



BUSINESS PAPER

ORDINARY MEETING

Thursday 21 September 2023

1:30pm

Council Chambers

COUNCIL'S VISION

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

COUNCIL'S MISSION

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

COUNCIL'S AIMS

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

NOTICE OF MEETING

12 September 2023

Councillors

Dear Members

Ordinary Meeting of Council

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 21 September 2023** in the **Council Chambers** commencing at **1:30pm**.

Your presence is requested.

Yours faithfully



Alex Waldron
Chief Executive Officer
Upper Lachlan Shire Council

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

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

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	Nil	
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19.4	Tourism and Event Management Advisory S355 Committee - Expression of Interest for Community Representatives	

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.

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]

☐ The identified land.

☐ Land that adjoins or is adjacent to or is in proximity to the identified land.

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 17 August 2023 12

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

PRESENT: Mayor P Kensit (Chairperson), Cr P Culhane, Cr D O'Brien, Cr J Searl, Cr M McDonald, Cr J Marshall, Cr N McDonald, Cr S Reynolds, Cr L Woodbridge, Mr A Croke (Acting Chief Executive Officer), Mr L Kruger (Director of Infrastructure), Mr S Arkinstall (Director of Environment & Planning), Mrs K Bowerman (Acting Executive Assistant), Ms S Pearman (Administration Officer) and Mr C Gordon (Media Officer)

THE MAYOR DECLARED THE MEETING OPEN AT 1.30pm

SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING

An acknowledgement of Country was read to the meeting by the Mayor.

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

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

An apology was received from Ms A Waldron (Chief Executive Officer).

149/23 **RESOLVED** by Cr Searl and Cr Reynolds that the apology be received and a leave of absence granted.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 3: CITIZENSHIP CEREMONY

Nil

SECTION 4: DECLARATIONS OF INTEREST

Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

SECTION 5: CONFIRMATION OF MINUTES

150/23 **RESOLVED** by Cr Searl and Cr Woodbridge

That the minutes of the Ordinary Council Meeting held on 20 July 2023 be adopted.

- CARRIED

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

Councillors who voted against:- Nil

151/23 **RESOLVED** by Cr Searl and Cr Woodbridge

That the minutes of the Extraordinary Council Meeting held on 31 July 2023 be adopted.

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

SECTION 6: MAYORAL MINUTES

ITEM 6.1 MAYORAL MINUTE

152/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council receive and note the activities attended by the Mayor for July and August 2023.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

ITEM 6.2 MAYORAL MINUTE

153/23 **RESOLVED** by Cr Reynolds and Cr Woodbridge

1. Council receive and note the statement read out to the meeting regarding the achievements of Terry Knight and his 50 years of service employment to council.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

SECTION 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF AUGUST 2023

154/23 **RESOLVED** by Cr Searl and Cr Reynolds

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

1. NSW Department of Customer Service - Critical Communications Enhancement Program - Construction start at Upper Lachlan Shire Council - 27 July 2023.
2. Office of Local Government – Circular 23-08 – Annual Reporting of Labour Statistics.
3. Nicola Foster - Incoming letter of thanks to Councillors and Australia Day Committee – 3 August 2023.
4. Office of Local Government – Circular 23-09 – September 2023 Mayoral Elections.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

SECTION 9: LATE CORRESPONDENCE

Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT

155/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council receives and notes the report as information.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 10.2 – 10.8 INFORMATION ONLY REPORTS

156/23 **RESOLVED** by Cr Woodbridge and Cr Searl

1. Council receive and notes items 10.2 to 10.8 as information.

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 UPPER LACHLAN SHIRE – UPDATE OF PLANNING PROPOSALS
157/23 RESOLVED by Cr Searl and Cr Woodbridge

1. Council receive and note the report as information.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 12: INFRASTRUCTURE DEPARTMENT

ITEM 12.1 COUNCIL CONTRIBUTION FOR FLOOD WARNING SYSTEMS
158/23 RESOLVED by Cr Searl and Cr Woodbridge

1. Council resolves to allocate \$50,000 from unrestricted cash reserves as a co-funding contribution required for a grant application for the Flood Warning System under the 2023-2024 Floodplain Management Program. The total project cost in the grant application is \$250,000.

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

SECTION 13: FINANCE AND ADMINISTRATION

**ITEM 13.1 2022/2023 BUDGET REVOTES TO CARRY FORWARD TO
INTERNAL RESTRICTED RESERVE**

159/23 **RESOLVED** by Cr Woodbridge and Cr Reynolds

1. Council approves the 2022/2023 transfers to the Council internal restricted reserve fund totalling \$6,134,968 including revote of uncompleted expenditure projects and internal reserve fund movements.

- CARRIED

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

Councillors who voted against:- Nil

**ITEM 13.2 DISCLOSURE OF INTEREST RETURNS BY COUNCILLORS
UNDER THE CODE OF CONDUCT**

160/23 **RESOLVED** by Cr Woodbridge and Cr Reynolds

1. Council notes the tabling of the Disclosure of Interests Returns by Councillors and receives the report as information.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 14: CHIEF EXECUTIVE OFFICER

Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

SECTION 15: LATE REPORTS

Nil

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

ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTH OF JULY 2023.

161/23 **RESOLVED** by Cr Searl and Cr Woodbridge

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

1. Stonequarry Cemetery Committee – Minutes from Annual General Meeting held 27 May 2023.

162/23 **RESOLVED** by Cr Searl and Cr Woodbridge

That Council accept the Stonequarry Cemetery office bearers President Brian Moloney, Secretary Maureen Long and Treasurer Tim Dowsley voted in as per the Minutes of the Annual General Meeting held 27 May 2023.

- CARRIED

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

Councillors who voted against:- Nil

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

SECTION 17: NOTICES OF MOTION

Nil

SECTION 18: QUESTIONS WITH NOTICE

ITEM 18.1 CROOKWELL MAIN STREET PEDESTRIAN CROSSING UPGRADE
163/23 RESOLVED by Cr Reynolds and Cr Woodbridge

Refer to Chief Executive Officer's comments in August Business paper

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

A motion was moved by Cr Searl and Cr Woodbridge that the late report Tender for Gunning Swimming Pool Amenities Block be tabled in Closed Council. On being put to the meeting the motion was carried.

164/23 RESOLVED by Cr Searl and Cr Woodbridge

1. That the late report Tender for Gunning Swimming Pool Amenities Block be tabled in Closed Council.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

CLOSED COUNCIL ITEMS

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in 10A (2)(c), (2d(i)), (2d(ii)) and (2d(iii)) 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:

165/23 **RESOLVED** by Cr Reynolds and Cr Woodbridge

1. That Council move into closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to of the Local Government Act 1993: the press and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A (2) as outlined above.
3. That the report relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.

- CARRIED

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

Councillors who voted against:- Nil

Council closed its meeting at 2.05pm and staff left the chambers.

166/23 **RESOLVED** by Cr Searl and Cr Woodbridge

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

- CARRIED

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

Councillors who voted for:-

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

Councillors who voted against:- Nil

Open Council resumed at 2.12pm

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 TENDER FOR GUNNING SWIMMING POOL AMENITIES BLOCK

167/23

RESOLVED by Cr Searl and Cr Woodbridge

1. Council decline to accept all tenders received and discontinue with the tender process with respect to the construction of the Gunning Pool Amenities Block.
2. Council's Acting Chief Executive Officer be delegated authority to develop a negotiation strategy and enter into direct commercial negotiations with the preferred tenderer, Greenwich Build Pty Ltd, for refurbishment and construction of the Gunning Pool Amenities Block.
3. In the event direct negotiations are not successfully concluded and a contract is not agreed to, the Council Acting Chief Executive Officer may seek to retender the Gunning Pool Amenities Block project in the near future.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 AUGUST 2023

THE MEETING CLOSED AT 2.14pm

Minutes confirmed 21 SEPTEMBER 2023

.....
Mayor

6 MAYORAL MINUTES

The following item is submitted for consideration -

6.1	Mayoral Minute	26
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Mayoral Minutes - 21 September 2023

ITEM 6.1 Mayoral Minute

FILE REFERENCE I23/310

August 2023

17 August 2023	Council Meeting – August
18 August 2023	Vietnam Veterans Day - Service
19 August 2023	Laggan Markets
21 August 2023	National Parks and Wildlife - Wombeyan Caves Visit
21 August 2023	Meeting with Acting Chief Executive Officer – ULSC
21 August 2023	Meeting Constituent – Gunning
23 August 2023	Meeting with Acting Chief Executive Officer – ULSC
23 August 2023	Speaker Briefing – Safety in Councils
24 August 2023	Audit Office – ULSC Acting Chief Executive Officer & Mayor
28 August 2023	Meeting with Acting Chief Executive Officer – ULSC
28 August 2023	Travel to Sydney
29 August 2023	Meeting with Transgrid
30 August 2023	Meeting with Acting Chief Executive Officer – ULSC
31 August 2023	LGNSW Mayoral & Councillor Forum: Safety in Council Meetings
31 August 2023	Meeting with Acting Chief Executive Officer – ULSC

September 2023

1 September 2023	Reception for Refugees Awareness - Goulburn
6 September 2023	BFMC Meeting
7 September 2023	Meeting with Acting Chief Executive Officer – ULSC
8 September 2023	Curraweela Resident Meeting
11 September 2023	Meeting with Chief Executive Officer – ULSC

Mayoral Minutes**MAYORAL MINUTE** cont'd

- 14 September 2023 Country Mayors – Wagga Wagga – Rural Health Forum
- 15 September 2023 Country Mayors – Wagga Wagga – Rural Health Forum
- 18 September 2023 Meeting with Chief Executive Officer – ULSC
- 20 September 2023 Meeting with Chief Executive Officer – ULSC
- 21 September 2023 Councillor Workshop
- 21 September 2023 Council Meeting - September

8 CORRESPONDENCE

The following item is submitted for consideration -

8.1	Correspondence for the month of September 2023	30
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Correspondence - 21 September 2023

ITEM 8.1

Correspondence for the month of September 2023

RECOMMENDATION:

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

1. Office of Local Government – Circular 23-10 – End of Year Reporting requirements for 2022-23 and additional information for 2023-24.
2. Dame Mary Gilmore Society – Closure of Committee – 10 August 2023.

ATTACHMENTS

1. ↓	OLG - Circular 23-10 - End of Year Reporting requirements for 2022-23 and additional information for 2023-24	Attachment
2. ↓	Dame Mary Gilmore Society -Advising that Society is no longer due to lack of volunteers	Attachment



Office of
Local Government

Circular to Councils

Circular Details	23-10 / 14 August 2023 / A857262
Previous Circular	22-29, 22-28
Who should read this	Finance Staff / Revenue Professionals / Governance Staff / General Managers / Executive Officers
Contact	Performance Team / 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Councils and Joint Organisations to Implement

Subject

End of Year Reporting Requirements for 2022-23 and Additional Information for 2023-24

What's new or changing

End of year reporting information for the 2022-23 financial year, including annual report checklist, financial data return (FDR) and Financial Assistance (FA) Grant returns and 2023-24 permissible income working papers and calendar of compliance.

What this will mean for your council

- Councils and Joint Organisations (JOs) need to review the attached end of year reporting information.
- Councils and JOs should familiarise themselves with the reporting timeframes when submitting their 2022-23 financial statements, FDR, and FA Grant returns.
- Councils can access and download the annual report checklist, FDR for 2022-23 and FA Grant returns, as well as the 2023-24 Calendar of Compliance.
- The permissible working papers are available for use for the auditing process.

Key points

- Annexure 1 provides information to assist councils in submitting their 2022-23 financial statements and FDR.
- Annexure 2 provides information to assist JOs in submitting their 2022-23 financial statements and FDR.
- The FDR and permissible income working papers will be sent under separately with an explanatory email and will be available on the Office Local Government (OLG) Council Portal, in conjunction with this circular.
- All returns are available at <https://www.olg.nsw.gov.au/council-portal/council-surveys/>.
- The financial statements and FDR are to be sent electronically to OLG by 31 October 2023.
- The FA Grants general return is to be submitted by 31 August 2023 and the National Local Roads (NLRDS) return to be submitted by 30 November 2023.
- Councils are required to submit the permissible income working papers following the auditing process.
- Instructions on where to email the returns are included on the cover sheet of the respective returns.
- Councils are reminded that they must place the Operational Plan, revenue policy and fees and charges on council's website within 28 days of adoption, with the Community Strategic Plan, Resourcing Strategy and Delivery Program.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Where to go for further information

- The Local Government Code of Accounting Practice and Financial Reporting (the Code) for 2022-23 is available on OLG's website at:
www.olg.nsw.gov.au/councils/council-finances/financial-reporting/local-government-code-of-accounting-practice-and-financial-reporting/
- The updated permissible income workpapers will be available on OLG's website at:
<https://www.olg.nsw.gov.au/councils/council-finances/financial-guidance-for-councils/rating-and-special-variations/>
- The 2022-23 annual report checklist is available at:
<https://www.olg.nsw.gov.au/councils/policy-and-%20legislation/guidelines-and-policy-information-resources-for-councils/council-annual-reporting-requirements/>
- The 2023-24 Calendar of Compliance can be accessed at:
<https://www.olg.nsw.gov.au/councils/policy-and-legislation/guidelines-and-policy-information-resources-for-councils/council-reporting-calendar-compliance/>
- The FDR, FA Grant general return and NLRD returns can be sourced from the Council Portal at: <https://www.olg.nsw.gov.au/council-portal/council-surveys/>

Brett Whitworth
Deputy Secretary, Local Government

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Annexure 1: Information to assist councils prepare 2022-23 Financial Statements

Submission of Financial Statements

- The general purpose financial reports, special purpose financial reports, special schedules and the Auditor's Reports are to be formatted into a single PDF document, titled using the format: "Council name – Financial Statements – 2022-23".
- All councils, county councils and joint organisations must lodge their financial statements by **31 October 2023**.
- The financial statements should be sent to finance@olg.nsw.gov.au.
- Statements received after this date will be considered as being submitted late and not in accordance with the *Local Government Act 1993* (the Act).
- Should council require an extension to lodge their financial statements, these should be requested by the general manager prior to 17 October 2023 and forwarded to olg@olg.nsw.gov.au.

The Code – Update 2022-23

- The Code must be used to prepare the annual financial statements in accordance with the Act and the Local Government (General) Regulation 2021 (Regulation).
- The Code and supporting materials are available on the OLG website at: www.olg.nsw.gov.au/councils/council-finances/financial-reporting/local-government-code-of-accounting-practice-and-financial-reporting/

Communications during the preparation of financial statements and audit process

- Finance professionals are encouraged to communicate with the Audit Service Providers/Audit Office representatives in relation to any matters that may arise.
- Audit, Risk and Improvement Committees may consider engaging committee members early to review the financial statements, key accounting estimates and accounting issues prior to audit.

FDR

- The 2022-23 FDR will be emailed under separate cover.
- This is to be submitted by **31 October 2023** to fdr@olg.nsw.gov.au in Excel format only.
- The FDR should be accurate and align with the audited financial statements. The FDR will be returned to council should there be any errors, discrepancies or worksheets not completed.
- The return can also be accessed via the Council Portal on the OLG website.
- Information/data from the FDR is published in the Time Series Data and Your Council website and for the monitoring of council's performance. Data is also used in the calculation of councils FA grants.

Asset valuations and fair value assessments

- Councils should ensure early commencement and completion of asset revaluations.
- Fair value assessments need to be conducted annually.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

- Adequate documentation, including position papers need to be readily available for the auditors, if requested.
- The necessary documentation should be agreed with the auditor prior to year-end.
- Restrictions on asset use, especially for community land and land under roads, should be taken into account when assessing valuation.
- NSW Valuer General's valuations may be used to represent the fair value of community land.
- Councils will then need to separately consider any improvements made to community land in the overall fair value assessment.

Council Borrowings

- The Proposed Borrowing Return should have been completed and forwarded to NSW TCorp (lgs@tcorp.nsw.gov.au) if you have not already done so.
- The return can be accessed via the Council Portal/Council survey and data returns on the OLG website.
- Councils are required to advise the Deputy Secretary, Local Government of amounts borrowed within 7 days when loans are drawn in accordance with clause 230 of the Regulation.
- Notification can be emailed to finance@olg.nsw.gov.au.
- Councils are also reminded of the need to complete the capital expenditure review requirements, as per OLG Circular 10/34, prior to the commencement of projects greater than \$1 million or 10% of council rating revenue. Please contact OLG's Performance Team if you have any questions in relation to this review on (02) 4428 4100.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Annexure 2: Information to assist JOs prepare 2021-22 Financial Statements

Submission of Financial Statements

- The general purpose financial reports and the Auditor's Reports are to be formatted into a single PDF document, titled using the format: "JO name – Financial Statements – 2022-23".
- All JOs must lodge their financial statements by **31 October 2023**.
- The financial statements should be sent to finance@olg.nsw.gov.au.
- Statements received after this date will be considered to be submitted late and not in accordance with the Act.
- Should the JO require an extension to lodge their financial statements, these should be requested by the Chief Executive Officer prior to 17 October and forwarded to olg@olg.nsw.gov.au.

JOs Supplement to Local Government Code of Accounting Practice and Financial Reporting (Supplement)

- The Supplement must be used to prepare the annual financial statements in accordance with the Act and the Regulation.
- The Supplement is available on the OLG's website at www.olg.nsw.gov.au/councils/council-finances/financial-reporting/local-government-code-of-accounting-practice-and-financial-reporting

JO FDR

- The 2022-23 JO FDR will be emailed under separate cover.
- This is to be submitted by **31 October 2023** to jofdr@olg.nsw.gov.au in Excel format only.
- The JO FDR should be accurate and align with the audited financial statements. The FDR will be returned to the JO should there be any errors, discrepancies or worksheets not completed.
- The return can also be accessed via the Council Portal on the OLG website.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
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Upper Lachlan Dame Mary Gilmore Society
PO Box 163
CROOKWELL NSW 2583

10th August 2023

General Manager
Upper Lachlan Shire Council
Spring Street
CROOKWELL NSW 2583

Dear Alex,

Upper Lachlan Dame Mary Gilmore Society Committee, regret to advise we are unable to continue with Crookwell Mary Gilmore Festival, 2023, due to a lack of volunteer help.

Our membership has dwindled over the years, and we found last year it was difficult to attract younger volunteers.

Thank you for your outstanding support since our inception in 2012, and throughout the following years.

Your contribution has enabled us to promote local talent, especially the youth of the Upper Lachlan Shire.

The Crookwell Mary Gilmore Festival was a platform for beginners through to polished performers, with trophies and medals allocated to varying standards of performance.

It has been a brilliant experience for all those involved, and your participation has made this possible.

Sincerely,



Trevene Mattox – President
Elaine Delaney - Secretary



10 INFORMATION ONLY

The following items are submitted for consideration -

10.1	Development Statistics Report	38
10.2	Investments for the month of August 2023	44
10.3	Bank Balance and Reconciliation - August 2023	48
10.4	Rates and Charges Outstanding for the month of August 2023	49
10.5	Works In Progress - Construction & Maintenance	51
10.6	Cultural Activity Grant 2022-2023	57
10.7	Grants Report	59
10.8	Action Summary - Council Decisions	65

Information Only - 21 September 2023

ITEM 10.1 **Development Statistics Report**

FILE REFERENCE **I23/301**

AUTHOR **Director of Environment and Planning**

ISSUE

This report provides Council with an overview of the development control activities that have occurred in the period of 1 August 2023 to 31 August 2023 and an update on the status of the Planning and Development Control Department.

RECOMMENDATION That -

1. Council receives and notes the report as information.

BACKGROUND

A standard monthly report providing Council with a summary of the development control activities that have occurred in the period 1 August 2023 to 31 August 2023.

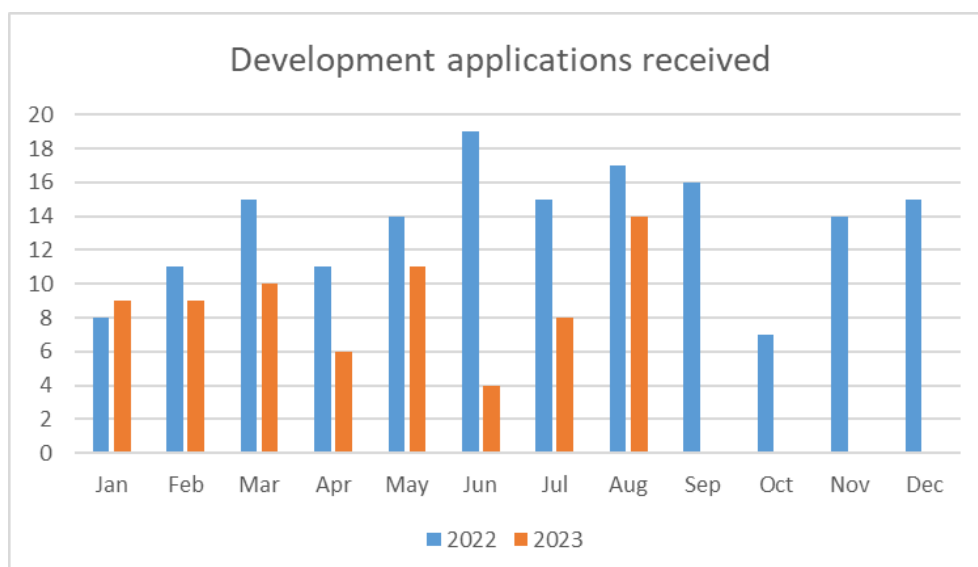
REPORT

This report provides Council with an overview of the development control activities that have occurred in the period of 1 August 2023 to 31 August 2023, and an update on the status of the Planning and Development Control department.

Development Applications

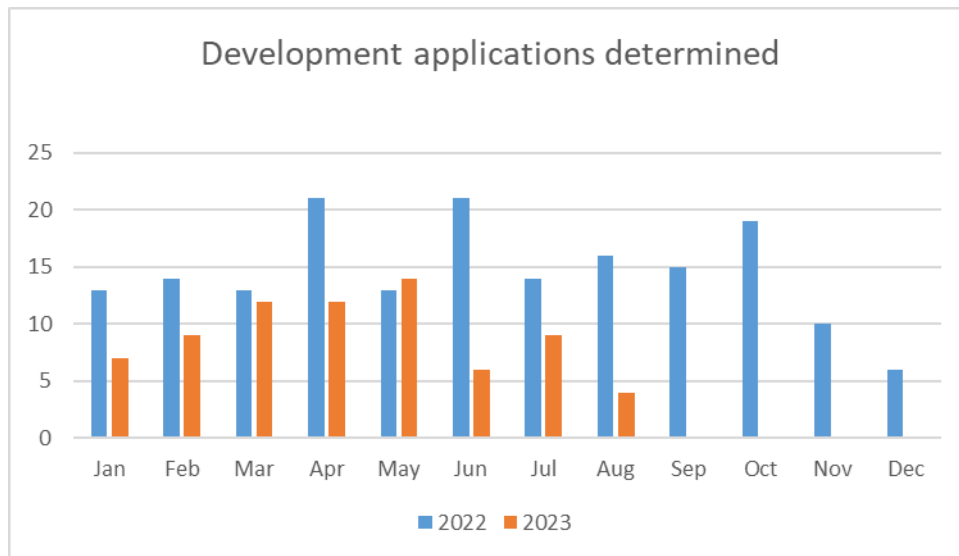
The current level of development activity for this period is summarised in the tables below:

Table 1 - Number of development applications received per month:



Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Table 2 - Number of development applications determined per month:



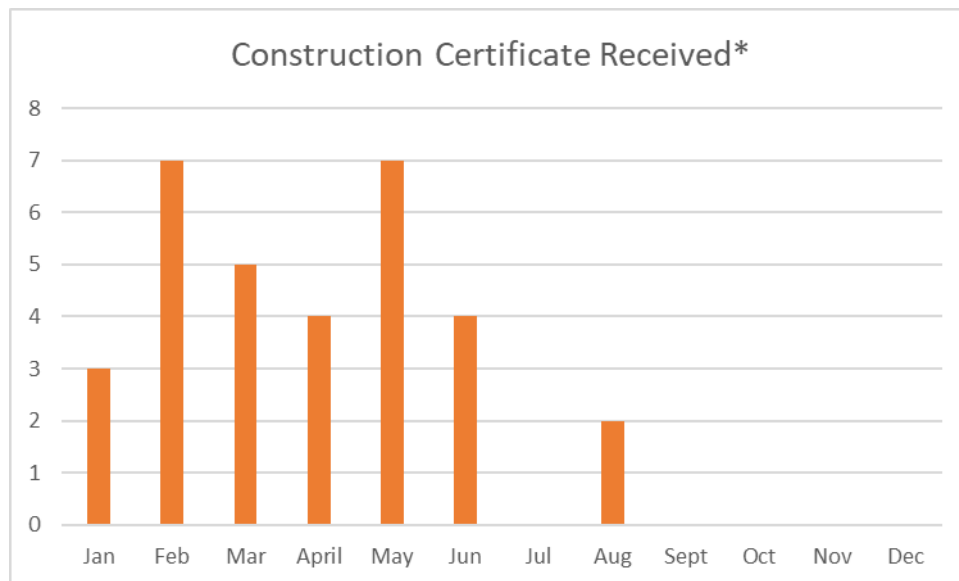
Development Applications Determined

Development Applications Determined By Council (August 2023):

DA Reference	Proposal	Property Details
78/2022	Farm stay accommodation	Laggan-Taralga Road, Taralga Lot 2 DP 1202937
219/2023	Garage	32 North Street, Crookwell Lot 19 Sec 4 DP 1809
221/2023	Shed	96 Laggan Road, Crookwell Lot 1 Sec 2 DP 1809
224/2023	Transportable Dwelling – Dual occupancy	Fish River Road, Narrawa Lot 2 DP 235037

Construction Certificates

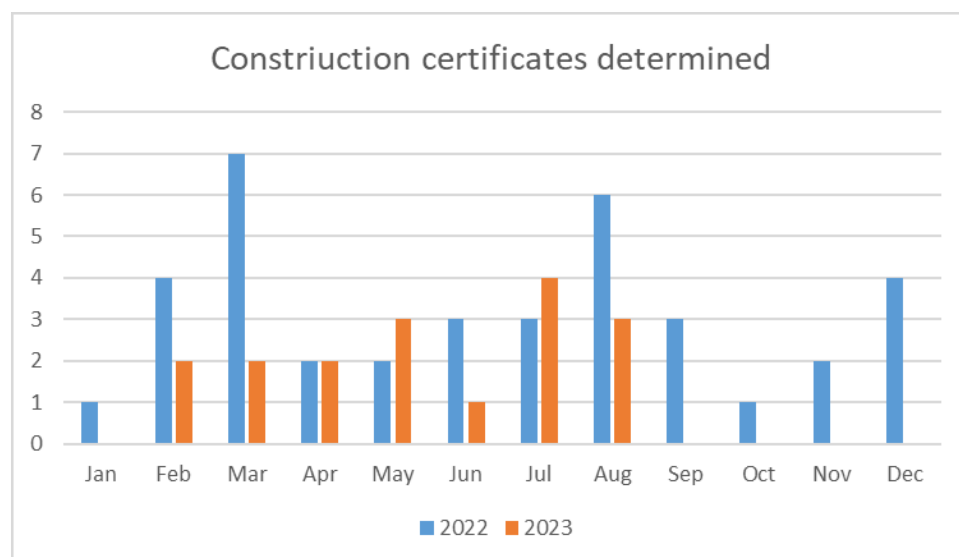
Table 3 – The number of construction certificates received per month are detailed below: No construction certificates received for the month of August.



