged very substantial increases for Councillors. Some Councillors also providing, late, further information which the Tribunal did not have the opportunity to give adequate consideration to, given all they have raised and the time frame in which this review must be completed.
76. Some submissions also urged an increase in fees of rural and regional Councillors and Mayors, to assist in addressing low candidature numbers.
77. The Association also urged that a significant increase in fees was needed to:

“1. Ensure that Councillors and Mayors in New South Wales do not continue to experience fee erosion flowing from the former NSW Public Sector Wages Policy;

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2. Reflect the current economic climate in New South Wales and adjust fees according to recent and relevant economic data; and

3. Recognise the increasing demands and time commitment required of elected local government representatives.”

78. The Association noting that the repeal of s 146C of the *Industrial Relations Act 1996* (NSW) had the result that the Tribunal is no longer constrained by a cap when awarding fee increases. And urging that the Tribunal accept that current fees were manifestly inadequate, not properly reflecting as they needed to, the current responsibilities and role of elected Council officials. That preventing Councils' financial stability and also deterring quality candidates, of all backgrounds, pursuing civic office, which was not in the public interest.
79. It also submitting that fees should now be assessed on the basis that the work of elected officials was valued at more than 8 hours per week, at the rate of the national minimum wage. It also advanced economic and wage data to support these arguments
80. The submissions thus drew comparisons with:
- The salary paid to members of parliament under the *Parliamentary Remuneration Act 1989* (NSW);
 - Remuneration which Mayors and Councillors of Queensland Councils are paid under the *Local Government Act 2009* (QLD) and the *Local Government Regulation 2012* (QLD); and
 - Allowances which Victorian Mayors and Councillors receive, fixed by the Victorian Independent Remuneration Tribunal under s 39 of the *Local Government Act 2020* (VIC).

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81. Specific examples were also relied on. Including, for example, that Councillors in Townsville are paid a maximum remuneration of \$135,123, while those in Liverpool are paid a maximum fee of only \$34,820. While in the case of Mayors the comparison was \$225,206 to \$136,290.
82. The difficulty with such comparisons is that the other legislative schemes relied on, do not provide for a fee based structure of the kind for which the Act provides for NSW Mayors and Councillors.
83. Parliamentarians in this State, for example, receive a basic salary and an electoral allowance payable as compensation in respect of all incidents of the performance of their parliamentary duties (other than those compensated or reimbursed by other additional entitlements): s 4 and 10(2B) of the *Parliamentary Remuneration Act 1989* (NSW).
84. Still, some submissions relied on an observation in the 2024 Parliamentary Remuneration Tribunal Annual Report, where I, in my capacity as Parliamentary Remuneration Tribunal, said at [28] that:

“Not only should Members of Parliament be fairly remunerated for their important and challenging work, within the State’s means, but it must also be remembered that such remuneration and the other conditions and entitlements provided by the Determination play a real role in attracting people of high intellect, integrity and vigour to stand for election to the Parliament. People who have the necessary skills to perform such work well and who are prepared to devote their time to serving the public interest, rather than only their own interests. Appropriate salary and conditions also help to ensure that such people are also prepared to continue seeking re-election in order to continue performing the important work of their offices.”
85. The view urged being that those observations also apply to NSW Councillors and Mayors, given the valuable, time consuming and challenging work which their roles now require them to perform.

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86. While the Tribunal was not provided with information which would provide a basis for the acceptance of these opinions, support for them can be found in s 232 of the Act, which explains the important roles which Councillors play. As well as in s 233A, which specifies the oath of office which they must take after election. By which they promise to undertake the duties of their office in the best interests of the people of their Council area and that they will faithfully and impartially carry out their functions, powers, authorities and discretions.
87. Despite this and no matter how earnestly held, it is not presently apparent how these views can be acted on by the Tribunal, given the current legislative scheme. All of them seeming to depend on the Parliament amending this State's Act, to provide for Mayors and Councillors to receive remuneration or salary, rather than a fee for office.
88. As has been explained in past Annual Determinations, that is not a matter within the Tribunal's control.
89. The 20 May 1993 Second Reading speech to the Act explains how its terms were arrived at. As the result of a lengthy bipartisan reform process, following enquiry into changes required to be made to the then frequently amended predecessor 1919 legislation: Hansard p 2414. The Tribunal's 1994 Determination explains the process by which it initially fixed fees and the subsequent Annual Determinations, how they have been increased over time.
90. Tribunal Determinations have thus explained that Mayors and Councillors are paid a fee for the services which they volunteer to provide when they are elected, not a salary. Section 241 still obliges the Tribunal to fix such a fee. It follows that it does not have the power to determine that they should be paid a salary, or remuneration.
91. Little Information was provided on this review to support the submissions which urged the view that the current statutory fee model is no longer appropriate. The significantly increased and more responsible work which it is widely considered now falls to Councils

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to perform and what that requires of its Mayor and Councillors, helps explain why it is also widely considered that legislative change is now desirable.

92. Such information is relevant to the determination of an increase in fees. But the Tribunal has no power to act on the view that the current statutory fee based model no longer remains appropriate. Nor to determine that a remuneration based model such as that contained in the Queensland and Victorian legislation should be adopted in this State. Nor what such remuneration should be.

Conclusions about general fee increase in 2026

93. The Tribunal has considered all it has received, together with the other matters referred to in this report, having been assisted by its two assessors: s 236. Meeting with them to consider their views about the submissions the Tribunal received and the exercise of its functions on this review.
94. The result is the Tribunal's conclusions that:
- All fees should be adjusted from 1 July 2026 by **3.7%** to reflect changes in the cost of living, in the expectation that there will be further increases in those costs, driven by the consequences of the war in the Middle East, which is already having adverse impacts on the entire Australian community;
 - To make no other adjustments to fees on this review, but to invite the submissions further explained below, in the 2027 Annual Review. The Tribunal accepting that changes have occurred which ought to be reflected in the fees fixed by the Determination. But also considering that further information and consideration is required, before conclusions can be arrived at about how those changes can be fairly reflected by a further fee adjustment.

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95. The Tribunal thus accepts that it is time to undertake a review of the kind the Association proposed, but has concluded that it cannot be undertaken in this review. That explaining the process which the Tribunal proposes to undertake in 2027, explained in section 4.

The same fee structure for all Mayors and Councillors

96. Remuneration for a Mayor or Councillor not being based on geographical location was also urged by submissions advanced. A number contending that the role of a Mayor and Councillor was fundamentally the same, requiring the same skills, knowledge, experience and responsibilities regardless of location. With the result that the fees of Regional and Rural Mayors should be increased to that of their Metropolitan colleagues.
97. These submissions cannot be accepted. The Act requiring the Tribunal to fix appropriate categories of Council, having regard to specified criteria. The Determination's history and criteria helping to explain differences recognised by the categories. Which the Tribunal must reflect in the minimum and maximum fees fixed for each category.
98. These submissions did not pay necessary regard to these statutory requirements, which are not for the Tribunal to ignore or abandon.
99. The Act does not permit the Tribunal to fix the same fees for all Mayors and Councillors, irrespective of their category. If it were to be found that the fees for Mayors and Councillors of different categories ought to be completely the same, that would necessarily reflect that those Councils ought to fall within the same category.

Fees for Deputy Mayors

100. The Act also does not permit the Tribunal to fix a separate fee for Deputy Mayors. Despite which the issue of a distinct fee within the Determination for the role of Deputy Mayor was once again pressed, as it has been on past reviews. That being supported on this review

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by reports of Mayors being unable to perform the functions of their offices, which had to be taken on by Deputy Mayors, without receiving any resulting additional fees.

101. One submission was that Deputy Mayors undertake significant responsibilities, which the Act fails to adequately recognise or remunerate. Another that a Deputy Mayor must also step in to represent the Mayor when unavailable, chairs committees and plays a pivotal role in decision making and advocacy.
102. The submissions thus urged that the fee structure recognise the additional workload and responsibility that comes with the role of Deputy Mayor.
103. The issue of fees for the role of Deputy Mayor was explained in the 2024 Annual Determination at [53]-[55] and in the 2025 Annual Determination at [62]- [65]. What was there explained was not addressed in the submissions.
104. Section 249 (5) still permits a Council to “pay the Deputy Mayor (if there is one) a fee determined by the Council for such time as the Deputy Mayor acts in the office of the Mayor. The amount of the fee so paid must be deducted from the Mayor’s annual fee.” That requires a decision of Council and cannot be dictated by either the Mayor or a Deputy.
105. The submissions advanced reveal that some Councils have chosen not to exercise this power. With the result that the Deputy Mayor who took on functions the Mayor was unable to perform for a period, received no additional fees to reflect the increased duties taken on. That is an available outcome under the Act and remains a matter for each Council to determine. It is not within the control of Mayors.
106. Still, there having been no change to the Act which would permit the Tribunal to determine a distinct fee for the position of Deputy Mayor, must result in the submissions advanced being rejected. It will, however, draw the issues raised to the Minister’s attention.

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Setting of Fees by Councils

107. Concerns regarding the setting of minimum and maximum fees by Councils, still required by s 241, was also again raised by some submissions. A number calling on the Tribunal to set only one mandatory fee for each category. Another suggesting that the Tribunal could increase the minimum fees to the same amount as the maximum fee level. Another, advocating repeal of s 241 of the Act.
108. Such change was urged because it was considered that this would result in desirable equality of fees and remove the potential for politicisation of fee setting, and potential conflicts of interest. That also enhancing relationships with the community.
109. In the same way as the Court of Appeal recently explained in *Director of Public Prosecutions (NSW) v President of the Legislative Council of New South Wales* [2026] NSWCA 20 [57], the Tribunal is satisfied that it cannot do indirectly, what the Act does not permit it to do directly.
110. It follows that these submissions must also be rejected. But this issue will also be drawn to the Minister's attention.
111. In the 2027 Annual Review, submissions will be invited about the appropriate range between the minimum and maximum fees for the categories then determined.

2026 Annual Review process – category review

112. In determining Council categories, the Tribunal is required to have regard to the matters specified in s 240 of the Act, namely:
- The size of areas;
 - The physical terrain of areas;

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- The population of areas and the distribution of the population;
 - The nature and volume of business dealt with by each Council;
 - The nature and extent of the development of areas;
 - The diversity of communities served;
 - The regional, national and international significance of the Council;
 - Such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government; and
 - Such other matters as may be prescribed by the regulations.
113. The categories of County Councils also require regard be paid to the functions of County Councils: s 240(2). They are specified in s 394 of the Act to be any one or more of the functions of a Council under the Act or any other Act, in accordance with a proclamation made for the purpose of Part 5 of the Act.
114. The Tribunal last reviewed the categories of Councils and mayoral offices in 2023. The current categories in 2026 attracting the increased minimum and maximum fees earlier explained. With the result that some of them continue to overlap considerably, others being but little different and some not readily able to be reconciled.
115. This helps explain why the Tribunal has concluded that limited change is warranted on this review, without the more extensive review of categories, criteria and resulting appropriate fees which will be undertaken in 2027. In order to ensure that the statutory intent is achieved by the Determination. On that review all Councils will be asked to provide reliable, comparable and publicly available data, on which the Tribunal's decisions can then fairly be made.
116. The purpose of the categories and the specified criteria is to enable the Tribunal to annually determine the maximum and minimum amounts of fees to be paid to Mayors and Councillors in each of the categories it determines: s 239.

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117. They having no other statutory purpose, it is difficult to see the reason for a number of current categories attracting overlapping fees; there being limited differences between the fees attracted by other categories, while fees for the Chairperson of the Darling Shire Council are very substantially higher than those paid to very many Mayors.
118. This and the submissions advanced also raise the question of whether the categories and criteria provided by the 2023 Annual Determination, adjusted in the limited way explained by this Determination, adequately reflect the requirements of the Act. As well as whether they continue to remain appropriate and fit for purpose or require further review.
119. The matters specified in s 240(1) driving the need to take into account relevant statistical and demographical data, such as that sourced from the Australian Bureau of Statistics and the Office of the Local Government and Planning NSW, to which regard has been paid in the past. As well as to data provided by Councils about their particular areas and operations, which also have to be taken into account.
120. One of the difficulties on this review was that the Tribunal had no up to date data about the position of the majority of Councils, which would enable it to determine whether the current category and criteria continue to be fit for purpose, given the requirements of s 240. As well as whether the categories into which Councils are currently placed, remain appropriate.
121. The history of the categories established by past Determinations began in 1994, when there were more Councils in existence and fees were fixed having regard to past history. In 1995, 5 categories were established, with three special categories then also continuing, S1 – Sydney City Council, S2 Newcastle and Wollongong City Councils and S3 – County Councils.
122. In the Tribunal's ongoing 3 yearly reviews since then, categories have been altered, merged and increased for various reasons, including to reflect Council mergers. A new model being adopted in 2017 when the number of Councils was reduced to 128. That

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having established 5 Metropolitan categories and 4 Non Metropolitan categories. In 2020 criteria for some categories were altered, two new categories created and one renamed.

123. In 2023 a further two new categories were created, three Councils which met the criteria thresholds for existing categories were reclassified and criteria consistency improved by the inclusion of the non-resident population, for a number of categories. A consideration permitted by s 240(1), which enables the Tribunal to have regard to such matters as it considers relevant to the provision of efficient and effective local government. The County Council categories remaining unchanged.
124. Submissions advanced in 2026:
- Sought the creation of 2 new categories;
 - Proposed recategorisation of 7 Councils - Parramatta, Lake Macquarie, Murray River, Port Macquarie-Hastings, Randwick, Shellharbour and Willoughby Councils;
 - Sought that one category revert to a previous name;
 - questioned the suitability of current criteria; and
 - Urged the Tribunal to take into account other matters which Council now consider to be relevant to the determination of categories and their categorisation. Visitor numbers, being the best example.
125. If accepted, these submissions require consideration of how these aims could properly be reflected in the category criteria, which the submissions did not address.
126. It also appears that there may, in 2026, be further Council demergers, which will also necessitate consideration of the categories and Council allocations, in order that appropriate fees are fixed for their Councillors and Mayors in 2027.

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127. This all helped drive the Tribunal's conclusion that further change is required to current categories and criteria. But that the submissions and information it has received on this review, did not enable final views to be formed about what those changes should justly be. That will be revisited in the 2027 Annual Review.

Correction of an identified anomaly

128. The current category allocations and criteria appear in the 2025 Annual Determination at Section 5 and Appendix 1 respectively.
129. One required change which has been identified results from an anomaly. The criteria for the category Regional Strategic contains the following sentence:

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of Council operations will be greater than Regional Centre Councils.

