



# BUSINESS PAPER

## ORDINARY MEETING

Thursday 16 April 2026  
10:00am  
Council Chambers

### **COUNCIL'S VISION**

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

### **COUNCIL'S MISSION**

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

### **COUNCIL'S AIMS**

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

## **NOTICE OF MEETING**

9 April 2026

**Councillors**

Dear Members

### **Ordinary Meeting of Council**

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 16 April 2026** in the **Council Chambers** commencing at **10:00am**.

Your presence is requested.

Yours faithfully



Alex Waldron  
Chief Executive Officer  
**Upper Lachlan Shire Council**

## AGENDA

### ACKNOWLEDGEMENT OF COUNTRY

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

<b>1</b>	<b>NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING</b>	
<b>2</b>	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	
<b>3</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>4</b>	<b>CITIZENSHIP CEREMONY</b>	
	Nil	
<b>5</b>	<b>CONFIRMATION OF MINUTES.....</b>	<b>11</b>
5.1	Minutes of the Ordinary Meeting of Council of 19 March 2026	12
<b>6</b>	<b>PRESENTATIONS TO COUNCIL/PUBLIC</b>	
	Nil	
<b>7</b>	<b>MAYORAL MINUTES.....</b>	<b>25</b>
7.1	Mayoral Minute	26
<b>8</b>	<b>CORRESPONDENCE .....</b>	<b>27</b>
	Nil	
<b>9</b>	<b>LATE CORRESPONDENCE</b>	
<b>10</b>	<b>INFORMATION ONLY.....</b>	<b>29</b>
10.1	Development Statistics Report	30
10.2	Investments for the month of March 2026	37
10.3	Bank Balance and Reconciliation - March 2026	42
10.4	Rates and Charges Outstanding for the month of March 2026	43
10.5	Works In Progress - Construction & Maintenance	45
10.6	Action Summary - Council Decisions	53
<b>REPORTS FROM STAFF AND STANDING COMMITTEES</b>		
<b>11</b>	<b>ENVIRONMENT AND PLANNING.....</b>	<b>61</b>
11.1	Fuel Reserves Management - Kerbside Waste Collection	62
<b>12</b>	<b>INFRASTRUCTURE DEPARTMENT .....</b>	<b>65</b>
12.1	Part Road Closure - Intersection of Hume and Grovenor Street, Gunning	66

<b>13</b>	<b>FINANCE AND ADMINISTRATION .....</b>	<b>71</b>
	13.1 Integrated Planning and Reporting - Draft Plans for Public Exhibition	72
	13.2 Adoption of Code of Meeting Practice	80
<b>14</b>	<b>CHIEF EXECUTIVE OFFICER .....</b>	<b>127</b>
	Nil	
<b>15</b>	<b>LATE REPORTS</b>	
<b>16</b>	<b>REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES .....</b>	<b>129</b>
	16.1 Reports from Committees for the months of March and April	130
<b>17</b>	<b>NOTICES OF MOTION.....</b>	<b>135</b>
	Nil	
<b>18</b>	<b>QUESTIONS WITH NOTICE .....</b>	<b>137</b>
	Nil	
<b>19</b>	<b>CONFIDENTIAL SESSION .....</b>	<b>143</b>
	19.1 Procurement of one new grader	
	19.2 DA 50/2025 - 3 Memory Ave CROOKWELL - Request Review of Section 7.11 and Section 64 Developer Contributions	

**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**

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

<b>Contact</b>	<b>Phone</b>	<b>Email</b>	<b>Website</b>
Upper Lachlan Shire Council	(02) 4830 1000	<a href="mailto:council@upperlachlan.nsw.gov.au">council@upperlachlan.nsw.gov.au</a>	<a href="http://www.upperlachlan.nsw.gov.au">www.upperlachlan.nsw.gov.au</a>
ICAC	(02)8281 5999 Toll Free 1800463909	<a href="mailto:icac@icac.nsw.gov.au">icac@icac.nsw.gov.au</a>	<a href="http://www.icac.nsw.gov.au">www.icac.nsw.gov.au</a>
Office of Local Government	(02) 4428 4100	<a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
NSW Ombudsman	(02) 9286 1000 Toll Free 1800451524	<a href="mailto:nswombo@ombo.nsw.gov.au">nswombo@ombo.nsw.gov.au</a>	<a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a>

## 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 interest<sup>1</sup>

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

*[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 19 March 2026 .....	12
---	----

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

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

---

**THE MAYOR DECLARED THE MEETING OPEN AT 10:01am**

**SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING**

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

Mayor Culhane also welcomed the public gallery and noted that no public forum had been held today.

**SECTION 2: APOLOGIES & LEAVE OF ABSENCE**

**30/26**                    **RESOLVED** by Cr Searl and Cr Flanagan

That the apology of Mr A Croke (Director Finance and Administration) be received and a leave of absence granted.

- CARRIED

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

**Councillors who voted against:-**                    Nil

**SECTION 3: DECLARATIONS OF INTEREST**

Nil

**SECTION 4: CITIZENSHIP CEREMONY**

Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

**SECTION 5: CONFIRMATION OF MINUTES**

**ITEM 5.1**            **RESOLVED** by Cr Searl and Cr Reynolds  
**31/26**

That the minutes of the Ordinary Council Meeting held on 19 February 2026 be adopted.

- CARRIED

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

**Councillors who voted against:-**    Nil

**SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC**

Nil

**SECTION 7: MAYORAL MINUTES**

**ITEM 7.1**            **MAYORAL MINUTE**  
**32/26**                **RESOLVED** by Cr Peirce and Cr Flanagan

That Council receive and note the activities attended by the Mayor for February and March.

- CARRIED

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

**Councillors who voted against:-**    Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

**33/26**

**RESOLVED** by Cr Peirce and Cr Searl that –

1. That Council move Item 11.3 DA68/2025 (PAN-559067) - Lot 1 DP 1311613 - 2603 Cullerin Road, Gunning - Clause 4.6 Variation To Minimum Lot Size - forward in Council order of business.

- CARRIED

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

**Councillors who voted against:-** Nil

**ITEM 11.3**

**DA68/2025 (PAN-559067) - LOT 1 DP 1311613 - 2603 CULLERIN ROAD, GUNNING - CLAUSE 4.6 VARIATION TO MINIMUM LOT SIZE**

**34/26**

**RESOLVED** by Cr Searl and Cr Reynolds

1. It is recommended that the application be approved subject to the attached conditions.

- CARRIED

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

**Councillors who voted against:-** Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

**SECTION 8: CORRESPONDENCE**

**ITEM 8.1 CORRESPONDENCE FOR THE MONTH MARCH**  
**35/26 RESOLVED by Cr Searl and Cr Reynolds**

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

1. The Office of the Hon. Ron Hoenig MP - Refresh of the Joint Organisations framework - Regional Councils - 9 February 2026.
2. Office of Local Government - Circular 26-04 Advice to councils on transfer of Crown roads to councils - 20 February 2026.
3. AGL - Correspondence to Upper Lachlan Shire Council - Proposed Dalton Gas Power Station - 9 March 2026.

- CARRIED

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

**Councillors who voted against:-** Nil

**SECTION 9: LATE CORRESPONDENCE**

Nil

**SECTION 10: INFORMATION ONLY**

**ITEM 10.1 DEVELOPMENT STATISTICS REPORT**  
**36/26 RESOLVED by Cr Peirce and Cr Searl**

1. Council receives and notes the report as information.

- CARRIED

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

**Councillors who voted against:-** Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

**ITEM 10.2-10.7 INFORMATION ONLY REPORTS**

**37/26**                    **RESOLVED** by Cr Peirce and Cr Searl

1. Council receive and notes items 10.2-10.7 in the report as information.

- CARRIED

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

**Councillors who voted against:-**    Nil

Cr Simon Peirce left the meeting, the time being 11:19am  
Cr Simon Peirce returned to the meeting, the time being 11:20am  
Cr Gregory Harris left the meeting, the time being 11:23am  
Cr Alexandra Meggitt left the meeting, the time being 11:25am  
Cr Gregory Harris returned to the meeting, the time being 11:26am  
Cr Alexandra Meggitt returned to the meeting, the time being 11:27am

Council took a short break at 11:41am and the public, staff and press left the chambers and live streaming ceased.

Council resumed at 11:58pm live streaming returned to the public.

**REPORTS FROM STAFF AND STANDING COMMITTEES**

**SECTION 11: ENVIRONMENT AND PLANNING**

**ITEM 11.1 REQUEST FOR COMMENT - ENVIRONMENTAL IMPACT STATEMENT – MERINO SOLAR FARM (SSD-59155459) (STATE SIGNIFICANT DEVELOPMENT)**

**38/26**                    **RESOLVED** by Cr Reynolds and Cr Cameron

1. The report be received and noted as information.
2. Council endorses the matters raised within the report to form the basis of a submission to the Environmental Impact Statement for the proposed Merino Solar Farm located at Tirrannaville and Gundry, approximately 6 km south of Goulburn within Goulburn Mulwaree Local Government Area.

- CARRIED

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

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

**Councillors who voted against:-** Nil

**ITEM 11.2                   ADVICE TO SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARS) – LANGLEY VALE SOLAR FARM (SSD-100679208) (STATE SIGNIFICANT DEVELOPMENT)**

**39/26                         RESOLVED by Cr Meggitt and Cr Flanagan**

1. The report be received and noted as information.
2. Council endorses the matters raised within the report to form the basis of a submission to the Secretary's Environmental Assessment Requirements for the proposed Langley Vale Solar Farm at 721 Collector Road, Gunning, and 196 Lucks Lane, Lerida.

- CARRIED

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

**Councillors who voted against:-** Nil

**ITEM 11.3                   DA68/2025 (PAN-559067) - LOT 1 DP 1311613 - 2603 CULLERIN ROAD, GUNNING - CLAUSE 4.6 VARIATION TO MINIMUM LOT SIZE**

This matter was addressed earlier in the meeting.

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

**ITEM 11.4**            **AMNESTY DAY 2026**  
**40/26**                **RESOLVED** by Cr Searl and Cr Flanagan

1. For Information Only.

- 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 12:        INFRASTRUCTURE DEPARTMENT**

**ITEM 12.1**            **REVIEW OF ASSET MANAGEMENT POLICY**  
**41/26**                **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopts the reviewed Asset Management Policy.

- CARRIED

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

**Councillors who voted against:-**    Nil

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

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

**SECTION 13: FINANCE AND ADMINISTRATION**

**ITEM 13.1 REVIEW OF DISPOSAL OF COUNCIL REAL ESTATE POLICY**  
**42/26 RESOLVED by Cr Searl and Cr Peirce**

1. Council adopts the reviewed Disposal of Council Real Estate Policy.

- CARRIED

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

**Councillors who voted against:-** Nil

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

**SECTION 14: CHIEF EXECUTIVE OFFICER**

Nil

**SECTION 15: LATE REPORTS**

Nil

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

**ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTHS OF FEBRUARY AND MARCH**  
**43/26 RESOLVED by Cr Searl and Cr Peirce**

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

1. Audit Risk and Improvement Committee - Minutes from meeting held 1 December 2025.
2. Collector Oval Section 355 committee - Minutes - 4 February 2026.
3. Breadalbane Hall Section 355 Committee – Minutes - 15 February 2026.
4. Gunning Shire Hall and Showground Section 355 Committee – AGM Minutes – 13 October 2025.

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

5. Binda Memorial Hall Committee Minutes from Meeting – 10 February 2026.
6. Crookwell Historical Society Minutes from meeting – 12 February 2026.

- CARRIED

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

**Councillors who voted against:-** Nil

**44/26**

**RESOLVED** by Cr Searl and Cr Peirce that -

1. That Council write to Gunning Shire Hall and Showground Section 355 Committee formally accepting the new office bearers – President Kelly Dowling, Deputy Chair Sue Hope, and Secretary Michael Coley.

- CARRIED

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

**Councillors who voted against:-** Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

**SECTION 17: NOTICES OF MOTION**

**ITEM 17.1 NOTICE OF MOTION - HERITAGE LISTING - BILL'S WATER TROUGH**

**45/26** **RESOLVED** by Cr Flanagan and Cr Searl

1. 'That the Bills Water Trough, located in Robertson Street Crookwell, be referred to Council's Heritage Advisor for investigation and consideration for inclusion as an item of State or National significance.'

