



BUSINESS PAPER

ORDINARY MEETING

Thursday 17 July 2025
1.30pm
Council Chambers

COUNCIL'S VISION

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

COUNCIL'S MISSION

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

COUNCIL'S AIMS

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

NOTICE OF MEETING

10 July 2025

Councillors

Dear Members

Ordinary Meeting of Council

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 17 July 2025** in the **Council Chambers** commencing at **1.30pm**.

Your presence is requested.

Yours faithfully



Alex Waldron
Chief Executive Officer
Upper Lachlan Shire Council

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

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

1	NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING	
2	APOLOGIES AND LEAVE OF ABSENCE	
3	DECLARATIONS OF INTEREST	
4	CITIZENSHIP CEREMONY	
4.1	Citizenship Ceremony	
5	CONFIRMATION OF MINUTES	11
5.1	Minutes of the Ordinary Meeting of Council of 19 June 2025	12
6	PRESENTATIONS TO COUNCIL/PUBLIC	
	Nil	
7	MAYORAL MINUTES	31
7.1	Mayoral Minute	32
8	CORRESPONDENCE	33
8.1	Correspondence for the month of July 2025	34
9	LATE CORRESPONDENCE	
10	INFORMATION ONLY	47
10.1	Development Statistics Report	48
10.2	Bank Balance and Reconciliation	54
10.3	Investments for the month of June 2025	55
10.4	Rates and Charges Outstanding for the month of June 2025	59
10.5	Action Summary - Council Decisions	61
REPORTS FROM STAFF AND STANDING COMMITTEES		
11	ENVIRONMENT AND PLANNING	65
11.1	Response to Request for Comment - Environmental Impact Statement – Wattle Creek Solar Farm & Battery Storage System (State Significant Development)	66
12	INFRASTRUCTURE DEPARTMENT	75
	Nil	

13	FINANCE AND ADMINISTRATION	77
13.1	Delivery Program bi-annual review 2024/2025	79
13.2	Review of Councillor Training and Development Policy	95
13.3	Public Exhibition of Draft Code of Meeting Practice	105
13.4	Code of Conduct Review	157
14	CHIEF EXECUTIVE OFFICER	209
	Nil	
15	LATE REPORTS	
16	REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES	211
16.1	Reports from Committees for the months of May and June 2025	212
17	NOTICES OF MOTION.....	223
17.1	Notice of Motion - Request for Exemption from Further Renewable Energy Project Development in Upper Lachlan Shire	224
17.2	Notice of Motion - Transparency and Community Protection in Relation to Renewable Energy Development	226
18	QUESTIONS WITH NOTICE	231
18.1	Question with Notice - Council Communication Process – Procedures, Timelines, and Escalation Protocols	232
18.2	Question with Notice - Audio Visual System Upgrade for Council Meetings	246
18.3	Question with Notice - Clarification Regarding Meetings with Stromlo Wind Farm Developer	248
18.4	Question with Notice - Road maintenance schedule	250
18.5	Question with Notice - Grabben Gullen Road – Heavy vehicle accidents	271

UPPER LACHLAN SHIRE COUNCIL

LEAVE OF ABSENCE

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

Dear Madam

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

Date:

I will be absent for the following reason/s:

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

Yours faithfully

.....
(Councillor Signature)

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

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

CONFLICT OF INTEREST

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

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

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

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

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

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

AGENCY ADVICE

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

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

UPPER LACHLAN SHIRE COUNCIL

COUNCILLORS DISCLOSURE OF A PECUNIARY INTEREST

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

To the Chief Executive Officer

I, _____

Declare a Conflict of Interest, being a PECUNIARY Interest.

Name of Meeting: Ordinary Meeting of Council

Date of Meeting:

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

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

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

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

to be held on the _____ day of _____ 20 .

Pecuniary interest

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

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

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

Matter giving rise to pecuniary interest¹

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

[Tick or cross one box]

Current zone/planning control

Proposed change of zone/planning control

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

Appreciable financial gain Appreciable financial loss

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

Councillor's Signature:

Date:

UPPER LACHLAN SHIRE COUNCIL

COUNCILLORS DISCLOSURE OF A NON-PECUNIARY INTEREST

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

To the Chief Executive Officer

I, _____

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

Significant Non Significant

COUNCIL MEETINGS

Name of Meeting _____

Date of Meeting _____

Page Number _____ Item Number _____

Subject _____

Reason for Interest

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

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

Signature

Date

5 CONFIRMATION OF MINUTES

The following minutes are submitted for confirmation -

5.1 Minutes of the Ordinary Meeting of Council of 19 June 2025 12

UPPER LACHLAN SHIRE COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025**

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

THE MAYOR DECLARED THE MEETING OPEN AT 13:30pm

SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING

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

Mayor Culhane also welcomed the public gallery.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

An apology was received by Cr A Meggitt

84/25

RESOLVED by Cr J Searl and Cr V Flanagan

1. That the apology of Cr A Meggitt be received and a leave of absence granted.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:-

Nil

SECTION 3: DECLARATIONS OF INTEREST

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

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

Cr Rob Cameron declared a Pecuniary interest in Section 16.1 Reports to Committees – Gullen Range Windfarm as he is member of Rotary and will make a declaration, stay in the chamber, not participate in the debate and not vote.

Cr Paul Culhane declared a Pecuniary interest in Section 16.1 Reports to Committees – Crookwell II Windfarm as he was treasurer of Crookwell AP&H Society and will make a declaration, stay in the chamber, not participate in the debate and not vote.

Cr Vivienne Flanagan declared a Non-Pecuniary interest in Section 16.1 Reports to Committees – Crookwell II Windfarm as she is a resident of the Roslyn Community and a member of the Roslyn Progress & Memorial Hall committee who are a grant recipient and will make a declaration, stay in the chamber, not participate in the debate and not vote.

Cr John Searl declared a Non-Pecuniary interest in Section 16.1 Reports to Committees – Cullerin Range Windfarm as he is a committee member of Dalton Public Hall Reserve and will make a declaration, stay in the chamber, participate in the debate and vote.

SECTION 4: CITIZENSHIP CEREMONY

Nil

A minutes silence was observed for the passing of Mr Richard Kennedy OAM, former Crookwell Shire President and Councillor.

SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1 CPONFIRMATION OF MINUTES

85/25 RESOLVED by Cr Searl and Cr Peirce

1. That the minutes of the Ordinary Council Meeting held on 15 May 2025 be adopted.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

SECTION 7: MAYORAL MINUTES

ITEM 7.1 MAYORAL MINUTE

86/25

RESOLVED by Mayor Culhane and Cr Searl

1. That Council receive and note the activities attended by the Mayor for May and June.
2. Mayor Culhane added a meeting with Wendy Tuckerman and CEO on 17 June 2025.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

Mayor Culhane also extended a congratulations to Mr Paul Anderson and Mr Malcolm Barlow on their recent Kings Honours, awarded OAM.

SECTION 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF JUNE 2025

87/25

RESOLVED by Cr Searl and Cr Flanagan

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

1. Gunning Health Service - Letter to Council with a proposal to build the new Gunning Heath Service building and request for support - 22 May 2025.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

Cr Culhane moved a motion that Council accept the correspondence and write a letter of support to Gunning District Community and Health Service Inc supporting this initiative to build a new Gunning Health Service Building.

On being put the meeting the motion was carried.

88/25 **RESOLVED** by Cr Culhane and Cr Searl that -

1. Council accept the correspondence and write a letter of support to Gunning District Community and Health Service Inc supporting this initiative to build a new Gunning Health Service Building.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 9: LATE CORRESPONDENCE

Nil

SECTION 10: INFORMATION ONLY

ITEM 10.1 **DEVELOPMENT STATISTICS REPORT**

89/25 **RESOLVED** by Cr Searl and Cr Flanagan

1. Council receives and notes the report as information.

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

ITEM 10.2-10.9 INFORMATION ONLY REPORTS

90/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council receive and note reports 10.2-10.9 as information.

- CARRIED

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

Councillors who voted against:- Nil

REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 DRAFT BUSH FIRE PRONE LAND MAP

91/25 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council notes the draft Bush Fire Prone Land Map for information; and
2. Council prepares a media release to the community that the current Bush Fire Prone Land mapping will be updated in accordance with the current mapping criteria once re-certified by the Commissioner of the NSW Rural Fire Services.

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

ITEM 11.2

**PROPOSED NEW ROAD NAME - MEADOW DRIVE - AT 35 DALTON
ROAD GUNNING (DA 234/2023)**

STAFF RECOMENDATION by Cr Searl and Cr Peirce

1. Should no objection be received, Council endorses the proposed name of "Meadow" Drive, Gunning and forward the name to the Geographical Names Board (GNB) seeking formal approval.
2. Should an objection be received by the community or GNB via a late item to this report, Council consider the matters raised in the objection and determine to approve or refuse the proposed name.
3. Delegation be given to Council staff to nominate a more appropriate road type, should "Drive" not be accepted.
4. Council places the following road names, Merino, Pye, Hovell, Hamilton and Hume on Council's pre-approved roads name list. Johnson be made available for the whole LGA area but be excluded for use in Gunning given reasons provided by GNB.

An amendment was moved by Cr Searl that

1. Should no objection be received, Council endorses the proposed name of "Meadow" Drive, Gunning and forward the name to the Geographical Names Board (GNB) seeking formal approval.
2. Delegation be given to Council staff to nominate a more appropriate road type, should "Drive" not be accepted by GNB.
3. Council places the following road names, Merino, Pye, Hovell, Hamilton and Hume on Council's pre-approved roads name list. Johnson be made available for the whole LGA area but be excluded for use in Gunning given reasons provided by GNB.

On being put the meeting the amendment was accepted therefore becoming the motion.

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

92/25

RESOLVED by Cr Searl and Cr Peirce

1. Should no objection be received, Council endorses the proposed name of "Meadow" Drive, Gunning and forward the name to the Geographical Names Board (GNB) seeking formal approval.
2. Delegation be given to Council staff to nominate a more appropriate road type, should "Drive" not be accepted by GNB.
3. Council places the following road names, Merino, Pye, Hovell, Hamilton and Hume on Council's pre-approved roads name list. Johnson be made available for the whole LGA area but be excluded for use in Gunning given reasons provided by GNB.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

SECTION 12: INFRASTRUCTURE DEPARTMENT

Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 **MAYOR AND COUNCILLORS' FEES - DETERMINATION BY LOCAL GOVERNMENT REMUNERATION TRIBUNAL**
93/25 **RESOLVED** by Cr Searl and Cr Flanagan

1. Council notes the determination of annual fees by the Local Government Remuneration Tribunal for Councillors and Mayors and resolves to set a Rural Category fee structure for the period 2025/2026 as a Councillor Fee of \$13,930 and a Mayor Fee of \$30,390.

- CARRIED

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

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

As Mayor Culhane has the casting vote as chairperson, therefore the motion became the resolution and is carried.

UPPER LACHLAN SHIRE COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025**

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

94/25 RESOLVED by Cr Searl and Cr Reynolds

1. Council under Section 252, of the Local Government Act 1993, review the Payment of Expenses and Provision of Facilities Policy.
2. Council under Section 253, of the Local Government Act 1993, gives public notice of its intention to adopt and amend the Payment of Expenses and Provision of Facilities Policy allowing 28 days public exhibition period for members of the community to make public submissions.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

ITEM 13.3 INTEGRATED PLANNING AND REPORTING - ADOPTION OF 2025/2026 COUNCIL PLANS

95/25 RESOLVED by Cr Searl and Cr Flanagan

1. Council, in accordance with Sections 8A-8C and Sections 403-406, of the Local Government Act 1993 resolve to adopt the following Strategic Plans:-
 1. Operational Plan 2025/2026;
 2. Delivery Program 2025/2026 – 2028/2029;
 3. Long Term Financial Plan 2025-2034;
 4. Infrastructure Plan 2025-2034; and
 5. Workforce Plan 2025/2026 – 2028/2029.
2. Council approves expenditure and votes money according to the integrated financial budget contained within Council's 2025/2026 Operational Plan.

UPPER LACHLAN SHIRE COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025**

3. Council make the Revenue Policy, including Fees and Charges, and operational and capital budget as outlined in the 2025/2026 Operational Plan.
4. Council in accordance with Section 506, of the Local Government Act 1993, and the Office of Local Government advice, and in accordance with the Independent Pricing and Regulatory Tribunal of NSW determination, hereby adopt a 5% permissible Ordinary (General) Rates Increase for 2025/2026.
5. Council in accordance with Section 566 (3), of the Local Government Act 1993, hereby resolves that the Interest Rate to apply to all overdue Rates and Charges be calculated at the maximum permissible Interest Rate of 10.50% per annum, calculated on a daily basis, as determined by the Office of Local Government.
6. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0010010 for Farmland Rating Category inclusive of a Base Amount of \$545.00 per Assessment being 25% of the total amount payable for land categorised as Farmland, for the year 2025/2026.
7. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0017790 for the Residential Rating Category inclusive of a Base Amount of \$270.00 per Assessment being 38% of the total amount payable for land categorised as Residential, for the year 2025/2026.
8. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0013010 for the Residential – Non Urban Rating Category inclusive of a Base Amount of \$270.00 per Assessment being 31% of the total amount payable for land categorised as Residential – Non Urban, for the year 2025/2026.
9. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0063030 for the Business – Crookwell Rating Category inclusive of a Base Amount of \$270.00 per Assessment being 24% of the total amount payable for land categorised as Business - Crookwell, for the year 2025/2026.

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

10. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0038360 for the Business – Gunning Rating Category inclusive of the Base Amount of \$270.00 per Assessment being 32% of the total amount payable for land categorised as Business – Gunning for the year 2025/2026.
11. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0031690 for the Business – Taralga Rating Category inclusive of the Base Amount of \$270.00 per Assessment being 31% of the total amount payable for land categorised as Business – Taralga for the year 2025/2026.
12. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0148070 for the Business – General Rating Category inclusive of the Base Amount of \$270.00 per Assessment being 4% of the total amount payable for land categorised as Business – General for the year 2025/2026.
13. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0053900 for the Mining Rating Category inclusive of the Base Amount of \$270.00 per Assessment being 11% of the total amount payable for land categorised as Mining for the year 2025/2026.
14. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Water Supply Annual Charge subject to a Water Access Fee of \$619.00 and a Water Availability Charge of \$619.00, for the year 2025/2026.
15. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Water Supply Annual Charge subject to a Water Access Fee of \$619.00 and a Water Availability Charge of \$619.00, for the year 2025/2026.
16. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Dalton Water Supply Annual Charge subject to a Water Access Fee of \$619.00 and a Water Availability Charge of \$619.00, for the year 2025/2026.
17. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Water Supply

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

Annual Charge subject to a Water Access Fee of \$619.00 and a Water Availability Charge of \$619.00, for the year 2025/2026.

18. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Access Charge of \$1,059.00 per Assessment categorised as Residential Occupied and an Access Charge of \$696.00 for Residential Unoccupied, for the year 2025/2026.
19. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,059.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.61, for the year 2025/2026.
20. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,059.00, a Sewer Discharge Factor of 0.50 and a Usage Charge \$4.61, for the year 2025/2026.
21. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,059.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.61, for the year 2025/2026.
22. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Access Charge of \$1,059.00 per Assessment categorised as Residential Occupied and an Access Charge of \$696.00 for Residential Unoccupied, for the year 2025/2026.
23. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,059.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.61, for the year 2025/2026.
24. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,059.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.61, for the year 2025/2026.

25. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Crookwell Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,059.00, a Sewer Discharge Factor of 0.50 and a Usage Charge of \$4.61, for the year 2025/2026.
26. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Access Charge of \$1,059.00 per Assessment categorised as Residential Occupied and an Access Charge of \$696.00 for Residential Unoccupied, for the year 2025/2026.
27. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$1,059.00, a Sewer Discharge Factor of 0.77 and a Usage Charge of \$4.61, for the year 2025/2026.
28. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$1,059.00, a Sewer Discharge Factor of 0.60 and a Usage Charge of \$4.61, for the year 2025/2026.
29. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Taralga Sewer Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$1,059.00, a Sewer Discharge Factor of 0.50 and a Usage Charge of \$4.61, for the year 2025/2026.
30. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Service Charge of \$657.00 per service for the year 2025/2026.
31. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

Management Availability Charge of \$259.00 per Rateable Assessment. This annual charge is for each vacant property that is categorised as Residential and is in the pickup service area, for the year 2025/2026.

32. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 501, Council make a Commercial Waste Service Charge of \$778.00 per service for each rateable Assessment categorised as Business – Gunning, Business – Taralga and Business – Crookwell, for the year 2025/2026.
33. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Commercial Waste Availability Charge of \$259.00 per Assessment for Rateable Assessments categorised as Business – Gunning, Business – Taralga and Business – Crookwell, for the year 2025/2026.
34. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Rural Waste Annual Charge of \$284.90 per Rateable Assessment categorised as Farmland, Residential – Non Urban, and Residential, for properties that do not have a Domestic Waste Management Charge and do not have a Domestic Waste Management Availability Charge for the year 2025/2026.
35. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning and Collector of \$25.00 per Rateable Assessment categorised as Residential, for the year 2025/2026.
36. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning, and Collector of \$50.00 per Rateable Assessment categorised as Business – Gunning, Business – Taralga, and Business – Crookwell, for the year 2025/2026.
37. Under the Local Government Act 1993, pursuant to Section 502, Council make a Water Supply User Pay Consumption Charge for the towns of Taralga, Crookwell, Gunning and Dalton. The charge Tariff 1 - \$4.61 per kilolitre consumed up to a maximum of 200 kilolitres and charge for Tariff 2 - \$6.10 per kilolitre consumed above 200 kilolitres, for the year 2025/2026.

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

- CARRIED

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

Councillors who voted against:- Cr G Harris

SECTION 14: CHIEF EXECUTIVE OFFICER

Nil

SECTION 15: LATE REPORTS

Nil

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

ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTHS OF MAY AND JUNE 2025

96/25 **RESOLVED** by Cr Searl and Cr Peirce

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

1. Binda Community Progress Association and Binda Memorial Hall Committee - Minutes from meeting held 12 May 2025.
2. Crookwell District Arts Gallery – Minutes from meeting held 22 May 2025.
3. Access Committee - Minutes from Meeting - 28 May 2025.
4. Gullen Range Wind Farm CF 2025/2026 - Minutes - 28 May 2025.
5. Crookwell II Wind Farm CF 2025/2026 - Minutes - 29 May 2025.
6. Cullerin Range Wind Farm CF 2025-2026 - Minutes - 29 May 2025.

- CARRIED

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

97/25

RESOLVED by Cr Searl and Cr Harris

1. Council write to successful applicants for the 2025/2026 Gullen Range Windfarm Community Fund Grant.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

NB: Cr Cameron did not participate and did not vote in the above resolution due to their Declaration of interest.

98/25

RESOLVED by Cr Searl and Cr Peirce

1. Council write to successful applicants for the 2025/2026 Crookwell II Windfarm Community Fund Grant.

- CARRIED

Councillors who voted for:-

Crs R Cameron, G Harris, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

NB: Mayor Culhane and Cr Flanagan did not participate and did not vote in the above resolution due to their Declaration of interest.

99/25

RESOLVED by Cr Peirce and Cr Reynolds

1. Council write to successful applicants for the 2025/2026 Cullerin Range Windfarm Community Fund Grant.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

SECTION 17: NOTICES OF MOTION

Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

SECTION 18: QUESTIONS WITH NOTICE

Nil

CLOSED COUNCIL ITEMS

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

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

100/25

RESOLVED by Cr Searl and Cr Flanagan

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) (2c) (2di) 2 d(ii) as outlined above.
3. That the report relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

Council closed its meeting at 14:49pm and the public, staff and press left the chambers and live streaming ceased.

101/25

RESOLVED by Cr Peirce and Cr Searl

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

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

Open Council resumed at 15:00pm live streaming returned to the public prior to the meeting closing.

Resolutions from the Closed Council Meeting

The following resolutions of Council, while the meeting was closed to the public, were read to the meeting by the Mayor.

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JUNE 2025

SECTION 19: CONFIDENTIAL SESSION

ITEM 19.1 **SUPPLY AND DELIVERY OF BULK FUEL**
102/25 **RESOLVED by Cr Searl and Cr Flanagan**

1. Council accepts the following organisations for the supply and delivery of bulk fuel commencing in July 2025:-
 - Castlyn Pty Ltd, trading as Inland Petroleum;
 - Ocwen Energy Pty Ltd, trading as Lowes Petroleum Service; and
 - Petro National Pty Ltd, trading as Oilsplus.
2. Council delegate the Chief Executive Officer authority to execute the Bulk Fuel contract/s for a two year term, with a twelve month contract extension.
3. Council advise Central NSW Joint Organisation of Council's decision.

- CARRIED

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

Councillors who voted against:- Nil

THE MEETING CLOSED AT 15:03pm

Minutes confirmed 17 JULY 2025

.....
Mayor

7 MAYORAL MINUTES

The following item is submitted for consideration -

7.1	Mayoral Minute	32
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Mayoral Minutes - 17 July 2025

ITEM 7.1 **Mayoral Minute**

FILE REFERENCE **I25/156**

June 2025

Mayor Culhane on leave 20 June – 29th June – Deputy Mayor represented Council during this period

23rd – 27th June ALGA Conference – Canberra with CEO

25 June 2025 Radio Interview – Deputy Mayor

July 2025

2 July 2025 Transgrid – Community Consultation session with Cr Reynolds

5 July 2025 Collector Community Association - Collector Community Plan

2 July 2025 Radio Interview

9 July 2025 Meeting with CEO
Radio Interview

16 July 2025 Radio Interview
Performance Appraisal of CEO with Cr Yallouris, Cr Searl and Deputy Mayor Rob Cameron. Independent LGNSW consultant Peter Evans
Upper Lachlan Gazette – 200 Issues event

17 July 2025 Council Meeting

8 CORRESPONDENCE

The following item is submitted for consideration -

8.1 Correspondence for the month of July 2025 34

Correspondence - 17 July 2025

ITEM 8.1**Correspondence for the month of July 2025****RECOMMENDATION:**

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

1. Office of Local Government – Circular 25-11 - Free Speech in Local Government in NSW Guideline
2. Office of Local Government – Circular 25-12 - Annual CPI adjustment to companion animal fees for 2025/2026.
3. Office of Local Government – Circular 25-13 - Council de-amalgamation - amendments to the Local Government Act 1993.
4. Council Circular 25-14 Publication of the updated Local Government Filming Protocol
5. Office of Local Government – Circular GC154 - 2025/2026 Financial Assistance Grants - Advance Payment.

ATTACHMENTS

1. <u>↓</u>	Office of Local Government – Circular 25-11 - Free Speech in Local Government in NSW Guideline	Attachment
2. <u>↓</u>	Office of Local Government – Circular 25-12 - Annual CPI adjustment to companion animal fees for 2025-26	Attachment
3. <u>↓</u>	Office of Local Government – Circular 25-13 - Council de-amalgations - amendments to the Local Government Act 1993	Attachment
4. <u>↓</u>	Office of Local Government – Circular GC154- 2025-26 Financial Assistance Grants - Advance Payment	Attachment
5. <u>↓</u>	Office of Local Government – Circular 25-14 - Publication of the updated Local Government filming Protocol	Attachment

Circular to Councils

Subject/title	Free speech in local government in NSW Guideline
Circular Details	Circular No 25-11 / 03 June 2025 / A963853
Previous Circular	N/A
Who should read this	Councillors / General Managers / Council Governance Staff / Complaints Coordinators / Conduct Reviewers
Contact	Council Governance/ (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

What's new or changing?

- The Office of Local Government (OLG) has issued a guideline on free speech in local government in NSW (the Free Speech Guideline). The Free Speech Guideline is available on OLG's website [here](#).
- The Free Speech Guideline provides practical guidance to councils on what free speech means in the context of NSW local government.

What will this mean for council?

- The Free Speech Guideline has been adopted as a guideline under section 23A of the *Local Government Act 1993* (the Act).
- Councils and council officials must take the Free Speech Guideline into consideration when exercising their functions.
- The Free Speech Guideline is also to be considered by conduct reviewers when dealing with code of conduct matters that have been referred to them.

Key points

The Free Speech Guideline provides guidance on the following:



- the implied freedom of political communication under the Australian Constitution and how free speech is regulated in Australia
- why the ability to engage freely with the community is central to a councillor's role as an elected representative prescribed under the Act
- the relevant provisions of the Model Code of Conduct for Local Councils in NSW that recognise the importance of public comment by councillors and how they should be applied by councils to ensure they do not unduly inhibit free speech
- the protections available to councillors in relation to civil liability for defamation
- the meeting rules constraining what can be said at council and committee meetings, how they can be applied and the relationship between these and the enforcement mechanisms available under councils' codes of conduct
- how council media and social media policies should be applied so as not to unduly constrain councillors' ability to engage with the community via the media and online.

Where to go for further information

- The Free Speech Guideline is available on OLG's website [here](#).
- For further information please contact the Council Governance Team on 02 4482 4100 or by email at olg@olg.nsw.gov.au.

Brett Whitworth
Deputy Secretary, Office of Local Government

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Annual CPI adjustment to companion animal fees for 2025/26
Circular Details	Circular No 25-12 / 16 June 2025 / A959437
Previous Circular	<u>24-12 Annual CPI adjustment to companion animal fees for 2024/25</u>
Who should read this	Councillors / General Managers / Council finance staff / Companion Animal Enforcement and Administration Officers
Contact	Companion Animals - Pet Helpline – (02) 4428 4100 or 1300 134 460 pets@olg.nsw.gov.au
Action required	Council to Implement

What's new or changing?

Annual CPI Adjustment

- The 2025/26 fees payable for registration and permits for companion animals have been adjusted for inflation under clauses 18 and 27 of the Companion Animals Regulation 2018 (CA Regulation) (based on the Consumer Price Index or CPI).
- The new fees are effective from 1 July 2025.

Fee categories

- Category names have been amended to reflect the implementation of current legislation relating to registration that has been enabled by the new functionality of the Companion Animals Register (CAR) and new NSW Pet Registry, which allows for the individual payment of registration fees under the CA Regulation, being:
 - Dog – Registration fee (by 12 weeks or when sold if earlier than 12 weeks of age)
 - Registration fee due at 12 weeks of age or when first sold (even if it is less than 12 weeks (clause 14 - CA Regulation)
 - Dog – Additional Fee (dog not desexed by 6 months)
 - Additional fee for a dog that is not desexed and not exempt from desexing by 6 months (clause 18 - CA Regulation)
 - Cat - annual fee for a permit for a cat not desexed and not exempt from desexing by 4 months (clause 27 - CA Regulation)

Department of Planning, Housing and Infrastructure
Office of Local Government



- A Registration late fee will apply to an animal not registered by 12 weeks of age (plus 28 days).

Online and in person payments

- While we work to expand the new NSW Pet Registry, the following fees must be paid at council:
 - Dog – Additional Fee (dog not desexed by 6 months)
 - Cat (not desexed by four months of age)
 - Dangerous dog permit
 - Restricted dog permit
- The fees above will incur a late fee if not paid after an additional 28 days.

What will this mean for council?

- Councils are to apply the adjusted 2025/26 financial year companion animal registration, additional fee and annual permit fees from 1 July 2025.
- Council staff need to be aware of the new payment categories.
- Councils must continue to register eligible pound/shelter and approved rehoming organisation animals through the CAR. Free registration for these animals does not mean that registration is not required. The established process of ‘flagging’ an animal as being purchased from an eligible pound/shelter is required to validate a free registration.
- Councils can encourage members of the public to establish a NSW Pet Registry account via Service NSW to pay registration fees and receive push notifications.
- Councils must enter the registrations in a two-stage process as all combined fees are no longer available due to the implementation of the fee structure.

Key points

- The NSW Pet Registry will be updated to include the new fees for online registration and permit payments made by pet owners from 1 July 2025.
- Both the old and new fee structures will be maintained on the CAR to allow councils to correct registration details for existing records and catch up on data entry backlogs (i.e. where fees have been receipted before 1 July 2025 but not entered on the Register).

Registration Category	New fee
Dog – Registration fee (by 12 weeks or when sold if earlier than 12 weeks)	\$80
Dog – Additional Fee (dog not desexed by 6 months)	\$189
Dog – Registration (by eligible pensioner)	\$35
Dog – Desexed (sold/ transferred from pound/shelter or rehoming Organisation)	\$0
Dog – Registrations (desexing not recommended)	\$80
Dog – Registration (desexing not recommended eligible pensioner)	\$35
Dog – Registration (recognised breeder)	\$80

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Dog – Working	\$0
Dog – Service of the State	\$0
Assistance Animal	\$0
Cat – Registration fee (by 12 weeks or when sold if earlier than 12 weeks)	\$70
Cat – Registration (eligible pensioner)	\$35
Cat – Desexed (sold/ transferred from pound/shelter or rehoming Organisation)	\$0
Cat – Registration (desexing not recommended)	\$70
Cat – Registration (desexing not recommended - eligible pensioner)	\$35
Cat – Registration (recognised breeder)	\$70
Registration late fee	\$23
Annual permit category	New fee
Cat (not desexed by four months of age)	\$99
Dangerous dog	\$236
Restricted dog	\$236
Permit late fee	\$23

Where to go for further information

- A list of registration categories, current fees and the new fees for 2025/26 is provided on the Office of Local Government's (OLG) website at <https://www.petregistry.olg.nsw.gov.au/registration-and-permit-fees/pet-registration-fees#registration-fees-for-dogs-and-cats>
- Information relating to the processing of registration fees is available in Companion Animals Guideline 1 – Registration Agents, available on OLG's website at <https://www.olg.nsw.gov.au/wp-content/uploads/2020/07/Guidelines-for-Registration-Agents-June-2020.pdf>
- Information on the new functionality and separate payments for registration and the additional fee for non-desexed animals that are not exempt can be found by contacting Pet Helpline 1300 134 460.
- Contact pets@olg.nsw.gov.au for information about the fees.

Brett Whitworth
Deputy Secretary, Office of Local Government

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Council de-amalgamations - amendments to the Local Government Act 1993
Circular Details	Council Circular 25-13 / 18 June 2025 / A900336
Who should read this	Councillors / General Managers
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

What's new or changing?