130. This is incorrect. There currently being 5 Councils classified as Regional Strategic: Lake Macquarie, Maitland, Mid-Coast, Shoalhaven, and Tweed. As a result, this erroneous statement has been removed from Appendix 1 of the 2026 Annual Determination.

Proposed renaming of “Principal CBD” as the “Principal City”

131. This change in name was urged in order to revert to a prior category name, the Council submitting that this would properly recognise its regional, national and international significance, which extended beyond the Sydney CBD. As well as reflecting significant increases in the roles and responsibilities of its Councillors, in Australia's only global city and to ensure that fees they receive appropriately reflect their responsibilities.
132. The submission explained alterations, over time, to the area which the Council covers. It now having eight distinct economic precincts, as the result of the area added to the City in

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2004: the Harbour, City North, Pyrmont, City South, Eastern Creative, Tech Centre West, Entertainment and Recreation and Southern Enterprise. That having had an impact on representation and other matters relied on to advance a proposed significant increase in Councillors' fees.

133. It was in 2017 that the name change from Principal City to Principal CBD was introduced as part of a restructure which reflected the evolving shape of local government in the State. That retaining the Council of the City of Sydney in its own category, while recognising the emergence of the second CBD in Sydney at Parramatta.
134. The Tribunal can see no disadvantage from the proposed name change. But is still not persuaded that it should now be adopted, without consideration being given to such a change within the wider review proposed for 2027.
135. No change having been proposed to either the criteria which apply to this category, or to the Major CBD category into which only the Council of the City of Parramatta falls. It recognising Parramatta to be the secondary CBD, which some submissions urged was no longer appropriate.

Proposed reclassification of City of Parramatta Council from Major CBD to Principal CBD

136. Council sought to be recategorised from the Major CBD to Principal CBD category, to better reflect its size, rate of growth, economic influence, operational budget and strategic and geographical importance.
137. Council also submitting that it plays a leading role in Greater Sydney's advancement. With factors relied on including:
- 30% of Australia's top 500 companies have offices located in Paramatta;

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- The city is accessible to 2.3 million people within 45 minutes, by car or public transport;
- Creative and cultural institutions such as Riverside Theatre, Olympic Park and the upcoming Powerhouse Paramatta museum are located there;
- As is a large Health and research precinct which includes six (6) universities and Westmead Hospital;
- The Engineering and Innovation Hub, as well as Western Sydney Startup Hub also being located within the LGA; and
- It having the second largest economy, which generates a gross regional product of \$32.88 billion, and 33,000 businesses with over 202,000 jobs.

138. What was advanced did not accord with submissions advanced by some other Councils.

139. The Tribunal is not persuaded that the City of Parramatta Council is incorrectly categorised or satisfies the criteria of Principal CBD, which reflect the unique position of the Council of the City of Sydney. Nor did it advance any changed criteria which would fairly capture both its position and that of the Council of the City of Sydney. That the two can fairly be equated, has also not been established.

140. The Determination has long recognised the distinct role which the Council of the City of Sydney plays, with the result the higher fees its Mayor and Councillors receive, which is reflected in the current criteria:

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

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The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of Metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other Councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

141. The submission and data advanced did not establish that Parramatta satisfies these criteria. Nor a basis for the conclusion that its Mayor and Councillors should receive the same fees as those received by the Mayor and Councillors of the City of Sydney.
142. The criteria which apply to its category, Major CBD, being:

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to Metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

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The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

143. The assumptions reflected in these criteria were challenged by other Councils as no longer being correct. Blacktown Council relying, for example, on data which showed that its residential population in 2024 was considerably greater than that of Parramatta, 274,956 to 438, 843. As was its total population, including workers not residing within its area.
144. The data received helped drive the conclusion that the current criteria may no longer be fit for purpose. And that further consideration needs to be given to what appropriate categories now are and what criteria should apply to them.
145. But the reclassification proposed on this review, cannot be accepted.

Proposed new Metropolitan Major – High Growth Category

146. Blacktown City Council sought the creation of a new category, Metropolitan Major – High Growth, for which it did not advance either criteria, or proposed fees.
147. It is now classified as a Metropolitan Major Council, together with Canterbury Bankstown. They having both last been assessed as falling below the Major CBD category, into which only the City of Parramatta falls. The current criteria for the Metropolitan Major category are:

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Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$300M per annum*
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities*
- significant industrial, commercial and residential centres and development corridors*
- high population growth.*

Councils categorised as Metropolitan Major will have a sphere of economic influence and provide regional services considered to be greater than those of other Metropolitan Councils.

148. Blacktown contended that the proposed new category would recognise larger, more complex Councils which exceed the criteria of Metropolitan Major. It being relevant that it would continue to outstrip Parramatta in various respects, given its current and expected ongoing growth. This new category thus facilitating fair and appropriate adjustments to the remuneration payable to Mayors and Councillors.

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149. The Council relying on data such as population, budget and asset growth, as well as 'transformational' projects and ongoing developments which had driven further change and challenges for it and its officers, reflective of its strategic planning and economic sphere of influence. It claiming now to be the fourth largest economy in NSW, with significant plans for further growth to 2041.
150. It also relied on comparisons which it sought to draw with Canterbury-Bankstown, from which it said it is now differentiated by a range of factors, which it is not necessary to explain.
151. What was not advanced was either proposed criteria for the new category sought, nor fees which might fairly attach to it. The Council placing reliance on what parliamentarians are paid in NSW, a reliance which I have explained is not available under the current statutory scheme.
152. The difficulty with what was proposed is also revealed by the limited difference between the maximum and minimum fees for the existing categories, which reflects an assessment that the work involved cannot be significantly differentiated.
153. Nor can it be accepted that it is appropriate for criteria to be based on anticipated growth in population, infrastructure, assets or budgets, as this and some other submissions urged. That is not embraced by s 240 of the Act. Nor can anticipated developments be accepted to be a reliable basis on which decisions can fairly be made about categories or criteria, depending as they do on assumptions.
154. The basis of what is anticipated at a particular point in time being unlikely to be able to be established by independent, reliable and publicly available data, which will allow relevant comparisons to be drawn. And the adoption of such criteria giving rise to the difficulties which will result, if what is anticipated, does not come to pass.

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155. It may also not be overlooked that when the submissions were received, Major CBD Mayoral fees ranged from \$44,840 to \$126,320, while those in Metropolitan Major Councils ranged from \$44,840 to \$114,300. This helps explain why the view has to be taken that there is little purpose to be served by the adoption of the proposed new category, which would sit between the existing categories.
156. Particularly without identification of criteria which reflect its true differentiation from the existing categories. That such differentiation does not exist, is reflected in the current small differences in fees for the existing categories.
157. The result is that the Tribunal has not been persuaded that the proposed new category can be established.
158. If in the 2027 review the establishment of new categories is pursued, the Tribunal should be provided with a proposal which addresses not only the name of the proposed category, but also appropriate criteria, together with the maximum and minimum fees which are proposed. They will have to have appropriate relationships with other categories, which will also have to be explained by the submission.
159. As will the consequences of their adoption for other Councils which may be affected. Such Councils will also have to be given an opportunity to be heard, before the Tribunal comes to any conclusions about proposed new categories. That will be achieved by service of the proposed change on other affected Councils.

Metropolitan Major

160. No Council sought any alteration to the criteria or recategorisation to this category.

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Metropolitan Large

161. Both Randwick and Willoughby Councils sought to be recategorised as Metropolitan Large Councils, currently being categorised as Metropolitan Medium. Despite neither satisfying the population threshold, although Randwick does satisfy the revenue criteria. Their total populations as at 1 July 2025 being, 176,656 and 133,052 respectively, including non-resident workers.
162. Randwick City Council sought to be reclassified from Metropolitan Medium to Metropolitan relying on:
- Population estimates as at 1 July of 201,000, comprising of 156,000 residents and 45,000 non- resident working population;
 - A high population growth that regularly exceeds the Sydney average;
 - An operating revenue of \$221 million;
 - A Gross Regional Product of \$10.55 billion for the year ending June 2024;
 - The provision of regional services, including major education, health, sporting, recreation and cultural facilities; and
 - Significant industrial, commercial and residential centres and development corridors.
163. Willoughby City Council contending that it exceeded the functions of a typical Metropolitan Medium Council, relying on:
- A population as at 30 June 2024 of 79,634 with a growth rate of 5.47% between 2022 and 2024;
 - A forecast for continued population growth due to the planned construction of additional dwellings, the likely impact being an increase of 15,000 to 20,000 people in coming years;

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- A high daily visitation rate driven by the employment and commercial hub of Chatswood with opal data showing in excess of 50,000 entries and exits per day at Chatswood station;
- Total revenue of \$187.9 million for the 2025/2026 financial year;
- A Gross Regional Product of \$13.11 billion for the year ending June 2024; and
- The provision of regional services in health, education, culture, transport and two (2) large retail precincts.

164. The current criteria are:

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- *total operating revenue exceeding \$200M per annum*
- *the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities*
- *significant industrial, commercial and residential centres and development corridors*
- *high population growth.*

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Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other Metropolitan Councils.

165. It follows that the recategorisation sought by Randwick and Willoughby Councils cannot be accepted, given the current population requirements.
166. The data also suggested that the Inner West Council may no longer satisfy the applicable criteria, it having been reclassified in 2020 from Metropolitan Medium, but having in 2024 non-resident workers of only 43,100 and a residential population of 193,125. In the 2027 review this Council will thus be invited to establish which criteria it then satisfies.
167. The data also shows that Campbelltown Council has a total population over the threshold for the Metropolitan Large category, but that it does not satisfy the non-resident working population criteria and so it also cannot be reclassified.

Metropolitan Medium

168. No changes were sought to the criteria, which are:

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- *total operating revenue exceeding \$100M per annum*

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- *services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities*

- *industrial, commercial and residential centres and development corridors* • *high population growth.*

The sphere of economic influence, the scale of Council operations and the extent of regional servicing would be below that of Metropolitan Large Councils.

169. Canada Bay, a Metropolitan Small Council, does satisfy the revenue criteria and has a total population of over 100,000, but it does not satisfy the non-resident working population criteria and so also cannot be recategorised.

Proposed new Metropolitan Small – Fast Growing category

170. Burwood Council, categorised as a Metropolitan Small Council, proposed the creation of this new category, in which it sought to be included. It proposing that it be 'aligned' to the Metropolitan Medium category, to recognise its scope, scale and strategic importance, given the challenges of rapid population growth and increasing service demands it faced.

171. The criteria for the Metropolitan Small Council are:

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other Metropolitan Councils include:

- *total operating revenue less than \$150M per annum.*

While these Councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium Councils the overall sphere of economic

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influence, the scale of Council operations and the extent of regional servicing would be below that of Metropolitan Medium Councils.

172. Burwood Council pointed to the criteria for Metropolitan Major, Large and Medium categories, which were considered to have regard to population growth, economic influence and impact of services, as well as considerations such as strategic importance. While Metropolitan Small criteria were confined to population size and operating revenue. It contending that its inclusion in the proposed new category was warranted due to:
- Its recognition by the NSW Government as a designated strategic centre;
 - Increased complexity in planning, service delivery, and intergovernmental coordination;
 - A population that is expected to double in the next 10 years due to major developments in the town centre and in close proximity to the new metro station; and
 - Its economic growth and influence across Greater Sydney, specifically its night time economic initiatives.
173. The Tribunal has not concluded that the creation of this proposed new category is warranted, given the existing criteria and the resulting fees which the current categories attract.
174. Given the existing overlap in the fees of the Metropolitan Small and Medium categories and how their criteria are structured, the Tribunal is not persuaded that an intervening category is needed.
175. These submissions did help shed light on the inherent difficulties of the existing fee structures. Which has to be considered in light of the overlaps and small differences in the fee ranges between the differing categories. But that still precludes the adoption of this proposed new category.

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Metropolitan Small

176. No change to the criteria was proposed. They are:

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other Metropolitan Councils include:

- *total operating revenue less than \$150M per annum.*

While these Councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium Councils the overall sphere of economic influence, the scale of Council operations and the extent of regional servicing would be below that of Metropolitan Medium Councils.

Major Regional City

177. This category applies to Newcastle and Wollongong, and no change was sought to the criteria, which are:

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These Councils:

- *are metropolitan in nature with major residential, commercial and industrial areas*
- *typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development.*

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- *provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region*
- *have significant transport and freight infrastructure servicing international markets, the capital city and regional areas*
- *have significant natural and man-made assets to support diverse economic activity, trade and future investment*
- *typically contain ventures which have a broader State and national focus which impact upon the operations of the Council.*

The proposed change to the Major Strategic Area criteria

178. Lake Macquarie Council proposed a change to the criteria of this category, which would result in its reclassification from Regional Strategic Area to the Major Strategic Area category. By reducing the population threshold from 300,000 to 200,000. That proposal not impacting any other Council.
179. The submissions it advanced were one of the few which directed required attention to matters which have to be considered by the Tribunal, when considering change to categories and criteria. Including the relevant history, the consequences of changes earlier made, relevant comparisons between positions of Councils in the affected category and the consequences of the proposed further change.
180. The current criteria for the two categories are:

Major Strategic Area

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Councils categorised as Major Strategic Area will have a minimum population of 300,000. To satisfy this criteria the non-resident working population can be included. Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community*
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres*
- total operating revenue exceeding \$250M per annum*
- significant visitor numbers to established tourism ventures and major events that attract state and national attention*
- a proximity to Sydney which generates economic opportunities.*

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other Non-metropolitan Councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from Councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included. Other features may include:

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- *health services, tertiary education services and major regional airports which service the surrounding and wider regional community*
- *a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres*
- *total operating revenue exceeding \$250M per annum*
- *significant visitor numbers to established tourism ventures and major events that attract state and national attention*
- *a proximity to Sydney which generates economic opportunities.*

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of Council operations will be greater than Regional Centre Councils.

181. In 2023 the Tribunal determined that the population criteria threshold for the Regional Strategic Area had to be adjusted from 200,000 down to 100,000, that resulting in Lake Macquarie Council no longer being the only Council in this category. Council reiterated its views, urged in 2024 and 2025, that this change had distorted the distinction between the Major Strategic Area and Regional Strategic Area categories, given the other Councils which now also fell into the Regional Strategic category.
182. The Council's population statistics in 2024 were of 221,859 residents, plus a non-resident working population of 23,769, totalling 246,095. It drew a comparison with that of the Central Coast Council, which has 354,803 residents, plus a non-resident working population of 11,043, totalling 365,846. While of the four other Councils categorised as Regional Strategic Areas, the greatest total population was Shoalhaven, which has 115,435.