- CARRIED

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

**Councillors who voted against:-** Nil

**ITEM 17.2 NOTICE OF MOTION - HERITAGE CONSIDERATIONS COWPER STREET CROOKWELL**

**MOVED** by Cr Flanagan and Cr Searl

1. That the existing streetscape located on the Southern side of Cowper Street and bound by Colyer and Spring Streets, is referred to Council's Heritage Advisor for consideration as a locally significant heritage item.
2. That any heritage investigation give consideration to future development and include protections:
  - to encourage the retention and conservation of facades of the houses including existing fencing,
  - to ensure any new subdivision and construction in the zone is consistent with the existing pattern of subdivision and construction (i.e. scale, materials and details of facades),
  - to ensure that any additions are of a form, scale, location and detailing compatible with the traditional typologies of Crookwell; and
  - that do not allow infill development of unsympathetic scale, form, materials or siting.

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

- LOST

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

**Councillors who voted against:-** R Cameron, G Harris, A Meggitt, S Reynolds, and T Yallouris

**SECTION 18: QUESTIONS WITH NOTICE**

**ITEM 18.1 QUESTION WITH NOTICE - ADVISE ON UPGRADE AND USE OF AMENITIES BLOCK AT GUNNING ENDEAVOUR PARK GUNNING**

Refer to the business paper for 19 March 2026 Council Meeting for the CEO's comments.

**CLOSED COUNCIL ITEMS**

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

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

**46/26**                    **RESOLVED** by Cr Searl and Cr Meggitt

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

- CARRIED

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

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

**Councillors who voted against:-** Nil

Council closed its meeting at 13:02pm and the public, staff and press left the chambers and live streaming ceased.

**47/26**                    **RESOLVED** by Cr Peirce and Cr Searl

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

- CARRIED

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

**Councillors who voted against:-** Nil

Open Council resumed at 13:14pm live streaming returned to the public prior to the meeting closing.

**Resolutions from the Closed Council Meeting**

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

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 MARCH 2026**

---

**SECTION 19: CONFIDENTIAL SESSION**

**ITEM 19.1 SUPPLY AND INSTALLATION OF CROOKWELL CARAVAN PARK CABINS - TENDER**

**48/26** **RESOLVED** by Cr Meggitt and Cr Yallouris

1. Council delegate authority to the Chief Executive Officer to negotiate with the intention to enter into a contract with Uniplan for the supply, construction and installation of up to (6) cabins at the Crookwell Caravan Park for a lump sum amount not exceeding \$850,000.00 (excl. GST)
2. Council delegate authority to the Chief Executive Officer to execute and finalise the contract and associated documentation.

- CARRIED

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

**Councillors who voted against:-** Nil

**THE MEETING CLOSED AT 13:15pm**

Minutes confirmed 16 APRIL 2026

.....  
Mayor

## **7 MAYORAL MINUTES**

The following item is submitted for consideration -

7.1	Mayoral Minute	26
-----	----------------	----

---

## Mayoral Minutes - 16 April 2026

---

**ITEM 7.1**                      **Mayoral Minute**

**FILE REFERENCE**    **I26/73**

### **March 2026**

19 March 2026	Council Meeting Update from Origin Energy Proposed Kerrawary Project with Councillors and Senior Executive
21 March 2026	Goulburn Community Solar Farm Opening
23 March 2026	Operational Plan Budget Workshop 2026 with Councillors and Senior Executive
25 March 2026	Radio Interview
26 March 2026	Country Mayors Association Workshop – Financial Sustainability - Sydney with CEO
27 March 2026	Country Mayors Association General Meeting - Sydney with CEO
28 March 2026	Crookwell Showground – Jack Russell event

### **April 2026**

1 April 2026	Radio Interview
2 April 2026	Meeting with CEO
8 April 2026	Meeting CEO and Mayor Radio Interview
16 April 2026	Council Meeting

## **8           CORRESPONDENCE**

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



## **10 INFORMATION ONLY**

The following items are submitted for consideration -

10.1	Development Statistics Report	30
10.2	Investments for the month of March 2026	37
10.3	Bank Balance and Reconciliation - March 2026	42
10.4	Rates and Charges Outstanding for the month of March 202	43
10.5	Works In Progress - Construction & Maintenance	45
10.6	Action Summary - Council Decisions	53

---

## Information Only - 16 April 2026

---

**ITEM 10.1**                      **Development Statistics Report**

**FILE REFERENCE**    **I26/89**

**AUTHOR**                      **Manager Planning & Regulatory Services**

### **ISSUE**

This report provides Council with an overview of the development application consents that have occurred in the period of 1 March 2026 – 31 March 2026, and an update on the status of the Planning and Development Control Department.

**RECOMMENDATION**    That -

1. Council receives and notes the report as information.

---

### **BACKGROUND**

A standard monthly report providing Council with a summary of the development control activities that have occurred in the period 1 March 2026 – 31 March 2026.

### **REPORT**

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

As identified in Figure 1, Council achieved the NSW Planning Ministers expectation of 105 days for 80% of applications determined in the month of February 2026. (Note: A monthly delay remains on this data, as it still relies on NSW Planning Portal).

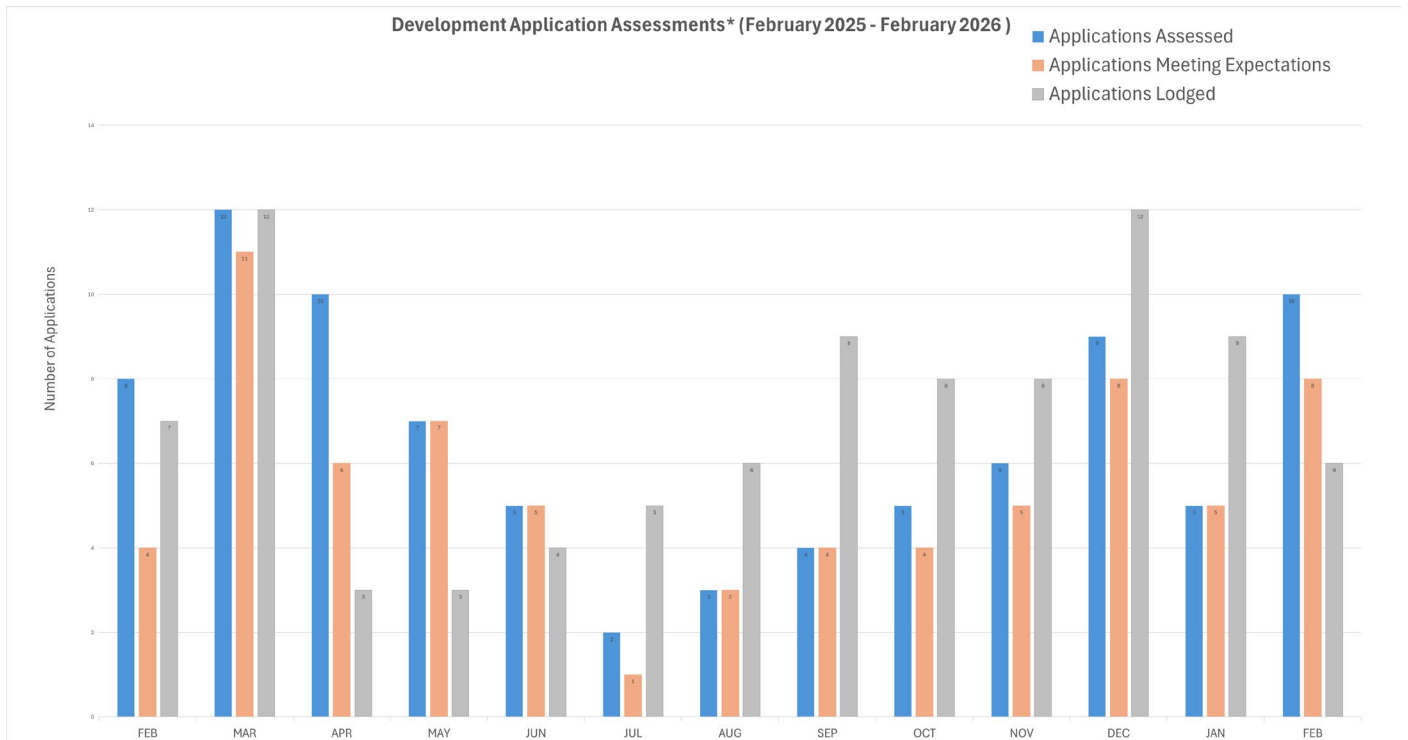
As shown in Figure 2, average assessment days are being maintained around 60 days.

In relation to an update with respect to the Draft Housing Strategy and the review of Council's Development Control Plan. There were 55 submissions made within the Exhibition period, with many quite detailed and comprehensive.

The Submissions Report is proposed to be presented at the May 2026 Ordinary Council Meeting.

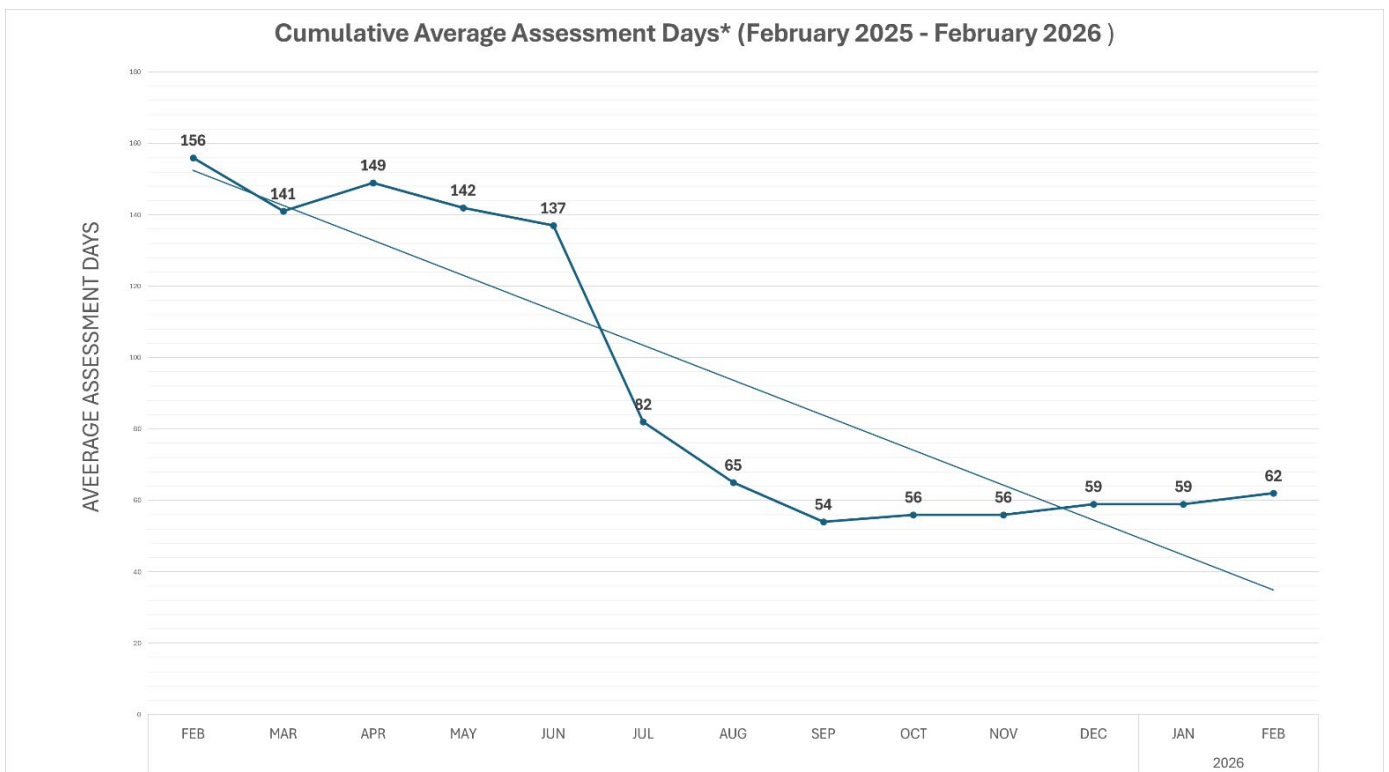
**Information Only**  
**DEVELOPMENT STATISTICS REPORT cont'd**