- Amendments to the *Local Government Act 1993* (the Act) relating to council de-amalgamations have commenced, effective 22 May 2025.
- The amendments replace existing provisions within the Act with new provisions setting out a clearer pathway for councils to seek to de-amalgamate.
- The legislation provides the following in relation to the new de-amalgamation pathway:
 - councils must develop a business case for de-amalgamation with community input so that residents are adequately informed of potential implications upfront
 - the business case must include detailed information about the proposed de-amalgamation, as prescribed by the legislation, such as:
 - details of the estimated financial impacts of de-amalgamation including an estimate of rates and charges following de-amalgamation and any assumed NSW Government funding assistance,
 - details of the future sustainability, long-term strategic plans, and capacity of the newly formed councils to provide services and infrastructure; and
 - proposed governance and operational arrangements including transitional arrangements.
 - the Minister must refer a business case to the Local Government Boundaries Commission for independent review and assessment

T 02 4428 4100 TTY 02 4428 4209, E olg@olg.nsw.gov.au
Locked Bag 3015 NOWRA NSW 2541
www.olg.nsw.gov.au



- if the Minister is satisfied by a recommendation from the Local Government Boundaries Commission that a proposal is sound, the council may hold a de-amalgamation constitutional referendum to enable the community to vote on whether they wish to
- de-amalgamate. Voting in the referendum is compulsory
- the majority of the community must vote in support of the proposal for the de-amalgamation to proceed
- the Government may make arrangements to offset the financial costs of de-amalgamation via a grant of up to \$5 million and/or a TCorp loan.
- Any council that has been formed by the amalgamation of 2 or more former areas may pursue de-amalgamation under the new pathway.

What will this mean for council?

- Local councils and communities have a new pathway to explore voluntary de-amalgamations.
- The new provisions include transitional arrangements to ensure that the new process can be applied, as necessary, to in-train de-amalgamation proposals that were submitted to the Minister under former de-amalgamation provisions before the commencement of the legislative amendments.
- The new process does not apply to the Cootamundra-Gundagai Regional Council de-amalgamation proposal which is being progressed via an alternate legislative pathway.

Key points

- The legislative amendments provide a new pathway for councils and communities to pursue de-amalgamation.
- The new pathway requires engagement with the community throughout the entire process to ensure communities understand the consequences of de-amalgamating and can make an informed decision about their future.



Where to go for further information

- The Local Government Amendment (De-amalgamations) Act 2024 is available on the Legislation Register at [Local Government Amendment \(De-amalgamations\) Act 2024](#).
- A flowchart outlining the new de-amalgamation pathway is available [here](#).

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

Brett Whitworth
Deputy Secretary, Office of Local Government

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	2025-26 Financial Assistance Grants (FA Grants) – Advance Payment
Circular Details	GC154 / 23 June 2025 / A961669
Previous Circular	GC153 / 28 June 2024 / A864741
Who should read this	Councillors / General Managers / Finance Managers
Contact	Sarah Gubb EO / 02 4428 4142 / grantscommission@olg.nsw.gov.au
Action required	Information

What's new or changing?

The Commonwealth Government has announced an advance payment of the preliminary FY 2025-26 Financial Assistance (FA) Grants, representing approximately 50% of the amount councils are entitled to.

Further adjustments to the remaining payment will take into account:

- the determination by the Commonwealth Treasurer of the final adjustments for FY 2024-25
- the Local Government Grants Commission's (the Commission) final recommendations for FY 2025-26

The Commission will advise councils of their final recommendations after the Commonwealth advises the amount of the final adjustment.

What will this mean for council?

- The advance payment amount, as set out in the following link, will be paid to councils without delay: [Advance Payment Schedule](#).



- A media release advising of the Commonwealth's decision to make an advance payment can be found here: [Councils to receive \\$1.7 billion in funding early | Ministers for the Department of Infrastructure](#).
- The balance of the grants will be paid in quarterly instalments during 2025-26
- The first quarterly instalment is expected to be paid to councils in mid-August 2025, with subsequent instalments in November 2025, February 2026 and May 2026
- All councils will be advised by letter of individual estimated entitlement for the 2025-26 FA Grants

Key points

- The grants are paid under the provision of the *Local Government (Financial Assistance) Act 1993* (Commonwealth).
- The allocation of approximately 50% is less than in recent years. This is a reminder to Councils that the total amount of the annual FA Grant, and whether and when an advance payment is made, is determined by the Federal Government and Councils should not depend on these funds to balance their financial statements in future.
- The NSW Grants Commission is yet to determine allocations for the 2025-26 financial year.
- The advance payment allocations have been determined on the basis of the allocations for FY 2024-25.

Where to go for further information

- Please contact Sarah Gubb, Executive Officer, at grantscommission@olg.nsw.gov.au if you require any further information.

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

Brett Whitworth
Deputy Secretary, Local Government

Circular to Councils

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Publication of the updated Local Government Filming Protocol
Circular Details	Circular No 25-14 / 25 June 2025 / A963664
Previous Circular	
Who should read this	Councillors / General Managers / Council Film Contact Officers
Contact	OLG Sector Policy and Frameworks / olg.olg.nsw.gov.au / (02) 4428 4100
Action required	Information / Council to Implement

What's new or changing?

- The Local Government Filming Protocol (Protocol) has been updated replacing the 2009 version. The Protocol is issued under Section 119D of the *Local Government Act 1993* and sets out requirements for both councils and filmmakers associated with filming related activity approvals. The Protocol also prescribes filming related fees and forms and provides guidance relevant to filming activities.
- The updated Protocol incorporates recent legislative changes to the *Local Government Act 1993* and updates to maximum fees a council may charge for filming related activities and approvals with fees now adjusted annually in line with the Consumer Price Index (CPI).
- The updated Protocol introduces a new ‘no impact’ category reducing the administrative burden on councils and incorporating other updates to reflect changes to filming activities and technology since the last update.
- The updated Protocol introduces non-mandatory ‘best practice’ timeframes for determination of filming proposals and details of a new ‘production friendly’ accreditation to promote filming activity across local government areas.
- The updated Protocol follows consultation undertaken in 2024 and aligns with the NSW Government Screen and Digital Games Strategy.

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www.olg.nsw.gov.au



What will this mean for council?

- The Local Government Filming Protocol is issued under Section 119D of the *Local Government Act 1993* and sets out requirements for both councils and filmmakers associated with filming related activity approvals.
- The Protocol prescribes the maximum fees a council may charge for film related activities, a model form for councils to use and provides guidance relevant to council management of filming activities and approvals.
- The updated Protocol includes changes to maximum fees that a council may levy in relation to filming related activities which are now adjusted annually in line with CPI. Councils should review these changes for development of relevant sections of Operational Plans and Revenue Policies.

Key points

- The Local Government Filming Protocol has been updated replacing the 2009 Protocol.
- Council staff who manage or process film proposals and activity applications staff should review the updated Protocol for implementation.
- The updated Protocol includes changes to prescribed maximum fee structures and annual adjustments in line with CPI.

Where to go for further information

- A copy of the updated Protocol is available on the OLG website at: [Filming Protocol 2025](#).
- For further information, contact OLG's Sector Policy and Frameworks Team on (02) 4428 4100 or by emailing olg@olg.nsw.gov.au

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

Brett Whitworth
Deputy Secretary, Office of Local Government

10 INFORMATION ONLY

The following items are submitted for consideration -

10.1	Development Statistics Report	48
10.2	Bank Balance and Reconciliation	54
10.3	Investments for the month of June 2025	55
10.4	Rates and Charges Outstanding for the month of June 2025	59
10.5	Action Summary - Council Decisions	61

Information Only - 17 July 2025

ITEM 10.1 **Development Statistics Report**

FILE REFERENCE **I25/163**

AUTHOR **Manager Planning and Regulatory Services**

ISSUE

This report provides Council with an overview of the development application consents that have occurred in the period of 1 June 2025 – 30 June 2025, and an update on the status of the Planning and Development Control department.

RECOMMENDATION That -

1. Council receives and notes the report as information.

BACKGROUND

A standard monthly report providing Council with a summary of the development control activities that have occurred in the period 1 June 2025 – 30 June 2025

REPORT

This report provides Council with an overview of the development control activities that have occurred in the period of 1 June 2025 to 30 June 2025. This report contains information detailing Upper Lachlan Shire Councils performance in relation to the NSW Planning Ministers Expectations for Development Application Assessments.

As identified in Figure 1, Council achieved the expectation of 115 days for 100% of applications determined in the month of May and June 2025. (Note: Council staff have changed the reporting tables to ensure this information is representative of the reported month). Figure 1 is now a depiction of applications for the trailing 12-month period.

As shown in figure 2, Council had a slight decrease in average assessment days for the month of May 2025 (Note: A delay remains on this data as it still relies on NSW Planning Portal). The cumulative high average assessment days is reflection of Council staff dealing with older applications in the previous 6 months. Council has only one application remaining on request for information and exceeding the minister's expectation. Cumulative average assessment days continue to trend downwards.

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

Information Only
DEVELOPMENT STATISTICS REPORT cont'd

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

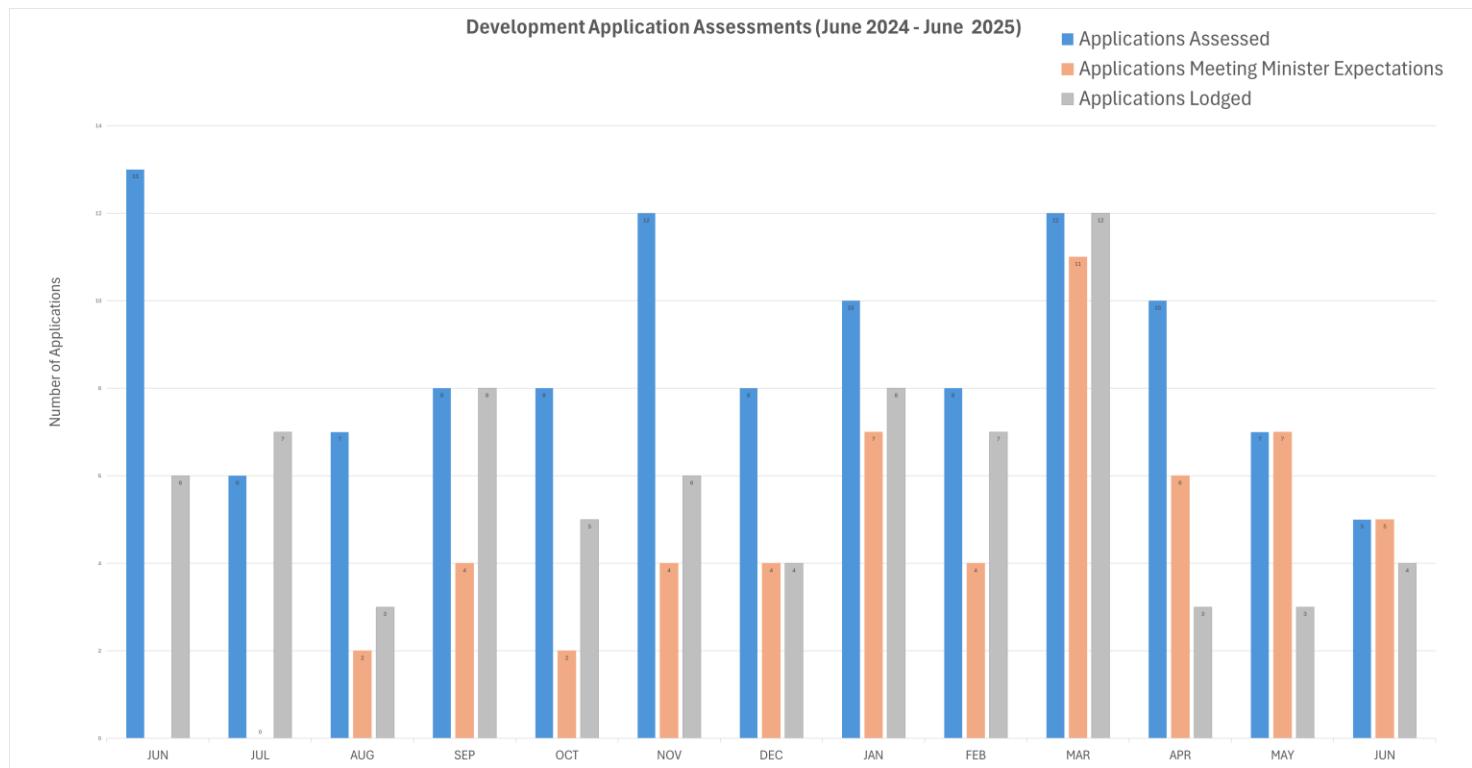
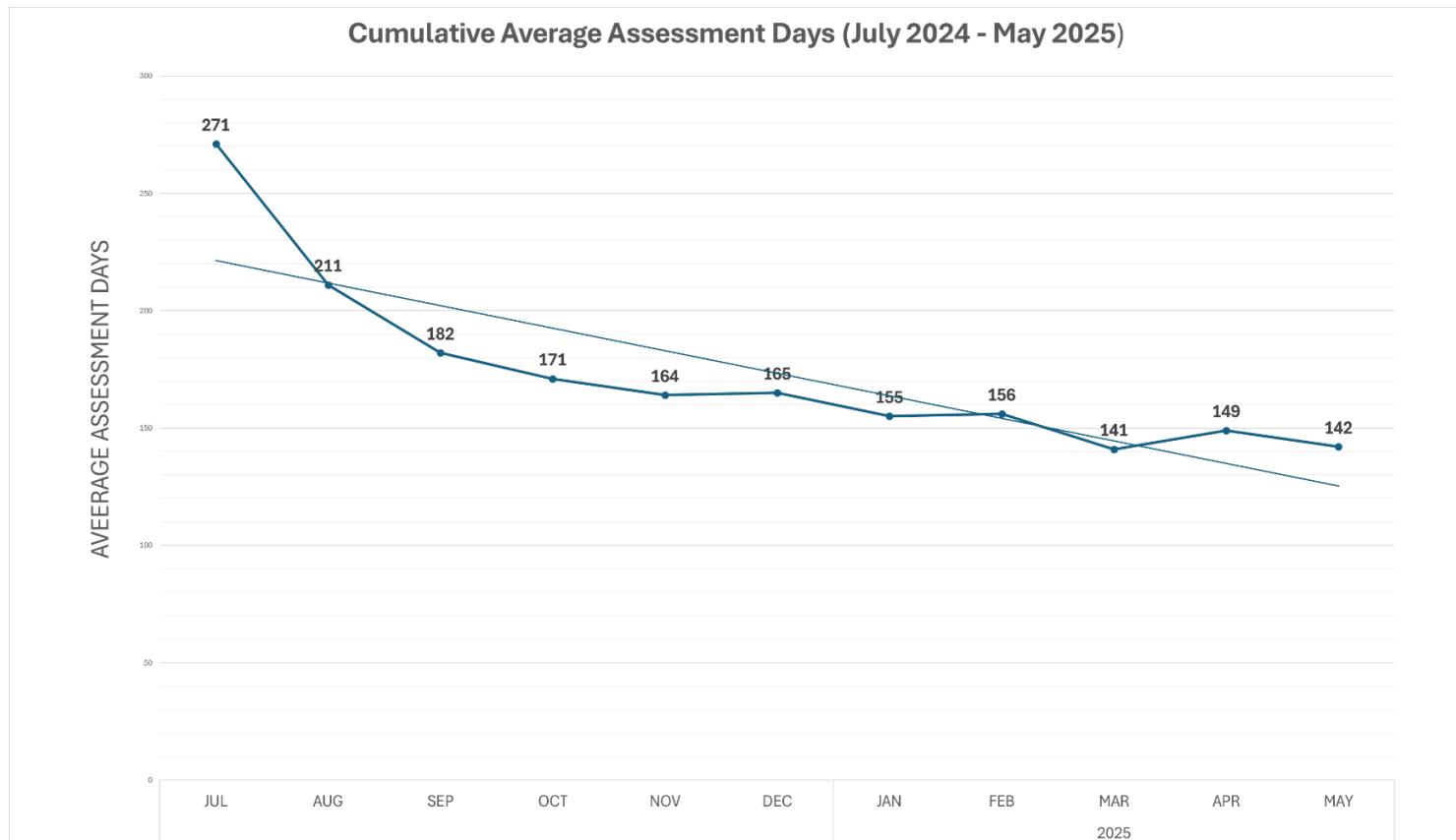


Figure 2. Cumulative Average Assessment Days (July 2024 to May 2025).



Information Only
DEVELOPMENT STATISTICS REPORT cont'd

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

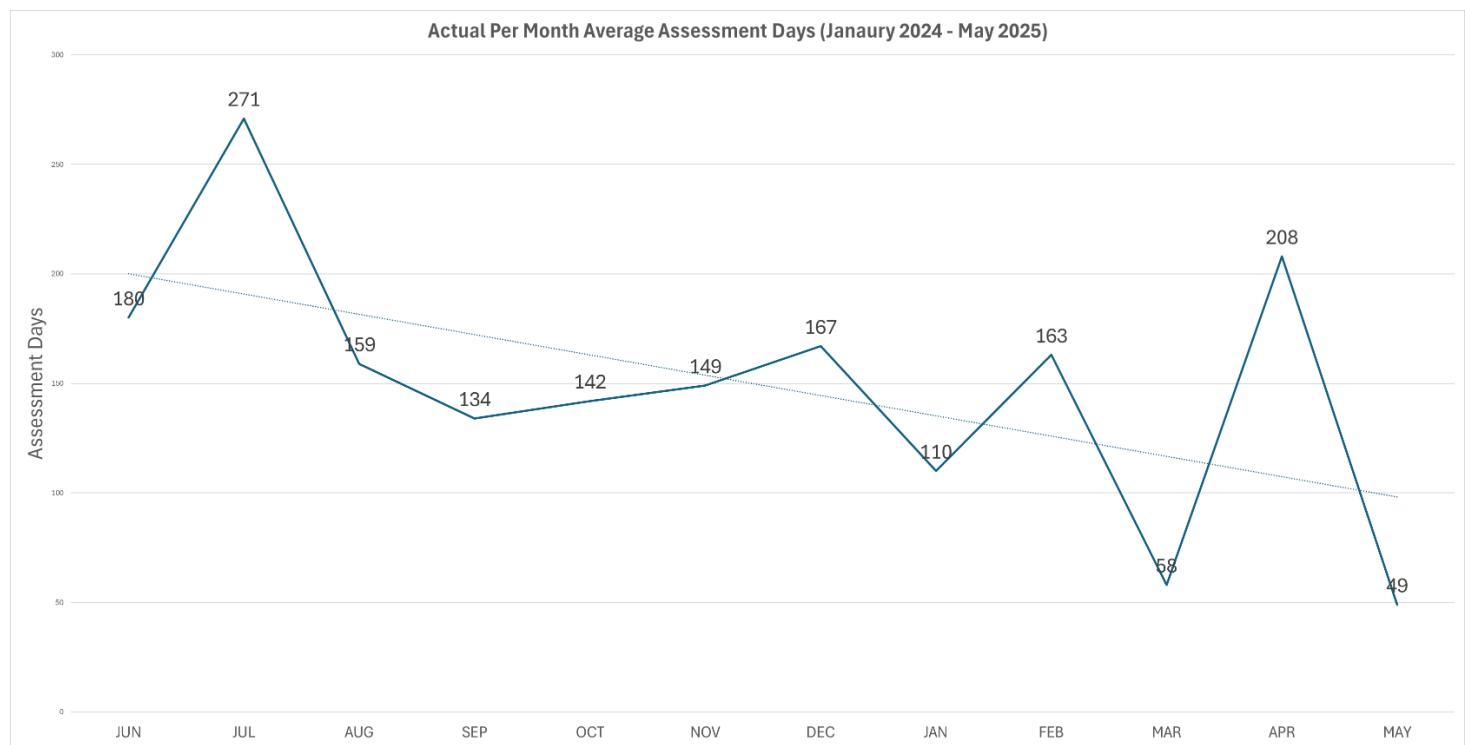
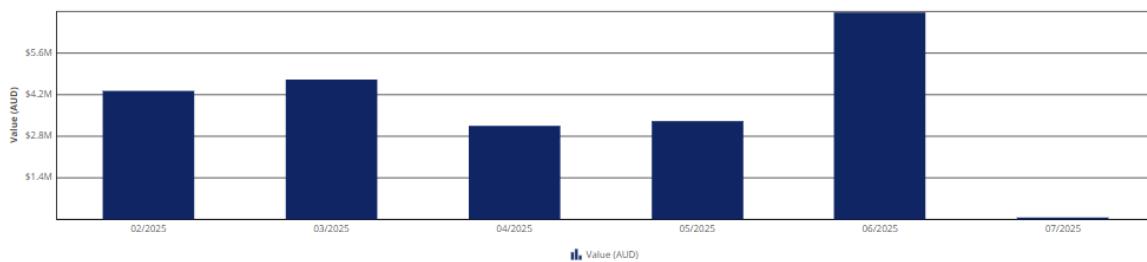


Figure 4. Total Estimated Cost of Development (February 2025 to Present)

▼ Total estimated cost of development



Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Development Applications

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

Determined Development/Planning Applications

Determined from 1/06/2025 to 30/06/2025

Application Number	Date Submitted	Address	Proposal	Date Determined	Determination
10/2025/45/1	15 May 2025	4 Carrington Street CROOKWELL	Outbuilding	13 June 2025	Approved by Delegation
10/2025/21/1	19 Feb 2025	9 Holborrow Street CROOKWELL	Three (3) lot subdivision (Torrens title)	30 June 2025	Approved by Delegation
10/2025/40/1	16 May 2025	54 Woodward Lane CROOKWELL	Dwelling	19 June 2025	Approved by Delegation
10/2025/34/1	09 Apr 2025	Yass Street GUNNING	Outbuilding	06 June 2025	Approved by Delegation
10/2025/37/1	30 Apr 2025	Cuddyong Road LIMERICK	Agricultural Subdivision	06 June 2025	Approved by Delegation
10/2025/49/1	NA	1A Walsh Street TARALGA	The Taralga Showground Pavilion Upgrade aims to enhance safety,	03 June 2025	Withdrawn
10/2025/51/1	NA	190 Greenridge Road CURRAWEELA	Proposed conversion of an existing shed into a rural dwelling house	17 June 2025	Returned
10/2025/52/1	NA	Spring Street CROOKWELL	Proposed Residence	10 June 2025	Returned
10/2025/53/1	NA	3 Grogan Place GUNNING	Detached Steel Framed Shed	16 June 2025	Returned
10/2025/54/1	NA	Yalbraith Road GOLSPIE	Detached Steel Framed Farm Building	17 June 2025	Returned

Total Applications: 10

Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Outstanding Development/Planning Applications

Lodged since 1/01/2023

Application Number	Submitted	Address	Proposal	Status	Net Days
10/2008/164/3	29 May 2025	6778 Gundaroo Road GUNNING	Dwelling	Under Assessment	36
10/2023/286/1	25 Jan 2024	McDonald Street CROOKWELL	Fifty (50) lot subdivision (Torrens Title and Drainage)	Request for Information	233
10/2024/24/1	11 Apr 2024	14 Peelwood Road LAGGAN	Change of Use - Church to Dwelling	Request for Information	44
10/2024/76/2	12 May 2025	Carrington Street CROOKWELL	Dual Occupancy	Under Assessment	46
10/2025/25/1	25 Mar 2025	50 Biala Street GUNNING	Two (2) lots subdivision (Torrens title)	Request for Information	80
10/2025/38/1	23 Apr 2025	161 Strathaird Lane TARALGA	Dwelling	Under Assessment	22
10/2025/46/1	08 May 2025	Golspie Road TARALGA	Alterations and Addition	Under Assessment	4
10/2025/50/1	30 May 2025	3 Memory Avenue CROOKWELL	Twenty-One (21) lot subdivision (Torrens title) and Childcare Centre	Exhibition	21
10/2025/56/1	19 Jun 2025	Fish River Road NARRAWA	Boundary Adjustment	Under Assessment	7

Total Applications: 9

Information Only
DEVELOPMENT STATISTICS REPORT cont'd

RECOMMENDATION That -

1. Council receives and notes the report as information.

ATTACHMENTS

Nil

Information Only - 17 July 2025

ITEM 10.2 **Bank Balance and Reconciliation**

FILE REFERENCE I25/159

AUTHOR Director of Finance and Administration

ISSUE

Statement of Bank Balance and Reconciliation as at 30 June 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Nil

REPORT

STATEMENT OF BANK BALANCE & RECONCILIATION	\$
General Ledger Balance brought forward 31 May 2025	2,029,472.46
Add: Receipts for June 2025	11,560,472.55
	13,589,945.01
Deduct: Payments for June 2025	(10,890,872.98)
Balance as at 30 June 2025	2,699,072.03
Balance as per Bank Statement 30 June 2025	2,699,654.92
Add: Outstanding Deposits (less unpresented Bank file transactions)	77.00
	2,699,731.92
Less: Unpresented Cheques/ EFTs	(659.89)
Balance as at 30 June 2025	2,699,072.03

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 - 17 July 2025

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

FILE REFERENCE **I25/160**

AUTHOR **Director of Finance and Administration**

ISSUE

Council Investment Portfolio Register as at 30 June 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

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

REPORT

Investments to 30 June 2025

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
CBA	Call	\$50,000	0.25%	30	30-06-25	\$10.27
NAB	TD	\$1,000,000	4.65%	259	17-12-25	\$32,995.90
Bendigo Bank	TD	\$1,000,000	4.20%	84	10-09-25	\$9,665.75
Bank of Qld	TD	\$1,000,000	4.50%	84	09-07-25	\$10,356.16
IMB	TD	\$1,000,000	4.50%	84	16-07-25	\$10,356.16
IMB	TD	\$1,000,000	4.45%	84	23-07-25	\$10,241.10
Bendigo Bank	TD	\$1,000,000	4.35%	84	30-07-25	\$10,010.96
CBA	TD	\$1,000,000	4.22%	84	06-08-25	\$9,711.78
CBA	TD	\$1,000,000	4.17%	90	19-08-25	\$10,282.19
Bendigo Bank	TD	\$1,000,000	4.20%	90	26-08-25	\$10,356.16
IMB	TD	\$1,000,000	4.30%	90	02-09-25	\$10,602.74
NAB	TD	\$1,000,000	4.30%	90	09-09-25	\$10,602.74
Bank of Qld	TD	\$1,000,000	4.20%	118	22-10-25	\$13,578.08
CBA	TD	\$2,000,000	4.20%	90	23-09-25	\$20,712.33
Bank of Qld	TD	\$1,000,000	4.98%	238	02-07-25	\$32,472.33

Information Only**INVESTMENTS FOR THE MONTH OF JUNE 2025 cont'd**

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
CBA	TD	\$1,000,000	4.91%	219	09-07-25	\$29,460.00
Bank of Qld	TD	\$1,000,000	5.15%	226	16-07-25	\$31,887.67
CBA	TD	\$1,000,000	4.91%	231	23-07-25	\$31,074.25
NAB	TD	\$1,000,000	4.95%	203	30-07-25	\$27,530.14
Bendigo Bank	TD	\$1,000,000	5.00%	196	06-08-25	\$26,849.32
Bank of Qld	TD	\$1,000,000	4.75%	182	13-08-25	\$23,684.93
IMB	TD	\$1,000,000	4.70%	175	20-08-25	\$22,534.25
Bendigo Bank	TD	\$1,000,000	5.05%	273	27-08-25	\$37,771.23
Bendigo Bank	TD	\$1,000,000	4.65%	182	03-09-25	\$23,186.30
IMB	TD	\$1,000,000	4.65%	182	17-09-25	\$23,186.30
NAB	TD	\$1,000,000	4.80%	231	24-09-25	\$30,378.08
NAB	TD	\$1,000,000	4.75%	239	16-10-25	\$31,102.74
NAB	TD	\$1,000,000	5.10%	364	19-11-25	\$50,860.27
NAB	TD	\$1,000,000	4.80%	362	28-01-26	\$47,605.48
Bank of Qld	TD	\$500,000	4.25%	90	13-08-25	\$5,239.73
IMB	TD	\$1,000,000	4.25%	139	08-10-25	\$16,184.93
Bank of Qld	TD	\$1,000,000	4.45%	181	12-11-25	\$22,067.12
NAB	TD	\$1,000,000	4.25%	125	29-10-25	\$14,554.79
IMB	TD	\$1,000,000	4.25%	97	01-10-25	\$11,294.52
Bank of Qld	TD	\$1,000,000	4.35%	181	03-12-25	\$21,571.23
		\$34,550,000				\$729,977.96

COUNCIL INVESTMENT PERFORMANCE: -**BUDGET COMPARISON TO 30 JUNE 2025**

Interest on Investments Received YTD	\$1,494,914.30
Annual budgeted amount for all funds	\$1,401,139.00
Percentage of Interest Received YTD	106.69%
Percentage of Year Elapsed	100.00%
Average market interest rate (90-day BBSW)	3.69%
Average return on all investments	4.56%

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

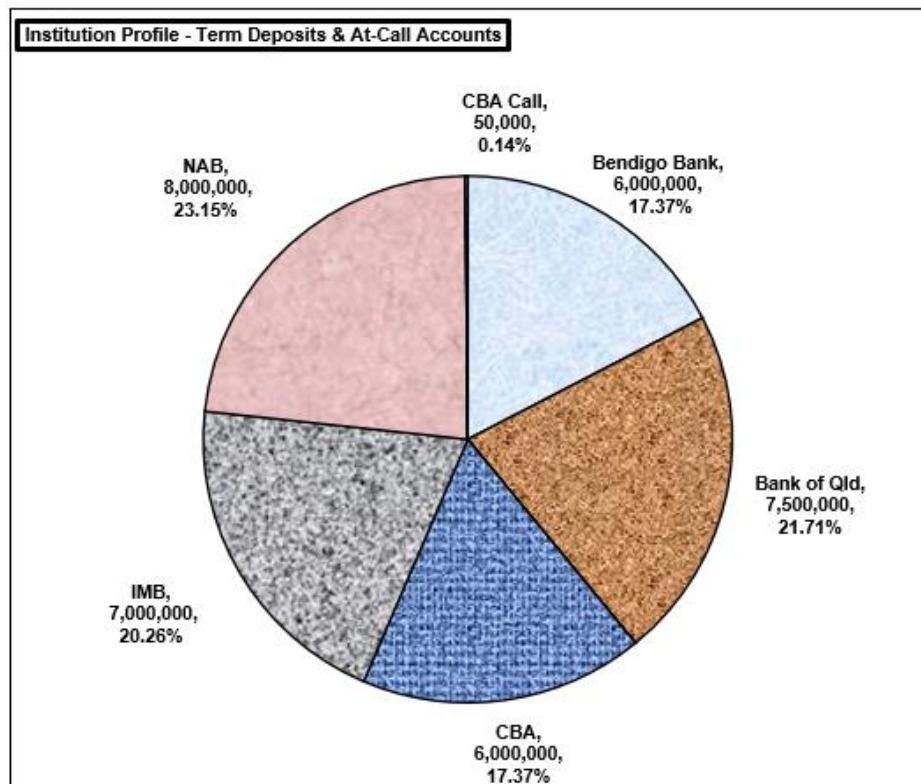
Information Only

INVESTMENTS FOR THE MONTH OF JUNE 2025 cont'd

FINANCIAL INSTITUTION INVESTMENTS PROFILE AS AT 30 JUNE 2025

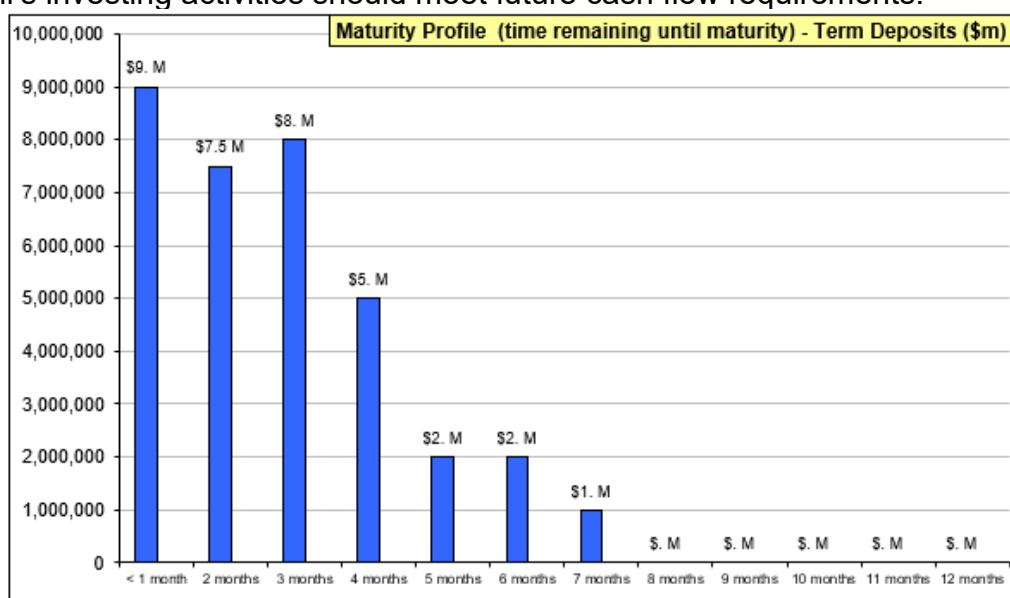
The following chart shows the current distribution of Council's investment portfolio between the authorised financial institutions used. The current distribution of funds between institutions complies with Council's Investment Policy which states:-

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



INVESTMENTS - MATURITY PROFILE AS AT 30 JUNE 2025

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



Information Only

INVESTMENTS FOR THE MONTH OF JUNE 2025 cont'd

SUMMARY OF AVAILABLE CASH AT 30 JUNE 2025

TOTAL INVESTMENTS: - \$ **34,550,000**

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

General Fund Reserves	\$ 19,518,195
Water Supply Fund Reserves	\$ 4,210,075
Sewerage Fund Reserves	\$ 7,771,054
Domestic Waste Management Fund Reserves	\$ 2,866,126
Trust Fund Reserves	\$ 184,551

POLICY IMPACT

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

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 17 July 2025

ITEM 10.4

Rates and Charges Outstanding for the month of June 2025

FILE REFERENCE I25/161

AUTHOR

Director of Finance and Administration

ISSUE

Rates and Charges Outstanding Report to 30 June 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

A Summary report of the Rates and Charges outstanding at 30 June 2025 is detailed.