* Estimated numbers only as information obtained from NSW Planning Portal

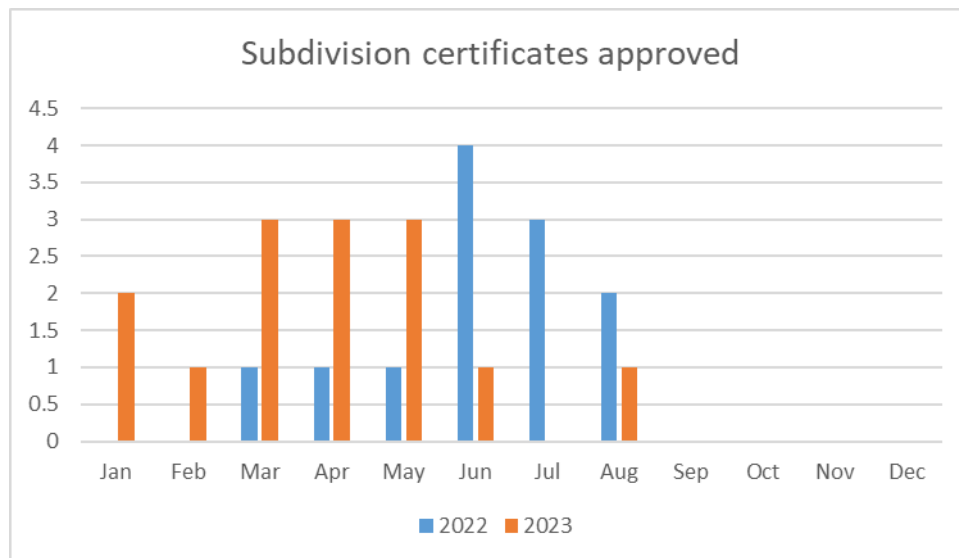
Construction Certificates

The number of Construction Certificates issued per month are detailed below:



Subdivision Certificates

The number of Subdivision Certificates issued per month are detailed below:



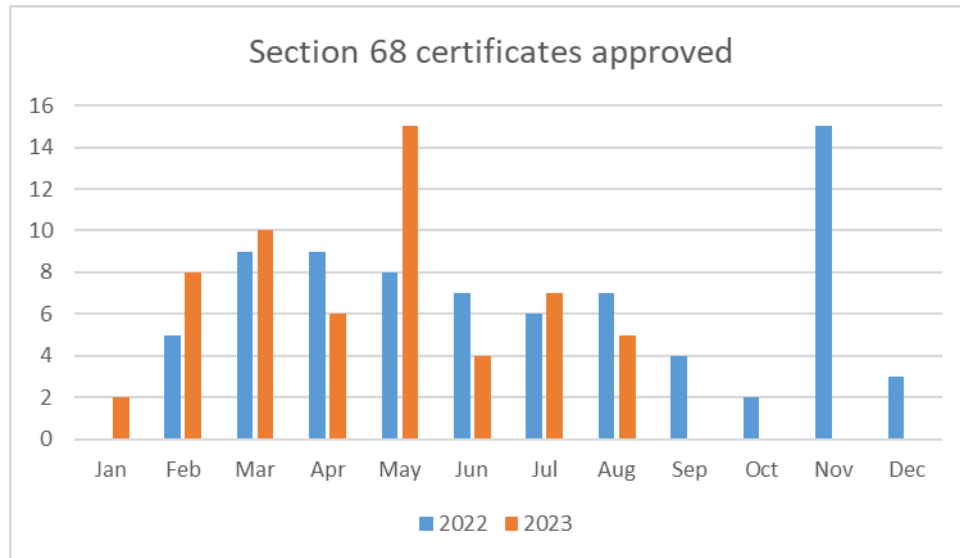
Planning Certificates

The number of Planning Certificates issued per month are detailed below



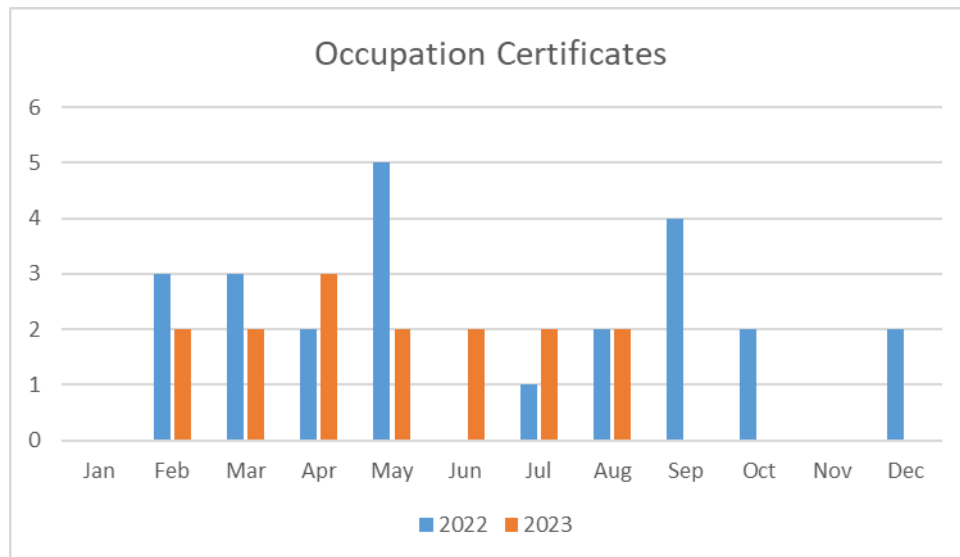
Section 68 Certificates

The number of Section 68 Certificates issued per month are detailed below:



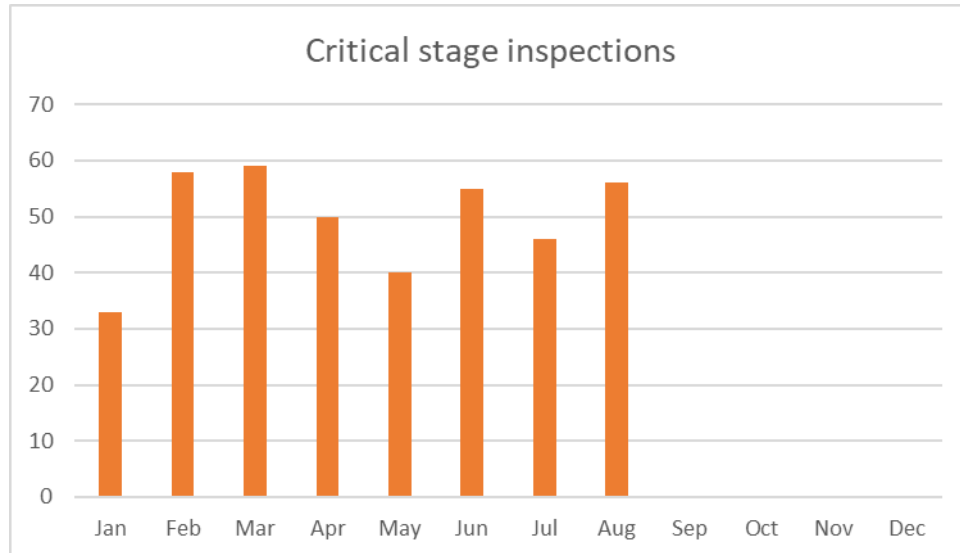
Occupation Certificates

The number of Occupation Certificates issued per month are detailed below:



Critical Stage Inspections

The number of Critical Stage Inspections undertaken per month are detailed below:



RECOMMENDATION That -

1. Council receives and notes the report as information.

ATTACHMENTS

Nil

Information Only - 21 September 2023

ITEM 10.2 **Investments for the month of August 2023**

FILE REFERENCE **I23/302**

AUTHOR **Director of Finance and Administration**

ISSUE

Council Investment Portfolio Register as at 31 August 2023.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

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

REPORT

Investments to 31 August 2023

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
CBA	Call	\$750,000	0.25%	N/A	31-08-23	\$231.16
Bendigo Bank	TD	\$1,000,000	4.70%	90	05-09-23	\$11,589.04
IMB	TD	\$1,000,000	4.35%	189	06-09-23	\$22,524.66
Bendigo Bank	TD	\$1,000,000	4.25%	280	13-09-23	\$32,602.74
NAB	TD	\$500,000	5.05%	90	19-09-23	\$6,226.03
Bendigo Bank	TD	\$1,000,000	4.30%	273	20-09-23	\$32,161.64
IMB	TD	\$1,000,000	5.05%	90	26-09-23	\$12,452.05
CBA	TD	\$1,000,000	4.63%	217	05-10-23	\$27,526.30
Bank of Qld	TD	\$1,000,000	4.63%	217	11-10-23	\$27,526.30
Bank of Qld	TD	\$1,000,000	4.50%	217	18-10-23	\$26,753.42
Bank of Qld	TD	\$1,000,000	4.60%	217	25-10-23	\$27,347.95
NAB	TD	\$1,000,000	4.75%	244	01-11-23	\$31,753.42
Bendigo Bank	TD	\$1,000,000	4.65%	251	08-11-23	\$31,976.71
Bank of Qld	TD	\$1,000,000	4.60%	231	15-11-23	\$29,112.33
IMB	TD	\$1,000,000	4.30%	231	22-11-23	\$27,213.70

Information Only**INVESTMENTS FOR THE MONTH OF AUGUST 2023** cont'd

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
IMB	TD	\$1,000,000	5.30%	153	29-11-23	\$22,216.44
Bank of Qld	TD	\$1,000,000	4.75%	279	06-12-23	\$36,308.22
Bendigo Bank	TD	\$1,000,000	5.30%	167	13-12-23	\$24,249.32
NAB	TD	\$1,000,000	5.03%	133	20-12-23	\$18,328.49
NAB	TD	\$1,000,000	5.40%	188	03-01-24	\$27,813.70
NAB	TD	\$1,000,000	5.41%	195	10-01-24	\$28,902.74
CBA	TD	\$1,000,000	5.10%	182	17-01-24	\$25,430.14
Bendigo Bank	TD	\$1,000,000	5.35%	182	24-01-24	\$26,676.71
NAB	TD	\$1,000,000	5.44%	210	31-01-24	\$31,298.63
Bank of Qld	TD	\$500,000	5.30%	184	02-02-24	\$13,358.90
Bendigo Bank	TD	\$500,000	5.35%	196	07-02-24	\$14,364.38
NAB	TD	\$500,000	5.37%	190	07-02-24	\$13,976.71
IMB	TD	\$1,000,000	5.20%	183	14-02-24	\$26,071.23
CBA	TD	\$1,000,000	4.98%	189	21-02-24	\$25,786.85
CBA	TD	\$1,000,000	4.92%	190	28-02-24	\$25,610.96
IMB	TD	\$1,000,000	5.05%	196	06-03-24	\$27,117.81
Bank of Qld	TD	\$1,000,000	5.00%	197	13-03-24	\$26,986.30
CBA	TD	\$1,000,000	4.92%	210	27-03-24	\$28,306.85
		\$30,750,000				\$789,801.85

COUNCIL INVESTMENT PERFORMANCE: -**BUDGET COMPARISON TO 31 AUGUST 2023**

Interest on Investments Received YTD	\$153,190
Annual budgeted amount for all funds	\$1,232,000
Percentage of Interest Received YTD	20.55%
Percentage of Year Elapsed	18.08%

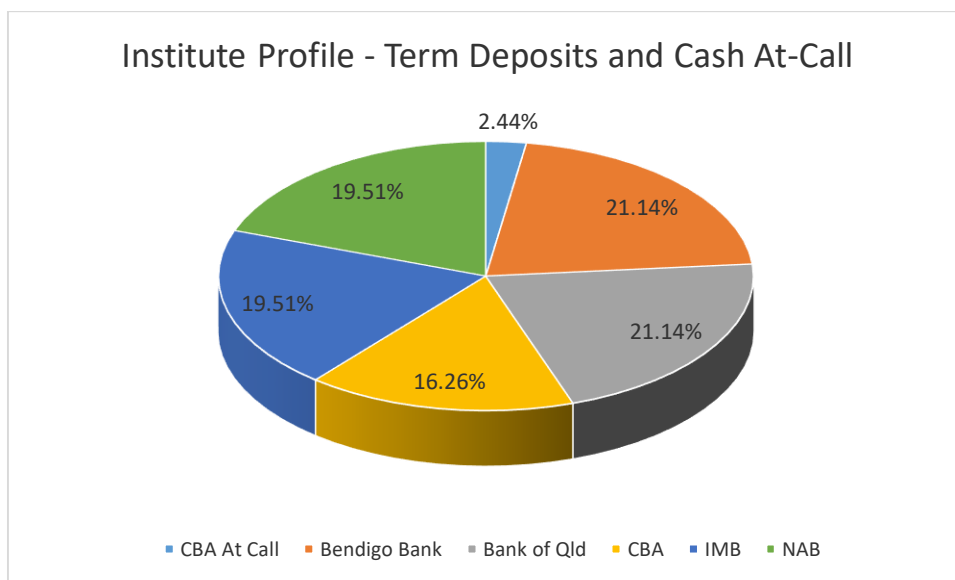
Average market interest rate (90 day BBSW)	4.16%
Average return on all investments	4.90%

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.

FINANCIAL INSTITUTION INVESTMENTS PROFILE AS AT 31 AUGUST 2023

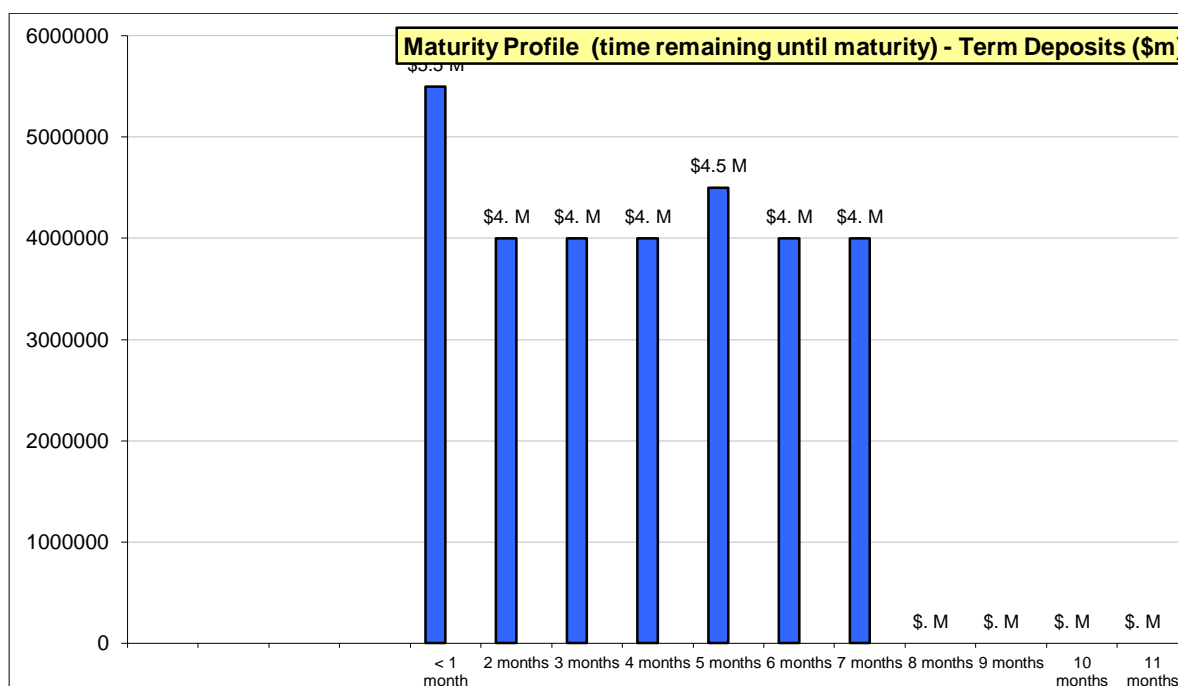
The following chart shows the current distribution of Council's investment portfolio between the authorised financial institutions used. The current distribution of funds between institutions complies with Council's Investment Policy which states:-

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



INVESTMENTS - MATURITY PROFILE AS AT 31 AUGUST 2023

The following chart illustrates the maturity profile of Council's 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 AUGUST 2023

TOTAL INVESTMENTS: - \$ **30,750,000**

INVESTMENTS BY FUND (INCLUDES RESTRICTED AND UNRESTRICTED CASH): -

General Fund Reserves	\$	17,778,980
Water Supply Fund Reserves	\$	3,711,835
Sewerage Fund Reserves	\$	6,808,290
Domestic Waste Management Fund Reserves	\$	2,448,548
Trust Fund Reserves	\$	2,348

POLICY IMPACT

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

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 21 September 2023

ITEM 10.3 **Bank Balance and Reconciliation - August 2023**

FILE REFERENCE I23/303

AUTHOR **Director of Finance and Administration**

ISSUE

Statement of Bank Balance and Reconciliation as at 31 August 2023.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Nil

REPORT

STATEMENT OF BANK BALANCE & RECONCILIATION

General Ledger Balance brought forward 31 July 2023	-57,700.29
Add: Receipts for August 2023	6,011,894.87
	<u>5,954,194.58</u>
Deduct: Payments for August 2023	4,772,468.59
Balance as at 31 August 2023	<u>1,181,725.99</u>
Balance as per Bank Statement 31 August 2023	2,589,421.62
Add: Outstanding Deposits	32,234.02
	<u>2,621,655.64</u>
Less: Unpresented Cheques/ EFTs	1,439,929.65
Balance as at 31 August 2023	<u>1,181,725.99</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 - 21 September 2023

ITEM 10.4 **Rates and Charges Outstanding for the month of August 2023**

FILE REFERENCE **I23/304**

AUTHOR **Director of Finance and Administration**

ISSUE

Rates and Charges Outstanding Report to 31 August 2023.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

A Summary report of the Rates and Charges outstanding at 31 August 2023 is detailed.

REPORT

There is an attached report titled "Rate Collection 2024 Year" for the 2023/2024 financial year. A comparison of the rates and charges outstanding percentage to previous financial years is highlighted in the below table:-

Description	31/08/2023	31/08/2022	31/08/2021
Total % Rates and Charges Outstanding	61.70%	61.74%	62.60%
Total \$ Amount Rates and Charges Outstanding	\$9.18 million	\$8.73 million	\$8.40 million

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

1. ↓	Rate Collection by Year - August 2023	Attachment
----------------------	---------------------------------------	------------

Rate Collection 2024 Year

Rating Categories	Levy Raised to date	Rates Received to 1 September 2023	Rates Outstanding to 1 September 2023	% Rates Outstanding 1 September 2023
Farmland	5,652,723.90	2,090,099.40	3,562,624.50	63.02%
Residential	1,522,187.11	492,812.55	1,029,374.56	67.62%
Rural Residential	850,118.18	328,803.37	521,314.81	61.32%
Business	666,632.78	442,804.68	223,828.10	33.58%
Mining	2,160.52	541.42	1,619.10	74.94%
Water	1,155,830.00	410,492.26	745,337.74	64.49%
Sewerage	1,930,653.94	696,263.22	1,234,390.72	63.94%
Domestic & Comm Waste	1,641,205.98	613,860.24	1,027,345.74	62.60%
Rural Waste	890,585.01	337,612.12	552,972.89	62.09%
Storm Water	49,397.48	16,585.02	32,812.46	66.43%
**Arrears	515,692.10	202,765.92	312,926.18	60.68%
Credits		64,873.88	-64,873.88	
Overall Total Rates	14,877,187.00	5,697,514.08	9,179,672.92	61.70%

Prepared by McLennan Date 4/9/23

Authorised by Andrew G. Greke Date 4/9/2023

I:\2023-2024\Rates\Recs\%oust_August 31 - 2023

Information Only - 21 September 2023

ITEM 10.5 **Works In Progress - Construction & Maintenance**

FILE REFERENCE I23/316

AUTHOR **Director of Infrastructure**

ISSUE

This report provides Council with details regarding major construction works in progress or completed and current maintenance work in progress or recently completed in 2022/23.

RECOMMENDATION That –

1. Council receive the report and note the information.

REPORT

A summary of key works are detailed as follows.

Current Works

Jerrawa Road – Pavement Rehabilitation

Pavement Rehabilitation Works started in early February 2023 on the initial 1.5km of Jerrawa Road leaving Dalton. Roadside clearing, culvert replacement and upgrade and earthworks are complete. Sealing was completed in May 2023. Line marking completed. The remedial repair of seal was carried out the last week of August 2023. This project is now complete.

Carrington Street, Crookwell - Footpath Works

Carrington Street, Crookwell footpath construction has been completed from Apex Park to the metro service station, except for a small section near the service station. Council's Water and Sewer Department is currently waiting on a new manhole cover to be supplied following which the footpath will then be completed. Handrail is still to be installed and will be completed by mid-September 2023. Also awaiting a sewer pit collar to arrive to raise the height of the pit in the footpath.

Laggan Road MR248E Rehabilitation (Regional Roads Repair Program)

Upgrade works on Laggan Road (MR248) in Crookwell between Clifton Street and Woodward Lane addressing pavement and stormwater issues has now been completed. The only outstanding item is line marking which is expected to be completed by the end of September 2023.

Goulburn Road (MR54) – RMCC (State Road Funding)

Heavy patching is underway on five segments south of Pejar Dam. Once the patching is complete these five segments will be resealed.

The batter slip north of Tuena is programmed to commence reconstruction on 2 October 2023.

The batter slip at the Abercrombie Bridge is still in design and costing phase.

Natural Disaster damage works at various locations on MR54 is programmed to commence mid-October.

Resealing of Wades Hill will commence in November with the safety signage and speed reductions in place until the sealing is complete.

Routine maintenance is ongoing with the crew actively working on known problem areas.

Timber Bridge Replacements

Bridge components for all three outstanding timber bridge replacements have been delivered and construction has commenced at all three sites.

Construction on Cooksvale Road, over Peelwood River is complete. The existing structure will be removed when all three bridges have been completed.

Construction on Bridge over Burra Burra Creek on Blue Hills Road is complete with minor pavement realignment required.

Construction on Julong Road over the Crookwell River has been placed on hold following discovery of materially adverse site conditions. Additional funding from State Government is being sought.

Natural Disaster Restoration Works Program

Council crews are continually attending to unsealed roads and rehabilitation of large pavement failures of sealed section. Council has engaged contractors to both manage and undertake the storm damage restoration under the various Natural Disaster declarations.

Council has received approval for \$6.08M in funding to undertake Restoration Works so far for Natural Disaster with a further amount of approximately \$7.18M still pending TfNSW approval. Due to the significant amount of funding needed to restore our road network, works can only be carried out once approval has been received from TfNSW. Funding is provided for specific roads as per Council's submission for the event and cannot be diverted elsewhere.

Information Only

WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE cont'd

Gravel Road Resheeting Program (Roads to Recovery and Section 7.11)

Council's gravel resheeting program for the 2023/24 financial year compromises \$925,000. The schedule of roads will be updated with the next works report to Council.

Upcoming Works

Peelwood Road Reconstruction (Heavy Vehicle Safety and Production Program/Fixing Local Roads 6)

Construction commenced on Peelwood Road in October 2022. Major drainage works have taken place however works were stopped due to weather conditions with an extension of time for funding approved until December 2023. Works should recommence in October 2023.

Wheeo Road Reconstruction (Heavy Vehicle Safety and Production Program/Fixing Country Roads 6)

Construction commenced on Wheeo Road in October 2022. Major drainage works have taken place however, works were stopped due to weather conditions with an extension of time for funding approved until December 2023. Works recommenced in late March 2023 with the first 1km section completed in late April 2023.

Further funding (\$797k) has been secured under Fixing Country Roads Rd 6 to complete road upgrades to Hawthornes Tree Road as per original design. This work is planned for late 2023.

Breadalbane Road Reconstruction (Fixing Local Roads 4)

Survey has been completed and the design is underway. Construction of this project has been moved until after the completion of the Dalton Road Rehab project, which is now scheduled to start early October 2023.

Wombeyan Caves Road MR258

Additional funding has been received from National Parks Wildlife Service to cover cost escalations due to putting the project on hold. Further funding from Natural Disasters to rectify two new slips has recently been approved. Contractor is due to start original scope of works by mid-September 2023.

Tablelands Way (MR 256 – Taralga Rd)

Council has received grant funding from the NSW State Government to upgrade four sections of Tablelands Way (also called Taralga Road or MR256) north of Taralga. These sections have been numbered in order of priority. Section 1 (the highest priority), is the replacement of an underperforming culvert/causeway arrangement over Burra Burra Creek with a single span bridge. Sections 2-4 are road upgrades with several curve realignments, widening and furnishing.

Detail design works on the Tablelands Way sections are complete other than the gabion retaining walls. Retaining wall design work is underway.

Information Only

WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE cont'd

Detailed design of the bridge over Burra Burra Creek at Curraweela Section is complete. Council has concluded negotiations to engage a contractor to undertake the works.

Ongoing Works

Resealing Program (Fixing Local Roads Round 2)

Reseals and reseal preparation works including heavy patching have now been completed on Peelwood, Fullerton, Jerrawa, Collector, Roslyn, Bigga and Cullerin Roads.

Regional and Local Resealing programs to be delivered as normal.

Flood Warning Systems

The scope of works include the upgrade of rain gauges to automated systems in Crookwell, Taralga, Collector and Gunning and installation of a new water level gauge at Gunning. The automated rain gauges and water level gauge will include alert facilities to SES and Council.

The design stage of the project has been completed. Council has applied for a grant under the 2023-24 Floodplain Management Program to supply and install the infrastructure. The funding announcements is expected to be made by the State Department in November 2023, Council has agreed to contribute \$50k.

Regional and Local Roads Repair Program (RLRRP)

Council has received funding through the Fixing Local Roads Pothole Repair Program and Regional and Local Roads Repair Program (RLRRP). This critical funding injection will ensure completion of road repairs, priority corrective maintenance works and repair of potholes on our local and regional road network. Individual roads are still to be nominated and agreed with the funding agencies. In accordance with the grant deeds, works must be completed by 1 January 2024 and 29 February 2024 respectively.

Routine Maintenance - Works in Progress/Completed Recently

Council will continue to prioritise road maintenance based on bus routes, road hierarchy, road damage and road usage. This will result in some roads being maintained as a higher priority and to a higher standard, while others will fall into lower priority category and maintained to a lower standard until the situation returns to normal. The continued wet weather over the past two years has resulted in Council being behind on its scheduled maintenance grading requirements as some roads are requiring additional maintenance.

Council's Infrastructure Department are **not** doing any private works or selling gravel from any of our pits at the moment due to the requirement to utilise all available time and resources to repair roads and maintain essential services for residents of the shire.

Information Only

WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE cont'd

The current unsealed road maintenance grading and repair program is as follows.
Grading completed

- Sapphire Road
- Bullys Crossing Road
- Heffernans Lane
- Ladevale Road
- Oolong Road
- Carnells Lane
- Rye Park Road
- Little Plains Road
- Flacknell Creek Road
- Elms Road
- Rock Lodge Road
- Iron Mines Road
- Hillgrove Road
- Medways Lane
- Gunning Tip Road
- Greendale Road
- Felled Timber Road
- Dawes Road
- Learys Lane
- Prices Lane
- Gullen Flat Road
- Bannister Lane
- Woodville Road
- Lost River Road
- Kangaloolah Road
- Cuddyong Road
- Bridge Creek Road
- Peelwood Road
- Reids Flat Road
- Foggs Crossing Road
- Grabine Road
- Woodhouselee Road

In Progress/Upcoming

- Lerida Road South
- Lerida Road North
- Old Sydney Road
- Walmsleys Lane
- Old South Road
- Mutmutbilly Road
- Greenmantle Road
- Levels Road

Information Only

WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE cont'd

RECOMMENDATION That –

1. Council receive the report and note the information.

ATTACHMENTS

Nil

Information Only - 21 September 2023

ITEM 10.6 **Cultural Activity Grant 2022-2023**

FILE REFERENCE **I23/329**

AUTHOR **Chief Executive Officer**

ISSUE

This report provides a summary of the activities of the Cultural Activity Grant.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Council provides an annual Cultural Activity Grant which aims to support new initiatives in the Upper Lachlan Shire.

REPORT

Council granted \$500 to the Taralga and District Progress Association in accordance with the Council Cultural Activity Funding Program.

Follow the successful post COVID-19 return last year, the Taralga Progress Association celebrated the 21st annual Taralga Art Show on the King's Birthday long weekend from 10-12 June 2023 with over 1,000 people attending the Art Show.

Funding from the grant was used to hold Children's and Adult workshops on Saturday. 20 Children participated in the Children's workshop conducted by Kirstie Chalker and worked with recyclables to create their artwork.

Visitors taking part in the adult workshops enjoyed demonstrations of weaving with Jan Green and Jess Van Groningen and painting demonstrations by Amy Curran.



Amy Curran Pastel Demonstration and Jan Green Weaving demonstration

Information Only

CULTURAL ACTIVITY GRANT 2022-2023 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 - 21 September 2023

ITEM 10.7 **Grants Report**

FILE REFERENCE I23/305

AUTHOR **Chief Executive Officer**

ISSUE

This 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 Grants Report is an attachment to this report for Councillors information.

A list of grants available and ongoing grants listed on Council's website may 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 and Projects Report for Council August 2023.xlsx	Attachment
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Grants and Projects Report to Council - August 2023**Grant Applications in progress**

Grantee	Due or Submitted	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
2023/24 Country Passenger Transport Infrastructure Grmat Scheme (CPTIGS)	5-Sep-23	Laggan Bus Shelter			\$ 20,000	\$ 20,000	\$ 20,000	Application Lodged
Growing Regions Program Round 1	1-Aug-23	Multipurpose Aquatic and Activity Centre outstanding work	\$ 1,516,617	\$ 4,417,016	\$ 5,933,000	\$ 11,866,633	\$ 11,866,633	Application unsuccessful
Black Spot Road Program	31-Jul-23	Boorowa Road Safety Upgrade			\$ 1,090,245	\$ 1,090,245	\$ 1,090,245	Application lodged
		Range Road - Safety Upgrade			\$ 156,152	\$ 156,152	\$ 156,152	Application lodged
EPA	19-Apr-23	Illegal Dumping and Flood Waste Recovery Program			\$ 516,442	\$ 516,442	\$ 516,442	Application lodged, more information requested from funding body.
Regional Road Repair Program 23/24	30-Apr-23	MR241 Dalton Road Rehabilitation	\$ 332,000		\$ 332,000	\$ 664,000	\$ 664,000	Application lodged
Floodplain Management Program	17-Apr-23	Flood Warning Systems Construction	\$ 47,400		\$ 189,600	\$ 237,000	\$ 237,000	Council has confirmed 1/5 contribution (\$50k) can be funded, awaiting funder announcement.

Grant Projects Funded

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Community Heritage Grants	2-Dec-22	ULSC Oral Aboriginal History Project	\$ -	\$ -	\$ 49,350	\$ 49,350	\$ 49,350	Application Successful
LGP Procurement Capability Grant Program	28-Apr-23	Procurement Working Group - attend LGP Conference & network			\$ 3,500	\$ 3,500	\$ 3,500	Application Successful
NSW Government & Telstra		Tech Savvy Seniors			\$ 3,404	\$ 3,404	\$ 3,404	Plan to run first sessions in October 2023.
Disaster Ready Fund - Round 1	14-Feb-23	Gunning Flood Mitigation Works	\$ 350,000		\$ 2,400,000	\$ 2,750,000	\$ 2,750,000	Successful Application, Implementation plan due in 2 weeks after funding body agreement.
Regional Youth - Children and Young People Wellbeing Recovery Initiative	31-Mar-22	Regional Youth - Small Grant (Dungeons and Dragons activities in the Library)			\$ 5,563	\$ 5,563	\$ 5,563	Project complete, with acquittal submitted in August 2023.
OLG NSW Severe Weather and Floods - AGRN 1025		Natural Disaster Funding - various programs			\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	Application successful. Funds received. Rob to update SmartyGrants Portal with projects.
Fixing Country Roads Round 6	14-Oct-22	Peelwood Road (co funded by Heavy vehicle safety and productivity program)	\$ 60,000	\$ 432,000	\$ 650,180	\$ 1,142,180	\$ 1,142,180	Funds to supplement ongoing project and all works to be completed by end FY24.
	14-Oct-22	Wheeo Road (co funded by Heavy vehicle safety and productivity program)	\$ 85,000	\$ 573,288	\$ 797,012	\$ 1,455,300	\$ 1,455,300	Funds to supplement ongoing project and all works to be completed by end FY24.