**Figure 1. Comparison of Applications Lodged/Assessed/Meeting Expectations (February 2025 to February 2026\*).**



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

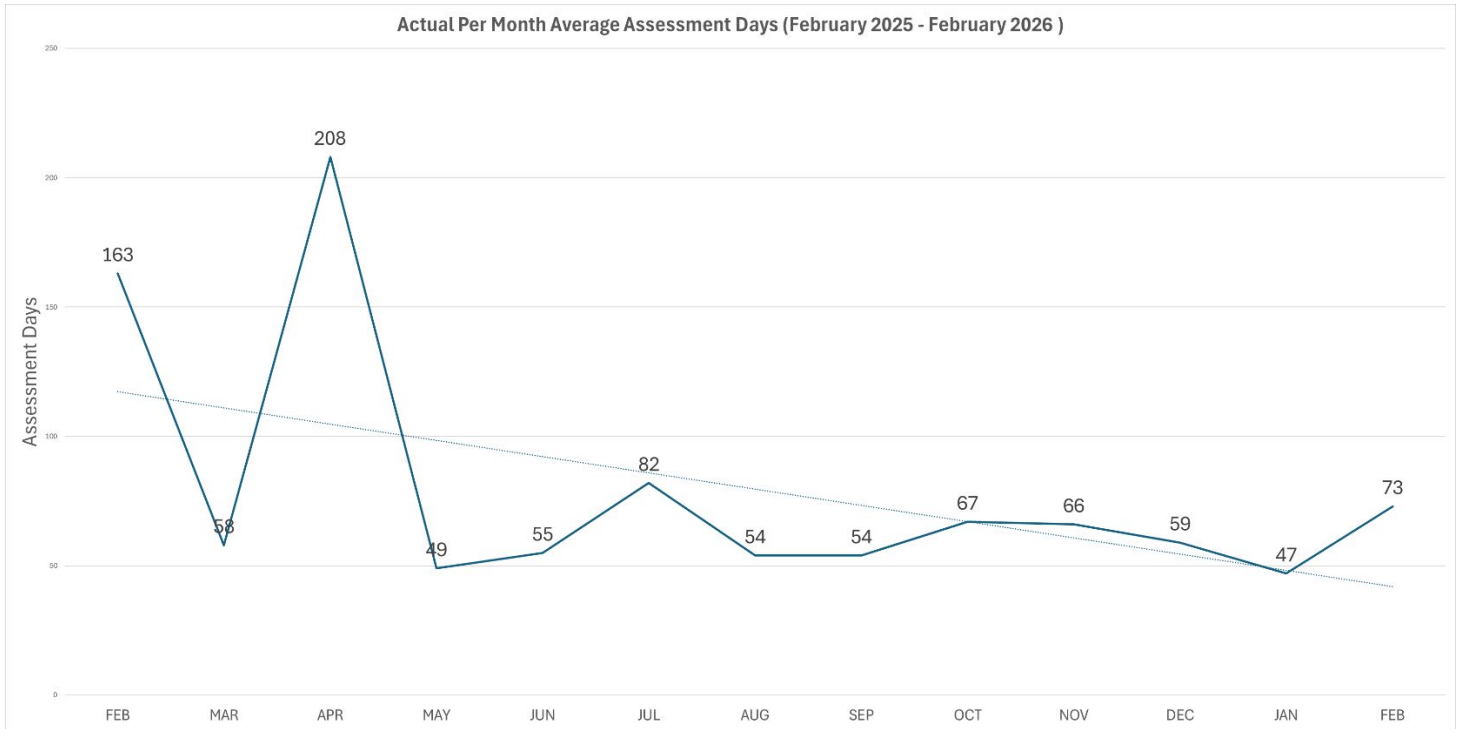
**Figure 2. Cumulative Average Assessment Days (February 2025 to February 2026\*).**



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

**Information Only**  
**DEVELOPMENT STATISTICS REPORT cont'd**

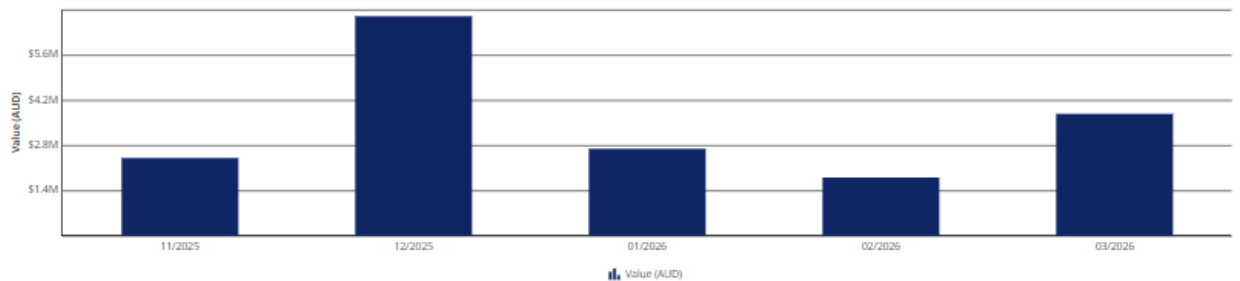
**Figure 3. Actual Per Month Average Assessment Days (February 2025 to February 2026\*).**



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

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

∨ **Total estimated cost of development**

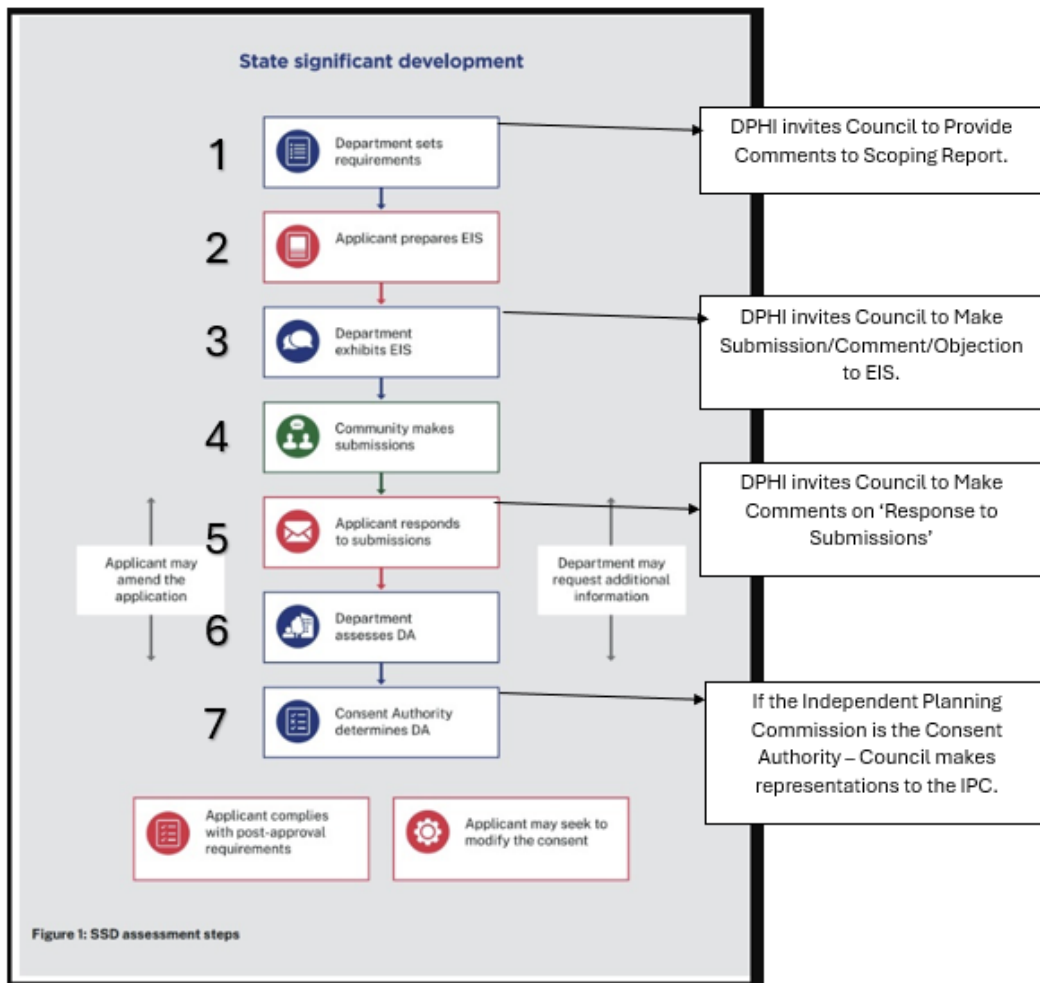


**Information Only**  
**DEVELOPMENT STATISTICS REPORT cont'd**

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

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

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



**Information Only**  
**DEVELOPMENT STATISTICS REPORT cont'd**

**Development Applications**

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

**Determined Development/Planning Applications**

Determined from 1/03/2026 to 31/03/2026

Application Number	Date Submitted	Address	Proposal	Date Determined	Determination
--------------------	----------------	---------	----------	-----------------	---------------

**Development Application**

10/2020/18/4		43 Povey Place BREADALBANE	Outbuilding	04 Mar 2026	Returned
10/2026/22/1		12 Barry Place CROOKWELL	Detached Dual Occupancy & Strata Subdivision	03 Mar 2026	Returned
10/2026/24/1		16 Carr Street CROOKWELL	Dwelling	05 Mar 2026	Returned
10/2025/68/1	22 Aug 2025	2603 Cullerin Road GUNNING	Twenty-Three (23) Lot Torrens Title Subdivision	19 Mar 2026	Approved by Council
10/2025/121/1	10 Dec 2025	3 Marsden Street CROOKWELL	Dwelling	13 Mar 2026	Approved by Delegation
10/2026/16/1	16 Feb 2026	102 Laggan Road CROOKWELL	Outbuilding	27 Mar 2026	Approved by Delegation
10/2026/5/1	27 Jan 2026	60 Kialla Road CROOKWELL	Dwelling	10 Mar 2026	Approved by Delegation
10/2019/90/3	07 Oct 2025	93 Kangaloolah Road BINDA	Dwelling	10 Mar 2026	Approved by Delegation
10/2024/80/3		Range Road GRABBen GULLEN	Telecommunications Tower	26 Mar 2026	Returned
10/2025/116/1	07 Dec 2025	578 Kialla Road CROOKWELL	Dwelling	04 Mar 2026	Approved by Delegation

**Information Only**  
**DEVELOPMENT STATISTICS REPORT cont'd**

10/2025/119/1	05 Dec 2025	3 Leonard Place CROOKWELL	Dual Occupancy	03 Mar 2026	Approved by Delegation
10/2025/125/1	15 Dec 2025	682 Dalton Road GUNNING	Alterations and Additions	06 Mar 2026	Withdrawn

**Total Applications: 12**

Application Number	Submitted	Address	Proposal	Status	Net Days
10/2025/105/1	04 Nov 2025	262 Goulburn Street CROOKWELL	Thirteen (13) Lot Torrens Title Subdivision	Request for Information	65
10/2025/124/1	12 Dec 2025	39-41 Goulburn Street CROOKWELL	Change of Use	Under Assessment	3
10/2025/133/1	17 Dec 2025	52 Dalton Road GUNNING	Dwelling	Under Assessment	86
10/2025/136/1	23 Jan 2026	6 Biala Street GUNNING	Dwelling	Under Assessment	62
10/2025/137/1	08 Jan 2026	18 Chisholm Street TARALGA	Two (2) Lot Torrens Title Subdivision	Under Assessment	84
10/2026/6/1	28 Jan 2026	72 Grovenor Street GUNNING	Outbuilding	Under Assessment	63
10/2026/8/1	28 Jan 2026	120 Greenwich Meadows Road GREENWICH PARK	Alterations and additions Outbuilding	Under Assessment	62
10/2026/9/1	28 Jan 2026	9 Graham Crescent CROOKWELL	Outbuilding	Under Assessment	64
10/2026/10/1	03 Feb 2026	29 Nicholson Circuit CROOKWELL	Outbuilding	Under Assessment	62

**Information Only**  
**DEVELOPMENT STATISTICS REPORT cont'd**

10/2026/14/1	16 Feb 2026	49 Tyrl Tyrl Road LAGGAN	Dwelling	Under Assessment	42
10/2026/15/1	16 Feb 2026	Macarthur Street TARALGA	Dwelling	Under Assessment	48
10/2026/19/1	02 Mar 2026	McDonald Street CROOKWELL	Fifty (50) Lot Torrens Title Subdivision & Drainage	Request for Information	25
10/2026/20/1	03 Mar 2026	1121 Rhyanna Parish MUMMELL	Outbuilding	Under Assessment	28
10/2026/23/1	05 Mar 2026	12 Barry Place CROOKWELL	Detached Dual Occupancy & Strata Subdivision	Under Assessment	29
10/2026/29/1	13 Mar 2026	129 Reservoir Road CROOKWELL	Outbuilding	Under Assessment	25
10/2026/32/1	18 Mar 2026	16 Carr Street CROOKWELL	Dwelling	Under Assessment	18
10/2026/33/1	19 Mar 2026	1 McIntosh Road CROOKWELL	Alterations and additions Outbuilding	Under Assessment	18
10/2020/18/5	25 Mar 2026	43 Povey Place BREADALBANE	Outbuilding	Under Assessment	11
10/2026/17/1	23 Feb 2026	1 Church Street Collector	Outbuilding	Under Assessment	29

**RECOMMENDATION** That -

1. Council receives and notes the report as information.

**ATTACHMENTS**

Nil

---

## Information Only - 16 April 2026

---

**ITEM 10.2**                      **Investments for the month of March 2026**

**FILE REFERENCE**    **I26/67**

**AUTHOR**                      **Director of Finance and Administration**

### **ISSUE**

Council Investment Portfolio Register as at 31 March 2026.