REPORT

There is an attached report titled "Rate Collection 2025 Year" for the 2024/2025 financial year, including credit balances. A comparison of the rates and charges outstanding percentage to previous financial years is highlighted in the below table:-

Description	30/06/2025	30/06/2024	30/06/2023
Total % Rates and Charges Outstanding	4.81%	4.22%	3.82%
Total \$ Amount Rates and Charges Outstanding	\$772,899	\$627,662	\$515,575

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

1. <u>↓</u>	Rate Collection Year - July 2025	Attachment
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Rate Collection 2025 Year

Rating Categories	Levy Raised to date	Rates Received to 30 June 2025	Rates Outstanding to 30 June 2025	% Rates Outstanding 30 June 2025
Farmland	5,917,477.42	5,730,499.08	186,978.34	3.16%
Residential	1,634,277.27	1,528,720.46	105,556.81	6.46%
Rural Residential	896,077.19	842,608.67	53,468.52	5.97%
Business	697,412.94	690,305.22	7,107.72	1.02%
Mining	2,258.39	2,258.39	-	0.00%
Water	1,374,487.00	1,296,148.74	78,338.26	5.70%
Sewerage	2,131,507.05	2,021,430.23	110,076.82	5.16%
Domestic & Comm Waste	1,777,884.69	1,680,463.11	97,421.58	5.48%
Rural Waste	954,428.18	907,761.43	46,666.75	4.89%
Storm Water	50,449.19	47,765.72	2,683.47	5.32%
**Arrears	627,662.45	543,061.05	84,601.40	13.48%
Credits		363,716.80	-363,716.80	
Overall Total Rates	16,063,921.77	15,654,738.90	409,182.87	2.55%

Z:\Rates\2024-2025\Recs\%oust_June 30 - 2025

Information Only - 17 July 2025

ITEM 10.5 **Action Summary - Council Decisions**

FILE REFERENCE **I25/158**

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: 15 August 2024

130/24	<ol style="list-style-type: none">1. Council resolve to investigate the closure of Road Reserve bounded by Wilton Lane, Grosvenor Street and the rail corridor at Gunning.2. Council authorises the Chief Executive Officer to sign all necessary documents for closure of the Road Reserve bounded by Wilton Lane, Grosvenor Street and the rail corridor at Gunning should this be feasible.	DOI	<p>Quotations obtained and surveyor engaged to complete road closure work. Notifications to be sent once survey work is complete.</p> <p>Council staff will provide 30 days to the successful quotation, provided the documentation is accepted by NSW Land Registry Services it is anticipated that the linen plan should be finalised by 1 September 2025.</p>
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Information Only

ACTION SUMMARY - COUNCIL DECISIONS cont'd

Council Meeting: 20 March 2025

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

60/25	<ol style="list-style-type: none">1. Council resolve to accept the Tourism and Economic Development s355 Advisory Committee charter.2. Council place on advertisement an Expression of interest for two new members to join and fill the vacancies the Tourism and Economic Development s355 Advisory Committee	CEO	<p>EOI was extended to 27 June. Tourism and ED committee to meet first before this can come back to Council.</p>
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Information Only**ACTION SUMMARY - COUNCIL DECISIONS cont'd****Council Meeting: 19 June 2025**

88/25	1. Council accept the correspondence and write a letter of support to Gunning District Community and Health Service Inc supporting this initiative to build a new Gunning Health Service Building.	CEO	Letter of support provided to Gunning District Community and Health Service Inc.
91/25	1. Council notes the draft Bush Fire Prone Land Map for information; and 2. Council prepares a media release to the community that the current Bush Fire Prone Land mapping will be updated in accordance with the current mapping criteria once re-certified by the Commissioner of the NSW Rural Fire Services.	DEP	Media release prepared and issued to public.
92/25	1. Should no objection be received, Council endorses the proposed name of "Meadow" Drive, Gunning and forward the name to the Geographical Names Board (GNB) seeking formal approval. 2. Delegation be given to Council staff to nominate a more appropriate road type, should "Drive" not be accepted by GNB. 3. Council places the following road names, Merino, Pye, Hovell, Hamilton and Hume on Council's pre-approved roads name list. Johnson be made available for the whole LGA area but be excluded for use in Gunning given reasons provided by GNB.	DEP	Process occurring with updates to registers and notification to GNB
93/25	1. Council notes the determination of annual fees by the Local Government Remuneration Tribunal for Councillors and Mayors and resolves to set a Rural Category fee structure for the period 2025/2026 as a Councillor Fee of \$13,930 and a Mayor Fee of \$30,390.	DFA	Council staff advised of new Councillor and Mayoral Fees which take effect in July.
94/25	1. Council under Section 252, of the Local Government Act 1993, review the Payment of Expenses and Provision of Facilities Policy. 2. Council under Section 253, of the Local Government Act 1993, gives public notice of its intention to adopt and amend the Payment of Expenses and Provision of Facilities Policy allowing 28 days public exhibition	DFA	Placed on public exhibition.

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

	period for members of the community to make public submissions.		
95/25	1. Integrated Planning And Reporting - Adoption Of 2025/2026 Council Plans (Items 1 – 37)	DFA	Council IPR plans placed on Council website and available at Council libraries and Administration offices.
97/25	Council write to successful applicants for the 2025/2026 Gullen Range Windfarm Community Fund Grant.	CEO	Letters issued to successful applicants.
98/25	Council write to successful applicants for the 2025/2026 Crookwell II Windfarm Community Fund Grant.	CEO	Letters issued to successful applicants.
99/25	Council write to successful applicants for the 2025/2026 Cullerin Range Windfarm Community Fund Grant.	CEO	Letters issued to successful applicants.
102/25	Council accepts the following organisations for the supply and delivery of bulk fuel commencing in July 2025:- Castlyn Pty Ltd, trading as Inland Petroleum; Ocwen Energy Pty Ltd, trading as Lowes Petroleum Service; and Petro National Pty Ltd, trading as Oilsplus. Council delegate the Chief Executive Officer authority to execute the Bulk Fuel contract/s for a two year term, with a twelve month contract extension. Council advise Central NSW Joint Organisation of Council's decision	CEO	Letter of notification and acceptance issued to successful organisations.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

11 ENVIRONMENT AND PLANNING

The following item is submitted for consideration -

11.1	Response to Request for Comment - Environmental Impact Statement – Wattle Creek Solar Farm & Battery Storage System (State Significant Development)	66
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Environment and Planning - 17 July 2025

ITEM 11.1 **Response to Request for Comment - Environmental Impact Statement – Wattle Creek Solar Farm & Battery Storage System (State Significant Development)**

FILE REFERENCE **I25/167**

AUTHOR **Acting Director of Environment and Planning**

ISSUE

Following the resolved motion 45/25, Council Planning Staff have been in discussion with the NSW Planning Department to understand how to align Council endorsed submissions to State Significant Development and meet the prescribed exhibition periods. Post these conversations with the NSW Planning Department, Council staff will adopt the practice of tabling draft submissions to Councils meetings for proposed State Significant Development. In addition to outlining this new practice and providing contextual information to the State Significant Development process, the report seeks the endorsement of Council for the submissions to the Environmental Impact Statement for the Wattle Creek Solar Farm and Battery Energy Storage System.

RECOMMENDATION **That -**

1. Council endorses the draft submissions dated 30 June 2025 in relation to the Environmental Impact Statement for Wattle Creek Solar Farm & Batter Energy Storage System.

BACKGROUND

In the Ordinary Meeting of Council Held on 20 March 2025 – Council Resolved, 45/25 by Cr Meggitt and Cr Yallouris:

Council CEO prepares a motion for the Ordinary Meeting of Council (April 2025) to present to the Canberra Region Joint organisation (CRJO) to address the items raised in Item 17.3 Notice Of Motion - Enhancing Community Engagement in State Significant Developments Objective tabled at 20 March 2025 Ordinary Council meeting.

Within the above-mentioned notion of motion, the objective's tables included but was not limited to components that requested Council:

- a. Advocates for Greater transparency by requesting that project developers and relevant state authorities publicly disclose impact assessments, mitigation plans, and community benefits.
- b. Creates an Easily Accessible Online Repository to house key information on active State Significant Development including environmental reports, economic impact assessments, and community consultation records.

Environment and Planning

RESPONSE TO REQUEST FOR COMMENT - ENVIRONMENTAL IMPACT STATEMENT – WATTLE CREEK SOLAR FARM & BATTERY STORAGE SYSTEM (STATE SIGNIFICANT DEVELOPMENT) cont'd

- c. Engages with State Authorities to ensure local community concerns are given due weight in decision-making processes regarding State Significant Development (SSD).

At the Ordinary Meeting of Council held on 17 April 2025, following the CEOs motion, it was resolved that;

1. *Council write to the Canberra Region Joint Organisation (CRJO) seeking their advocacy to propose that the NSW Government;*
2. *Impose more stringent, localised community engagement requirements for high impact State Significant Developments, particularly those relating to energy production and generation.*
3. *Create an Online Repository to house key information on current State Significant Development applications, including but not limited to;*
 - *Environmental reports,*
 - *Economic impact assessments*
 - *Community consultation records.*
4. *Maintain a Centralised online Repository available to all CRJO member organisations containing records of all existing contracts and variations between the NSW State Government and energy companies, including;*
 - *Commissioning dates of wind turbines.*
 - *Expected lifecycle duration.*
 - *Assurances, bonds, and caveats associated with decommissioning obligations.*

In addition to the above resolution, Council staff have been in discussions with the NSW Planning Department to understand how staff can provide a Council endorsed submission and achieve the tight timelines surrounding State Significant Development exhibition periods.

Following on from this discussion with the NSW Planning Department, the Department Staff have indicated that Council Staff can provide a draft submission within the exhibition period. Then once endorsed via a Council meeting, the submission can be made formally to the Planning Department even if it is provided several days outside the exhibition period.

After receiving this advice, Council Staff will now adopt the practice of making a draft submission to the NSW Planning Department within the exhibition period and then tabling the submission to the following Council meeting for endorsement.

As depicted in figure 1, Council has two formal opportunities to make submissions during the SSD assessment. This includes during the scoping stage where the NSW Planning Department set the requirements through SEARS (Secretary's Environmental Assessment Requirements) then during the exhibition of the Environmental Impact Assessment (EIS). It should also be noted; anyone can make a submission during the exhibition periods in relation to the proposed development, it is not restricted to Council as a stakeholder.

Environment and Planning

RESPONSE TO REQUEST FOR COMMENT - ENVIRONMENTAL IMPACT STATEMENT – WATTLE CREEK SOLAR FARM & BATTERY STORAGE SYSTEM (STATE SIGNIFICANT DEVELOPMENT) cont'd

To provide an understanding of what occurs during the request for SEARs and EIS stages of the development assessment process, a guide is attached. As an example of SEARS process, the Department has provided certain industries including Wind Energy with a standard SEARS. The Standard SEARS requires and EIS to submitted, and the EIS includes, but is not limited providing the below information:

Landscape and Visual - the EIS must include a detailed assessment of the visual impacts of all components of the project (including turbines, transmission lines, substations, and any other ancillary infrastructure) in accordance with the Wind Energy: Visual Assessment Bulletin (DPE, 2016); Noise and Vibration - the EIS must: assess wind turbine noise in accordance with the NSW Wind Energy: Noise Assessment Bulletin (EPA/DPE, 2016); assess noise generated by ancillary infrastructure in accordance with the NSW Industrial Noise Policy (EPA, 2000); assess construction noise under the Interim Construction Noise Guidelines (DECC, 2009); assess traffic noise under the NSW Road Noise Policy (DECCW, 2011); and assess vibration under the Assessing Vibration: A Technical Guideline (DECC, 2006).

Biodiversity- the EIS must: assess biodiversity values and the likely biodiversity impacts of the development in accordance with the NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014) and Framework for Biodiversity Assessment (OEH, 2014), unless otherwise agreed by the Office of Environment and Heritage (terrestrial biodiversity) or DPI Fisheries (aquatic biodiversity); and assess the impact of the development on birds and bats, including blade strike, low air pressure zones at the blade tips (barotrauma), alteration to movement patterns, and cumulative impacts of other wind farms in the vicinity.

Traffic and Transport- the EIS must: assess the construction and operational traffic impacts of the development; provide details of traffic volumes (both light and heavy vehicles) and transport routes during construction and operation of the development, including traffic associated with sourcing raw materials (water, sand and gravel); assess the potential traffic impacts of the project on road network function (including intersection performance and site access arrangements and road safety, including school bus routes; assess the capacity of the existing road network to accommodate the type and volume of traffic generated by the project (including over-mass/ over-dimensional traffic) during construction and operation; and provide details of measures to mitigate and/ or manage potential impacts including a schedule of all required road upgrades, road maintenance contributions, and any other traffic control measures, developed in consultation with the relevant road authority.

Hazard/ Risks- the EIS must include an assessment of the following: Aviation Safety: assess the impact of the development under the National Airports Safeguarding Framework Guideline D: Managing Wind Turbine Risk to Aircraft; provide associated height and co-ordinates for each turbine assessed; assess potential impacts on aviation safety, including cumulative effects of wind farms in the vicinity, potential wake / turbulence issues, the need for aviation hazard lighting, considering, defined air traffic routes, aircraft operating heights, approach/departure procedures, radar interference, communication systems, navigation aids; identify aerodromes within 30 km of the turbines and consider the impact to nearby aerodromes and aircraft landing areas; address impacts on obstacle limitation surfaces, and assess the impact of the turbines

Environment and Planning

RESPONSE TO REQUEST FOR COMMENT - ENVIRONMENTAL IMPACT STATEMENT – WATTLE CREEK SOLAR FARM & BATTERY STORAGE SYSTEM (STATE SIGNIFICANT DEVELOPMENT) cont'd

on the safe and efficient aerial application of agricultural fertilisers and pesticides in the vicinity of the turbines and transmission line.

Telecommunications- identify possible effects on telecommunications systems, assess impacts and mitigation measures including undertaking a detailed assessment to examine the potential impacts as well as analysis and agreement on the implementation of suitable options to avoid potential disruptions to radio communication services, which may include the installation and maintenance of alternative sites.

Health - consider and document any health issues having regard to the latest advice of the National Health and Medical Research Council, and identify potential hazards and risks associated with electric and magnetic fields (EMF) and demonstrate the application of the principles of prudent avoidance; Bushfire - identify potential hazards and risks associated with bushfires / use of bushfire prone land, including the risks that a wind farm would cause bush fire and any potential impacts on the aerial fighting of bush fires and demonstrate compliance with Planning for Bush Fire Protection 2006 (if located on bushfire prone land); and Blade Throw- assess blade throw risks.

Heritage- the EIS must: assess the impact on Aboriginal cultural heritage (archaeological and cultural) in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010); provide evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010); and assess the impact on historic heritage having regard to the NSW Heritage Manual.

Water and Soils - the EIS must: quantify water demand, identify water sources (surface and groundwater), including any licensing requirements, and determine whether an adequate and secure water supply is available for the development; access potential impacts on the quantity and quality of surface and groundwater resources, including impacts on other water users and watercourses; where the project involves works within 40 metres of the high bank of any river, lake (including wetlands) or estuary (collectively waterfront land), identify likely impacts to the waterfront land, and how the activities are to be designed and implemented in accordance with the DPI Water Guidelines for Controlled Activities (2012); and describe the measures to minimise surface and groundwater impacts, including how works on steep gradient land or erodible soils types would be managed and any contingency requirements to address residual impacts.

Waste- the EIS must: identify, quantify and classify the likely waste stream to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Consultation During the preparation of the EIS, you should consult with relevant local, State and Commonwealth Government authorities, service providers, community groups and affected landowners.

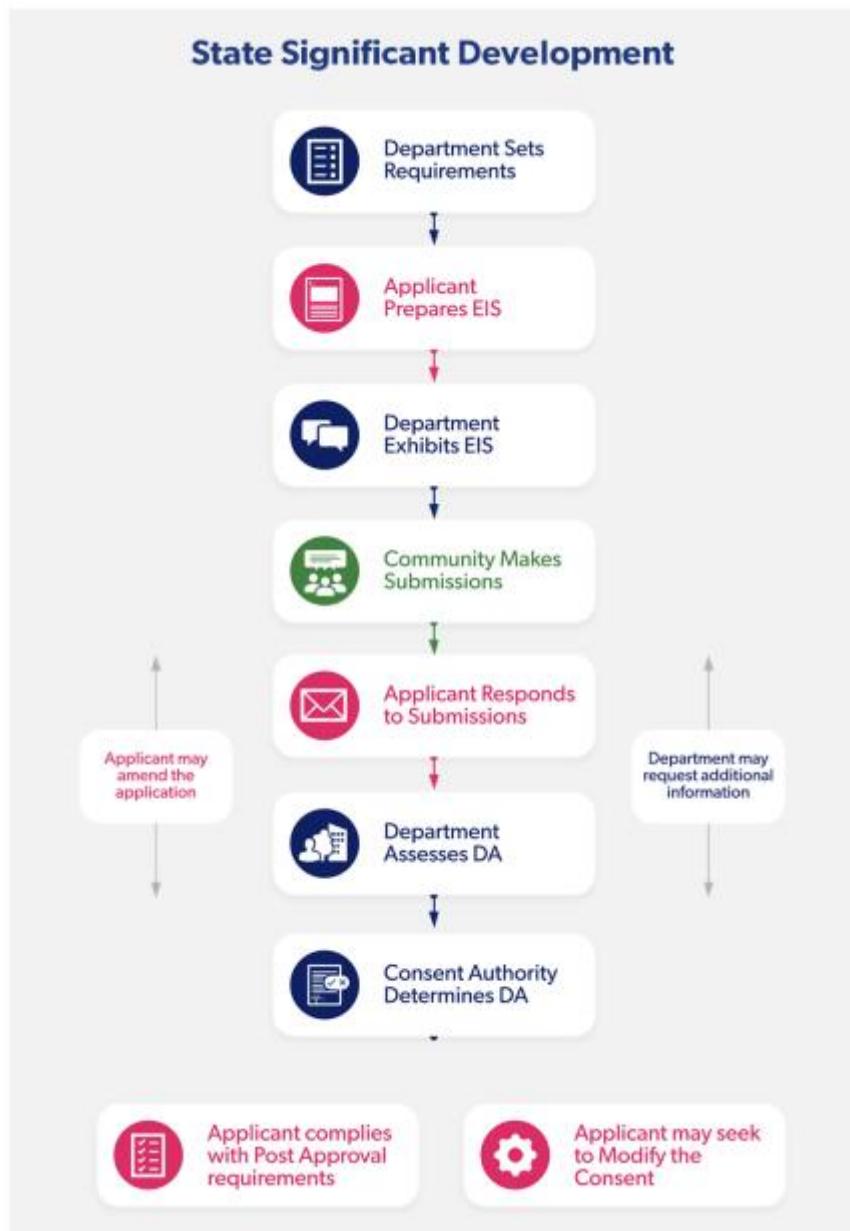
Environment and Planning

RESPONSE TO REQUEST FOR COMMENT - ENVIRONMENTAL IMPACT STATEMENT – WATTLE CREEK SOLAR FARM & BATTERY STORAGE SYSTEM (STATE SIGNIFICANT DEVELOPMENT) cont'd

The EIS must include a description of what consultation was carried out during the preparation of the EIS, identify the issues raised during this consultation, and explain how these issues have been addressed in the EIS.

Post submission back to the NSW Planning Department, the Department then places the EIS, the supporting information and submissions to the development on the NSW Planning Major projects website.

Figure 1. State Significant Development – Flow Chart



Environment and Planning

RESPONSE TO REQUEST FOR COMMENT - ENVIRONMENTAL IMPACT STATEMENT – WATTLE CREEK SOLAR FARM & BATTERY STORAGE SYSTEM (STATE SIGNIFICANT DEVELOPMENT) cont'd

REPORT

In relation to the new practice of tabling draft submissions to Council Meetings the remainder of the report outlines the proposed Wattle Creek Energy Hub Solar Farm (the Farm) and Battery Energy Storage System (BESS) and the draft submissions to these proposals.

There are two components to the proposal, including the Wattle Creek Energy Solar Farm and Battery Energy Storage system. Spark Renewables is proposing to develop the Wattle Creek Solar Farm and BESS Project on the University's Arthursleigh property held by the University of Sydney, east of Big Hill with the project being entirely within the Upper Lachlan Shire Council.

The EIS prepared for the Project describes the Project, its impacts (both positive and negative), how the impacts are proposed to be managed, mitigated and offset, the benefits and the justification.

Each of the project's components are being assessed under separate approval processes, but they are proposing to share infrastructure and a proposed research test bed facility. The Farm proposal contains a hybrid solar farm with generation capacity of up to 265 MW combined with a 100 MW battery energy storage system (BESS) in addition to this a standalone BESS with 350 MW capacity is proposed.

Upper Lachlan Shire Council Staff provided comment on the projects SEARs as part of the scoping phase. During this phase staff raised concerns in relation to potential heritage items being impacted, requested consideration in relation heavy vehicle haulage and advised the requirement for Developer contributions/Community Benefits.

Following on from the scoping stage for SEARs, the NSW Planning Department required significant supporting documentation within the applications EIS including but not limited to the below:

Biodiversity – including: an assessment of the biodiversity values and the likely biodiversity impacts of the project in accordance with Section 7.9 of the Biodiversity Conservation Act 2016 (NSW)(BC Act).

Heritage – including: an assessment of the impact to Aboriginal cultural heritage items (cultural and archaeological) in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010), including results of archaeological test excavations (if required); - evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures.

Land – including: - a detailed justification of the suitability of the site and that the site can accommodate the proposed development having regard to its potential environmental impacts, land contamination, permissibility, strategic context and existing site constraints; on agricultural resources and agricultural production on the site and region.

Environment and Planning

RESPONSE TO REQUEST FOR COMMENT - ENVIRONMENTAL IMPACT STATEMENT – WATTLE CREEK SOLAR FARM & BATTERY STORAGE SYSTEM (STATE SIGNIFICANT DEVELOPMENT) cont'd

Visual – including a detailed assessment of the likely visual impacts of all components of the project.

Noise – including an assessment of the construction noise impacts of the development in accordance with the Interim Construction Noise Guideline (ICNG), operational noise impacts in accordance with the NSW Noise Policy for Industry (2017), cumulative noise impacts (considering other developments in the area), and a draft noise management plan if the assessment shows construction noise is likely to exceed applicable criteria.

Transport – including: - an assessment of the peak and average traffic generation, including over-dimensional vehicles, construction worker transportation and transport of materials by rail; - an assessment of the likely transport impacts to the site access route(s), site access point(s), any Crown land, particularly in relation to the capacity and condition of the roads, road safety and intersection performance.

Water – including: - a detailed and consolidated site water balance and an assessment of the likely impacts of the development (including flooding) on surrounding watercourses (including their Strahler Stream Order) and groundwater resources and measures proposed to monitor, reduce and mitigate these impacts including water management issues.

Hazards – including: - a preliminary risk screening completed in accordance with the State Environmental Planning Policy (Resilience and Hazards) and Applying SEPP 33 (DoP, 2011); - a Preliminary Hazard Analysis (PHA) prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 – Guideline for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011).

Social and Economic – including an assessment of the social impacts in accordance with Social Impact Assessment Guideline (DPIE, Feb 2023), any benefits of the project for the region and the State as a whole, including consideration of any increase in demand for community infrastructure services, consideration of construction workforce accommodation, assessment of impact on agricultural resources and agricultural production on the site and region.

Waste – a waste management plan.

The applicant has now lodged their EIS to the NSW Planning Department for both the Farm and BESS projects (attached) and by doing so has set out to address the components required within the projects SEARS. Once the EIS was lodged with the NSW Planning Department, the EIS was then placed on exhibition and Council was invited to make comment during the exhibition in relation to the EIS.

Council Staff as part of the submission to the EIS has provided comment on several components of the EIS. The submissions are on the same site and comments are similar, however as the applications are separate applications, they require separate submissions. The submissions (attached) include the requirements for more details on proposed road use and design, suggestions around proposed Biodiversity Stewardship, the submissions raised concerns around surrounding restrictions for accommodation, labour and resources and the need for a letter of offer in relation to developer contributing being accepted prior the consent being issued.

Environment and Planning

RESPONSE TO REQUEST FOR COMMENT - ENVIRONMENTAL IMPACT STATEMENT – WATTLE CREEK SOLAR FARM & BATTERY STORAGE SYSTEM (STATE SIGNIFICANT DEVELOPMENT) cont'd

It should be noted that this submission is made only in relation to the EIS and information contained within the EIS as this is the document that has been placed on exhibition and will inform the NSW Planning Department Assessment.

POLICY IMPACT

Nil

OPTIONS

1. Council endorses the draft submissions for both projects EIS's. (Recommended).
2. Council proposes amendments to the draft submissions.
3. Council chooses not to make a submission in relation to the EIS's for both projects. (Not Recommended)

FINANCIAL IMPACT OF RECOMMENDATIONS

Council should at a minimum make a submission requiring any consents for the proposals be tied to the need for a letter of offer be made and accepted for Developer contributions. This is to ensure Council and the Community receive contributions and this be bound within the proposal development consent.

RECOMMENDATION That -

1. Council endorses the draft submissions dated 30 June 2025 in relation to the Environmental Impact Statement for Wattle Creek Solar Farm & Batter Energy Storage System.

ATTACHMENTS

1.	Wattle Creek Battery Energy Storage System (SSD 63345458) Request for Comment on EIS	Appendix
2.	Environmental Impact Statement - Wattle Creek BESS	Appendix
3.	Wattle Creek Solar Farm (SSD 63344215) Request for Comment on EIS	Appendix
4.	Environmental Impact Statement - Wattle Creek Solar Farm	Appendix
5.	State Significant Development (SSD) Guide	Appendix

12 INFRASTRUCTURE DEPARTMENT

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

13 FINANCE AND ADMINISTRATION

The following items are submitted for consideration -

13.1	Delivery Program bi-annual review 2024/2025	79
13.2	Review of Councillor Training and Development Policy	95
13.3	Public Exhibition of Draft Code of Meeting Practice	105
13.4	Code of Conduct Review	157

Finance and Administration - 17 July 2025

ITEM 13.1 **Delivery Program bi-annual review 2024/2025**

FILE REFERENCE **I25/170**

AUTHOR **Director of Finance and Administration**

ISSUE

Delivery Program – Principal Activities and Program Actions Report for 2024/2025.

RECOMMENDATION That –

1. Council adopt the Delivery Program Actions Report review for the six month period ended 30 June 2025.

BACKGROUND

The Delivery Program is a four-year plan, accompanied by a complete four-year budget program of works that details what Council will do to implement the Community Strategic Plan 2042.

The Delivery Program is reviewed and updated annually by Council, incorporating community submissions to the program and to ensure the program evolves and remains aligned to Council priorities.

REPORT

Upper Lachlan Shire Council has implemented the Office of Local Government, Integrated Planning and Reporting (IP&R) legislation. Section 404 (5), of the Local Government Act 1993, states “The General Manager must ensure that progress reports are provided to the Council, with respect to the Principal Activities detailed in the Delivery Program, at least every 6 months.”