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183. The Council also relied on it having similar gross regional product to Wollongong Council, a Major Regional City. As well as more than double that of the other Councils now in the Regional Strategic category. Its case that the population threshold for Major Strategic Area should be revised from 300,000 down to 200,000 also being supported by:

- Its population, now making it the second largest Non-metropolitan Council after Central Coast with proximity to Sydney and tourist numbers similar to that Council;
- Its density of some 338/sqm, being considerably more than Maitland at 245, Tweed and 76 and Shoalhaven only 24, while Central Coast was 211 and even Wollongong 324;
- Its predicted population growth to 2046, with resulting ongoing building demand;
- The impact of major NSW Government projects within its LGA, including the Low and Mid-rise Housing reform announced in February 2025;
- The Renewable energy zone and Transport Oriented Development Program;
- An annual economic output of \$30.03 billion, (approximately 20% of the Hunter economy);
- 14,768 active businesses;
- A Gross Regional Product of \$17.39 billion;
- A tourism industry that sees 1.65 million tourists per year; and
- University, shopping, airport and art facilities, as well as Australia's largest power station.

184. The Council thus urged acceptance that its output and scale of operations were now significantly greater than that of other Councils in its category and more akin to Central Coast Council, with the result that the population threshold for the Major Strategic Area category should be reviewed.

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185. The Tribunal has concluded that the Council's submissions should be accepted. The 2023 changes having had unintended consequences, which ought now to be addressed, rather than awaiting the 2027 further review.
186. The submissions which this Council and some others made, also drew attention to the considerable impact of significant daily visitor numbers, not taken into account by the criteria. This is a matter which should be addressed in the 2027 Annual Review, so that the Tribunal can consider whether and how that might sensibly be reflected in category criteria.

Regional Strategic Area

187. No change to the criteria was proposed.
188. Port Macquarie-Hastings and Shellharbour sought to be recategorised as Regional Strategic Areas, but neither satisfy the population criteria. Having populations in 2024 respectively of only 92,772 and 89,967 respectively, including non-resident workers. They both still satisfying the criteria for their current category, Regional Centre, which are:

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment*
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community*

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- *a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres*
- *total operating revenue exceeding \$100M per annum • the highest rates of population growth in regional NSW*
- *significant visitor numbers to established tourism ventures and major events that attract state and national attention*
- *a proximity to Sydney which generates economic opportunities.*

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

189. Port Macquarie-Hastings Council contended that it met the criteria for Regional Strategic Area, relying on:

- An expectation that Council did exceed the population threshold when non-resident working population was included;
- A projected total operating revenue of \$276 million in 2025/26;
- Gross Regional Product of \$13.287 million;
- An economic output this is underpinned by healthcare, retail, construction, education and training, tourism, professional and technical services;
- Tier 1 regional health services that services a catchment area beyond their LGA boundary;
- Four (4) tertiary education institutions;
- The Council operated Port Macquarie regional airport that services Sydney, Brisbane and Lord Howe Island and a total of 5,013 flights annually;

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- A tourism industry that attracts over 1.7 million visitors per annum and contributing \$540 million to the economy; and
- Regional commercial and cultural services that include a performing arts theatre, an art gallery, courthouse and major hospitality, entertainment and conference venues.

190. Shellharbour City Council's proposal relied on:

- A residential and non-residential working population in 2024 of approximately 90,000, with expectations that the residential population will hit 100,000 by 2035;
- An annual population growth rate in excess of 1.8%;
- An expected operating revenue of \$262 million in 2025/26;
- A Council owned and operated regional airport;
- A Council owned marina;
- A Tertiary training campus; and
- Construction of the new Shellharbour Hospital which will deliver improved health facilities for the Illawarra Shoalhaven Local Health District.

191. The criteria do not encompass categories being allocated on the basis of anticipated growth in population and revenues and so the recategorisations sought must be refused.

192. It also appears that Armidale Council does not meet the population threshold, but in earlier reviews the Tribunal concluded that it should remain in this category, for specified reasons. In the 2027 Annual Review it will be invited to make a submission about its appropriate categorisation, given the criteria which it then satisfies.

Regional Centre

193. No change to the criteria was proposed. They are:

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Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment*
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community*
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres*
- total operating revenue exceeding \$100M per annum*
- the highest rates of population growth in regional NSW*
- significant visitor numbers to established tourism ventures and major events that attract state and national attention*
- a proximity to Sydney which generates economic opportunities.*

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Regional Rural

194. Broken Hill Council also no longer satisfies the criteria of this category, which it submitted it should maintain, its population in 2024 only being 17,839. In the 2027 Annual Review it

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will be invited to address its appropriate categorisation, to ensure that it is then placed into the appropriate category, given the criteria which it then satisfies.

195. The applicable criteria for this category being:

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages*
- health services, tertiary education services and regional airports which service a regional community*
- a broad range of industries including agricultural, educational, health, professional, government and retail services*
- large visitor numbers to established tourism ventures and events.*

196. Murray River Council sought to be recategorised as Regional Rural, it being currently classified as Rural Large, despite not satisfying the population criteria, its population in 2025 still only totalling 16,042. It relied on large visitor numbers to support its submissions, which had increased over time, as well as other changes. Referring to matters such as:

- An annual population growth rate of 8-11% in the main centre of Moama, with predicted population numbers reaching over 18,000 by 2046;
- A growing tourism, accommodation and food industry that supports 14.1% of the employment figures in their LGA;

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- Tourist visitation growing on average by 10% per annum, with the average number of visitors in 2023 and 2024 of 481,595; and
- Significant growth in education, training, health and retail service employment categories.

197. Despite this, the Tribunal has concluded that this submission cannot be accepted. Population is an important aspect of the categorisation system which cannot routinely be overlooked when Councils are categorised. The Act not contemplating subjective categorisation.

Rural Large

198. No changes were proposed to the criteria, which are:

Councils categorised as Rural Large will have a residential population greater than 10,000, and a Councillor to resident ratio of at least 1 to 1200.

Other features may include:

- *one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre*
- *a limited range of services, facilities and employment opportunities compared to Regional Rural Councils*
- *local economies based on agricultural/resource industries.*

199. The Tribunal has identified that Dungog Shire Council now has a residential population greater than 10,000 and a Councillor to resident ratio greater than 1 to 1,200. As a result,

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Dungog Shire Council will be classified as a Rural Large Council in the 2026 Annual Determination.

Rural

200. No changes were proposed to these criteria, which are limited to “Councils categorised as Rural will typically have a residential population less than 10,000”.
201. Although Glenn Innes Severn Council observed that this review provided an opportunity to “recalibrate the remuneration and categorisation system to ensure its contemporary, fair, capable of supporting the expectation and responsibilities placed on elected representatives.”

County Councils

202. A summary of County Council functions produced by the Tribunal Secretariat is:

Castlereagh Macquarie County Council

A local government authority for weed management control in the Walgett, Coonamble, Waren, Gilgandra and Warrumbungle Shire Council areas.

Central Tablelands Water

Central Tablelands Water is the trading name adopted by Central Tablelands County Council, a water supply authority constituted under NSW Local Government Legislation.

Central Tablelands County Council was first proclaimed in 1944. The county area embraces the Shires of Blayney, Cabonne and Weddin. Bulk water is also supplied to Cowra Shire Council to service rural consumers and the villages of Woodstock and Gooloogong.

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Goldenfields Water

It is responsible for water supply functions within the local government areas of Bland, Coolamon, Junee, Temora, and parts of Cootamundra-Gundagai, Hilltops and Narrandera.

It also supplies water in bulk to Hilltops and Cootamundra-Gundagai Councils, which distribute the water directly to residents in parts of their local government area.

Approximately 11, 974 properties are connected directly to its drinking water supply network in Bland, Coolamon, Junee, Temora and parts of Cootamundra-Gundagai and Narrandera.

The facilities it owns and operate include:

- 34 water pumping stations (including river extraction and Jugiong Water Treatment Plant Pumping Station)*
- 72 water supply reservoir sites with approximately 115 reservoirs*
- Eight bores*
- Six re-chlorination stations*
- 2100 km of water mains*

Western Sydney Weeds Authority (formerly Hawkesbury River County Council)

Western Sydney Weeds Authority (formally Hawkesbury River County Council) is a special purpose Council, its goal being to administer the Biosecurity Act 2015 (NSW) throughout our Council areas of Blacktown, Hawkesbury, Penrith and the Hills Shire. That involving

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weed management, detection of new incursions and containment of high-risk plant species that impact on biodiversity, agriculture, and property.

Riverina Water County Council

It is responsible for the provision of safe, reliable water at the lowest sustainable cost. over an area of approximately 15,400 square kilometres with a population of more than 77,000 people.

Rous County Council

Its experts and advisors supply the Northern Rivers with water, weed biosecurity, and rural flood mitigation. It sources, stores, treats and supplies water to the Ballina, Byron, Lismore and Richmond Valley Councils, which on-sell water to their communities.

Protecting the region's biodiversity by managing and eradicating high-risk weed species. Working closely with communities and Councils in Ballina, Byron, Lismore, Richmond Valley, Kyogle and Tweed Shire regions.

And also managing the rural flood mitigation for the Richmond River floodplain. Including monitoring and managing an 80km network of levees, 750 floodgates, and 180km of drains to reduce inundation and divert flood waters.

Upper Hunter County Council

It is the registered trading name of Upper Hunter County Council a single purpose Council which is a Local Control Authority for invasive plants under the NSW Biosecurity Act, 2015 (NSW).

Its present area of operation is the local government areas of Upper Hunter, Muswellbrook and Singleton located at the northern end of the Hunter Valley, New South Wales.

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It provides weed management systems utilizing technology to prevent, contain or reduce the biosecurity risk of invasive plants to the environment, economy and community within the area of operation of the County Council.

Upper Macquarie County Council

It is a local control authority for the Biosecurity Act 2015. Two Councillors are delegated from each of four constituent Councils to form an eight Member Central Tablelands Weeds Authority Council. Its core function being to detect priority weeds and actively encourage landholders to correctly manage the identified priority weed in accordance with the Central Tablelands Local Lands Services Strategic Weed Management Plan.

It carries out its functions across Bathurst Regional Council, City of Lithgow Council, Blayney Shire Council and Oberon Council.

County Councils – Water

203. No change was proposed for the criteria, which are “County Councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.”
204. The current list of these Councils is accurate.

County Councils – Other

205. No change was proposed for the criteria which are “*County Councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the Biosecurity Act 2015 (NSW).*”
206. Two County Councils – Other have been removed from the 2026 Annual Determination, being the Central Murray and the New England Tableland County Councils. The New

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England Tableland County Council was dissolved on 16 June 2025, by the *Local Government (Dissolution of New England County Council) Proclamation 2025*. The Central Murray County Council was dissolved on 1 July 2019, by a proclamation made under s 397 of the *Local Government Act*, as noted in NSW Government Gazette No 65-2205 of 27 June 2019.

207. The result is that only four Councils now fall into this classification.

Section 4 – The 2027 Annual Review

Structure and fee considerations

208. In the 2026 Annual Review, it has come to light that:

- There has been considerable change which has affected the work of those elected or appointed to Council offices, in part driven by Government decisions which have affected Councils over time. Including in the case of Metropolitan Councils those explained in the Governments draft 2026 Sydney Plan and in the case of Non-metropolitan Councils, by various regional plans;
- They and submissions advanced raise for consideration whether the current number of categories remain necessary. Reliance having been placed on Victoria, for example, where there are only 4 categories;
- The current criteria, first fixed in 2017 and amended since then in various Annual Determinations, do not accord entirely with the requirements of s 240, which specifies the matters by which the Tribunal **must** determine the categories of Councils and Mayors;
- Some of the current criteria could better assist transparent classification of Councils into categories;
- There has not for some time been an overall assessment of whether Councils continue to satisfy the criteria of the categories into which they have been placed over time;
- Changes in the fee structure, over time, have resulted in a considerable overlap between the maximum and minimum fees payable in various categories, which may no longer be appropriate, given submissions advanced;
- Some light on which was also shed by the conclusions arrived at in the 2025 Special Determination, in relation to the Central Darling Shire Council, on which reliance has been placed.

Section 4 – The 2027 Annual Review

209. The results are best explained by the following snapshot of the current categories, fees, overlaps and ratios. It having to be understood that Mayors and Chairpersons are paid both the Councillor fee, as well as the separate fee fixed for their offices. This also helps explain the Tribunal’s decision to undertake the further review in 2027.

Table 1 – Table of Councillor and Mayoral fees, by Council categories

Category	Mayoral/Chairperson Additional Fees (Effective 1 July 2025)		Councillor Fees (Effective 1 July 2025)		Ratio (Mayor: Councillor)	
	Min	Max	Min	Max	Min	Max
Principal CBD	\$193,650	\$254,810	\$31,640	\$46,420	6.1:1	5.5:1
Central Darling Shire Council - Appointed Chairperson	\$72,080	\$72,180	\$13,830	\$13,930	5.2:1	5.2:1
Major CBD	\$44,840	\$126,320	\$21,120	\$39,100	2.1:1	3.2:1
Metropolitan Major	\$44,840	\$114,300	\$21,120	\$36,970	2.1:1	3.1:1
Major Regional City	\$44,840	\$114,300	\$21,120	\$36,690	2.1:1	3.1:1
Major Strategic Area	\$44,840	\$114,300	\$21,120	\$36,690	2.1:1	3.1:1
Metropolitan Large	\$44,840	\$101,470	\$21,120	\$34,820	2.1:1	2.9:1

Section 4 – The 2027 Annual Review

	Mayoral/Chairperson Additional Fees (Effective 1 July 2025)		Councillor Fees (Effective 1 July 2025)		Ratio (Mayor: Councillor)	
Regional Strategic Area	\$44,840	\$101,470	\$21,120	\$34,820	2.1:1	2.9:1
Metropolitan Medium	\$33,630	\$78,480	\$15,830	\$29,550	2.1:1	2.7:1
Regional Centre	\$32,940	\$68,800	\$15,830	\$27,860	2.1:1	2.5:1
Regional Rural	\$22,420	\$50,680	\$10,530	\$23,220	2.1:1	2.2:1
Metropolitan Small	\$22,420	\$50,650	\$10,530	\$23,220	2.1:1	2.2:1
Rural Large	\$16,820	\$40,530	\$10,530	\$18,890	1.6:1	2.1:1
Rural	\$11,210	\$30,390	\$10,530	\$13,930	1.1:1	2.2:1
Water	\$4,490	\$19,080	\$2,090	\$11,620	2.1:1	1.6:1
Other	\$4,490	\$12,670	\$2,090	\$6,930	2.1:1	1.8:1

Section 4 – The 2027 Annual Review

The conduct of the 2027 Annual Review

210. In 2027, the Tribunal intends to commence its review earlier than usual, in order to accommodate the detailed review of the Determination's categories which it has concluded it is necessary to pursue. Together with a consideration of appropriate criteria which reflect the requirements of s 240 of the Act. In order to facilitate the adoption of fees appropriate for the revised structure, also having regard to demonstrated change over time, as well as current responsibilities of Mayors and Councillors.
211. That will also require a review of the category into which each Council should then be placed, which s 239 of the Act requires must be undertaken at least once every three years.
212. Submissions will thus be invited in a two stage process.
213. The first, to determine how the Determination should be amended to achieve the category and criteria structure which the Act envisages, as well as the appropriate maximum and minimum fees. That, it must be observed, will not necessarily result in the current number of categories being retained.
214. In the second stage submissions about Councils' placement into the new structure will be sought.
215. The Tribunal will then ask Councils to provide reliable data to support their submissions about which category they fall into. Addressing each of the applicable criteria adopted, as well as relevant comparisons which they seek to draw with other Councils.
216. Categorisation having to be as transparent and fair as possible, the Tribunal intends to rest its decisions on reliable data such as that available from ABS statistics and budgets which Councils adopt year to year. The Tribunal will thus invite those who make submissions to provide reliable data and information, on which its decisions can be made. Not merely the expression of unsupported opinions.