**RECOMMENDATION**    That -

1. Council receive and note the report as information.

---

### **BACKGROUND**

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

### **REPORT**

#### **Investments to 31 March 2026**

<b>Investment Institution</b>	<b>Type</b>	<b>Investment Face Value</b>	<b>Interest Rate</b>	<b>Term Days</b>	<b>Maturity Date</b>	<b>Interest Due</b>
CBA BOS	Call	\$440,000	2.85%	30	30-04-26	\$1,030.68
IMB	TD	\$1,000,000	4.05%	224	01-04-26	\$24,854.79
NAB	TD	\$1,100,000	4.05%	231	08-04-26	\$28,194.66
Bank of Qld	TD	\$1,000,000	4.05%	237	15-04-26	\$26,297.26
NAB	TD	\$1,000,000	4.00%	239	22-04-26	\$26,191.78
IMB	TD	\$1,000,000	4.03%	245	29-04-26	\$27,050.68
Bank of Qld	TD	\$1,000,000	4.00%	252	06-05-26	\$27,616.44
NAB	TD	\$1,000,000	3.98%	252	13-05-26	\$27,478.36
CBA	TD	\$1,000,000	4.00%	252	20-05-26	\$27,616.44
Bank of Qld	TD	\$1,000,000	3.90%	252	27-05-26	\$26,926.03
CBA	TD	\$1,000,000	4.02%	253	03-06-26	\$27,864.66
NAB	TD	\$500,000	4.00%	245	10-06-26	\$13,424.66
Bank of Qld	TD	\$500,000	4.13%	238	17-06-26	\$13,464.93
IMB	TD	\$1,000,000	4.05%	231	24-06-26	\$25,631.51
Bank of Qld	TD	\$1,000,000	4.25%	230	30-06-26	\$26,780.82

**Information Only****INVESTMENTS FOR THE MONTH OF MARCH 2026 cont'd**

NAB	TD	\$500,000	4.23%	231	08-07-26	\$13,385.34
Bendigo Bank	TD	\$500,000	4.25%	231	15-07-26	\$13,448.63
Bendigo Bank	TD	\$500,000	4.45%	189	22-07-26	\$11,521.23
CBA	TD	\$1,000,000	4.15%	273	29-07-26	\$31,039.73
NAB	TD	\$1,000,000	4.95%	141	05-08-26	\$19,121.92
Bank of Qld	TD	\$1,000,000	4.85%	147	12-08-26	\$19,532.88
IMB	TD	\$1,000,000	4.10%	364	19-08-26	\$40,887.67
CBA	TD	\$1,000,000	5.05%	154	26-08-26	\$21,306.85
IMB	TD	\$1,500,000	4.01%	364	02-09-26	\$59,985.21
Bendigo Bank	TD	\$1,000,000	4.15%	365	09-09-26	\$41,500.00
Bendigo Bank	TD	\$1,000,000	4.20%	301	16-09-26	\$34,635.62
Bank of Qld	TD	\$1,000,000	4.20%	364	23-09-26	\$41,884.93
CBA	TD	\$1,000,000	4.30%	371	09-12-26	\$43,706.85
Bendigo Bank	TD	\$1,076,000	4.58%	364	06-01-27	\$49,145.78
CBA	TD	\$1,000,000	4.52%	370	13-01-27	\$45,819.18
Bendigo Bank	TD	\$500,000	4.50%	364	20-01-27	\$22,438.36
Bendigo Bank	TD	\$1,000,000	4.70%	364	27-01-27	\$46,871.23
Bendigo Bank	TD	\$1,100,000	4.72%	362	27-01-27	\$51,493.26
IMB	TD	\$1,000,000	4.55%	364	03-02-27	\$45,375.34
CBA	TD	\$1,100,000	4.75%	371	10-02-27	\$53,108.90
NAB	TD	\$1,000,000	4.60%	371	17-02-27	\$46,756.16
CBA	TD	\$1,000,000	4.80%	371	24-02-27	\$48,789.04
NAB	TD	\$1,000,000	4.75%	378	03-03-27	\$49,191.78
NAB	TD	\$500,000	4.80%	378	10-03-27	\$24,854.79
CBA	TD	\$1,000,000	4.80%	378	17-03-27	\$49,709.59
Bendigo Bank	TD	\$1,500,000	4.97%	385	24-03-27	\$78,634.93
		<b>\$38,316,000</b>				<b>\$1,354,568.91</b>

**TD:** Term Deposit**BOS:** Commonwealth Bank Business Online Saver

**Information Only**

**INVESTMENTS FOR THE MONTH OF MARCH 2026 cont'd**

**Council Investment Performance:**

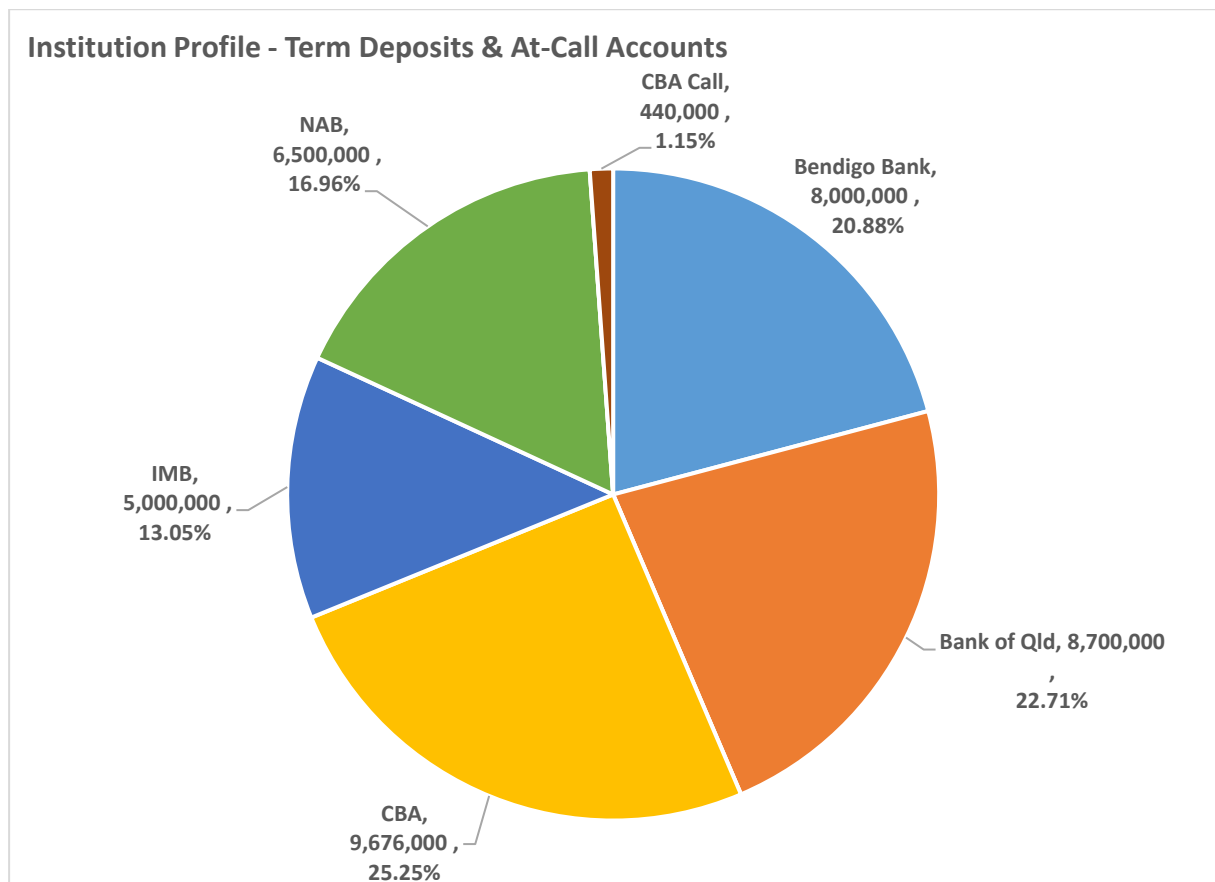
***Budget Comparison to 31 March 2026***

Interest on Investments Received YTD	\$1,162,632
Annual budgeted amount for all funds	\$1,350,000
Percentage of Interest Received YTD	77.64%
Percentage of Year Elapsed	75.07%
Average market interest rate (90-day BBSW)	4.28%
Average return on all investments	4.32%

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 March 2026**

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

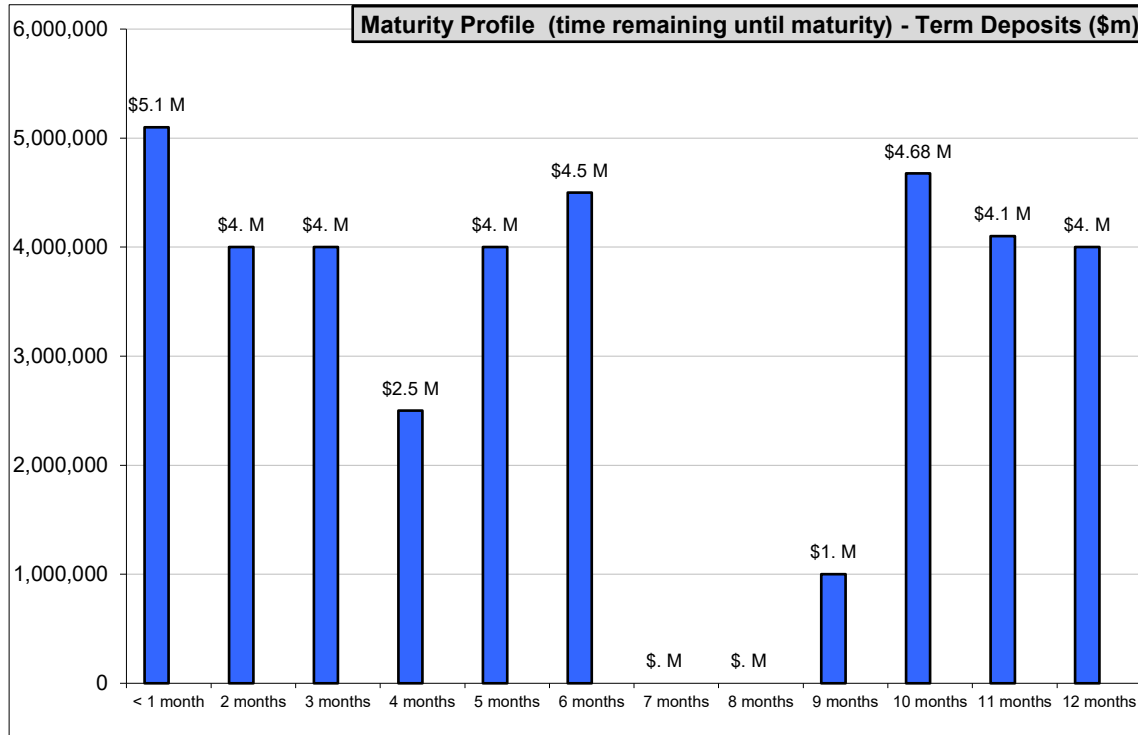


**Information Only**

**INVESTMENTS FOR THE MONTH OF MARCH 2026 cont'd**

**Investments - Maturity Profile as at 31 March 2026**

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



**Summary of Available Cash at 31 March 2026**

**Total Investments: \$ 38,316,000**

**Investments By Fund (Includes Restricted and Unrestricted Cash):**

<b>Funds</b>	<b>(\$)</b>
General Fund Reserves	\$22,142,652
Water Supply Fund Reserves	\$4,700,324
Sewerage Fund Reserves	\$8,792,322
Domestic Waste Management Fund Reserves	\$2,678,348
Trust Fund Reserves	\$2,355

***Information Only***

**INVESTMENTS FOR THE MONTH OF MARCH 2026 cont'd**

**POLICY IMPACT**

Investments are in generally in accordance with Council's Investment Policy and Strategy. Investments with CBA currently represent 26% of the total investment portfolio, which is above the prescribed limit under Council's current policy and is purely a timing issue.