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Fixing Local Roads - Round 4 - Region South	9-Sep-22	Breadalbane Road	\$ 150,857	\$ -	\$ 1,005,712	\$ 1,156,568	\$ 1,156,568	Survey complete, design ongoing, to be completed prior to Sep 23 and construction to start Sep 23 and complete end of FY24.
Regional Airport Program Round 3	24-Jun-22	Safety Upgrade Crookwell Aerodrome: smoothing ruts on airstrip, laying gravel base and sealing access road and pads for hangar construction and fencing	\$ 124,000	\$ -	\$ 124,000	\$ 248,000	\$ 248,000	Survey completed and design finalised for access roads and gravel pads. Council will do work in house. A contractor is tentatively booked to do the fence.
Local Roads and Community Infrastructure Grant - Phase 4		Council's Contribution for MAAC Stage 2 Heated Pool, Running/Walking Track and Exercise Bikes		\$ -	\$ 1,203,040	\$ 1,203,040	\$ 1,203,040	Application Successful
Local Roads and Community Infrastructure Grant - Round 4 (Road)		Part B funding - allocation for road only projects			\$ 693,945	\$ 693,945	\$ 693,945	Councils will be able to access their Phase 4 funding allocations from July 2023, with projects to be delivered by June 2025.
Regional and Local Roads Repair Program		Corrective Maintenance and Rehabilitation Works in the Shire between 1 January 2023 and 29 February 2024			\$ 3,482,373	\$ 3,482,373	\$ 3,482,373	Work plan has been lodged to TfNSW, repair works ongoing.
Female Friendly Community Sports Facilities	23-Nov-22	Female Friendly and Safe Gunning Pool Change Facilities and Amenities	\$ 15,000	\$ -	\$ 500,000	\$ 515,000	\$ 515,000	Contractor awarded project on 29/8/2023 Greenwich Constructions, starting on 3rd of September.
Creative Capital Grant		Gunning Shire Hall Rejuvenation	\$ 12,299	\$ 2,000	\$ 92,623	\$ 106,922	\$ 106,922	Chairs to be delivered in August. Curtains ordered. Installation of lighting upgrades scheduled for July 2023. Disability access ramp Tender documents prepared, just waiting on final drawings from Architect before being advertised.
Local Government Heritage NSW Grants	2-Dec-22	Local Heritage Advisor, Local Government Heritage Grants (Book Keepers Cottage)	\$ -	\$ 25,000	\$ 25,000	\$ 50,000	\$ 50,000	Book Keepers Cottage work is ongoing
Stronger Country Communities Fund (Round 5)	23-Sep-22	Program 1 Sustainable fit out for Crookwell Multi Aquatic Activity Centre - includes solar	\$ -	\$ -	\$ 829,915	\$ 829,915	\$ 829,915	Application Successful
Crown Reserves Improvement Fund	3-Jun-22	Power Upgrade Gunning Showground	\$ 39,350	\$ -	\$ 189,860	\$ 229,210	\$ 229,210	Application Successful. Design in progress.
2022/23 Walking & Cycling Program	28-Feb-22	Get NSW Active Program 2022/23 Crookwell Carrington & Northcott Street Footpath	\$ -	\$ -	\$ 185,000	\$ -	\$ 185,000	Works 98% complete scheduled to be complete by September 2023.
Regional Road Repair Program	29-Apr-22	MR248 Laggan Road. Widen shoulder 1m both side, 200mm overlay total width, Lime stabilization for soft patches, pipe culvert extension and replacement, installation of traffic signage and guide post, double coat of bitumen sealing, line marking	\$ 332,000	\$ -	\$ 332,000	\$ 664,000	\$ 664,000	Works complete, PCR to be lodged.
Department of Planning & Environment (NPWS)	13-Oct-22	Wombeyan Caves Road - Slope Stabilisation	\$ -	\$ -	\$ 325,000	\$ 325,000	\$ 325,000	Letter of award sent, works to start mid Sep-23.
Transport NSW (TfNSW)	13-Oct-22		\$ -	\$ -	\$ 350,000	\$ 350,000	\$ 350,000	

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Multi Sport Community Facility Fund	25-Feb-22	MAAC Stage 2 Heated Pool, Running/Walking Track and Exercise Bikes	\$ 1,188,366	\$ -	\$ 1,188,366	\$ -	\$ 2,376,732	Project commenced. Slab has been poured and walls formed. Exercise bikes purchased.
NSW Planning Portal API Grant Program	9-Jun-22	ULSC Planning portal API augmentation. Integrating documents submitted over the planning portal into Council's records management system	\$ -	\$ -	\$ 80,000	\$ 80,000	\$ 80,000	Project progressing. Completion date 30 September depending on Department of Planning.
Open Space Program - Places to Play	4-Mar-22	Wattle Glen Adventure Park Grabben Gullen	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000	A request has been made to use this Grant on the Multipurpose Aquatic and Activity Centre.
NSW State Library's Public Library Infrastructure Grant	22-Oct-21	Upper Lachlan Shire Libraries Refurbishment	\$ -	\$ -	\$ 189,564	\$ 189,564	\$ 189,564	Circulation desk delivered and installed in August 2023. Grant to be acquitted by December 2023.
Preparing Australian Communities Local Stream	6-Jan-22	Upgrade to Crookwell Emergency Operations Centre	\$ 20,920	\$ -	\$ 67,480	\$ 88,400	\$ 88,400	Works completed, testing to be undertaken. Aquittal being prepared.
Black Summer Bushfire Recovery Grant	6-Oct-21	Taralga Dam: Preliminary assessments and design	\$ 20,000	\$ -	\$ 875,000	\$ 895,000	\$ 895,000	Dam suitability inspection - Geotech getting completed on 15th of September
Local Roads and Community Infrastructure Grant - Phase 3	5-Oct-21	Stage 2 MAAC Multi Purpose Aquatic and Activity Centre: Toddlers pool and amenities	\$ 1,200,000	\$ -	\$ 1,206,096	\$ 2,406,096	\$ 2,406,096	Pipework and clayform installed to Toddler pool then base was prepped and poured. Portion of the structural steel and purlins were delivered to site. Steel cutters onsite prepping amenities building for steel installation
		Stormwater in North St, Gordon St, Soudan Rd, Wolseley Rd in Crookwell and Warrataw and Yass St in Gunning	\$ -	\$ -	\$ 650,000	\$ 650,000	\$ 650,000	Crookwell stormwater is now complete. Gunning stormwater project is in preliminary investigation stage. Council applied for further funding under Disaster Ready Fund Round 1, which was successful. Project will now proceed once investigations are finalised.
Veolia	22-Feb-23	Lin Cooper Sport Amenities Upgrade (demolition and finishings)			\$ 90,900.00	\$ 90,900.00	\$ 90,900.00	Building Complete
Regional Sport Facilities Fund (Round 2)	8-Oct-21	Lin Cooper Sport Amenities Upgrade	\$ 120,000	\$ -	\$ 978,601	\$ 1,098,601	\$ 998,601	Building Complete
Veolia Mulwaree Trust	15.09.21	Equipment for Coleman Park Inclusive Play space	\$ -	\$ -	\$ 45,455	\$ 45,455	\$ 45,455	Playground construction commenced and shall be completed by mid September.

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Creative Capital Grant	11-Apr-22	Gunning Picture House Gallery Roof Restoration	\$ 5,150	\$ 11,000	\$ 498,522	\$ 514,672	\$ 514,672	Specification with Governance developing the required tender documentation.
	26-Oct-21	Gunning Court Room upgrade	\$ -	\$ 10,000	\$ 65,559	\$ 75,559	\$ 75,559	Disability access ramp Tender documents prepared, just waiting on final drawings from Architect before being advertised. Review completion due date and request extension if required.
Fixing Local Roads Round 3		Julong Road	\$ 75,000	\$ -	\$ 925,000	\$ 1,000,000	\$ 1,000,000	Works will commence in Sep and completed by end of calendar year.
		Middle Arm Roads						Works will commence in Sep and completed by end of calendar year.
Integrated Water Cycle Management	9-Jun-21	Delivery of an Integrated Water Cycle Management (IWCM) Strategy for Upper Lachlan Shire Council.	\$ 116,365		\$ 349,096	\$ 465,461	\$ 465,461	Issues paper has been drafted, we currently are consolidating a Variation for time and cost to cover Groundwater Investigations. PW have supplied proposals for review.
Bushfire Local Economic Recovery Fund (BLERF)	28-Jan-21	Visitors Information Centre	\$ 150,000	\$ -	\$ 2,462,947	\$ 2,612,947	\$ 2,612,947	All in ground hydraulics and stormwater has been completed for the building. All reinforcement and formwork has been completed and the slab has now been poured. This includes all the structural steel cast-ins. The slab will now sit to be cured and then the structural steel will be installed.
Regional Connectivity Program	17-Nov-20	Upper Lachlan Rural Connectivity Solution	\$ 15,000	\$ 90,000	\$ 298,405	\$ 403,405	\$ 403,405	23 of the 35 sites have been completed with AAA status on 26 sites. The remaining sites have had the landowners identified and on target to complete over the next 3 months.
Everyone Can Play	3-Nov-20	Coleman Park Inclusive Play Space	\$ 150,000	\$ 150,000	\$ 300,000	\$ 600,000	\$ 600,000	Final design complete. Equipment ordered. Expected delivery April 2023
Crown Reserves Improvement Fund	8-Jul-20	Crookwell Caravan Park Improvements	\$ 30,000	\$ -	\$ 117,818	\$ 147,818	\$ 147,818	Digital signage installed and operational. Final steps are fencing around entrance to be ordered and installed as well as the signage to go on both buildings.
Local Roads and Community Infrastructure Grant - Phase 1	1-Jul-20	Multipurpose Aquatic and Activity Centre Stage 1 (25m pool and demolition); In addition Coleman Park Playground \$150,000	\$ 770,000		\$ 1,203,040	\$ 2,836,918	\$ 2,836,918	Inground plumbing to the plantroom complete and blockwork partially complete. Backfilling complete around the outdoor pool. Footings for plantroom have been installed and poured. Plantroom slab has been prepped and poured.
Local Roads and Community Infrastructure Grant - Phase 2	7-Oct-20				\$ 863,878			Steel columns erected around the plantroom and upper deck slab for service vehicle access has been poured. Detail excavation has been completed, formwork and steel cages have commenced.

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Fixing Local Roads - Phase 2	11-Dec-20	Various Reseals - Cullerin, Bigga, Fullerton, Jerrawa, Peelwood, Collector, Roslyn Roads.	\$ 228,016	\$ -	\$ 4,332,280	\$ 4,560,296	\$ 4,560,296	Peelwood , Fullerton, Jerrawa and Collector are completed. Roslyn and Bigga Roads are completed. Cullerin to start Sep and complete by end of calendar year.
Heavy Vehicle Safety and Productivity Program Round 7	29-May-20	Peelwood road Upgrade 3km	\$ 60,000	\$ 650,180	\$ 432,100	\$ 1,142,280	\$ 1,142,280	Project Extension obtained, works to recommence next financial year.
Heavy Vehicle Safety and Productivity Program Round 7	29-May-20	Wheeo Road Upgrade 5km	\$ 85,000	\$ 797,012	\$ 573,288	\$ 1,455,300	\$ 1,455,300	Upgrade currently in progress/ Due for completion Dec 2023.
Bridges Renewal Program Round 5	29-May-20	Crookwell River Bridge - Julong	\$ 76,860	\$ -	\$ 768,600	\$ 1,537,200	\$ 1,537,200	Construction underway. Latent site conditions encountered, foundation redesign requiried. Comencement of works has been delayed. Updated 23/05/2023
Fixing Country Bridges	9-Oct-20				\$ 691,740			
Bridges Renewal Program Round 5	29-May-20	Burra Burra Creek Bridge - Blue Hill Road	\$ 47,973	\$ -	\$ 479,726	\$ 959,452	\$ 959,452	New construction works complete, demolition of existing bridge outstanding. Updated 23/05/2023
Fixing Country Bridges	9-Oct-20				\$ 431,753			
Bridges Renewal Program Round 5	29-May-20	Peelwood Creek Bridge - Cooksvale Rd	\$ 55,262	\$ -	\$ 552,614	\$ 1,105,228	\$ 1,105,228	New construction works complete, demolition of existing bridge outstanding. Updated 23/05/2023
Fixing Country Bridges	9-Oct-20				\$ 497,352			
Showground Stimulus Funding Program Tranche 2 19/20	25-Apr-20	Gunning Showground Amenities Fit out	\$ -	\$ -	\$ 37,400	\$ 37,400	\$ 37,400	Project Commenced. Updated 23/05/2023
Fixing Local Roads	2-Dec-19	Collector Road Upgrade 3km	\$ 495,300	\$ -	\$ 1,485,900	\$ 1,981,200	\$ 1,981,200	Works complete
Stronger Country Communities Fund (Round 3)	18-Sep-19	Gunning Showground Amenities Construction	\$ 50,000	\$ -	\$ 672,747	\$ 722,747	\$ 722,747	Project Commenced. Updated 23/05/2023
Regional Growth Growing Local Economies Fund	5-Jul-18	Grabine Road Upgrade	\$ 200,000	\$ -	\$ 3,300,000	\$ 3,500,000	\$ 3,500,000	Project being finalised. Council has applied to reclaim \$460k out of the \$605k overspent under AGRN 1025.
Growing Local Economies Fund	2019	Tablelands Way	\$ 329,215	\$ -	\$ 6,255,079	\$ 6,584,294	\$ 6,584,294	Bridge successful tender engaged, roadworks redesign nearing completion.

Information Only - 21 September 2023

ITEM 10.8 **Action Summary - Council Decisions**

FILE REFERENCE **I23/300**

AUTHOR **Chief Executive Officer**

ISSUE

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

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

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

REPORT

Summary sheet includes the following Council Resolutions:-

Council Meeting: 21 April 2022

84/22	1. That the Upper Lachlan Shire Council move to reinstitute a Youth Council committee."	CEO	Policy to be reviewed and a further meeting be convened with relevant Councillors.
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Council Meeting: 16 June 2022

115/22	1. Council defer decision on the draft Nature Strips and Trees Policy.	DEP	Policy to come back to future Council meeting after Councillor workshop occurs.
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Council Meeting: 20 October 2022

229/22	<ol style="list-style-type: none">1. Council resolve to close as public road the Council roads located shown as Lot 1 DP 1224882 and Lot 2 DP 1224882 in the vicinity of Laggan Road.2. Council resolve that upon closure, Council transfer the closed roads to the adjoining owner as compensation for land acquired for road opening on Laggan Road	DOI	Advice provided to Council's Legal team R J McCarthy – ongoing process.
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Council Meeting: 16 March 2023

38/23	<ol style="list-style-type: none">1. Wombeyan Caves Road remains closed between Langs Road and the Wombeyan Caves Reserve until additional funds are secured to complete the works required to provide a safe road for road users.2. Council seeks further grant funding in order to carry out the additional works required to address the safety issues which prevent the Wombeyan Caves Road from being open for public use.3. Council's Acting General Manager be delegated authority to enter into direct commercial negotiations with the preferred tenderer once the additional funds are secured to complete the Slope Stability Works.	DOI	A report to be tabled at September 2023 Council Meeting.
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Council Meeting: 20 April 2023

49/23	<ol style="list-style-type: none">1. Council resolve to close two sections of public road of approximately 6991 m² near Devil's Elbow on Grabben Gullen Road, Merrill.2. Council resolve that upon closure of the two sections of road, Council transfer the closed roads to the adjoining owner as compensation for land acquired for road opening at this location on Grabben Gullen Road, Merrill.	DOI	Road Closing process currently being prepared by Robert J McCarthy & Co.
60/23	<ol style="list-style-type: none">1. Council discontinues the current tender process; and that2. Council decline to accept all tenders received due to the lack of any commercially advantageous submissions; and that3. Council's Acting General Manager be delegated authority to enter into direct commercial negotiations with both Bridge and Marine Engineering and Saunders Civilbuild Pty Limited with the intent to enter a contract with one supplier for construction of a new Bridge over Curaweela Creek as their alternative submissions are within budget and meets Council's requirements.	DOI	Negotiations are in progress with supplier for a design and construction contract to be prepared.

Council Meeting: 18 May 2023

73/23	<ol style="list-style-type: none">1. Council exhibits the Draft Liquid Trade Waste Policy (the Policy) for public exhibition and comment for 28 days; and2. Council considers a further report on the outcome of the exhibition and for adoption of the policy.	DEP / Manager WWS	Exhibition period closed staff to consider submissions and present a further report for Council consideration.
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Information Only**ACTION SUMMARY - COUNCIL DECISIONS cont'd****Council Meeting: 20 July 2023**

144/23	<ol style="list-style-type: none">1. Council consider the option to sell the former Westpac Bank House building at 106-108 Goulburn Street Crookwell, Lot 1 DP 314755.2. Council seek an EOI for the former Westpac Bank House for a market appraisal and best use option by an agent, including an agent with Commercial property experience.	DFA	Council has sought EOI to commence market appraisal process.
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Council Meeting: 17 August 2023

158/23	<ol style="list-style-type: none">1. Council resolves to allocate \$50,000 from unrestricted cash reserves as a co-funding contribution required for a grant application for the Flood Warning System under the 2023-2024 Floodplain Management Program. The total project cost in the grant application is \$250,000.	DFA	Funds will be allocated in Quarter 1 Budget Review. Funder notified of Co-contribution amount. Application currently being assessed. Notification to successful applicants will be made in late 2023.
159/23	<ol style="list-style-type: none">1. Council approves the 2022/2023 transfers to the Council internal restricted reserve fund totalling \$6,134,968 including revote of uncompleted expenditure projects and internal reserve fund movements.	DFA	Reserve transfers processed in 2022/2023 Financial Statement on 8 September 2023.
161/23	<ol style="list-style-type: none">1. Council accept the Stonequarry Cemetery office bearers President Brian Moloney, Secretary Maureen Long and Treasurer Tim Dowsley voted in as per the Minutes of the Annual General Meeting held 27 May 2023.	EA	Correspondence sent to Committee on 24 August 2023.

167/23	<ol style="list-style-type: none">1. Council decline to accept all tenders received and discontinue with the tender process with respect to the construction of the Gunning Pool Amenities Block.2. Council's Acting Chief Executive Officer be delegated authority to develop a negotiation strategy and enter into direct commercial negotiations with the preferred tenderer, Greenwich Build Pty Ltd, for refurbishment and construction of the Gunning Pool Amenities Block.3. In the event direct negotiations are not successfully concluded and a contract is not agreed to, the Council's Acting Chief Executive Officer may seek to retender the Gunning Pool Amenities Block project in the near future.	CEO	Council has completed the commercial negotiations on 29 August 2023 and issued letter of offer and contract for Greenwich Build Pty Ltd to sign.
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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

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

12 INFRASTRUCTURE DEPARTMENT

The following item is submitted for consideration -

12.1	Amended Access Committee Charter	74
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Infrastructure Department - 21 September 2023

ITEM 12.1 **Amended Access Committee Charter**

FILE REFERENCE **I23/330**

AUTHOR **Director of Infrastructure**

ISSUE

Review of Council's amended Access Committee Charter

RECOMMENDATION That -

1. Council adopts the amended Upper Lachlan Shire Council Section 355 Access Committee Charter.

BACKGROUND

At the 15 December 2002 Ordinary Council meeting the original Access Committee Charter was adopted.

REPORT

This report details Council's Section 355 amended Access Committee Charter. After discussion with the new Access Committee members at the past two meetings it was agreed to make some minor changes to the adopted Charter to be more inclusive and add further clarification of the Committees purpose. The attached documentation outlines the committee's changes to the Charter, highlighted yellow.

POLICY IMPACT

This will be a procedure for the Section 355 Access Committee separate from the Section 355 Committee Code of Meeting Practice and committee policies currently in place.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council adopts the amended Upper Lachlan Shire Council Section 355 Access Committee Charter.

ATTACHMENTS

1. Download	Draft - Access Committee Charter Amendment	Attachment
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ACCESS COMMITTEE CHARTER

Preamble

Everyone is entitled to all the rights and freedoms without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, National or social origin, property, birth or other status.

Role

To provide advice and support to Council relating to access issues concerning Council owned, controlled or maintained properties or entities.

Responsibilities

The Access Committee is to provide advice and guidance to Council on identifying barriers preventing people from participating in programs, services and facilities across the Upper Lachlan Shire Council. This includes barriers relating to disability, health, age, gender, cultural and linguistic diversity.

The Access Committee is responsible for making *recommendations* and advising Council on:

- matters relating to access issues, with emphasis on issues for people with disabilities as defined by the Disability Discrimination Act, this principle is enshrined in Disability Discrimination Act 1992 and the NSW Disability Inclusion Act 2014, UN Convention on the Rights of Persons with Disabilities (2008).
- matters relating to access issues, with particular emphasis on actions from Pedestrian Access and Mobility Plan (PAMP)
- the implementation of relevant Council programs and policies.
- PAMP review
- Disability Access Inclusion Action Plan Review

Membership, Chairperson and Voting

Membership of the Access Committee comprises:

- 3 Councillors
- 4 Community representatives
- CEO (or nominee) and Council staff as required (Council staff will be ex-officio members)

Meetings

Meetings are to be held quarterly or by arrangement.

A required quorum of 50% committee members plus one additional member will be needed at each meeting.

All operations of the Committee shall be in accordance with Council's adopted code of meeting practice.

Voting

Simple majority required (more than half).

Appointment of members

Community members seeking appointment to the Access Committee are to nominate by contacting the **CEO**, who will provide a report to Council Seeking approval to appoint members.

Term

The Access Committee shall dissolve at the General Election of Upper Lachlan Shire Council. Council may dissolve the Committee at any time, and any authority conferred by Council to this Committee may be withdrawn – either wholly or in part – by resolution of Council.

Communication and Reporting

An agenda will be circulated by post or email to all members of the Access Committee at least one week prior to the meeting.

Matters to be considered must be included in the Agenda for the meeting and must be provided in writing to the **CEO** (or nominee) at least ten (10) days before the date of the meeting. The agenda will include an open session for general business where new issues can be raised, and members of the public can speak and be heard.

Formal minutes of the Access Committee will be produced in accordance with Council's Code of Meeting Practice. The mover and seconder of any recommendation are to be recorded.

The main items of business and recommendations will be reported to the ordinary meeting of Council. Council may amend any recommendation or any portion thereof, or may refer it back to the Committee for further investigation.

Code of Conduct and Other Council Policies

Each Committee member who is not otherwise a Councillor or staff member shall be provided with a copy of:

- Council's Code of Conduct
- Code of Meeting Practice; and
- Other related policies that may be applicable to the operation of the Committee.

13 FINANCE AND ADMINISTRATION

The following items are submitted for consideration -

13.1	Referral for Audit - 2022/2023 Financial Statements	79
13.2	Review of Gathering Information Policy	81
13.3	Review of Code of Practice for Section 355 Committees	95
13.4	Review of Section 355 Committee Policy	145

Finance and Administration - 21 September 2023

ITEM 13.1 **Referral for Audit - 2022/2023 Financial Statements**

FILE REFERENCE **I23/311**

AUTHOR **Director of Finance and Administration**

ISSUE

Upper Lachlan Shire Council's 2022/2023 Financial Statements are required to be referred to the NSW Audit Office, as Council's external auditor, to conduct the independent audit.

RECOMMENDATION That -

1. Council resolves that the 2022/2023 Financial Statements be referred for independent audit by external auditors, NSW Audit Office;
2. The Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer sign the Statement by Councillors and Management for the General Purpose and Special Purpose 2022/2023 Financial Statements;
3. Council adopt the 2022/2023 Financial Statements for Council, containing the General Purpose and Special Purpose Financial Statements; and
4. The Chief Executive Officer be delegated the authority to authorise the Council 2022/2023 Financial Statements for issue immediately upon receipt of the Auditors Report and delegated the authority to finalise the date at which the Auditor's Report and Financial Statements are presented to the public.

BACKGROUND

It is a legislative requirement under Section 413 (1) and (2), of *the Local Government Act 1993*, for Upper Lachlan Shire Council to resolve that the annual Financial Statements be referred for independent audit, by Council's external auditors.

REPORT

Council has prepared the draft 2022/2023 Financial Statements to be referred to the NSW Audit Office through contractor Ernst & Young (EY Australia) to complete their conduct of audit and audit report on the Council's annual General Purpose and Special Purpose Financial Statements for year ended 30 June 2023.

The audit of Council's Financial Statements is undertaken by EY Australia and commenced on 6 September 2023. As required in accordance with Section 418 (1) (b), of the *Local Government Act 1993*, public notice will be given for the presentation of the Financial Statements to be undertaken upon receipt of the Auditor's Report.

It is anticipated the Auditor's Report, in conjunction with the Financial Statements, will be presented to the Ordinary Council Meeting to be held on 16 November 2023.

Finance and Administration

REFERRAL FOR AUDIT - 2022/2023 FINANCIAL STATEMENTS cont'd

The 2022/2023 Financial Statements have been prepared in compliance with:-

- The *Local Government Act 1993* and Regulations made thereunder;
- The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board;
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of my knowledge and belief these Financial Statements:-

- Present fairly the Council's operating result and financial position for the year;
- Accord with Council's accounting and other records.

Please note: a copy of the Financial Statements will be sent separately to this report on Council ipads and made available in hard copy at the Council Meeting.

An overview will be provided by the Director of Finance and Administration at a future Council Meeting detailing the financial position of Council.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

The Financial Statements show the financial performance and financial position of Upper Lachlan Shire Council as at 30 June 2023.

RECOMMENDATION That -

1. Council resolves that the 2022/2023 Financial Statements be referred for independent audit by external auditors, NSW Audit Office;
2. The Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer sign the Statement by Councillors and Management for the General Purpose and Special Purpose 2022/2023 Financial Statements;
3. Council adopt the 2022/2023 Financial Statements for Council, containing the General Purpose and Special Purpose Financial Statements; and
4. The Chief Executive Officer be delegated the authority to authorise the Council 2022/2023 Financial Statements for issue immediately upon receipt of the Auditors Report and delegated the authority to finalise the date at which the Auditor's Report and Financial Statements are presented to the public.

ATTACHMENTS

Nil

Finance and Administration - 21 September 2023

ITEM 13.2 **Review of Gathering Information Policy**

FILE REFERENCE **I23/312**

AUTHOR **Director of Finance and Administration**

ISSUE

Recommendation that Council adopt the reviewed Gathering Information Policy.

RECOMMENDATION That -

1. Council adopts the Gathering Information Policy.

BACKGROUND

Nil

REPORT

This report details the review of Council's Gathering Information Policy. The Policy is attached with amendments highlighted in yellow for Council's review.

POLICY IMPACT

This is a review of an existing policy of Council.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council adopts the Gathering Information Policy.

ATTACHMENTS

1. Download	Gathering Information Policy - Date Adopted 16 June 2016 - Resolution 164 16 - Review 2023	Attachment
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POLICY:-	
Policy Title:	Gathering Information Policy
File Reference:	F10/618-06
Date Policy was adopted by Council initially:	22 November 2007
Resolution Number:	344/07
Other Review Dates:	17 June 2010, 17 October 2013 and 16 June 2016
Resolution Number:	235/10, 331/13 and 164/16
Current Policy adopted by Council:	21 September 2023
Resolution Number:	XXX/23
Next Policy Review Date:	2026

PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed:	N/A
Procedure/guideline reference number:	N/A

RESPONSIBILITY:-	
Policy developed by:	Director of Finance and Administration
Committee/s (if any) consulted in the development of this Policy:	N/A
Responsibility for implementation:	Director of Finance and Administration
Responsibility for review of Policy:	Chief Executive Officer

ULSC Gathering Information Policy

1. BACKGROUND

It is best practice that Council adopts a formal policy supporting the consistent and systematic treatment and collection of information systems and procedures. Council must ensure that data is collected and records are maintained in a format that are of a standard that Courts and Magistrates would accept as admissible evidence. Accurate and consistent records management may discourage potential claimants from seeking redress in the Courts and is also an effective tool in the defence of liability and insurance claims.

2. OBJECTIVE

To document and review the required standard of Council generated information and data needed to assist in defending a public liability or professional indemnity claim and ensure that they constitute admissible evidence and that Council has acted in a manner which has fulfilled its duty of care to the public.

The above process is to support procedures for the gathering of information for such purposes, and should be read together with the Policies set out in clause 8.

3. PRINCIPLES

1. To comply with the Local Government Act 1993 and Regulations, and relation legislative requirements Council must gather and archive clear and concise records;
2. To meet operational business needs, accountability requirements and community expectations internal documents should be easily accessible and they must be structured to ensure that they capture the information required, and are presented in a manner that makes the information easy to interpret;
3. To ensure the protection of Council's financial position and comply with public interest considerations to maintain public confidence through active risk management and risk mitigation; and
4. To facilitate the minimum data requirements for information required to be used defending possible public and professional liability insurance claims (whether via a complaint process, insurance claim, quasi-judicial body or Court).

4. POLICY STATEMENT

Upper Lachlan Shire Council aims to provide sustainability to the community by providing services and making decisions that enhance our quality of life, our economic and our natural environment. Council's responsible officers are all business managers who is are committed to documenting and assisting groups business units within Council by distributing the adopted procedures for gathering information and managing information systems.

This policy, together with the procedures, provides the minimum data standards for the gathering of information. It is aimed at reducing the

ULSC Gathering Information Policy

information supplied by Council to stakeholders, including its solicitors that is currently inadmissible, together with either information or data that is not detailed or unwanted additions that may render the information of little value in the defence of a potential claim.

The Checklist at Attachment 2 should be used to ensure that all the appropriate data is gathered and contains the appropriate information. Listed information source documentation from the Checklist must be appropriately recorded and archived in accordance with Council's records management requirements and directives and in accordance with the State Records Act 1998 and associated standards.

Council will, within its budgetary constraints and using existing information systems available to it, endeavour to ensure accurate and systematic information is maintained and stored appropriately.

By adopting the policy, Council is working towards enhancing Upper Lachlan Shire Council's image in keeping with Council's Vision and Mission articulated in the Council Community Strategic Plan and Delivery Program.

