



BUSINESS PAPER

ORDINARY MEETING

Thursday 21 August 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

12 August 2025

Councillors

Dear Members

Ordinary Meeting of Council

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 21 August 2025** in the **Council Chambers** commencing at **1.30pm**.

Your presence is requested.

Yours faithfully



Alex Waldron
Chief Executive Officer
Upper Lachlan Shire Council

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

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

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UPPER LACHLAN SHIRE COUNCIL

LEAVE OF ABSENCE

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

Dear Madam

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

Date:

I will be absent for the following reason/s:

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

Yours faithfully

.....
(Councillor Signature)

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

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

CONFLICT OF INTEREST

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

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

- 1st** Do I have private interest affected by a matter I am officially involved in?
- 2nd** Is my official role one of influence or perceived influence over the matter?
- 3rd** Do my private interest conflict with my official role?

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

AGENCY ADVICE

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

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

UPPER LACHLAN SHIRE COUNCIL

COUNCILLORS DISCLOSURE OF A PECUNIARY INTEREST

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

To the Chief Executive Officer

I, _____

Declare a Conflict of Interest, being a PECUNIARY Interest.

Name of Meeting: Ordinary Meeting of Council

Date of Meeting:

Page Number:

Item Number:

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

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

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

to be held on the _____ day of _____ 20 .

Pecuniary interest

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

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

☐ The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise).

☐ An associated person of the councillor has an interest in the land.

☐ An associated company or body of the councillor has an interest in the land.

Matter giving rise to pecuniary interest¹

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

[Tick or cross one box]

☐ The identified land.

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

Current zone/planning control

Proposed change of zone/planning control

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

☐ Appreciable financial gain

☐ Appreciable financial loss

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

Councillor's Signature:

Date:

UPPER LACHLAN SHIRE COUNCIL

COUNCILLORS DISCLOSURE OF A NON-PECUNIARY INTEREST

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

To the Chief Executive Officer

I, _____

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

☐ Significant

☐ Non Significant

COUNCIL MEETINGS

Name of Meeting _____

Date of Meeting _____

Page Number _____ Item Number _____

Subject _____

Reason for Interest _____

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

☐ **Option A** – Make a declaration, stay in the Chamber, participate in the debate, and vote.

☐ **Option B** – Make a declaration, stay in the Chamber, participate in the debate, but not vote.

☐ **Option C** – Make a declaration, stay in the Chamber, participate in the debate, but leave the Chamber for the vote.

☐ **Option D** – Make a declaration, stay in the Chamber, not participate in the debate, but vote.

☐ **Option E** – Make a declaration, stay in the Chamber, not participate in the debate and not vote.

☐ **Option F** – Make a declaration, do not participate in the debate, leave the Chamber upon making the declaration, and not return until the matter is resolved.

Signature

Date

5 CONFIRMATION OF MINUTES

The following minutes are submitted for confirmation -

5.1	Minutes of the Ordinary Meeting of Council of 17 July 2025.....	12
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UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 JULY 2025

PRESENT: Mayor P Culhane (Chairperson), Cr R Cameron, Cr V Flanagan, Cr G Harris, Cr A Meggitt, Cr S Peirce, Cr S Reynolds, Cr J Searl, Cr T Yallouris, Ms A Waldron (Chief Executive Officer), Mr A Croke (Director Finance and Administration), Mr 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 13:29pm

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

A late attendance was received from Cr S Peirce.

103/25 **RESOLVED** by Cr Cameron and Cr Meggitt

1. That the late attendance of Cr S Peirce be received and noted for today's meeting.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:-

Nil

SECTION 3: DECLARATIONS OF INTEREST

Nil

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SECTION 4: CITIZENSHIP CEREMONY

1. Lina Maria Artunduaga Munoz – Columbia
2. Brenda McPherson Persia – Scotland, United Kingdom
3. Pasquale Stivala – Italy
4. Dalia Sofia Schaeck – Germany
5. Sarah Jean Roselea Severinsen – New Zealand

Council took a short break following the Citizenship Ceremony at 13:46pm.

Council resumed its ordinary meeting at 14:07pm. Mayor Culhane read the notice to the public gallery.

SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1 **RESOLVED** by Cr Reynolds and Cr Flanagan
104/25

1. That the minutes of the Ordinary Council Meeting held on 19 June 2025 be adopted.
2. Noted at 19 June 2025 meeting, Item 13.2 Integrated Planning and reporting – Adoption of 2025/2026 Council Plans that Councillor Harris voted against this recommendation.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

UPPER LACHLAN SHIRE COUNCIL
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SECTION 7: MAYORAL MINUTES

ITEM 7.1 MAYORAL MINUTE

105/25

RESOLVED by Mayor Culhane and Cr Searl

1. That Council receive and note the activities attended by the Mayor for June and July.
2. Mayor Culhane noted his correspondence to Bendigo and Adelaide bank.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

Cr Culhane moved a motion that –

1. Council write to the NSW Executive of Bendigo and Adelaide Bank seeking an urgent meeting as concerns the potential closure of the Crookwell branch of the Bendigo and Adelaide Bank in order to understand and address any issues they feel that need to be resolved to allow them to continue trading locally.
2. Council write to Upper Lachlan Shire Local Member Mrs Wendy Tuckerman MP and Federal Member The Hon Michael McCormack MP voicing the concerns of this potential closure.

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106/25

RESOLVED by Cr Culhane and Cr Reynolds that -

1. Council write to the NSW Executive of Bendigo and Adelaide Bank seeking an urgent meeting as concerns the potential closure of the Crookwell branch of the Bendigo and Adelaide Bank in order to understand and address any issues they feel that need to be resolved to allow them to continue trading locally.
2. Council write to Upper Lachlan Shire Local Member Mrs Wendy Tuckerman MP and Federal Member The Hon Michael McCormack MP voicing the concerns of this potential closure.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

Cr Culhane moved a motion that -

1. Council commence a review of the existing Development Control Plan (DCP), including the section concerning the windfarm developments in line with the development of the Upper Lachlan Shire Housing Strategy.
2. Any amendments made to the Upper Lachlan Shire Development Control Plan 2010 be publicly notified in accordance with Council's Community Participation Plan 2020.
3. The review will include, but not be limited to, an examination and evaluation of the impact on the amenity of residents in the Upper Lachlan Shire resulting from the existing proliferation and density of wind turbines within our shire with a view to recommending how best to preserve the lifestyle and rural characteristics our shire has always enjoyed and is so valued by our residents.

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107/25

RESOLVED by Cr Culhane and Cr Searl that -

1. Council commence a review of the existing Development Control Plan (DCP), including the section concerning the windfarm developments in line with the development of the Upper Lachlan Shire Housing Strategy.
2. Any amendments made to the Upper Lachlan Shire Development Control Plan 2010 be publicly notified in accordance with Council's Community Participation Plan 2020.
3. The review will include, but not be limited to, an examination and evaluation of the impact on the amenity of residents in the Upper Lachlan Shire resulting from the existing proliferation and density of wind turbines within our shire with a view to recommending how best to preserve the lifestyle and rural characteristics our shire has always enjoyed and is so valued by our residents.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

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SECTION 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF JULY 2025

108/25 **RESOLVED** by Cr Searl and Cr Flanagan

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.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 9: LATE CORRESPONDENCE

Nil

SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT

109/25 **RESOLVED** by Cr Searl and Cr Flanagan

1. Council receives and notes the report as information.

- CARRIED

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

Councillors who voted against:- Nil

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ITEM 10.2-10.5 INFORMATION ONLY REPORTS

110/25 RESOLVED by Cr Searl and Cr Flanagan

1. Council receive and note reports 10.2-10.5 as information

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V
Flanagan, G Harris, A Meggitt, 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 RESPONSE TO REQUEST FOR COMMENT - ENVIRONMENTAL
IMPACT STATEMENT – WATTLE CREEK SOLAR FARM &
BATTERY STORAGE SYSTEM (STATE SIGNIFICANT
DEVELOPMENT)**

111/25 RESOLVED by Cr Searl and Cr Flanagan

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

- CARRIED

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

Councillors who voted against:- Crs A Meggitt and S Reynolds

SECTION 12: INFRASTRUCTURE DEPARTMENT

Nil

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SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 DELIVERY PROGRAM BI-ANNUAL REVIEW 2024/2025
112/25 RESOLVED by Cr Searl and Cr Flanagan

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

- CARRIED

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

Councillors who voted against:- Nil

ITEM 13.2 REVIEW OF COUNCILLOR TRAINING AND DEVELOPMENT POLICY
113/25 RESOLVED by Cr Searl and Cr Cameron

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

- CARRIED

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

Councillors who voted against:- Nil

[HTTPS://UPPERLACHLAN.NSW.GOV.AU/COUNCIL/GOVERNANCE/POLICIES/](https://upperlachlan.nsw.gov.au/council/governance/policies/)

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Cr Peirce arrived to the meeting at 15:38pm.

ITEM 13.3 **PUBLIC EXHIBITION OF DRAFT CODE OF MEETING PRACTICE**
114/25 **RESOLVED** by Cr Searl and Cr Harris

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.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 13.4 **CODE OF CONDUCT REVIEW**
115/25 **RESOLVED** by Cr Searl and Cr Cameron

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.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 14: CHIEF EXECUTIVE OFFICER

Nil

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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

116/25 **RESOLVED** by Cr Searl and Cr Harris

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.

- CARRIED

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

Councillors who voted against:- Nil

117/25 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council write to successful applicants for the 2025/2026 Collector Wind Farm Community Fund Grant.

- CARRIED

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

Councillors who voted against:- Nil

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118/25

RESOLVED by Cr Searl and Cr Harris

1. Council write to successful applicants for the 2025/2026 Rye Park Wind Farm Community Fund Grant.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

119/25

RESOLVED by Cr Searl and Cr Harris

1. Council write to successful applicants for the 2025/2026 Taralga Wind Farm Community Fund Grant.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

SECTION 17: NOTICES OF MOTION

ITEM 17.1

NOTICE OF MOTION - REQUEST FOR EXEMPTION FROM FURTHER RENEWABLE ENERGY PROJECT DEVELOPMENT IN UPPER LACHLAN SHIRE

MOVED by Cr Meggitt and Cr Yallouris - That

1. 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

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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.

- LOST

Councillors who voted for:-

Crs G Harris, A Meggitt, S Reynolds and T Yallouris

Councillors who voted against:-

Crs P Culhane, R Cameron, V Flanagan, S Peirce and J Searl

Mayor Culhane proposed a Foreshadowed Motion that -

Council advocate via our local member for the State Government to fund a regional study of State Significant Development (SSD) Specifically Renewable Energy projects and their impact on the community / amenity of the Upper Lachlan Shire and other Regional participant Council areas.

120/25

RESOLVED by P Culhane and J Searl that -

1. Council advocate via our local member for the State Government to fund a regional study of State Significant Developments specifically Renewable Energy projects and their impact on the community / amenity of the Upper Lachlan Shire and other Regional participant Council areas.
2. Upper Lachlan Shire Council continue to advocate to the Minister of Planning to amend the relevant state environment planning policy such that it recognises the proliferation and cumulative impact of wind turbines within the Upper Lachlan Shire.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:-

Crs R Cameron, A Meggitt and T Yallouris

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

On being put to the meeting the motion was carried.

121/25

RESOLVED by P Culhane and V Flanagan that -

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

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

ITEM 17.2

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

MOVED by Cr Yallouris and Cr Meggitt that –

1. Council 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

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 JULY 2025

values or amenity, in the context of large-scale infrastructure project.

- LOST

Councillors who voted for:-

Crs G Harris, A Meggitt and T Yallouris

Councillors who voted against:-

Crs P Culhane, R Cameron, V Flanagan, S Peirce, S Reynolds and J Searl

A proposed Foreshadowed Motion was moved By Cr Harris – That

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

The above motion be deferred for a future meeting pending a report from the CEO.

Cr John Searl left the meeting, the time being 04:46 PM

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 JULY 2025

SECTION 18: QUESTIONS WITH NOTICE

**ITEM 18.1 QUESTION WITH NOTICE - COUNCIL COMMUNICATION
PROCESS – PROCEDURES, TIMELINES, AND ESCALATION
PROTOCOLS**

Refer to the business paper for 17 July 2025 Council Meeting for the
CEO's comments.

**ITEM 18.2 QUESTION WITH NOTICE - AUDIO VISUAL SYSTEM UPGRADE
FOR COUNCIL MEETINGS**

Refer to the business paper for 17 July 2025 Council Meeting for the
CEO's comments.

**ITEM 18.3 QUESTION WITH NOTICE - CLARIFICATION REGARDING
MEETINGS WITH STROMLO WIND FARM DEVELOPER**

Refer to the business paper for 17 July 2025 Council Meeting for the
CEO's comments.

Cr John Searl returned to the meeting, the time being 04:50 PM

ITEM 18.4 QUESTION WITH NOTICE - ROAD MAINTENANCE SCHEDULE

Refer to the business paper for 17 July 2025 Council Meeting for the
CEO's comments.

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
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ON 17 JULY 2025

**ITEM 18.5 QUESTION WITH NOTICE - GRABBEN GULLEN ROAD – HEAVY
VEHICLE ACCIDENTS**

Refer to the business paper for 17 July 2025 Council Meeting for the
CEO's comments.

CLOSED COUNCIL ITEMS

There were no Closed Council Meeting agenda items at this meeting.

THE MEETING CLOSED AT 16:52pm

Minutes confirmed 21 AUGUST 2025

.....
Mayor

7 MAYORAL MINUTES

The following item is submitted for consideration -

7.1	Mayoral Minute	30
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Mayoral Minutes - 21 August 2025

ITEM 7.1 Mayoral Minute

FILE REFERENCE I25/193

July 2025

17 July 2025	Public Forum of Council Council Meeting Taralga Progress Association
23 July 2025	Radio Interview Meeting with CEO
24 July 2025	Meeting with Wendy Tuckerman, CEO and Humelink/Transgrid representatives
28 July 2025	ABC Radio Interview
29 July 2025	Rye Park CCC Windfarm meeting – Virtual meeting
30 July 2025	Radio Interview
31 July 2025	Bendigo-Adelaide - Virtual meeting with constituent Floyd Davies and Head of retail operations and corporate affairs Jessica Darcy – Bendigo-Adelaide, Braidwood manager

August 2025

1 August 2025	Meeting with Energy Commissioner Tony Mahar & CRJO Mayors hosting Humelink infrastructure
4 August 2025	Interview with Goulburn Post Drought summit online seminar with regional councils Inspection of Crookwell Pool and New VIC with CEO, Tourism and ED Coordinator and Ken Watson
6 August 2025	Meeting with CEO and DFA Radio Interview
7 August 2025	Leo Kelly and OAM Arts and Culture Awards – Sydney with CEO
8 August 2025	Country Mayors Association with CEO – Sydney Sportmans Lunch – Fundraiser

Mayoral Minutes

MAYORAL MINUTE cont'd

11 August 2025	Meeting with AGL- Dalton gas fired power station with Acting CEO Meeting Area Manager - Commonwealth Bank Regional Development Australia - Practical tools to be prepared for a changing future with Cr Cameron, Cr Meggitt and Cr Flanagan
13 August 2025	Radio Interview
18 August 2025	Meeting with Essential Energy representatives, Upper Lachlan representatives and Mrs Wendy Tuckerman re Crookwell Power Outages
20 August 2025	Radio Interview
21 August 2025	Council Meeting

8 CORRESPONDENCE

The following item is submitted for consideration -

8.1	Correspondence for the months of July and August 2025	34
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Correspondence - 21 August 2025

ITEM 8.1

Correspondence for the months of July and August 2025

RECOMMENDATION:

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

1. Office of Local Government – Circular 25-16 – End of Year – Reporting Requirements.
2. Office of Local Government – Circular 25-17 – Quarterly Budget Review Statement Guidelines.
3. Transport for NSW - Local Transport Forum Function and responsibilities fact sheet.

ATTACHMENTS

1. ↓	Office of Local Government - Circular 25-16 - End of Year Reporting Requirements	Attachment
2. ↓	Office of Local Government (OLG) - Circular 25-17 - Quarterly Budget Review Statement Guidelines	Attachment
3. ↓	TFNSW - Local Transport Forum-(LTF)- Function and responsibilities Fact Sheet	Attachment

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	End of Year Reporting Requirements
Circular Details	Circular 25-16 / 31 July 2025 / A970834
Previous Circular	24-07
Who should read this	Councillors / General Managers / All council staff
Contact	Council Performance Team – 02 4428 4142 – olg@olg.nsw.gov.au
Action required	Councils and Joint Organisations to implement

What's new or changing?

- End of year reporting information for the 2024-25 financial year
- Updated Financial Data Return (FDR) for 2024-25 financial year
- Updated Annual Report checklist for 2024-25 financial year
- Calendar of Compliance for 2025-26 financial year
- Local Government Grants Commission annual returns

What will this mean for council?

- 2024-25 end of year reporting information is now available for Councils and Joint Organisations (JOs). This should be returned by:
 - 29 August 2025 - Financial Assistance Grants general return
 - 31 October 2025 – Financial Statements and FDR
 - 28 November 2025 - The National Local Roads Return
 - 30 November 2025 - Annual Report
- Councils and JOs should familiarise themselves with the reporting timeframes when submitting their 2024-25 financial statements, FDR, and Financial Assistance Grant returns.

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



- Councils can access and download the FDR 2024-25, Financial Assistance Grant returns, the 2024-25 Annual Report Checklist, and the 2025-26 Calendar of Compliance from the Office of Local Government (OLG) website.
- Councils and JOs can use the respective annual report checklists to ensure that the information required under the *Local Government Act 1993* (Act), the Local Government (General) Regulation 2005, and other relevant legislation and guidelines, is included within their annual report and annual performance statement.
- Councils should use the Calendar of Compliance and Reporting Requirements 2025-26 to assist in planning strategic and operational tasks throughout the year.

Key points

Financial Statements and FDR

- The financial statements and FDR are to be sent electronically to OLG by 31 October 2025.
- Annexure 1 provides information to assist councils submit their 2024-25 financial statements and FDR.
- Annexure 2 provides information to assist JOs submit their 2024-25 financial statements and FDR.
- The FDR is available on the OLG Council Portal [here](#) and the Circular is available [here](#).

Annual Report

- Under the Act, councils must prepare an annual report and JOs an annual performance statement **within 5 months** from the end of the financial year (i.e. by 30 November 2025). An annual report checklist is available [here](#).
- Councils and JOs must upload a copy of the annual report to their website and provide a copy to the Minister for Local Government and such other persons and bodies as regulations require. Councils and JOs should notify the Minister by providing a URL link to OLG (olg@olg.nsw.gov.au).
- Councils should ensure they report performance against targets, outcomes, efficiency and cost effectiveness over time.
- JOs should ensure they report as to their progress in implementing strategies and plans for delivering strategic regional priorities.
- Councils are reminded of the importance of addressing the labour statistics requirements to ensure there is clear data on permanent full and part time, casual and fixed term contract employees (see Circular 25-15)



Financial Assistance Grants general return

- The Financial Assistance Grants general return is to be submitted by 29 August 2025.
The National Local Roads Return is due by 28 November 2025.

Calendar of Compliance

- The Calendar of Compliance and Reporting Requirements 2025-26 includes key statutory and other reporting deadlines for councils.
- Councils' statutory and other reporting deadlines are not limited to those included in the Calendar of Compliance and Reporting Requirements 2025-26.
- Councils are required to submit the permissible income working papers following the auditing process.
- Instructions on where to email the returns are included on the cover sheet of the respective returns.
- Councils are reminded that they must place their Operational Plan, Revenue Policy and Fees and Charges on council's website within 28 days of adoption, with the Community Strategic Plan, Resourcing Strategy and Delivery Program.

Where to go for further information

- The Local Government Code of Accounting Practice and Financial Reporting (the Code) for 2024-25 is available on OLG's website [here](#).
- The 2024-25 annual report checklist is available [here](#).
- The 2024-25 Calendar of Compliance can be accessed at [here](#).
- The FDR, Financial Assistance Grant returns and Permissible Income Workpapers can be sourced from the Council Portal [here](#).

A blue ink signature of Brett Whitworth.

Brett Whitworth
Deputy Secretary, Office of Local Government



Annexure 1: Information to assist councils prepare 2024-25 Financial Statements

Submission of Financial Statements

- The general purpose financial reports, special purpose financial reports, special schedules, and the Auditor's Reports are to be formatted into a single PDF document, titled using the format: "Council name – Financial Statements – 2024-25".
- All Councils, County Councils and Joint Organisations must lodge their financial statements by **31 October 2025**.
- The financial statements should be emailed to finance@olg.nsw.gov.au.
- Statements received after this date will be considered as being submitted late and not in accordance with the Act.
- Should council require an extension to lodge their financial statements, these should be requested by the General Manager prior to 17 October 2025 and are to be forwarded to olg@olg.nsw.gov.au.

The Code – Update 2024-25

- The Code must be used to prepare the annual financial statements in accordance with the Act and the Local Government (General) Regulation 2021 (Regulation).
- The Code and supporting materials are available on the OLG website [here](#)

Communications during the preparation of financial statements and audit process

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

FDR

- The 2024-25 FDR will be emailed under separate cover.
- This is to be submitted by **31 October 2025** to fdr@olg.nsw.gov.au in Excel format only.
- The FDR should be accurate and align with the audited financial statements. The FDR will be returned to council should there be any errors, discrepancies or worksheets not completed.
- The return can also be accessed via the Council Portal on the OLG website.
- Information/data from the FDR is published in the Time Series Data, Your Council website and for the monitoring of council's performance. Data is also used in the calculation of councils FA grants.

Asset valuations and fair value assessments

- Councils should ensure early commencement and completion of asset revaluations.



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

Council Borrowings

- Councils must advise the Deputy Secretary, Local Government of amounts borrowed within 7 days when loans are drawn, in accordance with section 230 of the Regulation. Notification can be emailed to finance@olg.nsw.gov.au.
- Councils are also reminded of the need to complete the capital expenditure review requirements, as per OLG Circular 10/34, prior to the commencement of projects greater than \$1 million or 10% of council ordinary rating revenue. Please contact OLG's Performance Team if you have any questions in relation to this review on (02) 4428 4100.



Annexure 2: Information to assist JOs prepare 2024-25 Financial Statements

Submission of Financial Statements

- The general purpose financial reports and the Auditor's Reports are to be formatted into a single PDF document, titled using the format: "JO name – Financial Statements – 2024-25".
- All JOs must lodge their financial statements by **31 October 2025**.
- The financial statements are to be sent to finance@olg.nsw.gov.au.
- Statements received after this date will be considered submitted late and not in accordance with the Act.
- Should the JO require an extension to lodge their financial statements, these are to be requested by the General Manager prior to 17 October 2025 and must be forwarded to olg@olg.nsw.gov.au.

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

- The Supplement must be used to prepare the annual financial statements in accordance with the Act and the Regulation.
- The Supplement is available on the OLG's website at [here](#)

JO FDR

- The 2024-25 JO FDR will be emailed under separate cover.
- This is to be submitted by **31 October 2025** to jofdr@olg.nsw.gov.au in Excel format only.
- The JO FDR should be accurate and align with the audited financial statements. The FDR will be returned to the JO should there be any errors, discrepancies or worksheets not completed.
- The return can also be accessed via the Council Portal on the OLG website.

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Quarterly Budget Review Statement Guidelines
Circular Details	Circular 25-17/ 07 August 2025 / A966349
Who should read this	Councillors / General Managers / Council finance staff
Contact	Sector Policy and Development / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

What's new or changing?

- To ensure councillors have effective oversight and are in control of the financial performance of their council, the Office of Local Government (OLG) has revised the Quarterly Budget Review Statement Guidelines for Local Government (the Guidelines).
- The Guidelines outline the purpose and value of effective financial reporting, highlight roles and responsibilities, and establish standardised Quarterly Budget Review Statement (QBRs) reporting templates.
- The Guidelines also introduce a QBRs overview and reporting of council income and expenditure based on fund.
- These changes will ensure that the governing body and communities are receiving clear, relevant and meaningful financial information.

What will this mean for council?

- The QBRs reporting requirements outlined in the Guidelines are mandatory, and all NSW councils are required to comply with the Guidelines. This includes use of standardised QBRs reporting templates to be presented to councillors, the community and to OLG.
- A 'How to read your Quarterly Financial Overview' guide has also been developed to assist users read and understand the figures presented in the QBRs. The one-page resource can be re-badged and used by councils.

T 02 4428 4100 TTY 02 4428 4209, E olg@olg.nsw.gov.au
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www.olg.nsw.gov.au



- OLG expects that councils will commence reporting the 1st quarter QBRs under the new Guidelines by no later than 30 November 2025.
- OLG will provide councils with an electronic data template, aligned to the templates in the Guidelines well in advance of the 30 November 2025 reporting date.

Key points

- Draft Guidelines were released for comment in March 2025 and feedback closed on 28 April. A consultation summary report has been released outlining the feedback received.
- The Guidelines highlight the importance of financial reporting and clarify that councillors have a primary role in determining the financial direction and health of a council.
- The Guidelines introduce standardised reporting templates and a mandate to report at fund level to ensure the governing body and community can easily view how each fund is operating on its own merit.
- Councils can add additional narrative, commentary and supplementary information however must use, and not adjust, the standardised QBRs reporting templates.
- The Guidelines also introduce a new requirement for councils to provide OLG with a full copy of QBRs documents and an electronic QBRs data return throughout the financial year.
- Councils are required to commence reporting the 1st quarter QBRs under the new Guidelines by no later than 30 November 2025.
- An electronic template will be provided to all councils to report their QBRs to OLG.

Where to go for further information

- The suite of QBRs documents are available on the [OLG website](#).

A blue ink signature of Brett Whitworth.