The CBA investment maturing on Wednesday, Wednesday, 15 April 2026 will be divested and reinvested with another financial institution to ensure the portfolio remains within the limits set under Council's Investment Policy.

**OPTIONS**

Nil

**FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION** That -

1. Council receive and note the report as information.

**ATTACHMENTS**

Nil

---

# Information Only - 16 April 2026

---

**ITEM 10.3**                      **Bank Balance and Reconciliation - March 2026**

**FILE REFERENCE**    I26/68

**AUTHOR**                      **Director of Finance and Administration**

**ISSUE**

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

**RECOMMENDATION**    That -

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

**BACKGROUND**

Nil

**REPORT**

**STATEMENT OF BANK BALANCE & RECONCILIATION**

General Ledger Balance brought forward 28 February 2026	418,642.17
Add: Receipts for March 2026	<u>6,457,341.00</u>
	6,875,983.17
Deduct: Payments for March 2026	<u>6,730,790.22</u>
<b>Balance as at 31 March 2026</b>	<b><u>145,192.95</u></b>
Balance as per Bank Statement 31 March 2026	247,202.12
Add: Outstanding Deposits	<u>44.65</u>
	247,246.77
Less: Unpresented Cheques/ EFTs	<u>102,053.82</u>
<b>Balance as at 31 March 2026</b>	<b><u>145,192.95</u></b>

**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 - 16 April 2026

---

**ITEM 10.4**                      **Rates and Charges Outstanding for the month of March 2026**

**FILE REFERENCE**    **I26/69**

**AUTHOR**                      **Director of Finance and Administration**

**ISSUE**

Rates and Charges Outstanding Report to 31 March 2026.

**RECOMMENDATION**    That -

1. Council receive and note the report as information.

---

**BACKGROUND**

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

**REPORT**

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

<b>Description</b>	<b>31/03/2026</b>	<b>31/03/2025</b>	<b>31/03/2024</b>
Total % Rates and Charges Outstanding	20.40%	20.94%	20.92%
Total \$ Amount Rates and Charges Outstanding	\$3.45 million	\$3.36 million	\$3.12 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 Category - April 2026	Attachment
----	--	------------

**Rate Collection 2026 Year**

<b>Rating Categories</b>	<b>Levy Raised to date</b>	<b>Rates Received to 1 April 2026</b>	<b>Rates Outstanding to 1 April 2026</b>	<b>% Rates Outstanding 1 April 2026</b>
<b>Farmland</b>	6,201,731.17	4,936,797.77	1,264,933.40	<b>20.40%</b>
<b>Residential</b>	1,726,157.80	1,333,415.94	392,741.86	<b>22.75%</b>
<b>Rural Residential</b>	962,309.21	774,431.83	187,877.38	<b>19.52%</b>
<b>Business</b>	754,525.69	681,766.69	72,759.00	<b>9.64%</b>
<b>Mining</b>	2,372.10	1,779.30	592.80	<b>24.99%</b>
<b>Water</b>	1,423,574.87	1,110,316.83	313,258.04	<b>22.01%</b>
<b>Sewerage</b>	2,161,530.75	1,690,704.97	470,825.78	<b>21.78%</b>
<b>Domestic &amp; Comm Waste</b>	1,870,669.88	1,473,649.47	397,020.41	<b>21.22%</b>
<b>Rural Waste</b>	1,001,478.92	803,626.82	197,852.10	<b>19.76%</b>
<b>Storm Water</b>	51,019.31	39,725.61	11,293.70	<b>22.14%</b>
<b>**Arrears</b>	772,899.67	628,577.65	144,322.02	<b>18.67%</b>
<b>Credits</b>		204,145.40	-204,145.40	
<b>Overall Total Rates</b>	<b>16,928,269.37</b>	<b>13,678,938.28</b>	<b>3,249,331.09</b>	<b>19.19%</b>

Z:\Rates\2025-2026\Recs\%oust\_March - 2026.xls

---

## Information Only - 16 April 2026

---

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

**FILE REFERENCE**    I26/76

**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:**

##### **Sealing of Unsealed section of Wombeyan Caves Road**

Works will include tree pruning, road widening, drainage improvements, guardrail and sealing. REF has been completed and contract for detailed survey has been awarded. Works are scheduled to start late April 2026 and carry into next financial year.

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

Works included tree pruning, road widening and guardrail installation on the windy sealed section of Wombeyan Caves Road towards the Caves themselves. Road widening and guardrail work have been completed. Road resealing has been completed, and only outstanding item is site cleanup.

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

This project will include the installation of pedestrian lighting at the newly installed raised pedestrian crossings at Crookwell - two being installed at this location, Collector and Taralga. Installation of lighting has been completed. Variation has been lodged to install footpaths and kerb around the schools and approved. Crookwell, Collector and Gunning footpaths have been completed, 50% Taralga footpaths have been completed, and all works are scheduled to be completed by early April.

##### **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

## ***Infrastructure***

### **WORKS IN PROGRESS – CONSTRUCTION AND MAINTENANCE** cont'd

of one dwelling house, variation has been approved mid-August and design works are in progress and completion in December 2026. Raising the dwelling will not progress due to the age of the structure and structural components.

#### **Marks Street Bigga Pavement Rehabilitation**

Works were completed in October 2025 for rehabilitation and sealing of approximately 650 metres of Marks Street in Bigga up to the cemetery.

#### **Warrataw Street Gunning Pavement Rehabilitation**

Works were completed late September 2025 involving upgrade of the unsealed section of Warrataw Street Gunning from Cullavin to Lerida Street. Works included minor drainage improvement and installation of box culverts along with pavement rehabilitation and bitumen sealing.

#### **Woodhouselee Road Pavement Rehabilitation (Roads to Recovery)**

A continuation of pavement rehabilitation/upgrade from Laggan is nearing completion on Woodhouselee Road. Works involve clearing, drainage improvements, earthworks and bitumen sealing. Bitumen sealing is scheduled for the 8 April 2026.

#### **Redground Road Pavement Rehabilitation (Roads to Recovery)**

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

#### **King Road Crookwell Kerb & Gutter and Stormwater**

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

#### **Orchard Street Taralga Stormwater**

Stormwater improvements have begun in Orchard Street Taralga to address previous investigations of collapsed, aged and ineffective infrastructure. Works have been completed to replace subsurface stormwater pipes, pits and kerb and gutter along Orchard and Church Streets in November 2025. Further work is planned for April 2026 to repair a section of kerb and road shoulder in front of the Taralga RFS shed.

#### **Kerb and Gutter Renewal Program**

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

## ***Infrastructure***

### **WORKS IN PROGRESS – CONSTRUCTION AND MAINTENANCE cont'd**

#### **Tablelands Way MR256**

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

Stage 2 works are complete mostly complete (signage and linemarking is scheduled for April 2026). Stage 3 works are planned for April to May 2026.

#### **Rugby Road (R2R)**

Council has recently completed a pavement rehab with Roads to Recovery funding for 1.2km on Rugby Road leaving Dalton. This section of road was dilapidated and failing, works commenced late February and was completed with Bitumen sealing on the 26<sup>th</sup> March 2026.

#### **Rugby Road (Blackspot)**

Council has received Federal Blackspot funding to address a 3km section of Rugby Road that has had several accidents. A design has been completed along with Environmental studies. Clearing and grubbing has been completed and council crews will begin construction works including drainage, correction of horizontal and vertical alignment (earthworks) and pavement construction early April 2026. These works are expected to carry over to next financial year with bitumen sealing to align with warmer temperatures in September/October 2026.

#### **Maintenance Works:**

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

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

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

#### **Gravel Resheeting**

Council's gravel resheeting program for the 2025/2026 financial year comprises of funding from Section 7.11 Contributions, Regional Emergency Roads Repair Fund and Roads to Recovery grant. Works on Sapphire Road, Ladevale Road, Grabine Road

## ***Infrastructure***

### **WORKS IN PROGRESS – CONSTRUCTION AND MAINTENANCE** cont'd

and Golspie Road have been completed. Further funding has been set aside for reactive resheeting and will be scheduled for the remaining months of the financial year.

### **Maintenance Grading**

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

#### North Maintenance Grading -

##### Recently Completed Grading

Pejar Road  
Gorhams Road  
Third Creek Road  
Dawsons Creek  
Kennedy Road  
Anderson Road  
Yewrangara Road  
Alps Road  
Blackmans Creek Road

##### Upcoming Grading

Greenmantle Road  
Reids Flat Road  
Foggs Crossing Road  
Yarraman Road

#### South Maintenance Grading -

##### Recently Completed Grading

Baileys Lane  
Shaws Road  
Wamsleys Road  
Redlands Road  
Loop Road  
Carnell's Road  
Oolong Road

##### Upcoming Grading

Rugby Road  
Jerrawa Road  
Mullengrove Road  
Rye Park Road (MR141)

### **Natural Disaster Restoration Works:**

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

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

This comprehensive program encompasses several thousand individual pieces of work. Works are now approximately 90% complete.

## ***Infrastructure***

### **WORKS IN PROGRESS – CONSTRUCTION AND MAINTENANCE cont'd**

#### **RMCC Contract Binda Road (State Road MR54):**

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

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

- The Binda Road Rehabilitation has been completed with guardrail and line marking finalised early December 2025. Total approximately \$2,200,000
- Culvert grouting of a damaged stormwater line near Alison Hone Reserve was completed in October 2025 at a cost of \$69,000.
- Guardrail replacement at a fatality site south of Pejar Dam. \$56,000
- Installation of vehicle activated sign at Tuena Creek was completed October 2025 at a cost of \$56,000
- Installation of vehicle activated sign at Tuena Creek was completed in July 2025 at a cost of \$36,000.
- Heavy patching – Council will be completing three work orders across the network
  - o reseal areas mostly North of Crookwell \$263,000
  - o from Rylstone Rd to Abercrombie River \$639,000
  - o south of Tuena Creek at the Abercrombie \$327,000
- Design of road widening and rehabilitation from and including Boorowa Road intersection to 1km South of Crookwell River bridge, \$100,000
  - o Boorowa Road intersection concept designs are now with Transport for NSW for assessment on 5 options.
  - o Design of culvert extension in the northern end of these works \$20,000. Geotechnical investigation in now complete with council awaiting the completion of the structural design.
- Planning and design are almost complete from Transport for NSW on remediation of the landslide area on the southern approach to Abercrombie River. Works by Council are forecast to start in March – April 2026.

Bitumen resealing of 10 segments had been planned but has been pushed till next financial year due to contractor delays and escalating prices.

## **BUILDING ASSETS**

### **Crookwell Administration Buildings – Exterior Painting**

The Council administration buildings require exterior repainting. Timber window repairs have been completed. Painting works have been awarded and is planned to start early April 2026.