5. INCIDENT MANAGEMENT

Types of incidents

Work Health and Safety, work-related injury or illness to Council employees, volunteers, contractors

Public Interest

- Any failure to comply with the requirements of the protection of the public interest via proper public administration

Public Liability

- Traffic incident at council controlled road works
- Traffic incident on council controlled road network
- Injury of illness to member of the public at council controlled facility or infrastructure
- Injury, illness, loss or damage suffered by member of the public as a result of actions or activities of council staff, volunteers or contractors

Professional Indemnity

- Loss or damage suffered by a member of the public as a result of a Development Application determination
- Loss or damage suffered by a member of the public as a result of issue of a Certificate
- Loss or damage suffered by a member of the public as a result of technical design or advice supplied by council

ULSC Gathering Information Policy

Property

- Any occurrence of a workplace emergency
- Any occurrence of implementation of the Business Continuity Plan
- Any Failure of plant or equipment
- Any loss or damage to fleet, equipment or property asset from actions of staff, volunteers, contractors, visitors or members of the public

Environmental

- Any incident involving an environmental spill at council controlled facility or workplace

Financial

- Any occurrence of fraud or misappropriation
- Any occurrence of major cost over-run
- Any occurrence of failure in debtor, creditor and investment control systems

Governance

- Any occurrence of failure in Code of Conduct
- Any occurrence of fraud or misappropriation
- Any occurrence of significant reputation loss
- Any occurrence of project management failure
- Any occurrence of privacy principles failure

Procurement

- Any failure to comply with regulatory requirements
- Any failure to comply with probity requirements (per ICAC Guidelines)
- Any occurrence of corruption, fraud or misappropriation

Human Resources

- Information gathering relating to human resources are managed under separate Policies and procedures.

Legislative Compliance

- Any **other** failure in legislative compliance

It is essential that Council has a systematic process in place that can respond to these incidents in a uniform and coordinated manner, irrespective of type of incident.

Flowchart

A flowchart is the best way to visualise the incident process. An incident flowchart 'Incident procedure' **at Attachment 1** is a graphical representation of the flow of information that typically occurs within council.

The flowchart is not intended to define the total process in dealing with a report of an incident or complaint, irrespective of type, but rather it deals with

ULSC Gathering Information Policy

the process of claims administration, highlighting the required process required when recording and reporting an incident, internally and to our insurance providers.

Claims Register

The Senior Accountant maintains a register of all insurance claims underway either internally or via third party claims processing.

6. RECORDS AND EVIDENCE

The implementation of a policy, supported by procedures and processes, will assist Council in its ability to produce records, in any data medium that are complete, concise, accurate and acceptable to a court of law.

Minimum Data, it must be recognised that preparing the necessary documentation is of little use if it does not contain the minimum data to make it acceptable in court. While this varies from document to document (See table below), each document should include as a minimum:-

- The date on which it was created
- The version number
- The name and, where appropriate, the signature of the author.

Orders of Discovery, an order for discovery is the process of identifying and disclosing to the other party to a legal action, all the documents that are relevant to the issues in the proceedings. This imposes obligations on a council to make a full and thorough search for all pertinent documents, including any in electronic form, particularly e-mails.

Legal Privilege is intended to provide confidentiality of communications between a client and their legal representatives. In legal proceedings parties are required to disclose all pertinent documents, in any form, to the other party.

If legal privilege is exercised on a document(s), it is not necessary to produce that document to the other party. However, it still must be provided to the Council lawyers.

In order to make a claim for privilege over a document Council must be able to demonstrate it was created for the dominant purpose of obtaining legal advice.

Document shall be marked "Privileged and Confidential", held in a suitable file marked "Legal in-Confidence" and kept in a secure area, not accessible by the general Council staff. Note: these marking along are insufficient to make a claim for privilege.

Assessment of communication methods and risk, Council creates many documents that are available to the public including reports, forms correspondence, brochures, fliers and registers. Council also make available information via websites, newsletters and signs.

ULSC Gathering Information Policy

Council needs to manage the risk that these documents, and other medium for dissemination information, pose if they are inaccurate, misleading, and out of date. Council also ensures that its documents contain sufficient data to be acceptable in Court.

7. LEGISLATIVE COMPLIANCE

- State Records Act 1998;
- Evidence Act 1995;
- Civil Liability Act 2002;
- Legal Profession Act 2004;
- Evidence on Commission Act 1995; and
- Electronic Transaction Act 1999.

8. RELATED POLICIES

- Incident Procedure Flowchart;
- Records Management Policy and Procedures;
- Information Technology Strategic Plan;
- **Model** Code of Conduct; **for Councillors, staff, contractors and delegates of Council.**
- **Code of Business Practice;**
- Business Continuity and Disaster Recovery Plan;
- Complaints Management Policy;
- Customer Service Charter;
- Customer Request Management Policy;
- Public Interest Disclosures Policy;
- Internal Audit and Risk Management Policy;
- Procurement Policy;
- Fraud and Corruption Policy; and
- Injury Management and Return to Work Policy and Procedures.

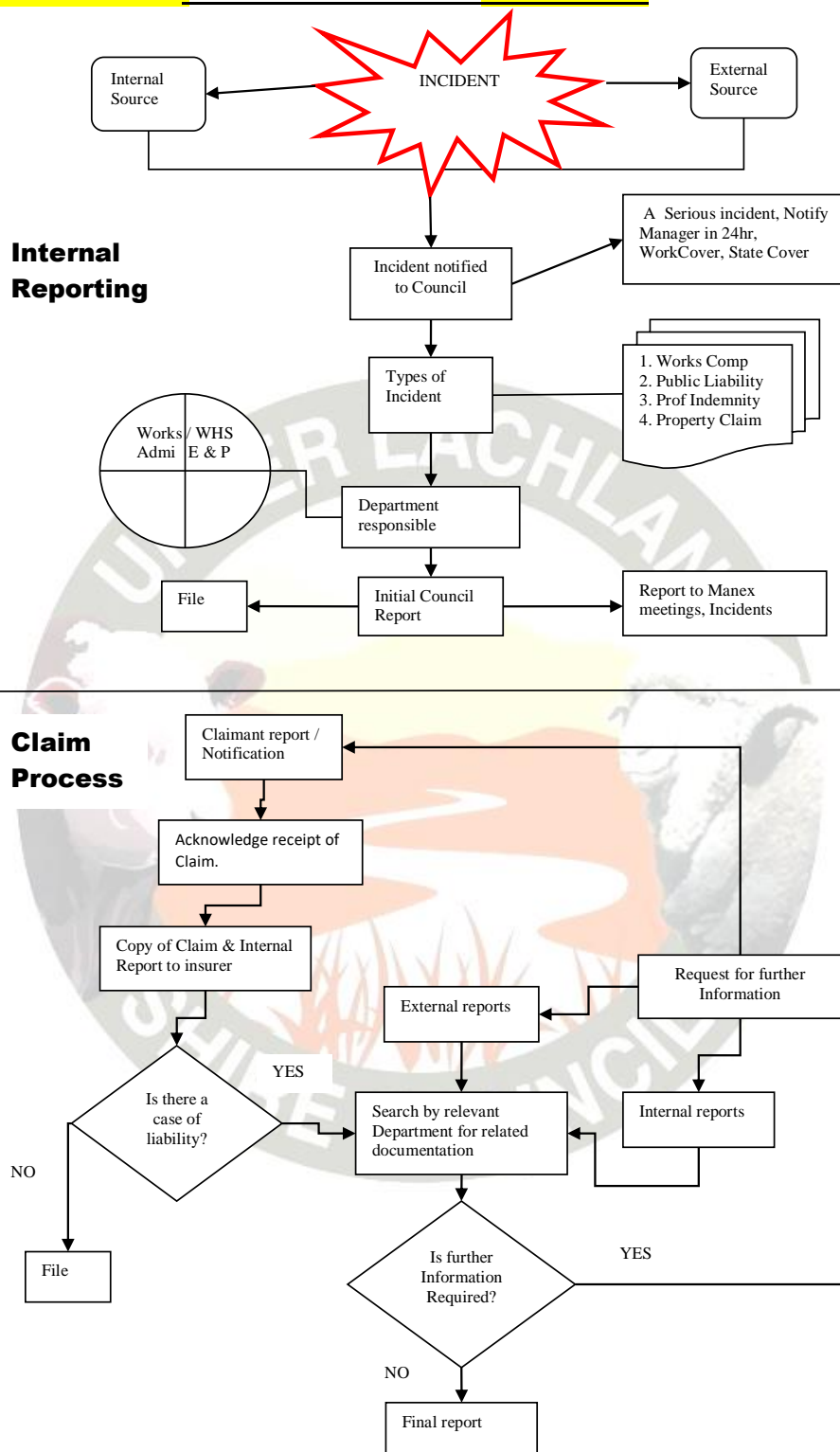
9. OTHER RELEVANT LEGISLATION AND PROVISIONS

- Local Government Act 1993;
- Local Government (General) Regulations **2021**; **2005**;
- Environmental Planning and Assessment Act 1979;
- **Interpretation Act 1987;**
- **Local Government (State) Award 2014;**
- Privacy and Personal Information Protection Act 1998;
- Independent Commission against Corruption Act 1988;
- **Public Interest Disclosures Act 2022;**
- **Anti-Discrimination Act 1977;**
- Roads Act 1993;
- Protection of the Environment Operations Act 1997;
- Government Information (Public Access) Act 2009; and
- Work Health and Safety Act 2011.

10. VARIATION TO POLICY

That Council reserves the right to vary the terms and conditions of this policy.

ULSC Gathering Information Policy

ATTACHMENT 1 INCIDENT PROCEDURE FLOWCHART

ULSC Gathering Information Policy

ATTACHMENT 2 CHECKLIST FOR INFORMATION GATHERED BY COUNCIL

INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS	ADDITIONAL INFORMATION
1.Works Program	A strategic document that prioritises works, linking timeframe and resources for individual capital works projects and/or maintenance activities.	Used to highlight Council's level of commitment to its infrastructure relative to its financial strength. Could be used to defend a statement claiming inaction by Council.	Financial year and date of preparation Version number and date of preparation Council minute of change (if appropriate)	Responsible Group: Infrastructure Waste, Water & Sewer Medium: Microsoft Excel data base (projects) Storage: I Drive, Microsoft projects Trim folder: F10/549-02
2.Work or Service Request (CRM)	A document requesting work to be completed by Council as a result of a potential risk found by an employee or a member of the public.	Used to highlight Council's identification of risks program. Could be used to defend a statement claiming inaction by Council.	Date Name of originator Specific location Unique identifier Referred to Priority (<i>currently being developed</i>) Action taken Date action taken Name and signature of person completing action (<i>currently only when physical works carried out</i>)	Responsible Group: Infrastructure Waste, Water & Sewer Medium: Customer Request Management System (CRM) Storage: Authority data base Trim folder: Nil
3.Inspection Record	A pro-forma document used by Council Officers to report on the general condition of the infrastructure and assets of Council.	Used to highlight Council's identification of risks program. Could be used to show that Council was there, has inspected and made recommendations including repair, thus able to defend a statement claiming negligence by Council	Date Name of inspecting officer Signature of inspecting officer Inspecting officer's position and department Specific location Unique identifier (<i>currently based on date of repair</i>) Recoverable List of recommendations	Responsible Group: Infrastructure Waste, Water & Sewer Medium: Microsoft Word and Excel documents Storage : I:/drive Trim folder: Various folders for individual funds
4.Maintenance Management System	MMS is used for the planning, organising, directing and controlling of maintenance work.	Work scheduling can be used to defend a statement claiming inaction by Council. The system can also record the type of maintenance activity performed at any given time and location. This data could be used to defend a statement claiming inaction or negligence .	Daily running sheet recoverable Date Name and signature of originator (<i>this will not appear on this document, it will be linked to the request or inspection record</i>) List of employees in gang Activity Number of employees Work achieved Location Audit trail	Responsible Group: Infrastructure Waste, Water & Sewer Medium/ Reflect Asset Maintenance System Storage Details: Reflect data base Trim Folder: Nil

ULSC Gathering Information Policy

INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS	ADDITIONAL INFORMATION
5.Environmental Due Diligence Programs	A strategic document, dealing primarily with environmental management issues that prioritises works and sets out a timetable for completion.	Used as a defence in the case of a breach under the Protection of the Environment Operations Act (POEO Act) or a third party action claiming negligence or inaction by Council.	Date Name of originator Signature of originator Endorsed by Council Action plan with timetable for completion	Responsible Group: Environment & Planning Medium: Storage: Not specified Trim Folder: F13/192
6.Time Sheets and Plant Sheets	System of recording and allocating labour and plant costs, primarily for the purpose of payroll and project costing.	Useful in verifying the location of staff and resources on a particular day. Can assist in defending a statement claiming negligence by Council.	Date All changes crossed out are to be initialled Signature of employee All relevant data to be completed	Responsible Group: Finance & Administration Medium: Storage: Payroll & Human Resources Trim Folder: F13/193
7.Diary Entries	Diary entries are often used to record details of the scene of an incident and are regularly the basis of the "Initial Council Report". They can be a source for information such as weather, times, locations etc as well as staff attendances.	Used for evidence of staff attendances and actions taken or not taken. Could be used to defend a statement claiming negligence by Council.	Name Date Department Unique identifier Black Ink (preferable) Photocopy should show book binding Legible writing All entries signed and dated (full date dd/mm/yy) All activities noted	Responsible Group: Infrastructure Medium: Storage: Not specified Trim folder: F13/194
8.Work Practices/ Procedures	Written procedures produced by Council used to standardise Council's response to a particular task.	Used in verifying that the work undertaken by Council is routine and is performed to a prescribed level of quality. Could be used to defend a statement claiming negligence by Council.	Recoverable Details of implementation Dates	Responsible Group: General Governance Medium: Word, Excel, flowchart, forms Storage: I/drive, document folders Trim folder: F13/195
9.Photographs and Digital Capture	Pictures of specific locations or job.	Used to provide evidence of the physical appearance of a defect or work at a particular point in time. Could be used to defend a statement claiming negligence by Council.	Date taken Photographer name File/Claim Number Location and direction facing at location Colour	Responsible Group: Infrastructure Medium: Digital Storage: digital images, CD Trim folder: F13/196

ULSC Gathering Information Policy

INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS	ADDITIONAL INFORMATION
10.Training Records	A detailed record of the training activities of all members of staff. Council's Training Plan and personnel files are used to source and store the training data for individual employees.	Used to verify Council's commitment to ensuring that staff members are well trained. Could be used to defend a claim of negligence .	Name of employee Name of trainer Employer of trainer Date of training Title of course(s) Brief course outline Duration of course Indication of successful completion Any results, certificates, licenses etc	Responsible Group: Finance & Administration Medium: Storage: Personnel Files and Council Training Plan Trim folder: Individual Personnel folder
11.Standards	A predetermined "benchmark" by which results or performance is measured. The "benchmark" can be set either by the particular industry or Council.	Used to highlight Council's commitment to best practice within its resources. Could be used to defend a statement claiming negligence by Council.	Name of standard Citation number of standard Name of issuing standards organisation Date standard approved/implemented Full copy of standard	Responsible Group: General Medium: Electronic, printed hard copy Storage: I/drive, filing cabinets Trim folder: F13/197
12.Site Visits	Routine site inspection documented by the inspecting officer, noting conditions found at the site.	Used to produce a detailed description of the condition of the site at a given point in time. Could be used to defend a statement claiming negligence and/or inaction by Council	Date of visit Location, address of site Name of inspector Names of any additional inspectors, escorts etc Field notes, photographs, diagrams all to be dated, signed	Responsible Group: Infrastructure Environment & Planning Medium: Storage: WH&S Officer and Committee Trim folder: F13/198
13.Interviews	As a result of a claim a recorded discussion between the relevant Council employees and the interviewing officer.	This is used to extract fact which dictates the course of the investigation. Could be used to defend a statement claiming negligence and/or inaction by Council.	Name of interviewer Name of individual being interviewed Job title of staff being interviewed Date of interview Time of interview Location interview taken Witness to interview Typed format for interview notes	Responsible Group: General Medium: Storage: Not specified Trim folder: F13/199
14.Statements	Is a first party testimony of fact!	It can be used as a record of an individual's account of the event. Could be used to defend a statement claiming negligence and/or inaction by Council.	Name of individual making statement Job title of staff making statement Date of statement Time of statement Location statement taken Witness to statement Signature (black pen) of person making statement Signature of person taking statement and witness Typed format for statement	Responsible Group: General Governance Medium: Storage: Insurance Documentation Requirements Trim Folder: F13/200

ULSC Gathering Information Policy

INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS	ADDITIONAL INFORMATION
15. Annual Budget	A financial statement that details the projected income and expenditure for a financial year. It indicates the amount of financial resources able to be allocated to each function/project of Council.	Used to highlight Council's level of commitment to its infrastructure relative to its financial strength. Could be used to defend a statement claiming inaction by Council.	Date of report Version of report Financial year of report Date of Adoption or Budget Review	Responsible Group: Finance & Administration Medium: Storage: Budget as adopted by Council annually and Quarterly Budget Reviews Trim folder: F10/549-02
16. Drawings or plans	A graphical representation of the work area, work method or location of the incident.	Visually shows evidence of the work planned. Shows standards to which the work is to be performed. Could be used to defend a statement claiming professional negligence, inaction or design failure .	Legible format (size) A legend indicating name of draftsman, architect, company etc Reference to related drawings Total number of drawings in set Index number of drawing Direction of north recorded on drawing Drawing scale Date of drawing or plan	Responsible Group: Infrastructure Medium: Waste, Water & Sewer Storage: Paper/microfiche/electronic filing on I:/drive Trim folder: F13/201
17. Maps	Defines the exact location of the event.	Visually shows the location of the incident. Could be used to defend a statement claiming responsibility for an event where Council may not even be liable.	Date map was made Person/organisation drafting map (source) Direction of north recorded on map Scale of map Area depicted by map Legible format	Responsible Group: Infrastructure Environment & Planning Medium: Storage: GIS – MapInfo and Six Maps Trim folder: F13/202
18. Phone logs	Chronological record of calls made or received by Council officers.	Used as a record of proceedings, conversations and advice given over the phone. Could be used to defend a statement claiming negligence and/or inaction by Council.	Contained in book with binding (manual) Name of log book user (manual) Page numbers (manual) Date of call (manual & TRIM) Time of call (manual & TRIM) Name of caller (manual & TRIM) Summary of call (manual & TRIM)	Responsible Group: General Medium: Storage: Log book, diary entries and/or telephone accounts data Trim folder: F13/203

ULSC Gathering Information Policy

INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS	ADDITIONAL INFORMATION
19. Medical reports	Is a written summary from an attending physician summarising the patient's condition.	Used to establish the degree of injury and disability and thus challenge punitive damages .	Name of examining physician Date of examination Reason for examination Type written format Signed by attending physician	Responsible Group: Medical Practitioner (outside source) and Human Resources Medium: Storage: Personnel files Trim folder: Individual personnel files
20. Expert reports	A written formal summary of certain circumstances of the claim, prepared by a specialist in the field of the incident.	Used to verify the specific facts of the incident by an expert with the relevant experience. Could be used to justify action or inaction .	Name of expert CV of expert List of publications by expert Reference number Signature of expert Date of investigation	Responsible Group: Specific Expert (outside source as required) Medium: Storage: Not specified Trim folder: F13/204
21. Weather reports	A record of the weather conditions that prevailed at a given time and location.	Used to verify the conditions at the time of the incident.	Date of event Date of inquiry Name of weather service Symbol of authority (letterhead, stamp) Contact telephone number of issuing authority	Responsible Group: Bureau of Meteorology (outside source) or Works Supervisors Medium: Storage Details: Not specified Trim folder: F13/205
22. E-mails	Records of requests or details made or received by Council Officers.	Used as a record of proceedings, conversations and advice received by e-mail. Could be used to defend a statement claiming negligence and/or inaction by Council.	Date and Time sent Name of person sent from Name of person sent to Name of person copy sent to Subject summary/title Details	Responsible Group: Finance & Administration Medium: Storage Details: Microsoft Outlook & Records Management System (EDMS) Trim folder: F13/206
23. Incident report	Records of incidents recorded in the field, in person or over the telephone.	Used as a record of incidents. Could be used to defend a statement claiming negligence and/or inaction by Council.	Minimum requirements should comply with the guidelines inserted into the front cover of each incident report book and in accordance with the type of incident being recorded.	Responsible Group: General Medium: Storage: Records Management - filed on relevant case file and legal file where necessary Trim folder: F13/208

ULSC Gathering Information Policy

INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS	ADDITIONAL INFORMATION
24. File Notes	Records of requests, phone calls, informal meetings or other details made or received by Council Officers.	Used as a record of proceedings, conversations and advice received by Council Officer. Could be used to defend a statement claiming negligence and/or inaction by Council.	File Number: Name of person composing note: Date: Time: Subject summary/title: Details: Signature (black pen) and date (full date dd/mm/yy) Legible writing or typed on standard form template *signed file notes must be scanned into TRIM for signature storage	Responsible Group: General Medium: Storage: Records Management - filed on relevant case file Trim folder: F13/209
25. Council Policies	A formal written general statement of the governing body (Council).	Used as a record of proceedings, conversations and advice received by Council Officer. Could be used to defend a statement claiming negligence and/or inaction by Council.	Date adopted Minute number File number Title Responsible Office Background Objective Principles Policy Statement	Responsible Group: Governance Medium: Storage: Directory I:/ drive / Policies & Procedures / ULSC Policy Manual Trim folder: F10/618-03
26. Management Directives	Is formally written and refers to a staff related matter, on the day-to-day administration of the Council.	Used as a record of proceedings, conversations and advice received by Council Officer. Could be used to defend a statement claiming negligence and/or inaction by Council.	Date adopted File number Title Responsible Office Background Objective Principles Statement	Responsible Group: Governance Medium: Storage: Directory I:/ drive / Policies & Procedures and Manex meeting minutes stored on I:/ drive; and Records Management System (EDMS) Trim folder: F11/44

Finance and Administration - 21 September 2023

ITEM 13.3 **Review of Code of Practice for Section 355 Committees**

FILE REFERENCE I23/313

AUTHOR **Director of Finance and Administration**

ISSUE

Recommendation that Council adopt the reviewed Code of Practice for Section 355 Committees.

RECOMMENDATION That -

1. Council adopts the Code of Practice for Section 355 Committees.

BACKGROUND

Nil

REPORT

This report details the review of Council's Code of Practice for Section 355 Committees. The Code is attached with amendments highlighted in yellow for Council's review. The review includes an amendment to the title of the document to reflect the comprehensive content.

POLICY IMPACT

This is a review of an existing Code of Council.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council adopts the Code of Practice for Section 355 Committees.

ATTACHMENTS

1. ↓	Section 355 Code of Practice - Date Adopted 15 June 2023 Resolution XXX-23 - Review 2026	Attachment
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POLICY:-	
Policy Title:	Code of Meeting Practice for Section 355 Committees
File Reference:	F13/618-04
Date Policy was adopted by Council initially:	27 October 2005
Resolution Number:	309/05
Other Review Dates:	16 October 2008, 16 June 2011, 17 April 2014
Resolution Number:	305/08, 221/11, 104/14
Current Policy adopted by Council:	21 September 2023
Resolution Number:	XXX/23
Next Policy Review Date:	2026

PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed:	N/A
Procedure/guideline reference number:	N/A

RESPONSIBILITY:-	
Draft Policy developed by:	Chief Executive Officer
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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CODE STATEMENT

Upper Lachlan Shire Council recognises the important role of volunteers in the functioning of community committees. Council has two distinct types of Section 355 Committees, being:-

- a) Operating Committees - responsible for exercising a function of Council, for example, managing a facility such as a community hall;
- b) Advisory Committees - responsible for providing advice and/or recommendations to Council in relation to its policies and practices.

This document outlines the applicable Code of Meeting Practice to be utilised by both of these types of Community Committees.

For many years Council's Section 355 Committees have continued to devotedly undertake numerous tasks associated with the management of Council's community facilities and in the case of the Advisory Committees provide Council with recommendations relating to development of policy and the provision of facilities and resources for the community.

Since the Local Government Act was revised in 1993, a considerable number of legislative changes in the running of committees have taken place. To reflect these changes and to ensure all the responsibilities and duties of the committees are fully explained Council produced a Code of Meeting Practice for Section 355 Committees.

The purpose of the Code of Meeting Practice for Section 355 Committees is to provide a guide and support the efforts of Council's volunteers by suggesting ways for committees to work effectively together and explain some common procedures, which will facilitate better coordination between Councillors, Council Staff and Committees.

Although the Code of Meeting Practice for Section 355 Committees has been designed to address broad areas of concern expressed by Committees, there will undoubtedly be times when the answers cannot be found.

Council staff members are always available to assist the Committees and or individual Committee Members.

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SECTION 1 – INTRODUCTION

1.1 APPLICABILITY OF CODE OF PRACTICE

This Code applies to **all Section 355 Committee's advisory committees and committees established to manage Council facilities**, and supersedes all former Codes.

The provisions of this Code should be read in conjunction with individual Committees Terms of Reference and the Council Section 355 Committee Policy.

Where the provisions of the Code are inconsistent with the provisions of a Committee's Terms of Reference, the latter shall prevail.

SECTION 2 – COUNCIL'S POWERS TO FORM COMMITTEES

2.1 DELEGATION OF FUNCTIONS

The Local Government Act 1993, empowers Council to carry out some of its functions in a variety of ways. Council may use this power to establish a committee to which it appoints community members to manage a facility or provide advice on an aspect of Council's operations.

2.2 WHY DOES COUNCIL ESTABLISH SUCH COMMITTEES?

In many cases committees comprising members of the local community are in the best position to operate facilities or provide advice because those members are attuned to the needs of that community and are therefore in the best position to translate those needs into actions.

2.3 HOW ARE THESE COMMITTEES ESTABLISHED?

Committees are established under the provisions of Section 355, with delegations from Council under the provisions of Section 377 of the Local Government Act 1993. Section 355 allows Council to exercise functions and Section 377 allows Council to delegate certain of those functions. The two Sections of the Act are reproduced in **Appendix 1a**.

SECTION 3 – SCOPE OF COMMITTEE ACTIVITIES

3.1 RESPONSIBILITIES

There are two types of Section 355 Committees:-

- Those which operate a Council facility; and
- Those that provide advice to Council.

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(If you are a Committee that operates a Council facility, read on. If not, skip to 3.6)

3.2 CARE, CONTROL AND MANAGEMENT

For the Committee to achieve effective care, control and management there are certain responsibilities that need to be undertaken.

Care includes:

- Maintaining the facility and protecting the physical asset from damage, misuse and deterioration.
- Advising Council of any potential insurance risks that may arise in regard to buildings and users.
- Attaining sufficient funds to maintain the facility as a “going concern”.
- Ensuring sufficient and equitable access to the facility by the community.

Control includes:

- Holding regular meetings with recorded minutes.
- Monitoring and maintaining financial records.
- Submitting financial records for an annual audit.
- Recommending hiring fee structures for determination by Council.
- Administering and overseeing the use of the facility by other groups.
- Clearly defining the role of office bearers and committee members.
- Submitting office bearers’ names and an audited financial report to Council following the Annual General meeting.

Management includes:

- Ensuring all monies received will be used for the benefit of the facility in an equitable, honest and consistent manner.
- Ensuring that the organisation is not used for the financial gain of individual members.
- Being aware of, and involved in, appropriate community activities that are compatible with the goals of the facility.
- Developing and updating long term plans.
- Recommending policies and procedures that contribute toward the effective management of the facility.
- Being accountable to the community and the Council for the Committee's actions and initiatives in respect to the facility.

3.3 LIMITATION OF POWERS

The Committee may not make decisions concerning the following:-

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- a) Fixing of charges or fees - with the exception that the Committee may fix charges or fees if delegated by Council in the appropriate Plan of Management for the individual facility.
- b) Borrowing of any monies without the express written consent of Council on each such occasion.
- c) The sale, lease or surrender of any land or other property vested in its care under the provisions of Local Government Act 1993, (as amended).
- d) The acceptance of tenders, which are required to be called by Council. (The committee may invite and accept quotations for minor works, goods and services covered within the scope of its authority or as agreed with Council).
- e) Appointment of persons or contractors to carry out works on the facility **without liaising with Council staff.**
- f) The payment or making of any profit, gain or gift, to or by its members as well as allowance or travelling expenses incurred whilst attending committee meetings.

(Travelling expenses incurred by members in the course of extraordinary duties, e.g. open hall, deliver key, respond to complaints and alarms, will be excluded from this condition).
- g) The carrying out of any works on or to the facility including alterations, reconstructions or construction without the prior consent of Council and/or authorisation by Council Management. (Does not include minor maintenance works).
- h) Unreasonably withholding consent for the letting of the facility to any organisation that agrees to comply with and adhere to the rules adopted for use of the facility, providing an acceptable letting period is available.
- i) Vote monies for expenditure on the works, services or operations of Council.

The exercise by the Committee of its powers and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the Council Chief Executive Officer to the Committee.

The Committee will observe any Rules and Regulations made by the Council, in relation to the facility.

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If at any time the Committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the Committee signed by the Chief Executive Officer.

3.4 FACILITY USAGE

3.4.1 Conditions of Use

In consultation with Council, it is up to the committee to set conditions of use, e.g. noise level, age and hours restrictions. A copy of Conditions of Use should be signed by everyone booking the facility, acknowledging their responsibility for individual complaints/damage etc.

The Committee is required to:-

- a) Submit to Council a draft set of rules for bookings and use of the facility and to ensure compliance with those rules in the form adopted by the Council.
- b) To collect and account for charges for the use of the facility in accordance with the schedule of fees and charges approved by Council.
- c) To maintain and keep a suitable bookings register in which to record dates and charges for activities and engagements, receipt numbers, names and addresses of the persons or organisations engaging the facility, and the purposes of such engagement.
- d) To report any non-compliance with the rules for bookings, particularly those that relate to Work Health and Safety risks and damage to assets.**

3.4.2 Setting Fees

The Committee should review its fee structure annually to ensure that the fee level is adequate to cover costs but still accessible to low income earners. Any proposed changes in fee structure must be submitted to Council by 31 December for adoption the following June.