Brett Whitworth
Deputy Secretary, Local Government

Local Transport Forum (LTF)

(i) Function and responsibilities

transport.nsw.gov.au | July 2025

- Local Transport Forum (LTF) **replaces** Local Traffic Committee
- It is an **advisory body** to support council's function as roads authority for unclassified roads
- Offers technical advice, coordination, and expertise
- **Not** an approval body and does **not** make decisions

Membership

- Council, plus three mandatory invitees: Transport, Police, local Member(s) of NSW Parliament
- Council must invite the operator of any public passenger service likely to be affected by a proposal
- Council is welcome to invite others to participate or observe
- There are no voting members

Focus

- Collaboration between agencies involved in transport management
- Advice on street design, infrastructure, and traffic control facilities
- Coordination of planned events and activities
- Advice and information sharing on transport plans, policy, and management
- Ensuring a public record of decisions relating to roads and streets

Roles and responsibilities

- **Council:** decision-maker; proponent; representative of local community interests (residents, businesses, etc.); responsible for safety of all unclassified road users
- **Transport:** advice regarding state-level interests such as public transport planning and operation, road safety, general standards, classified network planning and operation
- **Police:** event safety and management advice, law enforcement, highway patrol, public safety, etc.
- **Local Member(s) of NSW Parliament:** representations on community interests and concerns

How it works

- Members provide advice, but do not vote
- LTF advice does not need to be unanimous
- Council must consider advice given by members
- If significant concerns cannot be resolved, Transport (only) may file a Statement of Concern within 7 days; council must then respond in writing to all members and wait 7 days before proceeding

Administration

- Convened and managed by council, with frequency and format at the discretion of council
- Must operate formally with an agenda and minutes to be made public
- Refer to the Guide for details regarding public record-keeping and accessibility obligations

Additional related references for practitioners

[NSW Design of Roads and Streets Manual \(DORAS\)](#) [Guides](#) [More resources](#) [Cycleway Design Toolbox](#)
[Bus Route Map](#) [Road classifications](#) [Transport Standards Portal](#) [Traffic Signs Register](#)



This note is intended to aid practitioners using the Authorisation and Delegation Instrument. To ensure legal and technical compliance, please refer to the Instrument itself, the associated Guide, and Transport's [website](#).

10 INFORMATION ONLY

The following items are submitted for consideration -

10.1	Development Statistics Report	46
10.2	Parks, Biosecurity and Regulatory report	52
10.3	Works In Progress - Construction & Maintenance	55
10.4	Investments for the month of July 2025	59
10.5	Bank Balance and Reconciliation - 31 July 2025	63
10.6	Rates and Charges Outstanding for the month of July 2025	64
10.7	Library Services 4th Quarter Report 2024/2025	66
10.8	Action Summary - Council Decisions	72

Information Only - 21 August 2025

ITEM 10.1 **Development Statistics Report**

FILE REFERENCE **I25/194**

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 July 2025 – 31 July 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 July 2024 to 30 June 2025. This report contains information detailing Upper Lachlan Shire Council's 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: A monthly delay remains on this data as it still relies on NSW Planning Portal). 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 June 2025 (Note: A delay remains on this data as it still relies on NSW Planning Portal). The cumulative high average assessment days is a 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.

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

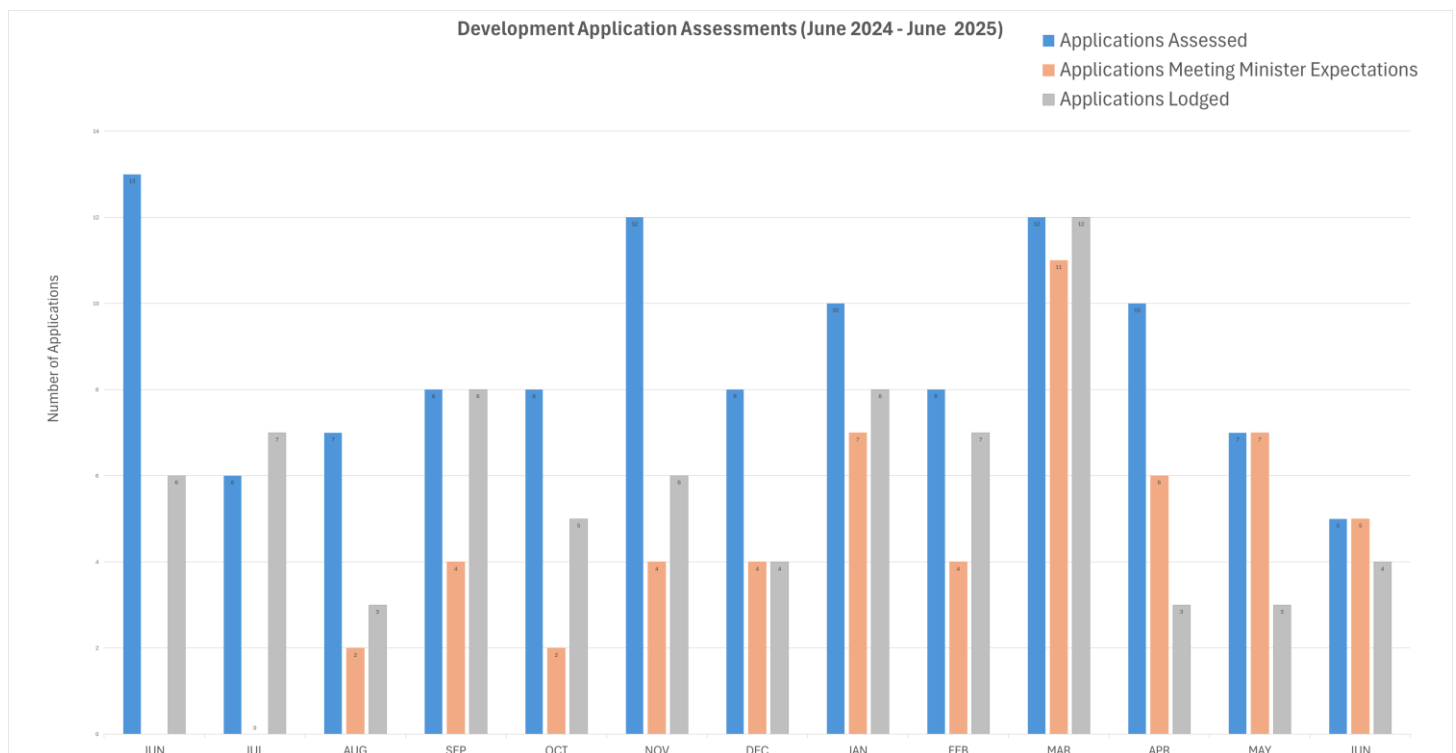


Figure 2. Cumulative Average Assessment Days (July 2024 to June 2025).

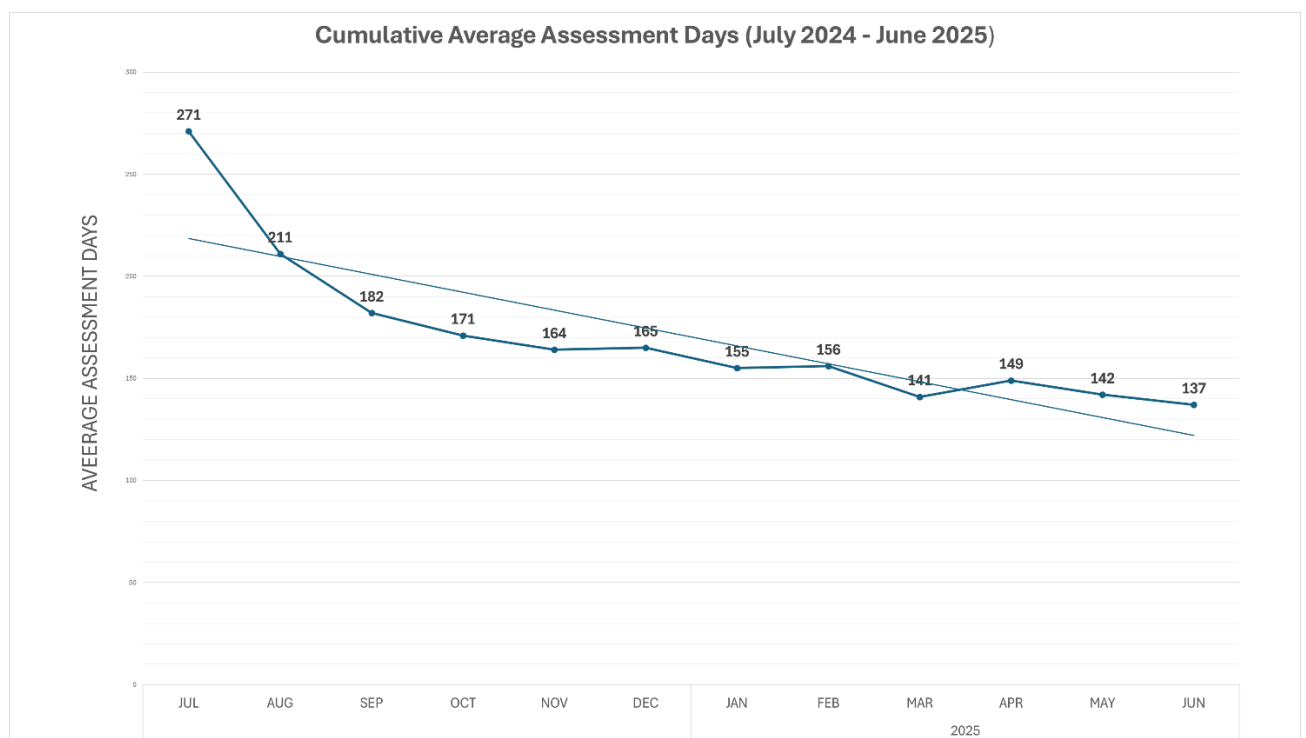


Figure 3. Actual Per Month Average Assessment Days (June 2024 to June 2025).

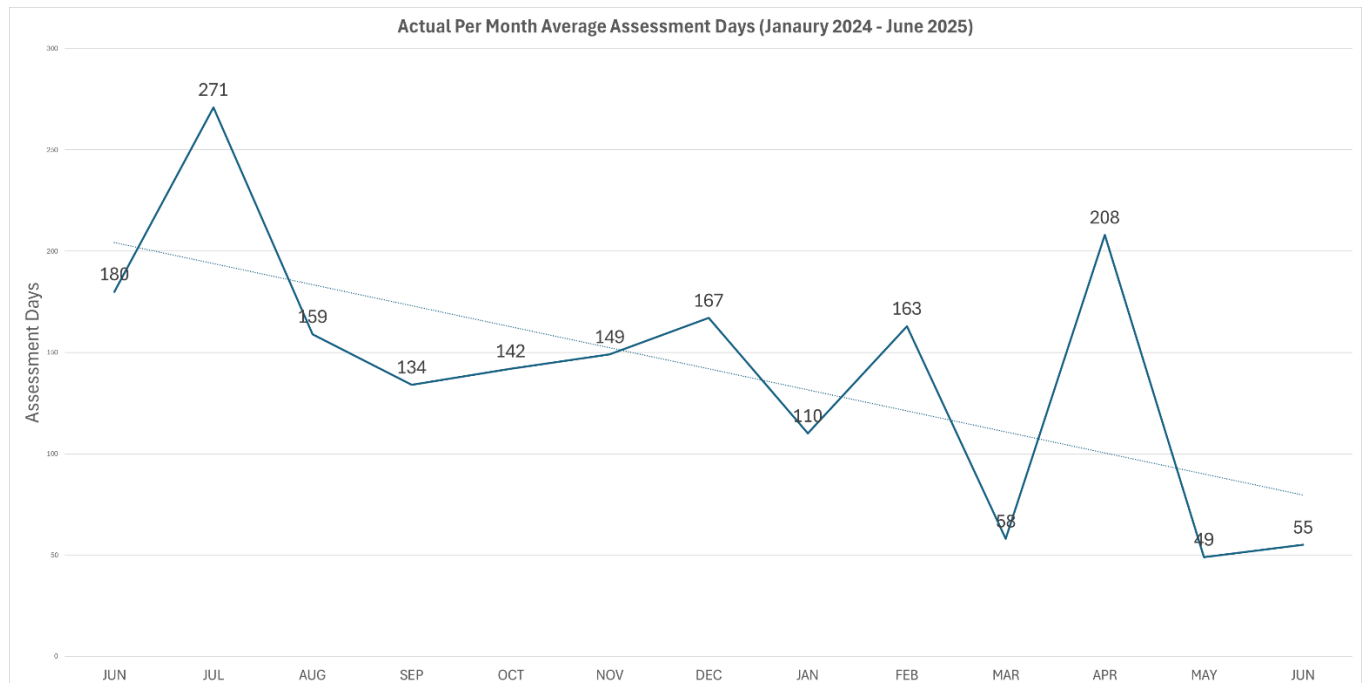
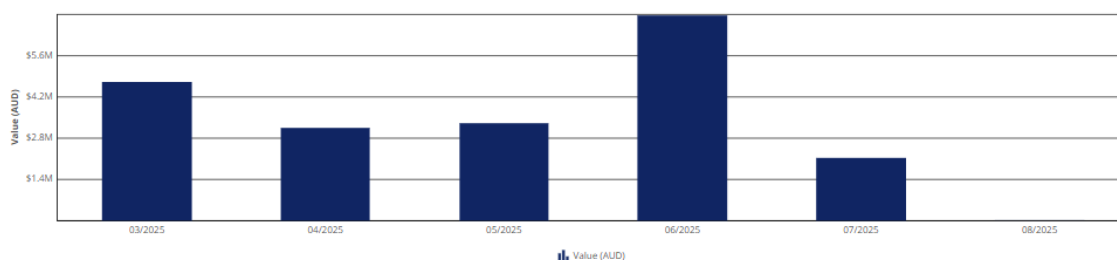


Figure 4. Total Estimated Cost of Development (February 2025 to Present)

~ Total estimated cost of development



Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Development Applications

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

Determined Development/Planning Applications

Determined from 1/07/2025 to 31/07/2025

Application Number	Date Submitted	Address	Proposal	Date Determined	Determination
10/2025/59/1		188 Old Macquarie Road BIG HILL	Outbuilding	09 Jul 2025	Returned
10/2025/62/1		Spring Street CROOKWELL	Dwelling	16 Jul 2025	Returned
10/2008/164/3	29 May 2025	6778 Gundaroo Road GUNNING	Dwelling	30 Jul 2025	Approved by Delegation
10/2025/25/1	25 Mar 2025	50 Biala Street GUNNING	Two (2) lot Subdivision (Torrens Title)	31 Jul 2025	Approved by Delegation
10/2025/37/2	8 Jul 2025	Cuddyong Road LIMERICK	Agricultural Subdivision	10 Jul 2025	Approved by Delegation
10/2025/56/1	19 Jun 2025	Fish River Road NARRAWA	Boundary Adjustment	31 Jul 2025	Approved by Delegation
10/2025/60/1		4 Elizabeth Street CROOKWELL	Outbuilding	10 Jul 2025	Returned
10/2025/63/1		Yalbraith Road GOLSPIE	Outbuilding	17 Jul 2025	Returned

Total Applications: 8

Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Outstanding Development/Planning Applications

Lodged since 1/01/2010

Application Number	Submitted	Address	Proposal	Status	Net Days
10/2010/95/3	14 Jul 2025	Golspie Road GOLSPIE	Modification of approved plans to extend loft area, reconfigure	Request for Information	49
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	78
10/2024/79/2	14 Jul 2025	451 Salisbury Road BIGGA	Outbuilding	Under Assessment	21
10/2025/38/1	23 Apr 2025	161 Strathaird Lane TARALGA	Dwelling and Outbuilding	Request for Information	23
10/2025/46/1	08 May 2025	Golspie Road TARALGA	Alterations and Additions	Request for Information	49
10/2025/50/1	30 May 2025	3 Memory Avenue CROOKWELL	Twenty-One (21) lot Subdivision (Torrens title and Childcare Centre)	Request for Information	47
10/2025/55/1	02 Jul 2025	190 Greenridge Road CURRAWHEELA	Dwelling	Under Assessment	3

Information Only
DEVELOPMENT STATISTICS REPORT cont'd

10/2025/57/1	11 Jul 2025	1905 Fullerton Road FULLERTON	Dwelling	Under Assessment	11
10/2025/58/1	10 Jul 2025	534 Flacknell Creek Road JERRAWA	Three (3) lots Subdivision (Torrens Title)	Under Assessment	20
10/2025/61/1	14 Jul 2025	120 Greenwich Meadows Road GREENWICH PARK	Dwelling	Under Assessment	9
10/2025/64/1	23 Jul 2025	Yalbraith Road GOLSPIE	Outbuilding	Under Assessment	9

Total Applications: 13

RECOMMENDATION That -

1. Council receives and notes the report as information.

ATTACHMENTS

Nil

Information Only - 21 August 2025

ITEM 10.2 **Parks, Biosecurity and Regulatory report**

FILE REFERENCE **I25/162**

AUTHOR **Coordinator Parks & Biosecurity**

ISSUE

This report is to provide Council with a summary of Biosecurity (weed) control activities undertaken throughout the Upper Lachlan Shire Council Local Government Area.

RECOMMENDATION That -

1. Council receive and note the report as information.

This is a standard report summarising weed control activities between March 2025 and July 2025.

REPORT

The Biosecurity Act 2015 applies equally to all land whether publicly or privately owned. All occupiers of land are required to manage weeds according to their General Biosecurity Duty to prevent, eliminate or minimise the Biosecurity Risk posed or likely to be posed by priority weeds and any legislated requirements identified in the Act or the Regulation – see Part 3, Section 22.

Upper Lachlan Shire Council's Biosecurity Officers conducted a total of **152** inspections during the period of March 2025 to June 2025. This saw ULSC reach a total of **842** total inspections for the 2024/2025 financial year. Upper Lachlan set a target of **850** inspections for the financial year when applying for the WAP Funding. However, as reported previously Upper Lachlan Shire were only successful in being offered funding for **650** inspections.

Upper Lachlan has decided to set a target of **650** inspections for 2025/2026 based on previous funding provided in the 2024/2025 financial year. From July 1 2025 to July 29 2025 Officers conducted **141** inspections.

Upper Lachlan will now focus on carrying out the bulk of future inspections in areas that pose a high risk or potential threat of new and emerging weeds.

Council will now shift their focus to re-introduce roadside verge spraying as a function of the Biosecurity team. This will be carried out alongside general weed spraying as well as high risk pathway and high risk site inspections.

Information Only

PARKS, BIOSECURITY AND REGULATORY REPORT cont'd

In future funding periods, Council will need to consider the costs associated with weed control with prices for chemical continuing to rise. It should be noted, funding by the WAP is allocated to various general ledgers within the Biosecurity department but is stipulated by DPI and LLS to be used to carry out **inspections only**. This funding does not go towards the funding of spraying of roadsides or council assets in the pursuit of Priority Weeds.

Council management and staff will need to consider operation options if funding is continually reduced in future years.

The biosecurity team is currently focusing on Coolatai grass and Gorse and in the coming months will shift into ensuring the high risk pathways and high risk sites have been inspected. During September, the team will stop inspections and begin roadside vegetation control.



Coolatai Grass.



Gorse

Information Only

PARKS, BIOSECURITY AND REGULATORY REPORT cont'd

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 21 August 2025

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

FILE REFERENCE **I25/154**

AUTHOR **Manager of Infrastructure Delivery**

ISSUE

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

RECOMMENDATION That –

1. Council receive and note the report as information.

REPORT

Capital Works Projects:

Wombeyan Caves Road Guard Rail (Safer Roads Program - Towards Zero)

Works will include tree pruning, road widening and guardrail installation on the winding sealed section of Wombeyan Caves Road towards the Caves themselves. Design works and tree trimming have been complete. Earthworks are expected to start in September 2025 with Guardrail planned prior to Christmas.

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

This project will include the installation of pedestrian lighting at the newly installed raised pedestrian crossings at Crookwell – two being installed at this location, Collector and Taralga. Project designs have been lodged to Essential Energy for approval.

Design and Construction of Gunning Levee

The feasibility report and preliminary cost estimate for the construction of the levee is complete with the cost significantly higher than the grant amount. Council has requested a variation to utilise the available grant funding to undertake the detailed design of the levee, construction of Warrataw Street stormwater works and the raising of one dwelling house and are awaiting a response from the funding bodies.

Marks Street Pavement Rehabilitation

Works are planned to start in September 2025 for rehabilitation and sealing of approximately 650m of Marks Street Bigga up to the cemetery. Works will also include intersection improvements onto Bigga Road.

Warrataw Street Pavement Rehabilitation

Works are planned to upgrade the unsealed section of Warrataw Street Gunning from Cullavin to Lerida Street. Works will involve minor drainage improvement and installation of box culverts along with pavement rehab and bitumen sealing. Works are scheduled to commence late August 2025.

Woodhouselee Road Pavement Rehabilitation (Roads to Recovery)

A continuation of pavement rehabilitation/upgrade from Laggan is planned for Woodhouselee Road. Works will involve clearing and grubbing, drainage improvements, earthworks and bitumen sealing. Works are scheduled to start in September 2025.

Redground Road Pavement Rehabilitation (Roads to Recovery)

Pavement Rehabilitation is planned on Redground Road from the intersection of Redground Heights Road to Diamond Road. Design works have started, the work will involve major clearing and grubbing, drainage works, pavement rehabilitation and bitumen seal.

King Road Kerb & Gutter and Stormwater

Initial investigation is underway for kerb and gutter improvements on King Road, Crookwell. The entire project is funded over 2 years and will go from Laggan Road to Crown Street, with the downstream section to be focused on this financial year. Works will likely involve stormwater improvements in the area, retaining walls and the relocation of power poles. Construction works are not planned to start until Christmas school holidays.

Orchard Street Stormwater

Stormwater improvements are planned for Orchard Street Taralga to address previous investigations of collapsed, aged and ineffective infrastructure. Works will involve replacing subsurface stormwater pipes and pits and potentially kerb and gutter. Works have not been scheduled until design is complete.

Kerb and Gutter Renewal Program

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

Tablelands Way

Council has received grant funding from the NSW State Government to upgrade four sections of Tablelands Way (also called Taralga Road or MR256) north of Taralga. These sections have been numbered in order of priority. Stage 1 (the highest priority) the replacement of an underperforming culvert/causeway over Burra Burra Creek with a single span concrete bridge. This project was completed last financial year. Stages 2-3 are road upgrades with several curve realignments, widening and furnishing. Construction work on Stage 2 is planned to start in September 2025.

Maintenance Works:

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

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

Information Only

WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE cont'd

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

Gravel Resheeting

Council's gravel resheeting program for the 2025/2026 financial year comprises of funding from Section 7.11 Contributions and Roads to Recovery grant. Works are planned on Grabine, Golspie and Lade Vale Roads, works on Sapphire Road have been completed. Further moneys have been set aside for reactive resheeting and will be scheduled throughout the year.

Maintenance Grading

Council has over 100km of unsealed maintained road network, maintenance grading is essential for the ongoing maintenance of this network. Council has three maintenance grading crews and uses contractor as required. Maintenance grading is largely reactive and priorities are constantly shuffling, driven by CRM's, staff inspections and Road Management Policy for frequency of grading.

Recent grading includes:

- Bannister Lane
- Middle Arm Road
- Greenmantle Road
- Julong Road
- Tyrl Road
- Golspie Road

Planned (upcoming) grading Includes:

- Grabine Road
- Reids Flat Road
- Foggs Crossing Road
- Lost River Road
- Woodville Road
- Yewrangara Road
- Alps Road

Natural Disaster Restoration Works:

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

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

This comprehensive program encompasses several thousand individual pieces of work. Works are now approximately 75% complete.

Information Only

WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE cont'd

RMCC Contract (State Road MR54):

Routine maintenance budget (RMAP) for the year is approximately \$850,000. This covers all routine maintenance associated with MR54, funding a four man works crew on the road and other associated staff and resources for the contract.

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

- Continuation of Segment 330 upgrades on the Binda Road that will continue with overlay and bitumen sealing in September/October 2025.
- Culvert grouting of damaged stormwater line in Segment 57.
- Guardrail replacement at segment 64/65
- Installation of vehicle activated sign at Tuena Creek
- Heavy patching across network
- Bitumen resealing of 10 segments. This includes 8 segments North of Crookwell and as far north as the Abercrombie River. Bitumen sealing and line marking of these segments of MR54 (approximate length of 12km).
- Design of segment 270, 280 and 293 for reconstruction.
- Design of culvert extension in segment 293.