Attached to this report is the Council’s Delivery Program activities report in accordance with the IP&R guidelines for the period of January to June 2025.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That –

1. Council adopt the Delivery Program Actions Report review for the six month period ended 30 June 2025.

ATTACHMENTS

1. <u>↓</u>	Delivery Program 30 June 2025 Report	Attachment
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The Delivery Program Actions are integrated with the Community Strategic Plan Towards 2042 (CSP) Strategies and referenced to a Community Aspiration. Each six months the Chief Executive Officer is to provide a progress report with respect to the Delivery Program Actions.

CSP STRATEGIC PILLAR NO.1 – OUR COMMUNITY

Delivery Program Actions	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
1.1 - Support the retention of medical and health care facilities in the towns.	Medical practitioners are provided support to facilitate health care service provision.	Director of Infrastructure and Chief Executive Officer	Strategy A.3 - Advocate State and Federal Government agencies for infrastructure and services that meet the health and wellbeing needs of the community. 5. People attaining health and wellbeing.	Achieved – community buildings leased to facilitate health care services and in-kind contributions provided to service provider.
1.2 - Support provision of ageing population services and aged accommodation.	Liaise with government agencies and associated community groups in advocating for adequate aged care services and accommodation.	Director of Environment and Planning	Strategy A.1 - Our community has access to health and community services that support physical health and mental wellbeing through all life stages. 2. Community liaison to preserve and enhance community facilities.	Achieved - Community has access to health and community services. Noting minimal advocating has occurred with respect to this delivery action.
1.3 - Community services for young, aged, disabled, and people from diverse cultural backgrounds.	Implementation of actions identified in the Social and Community Plan, Disability Inclusion Plan (DIAP), Cultural Plan and Ageing Strategy.	Director of Environment and Planning	Strategy A.6 - Support the community by encouraging creative expression through arts and culture. 6. Resilient and adaptable communities.	Not achieved - review of Council's Social and Community Plan, Cultural Plan and Ageing Strategy not commenced. Achieved – DIAP developed and being implemented.

Delivery Program Actions	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
1.4 - Retain the youth population demographic and provide appropriate facilities.	Continue support of the youth.	Director of Environment and Planning	Strategy A.7 - Support participation in a broad range of activities to foster community connectivity and informal support networks. 2. Community liaison to preserve and enhance community facilities.	Working Towards – Library coordinated youth week activities funded by a grant. Youth Policy is not developed.
1.5 - Protect significant heritage sites to preserve the diverse history of the Shire.	Heritage sites receiving funding over three year program.	Director of Environment and Planning	Strategy A.5 - Events celebrate the identity of our towns, produce, heritage and culture. 1. A built environment enhancing the lifestyle of a diverse community.	Achieved – heritage grant program is funded annually.
1.6 - Social inclusion for all disparate communities.	Provision of recreational opportunities and upgrade to existing public recreational facilities within the Shire towns.	Director of Environment and Planning	Strategy A.2 - Our community driven sports and recreation groups are supported. 6. Resilient and adaptable communities.	Achieved – works implemented based around adopted budget and resourcing constraints.

Delivery Program Actions	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
1.7 - Manage and upgrade Council's public buildings and community centres.	Preparation and review of Council buildings and strategy on future arrangements.	Director of Infrastructure	Strategy A.7 - Support participation in a broad range of activities to foster community connectivity and informal support networks.	Not achieved - Plans of Management yet to be completed. Buildings strategy has not been developed.
1.8 - Encourage recreational, cultural and leisure activities while maintaining public safety standards.	Provide funding for existing library and swimming pool facilities. Also, manage animal control and sporting grounds activities.	All three Council Department Directors	Strategy A.2 - Our community driven sports and recreation groups are supported. 2. Community liaison to preserve and enhance community facilities.	Achieved – Council supports sporting groups and funds swimming pool and library activities annually.

CSP STRATEGIC PILLAR NO.2 – OUR ENVIRONMENT

Delivery Actions	Program	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
2.1 - Address environmental degradation issues, i.e. noxious weeds control.		Review of Biosecurity Management Strategy.	Director of Environment and Planning	Strategy C.1 - Protect and enhance the existing natural environment, including flora and fauna native to the region. Strategy C.2 - Implement effective integrated weed and pest animal management. 3. A healthy natural environment.	Achieved – funding obtained for the Weeds Action Plan, with the reduced funding amount impacting on the level of management.
2.2 - Promote environmentally sustainable developments (ESD).		Review, update and implementation of Upper Lachlan Local Environmental Plan (LEP) and Development Control Plan (DCP).	Director of Environment and Planning	Strategy C.6 - Maintain a balance between growth, development, environmental protection agriculture through sensible planning. Strategy C.7 - Consider community feedback, local character and identity, economic factors and social impact in planning decisions. 4. A prosperous economy with the balanced use of our land.	Working Towards – LEP updated as required and review of DCP commenced.
2.3 - Promote use of green and renewable energy.		Council promote alternate energy initiatives. Review Climate Change Adaption Strategy and development of Resilience Framework.	Director of Environment and Planning	Strategy C.4 - To investigate and implement approaches to reduce our carbon footprint. 3. A healthy natural environment.	Not achieved – Environmental Sustainability Strategy not commenced, and project delivery is dependent upon external grant funding.

Delivery Actions	Program	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
2.4 - Pursue Section 7.12 Development Contributions payments for all State Significant - Designated Developments.	Council is to manage and distribute the funds through a Community Enhancement Program (CEP) for each wind farm committee.	Director of Environment and Planning	Strategy C.8 - Encourage positive social and environmental contributions from developers. Strategy B.2 - Foster a diverse and resilient agricultural industry. 1. A built environment enhancing the lifestyle of a diverse community.	Achieved – CEP committee meetings held and funds distributed as resolved by the committees. Council administers the CEP funds.	
2.5 - Support land care initiatives to restore and beautify natural resources.	Continued partnership working to protect our environment by enhancing land and waterways to sustain natural ecosystems.	Director of Environment and Planning	Strategy C.3 - Protect and rehabilitate waterways and catchments. 2. Community liaison to preserve and enhance community facilities.	Working Towards – Limited works being undertaken in this space based on funding. Gunning Landcare maintaining natural bushland at the Gunning Showground achieved.	
2.6 - Provide waste pickup service for towns and villages and reduce the amount of waste going to landfills.	Council provide a strategy for future waste service provision. Implement improvement works to Crookwell landfill/waste centre and the village waste transfer stations to ensure compliance with EPA guidelines.	Director of Environment and Planning	Strategy D.12 - Our recycling and waste management practices are accessible and efficient. 7. Responsible and efficient use of resources.	Achieved – waste services provided to applicable communities within the Shire. Not achieved – waste strategy completion is pending funding. Working towards – Draft Crookwell landfill remediation report complete, EPA referral required.	

Delivery Program Actions	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
2.7 - Improve water supply and sewerage facilities to towns.	Implement town water supply and sewerage improvement programs and include within Long Term Financial Plan (LTFP).	Director of Environment and Planning	Strategy D.10 - Provide high quality reliable water supply to communities. Strategy D.11 - Provide safe and efficient sewerage services to communities. 2. A healthy natural environment.	Working Towards – Integrated Water Cycle Management Plan (IWCM) development is ongoing. NSW Public Works completing the IWCM.

CSP STRATEGIC PILLAR NO. 3 – OUR ECONOMY

Delivery Program Actions	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
3.1 – Prioritise financial viability of Council.	Long-term Financial Planning (LTFP) model implemented.	Director of Finance and Administration	Strategy E.5 - Manage resources in a responsible manner that supports the ongoing viability of Council. 7. Responsible and efficient use of resources.	Working Towards - LTFP was adopted on 20 June 2024. A Financial Sustainability Review Report completed by AEC Group in November 2023. Recommendations from the report were considered and service level review decisions by Council made in May 2024 that were implemented in 2024/2025.
3.2 – Prudent financial management.	Achieve Financial Statements performance benchmarks.	Director of Finance and Administration	Strategy E.6 - Seek out and pursue income generating opportunities for Council. 8. Transparent and accountable governance.	Working Towards – 4 benchmarks achieved of 7 with an unqualified audit report issued by Audit Office on Council Financial Statements for 2023/2024.
3.3 - Encourage sustainable population growth and provision of associated infrastructure.	1. Implementation of Southern Regional Development (REDs). Tablelands Economic Strategy	Chief Executive Officer	Strategy B.6 - Support and encourage the growth of tourism infrastructure such as accommodation, visitor facilities and restaurants. 4. A prosperous economy with the balanced use of our land.	Working Towards – Council continues to align with the REDS as a guided framework for sustainable economic growth across the region. Council is currently in the process of developing a draft Upper Lachlan Economic Development Strategy tailored to local needs and

				opportunities. Council has maintained active engagement with local business, neighbouring LGAs and regional partners to ensure a coordinated approach to investment readiness and destination development.
Delivery Program Actions	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
3.4 - Assist facilitation of employment opportunities.	Number of contacts with existing businesses and grant application preparation resources provided to assist businesses.	Chief Executive Officer	Strategy B.7 - Support our young people to access surrounding education, training and employment pathways. 7. Responsible and efficient use of resources.	Achieved – Grant Report is provided to Council. Successful in facilitating work placements and apprenticeships at Council.
3.5 - Promote tourism opportunities.	Marketing and promotion is timely, professional, informative and responsive to user needs. Capitalise on Canberra Region brand opportunities.	Chief Executive Officer	Strategy B.5 - Foster strategic partnerships with tourism authorities to harness marketing and attraction opportunities. 2. Community liaison to preserve and enhance community facilities.	Achieved – marketing and promotion activities have been consistent, timely, professional and responsive. Council has strengthened its digital and print presence through the delivery of the updated and refreshed in house tourism publications, regular social media content aligned with seasonal campaigns. Representation at regional tourism meetings and collaboration with neighbouring LGAs has

				enhanced cross-promotion and visibility of the Upper Lachlan region. Council have fostered partnerships with local business, community groups, and regional tourism organisations to support destination development and attraction initiatives.
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CSP STRATEGIC PILLAR NO. 4 – OUR INFRASTRUCTURE

Delivery Actions	Program	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
4.1 - Improve local road and regional road transport networks.		Manage road assets to ensure public safety. Road Hierarchy reviewed and reported to Council. Pavement rehabilitation on regional roads.	Director of Infrastructure	Strategy D.1 - Plan for, maintain and improve road corridor networks. 7. Responsible and efficient use of resources.	Not achieved – no road hierarchy report to Council. Capital and maintenance road works undertaken and Infrastructure Plan adopted by Council on 19 June 2025.
4.2 - Infrastructure Plan is implemented for new capital works, asset renewal and upgrades covering a 10 year period.		Asset Management Plans and Asset Strategies by each Asset Class are developed and recommendations implemented.	Director of Infrastructure	Strategy D.8 - Management of community infrastructure is supported by strong relationships between Council and community groups and used to the maximum extent possible. 2. Community liaison to preserve and enhance community facilities.	Working Towards – whilst asset data is required to be collated, along with condition rating to update the asset register and develop forward year works plans, a five year delivery program has been developed with existing data.
4.3 - Bitumen sealing all urban streets in towns.		Prepare 4 year road capital works program budget and review works priorities annually.	Director of Infrastructure	Strategy D.1 - Plan for, maintain and improve road corridor networks. 1. A built environment enhancing the lifestyle of a diverse community.	Achieved - four year capital road works program budget and works was developed and included in Delivery Program adopted by Council on 19 June 2025.
4.4 - Develop town and CBD beautification programs.		Implement town main street beautification works.	Director of Infrastructure	Strategy D.4 - Encourage community pride through the beautification of our towns and rural areas. 2. Community liaison to preserve and enhance community facilities.	Achieved - town and village streetscape project of installation of bins, noticeboards and seating is completed in 2023/24 financial year

Delivery Program Actions	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
4.5 - Lobby for improved mobile telephone and broadband services.	Advocate Federal Government agencies to ensure regional and rural areas are included in the roll out of technological initiatives.	Director of Infrastructure	<p>Strategy D.13 - Advocate for servicing of mobile telephone blackspot areas. Strategy D.14 - Advocate for a more stable communication network.</p> <p>1. A built environment enhancing the lifestyle of a diverse community.</p>	Working Towards – A new tower was approved for Curraweela in December 2023. Lobbying for a tower at Snowy Mount has been unsuccessful to date.
4.6 - Develop new and upgrade existing footpaths and cycleway networks.	Implement the Pedestrian Access and Mobility Plan (PAMP) to create links to community services in conjunction with NSW Government Stronger Country Communities Fund program.	Director of Infrastructure	<p>Strategy D.6 - Our community infrastructure is accessible and fosters inclusive, healthy and active recreation.</p> <p>1. A built environment enhancing the lifestyle of a diverse community.</p>	Working Towards – previous grant projects at Crookwell and Gunning have been completed. Further projects have been applied for under two different grants including the Get NSW Active and Road Safety Program and are awaiting outcome.
4.7 - Upgrade stormwater and kerb and guttering in towns.	Stormwater Management Plans created and recommendations progressively implemented in a 4 year capital works budget.	Director of Infrastructure	<p>Strategy D.7 - Infrastructure improvements and additions support our communities and enhance visitor experiences.</p> <p>2. A healthy natural environment.</p>	Working Towards – Flood studies for Collector, Crookwell, Gunning and Taralga have been completed. Potential upgrades identified but will require significantly more funding than currently available. Funding received to undertake design and construction for a levee in Gunning, however due to high estimated construction costs a variation to the grant has been

				applied to only undertake the design of the levee and some minor construction work involving raising a house and stormwater works on Warrataw Street.
Delivery Program Actions	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
4.8 - Replace bridges on local and regional roads.	Implementation of the bridge replacement program with funding to be sourced from external funding bodies.	Director of Infrastructure	Strategy E.7 - Manage assets in a proactive way across their lifespan within resources limitations. 7. Responsible and efficient use of resources.	Achieved - construction has been completed on Julong Road 2 bridge and on the Tablelands Way MR256 Oberon Road at Curraweela Creek bridge.

CSP STRATEGIC PILLAR NO.5 – OUR CIVIC LEADERSHIP

Delivery Actions	Program	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
5.1 - Participate in resource sharing initiatives.		Report projects to Council every year. Achieve annualised \$ savings through participation in Canberra Region Joint Organisation (CRJO) projects.	Chief Executive Officer	Strategy E.4 - Council actively participates in regional bodies such as CRJO to identify innovations and opportunities for our region. Strategy E.1 - Council practices and processes are undertaken in an efficient manner that meets legislative requirements. 7. Responsible and efficient use of resources.	Achieved - participation in CRJO; Regional Community Strategic Plan 2042 project, internal audit services, ARIC committee and NSW Resilience Blueprint project. Central West JO contracts; Copyright Licensing and Bulk Fuel purchase contract.
5.2 - Promote community engagement and involvement in decision making processes.		Regular community meetings and Committees of Council outcomes achieved. Community Survey undertaken every four years.	Chief Executive Officer and Director of Finance and Administration	Strategy E.9 - Council understands the aspirations of the community and seeks to work together to solve local issues. Strategy E.11 - We aim to engage 'hard to reach' parts of our community in decisions that affect them and our region. 6. Resilient and adaptable communities.	Working Towards – community outreach meetings will be held in October 2025 in towns/villages. Achieved – Projectura on behalf of CRJO prepared a Community Engagement Report for Council after a round of community engagement in February and March 2024 with Have Your Say on-line and hard copy surveys completed as part of reviewing the Council Community Strategic Plan 2042.

Delivery Actions	Program	Performance Measures	Responsibility	CSP Strategy and Aspiration	Progress Report
5.3 - Leadership and commitment to integrated planning and reporting (IP&R).		Council's IP&R documents clearly articulate the Council's direction across all strategy platforms and performance management efficiency is evident to the community.	Chief Executive Officer and Director of Finance and Administration	Strategy E.2 - Make doing business with Council easier. Strategy E.3 - Governance provides a sound basis for decision making. 8. Transparent and accountable governance.	Achieved – 2025/2026 IP&R strategic plans were reviewed in 2025 and adopted by Council on 19 June 2025.

Finance and Administration - 17 July 2025

ITEM 13.2 **Review of Councillor Training and Development Policy**

FILE REFERENCE I25/172

AUTHOR **Director of Finance and Administration**

ISSUE

Recommendation that Council adopt the reviewed Councillor Training and Development Policy.

RECOMMENDATION That –

1. Council adopts the reviewed Councillor Training and Development Policy.

BACKGROUND

The Office of Local Government has issued Councillor Induction and Professional Development Guidelines that incorporate mandatory induction program for Councillors and the Mayor and also mandatory professional development and training programs.

REPORT

This report details the review of Council's Councillor Training and Development Policy. The Policy is attached with minor amendments 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 reviewed Councillor Training and Development Policy.

ATTACHMENTS

1. <u>↓</u>	Councillor Training and Development Policy - Date Adopted 17 July 2025 - Resolution xxx-25 Review 2028	Attachment
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Upper Lachlan Shire Council

Policy Update Cover

Date: 17 July 2025	Policy Title: Councillor Training and Development Policy
This cover sheet provides a summary of the proposed amendments to the attached Policy. Council initially adopted this policy in November 2007. The policy was last updated on 16 June 2022.	
Sponsor: Director of Finance and Administration	Action required: Approval by Council
Reason for review/update: Council regularly review and update policies to ensure that they are current, fit-for-purpose and relevant to Council's operations. The attached policy has been reviewed and updated in line with this practice and the sponsor is now seeking your approval to implement this policy.	
Summary of the changes: The following amendments have been made to this Policy: <ul style="list-style-type: none"> Removed all references to General Manager and replace them with Chief Executive Officer to describe the head of a local government agencies in NSW. Removed references to amended legislation or non-related legislation to this policy. Included reference to Councillor Handbook that was updated in 2024. 	
Consultation(s): Nil	
Internally cleared by	
Position: Chief Executive Officer	Position: Director of Finance and Administration

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

POLICY:-	
Policy Title:	Councillor Training and Development Policy
File Reference:	F13/618-04
Date Policy was adopted by Council initially:	25 November 2007
Resolution Number:	366/07
Other Review Dates:	20 November 2008, 19 November 2009, 19 May 2011, 20 March 2014, 18 April 2019 and 16 June 2022
Resolution Numbers:	343/08, 477/09, 183/11, 67/14, 86/19 and 129/22
Current Policy adopted by Council:	17 July 2025
Resolution Number:	XXX/25
Next Policy Review Date:	2028

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

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

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

Purpose

The purpose of this policy is to demonstrate Council's commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the Local Government Act 1993.

Scope

This policy applies to all Councillors of Upper Lachlan Shire Council, including the Mayor.

Policy

Council is committed to developing an induction and ongoing professional development program for councillors to ensure they can fulfil their statutory roles and responsibilities.

The Local Government Act 1993 (the Act), under Section 232, has seen the inclusion in the prescribed role of Councillors the responsibility "to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor".

Councils' induction and professional development programs are to consist of three elements:-

1. Pre-election candidate sessions – these are to ensure prospective candidates are aware of what will be expected of them if elected (these are not mandatory but are encouraged);
2. Induction program – this aims to equip mayors and councillors with the information they need to perform their role effectively over the first few months and has a particular focus on building positive, collaborative relationships between councillors and with staff;
3. Professional development program – this is to be developed in consultation with all councillors and delivered over the term of the council to build the skills, knowledge and personal attributes necessary to be an effective Mayor or Councillor.

Training and Development Program

Upper Lachlan Shire Council will develop a training and development program each year so as to ensure that activities available to all Councillors contribute to the achievement of the strategic and good governance objectives of Council.

In preparing the training and development program a range of strategies will be utilised to identify the needs of Council and match these needs against its strategic and good governance objectives.

Particular emphasis will be given to the training needs of new Councillors joining Council following a general local government election or by-election.

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

This policy is in addition to the Office of Local Government's Councillor Information Seminars, which all Councillors are required to attend following a local government general election.

Induction Program

The induction program will cover:-

- An orientation to Council facilities and the local government area.
- An overview of the key issues and tasks for the new council including; Council's Community Strategic Plan, Delivery Program, Operational Plan, resourcing strategy and community engagement plan.
- The legislation, rules, principles and political context under which councils operate.
- The roles and responsibilities of Councillors and the Mayor.
- Council's organisational structure, Workforce Plan and the roles and responsibilities of the Chief Executive Officer and Council staff.
- What Council does and how it operates, including an overview of integrated planning and reporting, land-use planning, financial management and asset management by Council.
- Key Council policies and procedures Councillors must comply with including the Code of Conduct.
- The role of Council Meetings and how to participate effectively in them.
- The support available to the Mayor and Councillors.
- Information on the process for taking the oath of office and electing the Mayor at the first Council Meeting

The induction program may also include team building activities to help the governing body establish itself as a cohesive and collaborative team focused on a common purpose with shared values and goals

Methodology

Council will collect information regarding the training and development needs of Councillors and will plan for the delivery of professional development training by utilising the following methodology:-

1. Survey/questionnaire;
2. Interviews; and
3. Workshops.

The Chief Executive Officer is to ensure an induction program is delivered for newly elected and returning Councillors and a specialised supplementary induction program for the Mayor within six months of their election.

The Chief Executive Officer is to ensure an ongoing professional development program is delivered for the Mayor and each Councillor over the term of the Council for the purposes of assisting them to acquire and maintain the skills necessary to perform their role.

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

The content of the ongoing professional development program to be delivered to the Mayor and Councillors is to be determined in consultation with the Mayor and each Councillor and is to have regard to the specific skills required by the Mayor, each individual Councillor and the governing body as a whole to perform their roles.

Specific Training Needs

Council recognises that some of the training needs of Councillors will be specific to their legislative and governance roles and functions such as:-

1. Role and Responsibilities of Councillors;
2. Working Together - relationship between Councillors and Staff;
3. Code of Conduct;
4. Conflict of Interest
5. Code of Meeting Practice;
6. Good Governance;
7. Accounting and Financial Reporting;
8. Integrated Planning and Reporting;
9. Strategic Planning.

The list included above may be altered to include specific areas of training and development deemed to be appropriate as situations arise, e.g. media training.

Other training issues will emerge that are directly related to specific service areas and other community issues and address environmental, social and economic challenges facing the community.

Delivery Methods

It is recognised that a range of delivery methods will be required to support the training needs of Councillors, including:-

1. Workshops, seminars and on-line webinars conducted by Office of Local Government;
2. Workshops, seminars, on-line webinars and informal (briefing) sessions conducted by Council with appropriate guest speakers and accredited trainers;
3. Attendance at workshops, seminars and conferences offered by organisations such as Local Government Learning Solutions (Local Government NSW), Australian Local Government Association and other private providers that provide an opportunity for Councillors to gain new skills, network with other Councillors and staff from within and outside of NSW;
4. Purchase of training booklets and discussion papers that could be distributed to Councillors for information; and
5. On-line training delivery.

Upper Lachlan Shire Council's training program will include agreed delivery methods to respond to the needs of Councillors identified during the development of the annual Councillor Training and Development Program.

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

Implementation

1. Training and professional development opportunities will be made available to all Councillors on a continual basis throughout their term of office.
2. Preliminary induction training will take place as soon as practicable following the declaration of the polls. Depending on the timing and specific circumstances of the election, the full induction training may be completed within two months of the polls being declared.
3. The Code of Conduct and Code of Meeting Practice training will be delivered prior to the first meeting of the new Council.
4. The Mayor and Chief Executive Officer will determine the most appropriate method of training delivery, whether in-house or by external agency.
5. Council's annual budget will need to reflect the level of Councillor professional development as required by this training plan.
6. Reimbursement for expenses relating to a Councillor's attendance at training will be determined in accordance with Council's adopted Payment of Expenses and Provision of Facilities Policy.

Procedure

Training and educational opportunities for Councillors will be classified as:-

- Imperative
- Desirable
- Development

Imperative Training

1. Training or educational opportunities considered vital to the role of Councillor.
2. This training should be attended by all Councillors.
3. It relates to legislative and governance roles and functions and includes, but is not limited to:-
 - Roles and responsibilities of Councillors (including induction programs for new Councillors);
 - Working Together - relationship between Councillors and staff;
 - Integrated Planning and Reporting;
 - Code of Conduct;
 - Pecuniary Interest and Conflict of Interest;
 - Code of Meeting Practice.

Desirable Training

1. This training is considered important and therefore in the best interests of a Councillor to attend.
2. It relates to the maintenance of good governance and includes, but is not limited to, community issues, environmental issues, infrastructure, social and economic challenges, such as:-
 - Accounting and Financial Reporting;
 - Planning legislation;
 - Strategic Planning;
 - Performance management of senior staff;

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

- Community leadership;
- Handling difficult people;
- Media skills;
- Internal Audit.

Development Training

1. This training is discretionary but Councillors are encouraged to accept this training or educational opportunity.
2. It relates to further developing the skills or professional expertise of Councillors, and includes, but is not limited to:-
 - Attendance at Local Government NSW workshops and on-line webinars, whether public, in-house or regional;
 - Seminars and informal sessions conducted by Council with appropriate guest speakers and trainers;
 - Distribution of training booklets or discussion papers for information;
 - Online training;
 - Mentoring.

Notification to Councillors

Any appropriate training or educational opportunities will be notified to Councillors through the Executive Assistant on behalf of the Chief Executive Officer. The Executive Assistant is responsible for planning, scheduling and facilitating induction and professional development activities in conjunction with the Chief Executive Officer.

Every effort will be made to provide Councillors with as much notice as possible of training and educational opportunities.

Councillors are encouraged to notify the Mayor or Chief Executive Officer if they become aware of any training or educational opportunity that they wish to attend.

Responsibilities

The Mayor and each Councillor are responsible for making themselves available to attend any development activities identified in the training and development program.

The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of the Council.

Attendance requirements

The minimum requirements for Councillors' attendance will be all training courses classified as "Imperative".

Councillors will not be expected to attend training or educational opportunities which they have attended in the preceding 12 months.

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

Responsible Officer

The Chief Executive Officer is responsible for ensuring that the opportunities for induction, ongoing training and professional development are implemented in accordance with this policy. Council funds are to be approved by the Chief Executive Officer in accordance with Council's Payment of Expenses and Provision of Facilities Policy. All training is to be authorised by the Chief Executive Officer prior to enrolment.

Reporting obligations

Details of the total cost of training and provision of skill development for Councillors are required by legislation to be included in the Annual Report.

Council will publish the following information in the Annual Report:-

- The name of the Mayor and each individual Councillor that completed Council's induction program (where an induction program has been delivered during the relevant year);
- The name of the Mayor and each Councillor who participated in any ongoing professional development program during the year;
- The number of training and other activities provided to the Mayor and Councillors during the year as part of a professional development program; and
- The total cost of induction and professional development activities and any other training provided to the Mayor and Councillors during the relevant year.

This database will be used to identify gaps in the Councillors' training requirements and will be used to assist in determining the most appropriate method of delivery for formal training and will include an evaluation of the training and development program effectiveness at the end of the term of the Council.

Annual Budget Allocation

A budget allocation will be provided to support the training and development activities undertaken by Council, and progress against expenditure of the budget allocation will be reported on an annual basis.

Council will determine the size of its budget allocation, which may change annually, depending on the nature of issues for which training and development activities may be required to be offered. For example, when a new Council is elected there will be specific issues required to be addressed such as induction training for all new Councillors.

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 2021;
- State Records Act 1998;
- Government Information (Public Access) Act 2009;
- Independent Commission against Corruption Act 1988;

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

- Office of Local Government, NSW Premier and Cabinet – Councillor Induction and Professional Development Guidelines 2018;
- Councillor Handbook 2024;
- Code of Conduct;
- Code of Business Practice;
- Code of Meeting Practice;
- Records Management Policy;
- Government Information (Public Access) Policy;
- Interaction between Councillors and Staff Policy;
- Payment of Expenses and Provision of Facilities Policy.

Variation

Council reserves the right to vary or revoke this policy.

Finance and Administration - 17 July 2025

ITEM 13.3 **Public Exhibition of Draft Code of Meeting Practice**

FILE REFERENCE **I25/174**

AUTHOR **Director of Finance and Administration**

ISSUE

Providing details regarding a review and public exhibition of the Council Model Code of Meeting Practice.

RECOMMENDATION That -

1. Council in accordance with Section 361, of the Local Government Act 1993, Council gives public notice of its intention to adopt the Code of Meeting Practice after allowing 28 days public exhibition consultation period and provides members of the community 42 days in which to make a submission.

BACKGROUND

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

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

Councils are required, under Section 360 of the *Local Government Act 1993* to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code no later than 12 months after their elections (election held on 14 September 2024), following public exhibition and consultation. As the new Model Meeting Code has not been prescribed, councils need to adopt their existing Meeting Codes following public exhibition.

When the new Model Meeting Code is finalised, OLG will provide detailed guidance to councils on its adoption and the relevant transitional arrangements.

REPORT

Council's must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Code of Meeting Practice within 12 months of the Local Government Election. Until a Council adopts a Code of Meeting Practice, its existing Code of Meeting Practice will remain in force. If a Council fails to adopt a new Code of Meeting Practice within the prescribed 12 month period, any provision of the Council's adopted Code of Meeting Practice that is inconsistent with a mandatory provision of the Model Code of Meeting Practice prescribed under the Regulation will automatically

Finance and Administration

PUBLIC EXHIBITION OF DRAFT CODE OF MEETING PRACTICE cont'd

cease to have any effect to the extent that it is inconsistent with the mandatory provision of the Model Code of Meeting Practice.

The Model Code of Meeting Practice, was adopted by Council on 18 August 2022, and is attached to this report. The Model Code of Meeting Practice has two elements:-

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

It is recommended by senior management that all the **red** font non-mandatory provisions within the Model Code of Meeting Practice be adopted by Upper Lachlan.

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

Before adopting a new Code of Meeting Practice, under Section 361 of the *Local Government Act 1993*, Councils are required to exhibit a draft of the Code of Meeting Practice for at least 28 days and provide members of the community 42 days in which to comment on the draft code.

POLICY IMPACT

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

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council in accordance with Section 361, of the Local Government Act 1993, Council gives public notice of its intention to adopt the Code of Meeting Practice after allowing 28 days public exhibition consultation period and provides members of the community 42 days in which to make a submission.