## ***Infrastructure***

### **WORKS IN PROGRESS – CONSTRUCTION AND MAINTENANCE cont'd**

#### **Crookwell Administration Buildings – Rising Damp Remediation**

The Council administration building which is constructed on the lot boundary and set lower than ground level has experienced water ingress and rising damp. The waterproofing and restoration of the rooms is complete and staff have resumed occupancy. Replacement of flashings on the boundary of the neighbouring property are mostly complete with remainder to be completed in April.

#### **Crookwell Banfield House - Boiler replacement**

Quotations are being obtained for the replacement of the second LPG boiler unit, which failed during routine servicing. Supply and installation are expected to be completed by mid April 2026.

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

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

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

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

#### **Crookwell Library- Electrical Point of Attachment (POA) upgrade**

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

#### **Crookwell Library – Solar, Battery and EV Chargers (CEUF grant)**

Council's application for the Public Libraries Infrastructure Grant (PLIG) was unsuccessful. Council was successful in obtaining funding for this and several other projects through the Community Energy Upgrade Fund (CEUF). The approved grant includes 25kW Solar, 30kWh battery and 2 x 2 bay EV chargers. Project is in preliminary stages of design.

#### **Crookwell Memorial Hall - Install Access to Roof Cavity**

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

#### **Crookwell Senior Citizens Centre - Exterior Painting**

Exterior painting works have commenced and are expected to be completed in April 2026.

## ***Infrastructure***

### **WORKS IN PROGRESS – CONSTRUCTION AND MAINTENANCE cont'd** **Gunning Administration Building - Structural Investigation and Repairs**

The Gunning Administration Building is exhibiting structural movement due to unstable footings. The primary causes are insufficient footing design at the time of construction and fluctuations in ground moisture levels. Footing rectification and internal painting work have been completed. External Heli bar installation has been scheduled for the 11<sup>th</sup> of April 2026.

### **Gunning Court House - Toilet Block Plumbing**

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

### **Gunning Library - Footing Remediation and Structural Repairs**

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

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

### **Gunning Showground – Solar, Battery, EV Chargers and Solar Lighting (CEUF grant)**

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

### **Taralga Memorial Hall - Electrical Meter Board Upgrade**

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

### **Tuena Recreation Reserve - Christmas 2023 Hail Damage**

The hailstorm on 25 December 2023 caused roof damage to the Tuena Hall, public toilet block, and shower block at the Tuena Recreation Reserve. The computer room sustained interior water damage due to broken laser-lite roofing. Immediate make-safe work was undertaken, including removal of damaged carpet. Council has received Statewide Mutual approval to proceed with repairs. All works have been completed in December 2025.

***Infrastructure***

**WORKS IN PROGRESS – CONSTRUCTION AND MAINTENANCE cont'd**

**Asbestos register & management plan- Update**

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

**Emergency Lighting Upgrades – Multiple Sites**

Several of council's buildings were constructed prior to the need to have Fire Safety Schedules (FSS). The FSS's specify the fire safety requirements for that building and must be completed by council's Environment and Planning dept before remedial works can be implemented.

**RECOMMENDATION** That -

1. Council receive and note the report as information.

**ATTACHMENTS**

Nil

---

# Information Only - 16 April 2026

---

**ITEM 10.6**                      **Action Summary - Council Decisions**

**FILE REFERENCE**    **I26/78**

**AUTHOR**                      **Chief Executive Officer**

**ISSUE**  
Details are provided of action taken to implement Council Meeting decisions.

**RECOMMENDATION**    That -  
1. Council receive and note the report as information.

---

## **BACKGROUND**

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

## **REPORT**

Summary sheet includes the following Council Resolutions:-

**Council Meeting: 15 August 2024**

130/24	<ol style="list-style-type: none"><li>1. Council resolve to investigate the closure of Road Reserve bounded by Wilton Lane, Grosvenor Street and the rail corridor at Gunning.</li><li>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.</li></ol>	DOI	<p>Survey Completed. Linen Plan has been prepared. Road status enquiry being undertaken.</p> <p>Council solicitors have provided Council with a timeline update for this process which is likely to extend until the end of financial year 2025/2026.</p> <p>Neighbours and authority parties were notified, no responses. A report has been tabled for April Council meeting.</p>
--------	---	-----	--

**Information Only**

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

**Council Meeting: 18 September 2025**

165/25	1. That Council undertake a review of Section 355 Committees to ascertain the scope and relevance of each committee's function in regard to exercising the functions of Council, and governance in relation to the Code of Meeting Practice, reporting to Council and any areas for improvement in compliance and operation.	DFA	A report will be tabled to a Council Meeting by July 2026.
--------	--	-----	--

**Council Meeting: 16 October 2025**

174/25	1. Council undertakes public consultation, in accordance with section 644A of the Local Government Act 1993 and the Ministerial Guidelines on Alcohol Free Zones 2009, in relation to: <i>The proposed re-establishment of the Alcohol-Free Zones in Crookwell (Zone 1: Goulburn Street between Laggan Road and East Street; Zone 2: Denison Street between Roberts Street and Colyer Street; Zone 3: Spring Street (Including parking spaces) between Cowper Street and Marsden Street; Zone 4: Roberts Street between Denison and Robertson Street; Zone 5: Goulburn Lane between Roberts Street and Colyer Street; Zone 6: Robertson Street between Laggan Road and Park Street.) for the period of 1 December 2025 to 30 November 2029. (outlined in the figures below of this report).</i>	DEP	Public exhibition closed on 3 December 2025.  Council has met with NSW Police on 2 April 2026, report to come back to future Council Meeting in 2026.
	<b>Draft Upper Lachlan Development Control Plan.</b> 1. Council note the draft Upper Lachlan Development Control Plan. 2. Council amend the Draft Development Control Plan part D.7.1 to Insert the below addition within the <i>Terms and Definitions</i> <i>"Electricity generation works including making, generating, storage or transmission"</i>  <i>Insert the below addition within Objectives</i>	DEP	Currently the Draft Upper Lachlan Development Control Plan has closed its Public Exhibition. Anticipated submissions to come back to May 2026 Council Meeting.

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

<p>180/25</p>	<p><b>Draft Upper Lachlan Housing Strategy.</b>          1. Council notes the draft Upper Lachlan Housing Strategy.          2. The Draft Upper Lachlan Housing Strategy be placed on public exhibition in accordance with the requirements of the Upper Lachlan Community Participation Plan 2020 from 27 October 2025 to 21 November 2025.          3. A further report be prepared for Council presenting the findings of public exhibition and recommendations for finalisation of the Upper Lachlan Housing Strategy.</p>	<p>DEP</p>	<p>Currently Draft Upper Lachlan Housing Strategy has closed its Public Exhibition. Anticipated submissions to come back to May 2026 Council Meeting.</p>
<p>204/25</p>	<p>Council extends the community consultation period associated with the Upper Lachlan Housing Strategy and Development Control Plan for a minimum of 28 days.</p>		
<p>191/25</p>	<p><b>Notice of motion - Disclosure of material facts in council planning certificates</b></p> <p>1. Seek formal advice from the NSW Department of Planning, Housing and Infrastructure, the Office of Local Government regarding Council's statutory obligations to disclose "material facts" in Section 10.7 Planning Certificates issued under the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>2. Request that such advice address the following:</p> <ul style="list-style-type: none"> <li>a) In light of NSW Fair Trading's ruling that real estate agents and vendors are obliged to disclose material facts to prospective purchasers, whether a comparable obligation exists for councils when issuing Section 10.7 Certificates;</li> <li>b) The point at which a proposed development or infrastructure project, not yet finally approved, becomes a matter requiring disclosure by Council; and</li> <li>c) The potential legal, financial, and reputational risks to Council</li> </ul>	<p>DEP</p>	<p>Department of Planning unable to provide legal advice on this matter, referred Council to the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Council have referred for legal advice and will report to a future Council Meeting.</p>

**Information Only**

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

	<p>should relevant material facts not be disclosed.</p> <p>3. Receive a report to Council outlining the advice obtained, with recommendations as to whether Council should adopt additional internal protocols, procedures, or disclosure practices to ensure compliance and safeguard Council's statutory responsibilities</p>		
--	---	--	--

**Council Meeting: 19 February 2026**

24/26	<p>1. That the Council amend the Code of Meeting Practice as follows:</p> <p>Amendment to clause 4.5</p> <p>Replace:</p> <p>“Applications to speak at the public forum must be received by three (3) business days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak ‘for’ or ‘against’ the item.”</p> <p>with:</p> <p>“Applications to speak at the public forum must be received by the later of:</p> <p>(a) three (3) business days before the date on which the public forum is to be held; or</p> <p>(b) one (1) business day after the business papers for the meeting are published on the Council's website. Applications must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak ‘for’ or ‘against’ the item.”</p> <p>Amendment to clause 4.12</p> <p>Replace:</p> <p>“Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than</p>	CEO	Code of Meeting Practice to be adopted at the April 2026 Council Meeting after public exhibition period closed on 6 April 2026.
-------	--	-----	---

**Information Only**

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

	<p>three (3) days before the public forum.” with: “Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs by the later of: (a) three (3) business days before the public forum; or (b) two (2) business days after the business papers for the meeting are published on the Council's website.”</p>		
26/26	<p>Councils Environment and Planning directorate review the following 4 items and report back to Council on the practical implementation of the following proposed changes, noting quarterly changes as a quarterly report:</p> <ol style="list-style-type: none"> <li>1. Expand the current Council provided DA report to include a live, dynamic Infrastructure and Services Capacity Matrix Report. Capacity is a question that is asked during every assessment and would certainly be of valuable to us all if we have a live and dynamic version that would highlight all aspects that need to be considered and recorded.</li> <li>2. That the report quantify current and committed capacity as a percentage (%), identify remaining capacity and trigger points for upgrades, and address any risks.             <ol style="list-style-type: none"> <li>1. Sewerage and wastewater</li> <li>2. Water supply</li> <li>3. Electricity and power</li> <li>4. Council infrastructure and services, including roads, stormwater, waste, community facilities, and emergency RFS access.</li> </ol> </li> <li>3. That the assessment accounts for cumulative impacts, including approved and pending developments and both major and minor subdivisions.</li> <li>4. That this information be recognised as vital for Councillors and Council officers when assessing Development Applications, to ensure capacity thresholds and associated risks are</li> </ol>	DEP	A review to occur and come back to future Council meeting in line with the quarter.

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

	identified early in the assessment process.		
--	---	--	--

**Council Meeting: 19 March 2026**

34/26	DA68/2025 (PAN-559067) - Lot 1 DP 1311613 - 2603 Cullerin Road, Gunning - Clause 4.6 Variation To Minimum Lot Size  1. It is recommended that the application be approved subject to the attached conditions.	DEP	Exhibition period has closed. Awaiting Government agency responses (SES).
38/26	1. The report be received and noted as information. 2. Council endorses the matters raised within the report to form the basis of a submission to the Environmental Impact Statement for the proposed Merino Solar Farm located at Tirrannaville and Gundry, approximately 6 km south of Goulburn within Goulburn Mulwaree Local Government Area	DEP	Submission provided to Department of Planning, Housing and Infrastructure.
39/26	1. The report be received and noted as information. 2. Council endorses the matters raised within the report to form the basis of a submission to the Secretary's Environmental Assessment Requirements for the proposed Langley Vale Solar Farm at 721 Collector Road, Gunning, and 196 Lucks Lane, Lerida.	DEP	Submission provided to Department of Planning, Housing and Infrastructure.
41/26	1. Council adopts the reviewed Asset Management Policy.	DOI	Policy placed on Council website and issued to relevant teams on 19 March 2026.
42/26	1. Council adopts the reviewed Disposal of Council Real Estate Policy.	DFA	Policy placed on Council website and issued to relevant teams on 19 March 2026.
44/26	1. That Council write to Gunning Shire Hall and Showground Section 355 Committee formally accepting the new office bearers – President Kelly Dowling, Deputy Chair Sue Hope, and Secretary Michael Coley.	CEO	Letter sent on 19 March 2026 accepting office bearers.