RECOMMENDATION That –

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 21 August 2025

ITEM 10.4 **Investments for the month of July 2025**

FILE REFERENCE **I25/196**

AUTHOR **Director of Finance and Administration**

ISSUE

Council Investment Portfolio Register as at 31 July 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

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

REPORT

Investments to 31 July 2025

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
CBA	Call	\$50,000	0.25%	30	31/08/2025	\$10.27
Bendigo Bank	TD	\$1,000,000	5.00%	196	6/08/2025	\$26,849.32
CBA	TD	\$1,000,000	4.22%	84	6/08/2025	\$9,711.78
Bank of Qld	TD	\$1,000,000	4.75%	182	13/08/2025	\$23,684.93
Bank of Qld	TD	\$500,000	4.25%	90	13/08/2025	\$5,239.73
CBA	TD	\$1,000,000	4.17%	90	19/08/2025	\$10,282.19
IMB	TD	\$1,000,000	4.70%	175	20/08/2025	\$22,534.25
Bendigo Bank	TD	\$1,000,000	4.20%	90	26/08/2025	\$10,356.16
Bendigo Bank	TD	\$1,000,000	5.05%	273	27/08/2025	\$37,771.23
IMB	TD	\$1,000,000	4.30%	90	2/09/2025	\$10,602.74
Bendigo Bank	TD	\$1,000,000	4.65%	182	3/09/2025	\$23,186.30
NAB	TD	\$1,000,000	4.30%	90	9/09/2025	\$10,602.74
Bendigo Bank	TD	\$1,000,000	4.20%	84	10/09/2025	\$9,665.75
IMB	TD	\$1,000,000	4.65%	182	17/09/2025	\$23,186.30
CBA	TD	\$2,000,000	4.20%	90	23/09/2025	\$20,712.33
NAB	TD	\$1,000,000	4.80%	231	24/09/2025	\$30,378.08
IMB	TD	\$1,000,000	4.25%	97	1/10/2025	\$11,294.52
IMB	TD	\$1,000,000	4.25%	139	8/10/2025	\$16,184.93

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

NAB	TD	\$1,000,000	4.75%	239	16/10/2025	\$31,102.74
Bank of Qld	TD	\$1,000,000	4.20%	118	22/10/2025	\$13,578.08
NAB	TD	\$1,000,000	4.25%	125	29/10/2025	\$14,554.79
IMB	TD	\$1,000,000	4.17%	112	5/11/2025	\$12,795.62
Bank of Qld	TD	\$1,000,000	4.45%	181	12/11/2025	\$22,067.12
NAB	TD	\$1,000,000	5.10%	364	19/11/2025	\$50,860.27
CBA	TD	\$1,000,000	4.06%	140	26/11/2025	\$15,572.60
Bank of Qld	TD	\$1,000,000	4.35%	181	3/12/2025	\$21,571.23
CBA	TD	\$1,000,000	4.16%	140	10/12/2025	\$15,956.16
NAB	TD	\$1,000,000	4.65%	259	17/12/2025	\$32,995.89
Bank of Qld	TD	\$1,000,000	4.35%	182	7/01/2026	\$21,690.41
IMB	TD	\$1,000,000	4.10%	175	14/01/2026	\$19,657.53
Bank of Qld	TD	\$1,000,000	4.25%	203	21/01/2026	\$23,636.99
NAB	TD	\$1,000,000	4.80%	362	28/01/2026	\$47,605.48
Bendigo Bank	TD	\$1,000,000	4.15%	189	4/02/2026	\$21,489.04
NAB	TD	\$1,000,000	4.20%	210	25/02/2026	\$24,164.38
		\$33,550,000				\$691,552

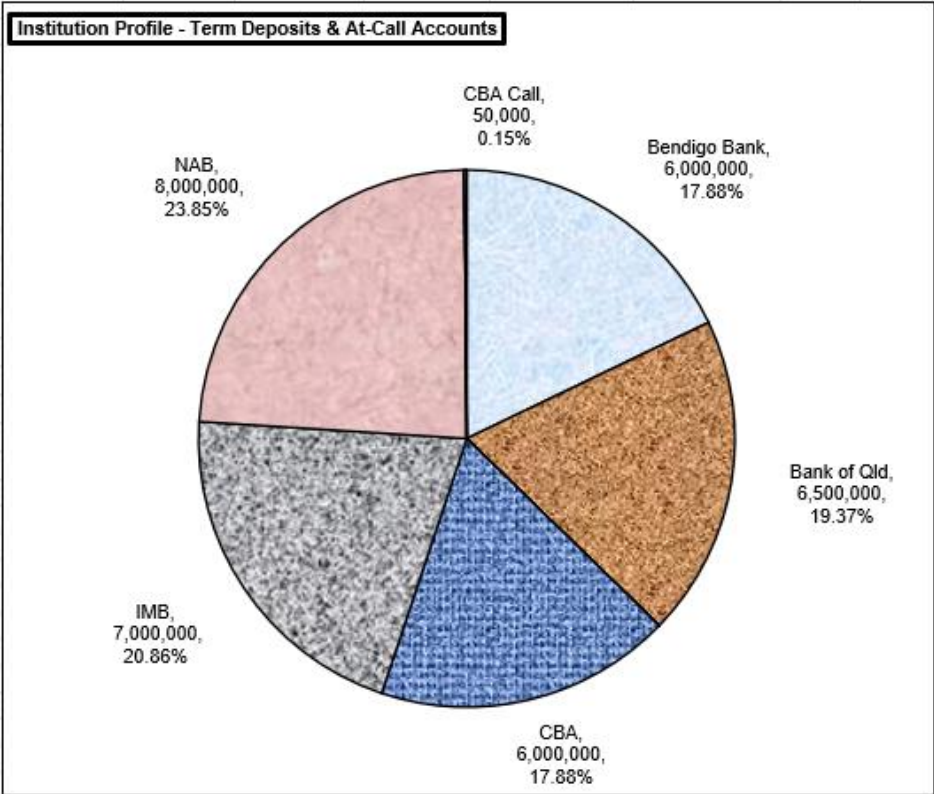
COUNCIL INVESTMENT PERFORMANCE:***BUDGET COMPARISON TO 31 JULY 2025***

Interest on Investments Received YTD	\$193,861.14
Annual budgeted amount for all funds	\$1,350,000.00
Percentage of Interest Received YTD	14.36%
Percentage of Year Elapsed	8.49%
Average market interest rate (90-day BBSW)	3.70%
Average return on all investments	4.42%

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

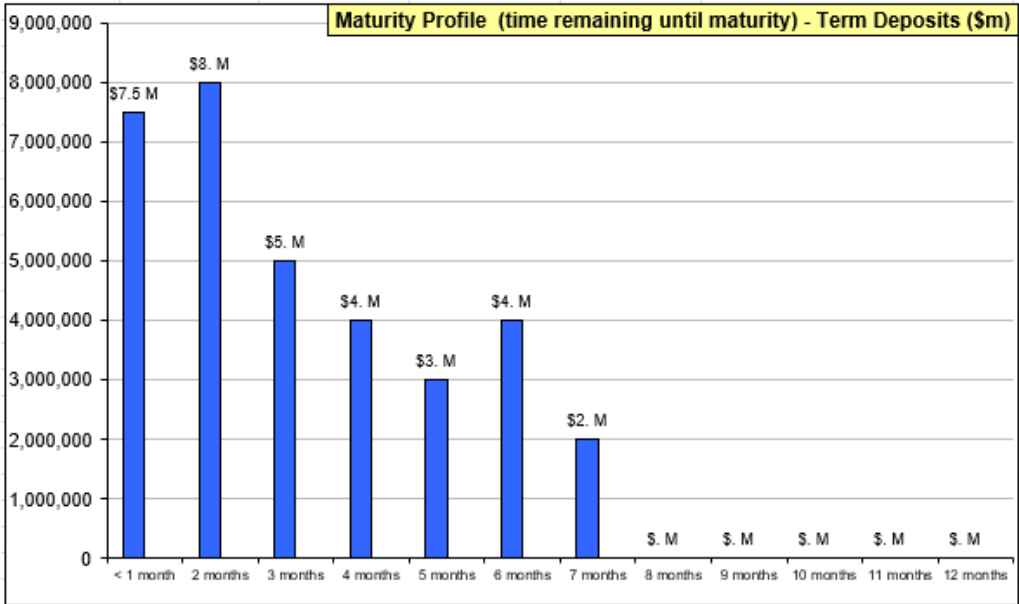
FINANCIAL INSTITUTION INVESTMENTS PROFILE AS AT 31 JULY 2025

The following chart shows the current distribution of Council's investment portfolio between the authorised financial institutions used. The current distribution of funds between institutions complies with Council's Investment Policy which states:
"The maximum percentage that may be held in term deposits with any one financial institution is 25% of the portfolio, and the maximum to be held in at-call accounts be no more than 15%."



INVESTMENTS - MATURITY PROFILE AS AT 31 JULY 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 JULY 2025 cont'd

SUMMARY OF AVAILABLE CASH AT 31 JULY 2025

TOTAL INVESTMENTS: \$ **33,550,000**

INVESTMENTS BY FUND (INCLUDES RESTRICTED AND UNRESTRICTED CASH):

General Fund Reserves	\$	18,195,733
Water Supply Fund Reserves	\$	4,204,022
Sewerage Fund Reserves	\$	7,893,338
Domestic Waste Management Fund Reserves	\$	3,072,357
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 - 21 August 2025

ITEM 10.5 **Bank Balance and Reconciliation - 31 July 2025**

FILE REFERENCE I25/195

AUTHOR **Director of Finance and Administration**

ISSUE

Statement of Bank Balance and Reconciliation as at 31 July 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 30 June 2025	2,699,072.03
Add: Receipts for July 2025	4,554,386.26
	7,253,458.29
Deduct: Payments for July 2025	(6,650,442.57)
Balance as at 31 July 2025	603,015.72
Balance as per Bank Statement 31 July 2025	1,557,890.01
Add: Outstanding Deposits (less unpresented Bank file transactions)	10,118.23
	1,568,008.24
Less: Unpresented Cheques/ EFTs	(964,992.52)
Balance as at 31 July 2025	603,015.72

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 21 August 2025

ITEM 10.6 **Rates and Charges Outstanding for the month of July 2025**

FILE REFERENCE **I25/197**

AUTHOR **Director of Finance and Administration**

ISSUE

Rates and Charges Outstanding Report to 31 July 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

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

REPORT

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

Description	31/07/2025	31/07/2024	31/07/2023
Total % Rates and Charges Outstanding	85.58%	86.64%	88.26%
Total \$ Amount Rates and Charges Outstanding	\$14.48 million	\$13.92 million	\$13.12 million

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

1. ↓	Rate Collection by Year - August 2025	Attachment
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Rate Collection 2026 Year

Rating Categories	Levy Raised to date	Rates Received to 1 August 2025	Rates Outstanding to 1 August 2025	% Rates Outstanding 1 August 2025
Farmland	6,217,367.70	867,157.86	5,350,209.84	86.05%
Residential	1,723,043.92	254,072.22	1,468,971.70	85.25%
Rural Residential	962,720.24	179,940.71	782,779.53	81.31%
Business	749,492.53	29,126.54	720,365.99	96.11%
Mining	2,372.10	-	2,372.10	100.00%
Water	1,418,748.00	185,907.21	1,232,840.79	86.90%
Sewerage	2,159,187.72	255,185.15	1,904,002.57	88.18%
Domestic & Comm Waste	1,863,232.00	277,946.47	1,585,285.53	85.08%
Rural Waste	1,001,423.50	156,720.65	844,702.85	84.35%
Storm Water	50,850.00	5,689.71	45,160.29	88.81%
**Arrears	772,899.67	228,567.84	544,331.83	70.43%
Credits		50,145.94	-50,145.94	
Overall Total Rates	16,921,337.38	2,490,460.30	14,430,877.08	85.28%

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

Information Only - 21 August 2025

ITEM 10.7 **Library Services 4th Quarter Report 2024/2025**

FILE REFERENCE **I25/206**

AUTHOR **Library Manager**

ISSUE

This report provides a summary of the activities in the Upper Lachlan Shire Council libraries for the 3rd Quarter 2024/2025 as at 31 March 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Nil

LIBRARY USAGE:

	Crookwell	Gunning
Loans*	2558	1244
New Members	64	20
Internet Sessions	913	205
Wi-Fi Hours	1449	425
Visitors	4656	3824
Hours open per week	31.5	19

*Quarterly loans do not include e-book, e-audio or e-magazines which are calculated annually.

OVERVIEW:

This quarter the Library has provided activities around author talks, healthy ageing, Pride month, and school holiday events. The Library has also continued and extended its outreach activities to Shire schools. The Library resolved changes involved with links to the National Library of Australia, and now has daily updates of collection details to the National Bibliographic Database.

Feedback

- Library staff received positive feedback from the public this quarter, including:
 - “Thank you for opening the library for power and for the Federation Guard to use” (on Anzac Day)
 - “I’m so excited to see our town has a library, my children and I love it”
 - “It’s great that the Library provides pads and tampons in the toilets”
 - “You’ve got a lovely library. You do a great job with it!”
 - “Thank you so much for helping us with our presentation”
 - “My son loves to do library craft and even sings the ‘Bee, Bee, Bumblebee’ song at home”

- "Thank you. I'm not quite sure what I would do without the help of my library ladies"
- "It's always so warm and inviting in here"
- "Thank you for the great recommendation, I haven't read a book like that in ages. It has made me fall in love with reading again"
- "Thank you for letting us come in and enjoy this wonderful kids space. My daughter just loves coming in here after school"
- "You've got lots of great new books here"
- "Thanks a lot for running a great library"
- "This is my mainstay. When I don't have somewhere else to go or something else to do I come here and lose myself in books!"

EVENTS AND PROMOTION:

Online:

- The monthly Library email newsletter has continued this quarter, being sent to almost 1,500 people each month.
- The Library's Facebook page was used to engage and inform members, with 190 posts on the page and local groups reaching almost 36,000 people on topics such as Library services and resources, new arrivals, events and activities, community engagement and outreach, and service interruptions.
- The Library continued to post to our Instagram page, with 32 posts made during the quarter reaching more than 600 people.
- The Library webpage displayed Recent Fiction, and New eBooks to Borrow from Home, as well as special displays on upcoming events and school holiday activities.

Crookwell and Gunning Libraries:

- The weekly Gunning Library Crafternoon had 16 people attending during the quarter to take part in a structured program of craft activities, including papercraft, knitting, crochet, and watercolour painting. Special art activities are planned for this event in the future, to encourage additional people to attend.
- Crookwell Library hosted the monthly Scrabble and Chat program, supported by the Friends of the Library. Six people took part in this activity.
- The monthly NBN Co. Digital Mentor visited both branches, and assisted eight people with technology queries. This program is now on hold until a replacement digital mentor is found.
- Crookwell Library hosted Mandy McDonald to run two workshops, one on Gelliplate Printing and one on Collage. 12 people attended across the two activities, and Mandy has organised to run further workshops at Gunning Library in future.
- Gunning Library hosted Australia's Biggest Morning Tea, with 42 people taking part and raising more than \$2,884.
- Gunning Library held an author talk with Dianne Yarwood on her debut novel *The Wakes*. 19 people attended this talk.

- Both Libraries ran a workshop to create rainbow beaded bracelets for Pride month, with two people attending at Gunning Library and three at Crookwell Library.
- Crookwell Library hosted a session on healthy ageing, with representatives from the Southern NSW Local Health District and Crookwell Hospital Wellness Centre talking about healthy eating, exercise, assistive equipment, and ways to keep active and well in retirement and older age. 14 people attended this event.
- Both libraries displayed new Library items in 'new book' displays throughout the Library, including on new face-out shelving. Gunning Library also had special displays on Blue, Easter, Anzac Day, Green, Mother's Day, Purple, and the NSW State Library's Drug and Alcohol pop up display.
- Promotional articles and columns were published in the Upper Lachlan Gazette, Upper Lachlan Library Service Facebook page, Council Website, Council's Facebook page, the Library email newsletter, and local school newsletters.

CHILDREN AND YOUNG PEOPLE:

- In this quarter 57 people attended Read and Rhyme at Gunning Library, with 93 people attending at Crookwell Library.
- At Gunning Library this quarter 15 people attended Sensory Storytime, with 42 people attending this activity at Crookwell Library. Our Libraries also hosted Simultaneous Storytime, with 10 people taking part at Crookwell, and six at Gunning.
- In this quarter 140 people attended the weekly Lego Club at Gunning Library, with 100 people attending Lego Club at Crookwell Library.
- Crookwell Library ran weekly Dungeons and Dragons sessions for teens and young adults with a total of 123 participants across the quarter.
- Both Libraries ran activities for the Autumn school holidays:
 - Easter craft making an Easter themed scene at Crookwell, with four participants
 - East craft decorating a bunny standee at Gunning, with 12 participants
 - Book Character Bunny scavenger hunt at both libraries, with 10 participants
 - ANZAC Day craft table, with two participants
- The following schools either visited the Library or had a visit from Library staff to read a book on the endangered Regent Honeyeater and to make their own balancing bird:
 - Bigga Public School
 - Binda Public School
 - Breadalbane Public School
 - Collector Public School

- Crookwell Public School
- Dalton Public School
- Laggan Public School
- SDN Preschool
- St Mary's Primary School
- Taralga Public School

A Stage 3 literacy group from Crookwell Public School also visited the Library to learn more about the Library, take part in a scavenger hunt, and borrow books to take home.

A total of 315 children engaged with the Library as part of outreach visits this quarter.

COLLECTIONS, RESOURCES AND FACILITIES:

Collections

- Older items that have not been borrowed in the last five years across all collections were weeded at both locations.
- Shelf reading activities continued at both locations, to maintain the order of the collection.

Resources

- Volunteers completed 72.5 hours of work in the Crookwell Library. This quarter volunteers assisted with shelving, book covering, displays, compiling local studies subject headings, and the reservation pick list.
- The quarterly staff meeting was held on 8 May.
- Staff completed training in First Aid and CPR, procurement in Authority, Public Libraries Reference Seminar, Introduction to Citizen Science in Public Libraries, and eSafety.
- Library staff were highlighted in the internal Council newsletter.
- Crookwell Library hosted a year 10 work experience student from Crookwell High School starting on 8 May for two days per week until 13 June.
- In this quarter the Library Manager:
 - Attended Meetings
 - Attended monthly Managers meetings.
 - Attended monthly Senior Management and Exec meetings.
 - Attended Crookwell Memorial Hall Committee meetings.
 - Attended Crookwell Neighbourhood Centre meetings.
 - Attended Trove meetings for cataloguing and resource sharing.
 - Attended Spydus management meetings.
 - Met virtually with HiTech to facilitate the Deep Freeze project.
 - Managed Library Finances, Administration and Reporting
 - Obtained funding for a Citizen Science Corner for Gunning Library.
 - Discussed access to Trove for Goulburn Mulwaree Library staff completing cataloguing and ordering work on behalf of ULSC.

- Assisted the Communications Officer with content for Volunteers Week.
- Assisted with promotional drone footage taken at Crookwell Library and the Crookwell Senior Citizens Centre building.
- Completed annual performance review process for all Library staff.
- Conducted testing of the new ELMO training platform.
- Discussed with NESA the possibility of using the Crookwell Library storeroom to store HSC examination papers.
- Liaised with Goulburn Library regarding the link access to online resource Britannica Encyclopaedia.
- Obtained Parish Maps that relate to the ULSC region from Goulburn Mulwaree Library.
- Provided a letter of support to CADS for grant funding.
- Provided community information to the NBN Digital Mentor, to assist their outreach about upcoming NBN upgrades in the area.
- Requested a second Space Box from Children's Discovery
- Requested and provided feedback on the revised NSW Public Library Standards.
- Took on the role of Secretary for the South East Zone for the coming year.
- Organised Programs and Outreach, and Promotions
 - Collaborated with community and Government department contacts to arrange for events including healthy ageing, Aged Care information, NAIDOC Week, and children's water safety.
 - Arranged for further Library outreach to schools, including expanding student groups visiting the Library.
- Managed Library Systems and Technology
 - Finalised the OAI-PMH harvesting of Library records to Libraries Australia, and began the nightly harvest process.
 - Followed up on technical system issues including records downloaded from Libraries Australia missing key fields, issues with DVDs on order having been deactivated in Spydus, and diacritics not displaying correctly in printed notices.
- Managed WHS
 - First Aid kits at both locations were checked and replenished.
 - Library duress alarm procedures were provided to Governance.

Facilities

- IT has purchased two new public PCs for Gunning Library. These will be installed in quarter 1 2025/26. All public PCs will also be upgraded to Windows 11.
- Not for Profit status has been confirmed with Microsoft, to allow the Library to purchase products at a discounted rate. Microsoft Office will be upgraded to the 2024 version.
- DeepFreeze software for restart-restore on Public PCs has been arranged via the State Library's NSW.net service, and the installation project will be subsidised by them. This is expected to be completed in quarter 1 2025/26.

Information Only

LIBRARY SERVICES 4TH QUARTER REPORT 2024/2025 cont'd

- IT provided three reformatted former Councillor iPads to the Library, for use in programs.
- NSW.net is looking into whether the Gunning Library can be upgraded from ADSL to NBN Internet.
- A number of maintenance issues were raised this quarter, including dirt and debris falling from the Gunning Library ceiling, the Crookwell Memorial Hall green waste bin going missing, the needs for additional keys for the Memorial Hall building, replacement of light switches for the Memorial Hall, and the replacement of the cistern in the women's toilets at Crookwell Library.
- The Library was unsuccessful in the application for PLIG funding for solar panels.
- 18 new event chairs and related chair trolley were purchased for Gunning Library.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 21 August 2025

ITEM 10.8 **Action Summary - Council Decisions**

FILE REFERENCE **I25/192**

AUTHOR **Chief Executive Officer**

ISSUE

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

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

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

REPORT

Summary sheet includes the following Council Resolutions:-

Council Meeting: 15 August 2024

130/24	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	Quotations obtained and surveyor engaged to complete road closure work. Notifications to be sent once survey work is complete. 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.
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Council Meeting: 20 March 2025

37/25	1. Council endorse the planning proposal to amend the Upper Lachlan Local Environmental Plan 2010: 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	The Gateway Determination was made on 19 May 2025. Review of an assessment report is required prior to the Community Consultation period.
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Council Meeting: 17 April 2025

60/25	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	EOI Closed. Minutes have been included to August 2025 Council Meeting for adoption and appointment of new members to the Tourism and Economic Development s355 Advisory Committee.
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Council Meeting: 19 June 2025

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 period for members of the community to make public submissions.	DFA	Policy is tabled to August 2025 Council meeting for adoption.
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Council Meeting: 17 July 2025

106/05	1. Council write to the NSW Executive of Bendigo and Adelaide Bank seeking an urgent meeting as concerns the potential closure of the Crookwell branch of the Bendigo and Adelaide Bank in order to understand and address any issues they feel that need to be resolved to allow them to continue trading locally. 2. Council write to Upper Lachlan Shire Local Member Mrs Wendy Tuckerman MP and Federal Member The Hon Michael McCormack MP voicing the concerns of this potential closure.	CEO/EA	Mayor has met with Bendigo and Adelaide Bank representatives. Letters issued to Bendigo and Adelaide Bank as well as State and Federal elected representatives for Upper Lachlan Shire.
107/25	1. Council commence a review of the existing Development Control Plan (DCP), including the section concerning the windfarm developments in line with the development of the Upper Lachlan Shire Housing Strategy. 2. Any amendments made to the Upper Lachlan Shire Development Control Plan 2010 be publicly notified in accordance with Council's Community Participation Plan 2020. 3. The review will include, but not be limited to, an examination and evaluation of the impact on the amenity of residents in the Upper Lachlan Shire resulting from the existing proliferation and density of wind turbines within our shire with a view to recommending how best to	DEP	Ongoing process, to come back to a future Council meeting.

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

	preserve the lifestyle and rural characteristics our shire has always enjoyed and is so valued by our residents.		
111/25	1. Council endorse the draft submission dated 30 June 2025 in relation to the Environmental Impact Statement for Wattle Creek Solar Farm & Battery Energy Storage System.	DEP	Notification sent to Department.
112/25	1. Council adopt the Delivery Program Actions Report review for the six month period ended 30 June 2025.	DFA	Council will included this program in the Annual Report.
113/25	1. Council adopts the reviewed Councillor Training and Development Policy.	DFA/EA	Policy placed on Council's website.
114/25	1. Council in accordance with Section 361, of the Local Government Act 1993, Council gives public notice of its intention to adopt the Code of Meeting Practice after allowing 28 days public exhibition consultation period and provides members of the community 42 days in which to make a submission.	CEO/EA	Code of Meeting Practice placed on public exhibition on 21 July to 2 September 2025.
115/25	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.	CEO/EA	Code of Conduct shared with All staff and Councillors and placed on Council's website.
117/25	1. Council write to successful applicants for the 2025/2026 Collector Windfarm Community Fund Grant.	CEO	Letters issued to successful applicants.
118/25	1. Council write to successful applicants for the 2025/2026 Rye Park Windfarm Community Fund Grant.	CEO	Letters issued to successful applicants.
119/25	1. Council write to successful applicants for the 2025/2026 Taralga Windfarm Community Fund Grant.	CEO	Letters issued to successful applicants.
120/25	1. Council advocate via our local member for the State Government to fund a regional study of State Significant Developments specifically Renewable Energy projects and their impact on the community / amenity of the Upper Lachlan Shire and other Regional participant Council areas.	CEO	Letter issued to both State and Federal representatives of Upper Lachlan Shire on 6 August 2025.

Information Only

ACTION SUMMARY - COUNCIL DECISIONS cont'd

	2. Upper Lachlan Shire Council continue to advocate to the Minister of Planning to amend the relevant state environment planning policy such that it recognises the proliferation and cumulative impact of wind turbines within the Upper Lachlan Shire.		
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POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

11 ENVIRONMENT AND PLANNING

The following item is submitted for consideration -

11.1	Review of Enforcement Policy	78
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Environment and Planning - 21 August 2025

ITEM 11.1 **Review of Enforcement Policy**

FILE REFERENCE **I25/204**

AUTHOR **Manager of Planning and Regulatory Services**

ISSUE

This report provides a recommendation for adoption of the reviewed Council Enforcement Policy.

RECOMMENDATION That –

1. Council adopt the reviewed Enforcement Policy.

BACKGROUND

Nil

REPORT

This report details the review of Council's Enforcement Policy. The Policy is attached with amendments for Council's review.

The Policy has been developed in accordance with the NSW Ombudsman's Enforcement Guidelines for Councils (December 2015).

POLICY IMPACT

This is a review of an existing Council policy and aligns to the Upper Lachlan Community Strategic Plan 2042 outcomes and strategies.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

This report has no budget implications. The enforcement or management of the principles and risk matrix in the policy will be carried out with the current resources / budget.

RECOMMENDATION That –

1. Council adopt the reviewed Enforcement Policy.

ATTACHMENTS

1. ↓	Enforcement Policy -Date Adopted 21 August 2025 - Resolution XXX25 - Review 2028	Attachment
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Upper Lachlan Shire Council

Policy Update Cover

Date: 21 August 2025	Policy Title: Enforcement Policy
This cover sheet provides a summary of the proposed amendments to the attached Policy. Council initially adopted this policy in 2009. The policy was last updated on 21 July 2022.	
Sponsor: Manager Planning and Regulatory Services	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:- - Removed all references to General Manager and replaced 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. - Formatting changes to provide clarity and improve useability. - Introduction of a category system that Council will utilise to assess the risk of the alleged unlawful activity to priorities action. - Additional components to section 16 in regard to the role of Councillors in relation to enforcement. This policy provides workable guidelines on:- - Responding to reports alleging unlawful activity, - Assessing whether reports alleging unlawful activity require investigation and the urgency of that investigation, - Deciding whether enforcement action is warranted, - Options for dealing with confirmed cases of unlawful activity, - Taking legal action, - Implementing shared enforcement responsibilities. It also provides advice and guidance on:- - The role of private building certifiers in compliance and enforcement, - The role of Councillors in compliance and enforcement, The intent of Policy is to ensure that Council's compliance and enforcement activities comply with the regulatory principals of accountability, transparency, fairness, consistency, and proportionality.	
Consultation(s): Nil	

ULSC Enforcement Policy

Internally cleared by	
Position: Chief Executive Officer	Position: Director Environment and Planning Manager Planning and Regulatory Services



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POLICY:-	
Policy Title:	Enforcement Policy
File Reference:	F10/618-015
Date Policy was adopted by Council initially:	18 June 2009
Resolution Number:	239/09
Other Review Dates:	20 June 2013, 20 July 2017 and 21 July 2022
Previous Resolution Number:	164/13, 224/17, 157/22
Current Policy adopted by Council:	21 August 2025
Resolution Number:	XXX/25
Next Policy Review Date:	2028

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

RESPONSIBILITY:-	
Draft Policy developed by:	Director of Environment and Planning
Committee/s (if any) consulted in the development of this policy:	N/A
Responsibility for implementation:	Director of Environment and Planning
Responsibility for review of Policy:	Director of Environment and Planning

ULSC Enforcement Policy
Adopted: 21 August 2025

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1. Introduction

Council is involved in a broad range of compliance and enforcement matters. This policy provides information about Council's position on such matters and how Council will apply them in its local government area. In recognition of the regulatory responsibilities of all Councils, the NSW Ombudsman in December 2015 published "Enforcement Guidelines of Councils" which included a model enforcement policy. These guidelines and model policy has been used to develop this policy.

Council's regulatory responsibilities are applicable to actual unlawful activity, as well as a failure to take action (in order to be compliant with certain legal requirements). For simplicity, this policy refers to both an act and/or an omission by an alleged offender as 'unlawful activity'.

This policy distinguishes between a 'report alleging unlawful activity' and a 'complaint'.

For the purposes of this policy, a report alleging unlawful activity is where an individual expresses concern in relation to alleged unlawful activity, or they request service from Council about such matters. Council considers that a response or resolution to a report alleging unlawful activity is explicitly or implicitly expected by the individual or may be legally required.