3.4.3 Grounds Maintenance

Some Committees are responsible for the care and maintenance of sporting grounds, lawns and gardens. Any Council asset that is used in the care and maintenance of Council property must only be used by a Committee member for the purpose of maintaining Council property, and in accordance with any induction or training provided by Council.

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The cost of general maintenance of such assets will be met by Council for the duration of the assets life. At end of life, all Council assets are to be disposed of in accordance with Council's Disposal of Council Assets Policy.

Assets that are damaged or destroyed due to negligence or misuse by Committee members will be replaced at the cost of the Committee.

3.5 ACCOUNTABILITY

The Committee is primarily accountable to the Council but also to the groups that use the facility it has been appointed to manage and to the community in general.

Some suggestions to ensure the Committee is open and accountable are:-

- a) ensure that meetings are well advertised and accessible with prepared reports available for distribution;
- b) present reports at committee meetings, e.g. President, Treasurer, etc;
- c) let people (e.g. user groups) know the time and dates of meetings;
- d) display information on the way the facility is managed and who is on the committee;
- e) develop a simple system that allows comments, suggestions and feedback to be passed onto the committee from user groups and the community, and
- f) make sure that the facility is accessible to anyone who may want to use it, e.g. people with different sorts of disabilities, people from non-English-speaking-background.

3.6 CODE OF CONDUCT

Council has adopted a Code of Conduct that is applicable to both elected Councillors and employed staff. This Code of Conduct sets out the principles to ensure the business of Council is carried out in an efficient, honest and impartial way.

It is essential that committees be aware of and abide by the adopted Code of Conduct.

3.7 RIGHT TO DISMISS /TERMINATE /DISOLVE COMMITTEE

Council has the right to dismiss/terminate the Committee under the following circumstances:

- the function ends;
- the facility changes use;
- fraud;
- the Committee becomes dysfunctional;
- with the election of a new Council.

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SECTION 4 – OPERATION OF COMMITTEE

This section is to be read together with the Section 355 Committee Policy.

4.1 APPOINTMENT

To hold office and be responsible for the management of the facility or the provision of advice, all committee members must be appointed by Council. All nominations for membership of the Committee are to be formally submitted in writing to Council for appointment.

4.2 COMMITTEE MEMBERSHIP

Becoming a member of a Section 355 committee can at first seem very confusing and the responsibilities and roles somewhat overwhelming. It is important to provide any new members with the information they need to begin to understand the basics of the committee. This can be prepared in an 'orientation kit' and given to any new members. (See **Appendix 4a** for suggestions as to what items to include in an 'orientation kit').

4.3 VACATION OF OFFICE

The office of any member or office bearer of the Committee will become vacant in the following circumstances:-

- a) upon the death of the member; or
- b) if the member becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit; or
- c) if the member becomes a mentally incapacitated person; or
- d) if the member resigns membership by notice in writing to the Committee; or
- e) if the member is absent for more than three consecutive meetings without leave of the Committee; or
- f) if the member ceases to be a member of the organisation which he/she represents, (representatives of organisations will be given preference) unless the committee otherwise resolves; or
- g) while serving a sentence (whether or not by way of periodic detention) for a felony or any other offence, except a sentence imposed for a failure to pay a fine.

4.4 REPRESENTATION ON COMMITTEE

In relation to committees, which are appointed to operate a Council facility, membership reflects the community organisations, which use the facility, and is open to representatives of user groups and interested community members. In relation to committees, which are appointed to provide advice to Council,

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representation reflects the particular aspect of Council's operations on which the advice is being provided.

Any alteration to representation is at the discretion of the Council.

4.5 COMMITTEE POSITIONS

Committees consist of office bearers (also known as the Executive) and other committee members. In the case of Committees operating Council facilities, the committee elects at its first meeting and thereafter at each Annual General Meeting, office bearers. Particulars of all appointments, e.g. committee position, name, address, contact number and the user group represented, **must be notified in writing to Council** as soon as possible after appointment is made.

Committee members need to have a certain degree of commitment to their role as committee members. One of the advantages of community committees is that the workload can be shared between the different committee members.

It is important each member understands this role and what the community expects.

4.5.1 Office Bearers/Executive

Office bearers do not have greater decision-making powers than other committee members. Whilst office bearers usually have defined roles, each committee member plays an important part in the functioning of the committee.

Traditional roles include:

- **Ex-Officio Chairperson**

The Mayor is to remain ex-officio Chairperson of each committee. In the capacity as Chairperson of a meeting the Mayor shall have an ordinary and a casting vote.

- **Chairperson or President**

The Chairperson is usually the spokesperson for the organisation and therefore needs to be certain that the organisation is running smoothly and achieving its aims and objectives.

- **Secretary**

The Secretary is often the key contact point for the organisation, that is, for correspondence, phone messages, etc. and is required to record the 'minutes' for each meeting.

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- **Treasurer** (in the case of committees operating Council facilities)

The Treasurer is responsible for looking after the committee's financial business records and is required to present a report of all receipts, payments and other transactions to each committee meeting.

Note: For a full description of the responsibilities for each position please refer to Appendices 4b-4e.

4.5.2 Committee Members

Committee members have an important role to play both at meetings and in the general running of the committee. In respect of committees managing Council facilities they are the link between the committee, user groups and the community, providing feedback on activities through the active participation in discussions, decision-making and/or delegated tasks. In respect of committees providing advice to Council, members represent particular groups within the community with their contribution aimed at representing the views of those groups.

4.5.3 Ex-Officio

Ex-officio members are on the committee by virtue of the office they hold, e.g. representing the Council, Government body, etc. and have full voting rights

4.5.4 Staff

Council staff who are appointed to fulfil an advisory role, can provide support and resources to assist committees. Unless specified they have no voting rights.

4.5.5 Mayor

The Mayor when attending a meeting of a committee may assume the Chair. In the capacity as Chairperson of a meeting the Mayor shall have an ordinary and a casting vote.

4.6 MEETING PROCEDURES

Meetings are generally conducted to standard guidelines that are detailed in the following section and include:-

- a) that a quorum be present;
- b) that appropriate notice is given;
- c) that business on the agenda is properly conducted;
- d) that correspondence and minutes are recorded.

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4.6.1 A Quorum

This refers to the minimum number of members who must be in attendance to transact business.

A quorum will consist of **half of the total number of elected members plus one**, i.e. if the number of members is 13, a quorum would be 7.

If a quorum is not present within half an hour after the appointed starting time, the meeting will be adjourned to a time fixed by the chairperson; or those present can hold an informal meeting to discuss matters. However, any decisions taken by the committee are not recognised until they have been ratified by a meeting where a quorum is present.

4.6.2 Agenda

The agenda is an organised list of headings of all the major items, in order, that will be discussed at the meeting. A copy of the agenda is distributed to all the committee members at the commencement of the meeting, or before if it is possible. Late matters can be added to the agenda at the opening of the meeting as the chairperson calls for discussion on the agenda. **Appendix 4f** details the standard format for an agenda.

Each item of business to be discussed at the meeting needs to be put on the agenda. Unfinished business and reports on actions taken since previous meetings are included in the agenda under 'Business Arising from Previous Minutes'. If any items on the agenda are not discussed due to limitations of time, they are carried over to the next meeting agenda.

4.6.3 Conduct of Business

Each item of business is discussed in the order in which it appears on the agenda. Allow adequate time for discussion on important issues. Ensure all relevant information on the matter under discussion is available at the meeting.

4.6.4 Correspondence

A list of correspondence received (**Inwards**) is presented at the Committee meeting by the Secretary. This action is to inform members of any new issues that may have arisen and to report on letters received in response to matters raised at previous meetings. A list of correspondence sent (**Outwards**) is provided to inform the members of any action taken on their behalf. All correspondence will be suitably filed together for future reference. For details outlining the standard format for correspondence, please refer to **Appendix 4g**.

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4.6.5 Minutes

At each meeting the Secretary is responsible for recording and writing up the "minutes of meeting". These minutes are the official record of proceedings of the Committee's meeting and must be maintained. The minutes must be forwarded to Council within 10 working days after every meeting. For guidelines for recording minutes refer to **Appendix 4h.**

4.7 MOTIONS & AMENDMENTS

A motion is a statement of action about the issue under discussion. Motions are put forward or "moved" and "seconded" by members. After a motion is put before the meeting, the Chair may accept amendments to the motion. The motion and any amendments together with the movers and seconders must be recorded in the minutes. There is no need to record who voted for/against unless requested. The standard format for motions and amendments is outlined in **Appendix 4i.**

4.7.1 Special Motions

In formal meetings all business is put forward as a motion. Many organisations have rules for the presentation of those motions which involve serious policy or executive decisions, e.g. constitutional/rule changes, winding up of the organisation, etc.

Such motions must be circulated to members in a specific form and with due notice before the meeting at which they are to be discussed. They must also be placed on the agenda. In moving a 'notice of motion' the "mover" states, (usually in General Business), his/her intention to move a particular motion at the next meeting.

Motions on notice take priority over General Business at the meeting.

4.8 COMMITTEE MEETINGS

All committee meetings must be held in open session, i.e. open to members of the public to attend. Any person, other than a committee member, who attends a meeting has no voting rights and may not take part in the debate unless invited to do so by the committee.

The Committee shall decide the date and time of such meetings.

Often committee members ask why decisions have to be made in a meeting when it may seem simpler and much quicker for one member, say the Chairperson to make all the decisions and then tell people what jobs they are required to do. Most decisions need to be made in meetings because it is the entire committee that is responsible for the facility. The

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advantages/disadvantages of group meetings have been outlined in **Appendix 4j**.

4.8.1 Notice of Meetings

Meetings may be convened either by the Committee, its Chairperson, or by Council. Notice of all meetings must be given by the Secretary of the Committee and the following notice (excluding public holidays and weekends) must be given to committee members before each meeting:-

- a) Ordinary/General Meetings - notified in the minutes which are prepared and distributed to members before the next meeting giving at least **7 full days** notice.
- b) Special/Extra-Ordinary Meetings – **3 full days** notice in writing or by telephone to all members.
- c) Annual General Meeting (in the case of committees operating Council facilities) – **14 full days** notice in writing to members plus notice of the Annual General Meeting must be placed in the Public Notices column of a local newspaper inviting interested members of the public to attend.

4.8.2 Ordinary/General Meetings

Ordinary/General Meetings are held at the time and place agreed to by the committee. These meetings are to discuss the everyday management and operations of the organisation. To be an official meeting there must be a quorum (the minimum number required) present. However if there is no quorum the members can nominate to conduct business with the provision that any decisions or agreements are ratified at an official meeting.

4.8.3 Special/Extraordinary Meetings

Special/extraordinary meetings are called when there is an issue that needs to be discussed and decided upon before the next general/ordinary meeting. All members must be notified in writing, stating the purpose, time and place of the meeting, giving **three working days** notice and a quorum must be present.

4.8.4 Confidential Meetings

Under certain circumstances confidential committee meetings can be held. Advice should be sought from Council before scheduling a confidential meeting.

Committee members do not have "parliamentary privilege" in respect of statements made during meetings. Members should take care to ensure they do not make statements that could lead to legal action being taken against themselves or the committee.

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4.8.5 Annual General Meetings (AGM) **(IN THE CASE OF COMMITTEES OPERATING COUNCIL FACILITIES)**

An Annual General meeting (AGM) is to be held as soon as possible after the end of the financial year and the following business must be conducted:-

- a) Confirmation of the minutes of the last Annual General Meeting.
- b) Presentation of the Annual Report on activities in the last year.
- c) Receipt of an audited financial statement of income and expenditure of the last year, giving a true and fair view of the activities.
- d) Election of Office Bearers, i.e. Chairperson, Secretary, etc. for coming year.
- e) Acceptance of nominations from user groups/community members.
- f) Consider recommendations "carried" by way of motion from the floor.

An example of an Agenda for the AGM is included as **Appendix 4k**. Prior to this meeting, the committee nominates an independent person to be returning officer to conduct the election of officers.

4.9 ANNUAL REPORT **(IN THE CASE OF COMMITTEES OPERATING COUNCIL FACILITIES)**

This report outlines the activities of the organisation and provides information on the services that were provided in the last year. This report is presented at the Annual General Meeting (AGM) before the current committee stands down. A copy must be submitted to Council.

4.10 ELECTION OF COMMITTEE **(IN THE CASE OF COMMITTEES OPERATING COUNCIL FACILITIES)**

At the AGM all members of the committee stand down and their positions are declared vacant. The Returning Officer takes the chair and calls for nominations for the positions of office bearers (also known as the Executive) and committee members.

4.10.1 Procedures for Election

Nominations can be accepted in two ways:-

- in writing, duly seconded, and signed by nominee, prior to the AGM; or

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- verbally from the floor to the Returning Officer.

If two or more persons are nominated for a single position a vote must be taken. Persons nominated for election are entitled to vote for themselves. If a tied ballot occurs, the name of each candidate is written on a separate, identical piece of paper and a draw 'from the hat' by the Returning Officer (or an impartial observer), takes place. The first name drawn is the elected member.

A list of duly elected office bearers/executive and committee members must be recorded together with the names of nominators and seconders. Minutes of the AGM with the list of duly elected committee members must be sent to Council for approval.

4.11 VOTING

Voting allows members to express their agreement or disagreement. Voting can be conducted in one of three ways.

a) *Vote verbally*

The Chairperson asks people to say 'for' or 'against' and then decides which group is the largest.

b) *Vote by show of hands*

The Chairperson asks people in favour of a decision to raise their hands, firstly those in favour, counts hands and announces the total, and does the same for those against.

c) *Vote by secret ballot*

Members vote on paper and put into general pool, the secretary and a member not standing for any position, count the votes. (Requests by members for secret ballot cannot be denied).

For all motions, the committee needs to have an agreement concerning the way a vote will be decided, e.g. for the vote to be carried, you will need a simple majority (more than half); for changes to the Constitution, you will need two-thirds majority of those present.

SECTION 5 – KEY ISSUES

(If you are a committee, which operates a Council facility read on. If you are a Council advisory committee skip to 5.4)

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5.1 INSURANCE

5.1.1 Property

This policy covers all Council buildings, property and those contents that belong to the Council or its Committees, against risks such as theft, fire and malicious damage. The policy covers the following areas:-

a) Buildings

Coverage extends for fire as well as extraneous perils i.e. storm and tempest, rainwater, explosion, aircraft, riots and strikes, malicious damage, earthquake, water damage and impact.

b) Theft

Coverage extends for damage to buildings and contents contained therein and owned by Council, due to theft or any attempted threat.

c) Glass

Coverage of all internal or external glass (replacement).

d) Contents

Coverage for any contents owned by Council and/or the Committee and stored in the building. The Committee needs to note the following points:

- Equipment and other contents of users groups of each centre are not covered by Council's Insurance. (Refer Public Liability Insurance - Hall Hirers).
- Any losses or damage must be reported immediately to the Police and to Council. A written report must be completed when submitting any claim.
- The Committee should inform Council when it buys or is given any new items requiring insurance, which are valued over \$5,000. Items valued at less than this should simply be included in the yearly update.

5.1.2 Public Liability Insurance

All regular hirers of Council facilities (including incorporated bodies) are required to maintain their own public liability insurance cover and must provide the Committee with evidence of that cover, which indemnifies the Council against any claims.

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All incorporated bodies using Council facilities are required to maintain their own public liability cover to at least the level required under the Articles of Incorporation. (That is, the amount set by the State Government as a requirement for incorporation of the particular body).

The Committee should keep a record of all the users of the facility.

5.1.3 Personal Accident Insurance

This cover applies to any member of a Section 355 Committee whilst engaged in an activity connected with or on behalf of the Council in their capacity as a Committee member.

5.1.4 Public Liability – Casual Hirer's Insurance

Council carries an insurance policy that covers casual hirers of Council facilities. For this purpose, a casual hirer is any person or group of people who hire a Council facility for non-commercial or non-profit making purposes, less than 12 times per calendar year.

The Committee should note that incorporated bodies, corporations, associations and sporting bodies are not covered by this policy and must carry their own public liability insurance.

The Committee should maintain a record of all casual hirers of the facility.

5.2 BUILDINGS

No structural work of any nature, or alteration of any building managed by the Committee, will be undertaken until the Council has first given all necessary statutory consents and approvals. The Council's **Director of Environment & Planning** **Director of Infrastructure** is to be contacted in the first instance.

The committee does **not have the authority to change locks or keying systems** without contacting Council's **Director of Environment & Planning** **Director of Infrastructure**.

Building maintenance will be Council's responsibility.

The Committee:-

- a) Will be generally responsible to ensure that the asset is maintained to the satisfaction of Council **and the Director of Environment & Planning**. The facility and all associated equipment should be maintained in a proper and safe manner.
- b) Permit authorised Council officers to enter the premises or property at any reasonable hour for the purposes of carrying out inspections.
- c) Comply with the requirements of relevant Acts of Parliament and ancillary regulations, rules and by-laws and the requirements of

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relevant public authorities, including Council, and to meet all associated costs.

An annual inspection will be undertaken by Council's **Director of Environment & Planning (or their representative)** **Building Maintenance Coordinator**.

5.3 PURCHASING

Under the Local Government Act 1993, Council can assist committees by purchasing goods to be used in association with the Committee approved function. **Committees are also able to seek grant funding in order to procure goods on behalf of Council.**

As a general rule, Committees can save money by purchasing through Council when buying expensive items (i.e. Items greater than **\$2,000 \$5,000**), however Committees can obtain quotes from a range of sources. It is generally cheaper and more convenient for Committees to purchase smaller less expensive items direct.

5.3.1 Guidelines for purchasing goods through Council

- a) Work out the requirements and how much can be spent. Check out local retail outlets to assess exactly what is needed.
- b) Contact the **Procurement Coordinator** (refer to Terms of Reference) to determine if the item is available on Government Contract and at what price.
- c) If the Committee wishes to place an order, it should submit a request to the relevant Council Officer to purchase goods/services on its behalf. The request needs to be signed by two office bearers of the Committee.
- d) To be eligible for reimbursement of GST all goods purchased must be for use by the Committee and ordered by Council on the official Order Form, **including Council's purchase order terms and conditions**.
- e) Upon receipt of the goods at Council's Store, the Committee will be contacted to make arrangements for the delivery of goods. It is preferable that they are collected by the Committee, but if this creates difficulties, delivery can be arranged.
- f) **Payment of purchases will be arranged through Council.** Council will issue an Invoice for the goods to the Committee once the purchase takes place. Payment is made on this invoice **direct to Council**. Remember - no payments are to be directed to the supplier.

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Important points to remember:

- All purchases in excess of **\$500.00** **\$2,000** must be noted in the assets register that is kept by the Committee.
- It is a condition of all purchases that all goods and services purchased through Council **are not for resale** to groups or individuals.
- In the event that the Committee is dissolved, all funds and other assets held by the Committee will, after payment of all expenses and liabilities, be handed to Council.
- Prices paid for items purchased through Council on Government contract should not be divulged to anyone outside of Council or your Committee. This specifically includes other suppliers, as confidentiality is the prime requisite of such purchases.
- If purchasing items for building any sort of structure (e.g. a pergola or sand pit) ensure that these comply with Council and other statutory regulations. It also may be necessary to obtain a building permit. If you are unclear about this please contact the Senior Health and Building Surveyor to discuss the matter.
- Committees are to be mindful of the requirements to observe probity principles including fairness, transparency and managing of conflicts of interest (as described in clause 5.5.4 below, and also by the Independent Commission Against Corruption) when making purchases on behalf of Council. Council's Manager Governance can be contacted in relation to any probity concerns that may arise in relation to purchasing.

5.4 FINANCIAL RECORDS (IN THE CASE OF COMMITTEES OPERATING COUNCIL FACILITIES AND WHEN COUNCIL DOES NOT HOLD THE FINANCIAL RECORDS OF THE COMMITTEE)

When the financial records are not maintained by Council, the Committee will **provide Council with an audited statement of financial affairs once yearly by 31 August, following the end of the financial year.** The annual financial statement shall accompany the Annual Report and represents an accurate account of the financial activities of the organisation, providing details of Income and Expenditure with a Balance Sheet for the subject year. The financial year is from 1st July to 30 June.

The audit statement is to be prepared by the Treasurer of each Committee.

The Financial Statement includes the following records that the committee must maintain and keep up to date:

- cash book;

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- receipt book;
- bank deposit book;
- petty cash book;
- register of furniture, fittings and equipment;
- booking register;
- bank statements at end-of-year and ledger printouts where appropriate.

All Committees are also **required encouraged** to prepare estimates of income and expenditure for the next twelve (12) month period (July to June) **and submit such estimates to Council by 31 December of the year preceding the year for which the estimates have been made.** Such estimates will contain:-

- a) an estimate of income from various sources for following year.
- b) a recommendation on the fees and charges to be made in the following year.

All Committees are required to keep complete and accurate records of all transactions by the Income Tax Assessment Act, and for:-

a) Legal Reasons

Community Committees are given authority to operate by Council and are subject to the same rules and regulations. These rules are set out in the Local Government Act and the Local Government Regulations and Accounting Standards and **Office of Local Government Accounting Code of Practice** that must be adhered to. Council must ensure that these documents are maintained and that access is available to community committees at all times.

b) Public Accountability

Community Committees are exactly what their name implies - they are there for the benefit of the community, and are made up of members of the community. Any funds they raise, receive or spend are subject to public scrutiny, the same as Council's funds. The term "public accountability" indicates a responsibility to ensure that Committee funds are used in the manner for which they were intended, and that a clear and full disclosure of the Committee's financial activities is available.

Committees can easily meet these requirements without any inconvenience. Council staff are always available to provide advice and guidance if needed.

5.4.1 Basic Internal Control Techniques are:-

- a) That **at least** two people are required to **release funds by electronic banking and** two people sign all cheques. No cheques are to be pre-signed.
- b) Proper division of duties, i.e. no one person having too much control over funds.

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- c) Books are written up regularly.
- d) Blank cheques never to be signed in advance.
- e) Cash Book balanced and reconciled to the bank statement regularly.
- f) Receipts are banked promptly, without deductions i.e. if receipts for the day total \$100.00 and a bill for \$25.00 arises during the day, do not simply bank \$75.00 - bank \$100.00 and write a cheque for \$25.00.

The basic idea of internal control is to ensure that no one person has complete control over the finances of an organisation, e.g. one person signing cheques as well as preparing the documentation supporting the cheque being signed, writing receipts for money coming in, being responsible for banking the money and writing up the books.

5.4.2 Accounting

The following conditions are required to be adopted by Committee:-

- a) A cheque account will be opened at any branch of a recognised Bank, Credit Union or Building Society. Such accounts will be in the name of the Committee.
- b) All monies received by the Committee will be banked at **regular intervals** **least once each week**.
- c) The Committee is authorised to draw on its account for such sums as it may require in the performance of its delegated function but under no circumstances will the account be overdrawn.
- d) A suitable cash book, receipt book, bank deposit book, petty cash and register of furniture and fittings in addition to the letting register referred to above will be maintained and kept up to date. All such records will be submitted to Council by **31** August of each year.
- e) Receipts, in the name of the Committee, will be issued for all charges and other monies received and duplicates of all receipts will be retained for audit.
- f) Payment will be made by crossed cheque and in every case evidence of the need for the payment will be obtained and attached to payment records.
- g) Petty cash, maintained on the imprest systems amount to \$100.00, may be kept to meet sundry expenses not exceeding \$50.00 for any one payment. (For anything more than \$50 a cheque should be drawn). Reimbursements of petty cash are to be effected by drawing a cheque

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in favour of petty cash. The amount of petty cash held at any one time, must not, under any circumstances, exceed \$100.00.

- h) Two signatories are to be required for all cheques or other financial documents. Usually, this would be the chairperson, secretary or treasurer.
- i) Apart from the minor disbursements from petty cash, which must be approved before the account is reimbursed, all expenditure must be authorised and approved by the Committee and such authority and approval will be recorded in the minutes setting out in detail the amount and purpose for such expenditure and to whom the amount it to be paid.
- j) All records and books will be made available for inspection whenever required by Council's auditor or any authorised officer of Council.
- k) The Committee will be entitled to spend all monies raised in the management of the facilities under their control, provided that all such monies together with the Committee on their operations, will be expended strictly in accordance with any conditions imposed by the Council and only upon the facility of the Council for which the Committee has been constituted.
- l) Upon dissolution of the organisation, all funds and other assets held by it, will, after payment of all expenses and liabilities, be handed to Council.
- m) All monies and other assets coming into the hands of the Committee or any member of the Committee in their capacity as such will be the property of the Council and will be deemed to be held by the Committee on behalf of Council. The Committee may not hold land and buildings in its name, all such property will be held in the name of Upper Lachlan Shire Council.
- n) Any surplus funds from time to time held by the Committee may be invested in the Committee's name only in those forms of investment authorised by the Local Government Act 1993. Namely, a deposit or bill of exchange with financial institutions as detailed in the Trustees Act from time to time. (refer **to Council's Finance and Administration Department**).
- o) No monies are to be disbursed as a donation to any member of the public, except in accordance with Council's Grants Program or as provided by the Committee's Terms of Reference.

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5.5 LEGAL ISSUES

From a legal perspective it is important for the Committee to be aware that it is, in fact, acting on Council's behalf. Legally, the Committee is 'Council' and any action which the Committee undertakes is Council's responsibility. In this regard committees must operate within the parameters set by relevant legislation and Council's policies.

Committees sometimes believe they are responsible in their own right and that their actions are independent of Council. This is not the situation. Council delegates its authority to the Committee to act on Council's behalf and Council can withdraw this delegation if it deemed it to be necessary.

5.5.1 Committee Records

Most of the records of the Committee, e.g. minutes of meetings, financial reports, etc, should be kept for at least seven years. After this time they should be given to the Council to be archived.

The Committee needs to be aware of the importance of minutes, because of their legal status and their liability to subpoena in court cases.

The Chairperson is required to sign the minutes of a meeting as the true record of proceedings of the meeting. The minutes must record all motions and amendments put to the meeting, and the results. There is no need to record what members said at the meeting, but there may be occasions when it is appropriate to record the thrust of the debate.

The Chairperson and the Secretary are responsible for the form of the minutes for proper confirmation, and must check that there have been no unauthorised alterations to those minutes. The Chairperson signs the minutes after they have been confirmed by the appropriate meeting, (usually the next Committee meeting). The signing must not take place until the motion for confirmation has been completed. The motion to confirm the minutes can only be moved and seconded by a person in attendance at that meeting to which the minutes relate.

5.5.2 Pecuniary Interest

Chapter 14, of the Local Government Act 1993, includes a framework for the handling of alleged breaches of the pecuniary interest provisions of the Act. Full details are included as Appendix 5a.

The Act is about openness, accountability and transparency in decision-making by Councils. A Pecuniary Interest is one of financial benefit.

It is the responsibility of members of the Committees (who are not Councillors or designated persons):-

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- To disclose to the meeting any pecuniary interest in a matter before the meeting;
- Not to participate in the discussion of the matter before the Committee in which the member has a pecuniary interest;
- Not to vote on the matter before the Committee meeting in which the member has a pecuniary interest.

A pecuniary interest does not exist where the interest is so remote or insignificant that it could reasonably be regarded as unlikely to influence any decision. The obligation to disclose is a strict duty, and the person's motives for participation are irrelevant if an interest is said to exist.

5.5.3 Declaration of Interests

To protect individual members as well as the whole organisation, all Committee members should declare their interests in advance. If a potential conflict arises, it should be declared as soon as possible. Where some financial, political or personal benefit is potentially involved, Committee members should do one of the following:-

- a) State their involvement in another organisation or business etc, and the committee should be aware of this.
- b) State their involvement and ask that they not take part in discussion or decisions about the issues where there could be conflict.
- c) State their other involvements and ask that the group determine whether they stay involved, or how they can participate without compromise.
- d) State their involvement and that they believe they should resign from the committee because of this conflict.

5.5.4 Conflict of Interest

A conflict of interest can arise when a member of the Committee has other involvements or interests that make it difficult for them to always remain impartial when involved in discussions and decision-makings. These can include:-

- business or professional activities;
- employment or accountability to other people or organisations;
- membership of other community organisations or service providers;
- ownership of property or other assets.

The conflict may lead to:-

- financial benefit e.g. sale of goods or privileged knowledge;
- political benefit e.g. gaining or losing electoral support;
- personal benefit e.g. career advancement or increased standing in the community.

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5.6 HEALTH & SAFETY ISSUES

5.6.1 Health

Council has adopted the following policy related to smoking in the workplace:

Smoke Free Work Environment

Smoking is prohibited in all Council buildings, structures and vehicles; this includes:-

- All enclosed areas in general use.
- All lobbies, foyers and corridors.
- All offices, depots and workshops.
- Common rooms, tea rooms and staff rooms.
- All vehicles, plant etc.
- Amenities buildings and toilets.
- Both the Crookwell and Gunning swimming pool buildings and enclosures.
- All playgrounds and sports grounds.
- All al fresco dining areas on Council lands.

In addition, smoking is banned near air intakes, external doors in regular use and windows regularly opened.

The Committee should ensure that this policy is adhered to.

5.6.2 Work Health & Safety

Where a Committee organises a working bee or any event using volunteers, a list containing the names of those persons must be provided to Council to ensure that they are covered under Council's Insurance Policy.

5.6.3 Risk Assessment

Where a Committee proposes to undertake any work or activity it must contact the relevant Council Officer to determine if a risk assessment is required.