**Information Only**

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

45/26	1. That the Bills Water Trough, located in Robertson Street Crookwell, be referred to Council's Heritage Advisor for investigation and consideration for inclusion as an item of State or National significance.'	DEP	Referred to Heritage Advisor for review.
48/26	1. Council delegate authority to the Chief Executive Officer to negotiate with the intention to enter into a contract with Uniplan for the supply, construction and installation of up to (6) cabins at the Crookwell Caravan Park for a lump sum amount not exceeding \$850,000.00 (excl. GST) 2. Council delegate authority to the Chief Executive Officer to execute and finalise the contract and associated documentation.	CEO	The successful supplier and unsuccessful suppliers notified.

**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 Fuel Reserves Management - Kerbside Waste Collection 62

---

## Environment and Planning - 16 April 2026

---

**ITEM 11.1**                      **Fuel Reserves Management - Kerbside Waste Collection**

**FILE REFERENCE**    **I26/86**

**AUTHOR**                      **Director Environment and Planning**

### **ISSUE**

With global events influencing the oil markets Council is required to consider the potential impacts on operational service delivery and consider options to minimise the impact on essential services.

### **RECOMMENDATION**      That -

1. Council cease the kerbside greenwaste collection service for an interim period to assist with the saving of fuel during the current period of uncertainty.
2. The reduction of this service level be reviewed periodically and re-introduced where the current challenges associated with fuel supply are alleviated.
3. The transfer station fees and charges associated with the disposal of domestic greenwaste (grass clippings, prunings leaves and similar) not be levied, whilst the kerbside greenwaste collection service is not provided.
4. Council notify the public of the proposed changes with respect to the management of greenwaste.

---

### **BACKGROUND**

With global events influencing the oil markets the current fuel crisis is having an impact on rural and regional communities and local government. The impact of fuel availability along with financial implications on council services is broad, however a significant concern relates to waste collection and ensuring that this essential service can continue to be delivered.

### **REPORT**

Council is facing significant challenges due to the potential fuel availability and the rising fuel costs, which are impacting a broad range of services including the waste collection and disposal service.

Council has implemented controls in attempt to ensure suitable quantities of fuel remain in reserve to ensure that the kerbside collection service can continue to be delivered. However, with the uncertainty around ongoing fuel supply and availability it is proposed to introduce additional measures to assist in the delivery of the essential components of this service.

It is essential that Council continue to deliver the domestic waste and recycling components of the kerbside waste collection service from both a public health and financial perspective.

The kerbside collection of greenwaste assists in reducing the overall waste management operational costs as it removes this material from the waste stream,

## ***Environment and Planning***

### **FUEL RESERVES MANAGEMENT - KERBSIDE WASTE COLLECTION cont'd**

which in turn reduces waste volumes and costs associated with transport and landfilling.

Council currently provides the kerbside greenwaste collection service to select communities on a fortnightly basis and if Council ceased delivering this service during this period of uncertainty it would assist Council is saving approximately 450 litres of fuel per fortnight.

If Council were to cease the kerbside collection of greenwaste it would not contravene any environmental or licence requirements or create any public health concerns.

To ensure that the community is able to dispose of the domestic greenwaste in an acceptable manner it is suggested that the transfer station fees associated with domestic greenwaste that would have normally been placed in the greenwaste bin for kerbside collection be waived during this period. The greenwaste excluded from the charge would include prunings, clippings, leaves and similar, however this fee waiver would not include greenwaste material such as larger branches, stumps or similar.

Any changes to the service delivery would need to be notified in advance along with educational directive to encourage residents not to place the greenwaste in the domestic waste bin.

#### **POLICY IMPACT**

By ceasing the kerbside collection of greenwaste for an interim period key activities and/or KPIs as detailed in Council's adopted Operational Plan will not be achieved.

#### **OPTIONS**

Option 1: Continue to deliver the entire kerbside waste collection service incorporating the domestic waste, recycling and greenwaste. The risk to this would be using 450 litres of fuel on a non-essential component of the service, which could have been reserved for a further, essential domestic waste collection should the fuel situation worsen.

Option 2: Reduce the level of service relating to kerbside waste collection to incorporate essential services of domestic waste and recycling only, enabling council to reserve a further 450 litres of fuel for future critical/ essential services.

#### **FINANCIAL IMPACT OF RECOMMENDATIONS**

In reducing the service level associated with kerbside waste collection it will have the potential to save in the vicinity of 450 litres of fuel per fortnight.

If Council were to cease charging for greenwaste for an interim period, there will be a loss in income.

#### **RECOMMENDATION** That -

1. Council cease the kerbside greenwaste collection service for an interim period to assist with the saving of fuel during the current period of uncertainty.
2. The reduction of this service level be reviewed periodically and re-introduced where the current challenges associated with fuel supply are alleviated.
3. The transfer station fees and charges associated with the disposal of domestic greenwaste (grass clippings, prunings leaves and similar) not be levied, whilst the kerbside greenwaste collection service is not provided.

***Environment and Planning***

**FUEL RESERVES MANAGEMENT - KERBSIDE WASTE COLLECTION cont'd**

4. Council notify the public of the proposed changes with respect to the management of greenwaste.

**ATTACHMENTS**

Nil

## **12      INFRASTRUCTURE DEPARTMENT**

The following item is submitted for consideration -

- 12.1      Part Road Closure - Intersection of Hume and Grovenor  
Street, Gunning

66

---

## Infrastructure Department - 16 April 2026

---

**ITEM 12.1**                      **Part Road Closure - Intersection of Hume and Grovenor Street, Gunning**

**FILE REFERENCE**    **I26/85**

**AUTHOR**                      **Design Engineer**

### **ISSUE**

Council has received a request from the NSW Rural Fire Service, Gunning Brigade, seeking the use of a portion of the road reserve located at the intersection of Hume Street and Grovenor Street for the construction of a new fire station.

To facilitate the development of the proposed facility, a portion of the existing road reserve is required to be separated and created as an individual lot within a deposited plan.

### **RECOMMENDATION**      That -

1. Resolve to subdivide a portion of the road reserve located at the intersection of Hume Street and Grovenor Street, Gunning, to create a separate lot and deposited plan.
2. Retain ownership of the newly created lot following subdivision.
3. Permit the use of the land by the NSW Rural Fire Service for the purpose of constructing and operating a fire station, subject to appropriate agreements being executed between the parties.

---

### **BACKGROUND**

Council was approached by representatives of the Gunning Brigade of the NSW Rural Fire Service regarding the potential use of land within the road reserve at the intersection of Hume Street and Grovenor Street, Gunning, for the construction of a new fire station.

The identified area forms part of a wide section of road reserve that is currently owned and maintained by Council. The portion proposed to be subdivided is not required for current or foreseeable road operations.

The site has historically been used on a limited basis for the temporary storage of surplus materials associated with local works. Alternative arrangements for the storage of these materials have commenced, as the location has previously been considered unsuitable for ongoing stockpiling activities due to its proximity to the township.

As part of the preliminary assessment of the proposal, consultation has been undertaken with relevant stakeholders. Crown Land has indicated support for the proposal and has agreed to dedicate the relevant land to Council as part of the application process.

**Infrastructure Department**

**PART ROAD CLOSURE – INTERSECTION OF HUME AND GROVENOR STREET, GUNNING cont'd**

**REPORT**

Council currently owns and maintains the road reserve within this section of Hume Street and Grovenor Street, Gunning. The reserve is of sufficient width to allow for the separation of a portion of land without impacting the function, safety, or capacity of the existing road network.

The proposed subdivision will involve excising a defined portion of the road reserve and creating a new lot within a deposited plan. Council will retain ownership of the newly created lot following subdivision. The land will then be made available for use by the NSW Rural Fire Service for the construction and ongoing operation of a fire station, consistent with arrangements currently in place for other Rural Fire Service facilities located on Council owned land.

The proposed use of the land is considered to provide a direct benefit to the local community by supporting emergency response capability within the Gunning area. The development of a new fire station at this location is expected to improve operational efficiency and enhance emergency service delivery.

The subdivision of the road reserve is not expected to adversely affect traffic movements, road safety, or access to surrounding properties. No Council infrastructure or operational assets are located within the portion of land proposed to be subdivided.

Should Council resolve to proceed with the proposal, the subdivision process will be undertaken in accordance with relevant legislative and regulatory requirements. Appropriate legal documentation will be prepared to formalise the use of the land by the NSW Rural Fire Service.

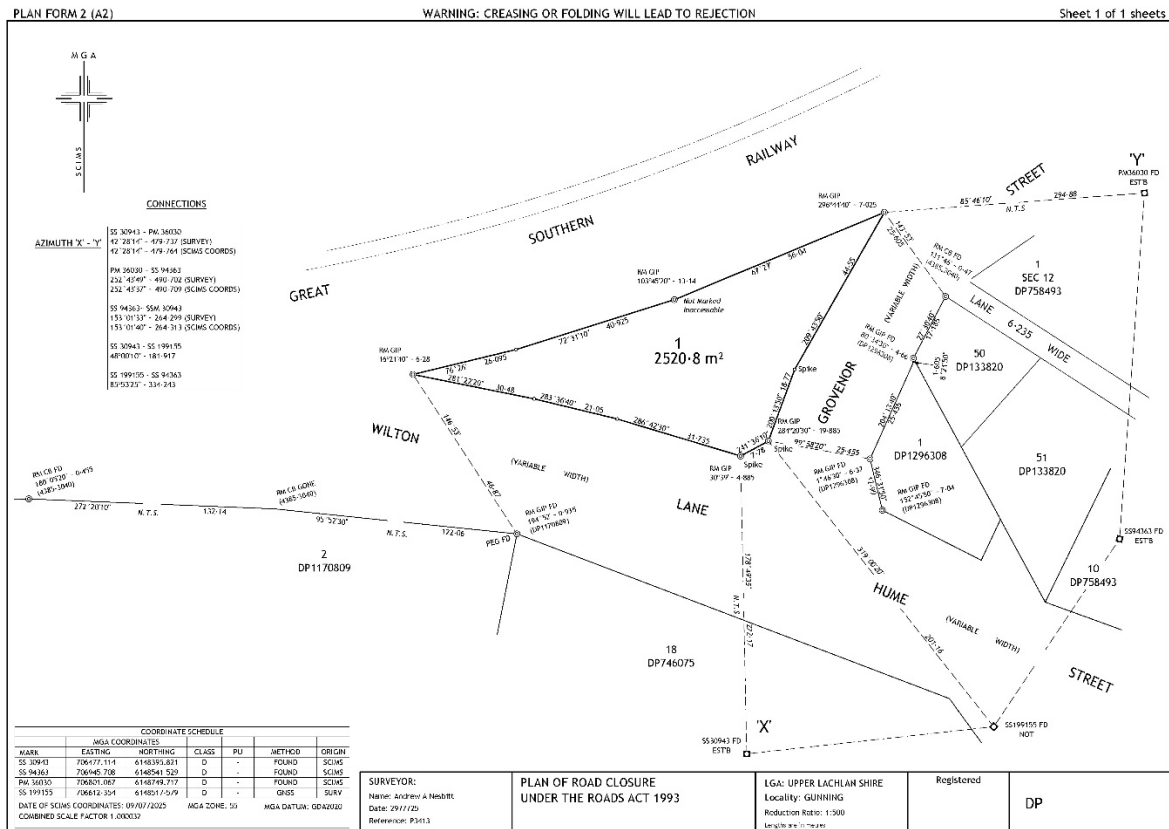


Figure 1: Linen Plan of Proposed New Lot Arrangements

**Infrastructure Department**

**PART ROAD CLOSURE – INTERSECTION OF HUME AND GROVENOR STREET,  
GUNNING cont'd**



Figure 2: Current Arrangement Aerial Photograph

**POLICY IMPACT**

Nil

**OPTIONS**

Option 1 – Proceed with the subdivision (Recommended)

Council resolves to subdivide the identified portion of the road reserve and create a new lot to facilitate the construction of a new fire station by the NSW Rural Fire Service.

Option 2 – Do not proceed with the subdivision

Council resolves not to subdivide the road reserve. This would prevent the development of the proposed fire station at the identified location and may require the NSW Rural Fire Service to identify an alternative site.

**FINANCIAL IMPACT OF RECOMMENDATIONS**

Council will be responsible for costs associated with the subdivision process, including survey, plan preparation, legal documentation, and registration of the new lot. These costs are expected to be accommodated within existing operational budgets. No significant financial impact on Council is anticipated.