A complaint is where an individual expresses dissatisfaction about Council services, staff or the handling of a complaint. Therefore, a complaint may arise where an individual claims that Council staff have failed to take action in relation to a report alleging unlawful activity. A complaint will be recorded separately and responded to in accordance with Council's complaints policy and procedure.

2. Purpose and Scope

This policy provides information for all internal and external stakeholders and interested parties about Council's position on compliance and enforcement matters in the local government area.

The purpose of this policy is to provide a structure for consistency and transparency in decision making, and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.

This policy outlines matters to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, through to what enforcement option Council will choose and whether to commence criminal or civil proceedings.

In certain circumstances Council will have shared enforcement responsibilities with other regulatory authorities. This policy sets out a collaborative and cooperative approach to such matters. Advice and guidance are also provided on the role of Council in building and construction compliance matters where there is a private certifier, and the role of Councillors in enforcement.

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Responsible Council staff are not limited by this policy in their use of discretion and exercise of official functions. The full circumstances and facts of each case need to be considered and a decision made on the merits.

3. Organisational Approach

3.1 Why compliance and enforcement are important.

Compliance and enforcement are important to:

- Prevent or minimise harm to health, welfare, safety, property or the environment
- Improve the safety and amenity of residents and visitors to the area
- For the collective good, the welfare of the community or the public interest
- to promote social policies (e.g. to preserve or protect the environment) and to manage risks
- To uphold social order
- To meet the expectations of the community
- To encourage reports about possible unlawful activity from the community
- To make the regulated community aware of their legal obligations and how to comply
- Details of any other relevant strategic planning.

The objects section of an Act will often list the specific nature of the harm that is being addressed and explicitly state the regulatory purposes of the legislation.

Council takes compliance and enforcement matters seriously and acknowledges its obligation under Section 8 of the Local Government Act 1993 to ensure its regulatory powers are carried out in a consistent manner and without bias.

Council will foster responsive and responsible regulation that ensures fairness, consistency, and equity in response to allegations of unlawful activity. Where appropriate, Council will provide information and advice to alleged offenders and residents to assist them to comply with the law, particularly where there is a low risk of harm to health, welfare, safety, property, and the environment.

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4 Definitions

The following are the definitions of key terms in this policy:

Term	Meaning
ARA	Appropriate Regulatory Authority
Complaint	A complaint is an expression of dissatisfaction made about Council services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required. For the purposes of this policy, a complaint does not include: - a report alleging unlawful activity (see definition below) - a request for information about a Council policy or procedure - a request for an explanation of actions taken by Council - a request for internal review of a Council decision.
Enforcement	Actions taken in response to serious or deliberate contraventions of laws.
Regulation	Using a variety of tools and strategies to influence and change behaviour to achieve the objectives of an Act, Regulation or other statutory instrument administered by Council.
Report alleging unlawful activity	An expression of concern or a request for service in relation to alleged unlawful activity, where a response or resolution is explicitly or implicitly expected or legally required.
Unlawful activity	Any activity or work that has been or is being carried out contrary to the below and/or failure to take required action in order to be compliant with: - terms or conditions of a development consent, approval, permit or licence - an environmental planning instrument that regulates the activities or work that can be carried out on particular land - a legislative provision regulating a particular activity or work - a required development consent, approval, permission or licence.

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5. Policy Objectives

The intent of this policy is to establish clear guidelines and protocols for Council staff in the management of Council's regulatory activities.

It provides workable guidelines on:

- Responding to reports alleging unlawful activity
- Assessing whether reports alleging unlawful activity require investigation
- Deciding on whether enforcement action is warranted
- Options for dealing with confirmed cases of unlawful activity
- Taking legal action
- Implementing shared enforcement responsibilities.

The policy also provides advice and guidance on:

- The role of the Principal Certifying Authority and the role of Councillors in enforcement.

6. Application

This policy applies to regulatory issues within Council's area of responsibility including, but not limited to:

- Development and building control
- Pollution control
- Environmental health
- Public health and safety
- Priority weeds
- Water and sewer
- Septic systems
- Control over animals
- Food safety
- Fire safety

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7. Compliance and Enforcement Principles

The following are the principles that underpin council actions relating to compliance and enforcement:

Principle	Action
Accountable and transparent	• Acting in the best interests of public health and safety and in the best interests of the environment • Ensuring accountability for decisions to take or not take action • Acting fairly and impartially and without bias or unlawful discrimination • Providing information about compliance and enforcement priorities and reasons for decisions to improve understanding and certainty and promote trust by the regulated community • Ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this policy • Acting on any complaints or concerns about the conduct of compliance officers in accordance with Council's complaints management policy and procedures advising people and organisations subject to enforcement action of any avenues available to seek an internal or external review of a decision.
Consistent	• ensuring all compliance and enforcement action is implemented consistently • encouraging reports about possible unlawful activity by acting reasonably in response to the circumstances and facts of each matter.
Proportional	• ensuring the level of enforcement action is proportionate to the level of risk and seriousness of the breach • making cost-effective decisions about enforcement action • taking action to address harm and deter future unlawful activity.
Timely	• ensuring responses to reports alleging unlawful activity and decision making in relation to those is timely

8. Responsibility

Council receives information about alleged unlawful activity from members of the public, contact from other government agencies and information gathered by its officers during proactive inspections.

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All Council staff who deal with reports alleging unlawful activity are responsible for implementing this policy. Council staff are also responsible for ensuring that any other possible unlawful activity identified as a result of an inspection, proactive enforcement or other activity is brought to the attention of the appropriate business unit of Council.

Council staff are required to:

- Treat all relevant parties with courtesy and respect
- Communicate with all relevant parties and provide feedback on the progress of an investigation and any reasons for delay without compromising the integrity of the investigation
- Make full and proper records in relation to the assessment and investigation of reports alleging unlawful activity, including reasons for any decisions
- Inform all relevant parties of reasons for decisions
- Provide as much information as possible to all relevant parties about the outcomes of investigations to show that adequate and appropriate action was taken and/or is proposed to be taken in response to a report of alleged unlawful activity
- Provide information to all relevant parties about any avenues to seek an internal or external review of a decision.

All reports alleging unlawful activity are to be entered into Council's HPE Content Manager and actioned in a timely manner by the appropriate business unit.

- Responsibilities of those recording reports e.g. level of detail to be entered on HPE Content Manager, who is responsible for acknowledging/forwarding report to relevant business unit
- Reasonable response time requirements and type of response e.g. an acknowledgement letter will be issued within 5 days
- Reasonable timeframes in which actions need to be completed e.g. assessment/inspection/inquiries/ investigation will be conducted between 24 hours and 21 days.
- What information should be provided to the individual e.g. updates, Council decisions
- How information should be provided to the individual e.g. over the phone or in writing, with approval of CEO or manager
- When such information should be provided to the individual e.g. after a preliminary assessment, after an inspection, at the conclusion of a matter

Only Council staff with appropriate delegations from the CEO can undertake investigations or compliance and enforcement action in relation to this policy.

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9. Responding to concerns about unlawful activity

9.1 How reports alleging unlawful activity will be dealt with by Council

Council will record and assess every report alleging unlawful activity.

Council will respond to every such report unless the person raising the matter has indicated they do not wish to receive a response about Council's handling of the matter, or the report is anonymous.

Generally speaking, Council's objectives when dealing with reports alleging unlawful activity are to:

- maintain the collective good and welfare of the community
- prevent or minimise harm to health, welfare, safety, property or the environment
- consider the broader public interest having regard to Council's priorities and any resource limitations
- consider the report fairly and impartially.

Not all reports will need to be investigated. A preliminary assessment of all matters will be made to determine the priority for a response, and whether investigation or other action is required.

An investigation of alleged unlawful activity may take a significant amount of time to complete, particularly where the issues are complex. If Council decides to investigate, staff will give the person who reported the alleged unlawful activity regular feedback on the progress of the investigation, and any reasons for delay. This does not mean that the individual can expect to be given details about every aspect of the investigation or information that would compromise the integrity of the investigation.

Decisions about what action should be taken by Council are made at the Council's discretion. This means the objective is that reports alleging unlawful activity will be resolved to the satisfaction of Council, not necessarily the person raising the matter. Council will generally try to resolve matters as quickly and informally as possible so as to avoid the need to take formal action.

Council staff will endeavour to manage the expectations of people who report alleged unlawful activity, and in particular explain that in the absence of sufficient evidence of unlawful activity, Council may be unable to take further action. They will also explain that Council does not have unlimited resources and powers to deal with reports alleging unlawful activity. If Council is unable to fully investigate or take action on a matter because it is restricted by any legal or resource limitations this will be explained to the individual.

While there are certain statutory requirements that must be met in relation to notices and orders Council staff will ensure that all explanatory communications are made in plain English and explain any technical language the law requires to be used.

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9.2 Confidentiality of people who report allegations of unlawful activity

People who report allegations of unlawful activity should not expect that their identities will remain confidential from the subject of their report in all circumstances. Council may have to disclose information that identifies them in the following cases:

- The disclosure is necessary to investigate the matter
- Their identity has already been disclosed to the subject of their Report directly or in a publicly available document
- The individual was consulted following receipt of a Government Information (Public Access) Act 2009 application and did not object to the disclosure
- The individual consents in writing to their identity being disclosed
- The disclosure is required to comply with principles of procedural fairness
- The matter proceeds to court.

Council will take seriously any concerns an individual may have about their physical safety being endangered.

9.3 What Council expects of people who report allegations of unlawful activity

Council expects that people who report allegations of unlawful activity will cooperate and act in good faith in respect of any investigations conducted by Council. This includes:

- Providing a clear description of the problem (and the resolution sought, if relevant)
- Giving all available and relevant information to Council, including any new information about the alleged activity that may become known to the person following the making of the report
- Not giving any information that is intentionally misleading or wrong
- Cooperating with Council's inquiries and giving timely responses to questions and request for information
- Treating Council's staff with courtesy and respect
- Allowing the investigation to be completed without prematurely taking the matter to other agencies unless referred to by Council.

If these expectations of the individual are not met, Council may need to set limits or conditions on the continuation of the investigation or may need to restrict any further communications with the individual.

Any unreasonable conduct will be dealt with in accordance with the principles of the NSW Ombudsman's Managing Unreasonable conduct by Complainant guideline 2021 and any applicable Council policy

9.4 What people can expect from Council Staff

People who report alleged unlawful activity, as well as individuals or businesses that are subject to investigation and any enforcement action, can expect that

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Council staff will:

- Treat them with courtesy and respect
- Advise them of the outcome of the allegation reported, including a full explanation of the reasons why that outcome was considered to be reasonable in the circumstances
- Clearly explain decisions in plain English
- Provide information about any relevant internal and external appeal processes that may be available
- Carefully assess any new information provided by any party after a decision has been made and advise whether further action will be taken.

9.5 Complaints about Councils enforcement actions

Any complaints about Council's handling of reports alleging unlawful activity will be recorded separately and handled in accordance with Council's complaints policy and procedures.

Where a person or organisation subject to enforcement action merely disputes Council's decision to take enforcement against them, they will be directed to make representations in accordance with any relevant internal and external appeal processes.

Council staff will act on any complaints about the conduct of compliance officers in accordance with Council's complaints policy and procedures and the code of conduct.

9.6 Anonymous or Vexation Reports

Anonymous reports will be recorded and assessed in accordance with the above requirements. However, because it is not possible to seek clarification or additional information about a matter, it may be more difficult to evaluate the allegations and therefore these reports are less likely to warrant investigation.

Vexatious reports are complaints which are clearly made with the sole intent of annoying a person or reports which are without substance made frequently by the same individual or entity. They will not be investigated by Council however they will be recorded in Council's customer request system and reasons for not taking action included. The appropriate Manager in consultation with the investigating Council officer will determine whether a report is vexatious.

9.7 Unlawful activity outside of business hours

Unlawful activity can occur outside business hours. In particular, Council may receive reports about matters such as offensive noise and failure to comply with limitations on hours of operation during nights and weekends

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Due to resource and operational capability restraints on Council, investigations into alleged unlawful activity outside business hours will be assessed on the basis of risk of *harm to health, welfare, safety, property or the environment* or it is otherwise in the public interest to take such action

9.8 Neighbour disputes

Council will at times receive reports from parties involved in neighbour disputes seeking Council's involvement. When a dispute between two neighbours is a civil matter, Council will often have no authority to resolve the issue in dispute. Some reports will raise several matters, some of which will require Council's involvement and some of which will be personal to the parties.

Council staff will thoroughly assess such reports to determine whether there is evidence of any possible unlawful activity requiring action by Council. Care will be taken to explain which aspects of a report Council can deal with and which cannot be dealt with and why. Where possible, individuals will be provided with information about how to resolve neighbour disputes including referral information resources such as LawAccess NSW and Community Justice Centres.

It is possible that one party will provide further information about a matter which changes Council's decision about whether it will become involved. In such circumstances, Council staff will carefully consider the matter before acting and document reasons for the new decision. Relevant parties will be advised about the reasons Council has changed its position on this matter. Council staff will not change a decision about whether Council should be involved purely as a response to the conduct.

10. Investigation alleged unlawful activity

Not all reports alleging unlawful activity will warrant investigation. A preliminary assessment of all matters will be made to determine whether investigation or other action is required. Council will prioritise matters on the basis of risk to public safety, human health and environment.

If there is insufficient information in the report to undertake a preliminary assessment, further information may need to be sought from the person who made the report or an inspection undertaken. Staff may also need to consult Council records and other internal business units to understand the relevant history and context of a matter.

The following is a category system that Council will utilise to assess the risk of the alleged unlawful activity to prioritise action.

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Risk Category	Features	Indicative Timeframes of Initial Response	Examples
Critical	• Permanent, long-term, or reoccurring and serious damage to health, property or environment likely or very likely. • Large scale impacts. • Very serious offences. • Very high priority issue for Council and the community.	Immediate – 24 hours response	• Significant pollution incidents. • Large scale clearing of vegetation containing threatened species. • Food poisoning incidents. • Abandoned vehicle in an unsafe location. • Collapsed or unsafe building works in public areas. • Dog attacks.
High	• Moderate, major, or severe consequences likely or very likely. • Medium-large scale impacts. • Serious offences. • Very high priority issue for Council	Response within 24 - 48 hours	• Roaming dogs. • Unsafe buildings and building works. • Rubbish dumped in an unsafe location/hazardous. • Pollution incidents.
Medium	• Moderate consequences are likely, serious impacts are very unlikely. • Small-medium scale impacts. • Moderate offence severity. • Very high priority issue for Council and community	Response within 7 working days (An acknowledgement letter will be issued within 5 days)	• Abandoned vehicles. • Stormwater or drainage issues. • Dumped rubbish (not hazardous). • Breach of consent conditions. • Poor sediment control on building sites. • Noise complaints affecting several people.

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Low	•Consequences are minor or moderate and are unlikely or very unlikely to occur. • Small scale, isolated impacts. • Low level offence severity. • Very high priority issue for Council and community	Response within 21 working days (An acknowledgement letter will be issued within 5 days)	• Noxious weeds. • Minor consent breaches. • Unauthorised signage. • Unauthorised land use. • Overgrown. • Aesthetic issues. • Neighbour disputes. • Nuisance complaints (e.g., domestic noise, barking dogs). • Abandoned shopping trolleys.
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10.1 **Circumstances where no action will be taken**

Council will take no further action if, following a preliminary assessment, it is identified that:

- Council does not have jurisdiction to investigate or is not the appropriate authority to take action on the issues raised. Where there is another appropriate authority or course of action, Council may bring the matter to the attention of the authority or provide information and contact details to the individual. For example SafeWork NSW for workplace safety matters, the NSW Environment Protection Authority for possible environmental offences and Community Justice Centre's NSW for personal disputes
- The report relates substantially to a matter previously determined by Council and no new or compelling information is presented which would cause Council to change its earlier decision. In this case, staff will acknowledge the report and advise that no further action will be taken as no new information had been provided (other than where the person has previously been advised they would receive no further response).
- The allegations relate to a lawful activity (e.g. where there is an existing approval or the activity is permissible without Council approval or consent being required).
- The report is not supported with evidence or appears to have no substance.
- The relevant Manager, Director or the CEO determines that investigation or other action would have an unreasonable impact on resources and/or is unlikely to achieve an outcome sufficient to justify the expenditure of resources.

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10.2 Relevant factors guiding decisions as to whether to take action

When deciding whether to investigate, Council will consider a range of factors including whether:

- The activity is having a significant detrimental effect on the environment or it constitutes a risk to public safety
- The report is premature as it relates to some unfinished aspect of work that is still in progress
- The activity or work is permissible with or without permission
- All conditions of consent are being complied with
- Much time has elapsed since the events the subject of the report took place
- Another body is a more appropriate agency to investigate and deal with the matter
- It appears there is a pattern of conduct or evidence of a possible wide spread problem
- The person or organisation reported has been the subject of previous reports
- The report raises matters of special significance in terms of the Council's existing priorities
- There are significant resource implications in relation to an investigation and any subsequent enforcement action
- It is in the public interest to investigate the report.

The above are factors for Council to consider and weigh in deciding. Council staff are not limited in their use of discretion by these considerations and may decide to investigate based on these and other factors.

The objective of the process's Council staff use when investigating incidents of alleged unlawful activity is to:

- Determine the cause of the incident
- Determine if there has been a contravention of law, policy or standards
- Gather evidence to the required standard to support any required enforcement action
- Determine any necessary action to mitigate the possibility of reoccurrence of similar incidents.

Any decision not to investigate an allegation of unlawful activity will be recorded and the reasons for that decision clearly stated.

Investigation action may include but is not limited to any of the following:

- A desktop review.
- Assessment of likely environmental and public harm and safety.
- A site inspection.
- Interviews with any relevant persons.

11. Taking enforcement action

When deciding whether to take enforcement action in relation to a confirmed case

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of unlawful activity, Council will consider the full circumstances and facts of the matter and the public interest. The following common considerations will assist Council staff in determining the most appropriate response in the public interest:

Considerations about the alleged offence and impact:

- The nature, extent and severity of the unlawful activity, including whether the activity is continuing
- The harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity
- The seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature
- The time period that has lapsed since the date of the unlawful activity.

Considerations about the alleged offender:

- Any prior warnings, instructions, advice that was issued to the person or organisation reported or previous enforcement action taken against them
- Whether the offence was committed with intent
- Whether the person or organisation reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions
- Any mitigating or aggravating circumstances demonstrated by the alleged offender
- Any particular circumstances of hardship affecting the person or organisation reported.

Considerations about the impact of any enforcement action:

- The need to deter any future unlawful activity
- Whether an educative approach would be more appropriate than a coercive approach in resolving the matter
- the prospect of success if the proposed enforcement action was challenged in court
- The costs and benefits of taking formal enforcement action as opposed to taking informal or no action
- What action would be proportionate and reasonable in response to the unlawful activity
- Whether Council is prevented from taking action based on earlier advice given, i.e. whether an estoppel situation has been created.

Considerations about the potential for remedy:

- whether the breach can be easily remedied
- whether it is likely consent would have been given for the activity if it had been sought
- whether there is a draft planning instrument on exhibition that would make the unauthorised use legal.

A further explanation of the above considerations is provided in Appendix 1.

11.1 Legal or Technical Issues

Where legal and/or technical issues are in question, Council staff will consider

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whether legal advice or professional advice from duly qualified staff or other experts should be obtained and considered. Council may also require a person subject to possible enforcement action to obtain professional advice in relation to issues of concern to Council for assessment as to whether further action is required.

11.2 Requirements of Council staff considering enforcement action

Prior to taking enforcement action, Council staff will take into account the above considerations as well as the evidence gathered during their investigation. Council staff must act impartially, be mindful of their obligations under Council's code of conduct and not act as a decision-maker in relation to any matter in which they have a personal interest. Enforcement action will not be taken purely as a response to the conduct of an individual such as persistent demands or threats.

Council staff are required to maintain records about critical thinking and decision-making processes in relation to reports alleging unlawful activity and any enforcement action, as well as records of interactions with relevant parties. Council staff will at all times adhere to Council's internal approval processes prior to the commencement of any enforcement action.

Council staff will take steps to ensure that any enforcement action is taken against the correct person or organisation. Where there are multiple possible parties to an alleged unlawful activity, it will generally not be appropriate to take enforcement action against every person who may be liable for the alleged unlawful activity. In such circumstances, Council staff will be guided by legal advice in determining the appropriate persons to pursue.

Council authorised officers can issue statutory notices, orders and penalty notices (PN's) in response to an investigation of an unlawful activity in accordance with their delegation, following approval from their manager.

If the appropriate Director supports a prosecution or legal proceedings, then the matter is to be referred to the CEO through the relevant Director for a decision on whether to proceed.

The CEO, Director or relevant Manager can make an approach Council's solicitor to seek legal advice on incidents of unlawful activity.

12. Options for dealing with confirmed cases of illegal activity

Council will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options. Council staff will use discretion to determine the most appropriate response to confirmed cases of unlawful activity and may take more than one

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approach.

Any enforcement action taken by Council will depend on the full circumstances and facts of each case, with any decision being made on the merits.

At all times, Council's key concerns are:

- to prevent or minimise harm to health, welfare, safety, property or the environment
- to influence behaviour change for the common good and on behalf of the community.

The following enforcement options to be considered by Council are ordered to reflect an escalation in response that is proportionate to the level of risk, the seriousness of the confirmed breach or the need for a deterrent:

Level of Risk	Enforcement Options
Very Low	• Take no action on the basis of a lack of evidence or some other appropriate reason • Provision of information/advice on how to be compliant.
Low	• Negotiating with the person to obtain voluntary undertakings or an agreement to address the issues of concern • Issuing a warning or a formal caution.
Medium	• Issuing a letter requiring work to be done or activity to cease in lieu of more formal action • Issuing a notice of intention to serve an order or notice under relevant legislation, and then serving an order or notice if appropriate.
High	• Issuing a penalty notice • Carrying out the works specified in an order at the cost of the person served with the order.
Very High	• seeking an injunction through the courts to prevent future or continuing unlawful activity • commence legal proceedings for an offence against the relevant Act or Regulation.

Following up enforcement action

All enforcement action will be reviewed and monitored to ensure compliance with any undertakings given by the subject of enforcement action or advice, directions or orders issued by Council. Reports alleging continuing unlawful activity will be

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assessed and further action taken if necessary. If the unlawful activity has ceased or the work has been rectified, the matter will be resubmitted for follow up action to ensure compliance outcomes are met. Should initial enforcement action be found to have been ineffective, Council staff will consider other enforcement options.

13. Taking Legal action

Council and its delegated staff will be guided by legal advice in deciding whether to commence criminal or civil proceedings and will consider the following:

- Whether there is sufficient evidence to establish a case to the required standard of proof
- Whether there is a reasonable prospect of success before a court
- Whether the public interest warrants legal action being pursued.

13.1 Whether there is sufficient evidence to establish a case to the required standard of proof

Council considers the decision to take legal action a serious matter, and as such will only initiate and continue proceedings once it has been established that there is admissible, substantial and reliable evidence to the required standard of proof.

The basic requirement of any **criminal** prosecution is that the available evidence establishes a prima facie case. The prosecutor is required to prove the elements of the offence beyond reasonable doubt.

In **civil** enforcement proceedings, Council will require sufficient evidence to satisfy the court that an actual or threatened breach has occurred on the balance of probabilities.

13.2 Whether there is a reasonable prospect of success before a court

Given the expense of legal action Council will not take legal action unless there is a reasonable prospect of success before a court. In making this assessment, Council staff will consider the availability, competence and credibility of witnesses, the admissibility of the evidence, all possible defenses, and any other factors which could affect the likelihood of a successful outcome.

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13.3 Whether the public interests requires legal action to be pursued

The principal consideration in deciding whether to commence legal proceedings is whether to do so is in the public interest. In making this determination, the same factors to be considered when taking enforcement action apply. (See Section 11, Taking enforcement action).

The following considerations relate more specifically to the decision to commence legal proceedings and will assist Council and its delegated staff in making this decision:

- The availability of any alternatives to legal action
- Whether an urgent resolution is required (court proceedings may take some time)
- The possible length and expense of court proceedings
- Any possible counter-productive outcomes of prosecution
- What the effective sentencing options are available to the court in the event of conviction
- Whether the proceedings or the consequences of any resulting conviction would be unduly harsh or oppressive.

13.4 Time within which to commence proceedings

Council staff must be aware of legislative time limits in which enforcement proceedings must be commenced. Sometimes legal action will be statute barred despite good evidence that unlawful activity has occurred.

14. Shared enforcement responsibilities

Some reports will raise matters involving shared regulatory responsibilities between Council and other authorities including the Environment Protection Authority, the NSW Police Force, the Office of Liquor, Gaming and Racing, NSW Fair Trading, NSW Food Authority and Crown Lands.

Council recognises that collaboration and cooperation between authorities to address issues of shared regulatory responsibility is the best approach. To this end, where there are shared legislative responsibilities, Council staff will liaise with relevant authorities to establish:

- which authority will take the leading role on any joint investigation
- which activities each authority will carry out
- responsibilities for updating an individual where relevant
- protocols for exchanging confidential information between the relevant authorities.

Council will reasonably endeavour to respond to requests for information or assistance on joint regulatory matters in a timely manner.

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15. Role of Council where there is a private certifier

Council retains its regulatory role and enforcement powers where a private certifier has been appointed the Principal Certifying Authority (PCA). However, if a private certifier is appointed to the PCA, it is not Council's responsibility to ensure building and construction compliance.

Private certifiers have limited enforcement powers as the PCA. They have the power to issue a notice of intention to issue an order to the owner or builder to comply with the conditions of consent or rectify any breaches. A copy of any notice of intention issued by a private certifier must be provided to Council for assessment as to whether Council will enforce the notice by issuing an order.

Council and private certifiers will work together to resolve any issues when they arise to achieve compliance with the development consent or complying development certificate. Council staff will take steps to ensure individuals are clear about which agency performs which role.

16. Role of Councillors in enforcement

Decision relating to the investigation of reports alleging unlawful activity and taking enforcement action is the responsibility of appropriately authorised Council staff or the Council itself.

Individual Councillors do not have the right to direct Council staff in their day-to-day activities. Councillors can help individuals who raise concerns with them by satisfying themselves that their Council's policies are being carried out correctly, however they cannot ignore or alter a policy in order to satisfy the demands of special groups.

Councillors should not act as witnesses for individuals during investigations so as to avoid or minimize allegations that the Councillor:

- Has a conflict between personal and private interests and the Councillor's public duty; and/or
- The Councilor is biased (or there is an apprehension of bias) because the Councilor has formed an opinion about the matter prior to receiving all of the relevant information; and/or
- The Councillor has been inappropriately influenced by representations made by the individual and could not make an impartial decision about the matter.