SECTION 6 - RELEVANT LEGISLATION AND COUNCIL POLICIES

The following legislation and Council policies that are relevant to this Policy include:

- Local Government Act 1993;
- Local Government (General) Regulations 2021 2005;
- **Local Government Amendment** (Community Land Management) Act 1998;
- Privacy and Personal Information Protection Act 1998;
- State Records Act 1998;

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- Environmental Planning and Assessment (EPA) Act 1979;
- Public Interest Disclosures Act **2022**1994;
- Independent Commission Against Corruption Act 1998;
- Anti Discrimination Act 1977;
- Government Information (Public Access) Act 2009;
- Code of Conduct Policy;
- Code of Conduct Procedure;
- Code of Business Practice;
- Statement of Ethical Principles;
- **Code of Meeting Practice;**
- Payment of Expenses and Provision of Facilities Policy;
- Government Information (Public Access) Policy;
- **Purchasing and Acquisition of Good Policy and Procedures;**
- **Procurement Policy;**
- Complaints Management Policy **and Procedures;**
- Harassment Policy;
- Fraud and Corruption Prevention Policy;
- Interaction between Councillors and Staff Policy;
- Privacy Policy;
- Public Interest Disclosures Policy;
- Section 355 Committee Policy;
- **Customer Service Charter;**
- Volunteers Policy;
- NSW Ombudsman - Good Conduct and Administrative Practice (Guidelines for State and Local Government) June 2006 and;
- ICAC publication **"Use and misuse of public sector resources" February 2008 No Excuse for Misuse, preventing the misuse of council resources"**, and
- Any other relevant legislation and guidelines as applicable.

VARIATION:

Council reserves the right to vary or revoke this policy.

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Appendices

SECTION 1

- 1A LEGISLATION RELATING TO DELEGATIONS

SECTION 4

- 4A ITEMS FOR AN ORIENTATION KIT FOR COMMITTEES
4B RESPONSIBILITIES OF CHAIRPERSON
4C RESPONSIBILITIES OF SECRETARY
4D RESPONSIBILITIES OF TREASURER
4E RESPONSIBILITIES OF COMMITTEE MEMBERS
4F STANDARD FORMAT - AGENDA FOR ORDINARY MEETING
4G STANDARD FORMAT - CORRESPONDENCE
4H STANDARD FORMAT - TAKING GOOD MINUTES
4I PROCEDURE FOR MOTIONS/AMENDMENTS
4J ADVANTAGES OF REGULAR OF MEETINGS
4K STANDARD FORMAT - AGENDA FOR ANNUAL GENERAL MEETING

SECTION 5

- 5A LEGISLATION RE PECUNIARY INTEREST



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GLOSSARY OF TERMS

Appendix 1A

1A Legislation Relating to the Delegations of Community Committees

Extract from Local Government Act 1993:

Part 1 – General

(s355)How does Council exercise its functions?

- 355 A function of a Council may, subject to this Chapter, be exercised -
- a) by the Council by means of the Councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means; or
 - b) by a committee of the Council; or
 - c) partly or jointly by the Council and another person or persons; or
 - d) jointly by the Council and another Council or Councils (including by means of a Voluntary Regional Organisation of Councils of which the Councils concerned are members); or
 - e) by a delegate of the Council (which may, for example, be a Voluntary Regional Organisation of Councils of which the Council is a member).

Part 3 - Delegation of Functions

(s377)General power of the Council to delegate

- 377 A Council may, by resolution, delegate to the Chief Executive Officer or any other person or body (not including another employee of the Council) any of the functions of the Council, other than the following:
- a) the appointment of a Chief Executive Officer,
 - b) the making of a rate,
 - c) a determination under section 549 as to the levying of a rate,
 - d) the making of a charge,
 - e) the fixing of a fee,
 - f) the borrowing of money,
 - g) the voting of money for expenditure on its works, services or operations
 - h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - i) the acceptance of tenders which are required under this Act to be invited by Council;
 - j) the adoption of an operational plan under section 405,

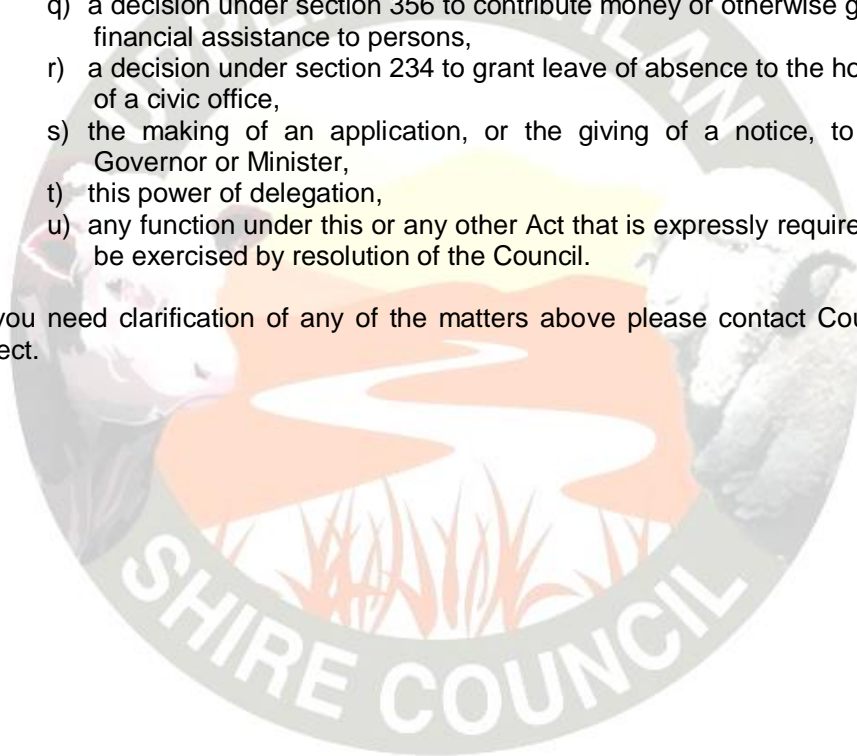
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- k) the adoption of a financial statement included in an annual financial report,
- l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- m) the fixing of an amount or rate for the carrying out by the Council of work on private land,
- n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work,
- o) the review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,
- p) the power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- s) the making of an application, or the giving of a notice, to the Governor or Minister,
- t) this power of delegation,
- u) any function under this or any other Act that is expressly required to be exercised by resolution of the Council.

If you need clarification of any of the matters above please contact Council direct.



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Appendix 4A

4A Information to Include in an Orientation Kit for Committee Members

What information to include?

Think back to when you first joined the committee.

What information was of use to you?

What did they tell you? What did they not tell you?

Some ideas to consider

- Give some time to new committee members to explain how the committee operates, its role and function.
- Let them know about committee meetings, when and where the meetings are, how long they run for, and how the committee makes decisions.
- Show them any policies and procedures that have been established.
- Explain the jargon terms that are now familiar to you.
- Provide new or potential members with copies of relevant information including:
 - ✓ Annual Report;
 - ✓ recent minutes;
 - ✓ other policies the group has developed;
 - ✓ a copy of the Code of Practice;
 - ✓ names and contact numbers of other members.
- Let people know if there is any training about committees available.
- Allow new members time to adjust to being a committee member.

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Appendix 4B

4B Responsibilities of the Chairperson

The Chairperson generally has the following specific duties that make up the major part of their responsibility:

a) Before a meeting

- Prepares the agenda (in consultation with the Secretary or members or can delegate this role to the Secretary), setting out the items of business to be considered.
- Ensures meeting is properly convened in accordance with the organisation's rules i.e. proper notice of a meeting is given and a quorum is present.

b) During the meeting

- Chairs all meetings, opens meeting, welcomes and introduces members and guests, subject to the right of the Mayor at his/her discretion to take the chair at any meeting he/she attends.
- Keeps individuals and the meeting focused on the topics being discussed and encourages all members to participate, ensuring adequate opportunity is given to members who wish to speak.
- Ensures correct meeting procedures are followed and control of the meeting is maintained, keeping track of time (or delegates someone to do this).
- Makes sure members are aware of decisions being made and that the minute taker has recorded decisions of the meeting.
- Acts impartially and uses discretionary powers in the best interests of members and in accordance with the agreed standing orders i.e. method of conducting meetings, and ensures all statutory regulations and organisation's rules are observed.
- Ensures that the meeting proceeds as per agreed timeframes.
- Closes meeting after business at hand has been properly concluded.

The Chairperson needs to be aware of certain issues and procedures and the importance of establishing and maintaining a working relationship with Council, particularly in regards to Government funding, the Council budget, Council and community involvement and requirements.

The Chairperson is responsible for providing assistance to all members of the management committee and ensuring that they fulfil their respective roles.

The Chairperson is the 'spokesperson' for the organisation and is the one to communicate with government departments and other relevant bodies.

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Appendix 4C

4C Responsibilities of the Secretary

The organisation's secretary usually carries a great deal of responsibility.

a) Before a meeting

- draws up the agenda, (in consultation with the Chairperson);
- makes copies of the agenda if required.

b) During the meeting

- takes minutes;
- reads minutes of previous meeting if necessary;
- provides a list of correspondence in order and summarises any important points;
- records any motions and/or decisions of the meeting including, mover and seconder.

c) After the meeting

- types the minutes and distributes to committee members as soon as possible;
- ensures that accurate minutes are kept in the Minute Book;
- writes any letters as decided (this can be a shared role with another committee member);
- Maintains matters in progress register.

d) Outside of meetings

- keeps a register of correspondence that has come in and gone out and file copies of all letters written;
- in between meetings informs other committee members of any correspondence requiring urgent attention.

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Appendix 4D

4D Responsibilities and Guidelines for the Treasurer

To establish an effective financial system, Committees will need to maintain the following books and forms:-

- 1 Cheque Book,
- 2 Petty Cash Book and vouchers,
- 3 Expenditure documentation,
- 4 Receipt Books,
- 5 Cash Book,
- 6 Bank Deposit Book,
- 7 Assets register (a list of equipment purchased by the committee).

1) Cheque Book

The Cheque book should normally be held by the treasurer and must only be drawn upon with the joint signatures of two of the executive.

All payments on behalf of the Committee for amounts in excess of \$50.00 will be made by cheque that will be crossed and marked "Not negotiable".

All cheques drawn will have some form of supporting documentation.

All cheques drawn will be authorised by the Community Committee.

All payment must be entered in the Cash Book under the appropriate cost heading.

2) Petty Cash

Petty Cash is used for minor cash purchases where a cheque payment is impractical.

The petty cash float will be a maximum of \$100.00 and any one purchase to a maximum of \$50.00.

Members claim petty cash when they have purchased something on behalf of the committee, e.g. milk, postage. This money is reimbursed from the petty cash float. Claims for petty cash are made through a petty cash voucher that must be accompanied by the item's receipt.

The Petty Cash float (to enable postage, purchases of stationary etc) is normally held and maintained by the secretary or another nominated committee member, (except the Treasurer). Details of payments and re-imbursements are recorded in a petty cash book using the 'Imprest System'.

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The 'Imprest System':

- a) begin with a float of \$100.00.
- b) make payments out of this float.
- c) wait until float is substantially reduced (under \$20.00).
- d) total up value of vouchers (this should be the difference between cash in hand and the \$100.00 float).
- e) claim for re-imbursement for the amount of the vouchers, (this will bring the float back up to \$100.00).

Only one person should be responsible for petty cash and access to the float is to be restricted. The petty cash book should be checked (audited) regularly by the Treasurer who includes summary details in the organisation's cash payment book and financial report.

3) Expenditure Documentation

All payments should have supporting documentation, preferably an Invoice. These should be kept in payment order and noted with the cheque number and date of payment for easy reference and to prevent double payment. Where documentation is not available, a notation should be provided detailing the payment and explaining why documentation is not provided.

4) Receipt Books

All receipt books must bear the Committee's name (a stamp will do), have a fixed duplicate copy and be numbered. A receipt must be issued for every payment received and monies should be banked regularly. The receipt of cash is an area where strict control is required. The safest method is to have only a limited number of approved people who have the responsibility for receiving funds, issuing receipts and banking monies.

Keep a record of receipt books detailing the number and location (i.e. in use or not). Record receipt number in the Cash Book and on the Deposit form retained by you. Never give change for a cheque payment.

Avoid altering amounts on receipts. If it is necessary to alter a receipt, cross through the incorrect entry and insert the correct amount. Initial all alterations. It is more acceptable to cancel a receipt and retain both the original and duplicate in the book, than to alter a receipt.

5) Cash Book

This book is sometimes called the Journal or Ledger. The Cashbook is the organisation's record of what money is received and spent, the

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transactions (both incoming and outgoing) that have occurred, and how much cash is on hand at any one time.

A twelve (12) or eighteen (18) column cashbook gives most committees enough room for details. It is essential to have receipts and payment on separate pages or in some cases, separate section of the cashbook. Across the page the columns are headed to allow the date, receipt or cheque number, cost or income allocation and totals.

Have appropriate and sufficient cost or income headings for frequent transactions, try not to have too many items under sundries or miscellaneous - it makes things difficult when preparing end of year figures.

Update the Cash Book on a regular basis so its does not become a big job. The totals down the page should always equal the totals across the page - do this each time you fill or rule off a page. Check that the totals carried forward onto the next page are correct.

Bank fees, interests, etc. wherever possible should be written in the Cash Book in the month they were raised or when bank statements are received. This assists with reconciling the cashbook to the Bank statements.

Show all cheques written during the month in the cashbook whether they have been presented or not. Show all income received during the month whether banked or not.

Reconciliation – Check off the amounts received and cheques written out in the cashbook against the bank statement figures. From this, you can compile a list of outstanding deposits or unpresented cheques and it also verifies that an incorrect figure does not appear in either record. Tick or cross entries only once - there is no need for multiple marks against each entry. Simply compare the cashbook entry against the bank statement and if they agree, mark each once only. If the bank reconciliation does not agree, find the discrepancy. It will be either a mistake in the cashbook or on the statement.

6) Bank Deposit Book

This book is supplied by the bank you have nominated and it is where all income is recorded for deposit into the organisation's account.

Keeping the books

The Committee is required to keep complete and accurate records.

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The following guidelines and procedures have been prepared to give members of the Committee a greater understanding of the tasks they have undertaken.

Steps Required to Keep Complete and Accurate Records

- 1) Open a cheque account in the Committee's name
- 2) Make as many payments as you can by cheque. Avoid paying cash.
- 3) Record details on the cheque butt.
- 4) Bank all cash receipts promptly into the cheque account.
- 5) Record all details on the receipt book butt.
- 6) Keep a petty cash tin with a maximum \$100 float. Record details of expenses from petty cash. Reimburse with a cheque from the business account.
- 7) Write up the cashbook regularly - at least monthly.
- 8) Reconcile the bank account regularly - generally monthly or each time a bank statement is received and at the end of the financial year.
- 9) Keep a wages book (if applicable).
- 10) Retain supporting documentation or evidence for all cheques drawn.

Writing up the Cash book

Upper Lachlan Shire Council will establish a set of essential books for issue to the Committee upon establishment. Cashbooks are available in various sizes from stationers and office supplies such as Newsagents or other stationers.

1) Cash Payments

- Enter appropriate headings in the book, ensuring the first column is "Bank" and the last one "Sundries".
- Enter cheques in cheque number order.
- Ensure every cheque is recorded in the book.
- Record cancelled cheques, but at no value.

2) Cash Receipts

- The same procedures as for cash payments.
- All amounts received must be receipted.

3) Reconciliation

- Bank reconciliations need to be performed regularly because:
 - i) they keep track of cheques that are outstanding and possibly lost;
 - ii) they ensure that a complete record is kept of all transactions;

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iii) they enable your accountant to prepare a balance sheet and accounts for your committee, and can therefore save you considerable money in professional fees.

- Take the monthly bank statement and write all items such as bank fees, direct debits, etc, into the cashbook.
- Total up the columns, ensure they add the same across as well as down.
- Tick off all items appearing in the cashbook against the bank statements, noting any that are outstanding.
- Finally, to complete reconciliation:
 - Take - total Cash Book balance (brought forward from previous financial year)
 - Plus - Income received to date in current financial year,
 - Less - payments to date in the current financial year,
 - This should equal - the balance on the bank statement; - (less any unpresented cheques) - (plus any unbanked deposits).

4) Retention of Records

The Income Tax Assessment Act requires records to be retained for seven years. If your books and records are required to be audited, it is important to retain all invoices and other supporting documentation.

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Appendix 4E

4E Responsibilities of Committee Members

Committee members' role is important and ensures the democratic process is followed. Members' responsibilities are:-

- a) attend most committee meetings;
- b) participate in meetings - this involves:
 - being on time;
 - sticking to the agenda;
 - contributing to the discussion where appropriate;
 - being objective, listening to others' views;
 - volunteering to do some of the necessary tasks required.
- c) support the office bearers in carrying out their jobs;
- d) assist in organising the Annual General Meeting;
- e) attend and participate in any planning days that may be held;
- f) make sure the facility is being maintained and run smoothly.

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Appendix 4F

4F Standard Format - Ordinary Meeting Agenda

i) **Open meeting**

Action: The Chairperson welcomes members and visitors, declares the meeting open, ensures everyone has an agenda, and asks for any extra items suggested by members.

ii) **Attendance and Apologies**

Action: The Secretary records those present and any apologies. An attendance list or book may be circulated.

iii) **Confirmation of minutes of the previous meeting**

Action: Two (2) committee members in attendance at the last meeting are asked to confirm that the record of minutes is a true and correct one. Any amendments or changes need to be recorded and included in this meeting's minutes.

iv) **Business arising from previous minutes**

Action: Deal with any matters that have arisen or were to be completed since the last meeting.

v) **Correspondence**

Action: Includes both Inward and Outwards correspondence. A member, usually the Secretary, reads out in full or in summary any letters received or sent since the last meeting. Any business arising from these letters is dealt with as it is read, and recorded in the minutes.

vi) **Treasurer's Report**

Action: The Treasurer gives a report on the financial position of the group, including income and expenditure since the last meeting and gives an overview of future budget estimates.

vii) **Other Reports**

Action: Reports from other office bearers.

viii) **General Business**

Action: Items for general discussion that are not elsewhere included on the agenda are discussed. As far as practicable, details of these items should be provided to the Secretary before the meeting. Also remind members of any coming events.

Note: General Business often contains the important discussions and decisions. Efficient meetings work through the early business quickly to leave sufficient time for general business. Specific items that arise in items (i) to (vi) can be deferred to General Business if appropriate.

ix) **Close Meeting**

Action: Establish the date and time of next meeting. Chairperson thanks members and visitors for attending and declares the meeting finished or closed.

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Appendix 4G

4G Standard Format for Correspondence

- 1) Keep a copy of all correspondence sent out on behalf of committee.
- 2) Set up a correspondence book to record all correspondence of the committee.

This should include:-

- a section for **Inwards** correspondence/mail;
 - a section for **Outwards** correspondence/mail;
 - a space to record the date of receipt or despatch of mail;
 - a numbering systems for both Inwards and Outwards to enable any correspondence to be easily located if the need should occur;
 - a space to identify whose responsibility it is to act on, e.g. Secretary.
- 3) Enter all correspondence in the relevant section of the book ensuring date and number are recorded.
 - 4) Place letter received since the last meeting in a folder marked, Correspondence Inwards, for the meeting.
 - 5) Record any action required and which committee member is responsible for this action.
 - 6) Establish and maintain a filing system for all mail, both In and Out.
 - 7) Correspondence can be filed numerically or by subject.
 - 8) Related items of correspondence can be placed together.

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Appendix 4H

4H Format for Good Minutes

- 1) Keep them short, clear and concise, and consistent.
- 2) Set them out - not too cramped, use headings, and underlining so the subjects, decisions and actions to be taken (and by whom) stand out and are easy to read. Use the Agenda as a basis for the format of minutes.
- 3) Don't try to record every statement made at the meeting. The minutes are a record of the decisions made - each decision or resolution must be accurately recorded.
- 4) A copy of the minutes without error or additions (unless initialled and signed by the Secretary and Chairperson, after adoption at the meeting) should be pasted into the specially supplied Minutes Book as a permanent record of meetings. It is the **Chairperson's responsibility** to see the minutes are unaltered after adoption and are signed as an accurate record.
- 5) You can record the names of the mover and seconders of each motion or amendment. Record the numbers for and against if specifically requested by those present.
- 6) List correspondence, business arising and items for general business by number. Organise all your papers in this order and try and see that the agenda follows this order. Shuffling reams of paper, lost items and trying to take minutes while finding the next item is a hassle. Decisions can also be noted on the business papers and then transferred to the minutes later.
- 7) If minute taking is a shared or revolving duty, allow each person to perfect their skills by taking minutes for at least 3-4 consecutive meetings.
- 8) Draft minutes can be reviewed with the Chairperson, or if done by a Minutes Secretary, with the Secretary. Two heads are better than one to remember events.
- 9) Remember, minutes should communicate and assist evaluation. They ensure accountability and are a permanent record of the group's activities.
- 10) Send them out as soon as possible after the meeting, so that follow-up action is more easily taken.
- 11) Include a record of the place, date and time of the next meeting.

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Appendix 4I

4I Procedure for Motions

A motion needs to be lawful, productive, relevant, appropriate, easily understood and be positive in its intent, e.g. "*I move that the facility be an alcohol free zone*". If the motion does not meet these requirements, it can be rejected by the Chairperson. Reasons must be given for this decision.

Any motion must be "**seconded**" before it can be accepted by the chairperson and opened for debate. There is no legal requirement to record mover and seconder, however, it can be done at the Committee's discretion. If there is no seconder, the matter lapses. Once a motion has been moved and seconded, the order of debate is:-

- Mover (raised original motion);
- Secunder (allows debate on the motion);
- Speaker against the motion;
- Speaker for the motion;
- Speaker against the motion;
- Speaker for the motion.

The debate continues in this manner until there are no further speakers. A member of the committee may speak no more than once to each motion or amendment at the meeting. The mover may then speak again, but in doing so closes the debate. Once the mover has closed the debate the chairperson must put the motion to a vote.

Amendments

Amendments may be made after the motion. The amendment must:-

- be clear and be part of the motion being considered;
- have a seconder;
- not exceed the power of the meeting;
- not be a direct negative of the motion;
- be put to the vote before the motion.

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Appendix 4J

4J Advantages of Regular Meetings

Meetings are used to:-

- exchange information and ideas;
- make decisions;
- provide support and resources;
- carry out particular tasks;
- raise any issues and needs;
- meet and socialise with other people.

Regular meetings ensure that:-

- 1) Everyone in the group can take part and have a vote.
- 2) More ideas, different ideas - result in better decisions.
- 3) Tasks associated with the decision can be allocated there and then.
- 4) Members, both present and absent, will feel more committed to a decision if it was made by the group at a meeting.
- 5) Decisions carry more weight with outsiders if the process is democratic.
- 6) Deciding or doing things as a group can generate enthusiasm and make the group more cohesive.
- 7) Any disagreement can be aired and sorted out at the meeting.
- 8) By taking part in the meetings, individuals become better informed and develop skills.
- 9) An opportunity for members to get-together, chat, etc.

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Appendix 4K

4K Standard Format - Annual General Meeting Agenda

1) Commence/Open Meeting

Chairperson presides over the following items:-

- a) Welcome;
- b) Apologies;
- c) Minutes of previous AGM;
- d) Reading Reports i.e. Chairperson, Secretary, Treasurer, etc.

2) All positions are declared vacant and the Returning Officer takes the chair and presides over the following items:-

- a) Election of Office Bearers;
- b) Acceptance of nominations from user groups and community members;
- c) Recommending Annual Fees.

3) Returning Officer then hands the chair over to the newly elected Chairperson who is responsible for:-

- a) Thanking the Returning Officer;
- b) Welcoming New committee;
- c) Consider recommendations "carried" by way of motion from the floor;
- d) Getting agreement on meeting dates for coming year.

4) Closure of meeting.

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Appendix 5A

5A Legislation Regarding Pecuniary Interest

Sections 441-448 of the Local Government Act 1993 specifies: those who are required to make disclosures of interest. These are:-

- Councillors
- "designated persons":
 - **Chief Executive Officer;**
 - other senior staff;
 - other members of staff and delegates of the Council who are designated by the Council to make such disclosures because of the type of Council functions they exercise;
 - members of certain Community Committees who are designated by the Council because of the type of Council functions exercised by the committee.

Statutory Duties imposed by Part 2 of Chapter 14

Members of Committees (who are not Councillors or designated persons):-

- To disclose to the meeting any pecuniary interest in a matter before the meeting (s.451(1));
- Not to participate in the discussion of the matter before the committee in which the member has a pecuniary interest (s.451(2));
- Not to vote on the matter before the Committee meeting in which the member has a pecuniary interest (s.451(3)).

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GLOSSARY OF TERMS

Agenda	matters to be brought before a committee
Amendment	the alteration of a motion or constitution
Audit/ed	an official examination and verification of accounts/records
Ballot	a ticket or paper used in voting
Budget	an itemised allotment of funds for a given period
Casting Vote	the deciding vote of the presiding officer when the vote is tied
Chairperson	the presiding officer of a meeting
Characteristic	distinguishing feature or quality
Classification	the act of arranging in classes
Clarify	to make clear
Cohesion	the act of uniting or sticking together
Committee	a group of people elected from a group to act on their behalf
Community	people who reside in a specific locality
Co-ordinate	to combine in harmonious relation or action
Constitution	the system of fundamental principles by which a group is governed
Delegate	to act for or represent
Democratic	equity for all
Discrepancy	difference, inconsistency
Dissolution	the undoing or breaking up of a committee/group
Document	a legal or official paper
Expenditure	that which is expended: expenses
Guidelines	a statement which defines a policy
Impartial	unbiased, just
Liaison	the contact between two parties to ensure correct action
Licence	a certificate of such permission, an official permit
Management	the skill required to take care or charge of a function/facility
Manual	a book giving information or instructions
Negotiation	to bring about by discussion and settlement of terms
Nominations	the state of being named or put forward
Not negotiable	denial/with or without endorsement
Organisation	a body of persons organised for some end or work
Orientation	being introduced and instructed about the organisation
Pecuniary	of or pertaining to giving or getting money
Policy	a document embodying a contract
Qualifications	an academic accomplishment upon completion of study
Quorum	the number of members required to be present at a meeting
Revoked	to take back or withdraw
Statutory	prescribed or authorised by law
Strategies	to develop and plan actions that will improve situation
Transact	to carry through negotiations
Viability	is it practical or workable
Vice versa	the order being changed

Finance and Administration - 21 September 2023

ITEM 13.4 **Review of Section 355 Committee Policy**

FILE REFERENCE I23/314

AUTHOR **Director of Finance and Administration**

ISSUE

Recommendation that Council adopt the reviewed Section 355 Committee Policy.

RECOMMENDATION That -

1. Council adopts the Section 355 Committee Policy.

BACKGROUND

Nil

REPORT

This report details the review of Council's Section 355 Committee Policy. The Policy is attached with amendments highlighted in yellow for Council's review.

POLICY IMPACT

This is a review of an existing policy of Council.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council adopts the Section 355 Committee Policy.

ATTACHMENTS

1. ↓	Section 355 Committee Policy - Date Adopted 21 June 2018 Resolution 16718 - Review 2021	Attachment
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POLICY:-	
Policy Title:	Section 355 Committee Policy
File Reference:	F10/618-08
Date Policy was adopted by Council initially:	25 August 2005
Resolution Number:	231/05
Other Review Dates:	16 October 2008, 16 June 2011, 17 April 2014 and 21 June 2018
Resolution Number:	304/08, 223/11, 101/14 and 167/18
Current Policy adopted by Council:	21 September 2023
Resolution Number:	XXX/23
Next Policy Review Date:	2026

PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed:	N/A
Procedure/guideline reference number:	N/A

RESPONSIBILITY:-	
Draft Policy developed by:	Chief Executive Officer
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

ULSC Sec 355 Committee Policy

OBJECTIVES

The *Local Government Act 1993* provides the legislative framework for each Council to operate within. Section 355 of the *Local Government Act 1993* states:-

Section 355 - How does a council exercise its functions?

A function of a council may, subject to this Chapter, be exercised:-

- a) By the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or
- b) By a committee of the council, or
- c) Partly or jointly by the council and another person or persons, or
- d) Jointly by the council and another council or councils (including by means of a joint organisation or a Voluntary Regional Organisation of Councils of which the councils concerned are members), or
- e) By a delegate of the council (which may, for example, be a joint organisation or a Voluntary Regional Organisation of Councils of which the council is a member).

Council values the input from all community members and appreciates the community members for their interest in the various Section 355 Committees and assure them that their input and hard work are appreciated.

ESTABLISHMENT OF COMMITTEE**What is a Section 355 Committee?**

A Section 355 Committee is a committee established under Section 355 of the *Local Government Act 1993*, to assist Council with the operation and maintenance of various Council facilities and services.

In accordance with Section 377, the *Local Government Act 1993*, Council has the ability to delegate some of its functions to a Committee of Council. Council uses this delegation and appoints community members to manage its facilities or functions through a Section 355 Advisory Committee.

Why does Council have Section 355 Committees?

Committees provide a mechanism by which interested persons can have an active role in the provision / management of Council facilities or services. This provides a two-fold benefit by giving protection to the Committee operating under the banner of Council, and by providing Council with assistance in the carrying out of its functions.

ULSC Sec 355 Committee Policy

As the Committees are acting on behalf of Council, it is important to uphold the principles of equity, accessibility and inclusivity, providing for the whole community. The purpose of each Section 355 Committee is to advise Council on the views, needs and interests of particular communities in the Local Government Area (LGA) **as well as carry out operational tasks as allocated.**

Committee Membership

A Section 355 Committee membership should generally reflect community members with an interest in the committee area, demonstrated experience and expertise in the specific tasks assigned to each committee.

A Section 355 Committee shall generally consist of:-

- A number of community representatives as detailed in the Committee Constitution.
- Councillor representatives appointed by Council annually in September.

Committee Membership Criteria is as follows:-

- Be 18 years of age or above **and no older than 90 year of age;**
- Have established ties or interest in the Upper Lachlan Shire community;
- Be a resident and/or ratepayer of the Local Government Area; or if not a resident, be able to demonstrate an interest in the objectives of the Committee and ability to attend Committee Meetings to the satisfaction of Council;
- **The person is** Be committed to the activities of the Committee and a willingness to be actively involved in Committee issues.

Council must appoint new members before they are able to vote and take part in meetings of the Committee.