ATTACHMENTS

1. <u>Download</u>	Code of Meeting Practice - Upper Lachlan - DRAFT 17 July 2025 - Resolution XXX-25 - Review September 2025	Attachment
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Upper Lachlan Shire Council

Policy Update Cover

Date: 17 July 2025	Policy Title: Model Code of Meeting Practice
<p>This cover sheet provides a summary of the proposed amendments to the attached Meeting Code. Council initially adopted this Meeting Code in September 2012. The Code of Meeting Practice was last updated and adopted by Council on 18 August 2022.</p>	
Sponsor: Director of Finance and Administration	Action required: Approval by Council after public exhibition.
<p>Reason for review/update:</p> <p>Council regularly review and update policies to ensure that they are current, fit-for-purpose and relevant to Council's operations. The attached policy has been reviewed and updated in line with this practice and the sponsor is now seeking your approval to implement this policy.</p>	
<p>Summary of the changes:-</p> <p>The following amendments have been made to this Policy:-</p> <ul style="list-style-type: none"> Noting as this Model Code references to the General Manager shall also mean Chief Executive Officer to describe the head of local government agencies in NSW. This Meeting Code will go on public exhibition for 28 days, it should be noted that OLG are doing a formal review and prescribing a new Model Meeting Code, but in line with the post-election checklist Council's must adopt a Meeting Code in the first 12 months of a newly elected Council. 	
<p>Consultation(s): Public Exhibition</p>	
<p>Internally cleared by</p>	
Position: Chief Executive Officer	Position: Director of Finance and Administration



MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

Table of Contents

1	INTRODUCTION	4
2	MEETING PRINCIPLES	5
3	BEFORE THE MEETING.....	6
4	PUBLIC FORUMS.....	11
5	COMING TOGETHER.....	14
6	THE CHAIRPERSON.....	20
7	MODES OF ADDRESS.....	21
8	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	22
8.1	<i>At a meeting of the Council, the general order of business is as fixed by resolution of the Council</i>	22
9	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS.....	23
10	RULES OF DEBATE.....	25
11	VOTING.....	29
12	COMMITTEE OF THE WHOLE.....	30
13	DEALING WITH ITEMS BY EXCEPTION.....	31
14	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	32
15	KEEPING ORDER AT MEETINGS.....	36
16	CONFLICTS OF INTEREST.....	39
17	DECISIONS OF THE COUNCIL	40
18	TIME LIMITS ON COUNCIL MEETINGS.....	42
19	AFTER THE MEETING.....	43
20	COUNCIL COMMITTEES.....	45
21	IRREGULARITES	48
22	DEFINITIONS	49

1 INTRODUCTION

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

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

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

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

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

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

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

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

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

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

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

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

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

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

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

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

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

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

3 BEFORE THE MEETING

Timing of ordinary Council meetings

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

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

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

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

Extraordinary meetings

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

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of Council meetings

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

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

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

Notice to Councillors of ordinary Council meetings

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

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

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

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

Notice to Councillors of extraordinary meetings

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

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

Giving notice of business to be considered at Council meetings

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

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

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

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

- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the Council, or
- (b) by written notice sent to all Councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the Council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

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

Agenda and business papers for ordinary meetings

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

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

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

Statement of ethical obligations

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

Availability of the agenda and business papers to the public

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

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

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

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

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

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

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

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

Agenda and business papers for extraordinary meetings

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

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

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

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

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

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

Pre-meeting briefing sessions

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

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

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

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

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

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

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

4 PUBLIC FORUMS

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

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

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

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

5 COMING TOGETHER

Attendance by Councillors at meetings

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

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

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

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

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

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

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

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

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

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

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

The quorum for a meeting

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

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

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

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

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

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

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

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

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

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

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

Meetings held by audio-visual link

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

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

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

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

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

Attendance by Councillors at meetings by audio-visual link

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

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

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

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

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

Entitlement of the public to attend Council meetings

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

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

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

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

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

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

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

Webcasting of meetings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attendance of the General Manager and other staff at meetings

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

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

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

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

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

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

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

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

6 THE CHAIRPERSON

The Chairperson at meetings

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

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

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

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

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

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

6.4 The election of a Chairperson must be conducted:

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

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

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

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

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

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

Chairperson to have precedence

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

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

7 MODES OF ADDRESS

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

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

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

The order of business of the Ordinary Meeting of Council shall be:-

- Acknowledgement of Country
- 1. Notice of Webcasting/Recording of Meeting
- 2. Apologies and Leave of Absence
- 3. Citizenship Ceremony
- 4. Declarations of Interest
- 5. Confirmation of Ordinary Meeting Minutes
- 6. Mayoral Minutes
- 7. Presentations to Council/Public
- 8. Correspondence
- 9. Late Correspondence
- 10. Reports – Information Only
- 11. Reports from Staff - Environment and Planning Department
- 12. Reports from Staff - Infrastructure Department
- 13. Reports from Staff - Finance and Administration Department
- 14. Reports from Staff - General Manager
- 15. Late Reports
- 16. Reports from Other Committees, Section 355 Committees and Delegates
- 17. Notices of Motion
- 18. Questions with Notice
- 19. Confidential Session - Closed Council Reports

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

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

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

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a Council meeting

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

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

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

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

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

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

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

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

Mayoral minutes

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

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

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

9.9 A Mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

9.10 Where a Mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

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

Reports of committees of Council

9.12 The recommendations of a committee of the Council are, so far as they are adopted by the Council, resolutions of the Council.

9.13 If in a report of a committee of the Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

Questions

9.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.

9.15 A Councillor may, through the Chairperson, put a question to another Councillor about a matter on the agenda.

9.16 A Councillor may, through the General Manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.

9.17 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

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

10 RULES OF DEBATE

Motions to be seconded

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

Notices of motion

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

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

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

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

Chairperson's duties with respect to motions

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

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

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

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

Motions requiring the expenditure of funds

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

Amendments to motions

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

Foreshadowed motions

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

Limitations on the number and duration of speeches

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

Participation by non-voting representatives in joint organisation board meetings

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

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

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

11 VOTING

Voting entitlements of Councillors

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

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

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

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

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

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

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

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

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

Voting at Council meetings

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

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

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

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

Voting on planning decisions

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

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

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

12 COMMITTEE OF THE WHOLE

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

Note: Clause 12.1 reflects section 373 of the Act.

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

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 12.3 The General Manager or, in the absence of the General Manager, an employee of the Council designated by the General Manager, is responsible for reporting to the Council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The Council or a committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the Council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the Chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the Chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The Council or committee must not resolve to adopt any item of business under clause 13.1 that a Councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the Council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the Council's code of conduct.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The Council or a committee of the Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than Councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the Council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The Council or a committee of the Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the Council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7 In deciding whether part of a meeting is to be closed to the public, the Council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the Council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

14.9 The Council, or a committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by **[five (5) business days]** before the meeting at which the matter is to be considered.

14.12 The General Manager (or their delegate) may refuse an application made under clause 14.11. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.

14.13 No more than **[two (2)]** speakers are to be permitted to make representations under clause 14.9.

14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the General Manager or their delegate is to determine who will make representations to the Council.

14.15 The General Manager (or their delegate) is to determine the order of speakers.

14.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the Chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The Chairperson is to permit no more than **[two (2)]** speakers to make representations in such order as determined by the Chairperson.

14.17 Each speaker will be allowed **[five (5)]** minutes to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.

Expulsion of non-Councillors from meetings closed to the public

14.18 If a meeting or part of a meeting of the Council or a committee of the Council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of Councillors attending meetings by audio-visual link

14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.22 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.23 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the Chairperson under clause 14.22 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A Councillor may draw the attention of the Chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The Chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this code they believe has been breached. The Chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.
- 15.5 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.
- 15.6 The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.
- 15.7 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A Councillor can, without notice, move to dissent from a ruling of the Chairperson on a point of order or a question of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a committee of the Council:

- (a) contravenes the Act, the Regulation or this code, or
- (b) assaults or threatens to assault another Councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
- (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other Council official, or alleges a breach of the Council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

15.12 The Chairperson may require a Councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the Council, the Chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The Council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from meetings

15.14 All Chairpersons of meetings of the Council and committees of the Council are authorised under this code to expel any person, including any Councillor, from a Council or committee meeting, for the purposes of section 10(2)(b) of the Act.

Note: Council has adopted to apply clause 15.14 and omit clause 15.15.

15.16 Clause 15.14 does not limit the ability of the Council or a committee of the Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.

15.17 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation.

15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.

15.19 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.20 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by Councillors attending meetings by audio-visual link may be dealt with

15.21 Where a Councillor is attending a meeting by audio-visual link, the Chairperson or a person authorised by the Chairperson may mute the Councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.22 If a Councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the Chairperson of the meeting or a person authorised by the Chairperson, may terminate the Councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

15.23 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and committees of the Council.

15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a committee of the Council without the prior authorisation of the Council or the committee.

15.25 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and committees of the Council in accordance with the Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the Council's code of conduct. Where a Councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the Councillor's audio-visual link to the meeting must be suspended or terminated and the Councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the Council or committee, or at any time during which the Council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.

Note: Clause 17.1 reflects section 371 of the Act in the case of Councils and section 400T(8) in the case of joint organisations.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 17.1 must be adapted to reflect those requirements.

17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering Council decisions

17.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the General Manager no later than [close of business on the Monday following the Council Meeting at which the resolution was adopted] after the meeting at which the resolution was adopted.

17.11 A motion to alter or rescind a resolution of the Council may be moved on the report of a committee of the Council and any such report must be recorded in the minutes of the meeting of the Council.

Note: Clause 17.11 reflects section 372(6) of the Act.

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three Councillors is submitted to the Chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the Chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.12(c).

Recommending resolutions to correct an error

17.15 Despite the provisions of this Part, a Councillor may, with the leave of the Chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the Council's resolution, or
- (b) to confirm the voting on the resolution.

17.16 In seeking the leave of the Chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the Councillor is to propose alternative wording for the resolution.

- 17.17 The Chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the Chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the Council are to conclude no later than **[4.30pm]**.
- 18.2 If the business of the meeting is unfinished at **[4.30pm]**, the Council may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at **[4.30pm]**, and the Council does not resolve to extend the meeting, the Chairperson must either:
 - (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
 - (b) adjourn the meeting to a time, date and place fixed by the Chairperson.
- 18.4 Clause 18.3 does not limit the ability of the Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the General Manager must:
 - (a) individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the Council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the General Manager must ensure that the following matters are recorded in the Council's minutes:

- (a) the names of Councillors attending a Council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a Council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a Council meeting must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The Council and committees of the Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

19.10 Clause 19.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the Council

19.12 The General Manager is to implement, without undue delay, lawful decisions of the Council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to committees of the Council whose members are all Councillors.

Council committees whose members are all Councillors

20.2 The Council may, by resolution, establish such committees as it considers necessary.

20.3 A committee of the Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.

20.4 The quorum for a meeting of a committee of the Council is to be:

- (a) such number of members as the Council decides, or
- (b) if the Council has not decided a number – a majority of the members of the committee.

Functions of committees

20.5 The Council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

20.6 The General Manager must send to each Councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

20.8 A committee member (other than the Mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the Council are members of the committee.

Non-members entitled to attend committee meetings

20.10 A Councillor who is not a member of a committee of the Council is entitled to attend, and to speak at a meeting of the committee. However, the Councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and Deputy Chairperson of Council committees

20.11 The Chairperson of each committee of the Council must be:

- (a) the Mayor, or
- (b) if the Mayor does not wish to be the Chairperson of a committee, a member of the committee elected by the Council, or
- (c) if the Council does not elect such a member, a member of the committee elected by the committee.

20.12 The Council may elect a member of a committee of the Council as Deputy Chairperson of the committee. If the Council does not elect a Deputy Chairperson of such a committee, the committee may elect a Deputy Chairperson.

20.13 If neither the Chairperson nor the Deputy Chairperson of a committee of the Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.

20.14 The Chairperson is to preside at a meeting of a committee of the Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

Procedure in committee meetings

20.15 Subject to any specific requirements of this code, each committee of the Council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the Council unless the Council or the committee determines otherwise in accordance with this clause.

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote unless the Council or the committee determines otherwise in accordance with clause 20.15.

20.17 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 20.17 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.17 and omit clause 20.16. Councils

must not adopt clause 20.17.

20.18 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.

20.20 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the Chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council committee meetings

20.23 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) the names of Councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

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

20.25 The minutes of meetings of each committee of the Council must be confirmed at a subsequent meeting of the committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

21 IRREGULARITES

- 21.1 Proceedings at a meeting of a Council or a Council committee are not invalidated because of:
 - (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any Councillor or committee member, or
 - (c) any defect in the election or appointment of a Councillor or committee member, or
 - (d) a failure of a Councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or committee meeting in accordance with the Council's code of conduct, or
 - (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the Council's adopted code of meeting practice
committee of the Council	means a committee established by the Council in accordance with clause 20.2 of this code (being a committee consisting only of Councillors) or the Council when it has resolved itself into committee of the whole under clause 12.1
Council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two Councillors under clause 11.7 of this code requiring the recording of the names of the Councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a Councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a Councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a Council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act

quorum	means the minimum number of Councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

Finance and Administration - 17 July 2025

ITEM 13.4 **Code of Conduct Review**

FILE REFERENCE **I25/176**

AUTHOR **Director of Finance and Administration**

ISSUE

Providing details regarding the review of the Council Code of Conduct.

RECOMMENDATION That -

1. Council adopts the prescribed Model Code of Conduct for Local Councils in NSW and the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW in accordance with Section 440 (7) of the Local Government Act 1993.

BACKGROUND

In 2020 a Model Code of Conduct for Local Councils in NSW (Model Code of Conduct) and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (Procedures) was prescribed. The Model Code of Conduct is prescribed under Section 440 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

In 2020, the pecuniary interest provisions previously contained in the *Local Government Act 1993* and *Local Government (General) Regulation* were included in the Model Code of Conduct.

The most recent review and adoption of the Code of Conduct by Upper Lachlan Shire Council was at the Ordinary Council Meeting held on 21 July 2022 under Council Resolution Number 163/22.

REPORT

Council's must review their adopted code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures within 12 months of the Local Government Election, held on 14 September 2024.

In accordance with Section 440, of the *Local Government Act 1993*, each Council is required to adopt a code of conduct based on the Model Code of Conduct prescribed under the Regulation. Councils may supplement the provisions contained in the Model Code of Conduct with additional provisions in their adopted codes of conduct. However, councils cannot dilute or weaken the standards prescribed in the Model Code of Conduct in their adopted codes of conduct. Provisions contained in a council's adopted code of conduct that are less onerous than those prescribed under the Model Code of Conduct will be invalid.

Finance and Administration
CODE OF CONDUCT REVIEW cont'd

The Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW are prescribed under section 440AA of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*. Under section 440AA, each Council is required to adopt procedures for the administration of their adopted code of conduct based on the Model Procedures prescribed under the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

Section 440, of the *Local Government Act 1993*, specifies the classes of council officials that a Model Code of Conduct prescribed under the Regulation may apply to. The Model Code of Conduct prescribed under the Regulation applies to councillors, council staff and delegates of councils (including members of committees that are delegates of council and contractors of services to Council). These are all defined as "council officials" for the purposes of the Model Code of Conduct and the Procedures.

Section 440 of the *Local Government Act 1993* allows regulations to be made to apply the provisions of the Model Code of Conduct relating to the disclosure of pecuniary interests to members of a committee of a council and advisers to councils.

The Model Code of Conduct applies to any conduct by a "council official" that is connected with their role as a council official or the exercise of their functions as a council official. It is the personal responsibility of all council officials to ensure that their conduct complies with the ethical and behavioural standards prescribed under the Model Code of Conduct. This applies to both the exercise by council officials of their functions as a council official and any conduct (including in a private capacity) that is connected with their role as a council official.

The Model Code of Conduct for Local Councils in NSW prescribes behavioural standards all council officials are required to comply with. In doing so it seeks to:-

- Prescribe uniform minimum ethical and behavioural standards for all councils in NSW;
- Provide clear guidance to council officials on the minimum ethical and behavioural standards expected of them as council officials;
- Provide clear guidance to local communities on the minimum ethical and behavioural standards they can expect of the council officials who serve them;
- Promote transparency and accountability;
- Promote community confidence in the integrity of the decisions councils make and the functions they exercise on behalf of their local communities; and
- Promote community confidence in the institution of local government.

Code of conduct complaints must be dealt with in accordance with the version of the Council's procedures that were in force at the time the complaint was made. Council have appointed the Manager Governance as Complaints Coordinator and the Director of Finance and Administration as Alternate Complaints Coordinator.

Allegations of breaches of a Council's code of conduct must not be made publicly and information about code of conduct complaints and the consideration of code of conduct complaints is not to be publicly disclosed.

It is recommended that Council adopt a Code of Conduct and the Procedures for the Administration of the Code as prescribed in the Model template.

Finance and Administration
CODE OF CONDUCT REVIEW cont'd

POLICY IMPACT

Adoption of a Code of Conduct is a requirement of the Office of Local Government.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council adopts the prescribed Model Code of Conduct for Local Councils in NSW and the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW in accordance with Section 440 (7) of the Local Government Act 1993.

ATTACHMENTS

1. <u>1</u>	Model Code of Conduct for Local Councils in NSW - DRAFT 17 July 2025 - Resolution XXX-25 - Review 2028	Attachment
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Upper Lachlan Shire Council

Policy Update Cover

Date: 17 July 2025	Policy Title: Council Code of Conduct
<p>This cover sheet provides a summary of the proposed amendments to the attached Meeting Code. Council initially adopted this Code of Conduct in February 2013. The Model Code of Conduct was last updated and adopted by Council on 21 July 2022.</p>	
Sponsor: Director of Finance and Administration	Action required: Approval by Council
<p>Reason for review/update: Council regularly review and update policies to ensure that they are current, fit-for-purpose and relevant to Council's operations. The attached policy has been reviewed and updated in line with this practice and the sponsor is now seeking your approval to implement this policy.</p>	
<p>Summary of the changes:- The following amendments have been made to this Policy:-</p> <ul style="list-style-type: none">Noting as this Model Code references to the General Manager and this shall also mean Chief Executive Officer to describe the head of local government agencies in NSW.	
Consultation(s): Nil	
Internally cleared by	
Position: Chief Executive Officer	Position: Director of Finance and Administration



The Model Code of Conduct for Local Councils in NSW

TABLE OF CONTENTS

PART 1	INTRODUCTION.....	3
PART 2	DEFINITIONS.....	4
PART 3	GENERAL CONDUCT OBLIGATIONS	6
PART 4	PECUNIARY INTERESTS	10
PART 5	NON-PECUNIARY CONFLICTS OF INTEREST.....	17
PART 6	PERSONAL BENEFIT	22
PART 7	RELATIONSHIPS BETWEEN COUNCIL OFFICIALS.....	25
PART 8	ACCESS TO INFORMATION AND COUNCIL RESOURCES	27
PART 9	MAINTAINING THE INTEGRITY OF THIS CODE	31
SCHEDULE 1:	DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.21	33
SCHEDULE 2:	FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.21.....	41
SCHEDULE 3:	FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.37	45

PART 1 INTRODUCTION

This *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council's adopted code of conduct applies to, must comply with the applicable provisions of their council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a council's code of conduct may give rise to disciplinary action.

Note: References in the Model Code of Conduct to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting the Model Code of Conduct, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Code of Conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

PART 2 DEFINITIONS

In this code the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of "council committee"
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns

environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 400O of the LGA
LGA	<i>Local Government Act 1993</i>
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to

PART 3 GENERAL CONDUCT OBLIGATIONS

General conduct

3.1 You must not conduct yourself in a manner that:

- a) is likely to bring the council or other council officials into disrepute
- b) is contrary to statutory requirements or the council's administrative requirements or policies
- c) is improper or unethical
- d) is an abuse of power
- e) causes, comprises or involves intimidation or verbal abuse
- f) involves the misuse of your position to obtain a private benefit
- g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.

3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. *(section 439)*.

Fairness and equity

3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.

3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:

- a) is not wanted by the person
- b) offends, humiliates or intimidates the person, and
- c) creates a hostile environment.

Bullying

3.8 You must not engage in bullying behaviour towards others.

3.9 For the purposes of this code, “bullying behaviour” is any behaviour in which:

- a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
- the behaviour creates a risk to health and safety.

3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- aggressive, threatening or intimidating conduct
- belittling or humiliating comments
- spreading malicious rumours
- teasing, practical jokes or ‘initiation ceremonies’
- exclusion from work-related events
- unreasonable work expectations, including too much or too little work, or work below or beyond a worker’s skill level
- displaying offensive material
- pressure to behave in an inappropriate manner.

3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- performance management processes
- disciplinary action for misconduct
- informing a worker about unsatisfactory work performance or inappropriate work behaviour
- directing a worker to perform duties in keeping with their job
- maintaining reasonable workplace goals and standards
- legitimately exercising a regulatory function
- legitimately implementing a council policy or administrative processes.

Work health and safety

3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

- take reasonable care for your own health and safety
- take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
- cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations

- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:

- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
- b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
- c) deliberately seek to impede the consideration of business at a meeting.

PART 4 PECUNIARY INTERESTS

What is a pecuniary interest?

4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.

4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.

4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:

- (a) your interest, or
- (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
- (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.

4.4 For the purposes of clause 4.3:

- (a) Your “relative” is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
- (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):

- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
- (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
- (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

4.6 You do not have to disclose the following interests for the purposes of this Part:

- (a) your interest as an elector
- (b) your interest as a ratepayer or person liable to pay a charge
- (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is

offered to the public generally, or to a section of the public that includes persons who are not subject to this code

- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
- (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- (j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
- (k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA,
- (l) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
- (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person

- (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
- (o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the general manager
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.

4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council staff other than designated persons?

4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.

4.15 The staff member's manager or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council advisers?

4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.

4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.

4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

What disclosures must be made by a councillor?

4.20 A councillor:

- (a) must prepare and submit written returns of interests in accordance with clause 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of interests in written returns

4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a councillor or designated person, and
- (b) 30 June of each year, and
- (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:

- (a) they made and lodged a return under that clause in the preceding 3 months, or
- (b) they have ceased to be a councillor or designated person in the preceding 3 months.

4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

4.24 The general manager must keep a register of returns required to be made and lodged with the general manager.

4.25 Returns required to be lodged with the general manager under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.

4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

4.28 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:

- (a) at any time during which the matter is being considered or discussed by the council or committee, or
- (b) at any time during which the council or committee is voting on any question in relation to the matter.

4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.

4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

4.32 A general notice may be given to the general manager in writing by a councillor or a council committee member to the effect that the councillor or council

committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:

- (a) a member of, or in the employment of, a specified company or other body, or
- (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.

4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

4.35 Despite clause 4.29, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.

4.36 Clause 4.29 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:

- (a) the matter is a proposal relating to:
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
- (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
- (c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.

4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:

- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
- (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.

4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- (b) that it is in the interests of the electors for the area to do so.

4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.

PART 5 NON-PECUNIARY CONFLICTS OF INTEREST

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly

close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household

- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
- d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
- e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
- f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken

to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.

- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

Political donations

- 5.15 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
 - a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before council,you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.17 For the purposes of this Part:
 - a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
 - b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.
- 5.18 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary

conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
- c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.22 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

5.23 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.

5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business and the general manager has given their written approval for the staff member to engage in the employment, work or business.

5.25 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.

5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.

5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:

- a) conflict with their official duties
- b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
- c) require them to work while on council duty
- d) discredit or disadvantage the council
- e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with council

5.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

5.29 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

PART 6 PERSONAL BENEFIT

6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.

6.2 A reference to a gift or benefit in this Part does not include:

- a) items with a value of \$10 or less
- b) a political donation for the purposes of the *Electoral Funding Act 2018*
- c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
- d) a benefit or facility provided by the council to an employee or councillor
- e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
- f) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:

 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

6.5 You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9

- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing. The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
- b) gifts of alcohol that do not exceed a value of \$100
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person

associated with that person or organisation, during the same 12-month period would exceed \$100 in value.

6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

Cash-like gifts

6.13 For the purposes of clause 6.5(e), "cash-like gifts" include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.

6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

PART 7 RELATIONSHIPS BETWEEN COUNCIL OFFICIALS

Obligations of councillors and administrators

7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.

7.2 Councillors or administrators must not:

- direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
- in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
- contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
- contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.

7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

Obligations of staff

7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.

7.5 Members of staff of council must:

- give their attention to the business of the council while on duty
- ensure that their work is carried out ethically, efficiently, economically and effectively
- carry out reasonable and lawful directions given by any person having authority to give such directions
- give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them

- e) ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

Inappropriate interactions

7.6 You must not engage in any of the following inappropriate interactions:

- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor or administrator has a right to be heard by the panel at the meeting
- f) councillors and administrators being overbearing or threatening to council staff
- g) council staff being overbearing or threatening to councillors or administrators
- h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- l) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

Use of certain council information

8.9 In regard to information obtained in your capacity as a council official, you must:

- subject to clause 8.14, only access council information needed for council business
- not use that council information for private purposes
- not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
- only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.

8.11 In addition to your general obligations relating to the use of council information, you must:

- only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- protect confidential information
- only release confidential information if you have authority to do so
- only use confidential information for the purpose for which it is intended to be used
- not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

8.12 When dealing with personal information you must comply with:

- the *Privacy and Personal Information Protection Act 1998*
- the *Health Records and Information Privacy Act 2002*
- the Information Protection Principles and Health Privacy Principles
- the council's privacy management plan
- the Privacy Code of Practice for Local Government

Use of council resources

8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:

- a) for the purpose of assisting your election campaign or the election campaign of others, or
- b) for other non-official purposes.

8.19 You must not convert any property of the council to your own use unless properly authorised.

Internet access

8.20 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

8.21 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.

8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.

8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of

whether the original intention was to create the information for personal purposes.

8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

8.25 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.

8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.

8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

PART 9 MAINTAINING THE INTEGRITY OF THIS CODE

Complaints made for an improper purpose

9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.

9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:

- a) to bully, intimidate or harass another council official
- b) to damage another council official's reputation
- c) to obtain a political advantage
- d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
- e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
- f) to avoid disciplinary action under the Procedures
- g) to take reprisal action against a person for making a complaint alleging a breach of this code
- h) to take reprisal action against a person for exercising a function prescribed under the Procedures
- i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.

9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.

9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:

- a) injury, damage or loss
- b) intimidation or harassment
- c) discrimination, disadvantage or adverse treatment in relation to employment
- d) dismissal from, or prejudice in, employment
- e) disciplinary proceedings.

Compliance with requirements under the Procedures

9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.

9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral

submission invited under the Procedures will not constitute a breach of this clause.

9.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures

9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.

9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.

9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.

9.12 You must not disclose information about a complaint you have made alleging a breach of this code or any other matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

9.14 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.

9.15 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.

SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.21**Part 1: Preliminary****Definitions**

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or

b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales*: A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property*: A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
4. *Gifts, loans etc. from related corporations*: For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods

or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returnsReal property

5. A person making a return under clause 4.21 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

9. A person making a return under clause 4.21 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and

c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.

13. A financial or other contribution to any travel need not be disclosed under this clause if it:

- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
- b) was made by a relative of the traveller, or
- c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
- d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
- e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
- f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
- g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.

14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:

- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
- b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
- c) the nature of the interest, or the position held, in each of the corporations, and
- d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.

16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:

- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
- b) required to apply its profits or other income in promoting its objects, and
- c) prohibited from paying any dividend to its members.

17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:

- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
- b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

Sources of income

26. A person making a return under clause 4.21 of this code must disclose:

- each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
- each source of income received by the person in the period since 30 June of the previous financial year.

27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:

- in relation to income from an occupation of the person:
 - a description of the occupation, and
 - if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
- in relation to income from a trust, the name and address of the settlor and the trustee, or
- in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.

28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.

30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:

- on the return date, and
- at any time in the period since 30 June of the previous financial year.

32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.

33. A liability to pay a debt need not be disclosed by a person in a return if:

- the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:

- (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
- (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
- b) the person was liable to pay the debt to a relative, or
- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
 - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

**SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED
UNDER CLAUSE 4.21****'Disclosures by councillors and designated persons' return**

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by [full name of councillor or designated person]

as at [return date]

in respect of the period from [date] to [date]

[councillor's or designated person's signature]
[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest
--	--------------------

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
---------------------------	--	--

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
-----------------------------	-----------------------------

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
---	---------------------------

D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
---	--------------------------------------	---

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest (if interest or held a position at any time since 30 June)	Nature of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
--	-----------------------------	---

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
---	-------------------------

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

**SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY
INTEREST SUBMITTED UNDER CLAUSE 4.37**

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

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 a meeting of the [name of council or council committee (as the case requires)]

to be held on the 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 the councillor [Tick or cross one box.]	<input type="checkbox"/> 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). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
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]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	

¹ Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "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

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

14 CHIEF EXECUTIVE OFFICER

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

16 REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES

The following item is submitted for consideration -

16.1	Reports from Committees for the months of May and June 2025	212
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Reports from Other Committees, Section 355 Committees and Delegates - 17 July 2025

ITEM 16.1

Reports from Committees for the months of May and June 2025

RECOMMENDATION:

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

1. Crookwell & District Historical Society – Minutes from meeting held 12 June 2025.
2. Breadalbane Hall Section 355 Committee – Minutes from meeting held 15 June 2025.
3. Collector Wind Farm Community Fund Section 355 Committee – Minutes from meeting held 16 June 2025.
4. Rye Park Wind Farm Community Fund Section 355 Committee – Minutes from meeting held 18 June 2025.
5. Taralga Wind Farm Community Fund Section 355 Committee – Minutes from meeting held 18 June 2025.

ATTACHMENTS

1. <u>↓</u>	Crookwell & District Historical Society - Minutes from meeting held 12 June 2025	Attachment
2. <u>↓</u>	Breadalbane Hall Minutes Meeting - 15 June 2025	Attachment
3. <u>↓</u>	Collector Wind Farm Community Fund s355 Committee - Minutes from meeting held 16 June 2025	Attachment
4. <u>↓</u>	Rye Park Wind Farm Community Fund s355 Committee - Minutes from meeting held 18 June 2025	Attachment
5. <u>↓</u>	Taralga Wind Farm Community Fund s355 Committee - Minutes from meeting held 18 June 2025	Attachment

Historical society meeting 12 June 2025

Present :Ray Croker Christine Marks, Marion Brace, Jenny Painter, Ann Collins, Chris Lloyd ,Catherine Ward

Apologies: Glen Millar

Minutes of the April meeting were passed by Ann seconded Marion

General Business{ one hundred years of women's hockey is being celebrated this year. A committee has been formed and the historical society is helping with memorabilia

We have been asked to put up a display for the, arts and heritage weekend.