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This is particularly important if, at a later stage, the matter is formally put to Council for a decision about whether compliance and enforcement action should be taken. Councillors are entitled to speak to their constituents and visit sites at any other time, and they may make enquiries about the progress or status of compliance matters through the CEO or staff approved by the CEO.

The CEO and staff will make all efforts to respond within a timely manner to enquiries made by Councillors about compliance matters. Councillors may, through accepted processes:

- Ask questions of the CEO through formal written submission
- Ask questions to be answered in Council meetings about compliance matters and
- Put motions before the Council for resolution.

Councillors are entitled to attend any public legal proceedings in the Court, but are not entitled to direct Council's legal advisers or lawyers unless expressly permitted to do so by the CEO.

The CEO may present certain decisions to be ratified by the elected Council if this is necessary or desirable.

17. Delegations

Council staff delegations for taking action under this policy are included in Council's Delegation Register.

18. Reviews and Appeals

Review and appeals of decisions about enforcement action taken by Council will be governed by the applicable legislative process.

19. Media statements

No public statements are to be made by the Mayor, Councillors or Council staff in connection with any case involving Council where legal proceedings are before the court or are under investigation and may go before the court.

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20. Other Resources

The NSW Ombudsman website has the following helpful resources at www.ombo.nsw.gov.au:

- *Managing unreasonable complainant conduct – a model policy and procedure*
- *Managing Unreasonable conduct by Complainant guideline 2021*
- *The Rights Stuff – Tips for making complaints and solving problems*
- *Effective complaint handling guidelines – 2nd edition*
- *Managing information arising out of an investigation – Balancing openness and confidentiality*
- *Reporting of progress and results of investigations*
- *Good Conduct and Administrative Practice*
- *Options for Redress*
- *Investigating Complaints – A manual for investigators*
- *Enforcement guidelines for Councils*
- *Better Service and Communication for Council*

See also:

- *Commonwealth Director of Public Prosecutions (2014), Prosecution Policy of the Commonwealth: Guidelines for the making of decisions in the prosecution process*
- *NSW Planning (2010), Prosecution Guidelines.*

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Appendix 1 - Taking Enforcement Action

When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council will consider all the circumstances of the matter. The section below is intended to assist staff by providing a further explanation of matters to be taken into consideration when deciding whether to take enforcement action.

Considerations about the alleged offence and impact	
- The nature, extent and severity of the unlawful activity including whether the activity continued - The harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity - The seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature - The costs and benefits of taking formal enforcement action as opposed to taking informal or no action - The time period that has lapsed since the date of the unlawful activity.	Consideration should be given to the nature, extent and severity of any actual or potential impact of the unlawful activity. If there is actual or potential detriment to the natural or built environment, to the health or safety of residents or the amenity of an area, this would normally warrant a decision to take action to remedy or restrain the breach. It is also important to consider whether the unlawful activity is ongoing or has ceased. Consideration should be given to whether the likely costs and benefits of any enforcement action is justifiable where breaches result in no material impacts upon any other party or the health, safety and amenity of the environment and community. A breach of a technical, inconsequential or minor nature, in the absence of any other aggravating factor, will generally not warrant a decision to take action to remedy or restrain the breach. Legislation may provide time limits in which to commence proceedings and take enforcement action, and sometimes prosecution will be statute barred despite good evidence that unlawful activity has taken place. In addition, consideration should be given to the time which the offence or breach occurred and the 'reasonableness' of taking enforcement action if a significant time has lapsed since the time of the offence or breach.
Considerations about the alleged offender	
- Any prior warnings, instructions, advice that was issued to the person or organisation reported or previous enforcement action taken against them - Whether the offence was committed with intent	Consideration should be given to the previous history of the offender. If prior warnings, instructions or advice has been issued to the person or organisation reported which was not followed, a more formal and coercive enforcement approach would appear more appropriate. Consideration should be given to whether the offence was committed deliberately, recklessly or with gross

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• Whether the person or organisation reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions • Any mitigating or aggravating circumstances demonstrated by the subject of the report • Any particular circumstances of hardship affecting the person or organisation reported.	negligence. It may be appropriate that cases of this nature are more likely to result in prosecution. Where an offence was committed as a result of an accident or genuine mistake, providing education and guidance or a Where the offender has been proactive in the resolution of the matter and has assisted Council in the resolution of the matter, it may be that the public interest would not be best served by prosecuting the offender, especially if the offending conduct or work has been rectified. If the offender has demonstrated a lack of contrition and is uncooperative with the investigation or remediation, a prosecution or monetary penalty would appear more appropriate. Consideration should be given to any genuine mitigating circumstances of the offender such as age, physical or mental health, disability and any financial hardship of the offender resulting in an inability to pay, any particular circumstances of hardship affecting the person or organisation reported.
Considerations about the impact of the enforcement action	
• The need to deter any future unlawful activity • Whether an educative approach be more appropriate than a coercive approach in resolving the matter • The prospect of success if the proposed enforcement action was challenged in court • The costs and benefits of taking formal enforcement action as opposed to taking informal or no action • What action would be proportionate and reasonable in response to the unlawful activity • Whether the Council has created an estoppel situation	Consideration should be given to the deterrent effect, both on the offender and others. Prosecutions, because of their great stigma if a conviction is secured, may be appropriate even for minor unlawful activity where they might contribute to a greater level of overall deterrence. When deciding whether to take an educative approach or enforcement approach, consideration should be given to the following matters: • the reasonable likelihood that the person may have known or should have known the relevant requirements or rules • the level of contrition shown by the responsible person • whether the parties have previously been advised of the regulatory requirements or provisions • whether or not any previous warnings or instructions have been provided • the apparent level of intent shown by the responsible person. It may not be appropriate to take enforcement action if the chances of success, in the event of an appeal or hearing, are unlikely. In such situations, you would need to identify the causes of that likelihood and address them in the particular case or as a general issue. Consideration should be given to what is reasonable in the particular circumstances that apply. This includes a reasonable proportionality between the ends to be achieved and the means used to achieve them.

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	Consideration is to be given to what is reasonable in the circumstances and ensure the action is not disproportionate to the level of harm or damage arising from the breach. Legal proceedings are expensive. When doing a cost-benefit analysis, costs and benefits should be assessed broadly and indirect costs and benefits should also be considered. Estoppel is a legal rule which prevents a person from later denying something which may have previously been relied on, and acted upon by another person. Consideration should be given to whether the actions of Council have created a reasonable expectation that no enforcement action would be taken.
Considerations about the potential for remedy	
• Whether the breach can be easily remedied. • Whether it is likely consent would have been given for the activity if it had been sought. • Whether there is a draft planning instrument on exhibition that would make the unauthorised use legal.	If there is evidence of a significant issue of unlawful activity and that matter can be easily remedied by some action on the part of the person the subject of the report, there is a less compelling case for enforcement action, depending on the other circumstances of the case such as the conduct of the offender. If retrospective approval is possible, it may be reasonable to allow an opportunity to obtain this prior to taking other enforcement action. In some cases, compliance by informal means may be the most efficient way to resolve the matter and other enforcement action may not be necessary. This needs to be balanced with other considerations such as the public interest in enforcing the law.

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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	Disclosure of Interest Returns by Councillors and Designated Persons under the Code of Conduct	113
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Finance and Administration - 21 August 2025

ITEM 13.1 Disclosure of Interest Returns by Councillors and Designated Persons under the Code of Conduct

FILE REFERENCE I25/200

AUTHOR Director of Finance and Administration

ISSUE

This report provides tabling of the Disclosure of Interests Return by Councillors and designated persons in accordance with the Council Code of Conduct requirements.

RECOMMENDATION That -

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

BACKGROUND

To comply with Clause 4.8, 4.14 and 4.21(b) of the Code of Conduct, a Councillor must make and lodge with the Chief Executive Officer, a written return in accordance with Schedule 2, of the Council's Code of Conduct.

In accordance with Clause 4.24 to 4.27 of the Council Code of Conduct, all councils are required to table the submitted Disclosure of Interests Returns of all Councillors and designated persons to an Ordinary Meeting of Council. Information contained in the returns is to be made publicly available in accordance with the *Government Information (Public Access) Act 2009* in a public register of returns and available on Council's website.

In accordance with the Clause 4.8, 4.21 and 4.24, of the Code of Conduct, Upper Lachlan Shire Council has received Disclosure of Interests Returns by the elected Councillors and designated persons, to 30 June 2025, as follows:-

- ◆ Councillor Paul Culhane (Mayor);
- ◆ Councillor Rob Cameron (Deputy Mayor);
- ◆ Councillor Alexandra Meggitt
- ◆ Councillor Vivienne Flanagan
- ◆ Councillor John Searl
- ◆ Councillor Gregory Harris
- ◆ Councillor Susan Reynolds
- ◆ Councillor Simon Peirce
- ◆ Councillor Terry Yallouris
- ◆ Designated Senior Staff, including the CEO and Department Directors
- ◆ Council staff who exercise regulatory functions or contractual functions; including Managers, Coordinators and other relevant staff.

Finance and Administration

DISCLOSURE OF INTEREST RETURNS BY COUNCILLORS AND DESIGNATED PERSONS UNDER THE CODE OF CONDUCT cont'd

The Disclosures by Councillors and designated persons are available for inspection and are made publicly available to view on Council's website and will be tabled at the Ordinary Council Meeting on 21 August 2025.

POLICY IMPACT

Council is complying with the Council Code of Conduct and *Government Information (Public Access) Act 2009*.

Note: *Sections 441 to 459, of the Local Government Act 1993*, were repealed and replaced by Part 4 - Pecuniary Interests in the Council Code of Conduct.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

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

ATTACHMENTS

Nil

Finance and Administration - 21 August 2025

ITEM 13.2 **Review of Payment of Expenses and Provision of Facilities Policy**

FILE REFERENCE **I25/201**

AUTHOR **Director of Finance and Administration**

ISSUE

This report provides a recommendation for adoption of the reviewed Payment of Expenses and Provision of Facilities Policy for Councillors after a public exhibition period.

RECOMMENDATION That -

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

BACKGROUND

Council previously adopted the Payment of Expenses and Provision of Facilities Policy at the Ordinary Meeting, held on 14 December 2023, under Council Resolution Number 246/23:-

1. *Council in accordance with Section 252, 253 and 254, of the Local Government Act 1993, adopts the Payment of Expenses and Provision of Facilities Policy as publicly exhibited.*

REPORT

Providing details of a review of the Payment of Expenses and Provision of Facilities Policy after public exhibition. Section 252, of the *Local Government Act 1993*, states that a Council must adopt a Payment of Expenses and Provision of Facilities Policy. A copy of this policy is attached to this report and has been reviewed and had amendments made to the policy as outlined in the policy cover page.

The policy was placed on public exhibition for 28 days. There was one public submission received with respect to the revised Payment of Expenses and Provision of Facilities Policy during the public exhibition period and is an attachment to this report and is required to be considered by Council prior to adoption.

For determination by Council, consideration of the public submission in regards to only paying general travel expenses from a Councillors residential address and the submission requests consideration of publishing a monthly summary of what civic activities each Councillor has engaged in and the reimbursement provided that month to each Councillor being published.

Finance and Administration

REVIEW OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

cont'd

POLICY IMPACT

This is a review of an existing Council policy.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Councillor fees and expenses are outlined in the attached Council policy and are budgeted for and included within the Council's 2025/2026 Operational Plan.

RECOMMENDATION That -

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

ATTACHMENTS

1. ↓	Payment of Expenses and Provision of Facilities ~ Policy - Date Adopted 19 June 2025 - Resolution xxx-25 - Review 2028	Attachment
2. ↓	Mandy McDonald - Public Submission Councillor Allowance - 15 July 2025	Attachment



Upper Lachlan Shire Council

Policy Update Cover

Date: 19 June 2025	Policy Title: Payment of Expenses and Provision of Facilities Policy
This cover sheet provides a summary of the proposed amendments to the attached Policy. Council initially adopted this policy in March 2005. The policy was last updated on 14 December 2023.	
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: - Removed all references to General Manager and replace them with Chief Executive Officer to describe the head of local government agencies in NSW. - Increased vehicle travel expenses per kilometre reimbursement maximum amounts in accordance with the Local Government (State) Award. - Increased Accommodation expense maximum per night by \$40 to \$340. - Increased Councillor professional development monetary limit by \$100 per Councillor per year. - Increased Superannuation Guarantee Contribution to 12% as at 1 July 2025. - Council owned ICT equipment provision for each Councillor – removed provision of iPads and replaced by laptops. - Increase ICT telecommunication allowance for each Councillor by \$3 per month to \$93. - Policy clause removal of Mayor's furnished office facility in the Council building. - Removed references to amended legislation or non-related legislation to this policy.	
Consultation(s): Nil	
Internally cleared by	
Position: Chief Executive Officer	Position: Director of Finance and Administration

ULSC Payment of Expenses and Provision of Facilities Policy

POLICY:-	
Policy Title:	Payment of Expenses and Provision of Facilities Policy
File Reference:	F10/618-015
Date Policy was adopted by Council initially:	24 March 2005
Resolution Number:	67/05
Other Review Dates:	25 August 2005; 24 August 2006; 23 August 2007; 28 August 2008; 20 August 2009; 19 August 2010; 16 August 2011; 20 September 2012; 18 July 2013; 21 August 2014; 20 August 2015; 17 August 2017; 21 September 2017, 20 September 2018, 15 September 2022, 14 December 2023
Resolution Number:	231/05; 237/06; 258/07, 259/08; 334/09; 313/10; 315/11; 318/12; 226/13; 247/14; 227/15; 255/16, 259/17; 301/17, 277/18, 208/22, 246/23
Current Policy adopted by Council:	19 June 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

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Appendix I – Related legislation, guidance and policies

Appendix II – Definitions

ULSC Payment of Expenses and Provision of Facilities Policy

Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to assist them undertake their civic duties.

It ensures accountability and transparency, and seeks to align payment of Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	Councillors: Vehicles under 2.5 litres - \$0.83 per/km Vehicles over 2.5 litres - \$0.98 per/km As calculated on a per kilometre basis by the rate set by the Local Government (State) Award.	Per month
Accommodation	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually (require tax invoice payment evidence)	Maximum up to \$340 per night
Sustenance (Meals) associated	\$120 per Councillor (Includes 3 meals)	Per day
Sustenance within Shire	\$120 (Includes 3 meals)	Per day
Professional development	\$2,000 per Councillor	Per year
Superannuation Guarantee Contribution to Nominated Fund	12% of Members Fee and Mayoral Fee (1 July 2025)	Per month

ULSC Payment of Expenses and Provision of Facilities Policy

Expense or facility	Maximum amount	Frequency
Conferences and seminars attendance	\$120 per Councillor sustenance (Council will pay cost of conference / seminar)	Per day
ICT telecommunication allowance	\$93 per Councillor	Per month
ICT Laptop (Council owned)	Provided to all Councillors	Not relevant
Carer Expenses	Reimbursement of \$30 per hour up to maximum of 5 hours on each occasion (require tax invoice payment evidence)	Per hour rate paid monthly
Access to facilities in the Council Chambers	Provided to all Councillors	Not relevant
Council motor vehicle and fuel card	Provided to the Mayor	Not relevant
Reserved parking space at Council offices	Provided to the Mayor	Not relevant
ICT smart phone device (Council expense)	Provided to the Mayor	Per month
Executive Assistant to support Mayor and Councillors	Provided to the Mayor and Councillors	Not relevant

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement each month and no later than within three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council Ordinary Meeting every twelve months as part of Council's Annual Report and it is published on Council's website.

ULSC Payment of Expenses and Provision of Facilities Policy

Part A - Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Upper Lachlan Shire Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council Chief Executive Officer is empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to Councillors and Mayor fees. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Policy Objectives

- 2.1. The objectives of this policy are to:-
 - Enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties.
 - Enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties.
 - Ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors.
 - Ensure facilities and expenses provided to Councillors meet community expectations.
 - Support a diversity of representation.
 - Fulfil the Council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:-
 - **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
 - **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.

ULSC Payment of Expenses and Provision of Facilities Policy

- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- **Equity:** there must be equitable access to expenses and facilities for all Councillors.
- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations.
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or Political Benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council Ordinary Meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:-
 - Production of election material.
 - Use of Council resources and equipment for campaigning.
 - Use of official Council letterhead, publications, websites or services for political benefit.
 - Fundraising activities of political parties or individuals, including political fundraising events.

Part B - Expenses

5. General Expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. Specific Expenses

General travel arrangements and expenses

- 6.1. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each Councillor may be reimbursed in accordance with their authorised expenditure per year, and the Mayor may be reimbursed in accordance with his/her authorised expenditure per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
 - For public transport fares
 - For the use of a private vehicle or hire car
 - For parking costs for Council and other meetings
 - For toll charges
 - For Cab charge card or equivalent
 - For documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 6.5. Given Council's location near an interstate border, travel to the Australian Capital Territory will be considered as general travel.
Arrangements and expenses for this travel will be governed by Clauses 6.1 - 6.4.

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- 6.6. In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.7. Total interstate, overseas and long distance intrastate travel expenses for all Councillors will be reimbursed by a resolution of Council only per year. No amount is set aside in Council's annual budget.
- 6.8. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the Chief Executive Officer prior to travel.
- 6.9. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council Ordinary Meeting prior to travel.
- 6.10. The case should include:-
 - Objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties.
 - Who is to take part in the travel?
 - Duration and itinerary of travel.
 - A detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.11. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.12. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.13. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14. Bookings for approved air travel are to be made through the Chief Executive Officer's office.
- 6.15. For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.16. Council will not pay any traffic fines, speeding fines, parking fines or administrative charges for road toll accounts.

SC Payment of Expenses and Provision of Facilities Policy

Accommodation and meals

- 6.17. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the Chief Executive Officer. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.
- 6.18. Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Upper Lachlan Shire Council local government area.
- 6.19. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually. For accommodation expense above daily limits threshold for Councillors, the approval of the expense shall be by the Chief Executive Officer prior to a booking confirmation.
- 6.20. The daily limits for accommodation and meal expenses outside NSW or Australia are to be determined in advance by the Chief Executive Officer, being mindful of Clause 6.19.
- 6.21. Councillors will not be reimbursed for alcoholic beverages and minibar expenses.

Refreshments for Council related meetings

- 6.22. Appropriate refreshments will be available for Council Ordinary Meetings, approved Council committee meetings, Councillor Workshops, approved meetings and engagements, and official Council functions as approved by the Chief Executive Officer.
- 6.23. As an indicative guide for the standard of refreshments to be provided at Council related meetings, the Chief Executive Officer must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.24. Council will set aside funds per Councillor annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- 6.25. In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.26. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

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- 6.27. Approval for professional development activities is subject to a prior written request to the Chief Executive Officer outlining the:-
- Details of the proposed professional development.
 - Relevance to Council priorities and business.
 - Relevance to the exercise of the Councillor's civic duties.
- 6.28. In assessing a Councillor request for a professional development activity, the Chief Executive Officer must consider the factors set out in Clause 6.27, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 6.29. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.30. Council will set aside funds annually, in its budget to facilitate Councillor Attendance at conferences and seminars. This allocation is for all Councillors. The Chief Executive Officer will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.31. Approval to attend a conference or seminar is subject to a written request to the Chief Executive Officer. In assessing a Councillor request, the Chief Executive Officer must consider factors including the:-
- Relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties.
 - Cost of the conference or seminar in relation to the total remaining budget.
- 6.32. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the Chief Executive Officer. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.18 - 6.21.

Information and communications technology (ICT) expenses

- 6.33. Council will provide Councillors with a telecommunications allowance for expenses associated with appropriate ICT devices and services per annum for each Councillor. This includes expenses related to personal mobile phones and tablets, data, associated services and home internet costs.
- 6.34. Reimbursements will be made only for communications devices and services used for Councillors to undertake their civic duties, such as:-
- Receiving and reading Council business papers.
 - Relevant phone calls and correspondence.
 - Diary and appointment management.
- 6.35. Councillors may seek reimbursement for other applications on their mobile electronic communication device that are directly related to their duties as a Councillor as approved by the Chief Executive Officer.

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Special requirement and carer expenses

- 6.36. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- 6.37. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 6.38. In addition to the provisions above, the Chief Executive Officer may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.39. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of reasonable carer's expenses for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.40. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.41. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the Chief Executive Officer that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home office expenses

- 6.42. Each Councillor may be provided with minor items of consumable stationery for the maintenance of a home office, such as a ream of plain paper, on request and approval by the Chief Executive Officer.

7. Insurances

- 7.1. In accordance with Section 382, of the Local Government Act 1993, Council is insured against Public Liability and Professional Indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4. Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.
- 7.5. Council is insured against Councillors' and Officers liability claims. Councillors are included as a named insured on this Policy.
- 7.6. Council is insured against Personal Accident liability claims. Councillors are included as a named insured on this Policy.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:-
 - A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
 - A Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
 - A Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2. In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the Chief Executive Officer to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:-
 - Of legal proceedings initiated by a Councillor under any circumstances.
 - Of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
 - For legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council Ordinary Meeting prior to costs being incurred.

Part C - Facilities

9. General facilities for all Councillors

Facilities

- 9.1. Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:-
 - Use of the Council Chambers, when and where available, appropriately furnished to include telephone, desk and appropriate refreshments (excluding alcohol).
 - Postage of official correspondence – all mail is to be directed through the Council's own mailing system and records management EDMS.
 - Use of a Council owned laptop for official business use and councillor specific corporate email address.
 - Personal protective equipment for use during site visits.
 - Use of a Council owned Computer or Tablet, if required.
 - Minor items of consumable stationery.
 - A name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
- 9.2. Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through the Executive Assistant to the Chief Executive Officer or other specified staff member.
- 9.3. The provision of facilities will be of a standard deemed by the Chief Executive Officer as appropriate for the purpose.

Stationery

- 9.4. Council will provide the following stationery to Councillors upon request:-
 - Business cards.

Administrative support

- 9.5. Council will provide administrative support to Councillors to assist them with their civic duties only; i.e. booking training and associated accommodation. Administrative support is provided by Council's Executive Assistant to the Chief Executive Officer or their delegate.
- 9.6. As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

SC Payment of Expenses and Provision of Facilities Policy

10. Additional facilities for the Mayor

- 10.1. Council will provide to the Mayor a maintained motor vehicle to a similar standard of other Council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at Civic, community and Committees of Council events.
- 10.2. The Mayoral Fee allowance will be reduced to cover the cost of any private travel recorded in a log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.3. A parking space at Council's offices will be reserved for the Mayor's Council-issued motor vehicle for use on official business, professional development and attendance at the Council office.
- 10.4. Use of a Council mobile telephone and Council user email address for official business use.
- 10.5. In performing his or her civic duties, the Mayor will be provided with administrative and secretarial support, including support from Council's Executive Assistant to the Chief Executive Officer and other support as determined by the Chief Executive Officer.
- 10.6. As per Section 4, Council's Executive Assistant to the Chief Executive Officer provides support to the Mayor's office for work on official Council business only, and not for matters of personal or political interest, including campaigning.

Part D - Processes

11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:-
 - Local travel relating to the conduct of official business.
 - Carer costs.
- 11.4. Final approval for payments made under this policy will be granted by the Chief Executive Officer.

Direct payment

- 11.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Chief Executive Officer for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.6. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Chief Financial Officer.

Advance payment

- 11.7. Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 11.8. The maximum value of a cash advance per day of the conference, seminar or professional development will be approved by the Chief Executive Officer.
- 11.9. Requests for advance payment must be submitted to the Chief Executive Officer for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.
- 11.10. Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:-
 - A full reconciliation of all expenses including appropriate receipts and/or tax invoices.
 - Reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

SC Payment of Expenses and Provision of Facilities Policy

Notification

- 11.11. If a claim is approved, Council will make payment directly to the supplier or reimburse the Councillor through accounts payable.
- 11.12. If a claim is refused, Council Chief Executive Officer will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 11.13. If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:-
 - Council will issue a tax invoice to a Councillor for the expense required to be paid.
 - The Councillor will reimburse Council for that expense within 14 days of the tax invoice date.
- 11.14. If the Councillor cannot reimburse Council within 14 days of the tax invoice date, they are to submit a written explanation to the Chief Executive Officer. The Chief Executive Officer may elect to deduct the amount from the Councillor's monthly member fee allowance.

Timeframe for reimbursement

- 11.15. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

- 12.1. If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the Chief Executive Officer.
- 12.2. If the Councillor and the Chief Executive Officer cannot resolve the dispute, the Councillor may submit a Notice of Motion to a Council Ordinary Meeting seeking to have the dispute resolved.

13. Return or retention of facilities

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the Chief Executive Officer to purchase any such equipment. The Chief Executive Officer will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's Annual Report.

SC Payment of Expenses and Provision of Facilities Policy

14. Publication

- 14.1. This policy will be published on Council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.
- 15.2. Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council Ordinary Meeting every twelve months as part of the Annual Report and published in full on Council's website. These reports will include expenditure summarised as a total for all Councillors.

16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken annually.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the Chief Executive Officer.
- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

SC Payment of Expenses and Provision of Facilities Policy

PART E - Appendices

Appendix I: Related Legislation, Guidance and Policies

Relevant Legislation and guidance

- Local Government Act 1993, Sections 252 and 253.
- Local Government (General) Regulation 2021, Clauses 217 and 403.
- A New Tax System (Goods and Services Tax) Act 1999;
- Crimes Act 1900;
- Environmental Planning and Assessment Act 1979;
- Government Information (Public Access) Act 2009;
- Independent Commission against Corruption Act (ICAC) 1988;
- Ombudsman Act 1974;
- Privacy and Personal Information Protection Act 1998;
- Public Interest Disclosures Act 2022;
- State Records Act 1998;
- Superannuation Guarantee (Administration) Act 1992;
- Office of Local Government – Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2017;
- ICAC publication “No Excuse for Misuse, preventing the misuse of Council resources”.

Related Council policies

- Bribes, Gifts and Benefits Policy;
- Code of Business Practice;
- Code of Conduct;
- Code of Meeting Practice;
- Councillor Training and Development Policy;
- Designated Person Disclosing Interests Returns Policy;
- Digital Information Security Policy;
- Disclosures of Interest at Meetings Policy;
- Fraud and Corruption Prevention Policy;
- Government Information (Public Access) Policy;
- Interaction between Councillors and Staff Policy;
- Public Interest Disclosures Policy;
- Internet and Email Policy;
- Privacy Policy;
- Privacy Management Plan.

Appendix II: Definitions

The following definitions apply throughout this Policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
Chief Executive Officer	Means Chief Executive Officer of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: • Ordinary meetings of Council and committees of the whole • Meetings of committees facilitated by Council • Civic receptions hosted or sponsored by Council • Meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the <i>Local Government (General) Regulation 2021</i> (NSW)
Year	Means the financial year, that is the 12 month period commencing on 1 July each year

MANDY MCDONALD
41 COWPER STREET
CROOKWELL NSW 2583
0435 243 080
12- 07 - 2025

Dear Ms Waldron

Re: Policy on public exhibition

Payment of Expenses and Provision of Facilities Policy

I have a number of concerns that I wish to share with you.

“Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to assist them undertake their civic duties.

It ensures accountability and transparency, and seeks to align payment of Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the Local Government Act 1993 (the Act) and Local Government (General) Regulation 2021 (the Regulation), and complies with the Office of Local Government’s Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.”

And

“1.2. The community is entitled to know the extent of expenses paid to

Councillors, as well as the facilities provided. “

And

“2.1. The objectives of this policy are to:-

☐ *Enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties.*

☐ *Enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties.*

☐ *Ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors.*

☐ *Ensure facilities and expenses provided to Councillors meet community expectations.”*

And

3.1. Council commits to the following principles:-

Proper conduct: Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.

Reasonable expenses: providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.

ULSC Payment of Expenses and Provision of Facilities Policy.

Appropriate use of resources: providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations.

☐ *Accountability and transparency: clearly stating and reporting on the expenses and facilities provided to Councillors.”*

My concern centres around the definition of “ reasonable and appropriate reimbursement...” “accountability and transparency “ and “ meeting community expectations “.

I seek assurance that travel expenses are measured from the Upper Lachlan residential address, which may or may not be the primary residence of the Councillor. This would seem reasonable and appropriate and certainly in keeping with community expectations.

Publishing a monthly account of what civic activities each Councillor has engaged in and the reimbursement provided would seem the only fair and equitable process to assure transparency and accountability for the community as well as providing the community with an understanding of civic duties undertaken by the Councillors.

I await your response.

Yours sincerely

Mandy McDonald

Finance and Administration - 21 August 2025

ITEM 13.3 **2024/2025 Budget Revotes to carry forward to internal restricted reserve**

FILE REFERENCE **I25/199**

AUTHOR **Director of Finance and Administration**

ISSUE

This report recommends the revote to carry forward 2024/2025 prepayment of Financial Assistance Grants and carry forward expenditure allocations and uncompleted works projects into Council's internal restricted reserve fund.

RECOMMENDATION That -

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

BACKGROUND

Nil

REPORT

The uncompleted works allocations and internal restricted reserve movements from 2024/2025 Operational Plan budgeted expenditure are required to be carried forward by transfer to the Council's internal restricted reserve fund. In addition, Council are required to restrict the 2025/2026 Financial Assistance Grant (FAGS) payment in advance for use in that financial year.

The following internal restricted budget revotes do not include specific tied grant fund cash allocations unexpended which are required to be acquitted to external funding bodies and have been externally restricted by Council for their specified purpose: i.e. Roads to Recovery, RMS Regional Road Block Grant, and other specific Federal Government and NSW Government grant funded programs. Also excluded are Section 7.11 development contributions and Section 64 development contributions, Trust funds, Wind Farm CEP funds, stormwater levy, water supply fund, sewerage fund and domestic waste management, which are all external restricted reserve funds.

The following are revotes to the Council internal restricted reserve fund relating to recurrent revenue for projects in the 2024/2025 Operational Plan and includes Council funded uncompleted works and business unit allocations as follows:-

Finance and Administration**2024/2025 BUDGET REVOTES TO CARRY FORWARD TO INTERNAL RESTRICTED RESERVE** cont'd

Description	GL Number	Revote
2024/2025 - Internal Reserves - Uncompleted Works		
Tourism	01.27000	\$ 15,000
IT - TRIM (records management) upgrade	01.55908	\$ 25,000
ePlanning Suite - Implementation & Integration	01.55430	\$ 7,600
Authority procurement system implementation	01.55907	\$ 50,000
Governance - Internal Audit Expenses	01.10000	\$ 60,900
Library - PCs	01.55190	\$ 5,800
Uncompleted Works - Total		\$ 164,300
2024/2025 - Internal Reserves Movement		
Financial Assistance Grant 2025/2026 Prepayment	01.23501	\$ 3,487,842
Plant and Equipment Replacement	01.59000	\$ 882,200
Buildings and Infrastructure Improvements	01.10101	\$ 473,786
Internal Reserves Movement - Total		\$ 4,843,828
Total internal restriction allocations at 30 June 2025		\$ 5,008,128

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

All internal restricted transfer to reserves are included in Note C1-3 Restricted Cash, Cash Equivalents and Investments in the 2024/2025 Financial Statements which will be independently audited and reported to the Ordinary Council Meeting in October 2025.

Total cash and investments held by Council are \$36.7 million as at 30 June 2025 an increase from \$35.3 million held at 30 June 2024.

RECOMMENDATION That -

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

ATTACHMENTS

Nil

Finance and Administration - 21 August 2025

ITEM 13.4 **Review of Pre-Placement Health Assessment Policy**

FILE REFERENCE **I25/207**

AUTHOR **Director of Finance and Administration**

ISSUE

This report provides a recommendation for adoption of the reviewed Pre-Placement Health Assessment Policy by Council.

RECOMMENDATION That -

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

BACKGROUND

Nil

REPORT

This report details the review of Council's Pre-Placement Health Assessment Policy. The Policy is attached with amendments for Council's review.

POLICY IMPACT

This is a review of an existing Council policy.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

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

ATTACHMENTS

1. ↓	Pre Placement Health Assessment Policy - Date Adopted 21 August 2025 - Resolution XXX-25 - Review 2028	Attachment
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Upper Lachlan Shire Council

Policy Update Cover

Date: 21 August 2025	Policy Title: Pre-Placement Health Assessment Policy <i>(Previously New Employees Pre Placement Health Assessment Policy & Procedure / Pre-Employment Medical Assessment Policy)</i>
This cover sheet provides a summary of the proposed amendments to the attached Policy. Council initially adopted this policy in 2011. The policy was last updated on 19 December 2019	
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: • Removed all references to General Manager and replaced 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. • Updated relevant titles and relevant parties' information in policy. • Updated the policy to include Job Adjustments, Appeals Process specifications. • Updated the policy to address situation if an applicant is unfit to perform the duties of the position as outlined in the Pre-Employment Medical Assessment. • The Pre-Employment Medical Assessment form has been amended in line with Council's "Fitness for work" approach.	
Consultation(s): WHS Committee Consultative Committee	
Internally cleared by	
Position: Chief Executive Officer Director of Finance and Administration	Position: Manager Human Resources Health and Safety Leader

Pre-Placement Health Assessment Policy

Adopted: 21 August 2025

POLICY:-	
Policy Title:	Pre-Placement Health Assessment Policy (Previously New Employees Pre Placement Health Assessment Policy & Procedure / Pre-Employment Medical Assessment Policy)
File Reference:	F10/618-015
Date Policy was adopted by Council initially:	20 December 2011
Resolution Number:	411/11
Other Review Dates:	20 December 2011, 16 August 2012, 16 June 2016, 19 December 2019
Resolution Number:	411/11, 282/12, 170/16, 371/19
Current Policy adopted by Council:	21 August 2025
Resolution Number:	XXX/25
Next Policy Review Date:	2028

PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed:	Refer to Recruitment and Selection procedure
Procedure/guideline reference number:	Refer to Recruitment and Selection procedure

RESPONSIBILITY:-	
Draft Policy developed by:	Manager Human Resources
Committee/s (if any) consulted in the development of this Policy:	WHS Committee Consultative Committee
Responsibility for implementation:	Chief Executive Officer
Responsibility for review of Policy:	Manager Human Resources

V4 21 August 2025

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Pre-Placement Health Assessment Policy

Adopted: 21 August 2025

OBJECTIVE

As part of the Council recruitment process all suitable candidates /employees must take part in a Pre-Placement Health Assessment. This aims to ensure that individuals are placed in positions that will not adversely affect their health and wellbeing.

Upper Lachlan Shire Council as an Equal Employment Opportunity (EEO) employer will, in all cases, endeavor to accommodate applicants with impairment(s) who, by way of merit, are successful in applying for any available position.

In order for Council to identify any possible and equitable work adjustments/needs, Council needs to be aware of the extent of impairments.

POLICY

This policy relates to internal and external recruitment and selection of all permanent, temporary, volunteers, casual and seasonal positions under the provisions of the *Local Government Act 1993 and Local Government (State) Award*.

This policy applies to any candidate being considered for a role with Council. The candidate must be prepared to undertake the Pre-Placement Health Assessment, to provide all necessary health information to determine their capacity to undertake the inherent job requirements and job demands of the position, and to assist in determining any adjustment needs.

A person must not be appointed to a position without sign off by a medical practitioner, including both pre-medical checks and independent hearing assessment.

A person may engage their preferred medical practitioner, unless advised otherwise by Council.

Council if engaging staff through a recruitment agency will disclose that the candidate will need to undertake a Pre-Placement Health Assessment which aligns with Council's specified requirements.

Council will pay for, or reimburse, the costs associated with any pre-medical assessment in line with this policy.

Pre-Placement Health Assessment Policy

Adopted: 21 August 2025

Reason for New Employees Pre Placement Health Assessment

Ahead of employment / appointment the Pre-Placement Health Assessment is required:-

- To determine the candidate's ability to meet the physical requirements of the position applied for;
- To enable the best applicant to carry out the requirements of the role;
- To ensure confidential and transparent employment processes.

Results of Employees Pre Placement Health Assessment

The results of a Pre-Placement Health Assessment remain confidential. The relevant medical practitioner will provide the results to Council's Human Resources team after the assessment is completed.

The Human Resources team will then review the assessment against the role to ensure that requirements have been met before providing a formal letter of offer to the successful candidate.

Medical assessments of candidates are placed within a secure personnel file for that candidate within Council's electronic document management records system.

The personnel files are kept in accordance with legislation requirements adhering to the *Privacy and Personal Information Protection Act 1998*. It should be noted, these medical assessments will remain on the personnel file permanently.

Job Adjustments

If a health assessment determines that an applicant or employee would be capable of performing the inherent job requirement if an adjustment is made to accommodate them, Council will be informed by the medical practitioner of what adjustments are necessary to allow the person to be able to perform that particular inherent requirement. {Council would rely on the advice of a medical practitioner and the Health and Safety Leader will implement the adjustment.}

If the cost of the adjustment is significant, Council will assess its ability to implement such adjustment taking into consideration its obligations under applicable legislation.

Appeal Process

Where an applicant is dissatisfied with recommendations in respect to their capacity to perform the inherent job requirements and job demands of the position, with or without adjustments, an appeal may be lodged within 5 working days from the results of the first Pre-Placement Health Assessment.

V4 21 August 2025

Pre-Placement Health Assessment Policy

Adopted: 21 August 2025

The applicant may wish to discuss the matter with the medical practitioner. Where an applicant wishes to seek another medical opinion, this will be paid for by the applicant.

PRE-EMPLOYMENT MEDICAL ASSESSMENT

In addition, Council must fulfill its obligations as follows:-

- Under the *Work Health and Safety Act 2011 and Regulations* to ensure the health, safety and welfare of their employees and other people in the workplace;
- Under the *Anti-Discrimination Act 1977* and *Disability Discrimination Act 1992* for agencies to provide a workplace and employment opportunities free from unlawful discrimination;
- Under the *Privacy and Personal Information Protection Act 1998* to ensure that all information provided is only collected for the purpose of carrying out a Pre-employment Medical Assessment; and
- Under the *State Records Act 1998* to ensure information is stored, retained and destroyed in accordance with record keeping standards.

Definitions***New Employees Pre-Placement Health Assessment***

Comprehensive medical and physical examination and appropriate investigations undertaken by a doctor.

Inherent job requirements

The requirements that are fundamental or essential to the position. These requirements must be determined objectively and cannot depend on the attitude or operational methods of the employer.

Inherent job requirements carry with them associated job demands. Inherent job requirements can be located in the Position Description relating to the position under “*Essential*”.

If Medical Assessments indicate an applicant is unfit to perform the duties of the position

If the medical practitioner determines that the duties of the position could present a risk to the applicant’s work health, safety and welfare, or poses a risk to others, the following action is to be taken:-

- Whenever necessary, and within the bounds of privacy and confidentiality, Council’s Health and Safety Leader is to confer with the medical practitioner to clarify any specific concerns and whether modification of the duties, or the manner in which the duties are performed, is feasible in the professional opinion of the medical practitioner.
- The Supervisor/Manager is then to examine the job concerned and consider what reasonable modifications could be made to the duties of the position, the equipment used, the work environment etc. The results

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Pre-Placement Health Assessment Policy

Adopted: 21 August 2025

of this examination and the Supervisor/Manager's recommendations are to be recorded in writing and returned to Council's Health and Safety Leader.

- Council's Health and Safety Leader will again confer with the medical practitioner to determine whether the proposed modifications would enable the employee to perform the duties of the position. If the medical practitioner concurs, then the job modifications are to be effected and the appointment is to proceed. A Return to Work Plan for the modification or permanent modifications to the position, will outline the requirements for the candidate to follow and will be drafted in consultation with the Managers and Health and Safety Leader.
- If the medical practitioner determines that, despite the proposed modifications, the applicant would be unable to perform the duties of the position, the applicant is to be notified by the Manager Human Resources and the appointment, upon direction of the CEO is to either be offered to the next most meritorious candidate (if appropriate) or the vacant job is to be re-advertised.

Disability

As part of the obligations under the *Anti-Discrimination Act 1997* and *Disability Discrimination Act 1992*, Council must ensure that any applicants with a disability are assessed using any service or facility they routinely use to perform the inherent job requirements and job demands of a position e.g. if an applicant uses a prosthesis, then the aid should be used during the assessment.

Council will assess any required adjustments on a case by case basis, in consultation with the applicant and medical practitioner.

Relevant Legislation

The following legislation that is relevant to this Policy include:-

- Anti-Discrimination Act 1977;
- Disability Discrimination Act 1992;
- Equal Employment Opportunity Act 1987;
- Fair Work Act 2009;
- Government Information (Public Access) Act 2009;
- Independent Commission against Corruption Act (ICAC) 1988;
- Industrial Relations Act 1996;
- Local Government Act 1993;
- Local Government (General) Regulation 2021;
- Local Government (State) Award 2023;
- Privacy and Personal Information Protection Act 1998;
- Public Interest Disclosures Act 2022;
- State Records Act 1998;
- Workers Compensation Act 1987;
- Work Health and Safety Act 2011 & Regulations 2017;
- Workplace Injury Management Workers Compensation Act 1998;
- Workplace Relations Act 2008.

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Pre-Placement Health Assessment Policy

Adopted: 21 August 2025

Related Council Policies and Procedures

The following Council Policies and procedures relevant to this Policy include:-

- Bribes, Gifts and Benefits Policy;
- Code of Conduct;
- Complaints Management Policy;
- Alcohol and Other Drugs Policy;
- Employment and Retention Policy;
- Fraud and Corruption Prevention Policy;
- Government Information (Public Access) Policy;
- Interaction between Councillors and Staff Policy;
- Privacy Management Plan;
- Public Interest Disclosures Policy;
- Records Management Policy;
- Recruitment and Selection Policy;
- Volunteers Policy;
- Workforce Plan;
- Work Health and Safety Policy.

Relevant Form

Pre-Placement Medical Assessment Form

Variation

Council reserves the right to vary or revoke this policy at any time.

Council management may change or implement additions to the Pre-Placement Medical Assessment form related to this policy at any time.

Finance and Administration - 21 August 2025

ITEM 13.5 **Review of Alcohol and Other Drugs Policy**

FILE REFERENCE **I25/209**

AUTHOR **Director of Finance and Administration**

ISSUE

This report provides a recommendation for adoption of the reviewed Alcohol and Other Drugs Policy by Council.

RECOMMENDATION That -

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

BACKGROUND

Nil

REPORT

This report details the review of Council's Alcohol and Other Drugs Policy (Previously named as Drug and Alcohol Policy). The Policy is attached with amendments for Council's review and adoption.

POLICY IMPACT

This is a review of an existing Council policy.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

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

ATTACHMENTS

1. ↓	Alcohol and Other Drugs Policy - Resolution XX-25 - 21 August 2025 - Review 2028	Attachment
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Upper Lachlan Shire Council

Policy Update Cover

Date: 21 August 2025	Policy Title: Alcohol and Other Drugs Policy
This cover sheet provides a summary of the proposed amendments to the attached Policy. Council initially adopted this policy on 25 August 2005. The policy was last updated on 16 August 2018.	
Sponsor: Manager Human Resources	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: • Removed references to amended legislation or non-related legislation to this Policy. • Renamed the policy to Alcohol and Other Drugs Policy. • Removed the Alcohol and Other Drugs Procedure from the Council Policy. • Industry consensus on Alcohol and Other Drugs procedures and testing in the workplace. This Alcohol and Other Drugs Policy has been developed in line with the Procedure that has been developed by unions including; the USU, LGEA, DEPA in addition to concurrence from Local Government NSW ('the industry parties') to be used as a resource by the Local Government industry in NSW.	
Consultation(s): WHS Committee Consultative Committee	
Internally cleared by	
Position: Chief Executive Officer Director of Finance and Administration	Position: Health and Safety Leader Manager Human Resources

Alcohol and Other Drugs Policy
Adopted: 21 August 2025

POLICY:-	
Policy Title:	Alcohol and Other Drugs Policy (Previously Drug & Alcohol Policy)
File Reference:	F13/77-08
Date Policy was adopted by Council initially:	25 August 2005
Resolution Number:	254/05
Other Review Dates:	17 December 2009, 21 June 2012, 20 August 2015 and 16 August 2018
Resolution Number:	517/09, 198/12, 229/15, 246/18
Current Policy adopted by Council:	21 August 2025
Resolution Number:	XXX/25
Next Policy Review Date:	2028

PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed:	22 July 2025
Procedure/guideline reference number:	

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

V5 21.08.2025

Alcohol and Other Drugs Policy
Adopted: 21 August 2025

Objective

To ensure compliance with the required employer duties under the Work Health and Safety Act 2011 regarding the provision of a safe workplace; and

To deal with Alcohol and Other Drugs and their effect on workers' fitness for work whilst performing duties at Upper Lachlan Shire Council (Council) and to ensure that Council has a mechanism to appropriately manage the misuse of alcohol and other drugs in the workplace through training, education and where required, rehabilitation.

It is the goal of Council to:-

- Eliminate the risks associated with the misuse of alcohol and other drugs, thereby providing a safer working environment;
- To reduce the risks of alcohol and other drugs impairment in the workplace; and
- To promote a supportive culture that encourages a co-operative approach between management and workers and builds on the shared interest in workplace health and safety.

Scope

This policy applies to all Council workers, this definition includes; permanent employees and casual employees, temporary staff, contractors, workers of contractors and volunteers in the workplaces of Council.

This policy is supported by a detailed Alcohol and Other Drugs Procedure that was developed in agreement with unions and "industry parties" (the USU, LGEA, DEPA and LGNSW).

Alcohol and Other Drugs Testing Program

Council will be conducting alcohol and other drugs testing in workplaces of the Council. Council has established a procedure for use and conducting random testing and a testing program for when a responsible person reasonably suspects that a worker is impaired by alcohol and/or other drugs in the workplace.

Council has established a program of testing that will:-

- Provide people with information about the effects of alcohol and other drugs;
- Discourage people from coming to work when they may be unfit for work because of alcohol or other drugs; and
- Assist in identifying people who may be unfit for work.

V5 21.08.2025

Alcohol and Other Drugs Policy
Adopted: 21 August 2025

Breach of this Policy

Employers have a duty to ensure the health, safety and welfare of their workers and other people in the workplace under the *Work Health and Safety Act 2011* (NSW). Workers have a duty to take reasonable care for their own health and safety, as well as for the health and safety of other people in the workplace and to co-operate with their employer in providing a safe working environment in accordance with the *Work Health and Safety Act 2011* (NSW).

Council workers, temporary staff, contractors, workers of contractors and volunteers must comply with this policy at all times.

If an employee is found to have breached this policy, they may be subjected to disciplinary action. The type and severity of the disciplinary action will depend upon the circumstances of the case and the seriousness of the breach. In serious cases, this may include termination of employment.

Disciplinary action that may be taken for positive tests to drug and alcohol testing include (but are not limited to):-

- Performance counselling;
- A formal warning;
- Suspension;
- Demotion;
- Termination of employment;
- Rehabilitation Plan;
- Referral to the Council Employee Assistance Program ("EAP").

Worker Acknowledgement

Individual responsibilities relating to this policy will be explained during a Council worker's induction and as per the Alcohol and Others Drugs Procedure.

More information

If a worker is unsure about any matter covered by this Policy, they should seek the assistance from the Human Resources unit or their direct Supervisor.

Relevant Legislation

- Australian Standards
 - AS3547:2019 - Breath alcohol devices for personal use ('AS3547:2019')
 - AS4760:2019 - Procedures for specimen collection and the detection and quantity of drugs in oral fluid ('AS4760:2019')
- Road Transport Act 2013;
- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2017;
- Local Government State Award 2023;
- Local Government Act 1993;
- State Records Act 1998;

V5 21.08.2025

Alcohol and Other Drugs Policy
Adopted: 21 August 2025

- Crimes Act 1900;
- Government Information (Public Access) Act 2009;
- Industrial Relations Act 1996;
- Workplace Relations Act 2008; and
- Privacy and Personal Information Protection Act 1998.

Related Council Policies and Procedures

The following Council Policies and procedures relevant to this Policy include:-

- Code of Conduct;
- Records Management Policy
- Privacy Management Plan
- Work Health and Safety Policy;
- Government Information (Public Access) Policy; and
- Alcohol and Others Drugs Procedure.

Variation

Council reserves the right to vary or revoke this policy.

V5 21.08.2025

Finance and Administration - 21 August 2025

ITEM 13.6 **ARIC Strategic Plan**

FILE REFERENCE **I25/212**

AUTHOR **Director of Finance and Administration**

ISSUE

Details of the Audit, Risk and Improvement Committee (ARIC) four year Strategic Plan 2025-2029 is recommended by ARIC Chairman for approval by Council.

RECOMMENDATION That -

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

BACKGROUND

Council established shared arrangements for the operation of the Audit, Risk and Improvement Committee (ARIC) on 1 January 2023. The independent ARIC committee members service the Canberra Region Joint Organisation (CRJO), Goulburn Mulwaree Council, Upper Lachlan Shire Council and Yass Valley Council.

REPORT

Council has established an ARIC in compliance with Section 428A, of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* as amended by the *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023* and the Office of Local Government's (OLG) Guidelines for risk management and internal audit for local government in NSW.

A Council's ARIC must develop a strategic work plan every four years to ensure that all the matters listed in Section 428A, of the *Local Government Act 1993* are reviewed by the committee and considered by the internal audit function when developing their risk-based program of internal audits.

The Strategic Plan must be developed by the ARIC in consultation with the governing body, Chief Executive Officer, the internal audit coordinator and senior managers (where appropriate) and adopted by the governing body of the Council at the start of the Council elected term.

The attached ARIC Strategic Plan sets out the ARIC's objectives, composition and tenure, reporting and administrative arrangements and 4 year internal audit workplan. The ARIC Strategic Plan is presented for Council endorsement.

Finance and Administration
ARIC STRATEGIC PLAN cont'd

Council has previously adopted the ARIC Charter and Terms of Reference at the Ordinary Council Meeting on 9 May 2024 in accordance with legislative requirements.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

The funding for the operations of the ARIC Committee are included annually within the Council Operational Plan.

RECOMMENDATION That -

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

ATTACHMENTS

1. ↓	ULSC ARIC Strategic Plan - 2025-2029	Attachment
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UPPER LACHLAN SHIRE COUNCIL ARIC STRATEGIC PLAN 2025-29

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INTRODUCTION

The Local Government Act 1993, the Local Government (General) Regulation 2021 and the Risk Management and Internal Audit for local government in NSW Guidelines require each Council in NSW to have the following mandatory governance mechanisms:

- an audit, risk and improvement committee that continuously reviews and provides independent advice to the council on how it is functioning and managing risk
- a robust risk management framework that accurately identifies and mitigates the risks facing the council and its operations, and
- an effective internal audit function that provides independent advice as to whether the council is functioning effectively and the council's internal controls to manage risk are working

Upper Lachlan Shire Council established its Audit, Risk & Improvement Committee (ARIC by resolution of Council from 1 January 2023.

Guiding Principles

The guiding principles for ARICs are:

- The ARIC is independent of the Council.
- The Committee is equipped with the relevant expertise and has access to the council resources and information necessary to fulfil its role and responsibilities effectively.
- Each council receives relevant and timely advice and assurance from the Committee on the matters listed in section 428A of the Local Government Act.
- The work of the Committee is thoroughly planned and executed, risk-based and linked to the Council's strategic goals.
- The Committee adds value to the council and is accountable to the governing body for its performance.
- The council is accountable to the community for complying with statutory requirements and the draft Guidelines relating to the Committee.

Role and Functions

Under section 428A of the Local Government Act 1993, each Council must have an Audit, Risk & Improvement Committee to independently review and advise on the following aspects of Council's operations:

- Compliance
- Risk management
- Fraud control
- Financial management
- Governance
- Implementation of strategic plan, delivery program and strategies
- Service reviews
- Collection of performance measurement data by the council, and
- Any other matters prescribed by the regulation

ARICs have an advisory role that is independent of Council. They are to exercise no administrative function, delegated financial responsibilities or any management functions of Council.

ARICs are to provide independent advice to Council that is informed by Council's internal audit and risk management activities, and information and advice provided by Council staff, relevant bodies and other subject matter experts.

ARIC is one of the ways Council gathers information to make informed decisions.

Strategic Plan

ARICs are required to develop a four-year strategic workplan to ensure the above areas are reviewed by the Committee and considered by the internal audit. The work of the Committee is to be thoroughly planned so all activities and functions are considered, and advice and assurance can be provided to Council.

Sections 1 (ULSC) 2 (ULSC ARIC) and 3 (Risk, Audit & Assurance) of this plan contain information to inform the key focus areas and KPIs detailed in Section 4 (ULSC ARIC Work Plans). ARIC Strategic Plan is an organic document that is reviewed and updated at least annually by ARIC.

Stakeholders

The following stakeholders have been consulted by ARIC in developing the plan:

- Council
- Chief Executive Officer
- Executive Leadership Team
- Senior staff

SECTION ONE – UPPER LACHLAN REGIONAL COUNCIL

The Region

Upper Lachlan Shire Council is situated in the Southern Tablelands of New South Wales and administers a region renowned for its picturesque landscapes, rich agricultural heritage, and vibrant rural communities. It was established in 2004 through the amalgamation of Crookwell Shire and parts of Mulwaree, Gunning, and Yass Shires. The Shire encompasses an area of approximately 7,127 square kilometers and includes towns and villages such as Crookwell, Gunning, Taralga, Collector, Dalton, Bigga, Binda, Tuena, Grabben Gullen, Laggan, Breadalbane, Jerrawa, and Big Hill.