Section 4 – The 2027 Annual Review

217. As it has in the past, the Tribunal will thus also ask Councils, when inviting submissions, to confirm that the information and submissions advanced have been endorsed by a Council vote.
218. It will thus invite submissions and information which will enable it to examine and determine whether the current categories and criteria remain fit for purpose. Given the requirements of the Act, the data on which the Tribunal's decisions must be based and the problems to which this report has drawn attention, which it will seek to address.
219. If it is considered that categories require adjustment, submissions should address what form the new categories and criteria should take, to reflect the statutory purpose of the categories of Councils and mayoral offices and their role in the fair determination of fees. As well as addressing proposed criteria which adhere to the requirements of s 240(1) of the Act, which will help the Tribunal to determine the maximum and minimum fees appropriate for the new structure, which should thus also be addressed.
220. At the first stage of this process, Councils will be asked to serve proposals which will affect other Councils, on all affected Councils, so that they may have a fair opportunity to address such proposals in their submissions.
221. What is proposed in order to adjust fees to reflect cost of living increases should also be identified at the first stage. As well as the final fees proposed. The submissions should also address changes relied on to warrant their adoption. With reliable information which supports the claimed changes, also being provided.
222. An example of potential revised criteria for the current Metropolitan Major category, which has regard to all of the requirements of s 240 of the Act, as well as to matters which the Tribunal has in the past identified to be relevant to the determination of the category into which Councils follows.

Section 4 – The 2027 Annual Review

223. What the Tribunal envisages in the 2027 review including the adoption of a structure which, if dollar figures are specified, may have to be adjusted over time, in order to reflect changes over time. As may specified population sizes.

224. A revised category for Metropolitan Major Councils, if it is retained, which has regard to the s 240 requirements, could thus provide:

Metropolitan Major

Councils categorised Metropolitan Major;

(1) must have a minimum residential population, or a combined residential and non-resident working population (of at least 50,000), which exceeds 400,000.

(2) will typically serve:

(a) a dense population occupying a built up physical terrain;

(b) a widely diverse community

(c) an area at least as large as those of Metropolitan Large Councils of ?,

(d) industrial, commercial and residential development which is both at least as significant and as extensive as that of Metropolitan Large Councils, with established development corridors;

(3) will also have:

(a) to manage a significant volume of business, consistent with its assets and budgets, which is at least as significant and varied as that of Metropolitan Large Councils;

Section 4 – The 2027 Annual Review

(b) operating revenue exceeding, for example, \$394,617,030 per annum, that being \$300 million adjusted by December CPI since December 2016;

(c) a sphere of economic influence and significance beyond the Council area, nationally as well as regionally, reflective of their service of:

(i) natural and/or developed attractions within the Council area, including sport, recreational and cultural facilities, which daily attracts significant tourism and/or visitors from outside the Council area; and

(ii) major health, education and other facilities which support the greater Sydney population; and

(d) a continuing high rate of population growth and development for which the Council is planning, evidenced by ?.

225. After submissions have been received in the second stage, the Tribunal will make its 2027 Annual Determination, which will include the new categories, criteria and increased fees the Tribunal has determined will take effect from 1 July 2027. As well as identifying the category into which each Council will then be placed.

Local Government Remuneration Tribunal



The Hon Acting Justice M Schmidt

Dated: 23 April 2026

Section 5 – Determinations

Determination No. 1 – Allocation of Councils into each of the categories as per section 239 of the Act effective 1 July 2026

General Purpose Councils – Metropolitan

Principal City (1)

- Sydney

Major CBD (1)

- Parramatta

Metropolitan Major (2)

- Blacktown
- Canterbury-Bankstown

Metropolitan Large (10)

- Bayside
- Cumberland
- Fairfield
- Inner West
- Liverpool
- Northern Beaches
- Penrith
- Ryde
- Sutherland
- The Hills

Metropolitan Medium (8)

- Campbelltown
- Camden
- Georges River
- Hornsby
- Ku-ring-gai
- North Sydney
- Randwick
- Willoughby

Metropolitan Small (8)

- Burwood
- Canada Bay
- Hunters Hill
- Lane Cove
- Mosman
- Strathfield
- Waverley
- Woollahra

Section 5 – Determinations

General Purpose Councils - Non-Metropolitan

Major Regional City (2)

- Newcastle
- Wollongong

Major Strategic Area (2)

- Central Coast
- Lake Macquarie

Regional Strategic Area (4)

- Maitland
- Mid-Coast
- Shoalhaven
- Tweed

Regional Centre (22)

- Albury
- Armidale
- Ballina
- Bathurst
- Blue Mountains
- Byron
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Eurobodella
- Hawkesbury
- Lismore
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Queanbeyan-Palerang
- Shellharbour
- Tamworth
- Wagga Wagga
- Wingecarribee
- Wollondilly

Regional Rural (14)

- Bega
- Broken Hill
- Goulburn Mulwaree
- Griffith
- Hilltops
- Kempsey

Section 5 – Determinations

- Kiama
- Lithgow
- Mid-Western
- Muswellbrook
- Nambucca
- Richmond Valleys
- Singleton
- Snowy Monaro

Rural Large (17)

- Bellingen
- Cabonne
- Cootamundra-Gundagai
- Cowra
- Dungog
- Federation
- Greater Hume
- Gunnedah
- Inverell
- Leeton
- Moree Plains
- Murray River
- Narrabri
- Parkes
- Snowy Valleys
- Upper Hunter
- Yass

Rural (37)

- Balranald
- Berrigan
- Bland
- Blayney
- Bogan
- Bourke
- Brewarrina
- Carrathool
- Central Darling*
- Cobar
- Coolamon
- Coonamble
- Edward River
- Forbes
- Gilgandra
- Glen Innes Severn
- Gwydir
- Hay
- Junee
- Kyogle
- Lachlan
- Liverpool Plains
- Lockhart
- Murrumbidgee

Section 5 – Determinations

- Narrandera
- Narromine
- Oberon
- Temora
- Tenterfield
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- Warrumbungle
- Weddin
- Wentworth

* Designated as a Rural and Remote Council by the *Local Government (General) Regulations 2021*

County Councils

Water (4)

- Central Tablelands
- Goldenfields Water
- Riverina Water
- Rous

Other (4)

- Castlereagh-Macquarie
- Upper Hunter
- Upper Macquarie
- Western Sydney Weeds Authority
(formerly Hawkesbury River)

Section 5 – Determinations

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the Act effective from 1 July 2026

The annual fees to be paid in each of the categories to Councillors, Mayors, Members, and Chairpersons of County Councils effective on and from 1 July 2026 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 1: Fees for General Purpose and County Councils

General Purpose Councils – Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2026

Category	Minimum	Maximum
Principal City	32,810	48,140
Major CBD	21,900	40,550
Metropolitan Major	21,900	38,340
Metropolitan Large	21,900	36,110
Metropolitan Medium	16,420	30,640
Metropolitan Small	10,920	24,080

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2026

Category	Minimum	Maximum
Principal City	200,820	264,240
Major CBD	46,500	130,990
Metropolitan Major	46,500	118,530
Metropolitan Large	46,500	105,220
Metropolitan Medium	34,870	81,380
Metropolitan Small	23,250	52,520

Section 5 – Determinations

General Purpose Councils - Non-Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2026

Category	Minimum	Maximum
Major Regional City	21,900	38,050
Major Strategic Area	21,900	38,050
Regional Strategic Area	21,900	36,110
Regional Centre	16,420	28,890
Regional Rural	10,920	24,080
Rural Large	10,920	19,590
Rural	10,920	14,450

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2026

Category	Minimum	Maximum
Major Regional City	46,500	118,530
Major Strategic Area	46,500	118,530
Regional Strategic Area	46,500	105,220
Regional Centre	34,160	71,350
Regional Rural	23,250	52,560
Rural Large	17,440	42,030
Rural	11,620	31,510

County Councils

Councillor/Member Annual Fee (\$) effective 1 July 2026

Category	Minimum	Maximum
Water	2,170	12,050
Other	2,170	7,190

Section 5 – Determinations

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2026

Category	Minimum	Maximum
Water	4,660	19,790
Other	4,660	13,140

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

Section 5 – Determinations

Determination No. 3 - Fees for appointed Councillors and Chairperson as per clause 12(c), Schedule 11 of the Act effective from 1 July 2026

Councils designated as 'rural and remote Councils'

The annual fees to be paid to appointed Councillors and the Chairperson of councils designated as a rural and remote Council on and from 1 July 2026, as per clause 12(c), schedule 11 of the *Local Government Act 1993* are determined as follows:

Table 2: Fees for appointed Councillors and Chairpersons of rural and remote Councils

Appointed Councillor Annual Fee (\$) effective 1 July 2026

Council	Minimum	Maximum
Central Darling Shire Council	14,340	14,450

Appointed Chairperson Additional Fee** (\$) effective 1 July 2026

Council	Minimum	Maximum
Central Darling Shire Council	74,750	74,850

**This fee must be paid in addition to the fee paid to the Chairperson as an appointed Councillor (s.249(2)).

Local Government Remuneration Tribunal



The Hon Acting Justice M Schmidt

Dated: 23 April 2026

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of Metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other Councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Appendices

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to Metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Appendices

Metropolitan Major

Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- Total operating revenue exceeding \$300M per annum
- The provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- Significant industrial, commercial and residential centres and development corridors
- High population growth.

Councils categorised as Metropolitan Major will have a sphere of economic influence and provide regional services considered to be greater than those of other Metropolitan Councils.

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- Total operating revenue exceeding \$200M per annum

Appendices

- The provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- Significant industrial, commercial and residential centres and development corridors
- High population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other Metropolitan Councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- Total operating revenue exceeding \$100M per annum
- Services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- Industrial, commercial and residential centres and development corridors
- High population growth.

The sphere of economic influence, the scale of Council operations and the extent of regional servicing would be below that of Metropolitan Large Councils.

Appendices

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other Metropolitan Councils include:

- Total operating revenue less than \$150M per annum.

While these Councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium Councils the overall sphere of economic influence, the scale of Council operations and the extent of regional servicing would be below that of Metropolitan Medium Councils.

Appendices

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City.

These Councils:

- Are metropolitan in nature with major residential, commercial and industrial areas
- Typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- Provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- Have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- Have significant natural and man-made assets to support diverse economic activity, trade and future investment
- Typically contain ventures which have a broader State and national focus which impact upon the operations of the Council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 200,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- Health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- A full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres

Appendices

- Total operating revenue exceeding \$250M per annum
- Significant visitor numbers to established tourism ventures and major events that attract state and national attention
- A proximity to Sydney which generates economic opportunities.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from Councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- Health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- A full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- Total operating revenue exceeding \$250M per annum
- Significant visitor numbers to established tourism ventures and major events that attract state and national attention
- A proximity to Sydney which generates economic opportunities.

Appendices

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- A large city or town providing a significant proportion of the region's housing and employment
- Health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- A full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- Total operating revenue exceeding \$100M per annum
- The highest rates of population growth in regional NSW
- Significant visitor numbers to established tourism ventures and major events that attract state and national attention
- A proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Appendices

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- A large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- Health services, tertiary education services and regional airports which service a regional community
- A broad range of industries including agricultural, educational, health, professional, government and retail services
- Large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural Large

Councils categorised as Rural Large will have a residential population greater than 10,000, and a Councillor to resident ratio of at least 1 to 1200.

Other features may include:

- One or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- A limited range of services, facilities and employment opportunities compared to Regional Rural Councils
- Local economies based on agricultural/resource industries.

Appendices

Rural

Councils categorised as Rural will typically have a residential population less than 10,000.

County Councils - Water

County Councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County Councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

Finance and Administration - 18 June 2026

ITEM 13.3 **Rescind 2025 Council Code of Meeting Practice Resolution**

FILE REFERENCE **I26/157**

AUTHOR **Director of Finance and Administration**

ISSUE

This report provides a recommendation for rescission of the 2025 Council Code of Meeting Practice and readoption of the previous endorsed Code of Meeting Practice.

RECOMMENDATION That -

1. Council rescind the Council Code of Meeting Practice adopted on 16 April 2026 as Resolution Number 59/26 after disallowance of the prescribed Model Code of Meeting Practice for Local Councils by the NSW Parliament.
2. Council in accordance with Section 360, and 362(1)(a) and (2), of the *Local Government Act 1993*, adopts the previous version Council Code of Meeting Practice as adopted at the Council Meeting held on 18 September 2025 as previous Council Resolution Number 158/25.

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) finalised a new 2025 Model Meeting Code and issued OLG Circular Number 25-20 on 29 August 2025.

At the Ordinary Council Meeting held on 18 December 2025 Council Resolution Number 228/25 was adopted that stated; *“Council in accordance with Section 362(1)(a) and (2), of the Local Government Act 1993, adopts the Code of Meeting Practice as publicly exhibited, with inclusion of mandatory provisions and non-mandatory best practice provisions after the public exhibition consultation period.”*

Further to the above, there were amendments made by Upper Lachlan to the 2025 Code of Meeting Practice at the Council Meeting held on 16 April 2026 Council Resolution Number 59/26 was adopted and adopted after public exhibition that stated; *“Council in accordance with Section 362 (1) (a) and (2), of the Local Government Act 1993, adopts the Code of Meeting Practice as publicly exhibited.”*

REPORT

NSW councils have been advised that the prescribed 2025 Model Code of Meeting Practice for Local Councils has been disallowed by the Legislative Council on 26 May 2026.