POLICY STATEMENT OPERATION OF SECTION 355 COMMITTEE

Each Committee is to hold an Annual General Meeting, which is to be advertised in the local newspaper **or by other electronic means** at least **thirty 14** days prior to the meeting. The meeting is to be held in a public place and is to be open to all members of the public.

The Minutes of the Annual General Meeting should be forwarded to the Council **General Manager** **Chief Executive Officer** as soon as possible after the Annual General Meeting and should detail the office bearers and proposed changes for the forthcoming year.

The audited accounts for the year ending 30 June should be sent to the **Council Chief Financial Officer** **Director of Finance and Administration** by 31 August each year.

ULSC Sec 355 Committee Policy

The Committee each year prior to 30 June is to advise the Council's Director of Environment and Planning of the maintenance and capital requirements of the buildings under their control. These will be considered by Council for funding subject to budgetary constraints. The Property Protection Insurance policy for the buildings and contents owned by Council will be paid for by Council.

The Public Liability Insurance policy of \$20 million is provided by the Council and covers each Section 355 Committee of Council whilst carrying out their delegations / functions on behalf of Council. However, each individual Section 355 Committee should assess their individual need for additional building contents insurance and public liability insurance where deemed appropriate.

If the Committee does not respond to comply with any of the above requirements, or any relevant Section 355 Committee Procedures Council, at its discretion, will advertise for the formation of a new Committee of management.

In addition each Section 355 Committee is specifically required to:-

- Elect an Executive at each Annual General Meeting, consisting of a Chairperson, Secretary and Treasurer. The Mayor is to remain the ex-officio Chairperson of each committee.
- Hold Committee meetings are to be held each quarter and submit the minutes are to be submitted to the Council for inclusion with the Council meeting agenda.
- Attend meetings. Should a member of the Committee not be in attendance for three consecutive meetings then the Council is to be informed.

In addition, Council:-

- is to be represented by one Councillor, who is to present the minutes of the Committee to the Council meeting.
- at its own discretion and in consultation with the Chairperson, may declare that a casual vacancy exists and move to have that vacancy filled.
- retains the right to review the existence of the Committee and will formally resolve the issue at a meeting of the Council. Typically this meeting of Council is the one held in September in conjunction with the election of Mayor and Deputy Mayor.
- retains the right to review the membership of the Committee and will typically conduct this review at the meeting of Council held in September each year.

Where applicable, Section 355 Committees that are responsible for the care and maintenance of Council buildings will be required to comply with the appropriate Plan of Management for that facility.

ULSC Sec 355 Committee Policy

It is clearly stated that a Section 355 Committee is a formal Committee of Council and as such, each Committee member should conduct themselves in an appropriate manner at all times. Council has an adopted Code of Conduct and would expect that each Committee member would be expected to respect the terms and conditions of that Code.

Section 355 Committees of Council are prohibited from becoming an incorporated body as stipulated within Council's insurance policies.

RELEVANT LEGISLATION AND COUNCIL POLICIES

The following legislation and Council policies that are relevant to this Policy include:-

- Local Government Act 1993;
- Local Government (General) Regulation 2005/2021;
- Local Government Amendment (Community Land Management) Act 1998/2021;
- Crown Land Management Act 2016;
- Privacy and Personal Information Protection Act 1998;
- State Records Act 1998;
- Environmental Planning and Assessment (EPA) Act 1979;
- Public Interest Disclosures Act 2022/1994;
- Independent Commission Against Corruption Act 1998;
- Anti Discrimination Act 1977;
- Government Information (Public Access) Act 2009;
- Work Health and Safety Act 2011;
- Code of Conduct Policy
- Code of Conduct Procedure;
- Code of Business Practice;
- Code of Meeting Practice - Section 355 Committees;
- Work Health and Safety Policy;
- Records Management Policy;
- Payment of Expenses and Provision of Facilities Policy;
- Government Information (Public Access) Policy;
- Purchasing and Acquisition of Goods and Services Policy and Procedures/Procurement Policy;
- Complaints Management Policy and Procedures;
- Harassment Policy;
- Fraud and Corruption Prevention Policy;
- Privacy Policy;
- Public Interest Disclosures Policy;
- Customer Service Charter;
- Volunteers Policy;
- NSW Ombudsman - Good Conduct and Administrative Practice (Guidelines for State and Local Government) June 2006 and;

ULSC Sec 355 Committee Policy

- ICAC publication "Use and misuse of public sector resources" February 2008 "No Excuse for Misuse, preventing the misuse of council resources".
- Any other relevant legislation and guidelines as applicable.

VARIATION

Council reserves the right to vary or revoke this policy.

14 CHIEF EXECUTIVE OFFICER

The following items are submitted for consideration -

14.1	Election of Mayor (Section 225-230, Local Government Act, 1993)	154
14.2	Election of Deputy Mayor	156
14.3	Council Meetings - Times and Frequency	158
14.4	Council Agenda Format and Committees Structure	161

Chief Executive Officer - 21 September 2023

ITEM 14.1 **Election of Mayor (Section 225-230, Local Government Act, 1993)**

FILE REFERENCE **I23/255**

AUTHOR **Chief Executive Officer**

ISSUE

The election for the position of Mayor is to be undertaken in accordance with Schedule 7 of the *Local Government (General) Regulation 2021* and Section 225, of the *Local Government Act 1993*.

RECOMMENDATION That –

1. Council determine the method of election, being either by preferential ballot, by ordinary ballot or by open voting.
2. The Chief Executive Officer declares the successful Councillor elected as Mayor, with that Councillor then to undertake the role of Meeting Chairperson.

BACKGROUND

The annual election for the position of Mayor is to be undertaken in accordance with accordance with Schedule 7 of the *Local Government (General) Regulation 2021* and Section 225, of the *Local Government Act 1993*.

REPORT

Schedule 7 – Election of Mayor by Councillors, of the *Local Government (General) Regulation 2021*, provides details with respect to the election of Mayor by Councillors. Nominations are to be made to the Chief Executive Officer and an election conducted, if necessary.

Council's Operational Plan has provided that the Mayor be paid an annual fee of \$27,600, which is paid in addition to the fee paid to the Mayor as a Councillor (\$12,400), a motor vehicle, a laptop and a mobile telephone are also supplied to be utilised in accordance with the position duties involved.

The Chief Executive Officer is the Returning Officer for the election of Mayor. A Councillor may be nominated without notice for election as Mayor and the nomination is to be made in writing by two or more Councillors, (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

A nomination form has been provided to all Councillors and should be delivered or sent to the Chief Executive Officer up until the time of the election to be held on Thursday, 21 September 2023 at approximately 1.30pm.

Chief Executive Officer

ELECTION OF MAYOR (SECTION 225-230, LOCAL GOVERNMENT ACT, 1993)

cont'd

If only one Councillor is nominated, then that Councillor is elected. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

Clause 3 of Schedule 7 of the *Local Government (General) Regulation 2021* also makes it clear that "ballot" has its normal meaning of secret ballot.

The following recommendation has been prepared on the basis that more than one Councillor is nominated for the position of Mayor.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That –

1. Council determine the method of election, being either by preferential ballot, by ordinary ballot or by open voting.
2. The Chief Executive Officer declares the successful Councillor elected as Mayor, with that Councillor then to undertake the role of Meeting Chairperson.

ATTACHMENTS

Nil

Chief Executive Officer - 21 September 2023

ITEM 14.2 **Election of Deputy Mayor**

FILE REFERENCE **I23/134**

AUTHOR **Chief Executive Officer**

ISSUE

The election for the position of Deputy Mayor is to be undertaken in accordance with Schedule 7 of the *Local Government (General) Regulation 2021* and Section 231, of the *Local Government Act 1993*.

RECOMMENDATION That –

1. Council determine the method of election of Deputy Mayor, being either by preferential ballot, by ordinary ballot or by open voting.
2. The Mayor declares the successful Councillor elected as Deputy Mayor.

BACKGROUND

The annual election for the position of Deputy Mayor is to be undertaken in accordance with Schedule 7 and Section 394, of the *Local Government (General) Regulation 2021* and Section 231, of the *Local Government Act 1993*.

REPORT

A nomination form has been provided to all Councillors and should be delivered or sent to the Chief Executive Officer up until the time of the election to be held on Thursday, 21 September 2023, at approximately 1:30pm.

If only one Councillor is nominated, then that Councillor is elected Deputy Mayor.

If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

Clause 3 of Schedule 7 of the *Local Government (General) Regulation 2021* also makes it clear that “ballot” has its normal meaning of secret ballot.

The following recommendation has been prepared on the basis that more than one Councillor is nominated for the position of Deputy Mayor.

POLICY IMPACT

Nil

Chief Executive Officer
ELECTION OF DEPUTY MAYOR cont'd

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That –

1. Council determine the method of election of Deputy Mayor, being either by preferential ballot, by ordinary ballot or by open voting.
2. The Mayor declares the successful Councillor elected as Deputy Mayor.

ATTACHMENTS

Nil

Chief Executive Officer - 21 September 2023

ITEM 14.3 **Council Meetings - Times and Frequency**

FILE REFERENCE **I23/133**

AUTHOR **Chief Executive Officer**

ISSUE

Providing details regarding times and frequency of Ordinary Council Meetings.

RECOMMENDATION That –

1. Ordinary Council Meetings are to be held on the third Thursday of the month (with the exception of January 2024 and December 2023) at Crookwell Council Chambers and webcast as per the following schedule of meeting times and dates:-
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 19 October 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 16 November 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 14 December 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 February 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 21 March 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 April 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 16 May 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 20 June 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 July 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 August 2024 commencing at 1:30pm.

BACKGROUND

Providing particulars with respect to Ordinary Council Meeting times and information regarding the frequency of Council Meetings, in accordance with Section 365, of the *Local Government Act 1993*.

REPORT

In accordance with Section 365, of the *Local Government Act 1993*, the Council is required to meet at least 10 times each year, each time in a different month.

Section 366 provides details with respect to the calling of an Extraordinary Council Meeting on request by Councillors and Section 367 provides details with respect to the requirements to provide notice of meetings.

The *Local Government (General) Regulation 2021* – Part 10 - Meetings, provides details with respect to the convening and conduct of Council Meetings and prescribing of a Code of Meeting Practice.

Any variation to the time and date for the Ordinary Meeting will require the Chief Executive Officer to send to each Councillor, at least 3 days before the Meeting, a Notice specifying the time and place at which, and the date on which, the meeting is to be held and the business proposed to be transacted (Section 367 (1) of the *Local Government Act 1993*).

Further to the above, Council also has an adopted Code of Meeting Practice, which complements the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

Council's existing arrangements concerning meeting times and dates and other procedural matters relating to Council Meetings are contained in the Code of Meeting Practice.

Information of particular importance is as follows:-

- Council Ordinary Meetings are held on the third Thursday of each month commencing at 1:30pm at Crookwell Council Chambers (Note: eleven meetings held each calendar year, January has no Council Ordinary Meeting scheduled).
- Tenders and other matters that meet Section 10A (2) of the *Local Government Act 1993* are dealt with in the Closed Section of the Ordinary Council Meeting.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That –

1. Ordinary Council Meetings are to be held on the third Thursday of the month (with the exception of January 2024 and December 2023) at Crookwell Council Chambers and webcast as per the following schedule of meeting times and dates:-
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 19 October 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 16 November 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 14 December 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 February 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 21 March 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 April 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 16 May 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 20 June 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 July 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 August 2024 commencing at 1:30pm.

ATTACHMENTS

Nil

Chief Executive Officer - 21 September 2023

ITEM 14.4 **Council Agenda Format and Committees Structure**

FILE REFERENCE **I23/258**

AUTHOR **Chief Executive Officer**

ISSUE

Providing details regarding a review of the existing Meeting Format, Committee Structures, the current Committee memberships and representations/delegations.

RECOMMENDATION That –

1. Council adopts Schedule A as the Agenda for the business of the Ordinary Council Meetings.
2. Council determines and approves Schedule B and Schedule C for the committee structures, committee memberships and appointment of Councillors and staff representations/delegates to committees in accordance with Section 355, of the Local Government Act 1993.

BACKGROUND

Providing details regarding a review of the existing Meeting Format, Committee Structures, the current Committee memberships and representations/delegations.

REPORT

Council may exercise its functions in accordance with Section 355, of the Local Government Act 1993, by appointing a Committee of Council by the Council's powers of delegation in accordance with Section 377, of the *Local Government Act 1993*.

Council is required to appoint delegates to various Council Committees and other community organisations. Some of the Council appointments to the organisations are for the term of the Council, whilst others are reviewed on an annual basis.

Council has previously appointed the below-mentioned Committees in accordance with Section 355, of the *Local Government Act 1993*. Attached to this report are revised Schedules A, B and C. These schedules have been prepared to include the existing Meeting Format, Committee Structure, the appointment of Committee membership and representation/ delegations.

To bring the Committee Structure and the current Committee membership up to date, there will be changes to Council delegates to the various Committees that will be required and perhaps even the closure of any redundant Section 355 Council Committee. Council will need to consider and resolve the same.

SCHEDULE A

AGENDA

Ordinary Council Meetings

Ordinary Meetings of Council shall be held on the third Thursday of each month (excluding January) commencing at 1:30pm.

The 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 – Chief Executive Officer
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

SCHEDULE B

COMMITTEES, STAFF AND COUNCILLOR MEMBERSHIP

Council Mayor, is Ex-Officio Chairperson of Section 355 committee meetings.

Audit, Risk and Improvement Committee (ARIC)

Functions of the Committee:

Audit, Risk and Improvement Committee will act as an advisory Committee to Council. The primary roles of the Committee is to assist Council in the effective operation of its responsibilities for internal audit, external audit, fraud control, compliance, probity, financial management, risk management, governance and service reviews. The Committee will work with Council's external auditor and internal auditor to facilitate achieving the organisational goals and efficient work practices.

Council Non-Voting Delegate: - Cllr P Culhane

Staff Representation (non-voting): - Manager Risk, Audit and Improvement, Chief Financial Officer & Director of Finance and Administration (Managers as requested).

Other Representation: Canberra Region Joint Organisation accredited committee members – Stephen Coates, Diana Hamono, Rachel Harris and Bryce McNair.

Meets: Quarterly

Performance Review Committee – Chief Executive Officer (CEO)

Functions of the Committee:

- To assess the performance of the Chief Executive Officer against the objectives and performance measures established in the Performance Agreement.
- Council to comply with the Office of Local Government 2022 Guidelines for the Appointment and Oversight of Chief Executive Officer directing that the whole process of performance management be delegated to a Performance Review Panel, including decisions about performance, any actions that should be taken, and the determination of the new Performance Agreement.
- Whilst the Council can undertake the performance management of its Chief Executive Officer, it delegates this task to the Performance Review Panel.
- It is Council practice to enable Councillors not on the Panel to provide feedback to the Mayor in the week prior to each performance review.
- The Performance Review Panel provides a superior forum for constructive discussion and feedback.
- The result of the Performance Review will be reported to a closed meeting of Council. As per the direction by the Office of Local Government Guidelines for the Appointment and Oversight of Chief Executive Officer, the report in the closed meeting of Council is not to be an opportunity to debate the results, or re-enact the performance management of the Chief Executive Officer.

Council Delegates: The Mayor, Deputy Mayor, Cllr J Searl (Chief Executive Officer's nominated Councillor Representative) and Cllr D O'Brien

Meets: Annually

Local Traffic Committee

Functions of the Committee:

Primarily a technical review committee that advises Council on traffic related matters in the Upper Lachlan Shire Council area.

***Note:** Where Council decides to act contrary to the Traffic Committee advice, written notification must be provided to the Roads and Maritime Service and to the NSW Police Force with no further action taken within 14 days from the date of written notification.*

Council Delegate: Clr J Searl, alternative Clr P Culhane

Meets: Quarterly

Minute Secretary: Engineering Executive Assistant

Other Representation: Transport NSW representative (1 Vote), NSW Police Representative (1 Vote) and Local Members Representatives (1 Vote).

Other Staff Involved: Director of Infrastructure, Manager of Asset and Design and Traffic and Road Safety Officer.

SECTION 355 COMMITTEES

Access Committee

Functions of the Committee: Provide input to Council on Council owned and controlled assets/facilities access issues and to assist with the ongoing development of the Disability Inclusion Action Plan.

Council Delegate: Clr M McDonald, Clr J Searl and Clr J Marshall

Minute Secretary: Engineering Executive Assistant.

Staff Representation: Director of Infrastructure, Manager of Asset and Design, Traffic and Road Safety Officer and Director of Environment and Planning (where required).

Meets: Quarterly

Biala Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Scott Keyworth and Paul Hewitt

Wind Farm Representation: Mr Derek Powell (BJCE) (Biala Wind Farm representative)

Meets: Annually

Bigga Memorial Hall Committee

Functions of the Committee: The care, control and management of the Bigga Memorial Hall in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Cllr J Marshall

Staff Representation: Director of Infrastructure (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Binda Hall Committee

Functions of the Committee: The care control and management of the Binda Hall in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Cllr J Marshall

Staff Representation: Director of Infrastructure (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Breadalbane Community Hall Committee

Functions of the Committee: The care, control, management and organisation of the Breadalbane Community Hall in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Cllr J Searl

Staff Representation: Director of Infrastructure (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Collector Oval Committee

Functions of the Committee: The care, control, management and organisation of the Collector Oval in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Mayor and Cllr J Searl

Staff Representation: Director of Environment and Planning (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Collector Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Katie Yeo and Robert Carter.

Wind Farm Representation: Ms Melinda Loew (Collector Wind Farm representative).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Crookwell & District Arts Gallery

Functions of the Committee: The care, control, management and organisation of the Crookwell Arts Gallery in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Cllr M McDonald

Staff Representation: - Chief Executive Officer.

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Crookwell & District Historical Society

Functions of the Committee: The care control and management of the history of the Crookwell portion of the area in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Cllr P Culhane, alternative Cllr N McDonald

Meets: Second Thursday of each month

Crookwell II & III Wind Farms Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegates: Mayor

Chief Executive Officer

COUNCIL AGENDA FORMAT AND COMMITTEES STRUCTURE cont'd

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Katrina Nixon and Paul Seary

Wind Farm Representation: To be announced (Crookwell Wind Farm representative).

Meets: Annually

Crookwell Memorial Hall Committee

Functions of the Committee: The care, control and management of the Crookwell Memorial Hall in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council annually. Responsibility for the care, control and management of the Crookwell Memorial Hall in accordance with the Plan of Management arrangement with Council.

Council Delegate: Cllr M McDonald

Staff Representation: - Manager Library Services and Director of Infrastructure (as required).

Meets: Bi-monthly

Cullerin Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegates: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Rachael Foley and Michael Coley.

Wind Farm Representation: Elsbeth Pickerin (Cullerin Wind Farm representative).

Meets: Annually

Economic Development Advisory Committee

Functions of the Committee: Identify economic development projects, opportunities and actions, develop and promote partnerships and business networks in the local area and assist with the commissioning of an Economic Development Strategy for Council in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Cllr M McDonald, Cllr J Searl and Cllr S Reynolds, alternative Cllr L Woodbridge

Community Representation: (EOI's advertised).

Meets: Quarterly

Gullen Range Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Margaret McPherson and Ms Christine McLean

Goulburn Mulwaree Representation: Mr Scott Martin.

Wind Farm Representation: Mr Derek Powell (BJCE) (Gullen Range Wind Farm representative)

Meets: Annually

Gunning Arts Festival Committee

Functions of the Committee: The care, control, management and organisation of the Gunning Arts Festival in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within funds that may be voted by Council from time to time.

Council Delegate: Cllr L Woodbridge

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Gunning Shire Hall and Showground Precinct Advisory Committee

Functions of the Committee: To provide advice with respect to the care, control, management and organisation of the Gunning Shire Hall and Showground Precinct in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Cllr L Woodbridge

Staff Representation: Director of Infrastructure and Director of Environment and Planning (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Rye Park Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: (EOI's to be advertised).

Wind Farm Representation: To be announced (Rye Park Wind Farm representative).

Meets: Annually

Sport and Recreation Committee

Functions of the Committee: To advise Council on matters involving the use, maintenance and improvement of Sporting Fields and Recreational Facilities throughout the Upper Lachlan Shire LGA.

Council Delegates: Clr P Culhane and Clr D O'Brien

Staff Representation: Coordinator Parks and Biosecurity and Director of Environment and Planning (where required).

Meets: Quarterly

Stonequarry Cemetery Committee

Functions of the Committee: The care control and management of the Stonequarry Cemetery in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Clr N McDonald

Staff Representation: Director of Infrastructure (where required).

Meets: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

Taralga Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Mr Craig Croker and Mr Brian Corby.

Wind Farm Representation: Ms Lucy Sinclair (Taralga Wind Farm representative).

Meets: Annually

Tuena Hall and Recreation Area Committee

Functions of the Committee: The care control and management of the Tuena Hall and Recreation Area in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Cllr M McDonald

Meets: Quarterly

Tourism and Event Management Advisory Committee

Functions of the Committee: Advise Council on the development of strategies relating to tourism, help build stronger local community awareness of the importance and value of the visitor community partner with Council to promote the benefits of tourism and events and provide ideas that will help grow the visitor economy on a sustainable basis in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Cllr M McDonald, Cllr J Searl and Cllr S Reynolds, alternative Cllr L Woodbridge

Community Representation: (EOI's advertised).

Meets: Quarterly

Upper Lachlan Australia Day Committee

Functions of the Committee: The Australia Day Committee will be responsible for the co-ordination of the official Australia Day celebrations across the Upper Lachlan Shire. Subject to the Australia Day Guidelines the Committee's responsibilities in respect of this event are as follows:-

- a) The Committee will: organise the Ambassador, provide recommendations to Council on the annual Australia Day Citizen and Young Citizen of the Year Awards, Event of the Year Awards and Sportsman of the Year Awards and be responsible for expenditure as per Operational Plan allocation.
- b) The Council will: be responsible for any administrative assistance (Executive Assistant) to the Committee and be responsible for funding as per the Operational Plan for the current year.

Council Delegates: Mayor, Cllr M McDonald, Cllr J Searl, Cllr N McDonald and Cllr S Reynolds

Staff Representation: - Director of Finance and Administration (Voting) and Executive Assistant to the Chief Executive Officer (Non-Voting).

Chief Executive Officer

COUNCIL AGENDA FORMAT AND COMMITTEES STRUCTURE cont'd

Community Representation: Noelene Cosgrove, Michael Coley, John Shaw, Cheryl John, Dianne Layden, Robert Cameron, Elizabeth Newcombe, Katherine Johnson, Carmel Hills and Norm Fountain.

Meets: Annually

SCHEDULE C

COUNCIL DELEGATES / REPRESENTATIONS (OTHER THAN COUNCIL COMMITTEES)

Biala Wind Farm Community Consultative Committee

Council Delegate: Cllr P Culhane

Meets: As required

Canberra Region Joint Organisation (CRJO)

Objective: To advocate on agreed regional positions and priorities for Canberra Region whilst providing a forum for regional cooperation and resource sharing and nurturing investment and infrastructure development.

Membership: Bega Valley Shire Council, Eurobodalla Shire Council, Goulburn Mulwaree Council, Hilltops Council, Queanbeyan-Palerang Regional Council, Snowy Monaro Regional Council, Snowy Valleys Council, Upper Lachlan Shire Council, Wingecarribee Shire Council, Yass Valley Council with associate members being the ACT Government, East Gippsland Shire Council and Wagga Wagga City Council.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer

Meets: Quarterly

Collector Community Association

Council Delegate: Cllr J Searl

Meets: Monthly

Collector Wind Farm Community Consultative Committee

Council Delegate: Mayor

Meets: As required

Country University Centre Committee

Council Delegate: Cllr N McDonald and Cllr L Woodbridge

Meets: Monthly

Crookwell Community Consultation Committee (Health)

Council Delegate: Clr P Kensit

Meets: Second Wednesday of the month at 10.30am

Crookwell II and III Wind Farm Community Consultative Committee

Council Delegate: Clr P Culhane

Meets: As required

Gullen Range Wind Farm Community Consultative Committee

Council Delegate: Clr P Culhane

Meets: As required

Gunning District Association

Council Delegate: Clr L Woodbridge

Meets: Monthly

Gunning District Community and Health Service Inc Management Committee

Council Delegate: Clr J Searl

Meets: Monthly

Gunning & District Historical Society

Council Delegate: Clr J Searl

Meets: Fourth Thursday of each month

Gunning Landcare

Council Delegate: Mayor and Clr L Woodbridge

Meets: As required

Gunning Wind Farm Community Enhancement Program Advisory Group

Council Delegate: Clr L Woodbridge

Staff Representation: Chief Executive Officer.

Meets: As required

Kiamma Creek Landcare Group

Council Delegate: Cllr S Reynolds

Meets: Quarterly

Local Government NSW (LGNSW)

Objective: To promote the interests of local government Councils at a divisional level.

Membership: All Councils in NSW.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer

Meets: As required

Rye Park Wind Farm Community Consultative Committee

Council Delegate: Mayor.

Meets: As required

South East Australian Transport Strategy Inc. (SEATS)

Objective: To stimulate and facilitate investment in transport and infrastructure in south eastern NSW, eastern Victoria and the ACT.

Council Delegate: Mayor

Staff Representation: Director of Infrastructure

Meets: Quarterly

Southern Tablelands Bush Fire Management Committee

Council Delegate: Cllr N McDonald

Meets: Quarterly

Staff Representation: Director of Infrastructure.

Note: This Committee is a statutory Committee appointed under the Rural Fires Act.

Southern Tablelands Regional Arts (STARTS) Advisory Board

Council Delegates: Cllr M McDonald

Meets: Quarterly

Southern Tablelands Regional Arts (STARTS) Sub-committee

Council Delegates: Clr J Searl

Meets: Quarterly

Southern Tablelands (Rural Fire Services) Zone Liaison Committee

Council Delegate: Clr P Kensit and Clr N McDonald

Staff Representation: Director of Infrastructure.

Meets: Quarterly

Taralga & District Historical Society

Functions of the Committee: The care, control and management of the history of the Taralga and surrounding villages.

Council Delegate: Clr N McDonald

Meets: As required

Upper Lachlan Joint Regional Planning Panel

Function: To determine state significant, designated development applications and other development applications as prescribed.

Council Delegate: Mayor and Clr P Culhane

Staff Delegate: Director of Environment and Planning.

Meets: As required

Upper Lachlan Local Emergency Management Committee

Function:

- To develop and maintain a Consequences Management Guide (CMG) for Upper Lachlan Shire.
- To review local emergency service organisational and functional area plans.
- Produce specific local hazard management plans if appropriate.
- Arrange emergency management training for individuals, including individuals employed in emergency service organisations and functional areas.
- Arrange the conduct of exercises to train individuals and agencies to test Emergency Management Plans.
- Produce Standing Orders and instructions and standard operating procedures under the local CMG.
- Assist the District Emergency Management Committee as required in the preparation and review of the District CMG.

Council Delegate: Mayor and Clr N McDonald

Council Membership:

- Manager of Infrastructure Delivery – (LEMC Chairman)
- Executive Assistant to Infrastructure – (Deputy LEMO)

Meets: Quarterly

Upper Lachlan Landcare Group

Council Delegate: Clr S Reynolds

Meets: Quarterly

Village and Town Progress Associations

Noting these are not managed by Council and will require an invitation from the Progress Association / committee should they wish for a Councillor delegate attend.

Bigga Progress Association

Council Delegates: Clr J Marshall and Clr P Culhane

Meets: on invitation from Association / Committee

Binda Progress Association

Council Delegates: Clr J Marshall and Clr P Culhane

Meets: on invitation from Association / Committee

Collector Community Association

Council Delegates: Clr J Searl and Clr L Woodbridge

Meets: on invitation from Association / Committee

Crookwell Progress Association

Council Delegates: Clr M McDonald and Clr S Reynolds

Meets: on invitation from Association / Committee

Dalton Community & District Association

Council Delegates: Clr J Searl and Clr L Woodbridge

Meets: on invitation from Association / Committee

Golspie Progress Association

Council Delegates: Clr N McDonald

Meets: on invitation from Association / Committee

Grabben Gullen Community Progress Association Inc

Council Delegates: Clr J Searl and Clr S Reynolds

Meets: on invitation from Association / Committee

Gunning District Association

Council Delegates: Clr L Woodbridge

Meets: on invitation from Association / Committee

Laggan & District Progress Association

Council Delegates: Clr M McDonald and Clr S Reynolds

Meets: on invitation from Association / Committee

Middle Arm Progress Association

Council Delegates: Clr D O'Brien

Meets: on invitation from Association / Committee

Roslyn Progress Association

Council Delegates: Clr D O'Brien and Clr S Reynolds

Meets: on invitation from Association / Committee

Taralga & District Progress Association

Council Delegates: Clr P Culhane and Clr N McDonald

Meets: on invitation from Association / Committee

Tuena Progress Association

Council Delegates: Cllr M McDonald and Cllr N McDonald

Meets: on invitation from Association / Committee

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That –

1. Council adopts Schedule A as the Agenda for the business of the Ordinary Council Meetings.
2. Council determines and approves Schedule B and Schedule C for the committee structures, committee memberships and appointment of Councillors and staff representations/delegates to committees in accordance with Section 355, of the Local Government Act 1993.

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 month of August 2023.	180
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Reports from Other Committees, Section 355 Committees and Delegates - 21 September 2023

ITEM 16.1

Reports from Committees for the month of August 2023.

RECOMMENDATION:

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

1. Gunning Arts Festival Committee – Minutes from meeting held 28 May 2023.
2. Gunning Arts Festival Committee – Minutes from meeting held 2 July 2023.
3. Gunning Arts Festival Committee – Minutes from meeting held 30 July 2023.
4. Crookwell & District Art Gallery – Minutes from meeting held 27 July 2023.
5. Upper Lachlan Access Committee – Minutes from meeting held 30 August 2023.
6. Upper Lachlan Traffic Committee – Minutes from meeting held 7 September 2023.
7. Crookwell Memorial Hall Committee – Minutes from Annual General Meeting held 31 August 2023.
8. Crookwell Memorial Hall Committee – Minutes from meeting held 31 August 2023.