Community Vision

The Council's vision is "to build and maintain sustainable communities while retaining the region's natural beauty." This vision underscores a commitment to balancing development with environmental preservation, ensuring that growth does not compromise the area's inherent charm and ecological integrity.

Community Values

Guided by its vision, the Upper Lachlan Shire Council upholds several core values:

- Sustainability: Emphasising best practices that ensure environmental stewardship and intergenerational equity.
- Integrity: Conducting affairs with honesty, transparency, and ethical standards to foster trust within the community.
- Respect: Valuing diverse opinions and promoting inclusive participation in governance.
- Professionalism: Striving for excellence in service delivery through continuous staff development and empowerment.

Strategic Priorities

The Council's strategic framework is built upon five pillars:

- Our Community: Fostering a cohesive, healthy, and inclusive society.
- Our Economy: Promoting economic development that leverages local strengths and opportunities.
- Our Environment: Protecting natural resources and promoting sustainable practices.
- Our Infrastructure: Developing and maintaining essential services and facilities to meet current and future needs.
- Our Civic Leadership: Ensuring transparent, accountable, and responsive governance.

Community Engagement

The Council places significant emphasis on community engagement to inform its planning and decision-making processes. In 2021, a comprehensive engagement initiative titled "Towards 2042" was conducted, involving surveys, interviews, and discussions with residents. Feedback from this initiative highlighted the community's appreciation for the region's natural beauty, the importance of infrastructure development, and the desire for enhanced services and facilities.

This feedback, along with further consultation, has informed the development of the Upper Lachlan Shire Council's 2024 Community Strategic Plan, which sets out the community's long-term vision, goals, and priorities.

Through its strategic vision, core values, and commitment to community engagement, the Upper Lachlan Shire Council endeavors to create a sustainable and prosperous future that honors the region's heritage and natural assets.

Council Focus Areas

Focus areas are embedded in Council plans such as the *Community Strategic Plan 2042* and the *Operational Plan 2025–2026*, and they aim to balance long-term development with environmental and social responsibility.

Community Wellbeing

- Support for aged care, youth, and families through accessible services.
- Public health initiatives and promotion of mental health awareness.
- Encouragement of volunteering and community participation.
- Maintenance of sporting and recreational facilities to foster active lifestyles.

Infrastructure and Asset Management

- Maintenance and improvement of local roads, bridges, footpaths, and drainage.
- Upgrade of community halls, libraries, and other public buildings.
- Focus on long-term asset planning to ensure sustainability of infrastructure.

Economic Development and Tourism

- Support for small businesses and local job creation.
- Promotion of agri-tourism, heritage tourism, and eco-tourism.
- Facilitation of regional events and markets that attract visitors.
- Improving digital connectivity in rural areas.

Environmental Sustainability

- Protection of biodiversity, native flora and fauna, and waterways.
- Management of waste, recycling, and resource recovery programs.
- Initiatives to address climate change and land degradation.
- Collaboration with landholders for sustainable land use and weed control.

Governance and Civic Leadership

- Commitment to transparent, ethical, and accountable governance.
- Improved customer service and responsiveness to community feedback.
- Encouragement of community input into decision-making processes.
- Promotion of strategic regional collaboration and advocacy.

Emergency Preparedness and Resilience

- Support for bushfire, flood, and natural disaster preparedness.
- Investment in disaster recovery infrastructure and planning.
- Public education on emergency response and community resilience.

SECTION TWO – ULSC AUDIT RISK & IMPROVEMENT COMMITTEE

Upper Lachlan Shire Council ARIC

All councils are required under the Local Government Act 1993 to have an audit risk and improvement committee (ARIC) from 4 June 2022. Upper Lachlan Shire Council's ARIC was established 1 January 2023 in accordance with section 428A of the Local Government Act 1993.

ARIC is a Committee of Council, responsible for reviewing Council's strategic and operational plans and risks across a broad range of governance matters, as prescribed in the legislation and the provisions of the Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023. The Committee is advisory in its function and has no authority to direct the General Manager or Council officers. The Committee has no executive powers, except those expressly provided by the Council.

- The Committee comprises four independent members and one Councillor. This optimises the likelihood of having a diverse range of perspectives and expertise in the group.
- The Chair of the Committee must be an independent member.

The objective of the Committee is to provide independent assurance and assistance to the Council on risk management, control, governance, internal audit, organisational performance and external accountability responsibilities. The Committee also provides information to the Council for the purpose of improving the Council's performance of its functions.

The first meeting of ARIC was held 20 March 2023.

Terms of Reference

The Committee operates in accordance with the Audit, Risk and Improvement Committee Terms of Reference (TOR). The TOR is based on the model included in the Guidelines and was most recently formally adopted by Council at its 9 May 2024 meeting.

Members

The Committee comprises of five members:

- One Councillor has been appointed to the Committee for the term of Council and may be re-appointed.
- The Mayor is excluded from being a member.
- Councillors are invited to attend ARIC meetings as observers.
- Four independent members were appointed to the Committee for a three-year term and may be reappointed for a period of up to eight years.

Name	Role	Term Expiry
Stephen Coates	Independent Chair	31/12/25
Diana Hamono	Independent Member	31/12/25
Rachel Harris	Independent Member	31/12/25
Bryce McNair	Independent Member	31/12/25
Rob Cameron	Non-voting Member	30/09/28

The ULSC ARIC has the appropriate mix of skills, knowledge and experience necessary to successfully implement its terms of reference and value add to the council. The term of each of the members is managed in line with the Terms of Reference.

Key Staff

Upper Lachlan Shire Council staff that attend the ARIC include:

Name	Role
Alex Waldron	Chief Executive Officer
Andrew Croke	Director of Finance & Administration
Ashan Hewage	Chief Financial Officer
John Abakah	Manager Governance

Council staff presenting information to ARIC attend the meeting for the relevant discussion

Meetings

ARIC meetings are generally held once a quarter. Additional meetings are held to review the financial statements before and after audit.

Overview of Internal Audit

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

The Upper Lachlan Shire Council Internal Audit Function is a shared service model servicing Goulburn Mulwaree, Yass Valley, Snowy Monaro Councils and the Canberra Region Joint Organisation.

ARICs Internal Audit Charter was adopted by Council at the 9 May 2024 Council meeting.

Internal audit activities follow a regularly revised Four Year Internal Audit Plan that helps to bring a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

Core Documents

The following table identifies the planning and core documents completed by ARIC (as noted in the Guidelines) along with the definition applied by Upper Lachlan Shire Council ARIC and a brief description.

The work of ARIC is thoroughly planned and executed, risk-based and linked to Council's strategic goals.

Requirement	Defined as	Description
Forward 12-month Agenda	ARIC Workplan	18 month rolling calendar of planned reports is reviewed & updated at each ARIC meeting
Annual Work Plan	ARIC Workplan & Internal Audit Plan	18 month rolling calendar of planned reports & discussions scheduled for each ARIC meeting alongside the Annual Internal Audit Plan
Strategic Workplan	ARIC Strategic Plan (this document)	Four-year workplan detailing the considerations for ARIC, Council priority areas, ARIC key Focus Areas and KPIs
Performance Measures	Performance Measures	Performance measures noted in Section 4

ARIC reporting Framework (reporting to Council)

Council receives relevant and timely advice and assurance from ARIC in matters listed in 428A of the Local Government Act through regular reporting. The regular reporting ensures there are strong linkages between ARIC and the elected representatives.

Councillors who are not ARIC members are invited to attend ARIC meetings as an observer.

Council is kept updated and kept informed through the following:

Requirement	Defined as	Description
Strategic Workplan	ARIC Strategic Plan (this document)	Four-year strategic plan that is reviewed and updated annually
Annual Work Plan	ARIC Workplan	Includes: • Annual Internal Audit Plan • KPIs • ARIC Reports Schedule
Agenda	ARIC Agenda	The full confidential ARIC Agenda is provided to ARIC members only through a secure document sharing portal
Quarterly Updates	ARIC Meeting Minutes	The confidential ARIC Meeting Minutes are provided to Council following each meeting

Annual Assessment	ARIC Annual Report	ARIC Annual Report prepared and presented to Council in November / December each year
Annual Assurance Meeting	ARIC Chair presentation to Councillors (coinciding with presentation of the Annual report)	ARIC Chair presents an update to Councillors in a workshop that includes: • Presentation of the Annual Report • Update on the Annual Work Plan • Update on the Terms of Reference • Annual assessment of the risk function
Review of ARIC Performance	ARIC Performance Review	At the end of the Council term Councillor representatives & observers undertake a review of ARICs performance & action plan
Performance Measurement	Measuring ARICs performance	• Rudimentary performance measures are developed & included in the ARIC Strategic Plan • Annual Internal Audit Performance Review • Report Card included in the ARIC Report
Strategic Assurance Meeting	Strategy Meeting	At the beginning of the new term ARIC present the proposed ARIC Strategic Plan
Annual Attestation	Annual Attestation	General Manager to include the attestation in the ULSC Annual Report from 2024/25

SECTION THREE – RISK, AUDITS & ASSURANCE**Risk**

Officers have confirmed risk categories in their Enterprise Risk Register as follows.

- Work, Health & Safety
- Human Resources
- Financial Sustainability
- Infrastructure & Property
- Business Disruptions
- ICT Infrastructure / Cyber Security
- Corporate Project Management
- Compliance
- Environment
- Waste Management
- Theft, Fraud & Crime
- Government Decisions & Priorities
- IP&R
- Culture

Audits

Upper Lachlan Shire Council Four-year Internal Audit Plan 2023-2027 (indicative)

Councils are required to have an internal audit function that operates independently of Council and reports to the ARIC and is consistent with the international standards for internal audit.

Internal Audit is required to have a comprehensive workplan linked to Council's strategic community outcomes and current risks. Proposed four-year plan is detailed below.

Key	Key
✓ - Completed	IA – Internal Audit
X – In Progress	R – Review
0 – Not Started	MR – Management Request

Upper Lachlan Internal Audit 4 Year Plan.							
Entity Audited	Audit Review	Summarised Scope	Comments	22/23	23/24	24/25	25/26
All Councils & CRJO	Project Management - IA	- Defined process for scoping and approving new projects? - Related projects treated as an integrated program of work & opportunities for synergies exploited? - All project-like activities to be treated as projects? - Up-to-date inventory of projects? - Projects require a business case? - Defined, approved & mandated project framework? - Regular monitoring and analysis?	1st & last 'joint review' across all shared services. Completed Sept 23	✓			
Upper Lachlan	Procurement - IA	- Robust governance framework? - Policies, procedures & processes? - Compliance with policies & procedures & legislation? - Supplier panels and supply agreements? - Contract variations? - Management promote transparency & ethical conduct? - Adequate procurement risk management? - Tiered approval & authorization systems?	Completed Aug 24		✓		
Upper Lachlan	Accounts payable - IA	- Policies and procedures? - Defined roles and responsibilities & segregation of duties? - Approved & authorization limits? - Purchase orders for all goods and services? - Controls over creation & amendment & bank account details? - Review of all debit balances? - Authorization of payment runs? - Appropriate matching process?	Completed Nov 24		✓		

Upper Lachlan	Water Billing & Recovery’ -IA	- Customers billed in accordance with Council policies & procedures; compliance with legal & regulatory requirements; - Billing adjustments, credits & hardship concessions are consistent, transparent & sustainable; - Bills are priced to cover costs of service; - Water rates & late charges/interest are charged transparently, sustainably, & affordably; - Effective anti-fraud controls; - Write-off of uncollected water rates. - Effective, efficient & equitable debt collection process.	Debt recovery processes for water billing only. <table><tr><th>Planning</th><th>Fieldwork</th><th>Reporting</th></tr><tr><td>Feb 25</td><td>Mar 25</td><td>Apr 25</td></tr></table> Completed June 25	Planning	Fieldwork	Reporting	Feb 25	Mar 25	Apr 25			✓	
Planning	Fieldwork	Reporting											
Feb 25	Mar 25	Apr 25											
Upper Lachlan	Risk Management - R	- Adopted & implemented framework for managing risk? - Risk management consistent with the current Australian risk management standard AS ISO 31000 2018?	Management Request to Undertake 2 nd half January 2025 Completed February 25			✓							
Upper Lachlan	Payroll	- Employee data is accurate & payments match data held so that payments are accurate & timely, & sufficient management controls & checks? - Checks undertaken prior to payroll runs including verification of hours worked ensuring timesheets accord with amounts paid? - Adequate & effective systemized and manual access controls to minimize the risk of unauthorized access to payroll data & personal data. Controls around employee banking setup & changes? - Payroll runs are reconciled to source documents. Especially around variable payments? - Fraud controls sufficient to prevent fraud and corruption? - Payroll complies with all regulatory & legal obligations? - Payroll records & payments are regularly audited & reconciled to provide assurance to management? - All termination payments this financial year are accurate?	<table><tr><th>Planning</th><th>Fieldwork</th><th>Reporting</th></tr><tr><td>May 25</td><td>Jun 25</td><td>Jul 25</td></tr></table>	Planning	Fieldwork	Reporting	May 25	Jun 25	Jul 25			0	
Planning	Fieldwork	Reporting											
May 25	Jun 25	Jul 25											

AO NSW Planned Audits 2024 - 2027

The Audit Office of NSW (AO NSW) are the appointed financial auditors for ULSC. AO NSW have a schedule for focus areas when undertaking the financial audits. The focus areas are included below.

Further information is available from the Audit Office of New South Wales (nsw.gov.au) <https://www.audit.nsw.gov.au/annual-work-program-2024-27#:~:text=Each%20year%2C%20the%20Audit%20Office's,a%20three%2Dyear%20rolling%20program>.

Planned Audits 2024 - 2027 include:

- Unsolicited proposals (with Trade, investment and regional development)
- Cyber security
- Governance of Artificial Intelligence, automation and robotics
- Compliance with records and public access to information
- Road asset management
- Coastal management reforms (with Environment)
- Managing climate risks to assets and services
- Western Sydney Aerotropolis (with Planning)
- Performance management and monitoring
- Audits of governance issues within a particular council
- Amalgamated councils

Assurance

A ULSC Strategic Assurance Map (past activities) along with a ULSC Assurance Program (future activities) is being developed to provide oversight of risk mitigation, audit and improvement activities being undertaken. These documents will provide an overview of activities either undertaken or planned across the organisation to help identify gaps or risks. Both of these documents when complete will be presented and reviewed at each ARIC meeting.

SECTION FOUR – AUDIT RISK & IMPROVEMENT 4 YR WORKPLAN

ARICs role is to have oversight over a broad range of Council activities including:

- Governance structure and processes
- Risk management structure and processes
- Control activities
- Financial management, accounting policies, financial statements and annual reporting
- External audit
- Internal audit
- Compliance
- Implementation of audit and other review recommendations
- Ethics and organisation culture
- External accountability
- Fraud and corruption control
- Business continuity management including ICT disaster recovery arrangements.
- Security including physical security, cybersecurity and ICT security
- Legal issues
- Complaint management
- Organisation performance and management reporting
- Work health safety
- Environmental management
- Major projects and business initiatives
- Regulator activities
- Response to significant government enquiries such as Royal Commissions, central regulator reviews, etc

The four-year ARIC Workplan is inserted on the following page. A separate meeting may be required to review draft financial statements each year, and will be inserted when that is required.

Upper Lachlan Shire Council Audit Risk & Improvement Committee - Four Year Work Plan 2025-2029																		
Key Responsibilities	Responsible Officer	Considerations	Meeting 1 March	Meeting 2 June	Meeting 3 September	Meeting 4 December	Meeting 1 March	Meeting 2 June	Meeting 3 September	Meeting 4 December	Meeting 1 March	Meeting 2 June	Meeting 3 September	Meeting 4 December	Meeting 1 March	Meeting 2 June	Meeting 3 September	Meeting 4 December
Financial Reporting	CFO	Recent Monthly Finance Reports	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	CFO/Corporate & Community Services	Approved Council Budget			✓	✓			✓	✓			✓	✓			✓	✓
	CFO	Audit & Financial Reporting Preparation Timetable/Plan		✓				✓				✓				✓		
	CFO	Accounting Issues Position Papers			✓				✓				✓				✓	
	CFO	Draft Financial Statements			✓								✓				✓	
	CEO/CFO	Management Representation Letter to External Audit			✓				✓				✓				✓	
	All Directorates	Project Delivery - Capital Project Completion V Budget	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	CFO	Financial Performance Monitoring - Analytics	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	CFO	Final Financial Statements				✓			✓				✓				✓	✓
	CFO	Budget Preparation Guidelines for Coming Year			✓				✓				✓				✓	
Annual Reporting	Communications	Final Annual Report				✓				✓				✓				✓
Assets	CFO/Assets/Engineering	Annual Asset Valuation Methodology Report		✓	✓			✓	✓			✓	✓			✓	✓	
	CFO/Assets/Engineering	Final Annual Asset Valuation Report			✓				✓				✓				✓	
External Audit	External Audit	Client Strategy		✓				✓				✓				✓		
		Interim Management Letter			✓				✓				✓				✓	
		Final Management Letter				✓			✓				✓					✓
		Closing Report				✓			✓				✓					✓
Internal Audit	Internal Audit	Internal Audit Strategy and Plan				✓				✓				✓				✓
		Internal Audit Progress Report	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
		Internal Audit Reports (When Available)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Management Updates	CFO	Insurance - Update on New Coverage			✓				✓				✓				✓	
	Governance	Insurance - Claims update	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Governance	Governance Update	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Governance	Risk Registers/Management		✓		✓		✓		✓		✓		✓		✓		✓
	CFO/Governance	Fraud and Misconduct Report	✓		✓		✓		✓		✓		✓		✓		✓	
	WHS	WHS Update	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	WHS	Register of outstanding Safety Issues	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
		Register of outstanding audit recommendations (internal and external)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Governance	ICT - Overview and Key Risks		✓				✓				✓				✓		
	IT	People & Culture Update	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	HR	Update on Business Continuity Plan	✓			✓		✓		✓		✓		✓		✓		✓
	Safety/Disaster Management	CEO Update	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Audit Committee	Governance	Annual Self Assessment				✓				✓				✓				✓
	ARIC Members	Closed Meeting with Audit Practitioners	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	ARIC Chair	Report to Council	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	ARIC Members	Audit Committee Charter (two yearly)	✓				✓			✓				✓				✓
Components per meeting			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Vision, Mission, and Role

- Vision: A highly respected and trusted committee providing independent, reliable, relevant and timely advice and assurance to Council that adds value.
- Mission: To provide effective and credible input and guidance to the elected representatives and executive management that adds value.
- ARIC's role is to continuously and independently review and advise on compliance, risk management, governance, and performance.

Key Responsibilities

- Hold a minimum of four meetings per year
- Compliance with Guidelines
- Oversee Internal Audit's planning, monitoring and reporting
- Maintain effective working relationships with Council and audit activities
- Contribute time to review and understand agenda information
- Develop, review, and present ARIC work to Council

Performance Measures

Initial performance indicators are still being developed with the Committee in alignment with other entities the same Committee member's service. At this stage these relate to the following six measures and will be reported on in each ARIC Annual Report briefing to Council.

- Number of meetings held
- Terms of Reference compliance
- Audit actions reviewed at each meeting
- Internal/External auditor attendance and in-camera sessions
- Annual peer review and self-assessment ratings
- Legislative compliance and attestation rates

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 July and August 2025	178
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Reports from Other Committees, Section 355 Committees and Delegates - 21 August 2025

ITEM 16.1

Reports from Committees for the months of July and August 2025

RECOMMENDATION:

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

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

ATTACHMENTS

1. ↓	Crookwell & District Art Gallery - Minutes from meeting held 10 July 2025	Attachment
2. ↓	Tourism and Economic Development S355 Advisory Committee -Minutes - 30 July 2025	Attachment
3. ↓	Binda Community Progress Association and Memorial Hall Committee - Minutes from meeting held 5th August 2025	Attachment



Minutes of meeting: Crookwell & District Art Gallery Committee (cdagc)

Date: 10 July 2025

Chair: Susie Recsei. **Minutes:** Darian Cameron

Meeting opened at 4.09pm

ITEM NO	ITEM	DISCUSSION	ACTION REQUIRED	
			By	Date due/complete
1.	Present	S Recsei, J Shepherd, D Cameron, K Harwood, A Cummins, R Cummins, N Johnston		
2.	Apologies	Many apologies from other members unable to attend		
3.	Previous Minutes	Minutes of previous meeting held on 22 May 2025. Moved: D Cameron, Sec: A Cummins – Accepted		
4.	Business Arising/Actions	- Update of website and catalogue to be done over the break - See Chair report for update /discussion on Pop Exhibition, Crookwell High School Exhibition, 5 July fundraiser - Zest window display completed and thanks to Catherine	Executive	
5.	Chair Report	See written report Susie noted thanks to all for continuing support and effort during the year. Particular thanks to all who donated prizes for the fundraising raffle and for Giulia for organising with businesses. It is planned to present the monies raised for the Hospital Auxiliary to be presented to them, and an article for the Gazette.		
6.	Treasurer's Report	See attached reports for May and June. Financial reports being prepared for audit.	John S	

ITEM NO	ITEM	DISCUSSION	ACTION REQUIRED	
			By	Date due/complete
7.	Correspondence	In: - Regional Development Australia have hired the gallery space on 11 August for a function - Crookwell Public School have asked if the gallery would like to participate in the Middle School Program in September – Susie will coordinate - Invitation to gallery members to attend UL Gazette function 16 July marking milestone 200 issues - Email of thanks from Hospital Auxiliary President for fundraiser - Email from Cr Flanagan - information for members re STA securing 4-year funding through Create NSW's Arts and Cultural Funding Program Out: - Various administration emails - Invitations sent to Artists for 2025 Art on the Range exhibition		
8.	Discussion	- New hanging system to be installed prior to Art on the Range Exhibition. Current hanging is difficult to manage. Susie will speak to Chris L and see if he can measure up and install a new system. - Discussion on cdag joining STA after the break – benefits, can we manage with our advertising etc as is. - Roving Art Exhibition completed, art works returned, condition reports sent to council – copies with cdag.		
9.	Other Business	cdag calendar of events updated and displayed on door. Note: Meeting times over winter will be at 4pm Meeting closed at 5.09pm		
10.	Next Meeting	Thursday 25 September 2025 at 4.00pm		

MINUTES TOURISM AND ECONOMIC DEVELOPMENT S355 ADVISORY COMMITTEE
Meeting 4
30 July 2025

AGENDA

ORDER OF BUSINESS

- 1 ATTENDEES**
Councillor S Reynolds, Councillor R Cameron, Councillor G Harris, Doug McIntyre and Kathleen Bowerman

Meeting Opened 3.00pm
- 2 APOLOGIES**
Peter Fulton, Cristy O'Sullivan and Josh Proudman
- 3 DECLARATIONS OF INTEREST**
Nil
- 4 CONFIRMATION OF MINUTES**
Minutes attached
Moved: Clr R Cameron
Second: Clr S Reynolds
- 5 CORRESPONDENCE**
Resignation from Cristy O'Sullivan
- 6 AGENDA ITEMS**
 - 6.1 Draft Economic Development Strategy.
The draft strategy has been circulated among the committee members, any suggestions will come back to Kathleen over the next four weeks.
 - 6.2 Acceptance of resignation of Cristy O'Sullivan
Moved: Clr R Cameron
Second: Clr G Harris
 - 6.3 Recommendation for appointment to the Tourism and Economic Development 355 Advisory Committee.
Following the recent call for expressions of interest, three strong applications were received for three available community representative positions on the Upper Lachlan Shire Council Tourism and Economic Development s355 Advisory Committee.
After review, it is recommended that all three candidates are endorsed to Council for acceptance to be appointed to the committee.
Moved: Clr G Harris
Second: D McIntyre
- 7 GENERAL BUSINESS**

Meeting closed 3.30pm
Next meeting date: 23 October 2025

Binda Community Progress Association and Memorial Hall Meeting 5th August 2025

Opened: 7.10 pm

Present: Kathy & Dale Robertson, Debbie & Daryl White, Lucy McDonald, Annie & Nathan Robertson, Dan & Kris Skelly, Scott & Belinda Shepherd, Donna Eddy, Carli Hanna.

Apologies: Nil

Previous Minutes: Read Lucy, Moved Daryl and 2nd Debbie

Business Arising:

1. Defibulator mention in Gazette- Kathy
2. Power box and Air Conditioners at Hall – Installed
3. Quotes for toilets at the hall – Kris
4. Cabinet For Dewalt Tools – Dan
5. Picket Fence- Daryl to get quote for two sections- cricket ground and Memory Park
6. Walls at Hall to be sprayed- Kathy to follow up with council
7. Quote from Kent Writer to clean up memory park - \$0.00
8. Trees are knocked down at Tennis Courts
9. Garden Festival – Progress to do the mill and sell cakes and sandwiches
10. Letter yet to be received from the Bush Fire Brigade
11. Crockery still to be sold
12. Tennis Courts – Kathy to chase up
13. Flue on Chimney at Hall – Luke Reeves to do
14. Scott has temp fixed the roof on the old fire shed, just need a new sheet of iron. Scott and Dale to do

Treasurers Reports:

See attached reports

General Business:

1. Leak in hall roof in Kitchen and door into cloak room – Lucy will send email to council
2. Council rates for the hall were received, and council has paid majority.
Lucy moved a motion that we pay the remaining cost. 2nd Kathy all in favour
3. Brew and bake have been postponed due to the wet weather. It will now be held on the 18th of October 2025

4. Donna emailed the Progress Association to request running a playgroup session by the Crookwell Neighbourhood Centre on Wednesdays from 9:15 to 11:30 a.m. This would be every week the same as the day care on Tuesdays. Lucy said that the hall had received a power bill, and it had nearly doubled. Donna said that the Neighbourhood Centre had upgraded the power box and installed the air conditioners. Annie moved a motion to add a Wednesday session, raise Tuesday's hire from \$65 to \$70 per day, and set a \$10 daily charge for Wednesdays starting August 1. Donna seconded the motion, and it passed unanimously.
5. Bush Festival – Debbie has contacted Goulburn radio Station FM 107.7 about broadcasting from Binda at the Bush Festival in January. Debbie was told that it would cost \$1500.00 to book but they would chase up some advertising from local business at \$100.00 each business. Everyone was in favour to book the radio station.
Kris also suggested that maybe with the gold sponsors for the bush festival we could use \$100 out of there \$300 to get their business advertised. This is to be discussed at a future meeting.
6. Ann wanted to discuss a message that was received from Councillor Alex Meggitt about our Facebook page. It mentioned that people have not been able to join the Progress and that the Facebook page was in active. We discussed that we should make all Progress meetings public knowledge and put the minutes on our Facebook page.
Kathy moved a motion that all future meetings be advertised on the Village notice board, Shop and Facebook pages. 2nd Nathan and all in favour
7. Limerick wind farm grants. – Stromlo Energy are giving grants of up to \$5000.0 per community group.
8. Dale moved a motion to apply for these grants 2nd Ann and all in favour. Two things were tabled, to either fix the floor in the tennis shed or to go towards the Bush Festival. Lucy to apply for grant.
9. Donna to apply for ABN for the Progress Association
10. Lucy to fix up Dept of fair-Trading Incorporation
11. Hall Hire - \$50.00 for Supper Room
\$500 for all the hall with \$250.00 refunded if hall is left clean
\$200.00 for main hall for community meeting with \$100 refunded if hall is left clean and all chairs/tables packed away.
All in favour

Working Bee:

1. Fence to Memory pulled down so Kent can get his machine in to clean up. 9th August @ 10.00 am

Next Meeting: 9th September @7.00pm

Meeting Closed: 8.54pm

17 NOTICES OF MOTION

The following items are submitted for consideration -

17.1	Notice of Motion - Transparency and Community protection in relation to renewable energy development	186
17.2	Notice of Motion - Planning NSW - Amendment to SEPP 2021	190
17.3	Notice of Motion - Enhancing Transparency and Accessibility of Public Forums	192
17.4	Notice of Motion - Transparency of Developer Meetings – State Significant Projects	196
17.5	Notice of Motion - Willis Reserve (Off-leash dog park)	198

Notices of Motion - 21 August 2025

ITEM 17.1

Notice of Motion - Transparency and Community protection in relation to renewable energy development

I, Councillor Gregory Harris hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

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

BACKGROUND

At the 17 July 2025 meeting, a Foreshadowed motion was moved by Cr Harris, the motion was deferred pending a report from the CEO:

The Foreshadowed motion is outline below:-

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

Notices of Motion

NOTICE OF MOTION - TRANSPARENCY AND COMMUNITY PROTECTION IN RELATION TO RENEWABLE ENERGY DEVELOPMENT cont'd

CHIEF EXECUTIVE OFFICER'S COMMENTS

1. Council notes community concerns regarding the lack of transparency and notification surrounding large-scale renewable energy developments, such as the Limerick Windfarm, within the Upper Lachlan Shire.