Attached to this report and included below in blue text is general advice from the Office of Local Government. Council will now await regulations to guide prescribing a new Model Council Code of Meeting Practice.

The practical implications of the disallowance is that under Section 41(4) of the Interpretation Act 1987, if a regulation ceases to have effect because of its disallowance, and the regulation amended a regulation that was in force immediately before the amending regulation took effect, the disallowance of the amending regulation has the effect of restoring or reviving the previous regulation as of the day of its disallowance.

The disallowance of the Regulation therefore means that the 2025 Model Meeting Code is no longer prescribed for the purposes of the Local Government Act 1993 and the previous 2021 version of the Model Meeting Code now becomes the prescribed version.

Under section 360 of the LG Act, councils' adopted codes of meeting practice must not contain provisions that are inconsistent with the mandatory provisions of the prescribed Model Meeting Code. This means that provisions of your council's adopted code of meeting practice based on the now disallowed 2025 Model Meeting Code that are inconsistent with the mandatory provisions of the previous 2021 Model Meeting Code are no longer permissible.

It is now necessary to rescind the existing 2025 Model Code of Meeting Practice and readopt the previously prescribed 2021 Model Code of Meeting Practice that was formerly adopted by Council on 18 September 2025, that Code is attached to this report.

Actions councils should be considering at their next meeting

To minimise confusion about the applicable rules at future meetings and to ensure compliance with section 360 of the LG Act, as the first item of business at the next meeting, your council should rescind its resolution adopting the 2025 Model Meeting Code. This will have the effect of reinstating your council's previous adopted code of meeting practice containing the mandatory provisions of the 2021 Model Meeting Code. Because more than 3 months have passed since your council adopted its current meeting code, the signatures of 3 councillors are not required to rescind the resolution adopting the code.

Meetings of the council and committees comprising only of councillors should be conducted in accordance with the reinstated version of council's meeting code until such time as it is amended.

Finance and Administration

RESCIND 2025 COUNCIL CODE OF MEETING PRACTICE RESOLUTION cont'd

The disallowance of the Amendment Regulation does not prevent councils from including supplementary provisions in the reinstated version of their previous meeting code based on the provisions of the 2025 Model Meeting Code, provided they are not inconsistent with the mandatory provisions of the 2021 Model Meeting Code. If your council wishes to make amendments to the reinstated version of its previous meeting code, it will be required to prepare and exhibit a draft code in accordance with section 361 of the LG Act.

Next steps for the NSW Government

The Government had been examining the feedback received from Dr Cohn MLC, the Country Mayors Association and Local Government NSW on the Model Meeting Code, with quite advanced drafting on an updated code. This work will be completed shortly.

Formal advice on a new code will be shared with you when the drafting is complete. In the interim, please share a copy of this email with the Mayor and councillors and your governance staff.

POLICY IMPACT

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

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council rescind the Council Code of Meeting Practice adopted on 16 April 2026 as Resolution Number 59/26 after disallowance of the prescribed Model Code of Meeting Practice for Local Councils by the NSW Parliament.
2. Council in accordance with Section 360, and 362(1)(a) and (2), of the *Local Government Act 1993*, adopts the previous version Council Code of Meeting Practice as adopted at the Council Meeting held on 18 September 2025 as previous Council Resolution Number 158/25.

ATTACHMENTS

1. ↓	Model Code of Meeting Practice	Attachment
2. ↓	Code of Meeting Practice - Upper Lachlan Shire - 18 September 2025 - Resolution XXX-25 - Review 2028	Attachment
3. ↓	Office of Local Government - Meeting Code disallowance implications - 28 May 2026	Attachment

Important Message: Model Code of Meeting Practice

Following this week's disallowance in Parliament of the Model Code of Meeting Practice, LGNSW is calling on the Government to provide clear guidance and direction as to how councils need to proceed with their meeting arrangements.

As we have asserted from the beginning, the new Model Code implemented in January had a number of flaws, including the ban on briefings by council staff and the prohibition on Councillors attending meetings via audio visual link, particularly in circumstances beyond their control.

The reality is there is not a systemic problem with secretiveness in councils. Briefings from council staff are an integral part of councillors gathering information and performing their role under the Local Government Act.

While the Model Code was flawed, the disallowance in the Legislative Council on Tuesday night has resulted in widespread confusion and uncertainty for Mayors, Councillors and staff.

Every council in NSW will be adopting a budget over the next month and it's crucial that they hold their meetings in an orderly and lawful fashion. We need certainty and guidance from the Office of Local Government about how to do so.

If a new Regulation is now brought forward by the Minister, it must be done in close consultation with the Local Government sector and it needs to be workable and practical. It's important that the Government actually listen to the voice of Councillors on this matter.

Yours sincerely,



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 with in 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:
- (a) any other Councillor may, with the leave of the Chairperson, move the motion at the meeting, or
 - (b) 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).

Recommitting 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 IRREGULARITIES

- 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

From: Amanda Beaumont <[REDACTED]> **On Behalf Of** Brett Whitworth

Sent: Thursday, 28 May 2026 9:05 AM

Subject: Meeting Code disallowance implications

You don't often get email from brett.whitworth@olg.nsw.gov.au. [Learn why this is important](#)

Dear General Manager,

I am writing to inform you that the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025 (**Amendment Regulation**) which prescribed the 2025 Model Code of Meeting Practice for Local Councils in NSW (**2025 Model Meeting Code**) has been disallowed by the Legislative Council.

The decision by the Legislative Council to disallow the regulation raises two immediate issues: under what meeting code will the councils operate and, whether the Government will be progressing another regulation for the purposes of prescribing an updated meeting code.

The practical implications of the disallowance

Under section 41(4) of the *Interpretation Act 1987*, if a regulation ceases to have effect because of its disallowance, and the regulation amended a regulation that was in force immediately before the amending regulation took effect, the disallowance of the amending regulation has the effect of restoring or reviving the previous regulation as of the day of its disallowance.

The disallowance of the Amendment Regulation therefore means that the 2025 Model Meeting Code is no longer prescribed for the purposes of section 360 of the *Local Government Act 1993 (LG Act)* and the previous 2021 version of the Model Meeting Code now becomes the prescribed version.

Under section 360 of the LG Act, councils' adopted codes of meeting practice must not contain provisions that are inconsistent with the mandatory provisions of the prescribed Model Meeting Code. This means that provisions of your council's adopted code of meeting practice based on the now disallowed 2025 Model Meeting Code that are inconsistent with the mandatory provisions of the previous 2021 Model Meeting Code are no longer permissible.

The disallowance of the 2025 Model Meeting Code also means that mandatory provisions of that Code that were not mandated in the previous 2021 Model Meeting Code, are no longer mandatory.

Actions councils should be considering at their next meeting

To minimise confusion about the applicable rules at future meetings and to ensure compliance with section 360 of the LG Act, as the first item of business at the next meeting, your council should rescind its resolution adopting the 2025 Model Meeting Code. This will have the effect of reinstating your council's previous adopted code of meeting practice containing the mandatory provisions of the 2021 Model Meeting Code. Because more than 3 months have passed since your council adopted its current meeting code, the signatures of 3 councillors are not required to rescind the resolution adopting the code.

Meetings of the council and committees comprising only of councillors should be conducted in accordance with the reinstated version of council's meeting code until such time as it is amended.

The disallowance of the Amendment Regulation does not prevent councils from including supplementary provisions in the reinstated version of their previous meeting code based on the provisions of the 2025 Model Meeting Code, provided they are not inconsistent with the mandatory provisions of the 2021 Model Meeting Code. If your council wishes to make amendments to the reinstated version of its previous meeting code, it will be required to prepare and exhibit a draft code in accordance with section 361 of the LG Act.

Next steps for the Government

The Government had been examining the feedback received from Dr Cohn MLC, the Country Mayors Association and Local Government NSW on the Model Meeting Code, with quite advanced drafting on an updated code. This work will be completed shortly.

Formal advice on a new code will be shared with you when the drafting is complete. In the interim, please share a copy of this email with the Mayor and councillors and your governance staff.

If you or your staff require further information or guidance, please feel free to contact the Office of Local Government's Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Kind Regards,

Brett Whitworth PSM
Deputy Secretary
Local Government

Office of Local Government
Department of Planning, Housing and Infrastructure
T 02 9274 6532 | M 0437 868 167 | E Brett.Whitworth@olg.nsw.gov.au
Locked Bag 3015, NOWRA NSW 2541

www.olg.nsw.gov.au



The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Finance and Administration - 18 June 2026

ITEM 13.4 **Review of Payment of Expenses and Provision of Facilities Policy**

FILE REFERENCE **I26/158**

AUTHOR **Director of Finance and Administration**

ISSUE

This report provides a recommendation for adoption of the reviewed Payment of Expenses and Provision of Facilities Policy for Councillors after a public exhibition period.

RECOMMENDATION That -

1. Council under Section 252, of the Local Government Act 1993, review the Payment of Expenses and Provision of Facilities Policy.
2. Council under Section 253, of the Local Government Act 1993, gives public notice of its intention to adopt and amend the Payment of Expenses and Provision of Facilities Policy allowing 28 days public exhibition period for members of the community to make public submissions.

BACKGROUND

At the Ordinary Council Meeting held on 21 August 2025 Council Resolution Number 131/25 was adopted that stated as follows. 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.

REPORT

Providing details of a review of the Payment of Expenses and Provision of Facilities Policy.

Section 252, of the *Local Government Act 1993*, states that a Council must adopt a Payment of Expenses and Provision of Facilities Policy. A copy of this policy is attached to this report and has been reviewed and had amendments made to the policy as outlined in the policy cover page.

The policy is required to be placed on 28 days public exhibition following the review at this Ordinary Council Meeting.

Finance and Administration

REVIEW OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

cont'd

POLICY IMPACT

This is a review of an existing Council policy.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Councillor expenses and facilities are outlined in the attached Council policy and are budgeted for and included within the 2026/2027 Council Operational Plan.

RECOMMENDATION That -

1. Council under Section 252, of the Local Government Act 1993, review the Payment of Expenses and Provision of Facilities Policy.
2. Council under Section 253, of the Local Government Act 1993, gives public notice of its intention to adopt and amend the Payment of Expenses and Provision of Facilities Policy allowing 28 days public exhibition period for members of the community to make public submissions.

ATTACHMENTS

1. ↓	Payment of Expenses and Provision of Fac~ Policy - Review 2026	Attachment
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Upper Lachlan Shire Council

Policy Update Cover

Date: 18 June 2026	Policy Title: Payment of Expenses and Provision of Facilities Policy
This cover sheet provides a summary of the proposed amendments to the attached Policy. Council initially adopted this policy on 24 March 2005. The policy was last updated on 21 August 2025.	
Sponsor: Director Finance and Administration	Action required: Approval by Council
Reason for review/update: 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 policy.	
Summary of the changes: The following amendments have been made to this Policy: <ul style="list-style-type: none"> • Removed references to amended legislation or non-related legislation to this policy. • Increase ICT telecommunication allowance for each Councillor per month from \$93 to \$96. • Increase to sustenance for attending conferences and seminars or while in the Shire for meal expenses per day increase by \$20 to \$140 per day. • Increased vehicle travel expenses per kilometre reimbursement maximum amounts in accordance with the Local Government (State) Award. • Increased Accommodation expense maximum per night by \$48 to \$388. • Carers expense per hour increases from \$30 to \$35 per hour. • The general travel expenses will increase by per kilometre basis by the rate set by the Local Government (State) Award announced in July 2026. 	
Consultation(s): N/A	
Internally cleared by	
Position: Chief Executive Officer	Position: Director Finance and Administration

ULSC Payment of Expenses and Provision of Facilities Policy

POLICY:-	
Policy Title:	Payment of Expenses and Provision of Facilities Policy
File Reference:	F10/618-016
Date Policy was adopted by Council initially:	24 March 2005
Resolution Number:	67/05
Other Review Dates:	25 August 2005; 24 August 2006; 23 August 2007; 28 August 2008; 20 August 2009; 19 August 2010; 16 August 2011; 20 September 2012; 18 July 2013; 21 August 2014; 20 August 2015; 17 August 2017; 21 September 2017, 20 September 2018, 15 September 2022, 14 December 2023, and 21 August 2025
Resolution Number:	231/05; 237/06; 258/07, 259/08; 334/09; 313/10; 315/11; 318/12; 226/13; 247/14; 227/15; 255/16, 259/17; 301/17, 277/18, 208/22, 246/23, and 131/25
Current Policy adopted by Council:	20 August 2026
Resolution Number	XXX/26
Next Policy Review Date:	2027

PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed:	N/A
Procedure/guideline reference number:	N/A

RESPONSIBILITY:-	
Draft Policy developed by:	Director of Finance and Administration
Committee/s (if any) consulted in the development of this Policy:	N/A
Responsibility for implementation:	Chief Executive Officer
Responsibility for review of Policy:	Director of Finance and Administration

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Part E – Appendix

Appendix I – Related legislation, guidance and policies

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Payment of Expenses and Provision of Facilities Policy

Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to assist them undertake their civic duties.

It ensures accountability and transparency, and seeks to align payment of Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	Councillors: Vehicles under 2.5 litres - \$0.88 per/km Vehicles over 2.5 litres - \$0.98 per/km As calculated on a per kilometre basis by the rate set by the Local Government (State) Award.	Per month
Accommodation	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually (require tax invoice payment evidence)	Maximum up to \$388 per night
Sustenance (Meals) associated	\$140 per Councillor (Includes 3 meals)	Per day
Sustenance within Shire	\$140 (Includes 3 meals)	Per day
Professional development	\$2,000 per Councillor	Per year
Superannuation Guarantee Contribution to Nominated Fund	12% of Members Fee and Mayoral Fee	Per month

Payment of Expenses and Provision of Facilities Policy

Expense or facility	Maximum amount	Frequency
Conferences and seminars attendance	\$140 per Councillor sustenance (Council will pay cost of conference / seminar)	Per day
ICT telecommunication allowance	\$96 per Councillor	Per month
ICT Laptop (Council owned)	Provided to all Councillors	Not relevant
Carer Expenses	Reimbursement of \$35 per hour up to maximum of 5 hours on each occasion (require tax invoice payment evidence)	Per hour rate paid monthly
Access to facilities in the Council Chambers	Provided to all Councillors	Not relevant
Council motor vehicle and fuel card	Provided to the Mayor	Not relevant
Reserved parking space at Council offices	Provided to the Mayor	Not relevant
ICT smart phone device (Council expense)	Provided to the Mayor	Per month
Executive Assistant to support Mayor and Councillors	Provided to the Mayor and Councillors	Not relevant

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement each month and no later than within three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council Ordinary Meeting every twelve months as part of Council's Annual Report and it is published on Council's website.