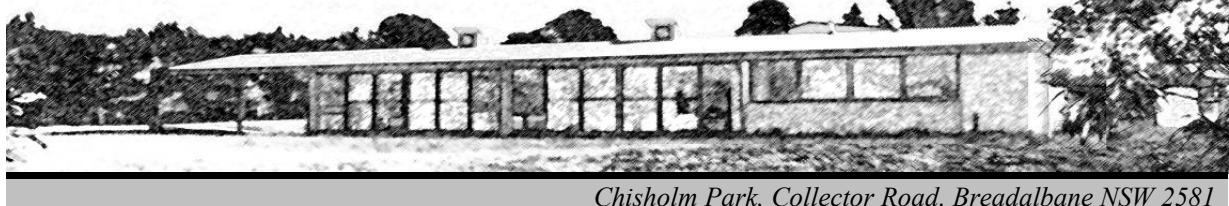
Our guest speaker Catherine ward, spoke to us about her job renovating head stones. She explained that there was a lot work in repairing headstones properly. There was no treasurers report as our treasurer was away.

We are planning a trip to the Fullerton area. And the Yass historical society in the near future.

As usual we have had a lot of inquiries during the last couple of months.

Our meeting concluded at 2.50

Breadalbane Community Hall



BREADALBANE HALL GENERAL MEETING Minutes of Meeting Sunday, 15th June, 2025 at 3.00 pm

PRESENT: John Searl, Sally Hoskins, Rachel Robarts, Matthew Streat, Chrissie McLean, Libby Webster, Tony Morrison

APOLOGIES: Sylvie Hayles, Sally McLean, Vanessa Edwards, Gayle White

MINUTES FROM LAST MEETING:

- Minutes from General meeting Sunday, 6th April, 2025 received and endorsed unanimously

TREASURER'S REPORT :

- Chrissie McLean reported :

Everyday Account 200051579		\$ 1,028.38
Rewards Savers Account 200638492		50.22
Investment Account 200809838		6,000.00

Total		\$ 3,633.03
	=====	
Debits:		
Anzac food	\$ 326.39	Credits: Yoga/Book club \$ 275.55
Anzac brochures	165.00	Friend Hall hire 150.00
Table	326.39	-----
Origin	271.45	\$ 425.55
Gas	150.00	-----
Plumbers (pump)	1,777.60	-----

Total	\$3,030.20	-----

CORRESPONDENCE:

- Matthew advised received the general brochure for the district regarding battery storage facility in our area.

GENERAL BUSINESS :

1. Anzac Day Review :

Agreed Anzac morning was very successful.

Matthew reported Scout Team very pleased with the morning as well and keen to return for 2026.

Ideas for next year:

- metal tray under barbecue
- lone piper or bugler for The Last Post
- correct Australian anthem
- check wall for correct use of asterisk next to those who died in service.

.../2

Chair: Matthew Streat ph: 0415726859

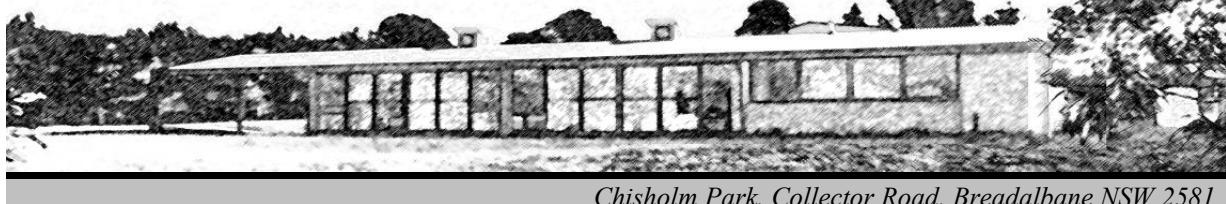
Deputy Chair: Rachel Robarts 0414424740

Treasurer: Christine McLean p: 0407266736

Secretary: Sally Hoskins p: 0418 480109

Hall Manager: Karen Ralley p: 0410468595

Breadalbane Community Hall



Chisholm Park, Collector Road, Breadalbane NSW 2581

- 2 -

2. Tree Lane Tidying Up of Dead Trees

Tony suggested tree lane could do with some tidying up as some of the trees are dead or looking scrappy. A good aim would be to get the tree lane as maintenance free as possible.

Matthew suggested Landcare might be able to provide some advice.

3. Lawn Mower New Shed

Gavin Peaty organised a preliminary quote for 3m x 4m shed concreting. Matthew looking into grants.

4. Hall Hire Agreement

Rachel presented the new draft Hall Hire Agreement for discussion.

John Searl suggested she forward it to Council for their approval.

It was discussed that as part of agreement it should be noted the Hall can hold 60 people inside with another 60 outside.

It was agreed to have a 'cleaning list' of things to be undertaken by people hiring Hall.

5. Defibrillator Information

Council are responsible for the yearly monitoring of defibrillator to check it is working.

Matthew & John to follow up.

6. Progressive Lunch

- It was agreed that the Progressive Lunch to be changed from 17th August, 2025 to Sunday, 10th August, 2025 @ 12.00 am. Sally H to follow up and request changed date with school, fireshed & church.

- It was suggested that to help and promote getting families we hold a Treasure Hunt based with questions based on history, tree types etc for each entity.

- It was agreed to have one raffle between all groups

- Suggested \$30/adult and \$10 for 12 and under.

- It was agreed by all groups to hold the day in following order:

12.00-12.30 pm	gluhwein/nibbles	Church
12.30 – 1.15 pm	soup	School
1.15 – 2.45 pm	main	Hall
2.45 pm -	desert	Fireshed

- Bell ringer to change venues

- Suggested we go for a gourmet barbecue

- Working bee Sat 9th @ 10.00 am

OTHER BUSINESS

- Breadalbane Recipe Book : Suggested we look into organising a community recipe book.

DATES - NEXT MEETING & DATES TO REMEMBER:

Working Bee Saturday, 9th August @ 10.00 am

Progressive Lunch Sunday, 10th August @ 12.00 noon

General Meeting Sunday, 24th August @ 3.00 pm

Annual General Meeting 9th November

Chair: Matthew Streat ph: 0415726859

Treasurer: Christine McLean p: 0407266736

Hall Manager: Karen Ralley p: 0410468595

Deputy Chair: Rachel Robarts 0414424740

Secretary: Sally Hoskins p: 0418 480109

**MINUTES OF THE 2025/2026 COLLECTOR WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
MONDAY 16 JUNE 2025**

PRESENT: Clr Paul Culhane (Mayor, Upper Lachlan Shire Council)
 Ms Alex Waldron (Chief Executive Officer, Upper Lachlan Shire Council)
 Ms Melinda Loew (Company Representative, Ratch-Australia)
 Mr James McKay (Community Representative)
 Ms Jacqueline Menyhart (Community Representative)

NON-VOTING: Ms Jane Ramsay (Executive Assistant, Environment and Planning)

1. WELCOME

The Mayor opened the meeting at 2.05pm.

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST

James McKay – Declared non-pecuniary interests in two applications and chose Option A (declare, stay in Chamber, participate in debate and vote).
 Jacqueline Menyhart – Declared non-pecuniary interests in three applications and chose Option B (declare, stay in Chamber, participate in debate but not vote).

**4. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2025/2026 –
FUNDING \$249,318.52**

4.1 RECOMMENDED: The projects listed below be awarded funds as follows:

Moved: Melinda Loew

Seconded: Alex Waldron

	PROJECT	AMOUNT
1	Gunning District Landcare <i>Town and Country Trees for Collector</i>	\$7,128.00
2	Collector Public School P&C <i>Active Spaces: Multi-purpose Court for Sport, Play and Wellbeing</i>	\$71,827.50
3	Collector Public School P&C <i>All-weather branded Marquee for School and Community Use</i>	\$3,298.18
4	Collector Oval Committee <i>Collector Oval Hydrology Report</i>	\$15,950.00
5	Collector Memorial Hall * <i>Poidevin Park Stage 2</i>	\$40,000.00
6	Collector Bushranger Reserve Trust Board <i>Collector Pump Track: Stage 2A and B Completion</i>	\$76,321.30
7	Collector & District Historical Association <i>Collector History Reserve Stage 2: Access and Infrastructure upgrade</i>	\$30,228.00
	TOTAL	\$244,752.98

* Project partially funded to enable Stage 2A initial ground works to be undertaken.

**MINUTES OF THE 2025/2026 COLLECTOR WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
MONDAY 16 JUNE 2025**

5. GENERAL BUSINESS

Unsuccessful applicants will be provided with feedback on their applications.

The remaining funds totalling \$4,565.54 will be rolled over to the 2026/2027 funding round.

Meeting closed at 3.20pm.

**MINUTES OF THE 2025/2026 RYE PARK WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
WEDNESDAY 18 JUNE 2025**

PRESENT: Clr Paul Culhane (Mayor, Upper Lachlan Shire Council)
 Mr Hugh Waters (Manager of Planning & Regulatory Services, Upper Lachlan Shire Council)
 Ms Federica Frew (Company Representative, Tilt Renewables)
 Mr Rodney Barnes (Community Representative)
 MAJ Daryl Johnson (Community Representative)

NON-VOTING: Ms Jane Ramsay (Executive Assistant, Environment and Planning)

1. WELCOME

The Mayor opened the meeting at 4.05pm.

2. APOLOGIES

Ms Alex Waldron (Chief Executive Officer, Upper Lachlan Shire Council)

3. DECLARATIONS OF INTEREST

Rodney Barnes – Declared a non-pecuniary interest in the Rural Fire Service and chose Option A (declare, stay in Chamber, participate in debate and vote).
 Daryl Johnson – Declared a non-pecuniary in the Rural Fire Service and chose Option A (declare, stay in Chamber, participate in debate and vote).

**4. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2025/2026 –
FUNDING \$40,000.00**

4.1 RECOMMENDED: The projects listed below be awarded funds as follows:

Moved: Rodney Barnes

Seconded: Daryl Johnson

	PROJECT	AMOUNT
1	Gunning Pastoral Agricultural and Industrial Society – Dalton Gymkhana * <i>Equipment for Dalton Bush Gymkhana</i>	\$2,500.00
2	Blakney Creek RFS * <i>Blakney Creek RFS Training Facility</i>	\$36,000.00
3	The Man Walk, Dalton * <i>Walk, Talk, Support</i>	\$1,500.00
	TOTAL	\$40,000.00

* Project partially funded

**MINUTES OF THE 2025/2026 RYE PARK WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
WEDNESDAY 18 JUNE 2025**

5. GENERAL BUSINESS

Gunning Pastoral Agricultural and Industrial Society – Dalton Gymkhana has been funded to cover insurance and an additional \$1,000.00 towards priority 2 costs.

The Man Walk, Dalton has been funded to cover a first aid kit, signage and support package.

Blakney Creek RFS was awarded the remaining funds towards their training facility.

Unsuccessful applicants will be provided with feedback on their applications.

There were no remaining funds.

The meeting closed at 4.45pm.

**MINUTES OF THE 2025/2026 TARALGA WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
WEDNESDAY 18 JUNE 2025**

PRESENT: Clr Paul Culhane (Mayor, Upper Lachlan Shire Council)
Ms Alex Waldron (Chief Executive Officer, Upper Lachlan Shire Council)
Ms Jackie Stojanoski (Company Representative, PacificBlue)
Mr Craig Croker (Community Representative)
Mr Brian Corby (Community Representative)

NON-VOTING: Ms Jane Ramsay (Executive Assistant, Environment and Planning)

1. WELCOME

The Mayor opened the meeting at 3.05pm.

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST

Nil.

**4. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2025/2026 –
FUNDING \$180,262.92**

4.1 RECOMMENDED: The projects listed below be awarded funds as follows:

Moved: Craig Croker

Seconded: Brian Corby

	PROJECT	AMOUNT
1	S355 Stone Quarry Cemetery Committee <i>Cemetery Tree Removal</i>	\$5,000.00
2	St Luke's Community Garden, Taralga * <i>Improvements for Community Garden</i>	\$5,238.98
3	Taralga Sports Club <i>Installation of Air Conditioning System</i>	\$16,362.50
4	Taralga Playgroup <i>Weather/Animal Protection for Previous Works</i>	\$4,994.00
5	Taralga Australia Day Rodeo Committee <i>Tarala Rodeo – Stage 2 yard improvement (safety and welfare improvements)</i>	\$25,630.00
6	Taralga & District Showground and Recreation Co-operative Ltd <i>Upgrading of Existing Men's Amenities Block</i>	\$64,259.00
7	Taralga & District Showground and Recreation Co-operative Ltd <i>Taralga Showground: Solar Battery and Water Switch Installations</i>	\$28,778.44
TOTAL		\$150,262.92

* Project partially funded (water tank and greenhouse costs)

**MINUTES OF THE 2025/2026 TARALGA WIND FARM COMMUNITY FUND
SEC 355 COMMUNITY COMMITTEE MEETING HELD ON
WEDNESDAY 18 JUNE 2025**

5. GENERAL BUSINESS

One successful applicant was part-funded and the Committee's comments regarding this outcome will be provided to the applicant.

Unsuccessful applicants will be provided with feedback on their applications.

The remaining funds totalling \$30,000.00 will be rolled over to the 2026/2027 funding round. The increase in the funding amount may enable larger quoted projects to be funded to completion.

The meeting closed at 4.00pm.

17 NOTICES OF MOTION

The following items are submitted for consideration -

17.1	Notice of Motion - Request for Exemption from Further Renewable Energy Project Development in Upper Lachlan Shire	224
17.2	Notice of Motion - Transparency and Community Protection in Relation to Renewable Energy Development	226

Notices of Motion - 17 July 2025

ITEM 17.1**Notice of Motion - Request for Exemption from Further Renewable Energy Project Development in Upper Lachlan Shire**

I, Councillor Alexandra Meggitt hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

1. That Upper Lachlan Shire Council formally requests an exemption from further approvals or development of new large-scale renewable energy projects — including wind farms, solar farms, and associated battery storage facilities — within the Upper Lachlan Shire.
2. Writes to the NSW Department of Planning, Housing and Infrastructure, the NSW Minister for Energy, and other relevant authorities to express Council's concerns and to request that Upper Lachlan Shire be excluded from further renewable energy zoning or project approvals.
3. Undertakes a review of the cumulative impact of existing renewable energy developments in the Shire, including environmental, social, and economic factors.
4. Engages with the local community to gather feedback and represent the views of residents in any further consultation processes.

BACKGROUND

Upper Lachlan Shire has already accommodated a significant concentration of renewable energy infrastructure within its boundaries. The ongoing and proposed developments have raised growing concerns among residents, particularly regarding land use conflicts, cumulative environmental impacts, visual amenity, pressure on rural roads and infrastructure, and effects on community cohesion.

While Council recognises the importance of renewable energy in addressing climate change, it has a duty to advocate for equitable regional planning and protect the long-term interests, landscape, and character of the Shire. This motion seeks a pause on further development and a reassessment of the region's capacity to sustainably host future projects.

CHIEF EXECUTIVE OFFICER'S COMMENT

This is a matter for Council consideration as advocacy however, the concept of exemption does not exist within the general planning framework. This is particularly the case with SSD (State Significant Development) where Council has limited influence and no control over these matters.

With regard to point 2, this is a matter for council debate and advocacy however as detailed above, there are currently no legislative grounds to have Upper Lachlan Shire

Notices of Motion

**NOTICE OF MOTION - REQUEST FOR EXEMPTION FROM FURTHER
RENEWABLE ENERGY PROJECT DEVELOPMENT IN UPPER LACHLAN SHIRE**
cont'd

exempted from such development. This would require a ministerial direction through an amended SEPP or legislative change.

With regard to point 3, all EIS (Environmental Impact Assessment) require the consideration of environmental, social, and economic factors and a further cumulative review of this nature would be outside of the operational remit of council. Further, Upper Lachlan Shire Council does not have the resources to undertake such a review and no budget has been identified for a consultant to undertake this work.

With regard to point 4, the NSW Planning Department through SEAR (Secretary's Environmental Assessment Requirements) dictates the level of community engagement which is outside of Councils purview. This engagement is usually done by engagement professionals contracted by the developer to meet the SEAR. Council submissions to SSD/SSI will now be endorsed by Council, providing councillors with the opportunity to raise issues on behalf of the community.

ATTACHMENTS

Nil

Notices of Motion - 17 July 2025

ITEM 17.2**Notice of Motion - Transparency and Community Protection in Relation to Renewable Energy Development**

I, Councillor Terry Yallouris hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

1. Notes community concern regarding the lack of transparency and notification surrounding large-scale renewable energy developments, such as the Limerick Windfarm, within the Upper Lachlan Shire.
2. Writes to the NSW and Federal Members of Parliament representing the Shire to advocate that renewable energy companies be required to notify local councils and provide public disclosure of the geographic areas under consideration *prior* to negotiating with landowners, in a manner consistent with disclosure requirements in the mining sector.
3. Investigates the feasibility of requiring all future subdivision Development Applications to include a declaration from the applicant stating, to the best of their knowledge, whether the land is likely to be affected by a renewable energy development or related infrastructure.
4. Places a public notice on the Upper Lachlan Shire Council website acknowledging that no area within the shire can be currently guaranteed to be free of future renewable energy project proposals, in the interests of public transparency and in recognition of known industry confidentiality practices.
5. Seeks legal advice on the Council's obligations and risks in relation to the disclosure of **material facts** that may affect land values or amenity, in the context of large-scale infrastructure project.

BACKGROUND

In recent weeks, the Limerick Windfarm proposal has come to public attention, revealing that negotiations between the proponent and selected landholders have been ongoing for more than a year, without formal public notification or consultation with non-host residents. This has raised serious concerns for both rural and township property owners who may be unaware that the amenity and value of their land could be significantly affected by developments they had no opportunity to consider prior to purchase.

This motion arises from a duty of care to our constituents. The classification of such projects as "State Significant Infrastructure" does not absolve the Council from its responsibility to act in the public interest and protect the quality of life, environment, and property values of all residents within the Shire. The use of confidentiality clauses and non-disclosure agreements by renewable developers stands in stark contrast to the transparency obligations required of other industries, such as mining.

Notices of Motion

NOTICE OF MOTION - TRANSPARENCY AND COMMUNITY PROTECTION IN RELATION TO RENEWABLE ENERGY DEVELOPMENT cont'd

Without meaningful reform or disclosure mechanisms, Council may be exposed to reputational and legal risk where material facts are withheld from current or prospective landowners.

Reference: What is a material Fact

A material fact is a fact that would be important to a reasonable person in deciding whether or not to proceed with a particular transaction.

In a property services context, these are facts which:

- may be sufficiently significant or relevant to influence decisions on whether to buy, sell or rent, and/or*
- could impact the market value of a property.*

CHIEF EXECUTIVE OFFICER'S COMMENT

- 1. Notes community concern regarding the lack of transparency and notification surrounding large-scale renewable energy developments, such as the Limerick Windfarm, within the Upper Lachlan Shire.**

This is a matter for Council debate.

- 2. Writes to the NSW and Federal Members of Parliament representing the Shire to advocate that renewable energy companies be required to notify local councils and provide public disclosure of the geographic areas under consideration prior to negotiating with landowners, in a manner consistent with disclosure requirements in the mining sector.**

This is a matter for council debate and advocacy, however it should be noted that the NSW Government has identified Renewable Energy Zones (REZs).

The map below outlines the locations of the currently identified REZs. As REZs are declared, this map is updated to reflect the final geographical areas and shown ULSC is not identified in these areas.

However, the below questions outline the role of land use tables and permitted uses and development.

Notices of Motion

NOTICE OF MOTION - TRANSPARENCY AND COMMUNITY PROTECTION IN RELATION TO RENEWABLE ENERGY DEVELOPMENT cont'd



3. Investigates the feasibility of requiring all future subdivision Development Applications to include a declaration from the applicant stating, to the best of their knowledge, whether the land is likely to be affected by a renewable energy development or related infrastructure.

Council has no legal grounds on which to compel a proponent to make a declaration as detailed above.

In relation to the potential location of **electricity generating works**, the *State Environmental Planning Policy (Transport and Infrastructure) 2021*, outlines what zones development can occur with consent, without consent or is prohibited.

Note: electricity generating works means a building or place used for the following purposes, but does not include a solar energy system—

- (a) making or generating electricity,
- (b) electricity storage.

Note: solar energy system means any of the following systems—

- (a) a photovoltaic electricity generating system used for the primary purpose of generating electricity for a land use—
 - (i) carried out on the land on which the system is located, or
 - (ii) carried out by the owner of the system on adjoining land,
- (b) a solar hot water system,
- (c) a solar air heating system.

In regards to location, the *State Environmental Planning Policy (Transport and Infrastructure) 2021* – at clause 2.36 dictates:

- (1) Development for the purpose of **electricity generating works** may be carried out by any person with consent on the following land—

Notices of Motion

NOTICE OF MOTION - TRANSPARENCY AND COMMUNITY PROTECTION IN RELATION TO RENEWABLE ENERGY DEVELOPMENT cont'd

(a) in the case of electricity generating works comprising a building or place used for the purpose of making or generating electricity using waves, tides or aquatic thermal as the relevant fuel source—on any land,

(b) in any other case—any land in a **prescribed non-residential zone**.

Note: prescribed residential zone means any of the following land use zones or a land use zone that is equivalent to any of those zones—

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,
- (e) Zone R5 Large Lot Residential,
- (f) Zone RU5 Village.

Note: prescribed rural zone means any of the following land use zones or a land use zone that is equivalent to any of those zones—

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RU3 Forestry,
- (d) Zone RU4 Primary Production Small Lots.

It should also be noted where a person applies for a planning certificate under 10.7 of the *Environmental Planning and Assessment Act 1979*, Councils provides the land use table outlining the permitted and prohibited uses on the land.

4. Places a public notice on the Upper Lachlan Shire Council website acknowledging that no area within the shire can be currently guaranteed to be free of future renewable energy project proposals, in the interests of public transparency and in recognition of known industry confidentiality practices.

Noting the answer in question 3, in regard to prescribed rural zones.

Upper Lachlan Shire Council Local Environmental Plan currently outlines the objectives of land zones and identifies what zones impacts each parcel of land within ULSC, in addition these maps and tables outline what development/use is permitted without consent, with consent or prohibited.

This planning instrument is available on 'NSW legislation' website under Environmental Planning Instruments, and there is a link to this site on Councils website.

5. Seeks legal advice on the Council's obligations and risks in relation to the disclosure of material facts that may affect land values or amenity, in the context of large-scale infrastructure project.

Noting the answers in question 3 and 4.

Under the *Environmental Planning and Assessment Regulation 2021*, schedule 2, it prescribes Councils obligations as to what must be included in a Planning Certificate, including permitted uses and development.

Schedule 2, section 2 (b) the purposes for which development in the zone—

- (i) may be carried out without development consent, and
- (ii) may not be carried out except with development consent, and
- (iii) is prohibited.

Notices of Motion

NOTICE OF MOTION - TRANSPARENCY AND COMMUNITY PROTECTION IN RELATION TO RENEWABLE ENERGY DEVELOPMENT cont'd

As an example of what is provided in a planning certificate (see below), under Clause 2 of RU2 Rural Landscape it advises 'Any other development not specified in item 2 or 4' which would include the use and development of **electricity generating works**.

Zone RU2 Rural Landscape

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To protect, manage and restore areas with high conservation, scientific, cultural or aesthetic value.*
- *To encourage development that generates employment opportunities, integrates with tourism and is compatible with, and adds value to, local agricultural production.*
- *To retain the significant historic and social values expressed in existing landscapes and land use patterns.*
- *To conserve and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, remnant native vegetation and fauna movement corridors*

2 Permitted without consent

Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Aquaculture; Cellar door premises; Dwelling houses; Food and drink premises; Garden centres; Group homes; Hardware and building supplies; Landscaping material supplies; Light industries; Markets; Plant nurseries; Roadside stalls; Rural supplies; Rural workers' dwellings; Secondary dwellings; Shop top housing; Timber yards; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Car parks; Caravan parks; Commercial premises; Centre-based child care facilities; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Mortuaries; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Service stations; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wholesale supplies

ATTACHMENTS

Nil

18 QUESTIONS WITH NOTICE

The following items are submitted for consideration -

18.1	Question with Notice - Council Communication Process – Procedures, Timelines, and Escalation Protocols	232
18.2	Question with Notice - Audio Visual System Upgrade for Council Meetings	246
18.3	Question with Notice - Clarification Regarding Meetings with Stromlo Wind Farm Developer	248
18.4	Question with Notice - Road maintenance schedule	250
18.5	Question with Notice - Grabben Gullen Road – Heavy vehicle accidents	271

Questions With Notice - 17 July 2025

ITEM 18.1	Question with Notice - Council Communication Process – Procedures, Timelines, and Escalation Protocols
AUTHOR	Councillor Terry Yalouris

From Cllr Terry Yalouris

I Cllr Terry Yalouris would like to submit the following Question on notice to be included in the upcoming meeting of council.

Additionally, a summary report back to Council on the number of reported incidents and resolutions over a set period would provide transparency and lift confidence that ULSC is, indeed, listening and actioning reported issues.

Background

Over the past months, there have been several requests both direct and indirectly made to the Council via email and other means. However, there appears to be a pattern where the primary person responsible does not action these requests, or at the very least, fails to include other parties in the original requesters in any response or update. I have also been approached by concerned constituents as to the lack of responsiveness despite numerous attempts to the council for answers.

This lack of transparency and clarity raises concerns regarding the Council's communication processes and standards.

Could the Council please provide a detailed explanation of the following:

1. What is the standard communication process followed by Council staff when responding to constituent inquiries, including how requests are logged, allocated, and tracked?
2. What are the expected timelines for both acknowledging and substantively responding to various forms of communication (e.g., email, written correspondence, verbal requests, and formal submissions)?
3. What escalation procedures are in place when inquiries are not actioned within acceptable timeframes or when responses are not inclusive of all relevant parties?
4. What is considered a fair and equitable timeframe for responding to constituent requests, and what service standards does the Council adhere to?
5. Are there publicly available policies or internal guidelines outlining the Council's expectations for communication, transparency, and engagement with our constituents

Comments from CEO

Attached is the Customer Service Charter and Customer Request Management (CRM) Policy which addresses the response timeframes and expectations. Separate to this the Code of Conduct and Records Management Policy are the corporate policies that staff refer to.

Questions With Notice

QUESTION WITH NOTICE - COUNCIL COMMUNICATION PROCESS - PROCEDURES, TIMELINES, AND ESCALATION PROTOCOLS cont'd

Within these policies, it states the service standard response timeframes to correspondence, these are outlined in the Upper Lachlan Customer Service Charter. These timeframes are the minimum standard response expectations. Procedures for service review and escalation process are part of CRM management and identified in the Policy as is the Council officer responsibility for actions is identified.

Council Policy guidelines are publicly available included within Council's Complaints Handling Policy, Records Management Policy, CRM Policy and Customer Service Charter.

Council also has an automated reply for all incoming emails /correspondence that is sent to Council council@upperlachlan.nsw.gov.au. The attached policies outline the standard response timeframes.

Should a councillor wish to discuss a specific example of where council officers have not met reasonable expectations, they should contact the CEO who will investigate this as an operational matter.

It should be noted within the 17 April 2025 Council Business paper the below response was provided tabled is response to a Question With Notice from Cr Reynolds - Customer Service Management System.

See below a copy of both the question and response:

I Clr Susan Reynolds request that the CEO report to Council on the progress on implementing an efficient and functioning CRM (Customer Relationship Management) system to capture incident reporting from constituents, acknowledge such reports, manage and escalate where appropriate within a defined time frame set within the CRM and report back to the complainant on a resolution or remedy to the issue raised.

Additionally, a summary report back to Council on the number of reported incidents and resolutions over a set period would provide transparency and lift confidence that ULSC is, indeed, listening and actioning reported issues.

Background

For several years, our residents have followed the recommended reporting protocol to highlight issues including storm water damage, hazardous roads, fallen trees that require removal, incomplete road works and many other issues of concern and have had little response from ULSC.

Whilst an automated acknowledgement of an incident is generated, at the time of registration, very little if any reporting is provided and in some cases over several months without resolution.

Could the CEO please explain why ULSC does not have an efficient, functioning system and if, indeed we have, why constituents are not being advised of resolutions or contingencies in a timely manner.

Questions With Notice

QUESTION WITH NOTICE - COUNCIL COMMUNICATION PROCESS - PROCEDURES, TIMELINES, AND ESCALATION PROTOCOLS cont'd

Comments from CEO

This is not a simple question to answer due to Council having more than one mechanism for reporting a customer request. This includes Snap Send Solve for infrastructure related requests, CRM, general emails, walk-ins and calls which may result in a CRM being created or an email being placed directly onto Council's electronic filing system (HPE Content Manager).

Since the introduction of the 'Customer Relationship Management' (CRM) system, Council has received more than eight thousand requests. These include online incident reports and requests submitted by rate payer through Council's website, and CRM records created by staff following calls from residence, or in-person walk-ins at our customers service centres.

Below is a summary of CRM requests received and processed over the last three years (2022 – 2025).

• Request submitted online	159
• Requests created by staff	2,140
• Request assigned by directorate:	
○ Infrastructure	1,481
○ Environment & Planning	739
○ Finance & Administration	15
○ Other	64
Total:	2,299
	2,299

A total of 1,531 requests were completed and closed during the period, of which only 364 requested a notification be sent by email once the issue is resolved.

Customers who submit a CRM online receive an acknowledgement email and their request is subsequently actioned by the relevant business areas. Most of these customers are usually satisfied when the incident is resolved even without a notification confirming the same.

Council does not automatically provide confirmation to residents that their CRM request has been actioned and finalised because of the following reasons:

1. *Given the volume of requests that are processed through CRM, a requirement to report the completion of each incident to the resident who made the initial report would be a major burden on our staff and would almost certainly result in serious logistical challenges.*

While notifying residents of the outcome of their request through CRM would be ideal, there are several mitigating factors that makes this an unrealistic expectation. These include the current configuration of the system, which requires significant amount of manual efforts, and limitation in staff numbers.

2. *CRM requests vary in nature. Therefore, depending on the type of the request, and the efforts required to address the reported incident or task, the time to complete a CRM request also varies. This makes it challenging to notify residence of the resolution of their reported incident.*

Questions With Notice

QUESTION WITH NOTICE - COUNCIL COMMUNICATION PROCESS - PROCEDURES, TIMELINES, AND ESCALATION PROTOCOLS cont'd

3. Due to resource constraints, Council has opted to prioritise the fixing of incidences reported by residents, and completion of planned work consistent with Council's delivery commitments. These priorities take up most of the available time and other related resources. Therefore, there are limited opportunities to notify residents of the outcome of reported incidents once they are completed.