This is a matter for Council debate.

2. Council writes to the NSW and Federal Members of Parliament representing the Shire to advocate that renewable energy companies be required to notify local councils and provide public disclosure of the geographic areas under consideration prior to negotiating with landowners, in a manner consistent with disclosure requirements in the mining sector.

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. Council investigates the feasibility of requiring all future subdivision Development Applications to include a declaration from the applicant stating, to the best of their knowledge, whether the land is likely to be affected by a renewable energy development or related infrastructure.**

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—
 - (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.

Notices of Motion

**NOTICE OF MOTION - TRANSPARENCY AND COMMUNITY PROTECTION IN
RELATION TO RENEWABLE ENERGY DEVELOPMENT cont'd**

- 4. Council seeks legal advice on the Council's obligations and risks in relation to the disclosure of material facts that may affect land values or amenity, in the context of large-scale infrastructure project.**

Council has an indicative estimation from a legal services firm for a cost of up to \$10,000 for legal advice services in relation to Part 4 of the proposed Council Resolution.

The only source of funding available would be from Council's unrestricted cash.

ATTACHMENTS

Nil

Notices of Motion - 21 August 2025

ITEM 17.2

Notice of Motion - Planning NSW - Amendment to SEPP 2021

I, Councillor Paul Culhane hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

1. Council writes to Planning NSW seeking an urgent amendment to State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021 - 2.42 (1) & (2) to expand exclusions from consent where an LGA has an excessive accumulation of windfarm developments, including Upper Lachlan Shire Council LGA.

BACKGROUND

Currently this SEPP protects regional cities from significant impact of windfarm developments but takes no account of regional LGAs that have an unreasonable amount of Windfarm and other state significant developments. This amendment is appropriate and consistent with 2.42(2) (ii) referencing the preservation of the “scenic quality and landscape character,

CHIEF EXECUTIVE OFFICER’S COMMENT

Council planning staff are supportive of this proposed motion.

State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021
- 2.42(2) currently states: *Determination of development applications for solar or wind electricity generating works on certain land*

- (1) *This section applies to development in a regional city for the purposes of electricity generating works using a solar or wind energy source that is—*
 - (a) *State significant development, or*
 - (b) *regionally significant development.*
- (2) *Development consent must not be granted unless the consent authority is satisfied that the development—*
 - (a) *is located to avoid significant conflict with existing or approved residential or commercial uses of land surrounding the development, and*
 - (b) *is unlikely to have a significant adverse impact on the regional city’s—*
 - (i) *capacity for growth, or*
 - (ii) *scenic quality and landscape character.*
- (3) In determining whether to grant development consent, the consent authority must consider measures proposed to be included in the development to avoid or mitigate conflicts referred to in subsection (2)(a) or adverse impacts referred to in subsection (2)(b).

Notices of Motion

NOTICE OF MOTION - PLANNING NSW - AMENDMENT TO SEPP 2021 cont'd

(4) In this section—

Regional Cities Map means the [State Environmental Planning Policy \(Infrastructure\) 2007 Regional Cities Map](#).

regional city means an area of land identified as “subject land” on the [Regional Cities Map](#).

Given the SEPP is a higher order Environmental Planning Instrument, this approach is recommended as the SEPP is required to be complied with by all State Government Consent Authorities.

It should be noted that the SEPP as currently constructed only requires the Consent Authority to be satisfied of the components in 2.42(2), it does not prohibit the proposed development.

ATTACHMENTS

Nil

Notices of Motion - 21 August 2025

ITEM 17.3

Notice of Motion - Enhancing Transparency and Accessibility of Public Forums

I, Councillor Gregory Harris hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

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

1. Webcasting and Recording of Public Forums:

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

2. Sharing of Links on Social Media:

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

3. Notification of Rejected Requests to Speak:

- a. The Chief Executive Officer (CEO) (or their delegate) shall provide a written report to all Councillors, via email detailing any applications to speak at a public forum that were rejected or not selected (per Clauses 4.5–4.10), including the applicant's name (if not confidential), the agenda item, their stance ('for' or 'against'), the reason for rejection, and applicable guidelines.
- b. This notification shall be provided within 48 hours after the public forum.

Notices of Motion

NOTICE OF MOTION - ENHANCING TRANSPARENCY AND ACCESSIBILITY OF PUBLIC FORUMS cont'd

4. Implementation and Funding:

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

BACKGROUND

These measures align with the transparency, inclusivity, and trustworthiness principles in **Clause 2.1** of the Code and **section 10** of the Local Government Act 1993, ensuring broader community access to public forums.

The CEO can implement these actions under their delegated authority, subject to resource availability, minimizing administrative burden while enhancing accountability.

Reporting rejected speaking requests ensures Councillors can oversee the fairness of the public forum process, addressing **Clauses 4.4–4.12**.

Extending webcasting and recording to public forums leverages existing infrastructure used for Council meetings, promoting efficiency and consistency in governance practices.

CHIEF EXECUTIVE OFFICER'S COMMENT

1. Webcasting and Recording of Public Forums:

- All public forums shall be recorded by means of an audio-visual device, consistent with the principles and practices applied to council meetings under Clauses 5.34–5.39 of the Code of Meeting Practice.
- The recording shall be made publicly available on the Council's website as soon as practicable after the forum (ideally at the same time if live-streamed, or within 24 hours if not), and retained for at least 12 months.

CEO notes that the decision on webcasting and recording of Public Forums is to be determined by Council and clearly articulated in Council's Code of Meeting Practice. At the present time, the Council Code of Meeting Practice, Clause 4.2 states "Public Forums may be held by audio-visual link." A webcast recording of a Public Forum being made publicly available on Council's website should be feasible in short term subject to initial setup work being undertaken by Council's service provider.

- Where feasible, public forums shall be live webcast on the Council's website or a suitable platform (e.g., YouTube or similar)

Notices of Motion

NOTICE OF MOTION - ENHANCING TRANSPARENCY AND ACCESSIBILITY OF PUBLIC FORUMS cont'd

Subject to Council determination, that webcasting recordings of Public Forums proceeds, they will be made available on Council's website. Council website is a suitable platform. Alternative recording platforms are deemed unsuitable and cannot be used (i.e. YouTube) as they are not feasible due to data security storage issues and financial costs involved in installation with an alternative service provider.

- At the start of each public forum, the Chairperson shall inform attendees that the forum is being recorded and/or webcast, and that participants should refrain from making defamatory statements, per Clause 5.35.

Agreed. All Public Forums will be conducted in accordance with Council Code of Meeting Practice and Code of Conduct with the Mayor as the meeting Chairperson.

2. Sharing of Links on Social Media:

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

A link advising when a Public Forum is scheduled may occur on the day of the Public Forum and the day before through Council's Facebook and Council's website, noting earlier communication cannot occur as the decision on applications to speak will only be determined on the Tuesday before a Public Forum is held.

The webcasting recording link will only be available for live viewing from Council's website and viewed within 24 hours and is not on Council Facebook or other platforms.

3. Notification of Rejected Requests to Speak:

- The Chief Executive Officer (CEO) (or their delegate) shall provide a written report to all Councillors, via email detailing any applications to speak at a public forum that were rejected or not selected (per Clauses 4.5–4.10), including the applicant's name (if not confidential), the agenda item, their stance ('for' or 'against'), the reason for rejection, and applicable guidelines.
- This notification shall be provided within 48 hours after the public forum.

Agreed. The CEO in accordance with Clause 4.7, of Council's Code of Meeting Practice, will provide reasons for refusing an application to speak at a Public Forum.

4. Implementation and Funding:

- The CEO is directed to implement these measures under their delegated authority per section 335 of the Local Government Act 1993 and Clause 19.12 of the Code of Meeting Practice, utilizing existing resources for meeting recordings and communications.

Notices of Motion

NOTICE OF MOTION - ENHANCING TRANSPARENCY AND ACCESSIBILITY OF PUBLIC FORUMS cont'd

- If implementation requires expenditure beyond the Council's current operational plan, the CEO is to prepare a report under Clause 3.13, to be included in the business papers for the next ordinary meeting, identifying available funding sources or recommending budget adjustments.

CEO advises the Council Code of Meeting Practice is at present on public exhibition for the community and Councillors to make comment and submissions are open to 2 September 2025 and naturally Public Forums will be included for determination at the 18 September 2025 Ordinary Council Meeting. The commencement of webcasting recordings, if determined by Council, would likely proceed on 16 October 2025.

At this point in time costs and implementation timeframes are not known and quantified. A further report may come back to Council, if required, if the costs exceed available funding in the Operational Plan, however costs are not anticipated to be excessive.

ATTACHMENTS

Nil

Notices of Motion - 21 August 2025

ITEM 17.4

Notice of Motion - Transparency of Developer Meetings – State Significant Projects

I, Councillor Alexandra Meggitt hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

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

BACKGROUND

Community concerns have been raised about the transparency of developer engagements, especially informal meetings that may go undocumented.

A State Significant Project is anticipated to have major social, environmental, and economic impacts within the local government area.

Full visibility of all discussions — regardless of their formality — enhances democratic oversight.

This motion aligns with Council's commitment to open governance and responds to public expectations for transparency.

It reinforces Council's role in promoting progressive and accountable infrastructure development.

CHIEF EXECUTIVE OFFICER'S COMMENT

Councils' role in relation to State Significant Development (SSD) is at the stakeholder level, not at the consent authority level.

Proposed state significant Developers request to meet with Council staff in most instances to provide an understanding of what the proposal includes, introduce key engagement staff, define how the Developer intends to engage with the Community, seek information from Council as an infrastructure provider (Roads, water etc) and request guidance on any proposed Planning Agreements.

Notices of Motion

NOTICE OF MOTION - TRANSPARENCY OF DEVELOPER MEETINGS – STATE SIGNIFICANT PROJECTS cont'd

As Council is not the Consent Authority, Council staff do not provide guidance to Developers on permissibility of the proposal, environmental requirements of any proposed application or the suitability of social impact assessments. This information is mandated in the NSW Planning Secretary's Environmental Assessment Requirements (SEARs) and Environmental Impact Statement (EIS) process.

Council staff as part of adopted internal processes will bring all proposed Planning Agreements and Submissions for SSD to Council for Resolution. This process allows visibility of all Agreements and Submissions to SSD proposals.

Council staff do not keep transcripts or detailed minutes of these meetings as they do not form part of the assessment process, and legislative guidance which Council staff may rely on in future dealings is not provided. In addition, any requests, or submissions made by Council in relation to the Developers proposal must go through the NSW Planning Department via the Scoping, SEARs and or EIS process to be captured by the State Departments Consent Authority.

In instances where notes or a form of minutes are taken during these Developer meetings, they resemble high level summaries and are not a Hansard official written record of all that was said at a meeting. These notes/minutes may be accessible via the Government Information (Public Access) application (GIPA) to Council if they meet the public interest test and third party consultation assessment process is followed in accordance with the GIPA legislation.

Council's CEO and senior management do not support the proposed motion for all the reasons outlined in the above response to the proposed motion. The broad nature of matters Council staff would be required to comply with, under the proposed motion, makes the motion unworkable and will have resource impacts for Council staff.

ATTACHMENTS

Nil

Notices of Motion - 21 August 2025

ITEM 17.5

Notice of Motion - Willis Reserve (Off-leash dog park)

I, Councillor Rob Cameron hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

1. That work on Lot 174 DP 753042 known as Willis Reserve and located at Hay Street Crookwell (the off-leash dog park) be paused until the Office of Local Government, to which a community member representing a large number of ratepayers objecting to the nature of the works has referred the matter, investigates the referral and communicates the outcome.

BACKGROUND

The proposal to develop the off-leash dog park was considered during the previous term of Council (refer Council Resolution 85/24 recorded in the minutes of the Ordinary Meeting of Council on 20 June 2024, item 11.1). Subsequently, and in this term of Council, I asked a Question with Notice at the Ordinary Meeting of Council on 12 December 2024 regarding the finalisation and approval by the CEO of the layout plan and operational requirements, and whether they would be shared with all stakeholders and users of the facility. In response to my question, the CEO advised that the design had been finalised in consultation with the relevant community group, and that on completing the plan, Council would share it with all relevant stakeholders and the community. While various drawings were circulated, the final plans do not appear to have been publicly exhibited.

The community member representing the large number of ratepayers who object to the nature of the works has escalated this matter and a range of associated issues to the Office of Local Government and it seems prudent to pause works while the Office considers the matter and provides definitive advice.

CHIEF EXECUTIVE OFFICER'S COMMENT

Council is not aware of an investigation by Office of Local Government or an investigation by any other agency in relation to this matter, therefore the CEO cannot make comment in relation to such an assertion by community members.

The survey plan for the site has been approved by Council CEO and Director of Environment and Planning in accordance with Council's resolution and is attached to this motion. Works have commenced on this project including; ordering of materials for over \$30,000 and engagement of a fencing contractor. If work is not completed at Willis Reserve, for the purposes of the off-leash dog park, within the project timeframe, as per the funding body requirements, a significant portion of funding would have to be reimbursed to the grant recipient by Council.

Notices of Motion

NOTICE OF MOTION - WILLIS RESERVE (OFF-LEASH DOG PARK) cont'd

In accordance with Clause 17.3 of the Council Code of Meeting Practice, the timeframe to rescind the Council resolution has passed. Council staff are merely enacting Council's Resolution 85/24 as determined at the Ordinary Council Meeting on 20 June 2024 which stated; THAT:

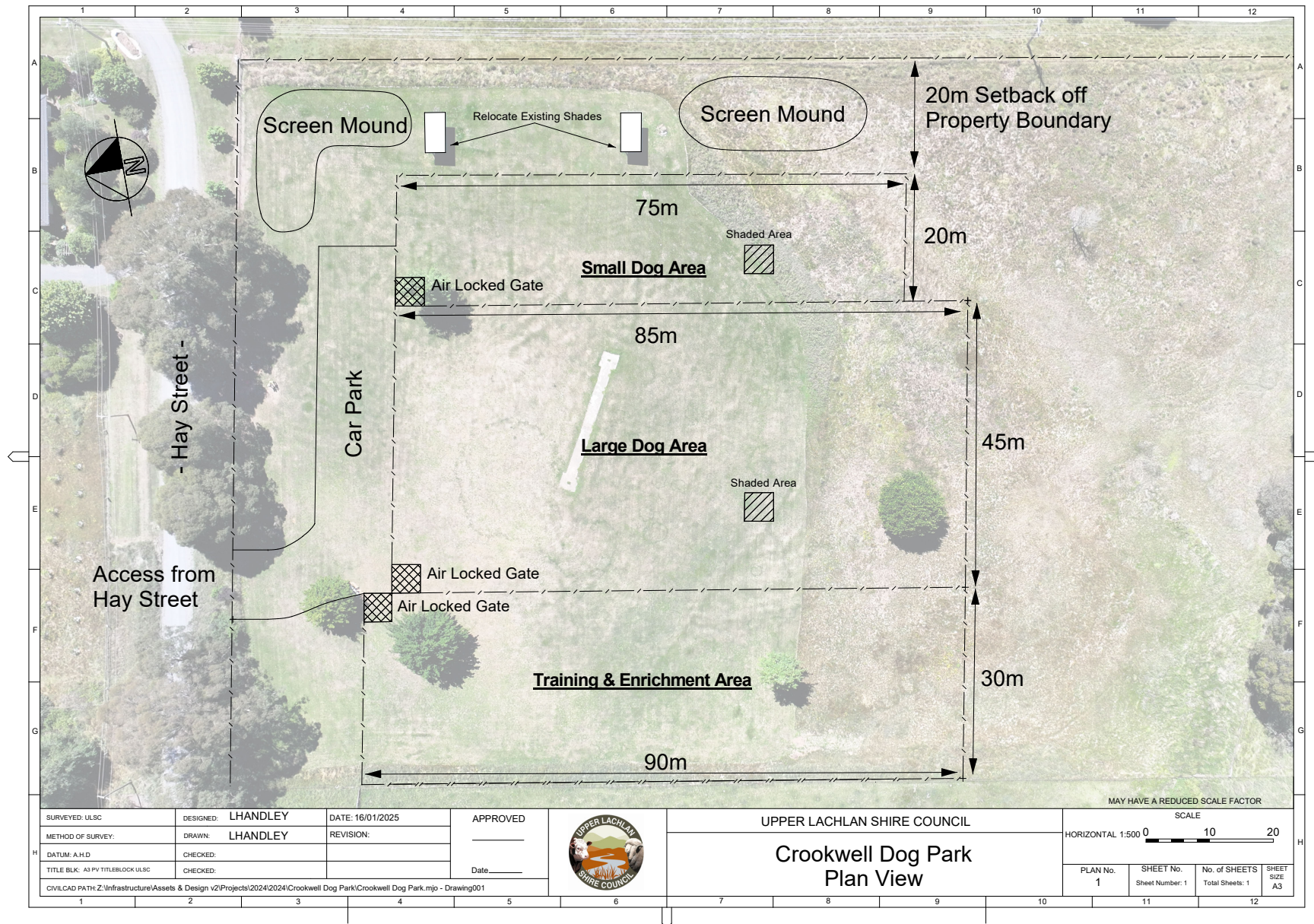
1. Council confirms that Lot 174 DP 753042, known as Willis Reserve and located at Hay Street, Crookwell as being the nominated off leash area for Crookwell; and
2. Council supports the proposed upgrades to the off-leash area in the form of the erection of a 1.8m chain mesh fence and the installation of timed solar lighting, subject to a layout plan and operating requirements being approved by the Chief Executive Officer.

In recent months on 1 April 2025, Council provided a letter of advice to update community members who made submissions to Council on the subject matter advising them of the Council resolution to proceed with upgrades noted above. In addition there has been media communications in the Upper Lachlan Gazette and Council's website and Facebook page. Council widely publicised the commencement of works at the Willis Reserve via a Public Notice on 31 July 2025 and notified the public that Willis Reserve is closed from 11 to 29 August 2025 for construction work.

Council CEO and senior management do not support pausing the works at Willis Reserve for the reasons outlined above by the CEO.

ATTACHMENTS

1. ↓	Crookwell Dog Park Rev 3	Attachment
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18 QUESTIONS WITH NOTICE

The following items are submitted for consideration -

18.1	Question with Notice - Budget Tracking and Staffing	202
18.2	Question with Notice - Absence of CEO minutes	204

Questions With Notice - 21 August 2025

ITEM 18.1	Question with Notice - Budget Tracking and Staffing
AUTHOR	Councillor Terry Yallouris

From Cllr Terry Yallouris

I Cllr Terry Yallouris would like to submit the following Question on notice to be included in the upcoming meeting of council.

Background

Can the CEO provide an update on how Council is currently tracking against the adopted budget, noting that one of the largest areas of expenditure relates to staff employment?

Specifically, noting that the adopted budget was based on a staffing level of 140 employees, including 22 currently vacant positions, can the CEO:

1. Confirm how many of those 22 positions remain unfilled;
2. Provide a breakdown of the vacant positions by job title or functional area and has this had any impact to operational Service levels
3. Advise on the accrued but unrealised financial benefit associated with the positions that remain unfilled year-to-date?

Comments from CEO

1. Confirm how many of those 22 positions remain unfilled;

As at 31 July 2025, there are 10 vacancies remaining in the structure, noting that five of these roles are currently out for advertisement and/or in their final recruitment stages. Please note that a number of these roles are newly designed roles as part of the 2024 organisation restructure and Council has 140 FTE positions budgeted.

Questions With Notice**QUESTION WITH NOTICE - BUDGET TRACKING AND STAFFING cont'd**

2. Provide a breakdown of the vacant positions by job title or functional area and has this had any impact to operational Service levels

Directorate	Position
DFA	Executive Assistant to Director Finance and Administration (Part-Time)
DFA	Human Resources Officer
DEP	Information System Support Officer
DEP	Water and Sewer Service Operator (Trainee)
DEP	Waste Centre Management Attendant (Part-Time)
DEP	Townsperson
INF	Cleaner (Part-Time)
INF	Senior Assets Officer
INF	Civil Construction (Trainee)
INF	Main Road Technical Officer

As at 31 July 2025 the above 10 vacant roles are progressing through recruitment process, there have been minimal short term impacts on Council operations however these impacts have been managed.

3. Advise on the accrued but unrealised financial benefit associated with the positions that remain unfilled year-to-date?

As at 31 July 2025, Council's total Employee Benefits and On-Costs budget for the 2025/2026 financial year is \$14,563,437. Actual expenditure to 31 July 2025 is \$1,022,822. This expenditure equates to 7% YTD expense compared to budgeted YTD expense of 8.3%.

The budget is formulated considering all positions in the organisational structure and includes employee leave entitlements. The difference between the YTD budget and actual expenditure represents the accrued but unrealised financial benefit associated with positions that remain unfilled. This figure is based on budgeted costs and timing and may fluctuate if positions are filled during the year or if additional payments, such as terminations or overtime are incurred.

ATTACHMENTS

Nil

Questions With Notice - 21 August 2025

ITEM 18.2

Question with Notice - Absence of CEO minutes

AUTHOR

Councillor Terry Yallouris

From Cllr Terry Yallouris

I Cllr Terry Yallouris would like to submit the following Question on notice to be included in the upcoming meeting of council

Background

Can the CEO advise why no CEO Minutes have been provided to Council since the formation of the new Council term.

Furthermore, can the CEO outline what processes are in place to ensure councillors and the community are kept appropriately informed of the CEO's key activities, decisions, and operational matters that could be important, relevant information to the council

The provision of CEO's Minutes is an important tool to ensure transparency, good governance, and effective communication between the executive and elected representatives. Their absence since the commencement of the current Council term raises concerns about visibility into the organisation's operational direction and limits the community's understanding of executive activities and priorities.

Comments from CEO

The diary, activities, meetings and decisions of a Council CEO are operational matters and are not required under legislation to be tabled to Council and the role does involve confidential matters and decisions that are made under the delegation to the CEO. The tabling of the CEO Minutes is not a requirement to be included as part of the business agenda of a Council Meeting and has never been tabled.

In accordance with Section 226, of the Local Government Act 1993, the Mayor is the leader of the elected body and consults with the CEO as the direct point of contact for Council. Matters that require Council decision making via resolutions are brought to Council Meetings for consideration from the Department Directors and CEO as part of the ordinary agenda of Council.

The functions of the Chief Executive Officer are articulated in Section 335, of the Local Government Act 1993 and I strictly adhere to these legislated governance functions in the day-to-day management of operations. I provide communications in a transparent manner regularly in various media channels, including email, memorandums to staff, radio interviews, Upper Lachlan Gazette, website and Facebook media that keeps staff, community and Councillors informed on Council activities.

Questions With Notice

QUESTION WITH NOTICE - ABSENCE OF CEO MINUTES cont'd

In relation to visibility on the operational direction of Council, the CEO has advised the Mayor and Councillors on community consultation undertaken in the development of Council's Community Strategic Plan, Community Engagement Report, Resourcing Strategy, Delivery Program and Operational Plan, these documents clearly demonstrates to the community the strategic and operational direction and vision, noting there was no submissions received and no concerns raised in regards to the content and adoption of these operational actions and long-term strategies.

ATTACHMENTS

Nil

Chief Executive Officer's Statement

Confidentiality

Councillors and staff are reminded of their obligations in respect to the need for confidentiality and not disclose or otherwise misuse the information which is about to be discussed, failure to do so could result in a reference to the Pecuniary Interest and Disciplinary Tribunal and/or result in a prosecution in accordance with Sec. 664 of the Act for which the maximum penalty is \$5,500.

CONFIDENTIAL SESSION

Section 10A(2) of the Local Government Act, 1993 provides that Council may, by resolution, close to the public so much of its meeting as comprises the receipt or discussion of matters as listed in that section, or for any matter that arises during the course of business during the meeting that should be treated as confidential in accordance with Section 10(2) of the Act.

Council's Agenda for this meeting contains reports that meet the criteria specified in Section 10A(2) of the Act. To consider these reports in confidential session, Council can adopt the following recommendation:

RECOMMENDATION

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 19.1 and 19.2 in confidential session for the reasons indicated:

Item 19.1 CEO Performance Review 2024/2025

This report is considered to be confidential in accordance with Section 10A(2a) of the Local Government Act, 1993, as it relates to personnel matters concerning particular individuals.

Item 19.2 Tourism and Economic Development Section 355 Advisory Committee - Community Representative Application

This report is considered to be confidential in accordance with Section 10A(2a) of the Local Government Act, 1993, as it relates to personnel matters concerning particular individuals.

19 CONFIDENTIAL SESSION

The following items are submitted for consideration -

- 19.1 CEO Performance Review 2024/2025
- 19.2 Tourism and Economic Development Section 355 Advisory
Committee - Community Representative Application