Payment of Expenses and Provision of Facilities Policy

Part A - Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Upper Lachlan Shire Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council Chief Executive Officer is empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to Councillors and Mayor fees. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Policy Objectives

- 2.1. The objectives of this policy are to:-
 - Enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties.
 - Enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties.
 - Ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors.
 - Ensure facilities and expenses provided to Councillors meet community expectations.
 - Support a diversity of representation.
 - Fulfil the Council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:-
 - **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
 - **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.

ULSC Payment of Expenses and Provision of Facilities Policy

- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- **Equity:** there must be equitable access to expenses and facilities for all Councillors.
- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations.
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or Political Benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council Ordinary Meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:-
 - Production of election material.
 - Use of Council resources and equipment for campaigning.
 - Use of official Council letterhead, publications, websites or services for political benefit.
 - Fundraising activities of political parties or individuals, including political fundraising events.

Part B - Expenses

5. General Expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. Specific Expenses

General travel arrangements and expenses

- 6.1. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each Councillor may be reimbursed in accordance with their authorised expenditure per year, and the Mayor may be reimbursed in accordance with his/her authorised expenditure per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
 - For public transport fares
 - For the use of a private vehicle or hire car
 - For parking costs for Council and other meetings
 - For toll charges
 - For Cab charge card or equivalent
 - For documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 6.5. Given Council's location near an interstate border, travel to the Australian Capital Territory will be considered as general travel.

Arrangements and expenses for this travel will be governed by Clauses 6.1 - 6.4.

ULSC Payment of Expenses and Provision of Facilities Policy

- 6.6. In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.7. Total interstate, overseas and long distance intrastate travel expenses for all Councillors will be reimbursed by a resolution of Council only per year. No amount is set aside in Council's annual budget.
- 6.8. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the Chief Executive Officer prior to travel.
- 6.9. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council Ordinary Meeting prior to travel.
- 6.10. The case should include:-
 - Objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties.
 - Who is to take part in the travel?
 - Duration and itinerary of travel.
 - A detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.11. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.12. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.13. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14. Bookings for approved air travel are to be made through the Chief Executive Officer's office.
- 6.15. For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.16. Council will not pay any traffic fines, speeding fines, parking fines or administrative charges for road toll accounts.

Payment of Expenses and Provision of Facilities Policy

Accommodation and meals

- 6.17. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the Chief Executive Officer. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.
- 6.18. Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Upper Lachlan Shire Council local government area.
- 6.19. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually. For accommodation expense above daily limits threshold for Councillors, the approval of the expense shall be by the Chief Executive Officer prior to a booking confirmation.
- 6.20. The daily limits for accommodation and meal expenses outside NSW or Australia are to be determined in advance by the Chief Executive Officer, being mindful of Clause 6.19.
- 6.21. Councillors will not be reimbursed for alcoholic beverages and minibar expenses.

Refreshments for Council related meetings

- 6.22. Appropriate refreshments will be available for Council Ordinary Meetings, approved Council committee meetings, Councillor Workshops, approved meetings and engagements, and official Council functions as approved by the Chief Executive Officer.
- 6.23. As an indicative guide for the standard of refreshments to be provided at Council related meetings, the Chief Executive Officer must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.24. Council will set aside funds per Councillor annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- 6.25. In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.26. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

Payment of Expenses and Provision of Facilities Policy

- 6.27. Approval for professional development activities is subject to a prior written request to the Chief Executive Officer outlining the:-
- Details of the proposed professional development.
 - Relevance to Council priorities and business.
 - Relevance to the exercise of the Councillor's civic duties.
- 6.28. In assessing a Councillor request for a professional development activity, the Chief Executive Officer must consider the factors set out in Clause 6.27, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 6.29. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.30. Council will set aside funds annually, in its budget to facilitate Councillor Attendance at conferences and seminars. This allocation is for all Councillors. The Chief Executive Officer will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.31. Approval to attend a conference or seminar is subject to a written request to the Chief Executive Officer. In assessing a Councillor request, the Chief Executive Officer must consider factors including the:-
- Relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties.
 - Cost of the conference or seminar in relation to the total remaining budget.
- 6.32. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the Chief Executive Officer. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.18 - 6.21.

Information and communications technology (ICT) expenses

- 6.33. Council will provide Councillors with a telecommunications allowance for expenses associated with appropriate ICT devices and services per annum for each Councillor. This includes expenses related to personal mobile phones and tablets, data, associated services and home internet costs.
- 6.34. Reimbursements will be made only for communications devices and services used for Councillors to undertake their civic duties, such as:-
- Receiving and reading Council business papers.
 - Relevant phone calls and correspondence.
 - Diary and appointment management.
- 6.35. Councillors may seek reimbursement for other applications on their mobile electronic communication device that are directly related to their duties as a Councillor as approved by the Chief Executive Officer.

Payment of Expenses and Provision of Facilities Policy

Special requirement and carer expenses

- 6.36. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- 6.37. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 6.38. In addition to the provisions above, the Chief Executive Officer may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.39. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of reasonable carer's expenses for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.40. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.41. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the Chief Executive Officer that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home office expenses

- 6.42. Each Councillor may be provided with minor items of consumable stationery for the maintenance of a home office, such as a ream of plain paper, on request and approval by the Chief Executive Officer.

7. Insurances

- 7.1. In accordance with Section 382, of the Local Government Act 1993, Council is insured against Public Liability and Professional Indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4. Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.
- 7.5. Council is insured against Councillors' and Officers liability claims. Councillors are included as a named insured on this Policy.
- 7.6. Council is insured against Personal Accident liability claims. Councillors are included as a named insured on this Policy.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:-
- A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor.
 - A Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor.
 - A Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2. In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the Chief Executive Officer to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:-
- Of legal proceedings initiated by a Councillor under any circumstances.
 - Of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
 - For legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council Ordinary Meeting prior to costs being incurred.

Part C - Facilities

9. General facilities for all Councillors

Facilities

- 9.1. Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:-
 - Use of the Council Chambers, when and where available, appropriately furnished to include telephone, desk and appropriate refreshments (excluding alcohol).
 - Postage of official correspondence – all mail is to be directed through the Council's own mailing system and records management EDMS.
 - Use of a Council owned laptop for official business use and councillor specific corporate email address.
 - Personal protective equipment for use during site visits.
 - Use of a Council owned Computer or Tablet, if required.
 - Minor items of consumable stationery.
 - A name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
- 9.2. Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through the Executive Assistant to the Chief Executive Officer or other specified staff member.
- 9.3. The provision of facilities will be of a standard deemed by the Chief Executive Officer as appropriate for the purpose.

Stationery

- 9.4. Council will provide the following stationery to Councillors upon request:-
 - Business cards.

Administrative support

- 9.5. Council will provide administrative support to Councillors to assist them with their civic duties only; i.e. booking training and associated accommodation. Administrative support is provided by Council's Executive Assistant to the Chief Executive Officer or their delegate.
- 9.6. As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

Payment of Expenses and Provision of Facilities Policy

10. Additional facilities for the Mayor

- 10.1. Council will provide to the Mayor a maintained motor vehicle to a similar standard of other Council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at Civic, community and Committees of Council events.
- 10.2. The Mayoral Fee allowance will be reduced to cover the cost of any private travel recorded in a log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.3. A parking space at Council's offices will be reserved for the Mayor's Council-issued motor vehicle for use on official business, professional development and attendance at the Council office.
- 10.4. Use of a Council mobile telephone and Council user email address for official business use.
- 10.5. In performing his or her civic duties, the Mayor will be provided with administrative and secretarial support, including support from Council's Executive Assistant to the Chief Executive Officer and other support as determined by the Chief Executive Officer.
- 10.6. As per Section 4, Council's Executive Assistant to the Chief Executive Officer provides support to the Mayor's office for work on official Council business only, and not for matters of personal or political interest, including campaigning.

Part D - Processes

11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:-
 - Local travel relating to the conduct of official business.
 - Carer costs.
- 11.4. Final approval for payments made under this policy will be granted by the Chief Executive Officer.

Direct payment

- 11.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Chief Executive Officer for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.6. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Chief Financial Officer.

Advance payment

- 11.7. Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 11.8. The maximum value of a cash advance per day of the conference, seminar or professional development will be approved by the Chief Executive Officer.
- 11.9. Requests for advance payment must be submitted to the Chief Executive Officer for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.
- 11.10. Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:-
 - A full reconciliation of all expenses including appropriate receipts and/or tax invoices.
 - Reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Payment of Expenses and Provision of Facilities Policy

Notification

- 11.11. If a claim is approved, Council will make payment directly to the supplier or reimburse the Councillor through accounts payable.
- 11.12. If a claim is refused, Council Chief Executive Officer will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 11.13. If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:-
- Council will issue a tax invoice to a Councillor for the expense required to be paid.
 - The Councillor will reimburse Council for that expense within 14 days of the tax invoice date.
- 11.14. If the Councillor cannot reimburse Council within 14 days of the tax invoice date, they are to submit a written explanation to the Chief Executive Officer. The Chief Executive Officer may elect to deduct the amount from the Councillor's monthly member fee allowance.

Timeframe for reimbursement

- 11.15. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

- 12.1. If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the Chief Executive Officer.
- 12.2. If the Councillor and the Chief Executive Officer cannot resolve the dispute, the Councillor may submit a Notice of Motion to a Council Ordinary Meeting seeking to have the dispute resolved.

13. Return or retention of facilities

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the Chief Executive Officer to purchase any such equipment. The Chief Executive Officer will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's Annual Report.

Payment of Expenses and Provision of Facilities Policy

14. Publication

- 14.1. This policy will be published on Council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.
- 15.2. Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council Ordinary Meeting every twelve months as part of the Annual Report and published in full on Council's website. These reports will include expenditure summarised as a total for all Councillors.

16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken annually.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the Chief Executive Officer.
- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

Payment of Expenses and Provision of Facilities Policy

PART E - Appendices

Appendix I: Related Legislation, Guidance and Policies

Relevant Legislation and guidance

- Local Government Act 1993, Sections 252 and 253.
- Local Government (General) Regulation 2021, Clauses 217 and 403.
- A New Tax System (Goods and Services Tax) Act 1999;
- Crimes Act 1900;
- Environmental Planning and Assessment Act 1979;
- Government Information (Public Access) Act 2009;
- Independent Commission against Corruption Act (ICAC) 1988;
- Ombudsman Act 1974;
- Privacy and Personal Information Protection Act 1998;
- Public Interest Disclosures Act 2022;
- State Records Act 1998;
- Superannuation Guarantee (Administration) Act 1992;
- Office of Local Government – Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2017;
- ICAC publication “No Excuse for Misuse, preventing the misuse of Council resources”.

Related Council policies

- Bribes, Gifts and Benefits Policy;
- Code of Business Practice;
- Code of Conduct;
- Code of Meeting Practice;
- Councillor Training and Development Policy;
- Designated Person Disclosing Interests Returns Policy;
- Digital Information Security Policy;
- Disclosures of Interest at Meetings Policy;
- Fraud and Corruption Prevention Policy;
- Government Information (Public Access) Policy;
- Interaction between Councillors and Staff Policy;
- Internet and Email Policy;
- Media Policy;
- Privacy Policy;
- Public Interest Disclosures Policy;
- Records Management Policy;
- Social Media Policy;
- Privacy Management Plan.

Payment of Expenses and Provision of Facilities Policy

Appendix II: Definitions

The following definitions apply throughout this Policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993 (NSW)</i>
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
Chief Executive Officer	Means Chief Executive Officer of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> • Ordinary meetings of Council and committees of the whole • Meetings of committees facilitated by Council • Civic receptions hosted or sponsored by Council • Meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the <i>Local Government (General) Regulation 2021 (NSW)</i>
Year	Means the financial year, that is the 12 month period commencing on 1 July each year

14 CHIEF EXECUTIVE OFFICER

The following item is submitted for consideration -

14.1	Council Fuel Supply Update	296
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Chief Executive Officer - 18 June 2026

ITEM 14.1 **Council Fuel Supply Update**

FILE REFERENCE **I26/144**

AUTHOR **Chief Executive Officer**

ISSUE

To provide Council with an update on current fuel supply conditions impacting operations and to outline how Upper Lachlan Shire Council's response aligns with broader local government sector experience.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

At its Ordinary meeting of Council on 21 May 2026, Council resolved.

That Council receive at each meeting until the green waste service is resumed a brief update on fuel supply certainty and usage, and current thinking re the resumption of the service.

Accordingly, these matters have been incorporated into the existing Fuel Supply Update Report to avoid duplication and streamline Council reporting.

REPORT

Upper Lachlan Shire Council has been working closely with Country Mayors Association (CMA), Local Government NSW (LGNSW) and the Australian Local Government Association (ALGA) to advocate for fuel access for regional areas and fuel security for Local Government.

Through this collaborative approach, several consistent impacts have been identified across councils, including but not limited to;

Service Delivery Risk

- Potential disruption to waste collection, road maintenance and water/sewer services
- Increased vulnerability in regional areas reliant on bulk fuel deliveries

Financial Pressure

- Increased fuel costs due to supply constraints
- Exposure to spot purchasing and reduced contract certainty
- Increased cost of materials

Chief Executive Officer
COUNCIL FUEL SUPPLY UPDATE cont'd

Supply Chain Constraints

- Distribution challenges rather than absolute fuel shortages
- Competition for fuel across agriculture, freight and emergency services

Need for National Coordination

- Advocacy for councils to be recognised as essential service providers in fuel allocation frameworks

Proactive Controls currently in place

Council has developed a fuel shortage - operational business continuity plan and implemented several proactive operational controls.