It is acknowledged that Council may not be deriving the full range of benefits from the current CRM system. Therefore, further review of the CRM process will be required to identify gaps and inconsistencies in how it is used across the organisation, identify opportunities for improvements, and ensure that the full benefit of the system is realised. Such a review will require significant resources and due to limited capacity and operational priorities, this is unlikely to occur within the next 6 months.

ATTACHMENTS

1. <u>↓</u>	Customer Request Management Policy 2018	Attachment
2. <u>↓</u>	Customer Service Charter May 2021	Attachment

POLICY:-	
Policy Title:	Customer Request Management (CRM) Policy
File Reference:	F10/618-08
Date Policy was adopted by Council initially:	20 September 2018
Resolution Number:	275/18
Other Review Dates:	N/A
Resolution Number:	N/A
Current Policy adopted by Council:	20 September 2018
Resolution Number:	275/18
Next Policy Review Date:	2021

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

RESPONSIBILITY:-	
Policy developed by:	Senior Records Officer
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:	Director of Finance and Administration

ULSC Customer Request Management Policy

OBJECTIVE

This policy provides Council with a framework for assessing a customer service request and identifying the appropriate responses to customers, managing the service request for the duration of the action required to completion and recording the service request in Council's Customer Request Management (CRM) System.

This policy is to be read with other relevant Council policies, especially in making the distinction between; a service request or a complaint on a Council service or decision, and the proper management of Council's public records i.e. Council's Service Delivery Policy, Complaints Policy and Procedure and Records Management Policy.

DEFINITIONS

Act: Means the Local Government Act 1993 (NSW)

Business Day: On a day where Council is normally open for business. I.e. Monday to Friday, excluding public holidays between 8.00am and 4.30pm each day.

Community: Means residents of, and all organisations within the Local Government Area of Upper Lachlan Shire Council.

Complaint: An expression of dissatisfaction or grievance with a Council service or asset including; policy, process, service or council officer.

Where Council has failed to meet the normal standards for service which has been, or should have been delivered, the Complaints Policy and associated procedures apply.

Council: The administration of Upper Lachlan Shire Council.

Council Officer: A current Council employee.

Customer: The people to whom a Council officer provides products and services, a customer can be internal or external to the Council. Internal parties include Councillors and Council staff. External persons/parties generally refers to ratepayers, residents, visitors, businesses and community groups.

Customer Request Management (CRM) System: is Council's management system for Customer Service Requests. Its purpose is to track workflow, record conversations with customers and the actions undertaken.

Operational Area: All Council departments and business units responsible for completing service requests.

Service Request: A request received by a Council officer to take some form of action to provide or improve a Council asset or service.

ULSC Customer Request Management Policy

SCOPE

- This policy applies to all Council Officers, particularly those who are responsible for logging, receiving and responding to Customer Service Requests.
- It is the responsibility of all managers/supervisors to ensure that staff are aware of the procedure to follow upon receiving a customer service request.
- This policy does not apply to matters that do not fall within Council's jurisdiction. These types of requests will however be referred to the appropriate external contact.
- Complaints and compliments that may be an expression of dissatisfaction or satisfaction about issues or services provided by Council are not service requests.
- The term customer request encapsulates:-
 - a. A situation whereby any external person or entity has communicated with Council in a manner that warrants a response or action.
 - b. A situation where a hazard has been identified or a significant internal request that requires follow-up by another Council Department.
 - c. A request for action that cannot be dealt with at the time the request is made.

PURPOSE

- To address customer service requests in a consistent and structured manner which is transparent to customers.
- Provide guidance on what may constitute a reasonable service request or an improvement to service.
- Distinguish between service requests, complaints or complements to Council, and give direction of management of said requests.

BACKGROUND/SUPPORTING INFORMATION

The Customer Request Management (CRM) system is a management module within Civica Pty Ltd's Authority software that provides an environment that manages all forms of communication between an organisation and its customers. It can be defined as:-

- A system that provides facilities to enable the management of the full lifecycle of a customer request from initiation through to finalisation.
- A system that enables organisations to manage verbal, paper based, email and electronic web based communications via the same set of business rules and workflows.

ULSC Customer Request Management Policy

- A system that provides performance monitoring facilities across all organisations operations. Key features include; ease of use, browser based screens, category based definition of business rules by type of user, integration to document management applications, comprehensive and flexible workflow facilities, ease of administration, ease of interface to mobile and other external application and extensive reporting options.
- A system designed to meet the specific requirements of local government.

POLICY STATEMENT

This policy prescribes the framework for the identification, creation, administration and management of customer service requests.

MANAGEMENT OF A CUSTOMER SERVICE REQUEST**Types of requests for service**

The following types of requests are received by Council and should be processed through CRM:-

- Request for all services, internal or external;
- A request for Council to exercise it's regulatory or compliance functions.

PROCESSING A CUSTOMER SERVICE REQUEST

Specific Council Officers are responsible for the logging and processing of a customer service requests, particularly those who are responsible for receiving and responding to customer requests, e.g. Council Department's customer service personnel.

Timeframes for response

Council officers are provided with a level of authority to advise the customer of the likely timeframe to complete the action required. Where further evaluation is necessary before committing Council to undertake the work the customer will be informed accordingly. If a request cannot be fulfilled within the defined service standard, the customer will be advised, including an explanation of why this decision was taken.

In determining how to respond to a request for service Council will consider:

- Assessment of risk.
- Workplace Health and Safety factors.
- Statutory responsibilities.
- The content of Council's Operational Plan, Service Delivery Plan, Infrastructure Plan and Annual Works Program.
- Relevant Council policies and procedures.
- Service standards and response times for regular Council activities.
- If adequate operational resources are available to be diverted.

ULSC Customer Request Management Policy

The circumstances of requests for service will vary greatly between customers. In the majority of cases requests will be processed promptly and the customer advised by the form of communication that they have requested.

Each operational area will have appropriate timeframes for communicating with customers. As a general guide;

- Responsible officers within the operational area will acknowledge customer service requests within five (5) working days.
- Each service request category will have its own completion target number of days.
- Responsible officers will provide the CRM reference number to the customer when lodging a service request. This can be done verbally and may be followed up in written correspondence (e-mail or letter) when requested by the customer.
- When a service request is lodged online the customer will receive a CRM reference number.
- Operational areas will complete the service request within the timeframe specified in the service request category.
- If the service request will not have been completed within fifteen (15) working days the customer will be notified of the progress of their service request and the expected time frame.
- Proactive escalations will be enforced when service standards are not met.

Recording a service request

A customer can make a request for service in a number of ways including:-

- Council's website
- Telephone
- E-mail
- Letter
- In person
- Any other form of contact Council makes available for its customers

All requests will be recorded in such a way that the operational areas of Council can complete their workflow process efficiently. The information will also be analysed for service improvement opportunities and statistical purposes for Council reporting. Documentation and forms associated with the request will be housed in the CRM system.

No distinction will be made between the methods of requesting a service and each will be given the same regard whether they are made remotely or in person. Requests made through the identified sources will be accepted, but depending on the seriousness or complexity of the service request, the customer may be requested to provide further information in a defined format.

For the sake of clarity, service requests made through an indirect channel, such as "blogs" or through social media directed to a third party, cannot reasonably be monitored and therefore cannot be accepted as a service request.

ULSC Customer Request Management Policy

Customer Service Requests that are submitted without sufficient identifying customer details (anonymous persons) will not be actioned under the CRM System.

Process

Each service activity in Council has been process-mapped and corresponding flowcharts developed with the following generic steps in mind;

1. Receipt and record the service request with the customer contact details into CRM.
2. Acknowledge the receipt of the service request.
3. Identify the appropriate council officer for the service request and distribute if necessary.
4. If the service request requires time to action, provide the customer with an explanation, approximate time of completion and the CRM reference number.
5. Record all responses and actions in CRM while the service request is unresolved.
6. At the completion of the service request, inform the customer, record the actions taken and close the CRM.
7. In the event that the service request is urgent i.e. tree over road, water main breakage, the customer service officer will contact the appropriate council officer or their supervisor immediately upon recording the request.

Customer Request Management System

Council must maintain a customer request management system that records:

- Contact details of the customer.
- Details and date of the service request.
- Details of actions relating to the service request.
- Details of responses provided to the customer.
- The date the service request was completed or resolved.

ROLES AND RESPONSIBILITIES

General Manager

- To ensure the CRM system is available to capture these requests.
- To develop strategies for the improvement of service requests.
- To ensure compliance with this policy.

Directors and Managers

- Proactive escalations are enforced when service standards are not met.
- All supervisors are to ensure their staff are aware of this policy and the procedure to follow upon receiving and processing a customer service request.

ULSC Customer Request Management Policy

Council Officers

- To read and understand the policies that address Customer Request Management.
- Delivery of predictable response times in accordance with defined services.
- Process customer request management as per the CRM procedure.

Examples of a valid customer service request includes:-

- Leaking water meter;
- Pot hole in a road;
- Dog barking;
- Supply of new garbage bin.

Examples of communications that are not a customer service request includes:-

- Rates enquiry where the information can be provided immediately or within a short time frame.
- Road closure information.
- Planning enquiry where information can be provided immediately or within a short time frame.
- Certificate applications (Section 603, Section 149, Section 64 Certificates).
- Permit applications (Section 138 Certificate, roadside grazing, and road closure).
- Government Information (Public) Access applications.

LEGISLATIVE PROVISIONS

Reference should be made to the following legislation, guidelines and policy documents when reading this policy:-

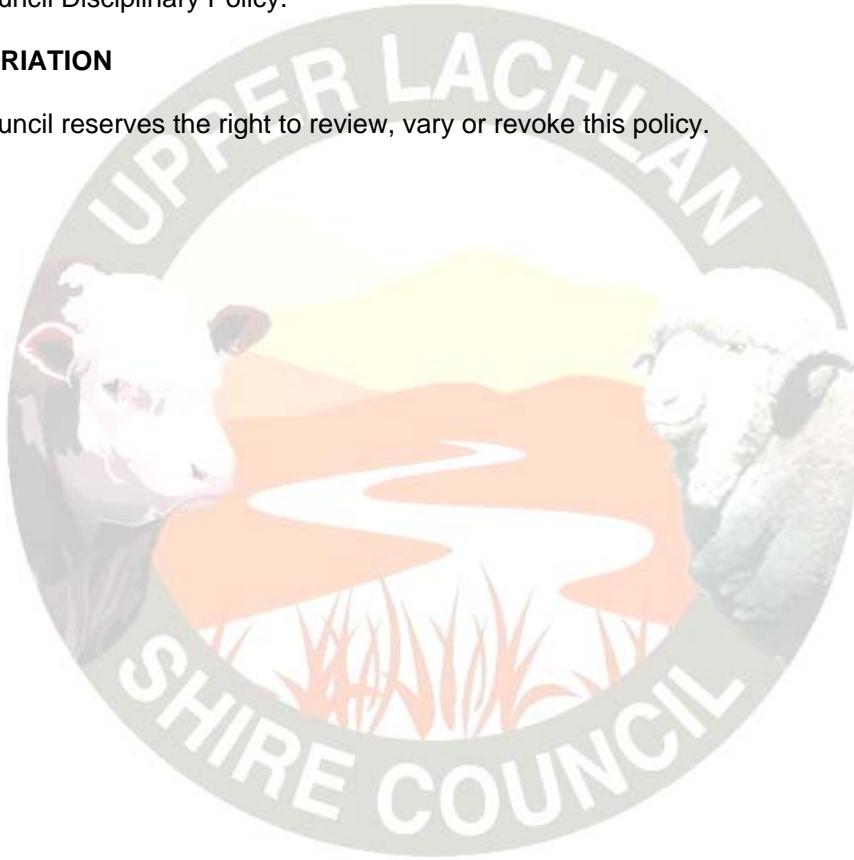
Local Government Act 1993;
Local Government (General) Regulations 2005;
Local Government Amendment (Governance and Planning) Act 2016;
Independent Commission against Corruption Act 1988 and ICAC Guidelines;
Work Health and Safety Act 2011 and Regulations;
Anti-Discrimination Act 1977;
Local Government (State) Award 2017;
Government Information (Public Access) Act 2009;
Privacy and Personal Information Protection Act 1998;
Environmental Planning and Assessment Act 1979;
NSW State Records Act 1998;
Public Interest Disclosures Act 1994;
Ombudsman Better Service and Communication – Guidelines for Local Government;
Ombudsman Unreasonable Complainant Conduct;
Code of Conduct for Councillors, staff, contractors and delegates of Council;
Council Community Strategic Plan;
Council Delivery Program;

ULSC Customer Request Management Policy

Council Operational Plan;
Council Code of Meeting Practice;
Council Code of Business Practice;
Council Business Continuity and Disaster Recovery Policy;
Council Interaction between Councillors and Staff Policy;
Council Records Management Policy;
Council Digital Information Security Policy;
Council Privacy Management Plan;
Council Internal Control and Procedures Manual;
Council Bribes, Gifts and Benefits Policy;
Council Complaints Management Policy;
Council Government Information (Public Access) Policy;
Council Grievance Policy; and
Council Disciplinary Policy.

VARIATION

Council reserves the right to review, vary or revoke this policy.



What we ask of you

- To treat our staff with mutual respect
- To respect the rights of other customers
- To provide accurate and complete information in your dealings with us
- To work with us to solve any problem

Payments

We offer the following payment choices:

Payment via the Internet

- BPay via your financial institution can accept cheque and savings payments only
- postbillpay.com.au can accept cheque, savings and credit payments
- Eservices via Council website

Payment at Council

- Payments can be made at Council offices by cheque, cash, EFTPOS or credit card

Payment through the mail

- Payment by cheque/money order can be posted with the payment advice to: Upper Lachlan Shire Council, PO Box 42, GUNNING NSW 2581

Payment via phone

- 13 18 16 (POSTbillpay) can accept cheque, savings and credit card payments

Payment at a Post Office

- Payment can be made at any Australia Post Office within Australia by cheque, cash or EFTPOS. The Post Office will issue you with a receipt

Contact Details

General Manager
PO Box 42, Gunning NSW 2581
Phone: (02) 4830 1000
Email: council@upperlachlan.nsw.gov.au
Website: upperlachlan.nsw.gov.au

OFFICES

Crookwell
44 Spring Street, Crookwell NSW 2583
Open Monday to Friday,
9.00am to 4.00pm

Gunning
123 Yass Street, Gunning NSW 2581
Open Monday to Friday,
8.30am to 4.00pm

Taralga
29 Orchard Street, Taralga NSW 2580
Open Monday to Friday,
9.00am to 5.00pm

Council offices are closed on Public Holidays. Shutdown periods over Christmas are advised on Council's website.

Emergency After Hours Contacts:

Crookwell / Bigga / Bindia / Tuena / Grabben Gullen / Laggan / Taralga and Big Hill
0429 786 659

Gunning / Dalton / Breadalbane / Collector / Jerrawa
0427 454 206



Upper Lachlan Shire Council Customer Service Charter

This Customer Service Charter seeks to advise you of:

- The services we provide
- The time frames and standards attached to our service
- Related information and contact details

What is a Customer Service Charter?

The Upper Lachlan Customer Service Charter was developed to enhance relationships and partnerships with our community and customers as well as providing a system for continuous improvement at all levels of customer service.

Upper Lachlan Shire Council's Service Charter sets out Council's service standards.

What you can expect from Upper Lachlan Shire Council

We will:

- identify ourselves and greet you in a friendly way;
- have our customer service office counters attended during service times;
- answer phone calls promptly and return calls within 24-48 hours;
- acknowledge receipt of customer correspondence within 5 working days;
- respond to correspondence and requests within 15 working days;
- respect, listen and respond to your concerns within our service delivery standards;
- respect your privacy;
- be helpful and sensitive to your needs; and
- work with you to solve problems.

Service Commitment

Council staff shall strive to meet the needs of our customers in a professional manner. Council staff shall:

- treat all customers with courtesy, fairness, dignity and respect;
- listen attentively to what customers have to say;
- communicate clearly, accurately and in plain language;
- respond to customers enquiries promptly and efficiently;
- strive to achieve high standards of professionalism and quality of advice;
- take responsibility for providing answers to requests, to the best of the staff member's knowledge and skills;
- be transparent and accountable;
- demonstrate standards of conduct and ethics that maintain public confidence;
- be fair, be consistent and impartial in administering Council's legal obligations;
- act with integrity and honesty when liaising with customers;
- consult customers about service needs;
- give firm but fair interpretation and application of law and policy when decisions are made on customers and applications; and
- not disclose any information about the customer without the customer's consent, except as permitted by law.

What are our Services?

Our services include:

- Animal Control
- Arts & Cultural Planning
- Asset Management
- Australia Post services—Tara
- Bridges
- Building and Development Controls
- Caravan Park
- Civic Function and Citizenship
- Community Centres/Public Halls
- Community Strategic Planning
- Domestic Waste Collection
- Economic Development
- Footpaths and Cycleways
- Governance
- Human Resource & WHS
- Kerb and Guttering
- Library Services
- Noxious weed control
- Parks & Gardens
- Public cemeteries
- Public conveniences and amenities
- Rates & annual charges management
- Regulatory & Health functions
- Roads construction & maintenance
- Service NSW services—Crookwell
- Sewage
- Sporting grounds and facilities
- Stormwater/Drainage Management
- Tourism
- Swimming Pools
- Town Planning
- Waste Management Centres
- Water Supply

Customer Service Requests

These refer to general enquiries: eg. pothole repair, road maintenance requests, fallen trees, barking dogs, requests for waste collection, drain clearing etc.

In the first instance, Service Requests are to be made using Council's Customer Request Management System (CRMS). Along with the details of the request, the CRMS collects and provides a record of the caller's name, the caller's contact details, and the date and time the request was submitted. Service requests can also be made by email, by phone or on Council website at <https://eservices.upperlachlan.nsw.gov.au/eservice/start.do>.

Complaints

Complaints are different from a 'Service Request.' A complaint is generally an expression of dissatisfaction. It includes dissatisfaction with the outcome of a decision, level or quality of service, the failure to adhere to a policy or the behaviour of an employee.

Complaints can be made in any of the following ways:

- **Email:** council@upperlachlan.nsw.gov.au
- **Mail:** in writing to the General Manager, Upper Lachlan Shire Council, PO Box 42 GUNNING NSW 2581

All complaints will be dealt with in line with Council's Complaints Policy.

Council's objective is to answer all complaints and resolve them within a reasonable timeframe, however there are times when a detailed investigation is required. Please be assured that we will keep you informed at regular intervals.

Questions With Notice - 17 July 2025

ITEM 18.2	Question with Notice - Audio Visual System Upgrade for Council Meetings
AUTHOR	Councillor Terry Yallouris

From Cllr Terry Yallouris

I Cllr Terry Yallouris propose the Council consider options for upgrading the audio-visual system used during Council meetings.

There have been reported ongoing issues with poor sound quality, background noise, and unclear identification of speakers—making it difficult for both in-person attendees and those watching online. Community feedback has consistently highlighted that the livestream is hard to hear and understand.

In reviewing upgrade options, can Council also consider enhancements to support accessibility for hearing-impaired community members, including improved amplification, clearer audio capture, and visual speaker identification?

1. Whether a review of the current system has been conducted;
2. How old is the current technology
3. What upgrade options are available and estimated costs;
4. How improvements could align with accessibility best practices as displayed online with other councils
5. Also consideration to change the layout as people are hidden from view which also adds to confusion when trying to follow the proceedings

Comments from CEO

1. Whether a review of the current system has been conducted

Council continue to look at options for recording Council meetings. As part of the service level review in 2023/2024 an internal audit was conducted at how Council could streamline and effectively cost save in this space. Considerations were made and implemented with some slight upgrades to the recording technology and hardware.

For example Council looked at Facebook Live, Youtube and some other platforms however this raised some concerns with regard to security, extra resourcing and compliance with retention of footage.

2. How old is the current technology

The current livestream (Interstream) technology was implemented in 2019 for the recording and webcasting of meetings. This is a company used by many Councils in NSW.

Council did however replace a projector and screen with upgrades made to installing a new computer, camera integrated system as well a new plasma as part of the emergency operations grant in 2023/2024.

Questions With Notice

QUESTION WITH NOTICE - AUDIO VISUAL SYSTEM UPGRADE FOR COUNCIL MEETINGS cont'd

3. What upgrade options are available and estimated costs;

Council has investigated indicative costs for audio upgrades such as new wireless microphones, installation and conference unit, which is estimated to be at a cost of \$54,000 plus internal resources.

Council visual system interstream operates independently and would need further investigation should council wish to upgrade or replace this system.

Council's operational plan for 2025/2026 has not allocated any financial budget to upgrading the current technology.

4. How improvements could align with accessibility best practices as displayed online with other councils

Council continue to consider alternative service providers and systems for audio equipment such as those mentioned above. The current systems does meet the standard noting the audio quality (microphones) has improved since earlier meetings this year in 2025. The addition of subtitles can also be investigated with interstream.

5. Also consideration to change the layout as people are hidden from view which also adds to confusion when trying to follow the proceedings

Considerations to the seating layout may be an option however the space and seating is limited within the Crookwell Chambers.

Under the requirements of Office of Local Government and Councils code of meeting practice

- each meeting to be recorded by an audio or audio-visual device
- recordings to be made publicly available on the council's website at the same time the meeting is taking place or as soon as practicable after the meeting
- recordings to be published on the council's website for a minimum of 12 months
- the chairperson to inform meeting attendees at the start of each meeting that the meeting is being recorded and will be made publicly available on the council's website and that attendees should refrain

To date Council's video recordings (hosted on Councils website) and separate audio recording meet the above requirements, it should be noted there is no requirement for the minute taker or public gallery to be on camera unless speaking or addressing the Council.

ATTACHMENTS

Nil

Questions With Notice - 17 July 2025

ITEM 18.3	Question with Notice - Clarification Regarding Meetings with Stromlo Wind Farm Developer
AUTHOR	Councillor Alexandra Meggitt

BACKGROUND

Nil

From Clr Alexandra Meggitt

I, Clr Alexandra Meggitt seek clarification regarding meetings with Stromlo Wind Farm Developer:

The Mayoral Minutes of 9 May 2024 and 20 June 2024 state that no meetings were held with representatives of Stromlo, the wind farm developer. Can the council confirm that no formal or informal meetings, briefings, or discussions involving councillors or council staff occurred with Stromlo or its representatives during May 2024?

If any such engagement did occur, please provide:

1. The date(s) of the meeting(s) or interaction(s)
2. Names of attendees
3. Purpose of the meeting(s)
4. Whether minutes or records were kept

Response from Council CEO

The Mayoral minute features a summary list of formal meetings, community engagements and official openings attended by the Mayor. I'm not aware of any meetings or engagements that were deliberately omitted from the list in May or June 2024.

The previous Mayor and CEO were invited to meet with Stromlo Energy on Wednesday 8 May 2024.

In attendance was, Clara Wilson, Head of Government Relations Stromlo Energy, Garth Heron, Founding Director Stromlo Energy, Upper Lachlan Mayor Pam Kensit and Council CEO Alex Waldron.

This meeting was a meet and greet, for Stromlo Energy to introduce themselves and to advise they were in early stages of scoping several locations for a windfarm in Australia. No location was provided, the company simply wanted to introduce themselves and their company ethos.

At the end of the meeting Council was advised Stromlo would be in touch when Stromlo had narrowed down the locations within Australia. No further meetings occurred in 2024.

Questions With Notice

QUESTION WITH NOTICE - CLARIFICATION REGARDING MEETINGS WITH STROMLO WIND FARM DEVELOPER cont'd

The Council record is a calendar note in the diary of previous Mayor and CEO.

It should be noted that the CEO and Mayor/Deputy Mayor are involved in multiple informal meeting each month. While personal notes may be taken, minuting is only required in a meeting of a formal group or committee.

One such example would be Transgrid, Upper Lachlan Shire Council has been involved in several meetings with Transgrid executives, where the CEO and Mayor have represented Council and the community in both operational and advocacy matters.

As previously verbalised by the Mayor at the Ordinary Meeting of Council held on 19 June 2025, the most recent meeting with two of Stromlo staff, was a very matter of fact information sharing session as part of the community consultation process Stromlo are undertaking.

A summary of matters discussed was provided by the Mayor to all councillors following this meeting and Mayor, Deputy Mayor and CEO will continue to feed back any items of substance to other Councillors and the public in the usual manner.

ATTACHMENTS

Nil

Questions With Notice - 17 July 2025

ITEM 18.4	Question with Notice - Road maintenance schedule
AUTHOR	Councillor Rob Cameron

BACKGROUND

Council has been posting and publishing regular updates about current and upcoming roadworks which are well received. Understanding how those roadworks are scheduled, and how that schedule can be varied as required would assist ratepayers with context around those updates.

From Clr Rob Cameron

I, Clr Rob Cameron ask;

1. How is the schedule of maintenance for our roads, including but not limited to grading, re-sheeting and rehabilitation, determined?
2. What is the road hierarchy and how does it impact on scheduled road maintenance?
3. How can unsealed local roads that deteriorate more quickly than anticipated be brought forward in the maintenance schedule?

Response from Council CEO

Council's Road Management Policy establishes the framework for managing the road network, with a focus on safety, asset preservation, and efficient use of resources. Maintenance schedules are determined based on:

- The road hierarchy, which classifies roads according to their usage and importance.
- Routine inspections and formal condition assessments as set out in the Policy.
- Intervention levels and service levels defined for each hierarchy.
- Available budgets and long-term asset management plans.

Maintenance activities—such as inspections, grading of unsealed roads, gravel re-sheeting, and bitumen resealing—are programmed at frequencies specified in the Policy for each road hierarchy, adjusted as needed to reflect actual road conditions and risks.

Council also responds to emerging risks and changing conditions through customer requests, inspections, and staff observations, which may lead to adjustments in the maintenance schedule to address priority needs.

Council's road hierarchy classifies roads into five levels (Hierarchy 1–5), based primarily on traffic volumes, function, and surface type.

- Hierarchy 5 roads carry the highest traffic and therefore receive the highest level of service and the most frequent inspections and maintenance.
- Hierarchy 1 roads carry very low traffic and are maintained to a lower level of service, with longer maintenance intervals.

Questions With Notice

QUESTION WITH NOTICE - ROAD MAINTENANCE SCHEDULE cont'd

The hierarchy allows Council to allocate resources strategically, focusing on roads that have the greatest usage and therefore the greatest impact on the community.

Council recognises that unsealed roads are particularly susceptible to weather, traffic loads, and localised conditions. While the Road Management Policy sets out typical grading and re-sheeting cycles, these are treated as guidelines.

When inspections, staff observations, or customer requests indicate that a section of road has deteriorated more quickly than expected and presents a safety or serviceability risk, Council will re-prioritise works and bring forward maintenance activities where resources and budgets permit. This ensures Council can respond flexibly to changing conditions while maintaining fairness and transparency in how the network is managed.

For background context for the community, the regular updates on councils website, social media channels and local gazette on current and upcoming roadworks reflect Council's ongoing commitment to maintaining the network in line with the Policy, while also adapting to unforeseen circumstances. Understanding the road hierarchy and how maintenance is scheduled helps provide context for the priorities reflected in those updates. A review of Council's Road Management Policy is currently being undertaken.

ATTACHMENTS

1. Download	Policy - Road Management Policy - June 2013	Attachment
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POLICY:-	
Title:	Road Management Policy.
File reference:	F10/618-03
Date Policy was adopted by Council initially:	17 December 2009
Resolution Number:	499/09
Other Review Dates:	20 June 2013
Resolution Number:	173/13
Current Policy adopted by Council:	20 June 2013
Resolution Number:	173/13
Next Policy Review Date:	12 months from date adopted.

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

RESPONSIBILITY:-	
Draft Policy Developed by:	Manager, Assets and Risks
Committee/s (if any) consulted in the development of this policy:	N/A
Responsibility for implementation:	Director, Works and Operations
Responsibility for review of Policy:	Director, Works and Operations

ULSC ROAD MANAGEMENT POLICY

1. INTRODUCTION

Council has an obligation to ensure that its road network is as safe as possible for the road users.

Roads vary considerably in their construction standards and the environment in which they function. Hence the requirements to maintain and repair them also vary. The resources available to carry out pro-active and reactive maintenance are not always compatible with the tasks to be undertaken.

Council must be aware of their legal responsibility in regard to maintaining and repairing the road network. These responsibilities are clearly identified in the Roads Act 1993.

Council needs to have in place a system for maintaining and repairing roads. Such a system will facilitate prioritising works and assist in reducing the possibility of error, thus reduces the possibility of a public liability claim being successful.

A duty of care is owed by Council to all road users; Council will monitor road conditions through routine inspections and having a review process in place. This will mean that Council will be able to show adequately that it has performed its duty of care within budgetary constraints.

This Upper Lachlan Shire Councils Road Management Policy has been compiled to address specifically the process of determining the hazards that require consideration for repair within current budget constraints.

2. PURPOSE OF THIS POLICY

The policy covers all maintenance and capital work on roads and road related infrastructure including, but not limited to, road pavements, road surfaces, bridges, causeways, stormwater drainage, signs, safety barriers and any other physical item that have a foreseeable impact on the safety and amenity of road users within the road reserves under the care and control of council. This policy:

- Defines Upper Lachlan Shire Council's (ULSC) minimum standard of service.
- Summarises ULSC's road hierarchy, road lengths and surface type;
- Defines the inspections Council will provide in respect to its road network;
- Defines the maintenance areas requiring consideration for repair;
- Defines the renewal cycles by ULSC in accordance with the road hierarchy;
- Defines the road hierarchy level of service.

ULSC ROAD MANAGEMENT POLICY

3. POLICY STATEMENT

Upper Lachlan shire Council Road Maintenance system considers the Community Strategy Plan, road networks levels of service, road hierarchy and road safety outcomes.

Road maintenance planning provides a systematic method of identification, evaluation and prioritisation of maintenance schedules. This information gathering provides increase efficiencies in resource allocation on council's road network.

4. SCOPE

This policy and associated procedures covers all maintenance and minor capital works on roads and related infrastructure consisting of the following:

- Seal roads
- Unseal road
- Bridges
- Drainage culverts
- Table drains
- Road side Vegetation
- Road signage & delineation (White lines, guide posts) and
- Crash Barriers.

Any other physical item that has a foreseeable impact on the safety and amenity of road users within the road reserves under the care and control of Council.