ATTACHMENTS

1. 	Gunning Arts Festival Committee Meeting - 28 May 2023	Attachment
2. 	Gunning Arts Festival Committee Meeting - 2 July 2023	Attachment
3. 	Gunning Arts Festival Committee Meeting - 30 July 2023	Attachment
4. 	Crookwell & District Art Gallery - Minutes from meeting held 27 July 2023	Attachment
5. 	Access Committee - 2023-08-30 - Minutes - Attachments	Attachment
6. 	Traffic Committee - 2023-09-07 - Minutes - Attachments	Attachment
7. 	Crookwell Memorial Hall Committee - Annual General Meeting - 31 August 2023.	Attachment
8. 	Crookwell Memorial Hall Committee - General Meeting - 31 August 2023	Attachment

Gunning Arts Festival Section 355 Committee
Meeting 45 – 4pm Sunday, 28 May 2023
at The Picture House Gallery

Attendees: Michelle Storey (Chair, Minutes), Margarita Georgiadis (Artistic Director), Michael Coley, Margaret Jenkinson, Dianna Nixon, Debbie Gordon (guest)

Apologies: Greg Baines (overseas), Darryl Tonks (excused from meetings), Helen Vooren, Lauren Woodbridge, Vikki Basnett

1. Opening

The meeting opened at 4.00 pm and the Chair welcomed all attendees.

2. Apologies

The Chair advised apologies as listed, noting that Darryl and Greg are excused from attending meetings.

3. Minutes & Matters Arising.

Minutes of Meeting 44 were discussed. Actions arising:

- Installation of antique noticeboard still ongoing. We measured it at this meeting and discussed methods of installation
- Dalton Pub and Dalton Hall approached about involvement in GAF. Haven't approached Telegraph Hotel yet.
- Haven't booked Showground yet, due to information that The Picture House Theatre will be available.
- Any potential clash between Focus Group concert and GCC operations now resolved by Mike.
- Little Wing Puppets do not have funding to enable them to attend. Resolved to approach Sydney Puppets.
- Schedule, project plan and budget submitted to committee for discussion.

4. Correspondence

The meeting noted correspondence received and sent as listed below. Correspondence In and Out:

- Request from Dianna for a letter of support for an FRRR application. Letter of Support provided.
- Correspondence with Dalton Pub. They may want to do an event at Festival time and would like to be kept on our email list of event organisers.
- Correspondence on the Volunteer Rally. The arts groups combined forces and presented each other's materials and had both a weaving activity and a drawing activity for children. Both were very well received and helped raise the profile of the arts and cultural activities in town. Michelle noted the strong sales at Creative Gunning on the day.
- Dianna sent us the media list with the current ABC contacts.
- Correspondence with Focus Group, Dalton Hall, TPHG, Creative Gunning on producing a combined calendar of events to help in coordination and to inform the public. We discussed the scope of such a list. We want to be inclusive but also mindful of the scope

of our 355 committee. The discussion noted the importance of the Gunning Noticeboard in facilitating coordination between community events.

- Invitation to June 3 Gunning Landcare event.

Action on Michelle to explore if John could install the vintage noticeboard that Max and Margarita own.

Dianna will explore lighting options from Bunnings, including solar and battery LED lights when the time is appropriate.

5. Financial update

Draft budget for GAF 2023 provided.

Michelle informed the meeting that the Creative Gunning committee, at its meeting on May 25, resolved to use some of its FRRR funds to fund the SnapWrite exhibition. We note that this means that we will be able to fund the SnapWrite exhibition including printing and framing ~20 finalists' prints.

Action on Michelle to update the draft budget by including SnapWrite costs and funding, and circulate to the group for comment.

6. Program for GAF 2023

Based on discussion at Meeting 44 Michelle submitted a draft program for review. Comments included:

Mike confirmed that Pye Cottage won't be open on Saturday

Action on Margarita to ask Max about a one man show

Action on Michelle to approach Sydney Puppets and we won't pursue Little Wing Puppets further at this stage.

Action on Michelle to submit text to the Gunning Noticeboard asking if other groups are interested in holding events at Festival time.

7. Project Plan

A brief discussion on the Project Plan resolved:

Action on Margarita to begin work on the 2023 GAF webpage

We should get ready to launch SnapWrite

Action on Michelle to update website words for SnapWrite and send to Margarita.

8. AOB and Next Meeting

We discussed the Lions Club of Gunning Noticeboard and the importance of it continuing after the Lions Club closes at the end of June. It is important to the success of the Arts Festival that we are able to

communicate about events being held to both residents and visitors. It is vital as a way of informing people not on social media. It is also important for businesses to inform people about their business.

We discussed alternative meeting dates and venues. To be resolved via email.

Signed as correct:

Date: 29/5/2023

Gunning Arts Festival Section 355 Committee
Meeting 46 – 5pm, Sunday July 2, 2023
held by Zoom videoconference

Attendees: Michelle Storey (Chair), Margarita Georgiadis, Michael Coley, Dianna Nixon, Lauren Woodbridge, Helen Vooren (Minutes)

Apologies: Greg Baines, Darryl Tonks, Margaret Jenkinson, Debbie Gordon, Vikki Basnett

1. Opening

The meeting opened at 5.00 pm and the Chair welcomed all attendees.

2. Apologies

The Chair advised apologies as listed.

3. Minutes & Matters Arising.

Minutes of Meeting 45 were circulated and approved at the meeting.

Moved: M Coley Seconded: M Storey

AGREED

Matters arising from the previous meeting completed and ongoing) were discussed. Ongoing matters include:

- Approach to Telegraph Hotel regarding involvement in GAF. (Michelle)
- Approach to Sydney Puppets to come to 2023 GAF. (Michelle)

4. Correspondence

The meeting noted correspondence received and sent as listed below.

In / Out	Subject
In / Out	Request from Dianna Nixon for a letter of support for Australia Council Fellowship application and response
In / Out	Correspondence with Henry Liang re Japanese sho/didgeridoo duet
In	Snapwrite entries
Out	To Gunning Lions re closure of Gunning Noticeboard and future use of equipment

5. Budget & Financial update

Members noted the financial update and updated budget for 2023. Snapwrite exhibition will be funded by Creative Gunning from grant funds received.

Creative Gunning will again be a sponsor contributing \$500.

6. Schedule for GAF 2023

The meeting discussed the draft schedule and project plan prepared by Michelle for the 2023 GAF 28-29 October.

There will be a number of activities centred on Connect@Gunning. Discussed options for timing on performances at TPG – events in garden / theatre space and maybe need for additional help.

7. Acquisition of Lions Club printing equipment & computer.

Members discussed the email sent to Lions regarding the disposal of Lions assets and the desire to see those assets remain in Gunning for use by all community groups. Helen advised that Creative Gunning had also made a request to Lions for the assets.

8. Other Business

Several arts and culture groups in Gunning had resolved to collaborate to produce a combined advertisement for the ULSC Destination Guide. It was resolved that the Gunning Arts Festival committee will be part of this combined effort.

There being no other business, the meeting closed at 6.15 pm.

Signed as correct:

Date:

Gunning Arts Festival Section 355 Committee
Meeting 47 – 5.05 pm Sunday, 30 July 2023
held by Zoom videoconference

Attendees: Michelle Storey (Chair), Margarita Georgiadis, Michael Coley, Lauren Woodbridge, Margaret Jenkinson, Vikki Basnett, Helen Vooren (Minutes)

Apologies: Greg Baines, Darryl Tonks, Dianna Nixon

1. Opening & Declarations of Interest

The meeting opened at 5.05 pm and the Chair welcomed all attendees. There were no declarations of interest made.

2. Apologies

The Chair advised apologies as listed.

3. Minutes & Matters Arising.

Minutes of Meeting 46 were not available for the meeting.

Matters arising from the previous meeting completed and ongoing were discussed. Ongoing matters include:

- Approach to Sydney Puppets to come to 2023 GAF. (Michelle)

4. Correspondence

The meeting noted correspondence received and sent as listed below.

In / Out	Subject
In / Out	Destination Guide advertisement collaboration
In / Out	Didgerridoo and Japanese Sho performance
In	Community Groups Exhibition by STA
Out	Future use of the equipment owned by Lions to produce the Gunning Noticeboard

The meeting discussed the lack of response from Lions regarding the dispersal of assets. It has been noted that Lions were misinformed that the GAF Committee cannot hold assets.

5. Budget & Financial update

Members noted the financial update and updated budget for 2023 which includes the additional lines of receipt of \$500 from Creative Gunning which will allow for an additional performance from Gyan.

6. Draft Risk Table for discussion

The draft risk table was circulated for comment. It was noted that the suggestion to approach the Telegraph Hotel for an open mike night had not been progressed. Given advice that the Focus Group

will be holding an open mike event at the beginning of Oct, it was decided to not compete with this but to actively encourage festival attendees to eat at the pub.

In the absence of the Noticeboard, the meeting discussed other options for raising the profile and reaching potential attendees including letterbox drop, car stickers, use of the noticeboards in town and in other businesses, and media connections.

Suggestions for a colouring competition or asking the school kids to design a poster advertising the festival was suggested.

ACTION: Michelle to speak to the Gunning School principal Gabrielle Dixon

There is proposal from Melissa Robbins to yarn bomb the public seating for Breast Cancer awareness and that could be an additional activity of the festival. It was suggested that the yarn bombing could be done on some of the private property (TPG, verandah posts on the Coley & Jenkinson properties.

ACTION: Margarita to speak further with Melissa Robins re GAF support.

ACTION: Margarita to progress the poster for the 2023 Festival, update on website to save the date.

ACTION: Michelle to resend the 'About us' words to Margarita for inclusion on the web.

7. Schedule for GAF 2023

Members noted the updated schedule and reminded that Snapwrite entries close mid-August. Committee discussed printing a catalogue and it was decided it was not necessary but that pictures would need to be labelled. Yarn bombing to be added to the schedule.

ACTION: Margarita to source foam core for use as label backing.

8. Other Business

There was no other business.

9. Next meeting

The next meeting will be 27 August 2023 at 5pm by Zoom.

There being no other business, the meeting closed at 6.10 pm.

Signed as correct:

Date:

**CROOKWELL & DISTRICT ART GALLERY
MINUTES OF MEETING HELD ON 27th JULY 2023**

The meeting opened at 4.30pm

PRESENT:

S Bell, M Carr, L Gartrell, J McCarthy, J McCracken, M McDonald, G Smith, M Wonson

APOLOGIES:

C Greig, J Goodman, A Goodman, K Harwood, M Luntungan, S Recsei

MINUTES OF PREVIOUS MEETING

Minutes of previous meeting were accepted as correct. Moved Gay Smith, seconded Margaret Wonson.

CORRESPONDENCE

Nil correspondence.

TREASURER'S REPORT

Jane McCracken tabled the report showing an opening balance of \$3,368.84, income of \$522.50, expenses of \$2,049.59 leaving a closing balance of \$1,841.75.

Blinds for the window and door were purchased and installed at a cost of \$199.00.

A small ceramic sculpture by Penny Saxton titled "Stella & whistling Jenny" was purchased from the artist for \$300.00 and is to be entered on Gallery Asset Register.

Not having a quorum at the meeting the Treasurer's report was not accepted and is to be brought forward at the next meeting.

MASQUERADE SHOW REPORT

The meeting was advised that Expenses for the exhibition were \$1,471.25, Opening Night costs \$550.59 and income \$422.50. The exhibition made a loss of \$1,599.34.

The publicity by Carolyn Greig and curating by Karen Harwood were excellent and short time frame for promotion unfortunately impacted response.

SEPTEMBER ACTIVITY

Art off the Wall - It was discussed whether the exhibition would be held in the Gallery or Hall – Mandy McDonald to ask Taralga Art Show to put the screens on hold.

Mandy McDonald gave updates on the following:-

Men's Shed exhibition – the exhibition is proceeding and called "Handle with Care" – items to be for sale and to showcase what the Men's Shed can do.

A life in the Upper Lachlan Shire (ULSC & STA) - over 30 art works held in Council offices were located and the exhibition to include both Council and staff personal art.

Paint the Town Update – community consultation and co-design workshops now taken place & information with artists who will work on designs for various murals. Murals to be painted across shire. Community and STA will be holding street festivals at Tuena in the morning, and at Dalton in afternoon of Wednesday 4th October and at Crookwell Thursday morning 5th October.

NSW Government seeking submissions re new art and culture policy & ULSC & STA will be available to assist on Friday 4th August Gunning Railway at “Connect at Gunning” (old Gunning Railway Station) between 10.00 and 12.00.

OTHER BUSINESS

Jenny McCarthy suggested that live music at exhibition openings could be arranged with students from the Conservatorium. Although a good idea, it was felt the Gallery space was too small. However her other suggestion of a Bluetooth speaker would be considered.

Mandy McDonald stated that a Round 19 Grant “Strengthening Rural Communities Small & Vital” at \$10,000 maximum was now available. Jeremy Goodman to discuss with Mandy.

Short term proposed expenditure was for upgraded lighting and picture hanging cords was discussed and agreed that Gallery had sufficient funds to undertake work.

There being no further business, the meeting closed at 5.00 pm.

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE ACCESS COMMITTEE ULSC
HELD IN THE COUNCIL CHAMBERS
ON 30 AUGUST 2023

PRESENT: Cr M McDonald, (Chairperson), Mr D George, Ms S Chan and Cr J Searl

NON VOTING: Mr L Kruger (Director of Infrastructure), Mr S Arkinstall (Director of Environment and Planning), Mr D McGaw (Acting Design Engineer) and Ms S Knight (Minutes Secretary/Executive Assistant to DOI)

THE CHAIRPERSON DECLARED THE MEETING OPEN AT 3:13PM

SECTION 1: APOLOGIES & LEAVE OF ABSENCE

Apologies were received from Ms S Cosgrove, Ms A Waldron (Chief Executive Officer), Mr D Johnson and Cr J Marshall.

RESOLVED by Cr Searl and Ms Chan that the apologies be received and a leave of absence granted.

- CARRIED

SECTION 2: DECLARATIONS OF INTEREST

NIL

SECTION 3: CONFIRMATION OF MINUTES

ITEM 5.1 **RESOLVED** by Cr Searl and Ms Chan

That the minutes of the Access Committee Meeting held on 31 May 2023 be adopted.

- CARRIED

SECTION 4: REPORTS

ITEM 4.1 ACCESS COMMITTEE CHARTER REVIEW

RESOLVED by Cr Searl and Ms Chan

1. The Committee agrees to the Upper Lachlan Shire Council Access Section 355 Committee Charter changes
2. The new Charter to be put forward at the next Ordinary Council Meeting in September 2023 to be adopted.

- CARRIED

This is page ONE of the Minutes of the MEETING OF THE ACCESS COMMITTEE ULSC
Held on 30 AUGUST 2023 Confirmed on 29 NOVEMBER 2023

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE ACCESS COMMITTEE ULSC
HELD IN THE COUNCIL CHAMBERS
ON 30 AUGUST 2023

ITEM 4.2 DISABILITY INCLUSION ACTION PLAN REVIEW

RESOLVED by Cr Searl and Ms Chan

1. The Committee agrees that the reviewed questions in the previous Disability Inclusion Action Plan Community Consultation survey should be considered by Council to be distributed to the community again with the provided feedback to be included in the updated plan.

- CARRIED

ITEM 4.3 ASSESSMENT OF STEEP FOOTPATH - DENISON STREET, CROOKWELL

RESOLVED by Ms Chan and Mr George

1. That the information be received and noted by the Access Committee.
2. The Committee recommend to Council that handrails should be installed at this location.
3. Correspondence be sent from Council's Infrastructure department back to the resident.

- CARRIED

ITEM 4.4 ASSESSMENT - GRABBAR GULLEN PROPOSED PAMP INFRASTRUCTURE

RESOLVED by Cr Searl and Ms Chan

1. That the information be received and noted by the Access Committee
2. Correspondence be sent from Council's Infrastructure department back to the resident.

- CARRIED

This is page TWO of the Minutes of the MEETING OF THE ACCESS COMMITTEE ULSC
Held on 30 AUGUST 2023 Confirmed on 29 NOVEMBER 2023

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE ACCESS COMMITTEE ULSC
HELD IN THE COUNCIL CHAMBERS
ON 30 AUGUST 2023

SECTION 5: ITEMS FOR DISCUSSION

ITEM 5.1 PAMP ACTION SUMMARY OF LISTED PROJECTS

RESOLVED by Cr Searl and Mr George

PROPOSED CONCLUSION:

That the Access Committee members note the completed projects from Councils current Pedestrian Access and Mobility Plan (PAMP) and Bike Plan July 2017

- CARRIED

ITEM 5.2 CORRESPONDENCE - AUGUST 2023

RESOLVED by Cr Searl and Ms Chan

PROPOSED CONCLUSION:

That the correspondence be received by the committee and the information be entered as a Customer Service Request for Council to investigate.

- CARRIED

ITEM 5.3 PREVIOUS ITEMS ACTION LIST

RESOLVED by Cr Searl and Mr George

PROPOSED CONCLUSION:

That the Access Committee members note the progression of the previous action items and the due dates.

- CARRIED

THE MEETING CLOSED AT 4:04PM

Minutes confirmed 29 NOVEMBER 2023

.....
Chairperson

This is page THREE of the Minutes of the MEETING OF THE ACCESS COMMITTEE ULSC
Held on 30 AUGUST 2023 Confirmed on 29 NOVEMBER 2023

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE TRAFFIC COMMITTEE
HELD IN THE COUNCIL CHAMBERS
ON 7 SEPTEMBER 2023

PRESENT: Cr J Searl (Chairperson), Mr B Oliver (TNSW) and S/C H Upton (NSW Police)

NON VOTING: Mr L Kruger (Director of Infrastructure), Dr A Al-Saoudi (Manager of Asset and Design), Mr T George (ULSC Road Safety Officer) and Ms S Knight (Minutes Secretary).

THE CHAIRPERSON DECLARED THE MEETING OPEN AT 10:02AM

SECTION 1: APOLOGIES & LEAVE OF ABSENCE

There were no apologies.

SECTION 2: DECLARATIONS OF INTEREST

NIL

SECTION 3: CONFIRMATION OF MINUTES

ITEM 5.1 **RESOLVED** by Mr Oliver and Cr Searl

That the minutes of the Traffic Committee Meeting held on 1 June 2023 be adopted.

- CARRIED

SECTION 4: REPORTS

ITEM 4.1 REQUEST FOR DISABLED PARKING, 161 GOULBURN ST, CROOKWELL

RESOLVED as unanimously supported by Committee

1. A disabled parking space be road marked and sign posted at 161 Goulburn St, Crookwell.

- CARRIED

This is page ONE of the Minutes of the MEETING OF THE TRAFFIC COMMITTEE
Held on 7 SEPTEMBER 2023 Confirmed on 7 DECEMBER 2023

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE TRAFFIC COMMITTEE
HELD IN THE COUNCIL CHAMBERS
ON 7 SEPTEMBER 2023

SECTION 5: ITEMS FOR DISCUSSION

ITEM 5.1 POSSIBLE EXTENSION OF PUBLIC BUS ROUTE IN CROOKWELL

RESOLVED as unanimously supported by Committee

PROPOSED CONCLUSION:

That the Local Traffic Committee discuss the proposal and identify any traffic or road safety issues that may require further investigation.

- CARRIED

ITEM 5.2 PREVIOUS ITEM ACTION LIST

RESOLVED as unanimously supported by Committee

PROPOSED CONCLUSION:

That the Local Traffic Committee members note the progression of the previous action items and the due dates.

- CARRIED

General Business

LATE ITEM TABLED TO MEETING

Police at the Crookwell Police Station in Goulburn Street have requested via the Local Traffic Committee for two car spaces to be line marked and “No Stopping – Police Cars Excepted” signage to be placed directly out the front of the Station.

RESOLVED as unanimously supported by Committee

1. Two car spaces to be line marked and “No Stopping – Police Cars Excepted” signage to be placed directly out the front of the Crookwell Police Station

- CARRIED

This is page TWO of the Minutes of the MEETING OF THE TRAFFIC COMMITTEE
Held on 7 SEPTEMBER 2023 Confirmed on 7 DECEMBER 2023

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE TRAFFIC COMMITTEE
HELD IN THE COUNCIL CHAMBERS
ON 7 SEPTEMBER 2023

Crookwell Garden Festival

Crookwell Garden Festival has eleven local gardens that the organisers want to have open to the public the weekend of 4/5 November 2023. Notification provided to the committee of the event happening with the Committee discussing garden locations and not identifying any issues that needed addressing.

Speed Display Signs update.

Five speed display signs are currently installed. Seventeen new ones have now arrived and two display per town or village throughout the Upper Lachlan Shire.

THE MEETING CLOSED AT 10:47 AM

Minutes confirmed 7 DECEMBER 2023

.....
Chairperson

This is page THREE of the Minutes of the MEETING OF THE TRAFFIC COMMITTEE
Held on 7 SEPTEMBER 2023 Confirmed on 7 DECEMBER 2023

**Minutes of the Crookwell Memorial Hall Committee
Annual General Meeting held on Thursday 31st August 2023**

Present: Robert & Sandra Bill, Margaret Wheelwright, Susan McIlroy, Wal Smart, Mandy McDonald and Karen Harwood.

Apologies: Jeanette Painter, Ray and Amanda McCurley

Minutes of the previous Annual General Meeting held on Thursday 8th September 2022 were tabled. It was moved by Margaret Wheelwright and seconded by Mandy McDonald that the minutes be accepted. Carried

REPORTS

Presidents Report – Robert Bill tabled the following report:

It has been a reasonably quiet year with not a lot happening, there have been no major repairs required this year, with only the normal amount of maintenance being done, e.g., lawn mowing and trimming bushes etc.

We have purchased new (second hand) chairs from a Woman's Synagogue in Sydney and have sold 150 of the old chairs to the Catholic Cathedral in Goulburn and 20 to Crookwell Soccer Club. We are keeping 40 and are left with 40 still to sell.

Sandra and Margaret have taken a trip to Canberra to buy kitchen utensils for our new kitchen, these are now in place ready to be used. There may be other purchases required. We lost the hire of the Karate Club due to or charges being too high. We still have the Dance School as we decided not to increase their charges. CADS & KAOS are using the hall for their productions. In November there was the Country Fair, Information seminars for the Wind Farms, two birthday parties and the High School used the kitchen for their cooking classes while their facilities were being renovated. They commented that the new kitchen facility was functional and easy to use which is good to know.

Another disco was held earlier in the year which went well but a discrepancy regarding payment and cleaning arose. After speaking to council, the matter was dealt with.

Again, I would like to thank you all for your support and help over the last 12 months, its great that we can work together to keep this wonderful facility going for the use of the public.

It was moved by Mandy McDonald and seconded by Wal Smart that the President's report be received. Carried

Treasurers Report – Wal Smart tabled the following report:

Opening Balance on 1st July 2022 was \$4,044.77 and the closing balance at 30th June 2023 was \$22,053.40. There was income of \$40,442.52 and expenditure of \$22,433.89.

The Council Subsidy of \$15,500.00 and a grant from Viola Foundation for \$2,000.00 made up the total Subsidies and Grants. Our Term Deposit Balance is \$10,399.32.

It was noted that no electricity account or cleaning account for the last 12 month has been received from Council.

It was moved by Wal Smart and seconded by Mandy McDonald that the Treasurers Report be received. Carried.

ELECTION OF OFFICE BEARERS:

Councillor Mandy McDonald took the chair.

President: Robert Bill

Secretary: Margaret Wheelwright

Treasurer: Wal Smart

Committee Members: There were no members available for re-election at this time. The committee will follow up over the next months.

Interest Group Members:

Council Representative – Mandy McDonald

Library – Susan McIlroy

Historical Society – Jeanette Painter

Arts Council – Karen Harwood

Meeting Closed 5.55pm

**Minutes of the Crookwell Memorial Hall Committee
General Meeting held on Thursday 31st August 2023**

Present: Robert & Sandra Bill, Margaret Wheelwright, Susan McIlroy, Wal Smart, Mandy McDonald and Karen Harwood.

Apologies: Jeanette Painter, Ray and Amanda McCurley

Minutes of the previous meeting held on Thursday 27th April 2023 were tabled. It was moved by Margaret Wheelwright and seconded by Sandra Bill that the minutes be accepted. Carried

BUSINESS ARISING:

- **Kitchen:** The kitchen is finished although there may need to be a few more items purchased. Karen Harwood mentioned there was a problem lighting the stove. The signage will be reviewed regarding the operation of the stove. The gas bottle must be turned off after use.
- **Chairs:** The chairs were picked up and 150 of the old ones sold to the Catholic Cathedral in Goulburn and 40 to the Crookwell Soccer Club.
- **Gravelling of the Driveway:** There has been no change since our email to Council in October 2021. **It was moved we write a letter to the Access Committee and Upper Lachlan Council bringing to their notice the danger to patrons (whether walking or using motorized chairs) of the driveway and side access on the Arts Council side of the hall. Moved Karen Harwood and seconded by Sandra Bill. Carried**
- **Electricity:** This is an ongoing saga which was also reported to the AGM. An account has not been received from Council for 12 months. Robert has spoken to the Council regarding the breaking down of the bill for the Arts Council, Hall and Historical Society and was told to contact the supplier. At present the Hall Committee is paying all the electricity. There are several metres on the kitchen and over many years we have been trying to have separate accounts for each one. We will continue to persevere with the matter hoping to get a positive outcome.
- **Exit Signs:** completed
- **Outside Sign:** Sandra has spoken to Studio4 for a quote which has not yet been received. This will be followed up.
- **Hall Hire:** The Ballet School are the only people still hiring the hall on a regular basis. They're hiring rate will remain the same.

CORRESPONDENCE: Nil

TREASURERS REPORT:

Opening at 1st July was \$22,063.66 and the closing balance at 31st August was \$24,408.47. It was moved by Wal Smart and seconded by Mandy McDonald that the report be received. Carried

GENERAL BUSINESS:

- **Solar Panels:** **It was moved by Mandy McDonald and seconded by Margaret Wheelwright that a letter be written to Council in support of their Grant application for solar panels on Council buildings. Carried**

- **Women's Dressing Room:** Sandra Bill brought to our notice there is a leak in the dressing room. After discussion it was thought the gutters may need cleaning. Robert will organise someone to clean them.
- **New Stage Curtin:** CADS will apply for a Regional Arts Grant to replace the curtain. The committee will write a letter of support when required.
- **Men's Toilet:** There was discussion regarding the removal of the urinal from the toilets and placing another cubical in the area. Robert will make enquiries regarding if it is possible and how much it would cost.
- **Tables:** There is a need to replace the new tables. The style and cost will need to be investigated.
- **Account at Davies Newsagency for the Secretary:**
It was moved by Wal Smart and seconded by Karen Harwood that an account be opened at Davies Newsagency for the secretary to buy supplies required to undertake the job. Carried.
Robert Bill and Margaret Wheelwright will set this up.

Meeting closed at 6.35pm

17 NOTICES OF MOTION

The following item is submitted for consideration -

- | | | |
|------|--|-----|
| 17.1 | Notice of Motion Shortcomings in Sports Facilities Across the Upper Lachlan Shire. | 202 |
|------|--|-----|

Notices of Motion - 21 September 2023

ITEM 17.1

Notice of Motion Shortcomings in Sports Facilities Across the Upper Lachlan Shire.

I, Councillor Paul Culhane hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

“I Paul Culhane, move that the Chief Executive Officer commission a review of shortcomings in sports facilities for women across the Upper Lachlan Shire and report back to Upper Lachlan Shire Council”

BACKGROUND

After the achievements of the Australian Women's Soccer in the recent world cup the Federal Government announced they would launch a \$300 million grant programme in mid-2024 aimed at improving sporting facilities so as to improve access and opportunity for women's sport participation.

I believe now is the time to seek to identify facilities within our shire that could be put forward for funding and have plans and costings prepared in readiness for the programme opening. By way of example the Emily Chalker facility at memorial oval only has two change rooms.

Whenever the under 16 ladies tag or She Devils tag team and their opponent's play they have to wait until all males have finished showering and dressing which makes it very difficult for them to prepare for their sport or to have a shower afterwards. If there was a further small facility on the northern side with just two extra change rooms the ladies would then have the same opportunities males have and I'm sure it would increase female participation in sport. Women's sport is growing much faster than male sport and deserves to be properly catered for.

CHIEF EXECUTIVE OFFICER'S COMMENT

Agreed, that a report may be provided to a future Council Meeting outlining existing Council sporting amenities facilities and their current building condition. Council has already commenced addressing sporting amenities shortcomings through new facilities being constructed at Lin Cooper Fields in Crookwell, Gunning Showground Sporting Amenities building and the Gunning Pool and Barbour Park Female Friendly Amenities building construction. In addition, Crookwell Memorial Oval building and amenities was a building constructed in recent years and is a great community asset.

ATTACHMENTS

Nil

18 QUESTIONS WITH NOTICE

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

General Manager'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, 19.3 and 19.4 in confidential session for the reasons indicated:

Item 19.1 Additional Slope Stability Works on Wombeyan Caves Road

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(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.

Item 19.2 Procurement of one new Loader

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.

Item 19.3 Economic Development Advisory S355 Committee - Expression of Interest for Community Representatives

This report is considered to be confidential in accordance with Section 10A(2a) of the Local Government Act, 1993, as it relates to personnel matters concerning particular individuals.

Item 19.4 Tourism and Event Management Advisory S355 Committee - Expression of Interest for Community Representatives

This report is considered to be confidential in accordance with Section 10A(2a) of the Local Government Act, 1993, as it relates to personnel matters concerning particular individuals.

19 CONFIDENTIAL SESSION

The following items are submitted for consideration -

- 19.1 Additional Slope Stability Works on Wombeyan Caves Road
- 19.2 Procurement of one new Loader
- 19.3 Economic Development Advisory S355 Committee -
Expression of Interest for Community Representatives
- 19.4 Tourism and Event Management Advisory S355 Committee -
Expression of Interest for Community Representatives