Security Measures

- After-hours access to depot fuel bowsers suspended
- Pumps secured outside operational hours
- Increased monitoring of fuel usage and storage levels
- Reinforced site security (gates, access control, CCTV awareness)

Fuel usage prioritised for:

- Essential waste collection services
- Water and sewer operations
- Emergency response and essential infrastructure works

Fleet and Workforce Management

- Staff directed to ensure vehicles are fuelled during standard hours
- Reduction in non-essential travel
- Improved coordination of vehicle use across teams

Supply Chain Engagement

- Ongoing engagement with fuel suppliers regarding delivery schedules
- Monitoring of allocation limits (if applicable) and contingency planning

Further, Council resolved at its Ordinary Meeting held on 16 April 2026 to temporarily pause the kerbside green waste (garden waste) collection service in order to conserve fuel reserves for the continuation of essential services. The final green waste collection prior to the temporary suspension occurred on 1 May 2026.

The current status

Council operations continue to be affected by ongoing economic and geopolitical uncertainty associated with the conflict in the Middle East. These impacts are being experienced through disruptions to global supply chains, resulting in delays in the availability of some materials, including PVC pipe, conduit and bitumen for example.

Council also continues to face uncertainty regarding the timing and reliability of diesel deliveries to its fuel storage facilities at the Crookwell and Gunning Works Depots.

To date, diesel supplies have continued in accordance with contractual arrangements, and no deliveries have been missed. However, confirmation of deliveries is generally not provided until the day prior, limiting certainty and forward planning.

Chief Executive Officer
COUNCIL FUEL SUPPLY UPDATE cont'd

At the most recent delivery, Council received approximately 16,600 litres of diesel at Crookwell and 7,700 litres at Gunning.

These deliveries enabled fuel reserves at the Gunning Depot to be replenished from critically low levels, while approximately 15,000 litres of reserve fuel was maintained at the Crookwell Depot.

This outcome demonstrates that Council's proactive measures, including the increased use of commercial service stations for light fleet vehicles, carpooling and the temporary suspension of green waste collections, have been effective in preserving a strategic fuel reserve.

It should also be noted that diesel consumption during this period was somewhat lower due to wet weather conditions and shortened working weeks.

In light of the ongoing uncertainty surrounding fuel supply and broader supply chain disruptions, it is considered prudent that these measures remain in place and, accordingly, no changes to the current arrangements are recommended at this time.

Financial Impacts

Council has experienced increased fuel costs across both its light and heavy fleet operations, with higher prices being paid for bulk supplies of diesel and unleaded fuel. In addition, Council has agreed to pay fuel surcharges above contracted rates to a number of suppliers and contractors, including:

- Plant hire contractors;
- Bulk haulage operators;
- Waste contractors;
- Gravel suppliers; and
- Freight providers.

These additional fuel costs and agreed fuel levy payments to contractors are monitored weekly by Council staff.

The fuel surcharge applied above agreed contract rates has generally ranged between 6 per cent and 15 per cent, depending on prevailing fuel market conditions, the temporary three-month fuel excise pause introduced by the Commonwealth Government, and the subsequent reductions in fuel costs that have flowed through since April 2026.

It is also important to note that recent legislative changes have created legal obligations regarding the recovery of transport-related diesel costs through the Fair Work Commission's First Road Transport Contractual Chain Order. As a consequence, Council, along with other government agencies, is required to comply with this determination and meet reasonable increases in transportation costs incurred by suppliers and contractors.

Further financial impacts are anticipated as the Commonwealth Government's temporary fuel excise relief is expected to conclude on 30 June 2026. Given the ongoing uncertainty surrounding fuel markets and broader geopolitical conditions, Council has adopted a prudent approach by providing an additional \$266,200 expense

Chief Executive Officer
COUNCIL FUEL SUPPLY UPDATE cont'd

within the 2026/2027 budget to accommodate forecast increased fuel costs on Council operations during the first quarter of the new financial year and maintain continuity of essential services.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT

As detailed in the body of the report.

RECOMMENDATION That -

1. Council receive and note the report as information.

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 April and May	302
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ITEM 16.1**Reports from Committees for the months of April and May****RECOMMENDATION:**

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

1. Crookwell II Wind Farm Community Fund Committee – Minutes from meeting held 25 May 2026.
2. Cullerin Range Wind Farm Community Fund Committee – Minutes from meeting held 25 May 2026.
3. Gullen Range Wind Farm Community Fund Committee – Minutes from meeting held 1 June 2026.

ATTACHMENTS

1. ↓	Crookwell II Wind Farm Community Fund Committee - Minutes from meeting held 25 May 2026	Attachment
2. ↓	Cullerin Range Wind Farm Community Fund Committee - Minutes from meeting held 25 May 2026	Attachment
3. ↓	Gullen Range Wind Farm Community Fund Committee - Minutes from meeting held 1 June 2026	Attachment

**MINUTES OF THE 2026/2027 CROOKWELL II & III WIND FARMS COMMUNITY
FUND SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
MONDAY 25 MAY 2026 AT 3.30PM**

PRESENT: Clr Paul Culhane (Mayor, Upper Lachlan Shire Council)
Ms Alex Waldron (Chief Executive Officer, Upper Lachlan Shire Council)
Ms Katrina Nixon (Community Representative)
Mr Paul Seary (Community Representative)
Ms Lorna Sherlock (Community Engagement and Compliance Officer, Global Power Generation)

NON-VOTING: Ms Jane Ramsay (Executive Assistant, Upper Lachlan Shire Council)

1. WELCOME

The Mayor opened the meeting at 3.38pm.

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST

Paul Culhane declared his non-significant interest in Crookwell AP&H Society's two applications, electing to make a declaration, stay in the Chamber, participate in the debate, but not vote.

Alex Waldron declared her non-significant interest in St Mary's Primary School's application, electing to make a declaration, stay in the Chamber, participate in the debate, but not vote.

Katrina Nixon declared her significant interest in Crookwell AP&H Society's two applications, Roslyn Progress & Memorial Hall Association's application and Crookwell & District Extreme Obstacle Racing Club Incorporated's application, electing on all to make a declaration, not to participate in the debate, leave the Chamber upon making the declaration, and not return until the matters were resolved.

Paul Seary declared his non-significant interest in Crookwell AP&H Society's two applications, electing to make a declaration, stay in the Chamber, participate in the debate, but not vote.

4. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2026/2027 – FUNDING \$210,328.31

4.1 RECOMMENDED: The projects listed below be awarded funds as follows:

Moved: Lorna Sherlock

Seconded: Alex Waldron

	PROJECT	AMOUNT
1	Crookwell Golf Club <i>Club Electrical Upgrade</i>	\$17,160.00
2	Australian Agricultural Centre * <i>Agricultural Work Experience</i>	\$2,000.00
3	Grabben Gullen Hall & Recreation Reserve Land Manager <i>Purchase of Ride On Mower for Hall Grounds</i>	\$17,100.00

**MINUTES OF THE 2026/2027 CROOKWELL II & III WIND FARMS COMMUNITY
FUND SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
MONDAY 25 MAY 2026 AT 3.30PM**

	PROJECT	AMOUNT
4	Crookwell Neighbourhood Centre <i>Upper Lachlan Coordinated Youth Initiative: Building Resilience and Empowering Our Youth in 2026/2027</i>	\$30,000.00
5	Vinnies Crookwell <i>Upper Lachlan Community Assistance – Mobil Petrol Cards</i>	\$5,000.00
6	Middle Arm Hall & Progress Association * <i>Urgent Hall Maintenance and Improvement of Community Access and Wellbeing</i>	\$20,150.50
7	Crookwell AP&H Society <i>Upgrade of Ramps at Livestock Reloading Yards at Crookwell Showground</i>	\$5,016.00
8	Upper Lachlan Landcare *Upper Lachlan Landcare * <i>Upper Lachlan Landcare Grazing Group</i>	\$14,000.00
9	Rotary Club of Crookwell Incorporated <i>Crookwell Rotary Administration</i>	\$1,600.90
10	Roslyn Progress & Memorial Hall Association * <i>Floor Repairs/Replacement</i>	\$6,248.00
11	St Mary's Primary School <i>New and Improved Inclusive Playground Equipment</i>	\$70,000.00
12	Crookwell & District Extreme Obstacle Racing Club Incorporated <i>Extreme Obstacle Racing Equipment and Trailer</i>	\$7,003.00
13	Crookwell AP&H Society <i>Upgrade of Lawn Maintenance Equipment at Crookwell Showground</i>	\$7,700.05
TOTAL		\$202,978.45

* Projects partially funded.

Unsuccessful applicants will be provided with feedback on their applications.

5. GENERAL BUSINESS

The remaining funds totalling \$7,349.86 will be rolled over to the 2027/2028 funding round.

The meeting closed at 4.37pm.

**MINUTES OF THE 2026/2027 CULLERIN RANGE WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
MONDAY 25 MAY 2026 AT 2.00PM**

- PRESENT:** Clr Paul Culhane (Mayor, Upper Lachlan Shire Council)
Ms Alex Waldron (Chief Executive Officer, Upper Lachlan Shire Council)
Ms Rachael Foley (EDL Company Representative, Cullerin Range Wind Farm)
Mr Michael Coley (Community Representative)
Mr Matthew Streat (Community Representative)
- NON-VOTING:** Ms Betsy Verall (EDL Observer, Cullerin Range Wind Farm)
Ms Jane Ramsay (Executive Assistant, Upper Lachlan Shire Council)

1. WELCOME

The Mayor opened the meeting at 2.00pm.

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST

Matthew Streat declared his significant interest in Breadalbane Community Hall's application, electing to make a declaration, not to participate in the debate, leave the Chamber upon making the declaration, and not return until the matter was resolved.

Michael Coley abstained from voting for the Gunning Pastoral Agricultural and Industrial Society Inc.'s application.

**4. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2026/2027 – FUNDING
\$25,755.16**

4.1 RECOMMENDED: The projects listed below be awarded funds as follows:

Moved: Rachael Foley

Seconded: Michael Coley

	PROJECT	AMOUNT
1	Gunning Pony Club <i>Arena Harrows</i>	\$1,950.30
2	Gunning Pastoral Agricultural and Industrial Society Inc. <i>Stainless Steel Food Grade Benches and Sink Unit</i>	\$3,000.00
3	Breadalbane Community Hall <i>Storage Shed</i>	\$11,265.00
4	Australian Agricultural Centre <i>International Women's Day – Women in Agriculture</i>	\$5,000.00
5	Gunning Snooker Club <i>Refurbishment of Gunning Snooker Club's Tables</i>	\$4,000.00
TOTAL		\$25,215.30

Unsuccessful applicants will be provided with feedback on their applications.

5. GENERAL BUSINESS

The remaining funds totalling \$539.86 will be rolled over to the 2027/2028 funding round.

The meeting closed at 2.40pm.

**MINUTES OF THE 2026/2027 GULLEN RANGE WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
MONDAY 1 JUNE 2026 AT 2.00PM**

PRESENT: Clr Paul Culhane (Mayor, Upper Lachlan Shire Council)
Ms Alex Waldron (Chief Executive Officer, Upper Lachlan Shire Council)
Clr Liz McKeon (Goulburn Mulwaree Council Representative)
Ms Erin Fletcher (Company Representative, Gullen Range Wind Farm)
Ms Margaret McPherson (Community Representative)
Ms Christine McLean (Community Representative)

NON-VOTING: Ms Jane Ramsay (Executive Assistant, Upper Lachlan Shire Council)

1. WELCOME

The Mayor opened the meeting at 2.10pm.

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST

Alex Waldron declared her non-significant interest in St Mary's Primary School's application, electing to make a declaration, stay in the Chamber, participate in the debate, but not vote.

**4. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2026/2027 – FUNDING
\$118,199.42**

4.1 RECOMMENDED: The projects listed below be awarded funds as follows:

Moved: Clr Liz McKeon

Seconded: Christine McLean

	PROJECT	AMOUNT
1	Crookwell Golf Club * <i>Club Electrical Upgrade</i>	\$7,840.00
2	Bannister District Hall Association Inc. * <i>Bannister Hall Roof Replacement</i>	\$44,973.42
3	Vinnies Crookwell <i>Food Assistance</i>	\$5,000.00
4	Australian River Restoration Centre's Rivers of Carbon Program <i>Understanding Your Landscape Webinar Series</i>	\$18,260.00
5	Rotary Club of Crookwell Inc. <i>Crookwell Rotary Firewood Raffles</i>	\$ 3,426.00
6	St Mary's Primary School <i>New and Improved Inclusive Playground Equipment</i>	\$30,000.00

**MINUTES OF THE 2026/2027 GULLEN RANGE WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
MONDAY 1 JUNE 2026 AT 2.00PM**

	PROJECT	AMOUNT
7	Australian Agricultural Centre <i>International Women's Day – Women in Agriculture</i>	\$1,000.00
8	Crookwell & District Basketball Association <i>New Lighting at Crookwell & District Basketball Association</i>	\$7,700.00
	TOTAL	\$118,199.42

* Projects partially funded.

There were no remaining funds.

Unsuccessful applicants will be provided with feedback on their applications.

5. GENERAL BUSINESS

Ms Christine McLean submitted her resignation as a Community Representative of the Community Fund S355 Committee. The Committee members thanked Ms McLean for her contribution to the Committee. An Expression of Interest for a Community Representative will be advertised.

The meeting closed at 3.05pm.

17 NOTICES OF MOTION

The following item is submitted for consideration -

17.1	Notice of Motion - Establishment of s355 Committee	310
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Notices of Motion - 18 June 2026

ITEM 17.1 Notice of Motion - Establishment of s355 Committee

I, Councillor Gregory Harris hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

1. Establish a Section 355 Operating Committee under section 355 of the Local Government Act 1993 to be known as the Taralga War Memorial Hall Management Committee, to exercise the function of the care, control and management of the Taralga War Memorial Hall.
2. Delegate to the Committee all powers and functions provided for Operating Committees managing community halls under Council's Section 355 Committee Policy (Res 183/23) and Code of Practice (Res 182/23), including but not limited to the management of bookings, hiring, fee recommendations, minor maintenance, financial records, and day-to-day operations.
3. Request the CEO to prepare a draft Terms of Reference / Constitution for the Committee that maximises local community autonomy within the framework of the Policy and Code and report it back to Council at the July 2026 Ordinary Meeting.
4. Call for Expressions of Interest from the Taralga community for membership of the Committee, with applications closing four weeks after public advertisement.
5. Appoint a primary and alternate Councillor representative to the Committee, consistent with arrangements for other community hall committees.
6. Note that Council will continue to provide Property Protection (building insurance) and \$20 million Public Liability Insurance. Further, Council will consider funding for annual maintenance and electricity on a basis consistent with support provided to other community hall committees, subject to annual budget allocations.

BACKGROUND

The Taralga War Memorial Hall is currently managed centrally by Council, resulting in limited flexibility for local users. A community-based management model is expected to improve responsiveness and increase utilisation of the Hall while preserving its role as an active War Memorial for future generations.