5. STRATEGIES FOR IMPLEMENTING POLICY

- A clearly define Councils Road Hierarchy
- A set a budget for inspections in the Road Maintenance funding
- Road Maintenance Procedures detailing, inspection, response and agreed service Levels
- A procedure to define defect (hazards) repair method.
- Procedures on road inspection system to identify defects (hazards), deal with "Service Requests" and inspection frequency
- Set intervention criteria, on which defects (hazards) are to be repaired, based on risk
- Train, employees in procedures
- Develop inspection skills & qualifications within the workforce
- Link Road Maintenance schedules with Council short term and long term planning
- Provide Managers and Supervisor with information to determining budgets and resources required
- Research & implementation of a Road Maintenance system that facilitates efficiencies in inspections & reporting activities
- Comply with best practices guidelines.

ULSC ROAD MANAGEMENT POLICY

6. RESPONSIBILITIES

Management Team (Manex)

- Ensure adequate funding is provided
- Resources are available and trained
- Develop and consult Council's strategy directions

Director of Works and Operations

- Provide plans on road network maintenance are funded
- Develop policy
- Implement policy in the Department
- Ensure adequate resources are maintained

Manager of Works

- Develop maintenance schedule for road network asset categories
- Provided procedures and Maintenance standards
- Report Road maintenance actives
- Ensure budgets expenditure is control

Superintended of Works

- Costing of works
- Works planning & scheduling
- Control of standards & authorisation

Overseers (Supervisors)

- Supervision of day labour to meet Road maintenance requirements
- Maintain records of works completed
- Develop and implement a works roster of resources
- Management of Customers Request Management (CRM)
- Ensure repair methods meet Council Standards

7. UPPER LACHLAN SHIRE COUNCIL'S ROAD NETWORK

As at Dec 2012 Upper Lachlan Shire Council has a Road Network of 2055 kms.

Table [ULSC_RMP_001](#) contains details of the road network by:

- Hierarchy (1 to 5).
- Classification; Regional, Local and Urban
- Whether sealed or unsealed.
- Length(s) of road

In addition, State Road MR54 runs through Upper Lachlan Shire Council this road is 111km in length with 101 km sealed and 10 km unsealed. The section of MR54 that ULSC maintains starts from Auburn St, Goulburn and finishes at the Abercrombie River 111 km in total.

ULSC has been engaged through single invitation contract provision (RMCC) of the NSW Government's Roads and Maritime Services (RMS) since 2008 to maintain this section of MR54. ULSC allocates resources for maintenance and construction works to meet these RMCC contracted works.

ULSC ROAD MANAGEMENT POLICY

7.1 ROAD NETWORK, Table ULSC_RMP_001

		Hierarchy						
Classification	Data	1	2	3	4	5	6	Grand Total
LR	Sum of Length U/S	273.886	399.086	504.423	15.249			1,192.644
	Sum of Length Sealed	15.331	202.755	188.589	24.549			431.224
	Sum of Total Length	289.217	601.841	693.012	39.798			1,623.868
RR	Sum of Length U/S		38.700	14.823				53.523
	Sum of Length Sealed		39.522	100.596	44.154	13.120		197.392
	Sum of Total Length		78.222	115.419	44.154	13.120		250.915
SR	Sum of Length U/S					14.580		14.580
	Sum of Length Sealed					78.460		78.460
	Sum of Total Length					93.040		93.040
U	Sum of Length U/S	29.665	2.887	0.225	0.050			32.827
	Sum of Length Sealed	11.572	39.425	2.583	0.700			54.280
	Sum of Total Length	41.237	42.312	2.808	0.750			87.107
Total Sum of Length U/S		303.551	401.973	543.348	30.122		14.580	1,293.574
Total Sum of Length Sealed		26.903	242.180	230.694	125.845	44.154	91.580	761.356
Total Sum of Total Length		330.454	644.153	774.042	155.967	44.154	106.160	2,054.930

This table is develop from a data pivot table copied from the ULSC 2010 Road Register

ULSC ROAD MANAGEMENT POLICY

8. ROAD BUDGETS

Road budgets will be developed based on Road Condition reviewed by Works in the context of Councils Transport Asset Strategy and the Long Term Financial Plan. Council will strive to allocate appropriate funding to achieve road service levels and the best possible road network in the community.

Council will allocate resources in order to conduct inspection and assessments for the implementation of the Road Management policy and procedures within Council's budget constraints.

In the past budgets have been developed based on historical expenditures i.e. they do not meet expected levels of service at this point in time.

9. ROAD HIERARCHY

Upper Lachlan Shire Council's road Hierarchy consists of six levels, 1 to 5. The Hierarchy assigned to a road has been determined using the following criteria;

- the Average Annual Daily Traffic Count (AADT),
- the classification of the road, (whether Local, Rural, Urban or Regional)
- Sealed or Unsealed.
- Bus route

Classifications:

- State roads
- Regional roads (sealed & unsealed)
- Local roads (sealed & unsealed)
- Urban (sealed & unsealed streets)

Generally, the highest Hierarchy 5, will apply to Regional Roads. Conversely, Hierarchy 1 applies to Access roads with the lowest traffic count. Table 2 below details Council's Road Hierarchy based on above criteria. A description of each Hierarchy level is summarised in Appendix 1.

9.1.1 Table 2 - ROAD HIERARCHY

Hierarchy	Urban (AADT)	Sealed	Rural (AADT)	Sealed	Unsealed (AADT)
1			0-25		0-10
2	0-50		26-50		11-25
3	51-200		51-150		26-100
4	201-400		151-300		101-175
5	401-750		301-500		176-250

Table is based on estimated daily travel volumes in both directions.

ULSC ROAD MANAGEMENT POLICY

9.1.3 HIERARCHY “5”

Roads identified as Hierarchy 5 have the level of road usage in the Upper Lachlan Shire Council area (is State road MR54 managed by RMS is not included).

Description of Road Hierarchy

Urban sealed roads carrying an average of 401 to 750 vehicles per day
Rural sealed roads carrying an average of 301 to 500 vehicles per day, and
Unsealed roads carrying an average of 176 to 250 vehicles per day.

New Work

For new construction works reference is to be made to AUS-SPEC design specifications.

Regional Roads are the responsibility of Councils to fund, determine priorities and carry out works. They are capitalised as a council asset. Regional roads are eligible for annual assistance grants from the State Government; this funding assistance is from a pool comprising the Block Grant Program and the REPAIR Program.

Council receives an annual formula based Regional Road Block Grant for use according to council's priorities. Council may also apply of a 50% cent contribution for specific maintenance and construction works under the Repair Program.

Inspection

Inspect for any hazards (risk) once every four weeks (See Table 3).

Service requests received are to be inspected as per the requirements of Table 4.

General Level of Service (Guide)

Hierarchy 5 roads shall desirably be sealed. Council shall consider giving unsealed

Hierarchy 5 roads the highest level of priority in its initial seal programme.

Council will provide the maximum level of service which can be afforded within budget constraints.

Sealed roads in Hierarchy 5 will be maintained to the existing widths.

Bitumen reseals on Local roads - 20 years and Regional Roads - 20 years are desirable as per Table 6

9.2 HIERARCHY “4”

Description of Road Hierarchy

Urban sealed roads carrying an average of 201 to 400 vehicles per day.
Rural sealed roads carrying an average of 151 to 300 vehicles per day, and
Unsealed roads carrying an average of 101 to 175 vehicles per day.

ULSC ROAD MANAGEMENT POLICY

New Work

For new construction works reference is to be made to AUS-SPEC design specifications.

Regional Roads are the responsibility of Councils to fund, determine priorities and carry out works. They are capitalised as a council asset. Regional roads are eligible for annual assistance grants from the State Government; this funding assistance is from a pool comprising the Block Grant Program and the REPAIR Program.

Council receives an annual formula based Regional Road Block Grant for use according to council's priorities. Council may also apply of a 50% cent contribution for specific maintenance and construction works under the Repair Program.

Inspection

Inspect for any hazards (risk) once every two months (See Table 3).

Service Requests received are to be inspected as per the requirements of Table 4.

General Level of Service (Guide)

All Hierarchy 4 roads shall desirably be sealed and to be given highest level of priority, in its initial seal programme.

Council will provide the maximum level of service which can be afforded within budget constraints.

Sealed roads in Hierarchy 4 will be maintained to the existing widths.

Unsealed roads in this Hierarchy shall desirably have a formation width of 6m, new construction/ initial seals 9m formation with 7m seal.

Bitumen reseals Local Roads - 20 years and Regional Roads - 20 years desirable as per Table 6.

Gravel re-sheets as determined by priority list, desirably on a 30 year cycle.

Maintenance grading as per Table 5, as determined by priority list and budget.

9.3 HIERARCHY "3"

Description of Road Hierarchy

Urban sealed roads carrying an average of 51 to 200 vehicles per day.

Rural sealed roads carrying an average of 51 to 150 vehicles per day, and

Unsealed roads carrying an average of 26 to 100 vehicles per day.

New Work

For new construction works reference is to be made to AUS-SPEC design specifications.

Local Roads are the responsibility of Councils to fund, determine priorities and carry out works. The State Government provides limited assistance under special

ULSC ROAD MANAGEMENT POLICY

programs e.g. urban bus routes. The Federal Government introduced the Road to Recovery Program to provide additional funding to councils.

Inspection

Inspect for any hazards (risk) twice every year (See Table 3).

Service requests received are to be inspected as per the requirements of Table 4.

General Level of Service (Guide)

Hierarchy 3 roads shall not get preference in its initial seal programme over Hierarchy 4 roads.

Council will provide the maximum level of service which can be afforded within budget constraints.

Sealed roads in Hierarchy 3 will be maintained to the existing widths.

Unsealed roads should be maintained to their existing width, desirably 7m formation width bitumen reseals Local Road - 20 years and Regional Roads - 20 years desirable as per table 6.

Gravel re-sheets as determined by priority list, desirably on a 30 year cycle.

Maintenance grading as per Table 5, as determined by priority list and budget.

9.4 HIERARCHY “2”

Description of Road Hierarchy

Urban sealed roads carrying an average of less than 50 vehicles per day

Rural sealed roads carrying an average of 26 to 50 vehicles per day, and

Unsealed roads carrying an average of 11 to 25 vehicles per day.

New Work

For new construction works reference is to be made to AUS-SPEC design specifications.

Inspection

Inspected for any hazards (risk) once every year. (See Table 3)

Service requests received are to be inspected as per the requirements of Table 4.

General Level of Service (Guide)

Given low priority in level of service, sealed roads in Hierarchy 2 will be maintained to the existing widths.

Desirable bitumen re-seal cycle of 20 years.

Unsealed roads will desirably have a formation width of 6m.

ULSC ROAD MANAGEMENT POLICY

Gravel re-sheets as determined by priority list, desirably on a 30 year cycle.

Maintenance grading as per Table 5, as determined by priority list and budget.

9.5 HIERARCHY “1”

Hierarchy 1 roads have the lowest traffic counts. These roads, in most instances, could be compared to private access roads. Some of these roads provide access to a small number of dwellings and others do not service any dwelling at all.

Description of Road Hierarchy

Rural sealed roads carrying less than an average of 25 vehicles per day, and Unsealed roads carrying less than an average of 10 vehicles per day.

New Work

For new construction works reference is to be made to AUS-SPEC design specifications.

Inspection

Inspected for any hazards (risk) once every year. (See Table 3)

Service requests received are to be inspected as per the requirements of Table 4.

General Level of Service (Guide)

Given lowest priority in level of service, unsealed roads shall desirably have a trafficable width of 4.5m.

Gravel re-sheets as determined by priority list, desirably on an 81 year cycle.

Maintenance grading as per Table 5, as determined by priority list and budget.

10. ROAD INSPECTIONS

Inspections are a formalised assessment of sections of the road network, to identify and prioritise hazards that may require repair and maintenance, carried out with regard to the road maintenance standards and safety principles, by suitable trained, qualified and skilled personnel.

An inspection programme has been developed (see Table [ULSC_RMP_003](#) 3). This inspection programme shall be used as the main method of identifying and recording all the known hazards (defects) and risks associated with the road network, prioritising the defects, scheduling rectification work in accordance with documented standards, and of recording rectification work completed.

There are three main categories of inspection:

- Schedule Inspection (80km/hr drive over)
- Formal Condition Assessment
- Service Request from road user or Council employees;

ULSC ROAD MANAGEMENT POLICY

10.1 ROAD INSPECTION SCHEDULE

ULSC road inspection schedule has been developed with the council area divided into four (4) zones. The Inspection Schedule has the road names in alphabetic order in each zone. The inspector's shall enter their name and the date the inspection was completed to the right of the road name. The schedule will calculate the need due inspection date.

Only one inspection schedule is active at any time. All inspection shall record inspection in the same sheet.

The Works Manager and the Asset & Risk Coordinator will check the register monthly.

10.1.1 Table 3 - Road Inspection Frequency

	Road Inspection Guidelines for Service Requests, (Months).		
Hierarchy	Urban Sealed	Rural Sealed	Unsealed
1		12 or none	14 or none
2	12	12	12
3	6	6	6
4	2	2	2
5	1	1	1

10.2 ROAD INSPECTIONS 80km drive over

The inspector will comply with the ULSC "Road Drive Inspection Procedure". On scheduled road inspection the inspector will drive the road segment at <80km noting any defects. At regular intervals the inspector shall stop and record defects and approximate location (chainage for starting point), also assess each defect based on following;

- Type of hazards (risks and defects).
- The hierarchy of the asset in which the defects exists.
- The severity of these defects.
- The location of the defects along the road corridor.
- The location of the defects within the road reserve.
- The allocation "risk rating" of each defects.

The risk ratings are Low, Medium, High and Urgent.

Priority shall be give to Urgent / High rating defects.

The inspection and defects notes shall be recorded in the inspector diary.

10.3 ROAD INSPECTIONS- Formal Condition assessment

Formal Road condition inspections are to be selected by a review panel each year with a minimum of 5 segments per zone.

ULSC" Road Condition Inspection Procedure" details the process used by ULSC employee's when completing a yearly assessment. The ULSC condition assessment

ULSC ROAD MANAGEMENT POLICY

is used to formally record all items on a randomly selected road segment. The process identifies and records all road defects (hazards) that contribute to the road diminishing level of service. A condition score is then calculated for the segment.

The purpose of the formal road condition inspection is to rate the road network of asset valuations over a 3-5 year review.

A group of experience and knowledgeable employees under the supervisor of the Works Manager shall validate each segment condition rating.

The information will be used by various departments at ULSC in reviewing and updating associated plans.

10.4 ROAD INSPECTIONS: SERVICE REQUESTS (CRM) Customer Request Management

Council recognises that Service Requests from road users (community) are a valuable source of information about the condition of the road network. Each Service Request is registered using Council's (CRM) Customer Request Management procedure.

Each Service Request (CRM) is assigned to the Works Superintendent or his delegate who will then investigate the Service Request by making a physical inspection of the site, recording the details of the inspection, and referring to the guidelines.

Council's personnel regularly travel the network to and from work locations throughout the Shire. During this travel Council personnel are encouraged to inspect and report any defects encountered. Normally employees will report to their supervisor verbally any road defects, with the overseer recording in his diary. If a report is logged using the Service Request (CRM) system it is handled as any other Service Request.

Table 4 – Road Inspection – Target following CRM entry

Road Inspection Guidelines for Service Requests, (working days).			
Hierarchy	Urban Sealed	Rural Sealed	Unsealed
1		20	20
2	15	15	15
3	10	10	10
4	5	5	5
5	5	5	5

11. RECORDS

Formal Condition assessment forms are to have minimum document requirements date completed, signature of employee and employee's position.

80km/hr drive over inspections will be recorded in the inspectors Diary as per ULSC "Road Drive Inspection Procedure".

ULSC ROAD MANAGEMENT POLICY

Formal Condition Assessments shall be scanned to TRIM. Under the Classification Road

- State, All inspection information is held in REFLECT
- Regional, F11/ ROAD-REGIONAL ROAD- Regional road - Inspection
- Local F11/ ROAD-LOCAL ROAD- Local road – Inspection Rural
- Urban F11/ ROAD-LOCAL ROAD- Local road – Inspection Urban

The template for the Formal Condition Assessment is included in Works Division templates

CRM Inspections details will be stored in Council's CRM system

12. MAINTENANCE

Routine Maintenance

ULSC shall Reference to the following table for assessing defects & response times, the following criteria:

- Defect type
- Perceived Hazard severity
- Location in the carriageway
- Road classification

DEFLECTION TYPE INDEX	DESCRIPTION	Council Perceived Hazard Severity	LOCATION	DEFECT SCORE = (Severity Scorex1.5) + (Loc scorex2.5) + (Road Category score)				
				Regional	Response time (days)	Urban	Response time (days)	Local
Defect Group	Road Category		1-Jan	1=Road reserve, 2=Shoulder 3= Parking lane 4= Traffic lane 5= total carriageway	4	2.5	1.5	Response time (days)
Bridge Defect	Any bridge that requires repair or routine maintenance	3	4	18.5	14	17	14	16
Bus Shelter Defect	Any bus shelter that requires repair or maintenance	2	2	12	90	10.5	90	9.5
Carparks Defect.	Any car parking area that requires repair or maintenance	2	1	9.5	120	8	120	7
Chain wire Dam/miss	Any chain wire guardrail found to be damaged.	3	2	13.5	30	12	90	11
Culvert Defect.	Any culvert or drainage pit which needs cleaning	2	2	12	90	10.5	90	9.5
Culvert Required	Position where a new culvert is needed to stop water ponding in table drain	2	2	12	90	10.5	90	9.5
Debris on c/way	Any debris found on carriageway that would cause damage to vehicles e.g. (fallen limb or rocks)	5	5	24	1	22.5	1	21.5
Surface Drain Defect	Any surface (table)drain which needs cleaning	1	2	10.5	90	9	120	8
Drainage Hazard	Any Drainage Structure that has the potential to cause a hazard for motorists	3	2	13.5	30	12	90	11
Edge Break - Large	Pavement edge break and or drop >50mm	5	2	16.5	30	15	30	14

ULSC ROAD MANAGEMENT POLICY

Edge Break - Small	Pavement edge break and or drop <50mm	3	2	13.5	30	12	90	11	90
GPost Critical	Any Guideposts in critical location found to be missing or damaged in critical locations culverts, crests and curves	1	2	10.5	90	9	120	8	120
GPost Non Critical	Any Guideposts found on to be missing or damaged	1	2	10.5	90	9	120	8	120
Grade	Any road which needs grading	2	4	17	14	15.5	30	14.5	30
GRail Dam/miss	Any Guardrail found to be missing or damaged	1	3	13	90	11.5	90	10.5	90
Gravel Resheeting	Any part of road greater than 100m in length that requires gravel Resheeting, no traction in wet weather	1	4	15.5	30	14	30	13	90
Heavy Patch	Long term defect that requires heavy patching	1	4	15.5	30	14	30	13	90
High Verge	Any road shoulder where verge is higher than road; obstructing drainage	1	2	10.5	90	9	120	8	120
K&G Repair	Any kerb or gutter that requires repair or maintenance	2	2	12	90	10.5	90	9.5	120
Line marking	Any line marking which requires remarking	2	2	12	90	10.5	90	9.5	120
Litter	Any litter which needs collecting from road reserve - Based on reputational risk	3	5	21	1	19.5	7	18.5	14
Obstruct Visibility	Vegetation that interferes with safe sight distances for curves and intersections	2	3	14.5	30	13	90	12	90
Overhanging Vegetation	Vegetation overhanging or encroaching onto trafficable lane	1	4	15.5	30	14	30	13	90
Patch Gravelling	Any part of a road which needs gravel patching - Could become a safety hazard	3	4	18.5	14	17	14	16	30
Pavement - Major	A major shove or pavement failure	2	3	14.5	30	13	90	12	90
Pothole - Small < 300mm	A minor failure or pothole on the road pavement	2	4	17	14	15.5	30	14.5	30
Ramp	Stock ramps or grids that need repair or replacement	0	0	4	360	2.5	360	1.5	360
Roadside Vegetation	Roadside vegetation that requires spraying or mowing. (Suckers and weeds)	3	2	13.5	30	12	90	11	90
Segment marker	Missing or damaged segment marker	0	0	4	360	2.5	360	1.5	360
Signs	Any signs found to be missing, severely damaged or in poor condition	3	2	13.5	30	12	90	11	90
Sweep	A defect on a sealed road pavement that requires treatment or maintenance. Eg sweeping	3	4	18.5	14	17	14	16	30
Tree	Overhanging tree or branch at risk of falling onto the carriageway	5	5	24	1	22.5	1	21.5	1
Pothole - Large > 300mm	A major failure or pothole on the road pavement	5	4	21.5	1	20	1	19	7

12.1 Grading Cycle, Unsealed Roads

Grading on unsealed roads will generally be carried out in accordance with the guidelines contained below in Table 5 "Regional & Local Road Grading Cycle Guidelines" These guidelines are the desired grading frequencies for the various

ULSC ROAD MANAGEMENT POLICY

hierarchies of road. The actual grading frequency on any specific road may, however, vary from the guidelines due to a number of factors including:

- Variations in the weather may affect the need for grading, increasing or decreasing the need.
- Storm damage may give rise to localised higher need for grading work.
- Topography varies throughout the Shire. This in turn may affect the need for grading.
- Variations in soil type throughout the Shire may also affect the desired grading frequency.
- Annual allocation of maintenance funding.
- Large one-off events. e.g. flooding, drought.
- Hazardous/unsafe conditions.

12.1.1 Table 5 – Regional & Local Road Grading Cycle Guidelines

	Road Grading Cycle Guidelines
Hierarchy	Unsealed
1	24 months
2	12 months
3	6 months
4	4 months
5	4 months

12.1.2 Bridge & Culvert Maintenance

Bridge and culvert inspections will be completed by the Works Department. Culverts above 6 metres in length on the road centre line are classed as small bridges.

Level 1 bridge inspection will be completed 6 monthly by qualified council staff; the inspection process includes small maintenance duties. A report is completed which include photos of any defected areas.

Level 2 bridge inspections are completed 2 yearly as a minimum or as required based on a level 1 inspection report.

All inspection reports are logged for evaluation by engineering staff and recorded to Council information database TRIM as a permanent record.

Council has developed level 1 and 2 bridge inspection procedure for the minimum requirement when performing an inspection and staff completing these inspections will have complete the applicable Bridge inspector's course (level 1 or 2) offered by training organisation such as the Australian Road Research Board (ARRB).

Council will provide adequate funding in its operational budget to undertake these inspections as well as necessary repair. Level 1 inspection will take nine (9) days/year with Level 2 inspection taking eight (8) days/year.

ULSC ROAD MANAGEMENT POLICY

Bridge type	Road Classification	Quantity
Timber	Local Sealed	2
Timber	Local Unsealed	16
Timber	Regional sealed	2
Timber	Regional Unsealed	0
	Timber Total	20
Culvert ≥ 6m	Local Sealed	31
Culvert ≥ 6m	Local Unsealed	22
Culvert ≥ 6m	Regional sealed	25
Culvert ≥ 6m	Regional Unsealed	4
	Total Culvert ≥ 6m	82
Concrete / Steel	Local Sealed	22
Concrete / Steel	Local Unsealed	4
Concrete / Steel	Regional sealed	8
Concrete / Steel	Regional Unsealed	0
	Total Concrete / Steel	34

NOTE: Includes timber & concrete bridges less than 6 metres

12.2 Road Drainage Maintenance

Council will perform drainage maintenance as determined by engineering staff, based on road inspection condition reporting, inspections of drainage structures will take place as part of the 80km/hr drive over, condition assessments or special inspections

Council will provide adequate drainage maintenance funding to complete at least 135 gang days drainage maintenance per year (or 3 gangs operating 45 days per year with backhoe).

12.3 Road Side Vegetation Maintenance

ULSC has developed an individual Policy on Road Side Vegetation "Tree Management - Rural Roads" which includes the following topics:

- Hazard trees,
- Line of sight,
- Safety zone in road verge,
- Minimum road envelop

Council will provide adequate funding to complete 140 days of roadside growth control per year.

ULSC ROAD MANAGEMENT POLICY

Council will undertake roadside growth control by chemical and slashing on its sealed road network when growing conditions warrant. Usually this is two separate treatments per year usually during the spring and autumn periods.

In addition, Council will complete, within budget constraints line of site cleaning in the road envelope.

12.4 Road Side Furniture

Road inspection includes missing or damage road side furniture. Road side furniture consists of:

- Road advisory signage
- Road chevrons (Direction indicators external curves)
- Guide posts
- Guard railings
- Street or road name signs

Maintenance of the road side furniture items is list and scheduled to a maintenance gang for correction. Council will provide adequate funding to complete 120 days of Roadside Furniture maintenance per annum.

13 RENEWAL / CAPITAL

13.1 Bitumen Resurfacing

A bitumen resurfacing history for all roads has been developed by the Works Department. A contract for bitumen resealing is generally called annually. The bitumen resurfacing program is based on the age of the seal and other considerations such as, traffic loading, condition of the pavement etc are considered when selecting the section of road to be resurfaced.

Bitumen resealing is classed as capital renewal for road funding budgeting.

To maintain current service levels a minimum of 56.7km per year shall be completed.

13.1.2 Table 6 – Road Bitumen Resurfacing cycle (Local & Regional road only)

Bitumen Resealing cycle Guidelines (Years).			
Hierarchy	Reseal years	Total road length	Target per year
1	20	31.92	1.596
2	20	270	13.5
3	20	211.91	10.5955
4	20	25.64	1.282
5	20	209.87	10.4935
Total		749.34	37.467
$\approx @\$30,000/\text{km} = \$1,124,00/\text{yr}$		Regional road funding	\\$314,805
		Local road funding	\\$809,205

ULSC ROAD MANAGEMENT POLICY

13.2 Gravel Re-Sheeting

The gravel re-sheeting schedule for all roads is developed by the Works Department. The use of internal labour and contractors is employed for gravel re-sheeting, under the supervision of Council employees. The Gravel re-sheeting is based on the road hierarchy in table 7 below. Other considerations are increased development, weather, road usage and condition reporting.

Gravel re-sheeting includes table drain cleaning as required by the standard of roadway.

Gravel re-sheeting is classed as capital renewal for road funding budgeting.

To maintain current service levels a minimum of 36.4km (Local Roads 33km/yr, Regional Roads 3.4km/yr) per year shall be completed.

13.2.1 Table 7 – Gravel re-sheeting (local and Regional Road)

Gravel re-sheeting cycle Guidelines (Years).			
Hierarchy	Re-sheet years	Total road length	Length per year
1	81	293.6	3.62
2	30	392.98	13.10
3	30	487.58	16.25
4	30	15.79	0.53
5	17	43	2.53
Total		1232.95	36.03
Regional Road		\$76,394	3.4km/yr
Local Road		\$824,417	33km/yr

13.3 Heavy Patching

Heavy patching requirement of ULSC shall be determined by formal inspection and asset assessment evaluation. The decision as to repair a heavy patch is generally based on whether the cost of detailed investigation, design and works testing is warranted by comparison with the possible costs of premature failure of the repair. It is in effect a risk analysis, and will always be a matter of professional judgement.

In general terms a heavy patch is when the surrounding material has failed requiring excavation to repair the defect to a life corresponding with the remaining life of the pavement.

Heavy patching is a cost effective process to return a roads service level.

The following table sets out a number of general factors that would normally be taken into consideration

ULSC ROAD MANAGEMENT POLICY

13.3.1 Table 8 – Heavy Patch Attributes

Attribute / Characteristic	Heavy Patch
Intended life	Match surrounding pavement, generally < 10 years
Investigation / geotech etc	Generally non – or minimal
Pavement design	Generic or rule of thumb
Testing of materials	Approve source base on past testing and knowledge
Testing of process	Simplistic – Trials and process monitoring
Response time – Safety time	Short term or part of pavement strategy
Track performance > 1 yr	Generally no
Size of repair	Individual or close group of patches ¹ <ul style="list-style-type: none"> • For AC < 500 m² • For granular < 1,000 m²
Surface level	Generally Unchanged
Alignment	Unchanged
Peripherals (eg, formation width and drainage)	Unchanged
Confined to traffic lanes	Generally
Excavation method	Hand, minor plant, major plant
Width	Generally ≤ 1 lane

¹ these limits in particular are intended as a very general indicator only
Table adapted for RMS QA spec M250

14 REFERENCE DOCUMENTS

- Road Act 1993
- Civil Liabilities Act 2002
- NSW State Records Act 1998
- Infrastructure Management Plan
- Risk Management Policy

15 VARIATION

That the Council reserves the right to vary the terms and conditions of this Policy to ensure it meets the requirements of the relevant legislation.

Questions With Notice - 17 July 2025

ITEM 18.5	Question with Notice - Grabben Gullen Road – Heavy vehicle accidents
AUTHOR	Councillor Rob Cameron

BACKGROUND

Grabben Gullen Road is the main road transport link between Gunning and Crookwell. Over the past couple of years there have been a number of accidents where vehicles, including heavy vehicles, have run off the road. The most recent of these was on 28 June this year. I understand Police are investigating the latest incident, but I am keen to know if Council can do more to address safety on this critical piece of economic enabling infrastructure.

From Cllr Rob Cameron

I, Cllr Rob Cameron ask, what is within Council's remit and ability to make Grabben Gullen Road, a significant link between two of the Shire's three major centres, safer for traffic, including heavy vehicles?

Response from Council CEO

Council acknowledges the importance of Grabben Gullen Road as a key regional transport link between Gunning and Crookwell, supporting connectivity and economic productivity across the Shire. The road is classified as **Regional Road MR52**, which enables Council to receive funding assistance from the NSW Government for its ongoing maintenance. Based on current traffic volumes, it is unlikely that the road would meet the criteria for a higher classification.

Council has also highlighted the strategic significance of this route in its feedback to **Transport for NSW** during consultation on the *South East and Tablelands Strategic Regional Integrated Transport Plan*.

In the past 12 months, Council has undertaken several measures to improve safety on Grabben Gullen Road, including:

- Re-marking the centreline to improve delineation for drivers.
- Extensive tree trimming to improve visibility and reduce roadside hazards.
- Heavy patching works in identified high-risk sections.
- Installation of additional "Reduce Speed" signage and upgraded curve and speed advisory signs in areas where recent accidents have occurred.

Council recognises that more substantial improvements such as road widening, realignment, and new safety barriers are capital works that rely heavily on external grant funding. In light of the recent accidents, Council will prepare and submit an application for funding under the **Federal Black Spot Program**, which specifically targets locations with a proven crash history.

Questions With Notice

QUESTION WITH NOTICE - GRABBEN GULLEN ROAD – HEAVY VEHICLE ACCIDENTS cont'd

In the interim, Council will continue to monitor the road and investigate additional safety enhancements, including options such as further signage, guardrails, and targeted vegetation management where appropriate.

ATTACHMENTS

Nil