Taralga residents, including the Taralga RSL Sub-Branch, have expressed strong support for establishing a local management committee, with several community members already willing to nominate. This motion provides a clear, structured pathway for returning the Hall to community-based management while ensuring ongoing Council support and compliance with established governance frameworks.

CHIEF EXECUTIVE OFFICER'S COMMENT

As background, Council previously operated the Taralga War Memorial Hall through a Section 355 Committee of Council arrangement. Following the disbandment of that committee, the care and control of the facility was managed by Council through the Taralga Post Office and is now administered directly by Council.

It is somewhat surprising that this Notice of Motion has been brought forward, as to date no direct approach has been made to Council staff or management by community members expressing an intention to manage this Council owned and controlled facility, including the administration of hall bookings.

The establishment of a Section 355 Committee of Council remains an available option. However, given Council is currently undertaking a review of its Section 355 committee framework, it is recommended that any consideration of a new committee for the Taralga War Memorial Hall be undertaken in the context of that broader review and the subsequent implementation of any actions arising from it.

The primary issue is not community involvement itself, but rather the extent of authority proposed to be transferred to a committee in respect of a Council owned facility. Council would continue to retain responsibility for asset maintenance, insurance, financial accountability, work health and safety obligations, compliance requirements, maintenance standards and overall governance. Accordingly, any committee model would require clear delegations, an adopted terms of reference, appropriate financial controls, transparent accountability arrangements and an understanding of mandatory reporting requirements prior to commencing operation. A Section 355 Committee is an extension of Council and must operate in accordance with Council's policies and procedures; it is not an autonomous body. An Expression of Interest process would also be required to enable Council to appoint committee members to act on behalf of Council, and the establishment process may take several months to complete.

Recommendation 1

The establishment of a committee may be supported in principle, subject to the outcomes of the current Section 355 review and the adoption by Council of an appropriate terms of reference. Any appointed committee members would need to be formally inducted and provided with relevant training. Expectations regarding governance, financial management and reporting obligations would also need to be clearly communicated to prospective members.

Recommendation 2

It is strongly recommended that operational powers not be delegated without limitation. Matters such as bookings, hire conditions, fee setting, financial records, expenditure, minor maintenance and contractor engagement should remain subject to Council approved policies and procedures. While a committee may assist with local coordination and day-to-day matters, it should not have authority to vary adopted fees, enter into contracts, or undertake building, electrical, plumbing, structural or compliance-related works without prior Council approval.

Recommendation 3

The terms of reference should focus on facilitating appropriate local involvement within Council's governance framework, rather than maximising autonomy. The document should clearly define the committee's responsibilities and limitations, including financial

Notices of Motion

NOTICE OF MOTION - ESTABLISHMENT OF S355 COMMITTEE cont'd

controls, reporting obligations, conflicts of interest, records management requirements, volunteer responsibilities, insurance arrangements, maintenance reporting processes and the circumstances under which Council may suspend or revoke delegations.

The proposed timeframe for reporting back to the July 2026 Council meeting is not considered achievable. Establishing a Section 355 Committee involves considerably more than simply adopting a terms of reference. Should Council resolve to progress a new committee arrangement, the Chief Executive Officer would determine and allocate available operational resources and subsequently advise Council of a realistic timeframe for reporting back and seeking formal endorsement.

Recommendation 4

Calling for expressions of interest is considered reasonable, provided applicants understand they would be acting on behalf of Council and not as an independent management body. Appropriate conflict of interest declarations should be required, particularly where applicants may also be regular users of the facility, contractors or representatives of organisations that hire the hall.

Should the committee be required to undertake financial activities on behalf of Council, it would be prudent to ensure that a suitably qualified and fit and proper person is appointed to the role of Treasurer or equivalent to ensure appropriate financial governance and controls are maintained.

Recommendation 5

The appointment of a Councillor representative is supported should Council determine to proceed with the establishment of a new committee arrangement.

Recommendation 6

Noted. Council will continue to maintain appropriate insurance arrangements for Council owned and controlled assets. Any allocation of funding remains subject to Council's adopted annual Operational Plan and Capital Works Program.

ATTACHMENTS

Nil

18 QUESTIONS WITH NOTICE

The following items are submitted for consideration -

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| 18.1 | Question with Notice - Infrasound Acoustic (Db) Report - Wind Farms | 314 |
| 18.2 | Question with Notice - Road Closed - Lot 1 DP 1091238 | 317 |

Questions With Notice - 18 June 2026

ITEM 18.1 **Question with Notice - Infrasound Acoustic (Db) Report - Wind Farms**
AUTHOR **Councillor Susan Reynolds**

I, Cllr Susan Reynolds ask:

Has ULSC requested that Wind Turbine Renewable Energy Development Applications include an additional independent **acoustic report** (to identify local levels of infrasound) as part of their DA application, to **determine an infrasound baseline** prior to approval.

It is understood that renewable energy developments are SSD's and input from Upper Lachlan Shire Council is limited. However, baseline readings of infrasound prior to approval and erection of wind turbines, would be a helpful addition, given the strong scientific evidence emerging from Europe that infrasound can have detrimental cumulative effects on health.

ULS constituents should be kept aware of possible consequences, whether for or against wind turbines, being proposed. In 2015 Australian Senate Select Committee on Wind Turbines concluded there was credible evidence from people living near wind turbines complaining of adverse health symptoms.

Background

The potential effects of infrasound on the human body were first identified and documented in the 1960s and 1970s during the space race, when jet pilots were affected.

Infrasound is low-frequency sound below 20 Hertz (Hz), not usually audible and has a peculiar ability to permeate a building, through the walls, doors and windowpanes or through open apertures and has been measured up to 90 kilometres, depending on weather and topology, from its source. The behaviour of infrasound in the built environment is very different from the behaviour of audible sound. Audible sound becomes uniformly softer with distance, losing energy to the atmosphere and obstacles and dispersing its energy as it expands to larger volumes. This is not the case with infrasound, which can get stronger over certain distances.

Scientific studies across the world over the past 15 years has identified that the impact of consistent exposure to infrasound waves has a cumulative effect on the human body and on animals that affects tissue at the capillary level, with impact on organs, resulting in many ailments, including high blood pressure, tinnitus, anxiety, mental and emotional health affecting quality of life.

It is further known that industrial wind turbines emit infrasound that consists of acoustic waves with frequencies falling below 20 Hertz (Hz).

With the expansion of green energy generation, infrasound from wind turbines will increase and it is important to understand and ameliorate its adverse effects on people. Infrasound from wind turbines is particularly annoying because the sound signature contains short, frequent episodes and it persists over extended periods,

Questions with Notice

INFRASOUND ACOUSTIC (DB) REPORT – WIND FARMS cont'd

compared with other short-duration sources (such as trains). Most people can 'tune out' repeated sounds but in some, the central nervous system becomes sensitized and they suffer the symptoms of chronic noise stress such as anxiety, depression, cognitive dysfunction and disrupted sleep.

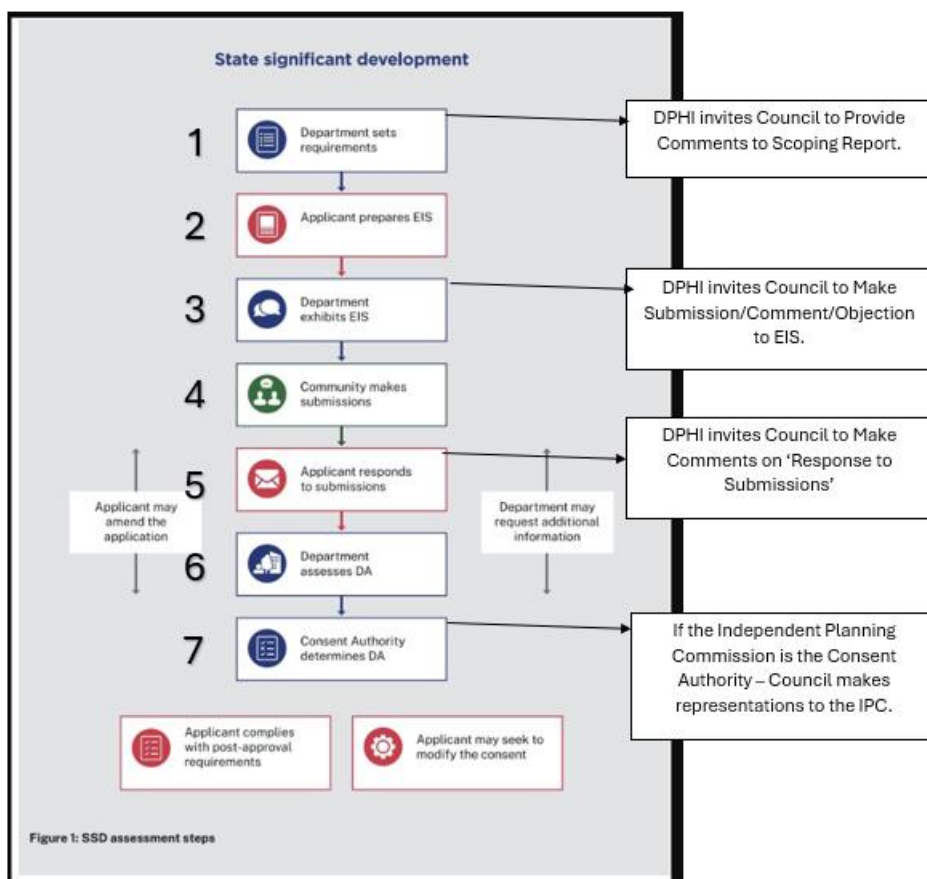
Vibroacoustic Disease (VAD) and Wind Turbine Syndrome (WTS) occur in people living near wind turbines and having long-term exposure to infrasound. VAD is associated with thickening of cardiovascular structures together with depression, irritability and decreased cognitive skills. WTS symptoms include sleep disturbance, headache, tinnitus, ear pressure, dizziness, vertigo, nausea, visual blurring, tachycardia, irritability, problems with concentration and memory and panic episodes.

Response from Council CEO

The NSW Government is responsible for overseeing the process associated with applications for State Significant Development, which is managed by the NSW Department of Planning, Housing and Infrastructure.

The process associated with an application for State Significant Development is legislated by the *Environmental Planning and Assessment Act 1979*, which is supported by appropriate guidelines as developed by the NSW Department of Planning, Housing and Infrastructure.

A summary of the process associated with State Significant Development is captured in the below figure;



Questions with Notice

INFRASOUND ACOUSTIC (DB) REPORT – WIND FARMS cont'd

Throughout the process Councils have an opportunity to provide comments on matters to be addressed by an applicant through the Secretary's environment assessment requirements (SEARs) and review of the Environmental Impact Statement.

With no recent State Significant Development applications incorporating wind farms being submitted within Upper Lachlan Shire, current staff are unable to advise as to whether applicants were requested to consider baseline infrasound levels as part of the Environmental Impact Statement.

The Department of Planning, Housing and Infrastructure's Wind Energy Guideline (Technical Supplement for Noise Assessment) provides guidance for applicants, consent authorities, acoustic specialists and the community to understand the process and requirements for assessing noise impacts of wind energy development in NSW.

The current Wind Energy Guideline (Technical Supplement for Noise Assessment) does not require the assessment of infrasound as part of the noise impact assessment. Accordingly, while Council can request that infrasound impacts be considered when invited to provide comments, it appears unlikely that the State would require such an assessment where it is not mandated under its own technical guidelines.

'The scientific findings of the National Health and Medical Research Council and the advice of NSW Health continue to inform the NSW Government's position on potential health impacts of wind energy projects. The government does not require applicants to conduct a health impact assessment in relation to wind energy development and very low frequency sound known as infrasound. This is based on the findings of the National Health and Medical Research Council in 2015 that concluded that there is no direct evidence that exposure to wind farm noise affects physical or mental health, and there is currently no consistent evidence supporting a link between wind energy projects and adverse health outcomes in humans. More specifically, the council concluded that although exposure to environmental noise is associated with health effects, these effects occur at much higher levels of noise than people living in close proximity to wind farms in Australia are likely to experience.'

ATTACHMENTS

Nil

Questions With Notice - 18 June 2026

ITEM 18.2 **Question with Notice - Road Closed - Lot 1 DP 1091238**
AUTHOR **Councillor Gregory Harris**

Can the CEO please advise:

1. Who authorised the placement of the “Road Closed” sign on or adjacent to Lot 1 DP 1091238 in Crookwell;
2. Under what authority (delegation, Council resolution, or other approval process) the decision was made;
3. What process was followed, including any consideration by the Local Transport Forum and any supporting assessment or reports.

Response from Council’s CEO

Following the recent NSW Supreme Court decision that vested the said Lot in Upper Lachlan Shire Council as a public road, Council CEO Alex Waldron, after consultation with Council’s solicitors, authorised under section 115(2)(d) of the Roads Act 1993 to temporarily close the said public road.

The Chief Executive Officer, as the head of the organisation and designated senior staff member, has delegated authority from Council under the *Roads Act 1993* to approve temporary road closures. There is no requirement for the matter to be considered by another body, such as the Local Traffic Committee, nor is a Council resolution required, as the decision is operational in nature and falls within the CEO’s delegated authority.

Councillors should be mindful that this matter remains the subject of ongoing proceedings before the NSW Supreme Court. Council has been joined to the proceedings by the Plaintiff as the Second Defendant, and the matter is both complex and unresolved.

The installation of temporary signage represents a prudent risk mitigation measure designed to minimise Council’s potential liability in relation to the unformed public road. The signage also serves to preserve the current status of the land pending the determination of the proceedings, including the possibility that ownership of the public road may be altered should the First Defendant be successful in any future appeal before the NSW Supreme Court.

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 Items 19.1, 19.2 and 19.3 in confidential session for the reasons indicated:

Item 19.1 Procurement of one new garbage truck

This report is considered to be confidential in accordance with Section 10A(2d(i)) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

This report is considered to be confidential in accordance with Section 10A(2d(iii)) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

Item 19.2 Tender - Procurement of Services

This report is considered to be confidential in accordance with Section 10A(2d(ii)) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council.

This report is considered to be confidential in accordance with Section 10A(2d(iii)) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

Item 19.3 Gunning Solar Farm (SSD-46668486) Revised Planning Agreement Offer

This report is considered to be confidential in accordance with Section 10A(2d(i)) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

19 CONFIDENTIAL SESSION

The following items are submitted for consideration -

- 19.1 Procurement of one new garbage truck
- 19.2 Tender - Procurement of Services
- 19.3 Gunning Solar Farm (SSD-46668486) Revised Planning Agreement Offer