**Infrastructure Department**

**PART ROAD CLOSURE – INTERSECTION OF HUME AND GROVENOR STREET,  
GUNNING cont'd**

**RECOMMENDATION** That -

1. Resolve to subdivide a portion of the road reserve located at the intersection of Hume Street and Grovenor Street, Gunning, to create a separate lot and deposited plan.
2. Retain ownership of the newly created lot following subdivision.
3. Permit the use of the land by the NSW Rural Fire Service for the purpose of constructing and operating a fire station, subject to appropriate agreements being executed between the parties.

**ATTACHMENTS**

1.	Council road closure proposal - 15077 - Cnr Grovenor St & Wilton Lane, Gunning - Response	Attachment
----	---	------------



Department of Planning, Housing & Infrastructure

PO Box 2215, DANGAR NSW 2309  
Phone: 1300 886 235 | Fax: 02 4925 3517  
[council.roadclosures@crowland.nsw.gov.au](mailto:council.roadclosures@crowland.nsw.gov.au)  
[www.crownland.nsw.gov.au](http://www.crownland.nsw.gov.au)

12/03/2026

Upper Lachlan Shire Council  
c/- Robert J McCarthy & Co  
Attn: Tim McCarthy

Via email: [tim@rjmac.com.au](mailto:tim@rjmac.com.au)

**Road:** corner of Grovenor Street & Wilton Lane, Gunning  
**Your Ref:** F18/395-08 -GUNRFS **Our ref:** 18/08989#11

**RE: Upper Lachlan Shire Council – Notification of proposal to close council public road**

Dear Tim

Thank you for providing notice of the proposal to close a council public road.

NSW Department of Planning Housing & Infrastructure – Crown Lands (the department) does not object to:

- the closure of the council public road
- the proposed vesting in Upper Lachlan Shire Council upon closure.

General enquiries about this submission may be directed to the Crown Lands Business Centre at  
[council.roadclosures@crowland.nsw.gov.au](mailto:council.roadclosures@crowland.nsw.gov.au).

Kind regards

A handwritten signature in black ink, appearing to read 'Lisa Armstrong'.

Lisa Armstrong  
Senior Finalisation Officer  
Department of Planning, Housing & Infrastructure – Crown Lands

## **13 FINANCE AND ADMINISTRATION**

The following items are submitted for consideration -

13.1	Integrated Planning and Reporting - Draft Plans for Public Exhibition	72
13.2	Adoption of Code of Meeting Practice	80

---

## Finance and Administration - 16 April 2026

---

**ITEM 13.1**                      **Integrated Planning and Reporting - Draft Plans for Public Exhibition**

**FILE REFERENCE**    **I26/66**

**AUTHOR**                      **Director Finance and Administration**

### **ISSUE**

Providing details regarding the preparation and public exhibition of the draft Delivery Program, Operational Plan and Resourcing Strategy documentation.

**RECOMMENDATION**    That -

1. Council, in accordance Sections 403-406, of the Local Government Act 1993, and Sections 8A-8C, of the Local Government Act 1993, place on public exhibition the following suite of draft plans:-

- Operational Plan 2026/2027;
- Delivery Program 2026/2027 – 2029/2030;
- Resource Strategy documents including:-
  - Long Term Financial Plan 2026 – 2035;
  - Infrastructure Plan 2026 – 2035;
  - Workforce Plan 2026/2027 – 2029/2030.

The public exhibition period is from Monday, 20 April 2026 to Monday, 25 May 2026 dates inclusive, with copies of each plan available for viewing at Council administration offices and libraries, available on Council's website and a link is provided to Council's Facebook Page.

---

### **BACKGROUND**

In accordance with NSW Government Integrated Planning and Reporting requirements, provisions in Section 403 to 406, of the *Local Government Act 1993*, Council has prepared the 2026/2027 draft plans for public exhibition.

### **REPORT**

The following draft plans have been prepared for public exhibition in accordance with the Integrated Planning and Reporting legislation:-

1. **Operational Plan 2026/2027** (one-year plan and budget encompassing Council's Fees and Charges, and Revenue Policy) – Section 405, of the *Local Government Act 1993*.
2. **Delivery Program 2026/2027 – 2029/2030** (four-year program and budget) – Section 404, of the *Local Government Act 1993*.

## ***Finance and Administration***

### **INTEGRATED PLANNING AND REPORTING - DRAFT PLANS FOR PUBLIC EXHIBITION cont'd**

3. **Resource Strategy** in accordance with Section 403, of the *Local Government Act 1993*, contains the following:-
- **Long Term Financial Plan 2026 – 2035;**
  - **Workforce Plan 2026/2027 – 2029/2030; and**
  - **Infrastructure Plan 2026 – 2035.**

A workshop was held on 23 March 2026 with participation from the Mayor, Councillors and senior management. The workshop provided the opportunity for Councillors to give feedback with respect to the draft budget and Revenue Policy, and for Councillors to consider all pre-plan community submissions to the Operational Plan.

Each of the above-mentioned draft plans, are now to be placed on public exhibition to allow for a period of community consultation. The community is invited to make public submissions to the plans. The public submission period closes on 25 May 2026, and Council will consider all public submissions received during the public exhibition period at the 18 June 2026 Ordinary Council Meeting.

In relation to the draft Operational Plan 2026/2027, a summary document with a Mayoral Message has been prepared by Council to allow the community a snapshot of Council's Revenue Policy including Fees and Charges and outlines the major capital projects in the forthcoming twelve-month period.

Please note: The draft-integrated plans will be sent, as separate annexures to this report.

#### **POLICY IMPACT**

Nil

#### **OPTIONS**

Nil

#### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Council endorse the draft 2026/2027 Operational Plan for public exhibition; including the operational budget and capital expenditure works projects budget, Fees and Charges and Revenue Policy. The 2026-2035 draft Long Term Financial Plan is also on public exhibition.

#### **RECOMMENDATION** That -

1. Council, in accordance Sections 403-406, of the Local Government Act 1993, and Sections 8A-8C, of the Local Government Act 1993, place on public exhibition the following suite of draft plans:-
  - Operational Plan 2026/2027;
  - Delivery Program 2026/2027 – 2029/2030;
  - Resource Strategy documents including:-
    - Long Term Financial Plan 2026 – 2035;
    - Infrastructure Plan 2026 – 2035;
    - Workforce Plan 2026/2027 – 2029/2030.

***Finance and Administration***

**INTEGRATED PLANNING AND REPORTING - DRAFT PLANS FOR PUBLIC EXHIBITION cont'd**

The public exhibition period is from Monday, 20 April 2026 to Monday, 25 May 2026 dates inclusive, with copies of each plan available for viewing at Council administration offices and libraries, available on Council's website and a link is provided to Council's Facebook Page.

**ATTACHMENTS**

1.	Mayor Message - Draft Operational Plan 2026-2027	Attachment
2.	DRAFT - Operational Plan 2026-2027	Appendix
3.	DRAFT - Delivery Program - 2026-2027	Appendix
4.	DRAFT - Long Term Financial Plan 2026-2035	Appendix
5.	DRAFT - Infrastructure Plan 2026-2035	Appendix
6.	DRAFT - Workforce Plan-2026-2027	Appendix

### **MAYORAL MESSAGE**

As Mayor of the Upper Lachlan Shire, I am pleased to present the draft 2026/2027 Operational Plan for public comment. Public submissions to the draft Operational Plan close on 25 May 2026 and will be tabled and considered at the Ordinary Council Meeting held on 18 June 2026.

The Council's draft 2026/2027 Operational Plan and 2026/2027 – 2029/2030 Delivery Program and a suite of other integrated plans are prepared for public exhibition.

I encourage everyone to view the integrated plans and submit their feedback in writing to: Chief Executive Officer, Upper Lachlan Shire Council by email to [council@upperlachlan.nsw.gov.au](mailto:council@upperlachlan.nsw.gov.au).

#### **Council Draft Operational Plan 2026/2027**

Upper Lachlan Shire Council has projected a consolidated operating budget deficit (before capital grants and contributions) of \$2.08 million. Council has a projected consolidated cash flow surplus in all funds (including the restricted funds of water supply, sewer and domestic waste funds) totalling \$1.4 million, after transfers from reserves funding has been accounted for.

Council has prepared a comprehensive capital expenditure works program for the Shire totalling \$17.04 million in 2026/2027. The capital works program consolidates on the past years capital investment and the budget for the next four years has been scheduled to spend \$45.48 million on capital infrastructure works including asset renewal and rehabilitation projects and delivering new community assets.

The Operational Plan budget deficit result projection has reduced significantly from the 2025/2026 budget projection of a \$2.92 million deficit, which is positive news and is an improvement in two consecutive years this is evidence that Council is addressing the financial sustainability issues as detailed in November 2023 from an independent consultant's review of Council's finances.

It is always a delicate balance, managing the expectations of our community, while ensuring that Council remains in a sound financial position. Council has reviewed all community submissions and included a number of those submissions within the draft Operational Plan.

The integrated plans and resourcing strategies have been prepared and are evidence that Council remains committed to deliver quality services and take prudent steps to safeguard Council's future and prioritise increased spending on Council asset renewals.

**Clr Paul Culhane**  
**Mayor**

**SUMMARY: UPPER LACHLAN SHIRE COUNCIL OPERATIONAL PLAN 2026/2027**

- Council has prepared a \$41.95 million operating budget. The table below dissects the operational budget by each individual fund.

<b>Income Statement</b>	<b>General Fund</b>	<b>Domestic Waste</b>	<b>Water Fund</b>	<b>Sewer Fund</b>	<b>Consolidated</b>
<b>Income from continuing operations</b>					
Rates and annual charges	10,906,234	1,964,776	1,480,491	1,853,188	16,204,689
User charges and fees	7,821,742	5,000	1,406,912	335,826	9,569,480
Other revenues	590,217	0	0	0	590,217
Grants and contributions provided for operating purposes	11,673,388	0	0	0	11,673,388
Interest and investment income	785,492	111,085	187,260	336,482	1,420,319
Net gain from the disposal of assets	374,167	6,524	31,328	0	412,019
<b>Total Income from continuing operations</b>	<b>32,151,240</b>	<b>2,087,385</b>	<b>3,105,991</b>	<b>2,525,496</b>	<b>39,870,112</b>
<b>Expenses from continuing operations</b>					
Employee benefits and on-costs	14,383,353	361,783	1,006,059	674,626	16,425,821
Materials and services	8,531,937	1,471,930	1,216,853	739,572	11,960,292
Borrowing costs	365,255	73,319	20,817	4,862	464,253
Depreciation and amortisation	9,329,414	180,353	951,071	621,674	11,082,512
Other expenses	878,192	0	32,387	0	910,579
Net loss from the disposal of assets	1,112,400	0	0	0	1,112,400
<b>Total expense from continuing operations</b>	<b>34,600,551</b>	<b>2,087,385</b>	<b>3,227,187</b>	<b>2,040,734</b>	<b>41,955,857</b>
<b>Operating result (before capital grants and contributions)</b>	<b>(2,449,311)</b>	<b>0</b>	<b>(121,196)</b>	<b>484,762</b>	<b>(2,085,745)</b>

**Ordinary (General) Rates:**

- Ordinary (General) Rate peg limit is set by IPART for Local Government. Ordinary Rates are calculated on unimproved land values, at base date 1 July 2024, supplied by the Valuer General's Office.

Rates Description	Increase %	Increased Income
Ordinary (General) Rates	4.90%*	\$473,000

- \* The \$ value increases per Rateable property assessment will vary due to the land revaluation recently undertaken.

**Sewerage Charges:**

Sewerage Charges	Increase
Sewerage Access Annual Charge for Residential Categories	4% or \$43 increase per Assessment; \$1,102 per Residential property.*
Unoccupied Sewerage Access Charge for Residential Categories	4% or \$28 increase per Assessment; \$724 per Residential property.

- \* The Sewerage Access Charge for Gunning, Crookwell, and Taralga are uniform.

- Council utilises the Sewerage Best Practice Pricing Structure. For Non-Residential and Business properties, the charge will be not less than the Annual Residential Sewerage Access Charge of \$1,102. The \$ value increase for business properties will vary depending on water consumption and the sewerage discharge factor applied.

**Water Supply Charges:**

Water Charge	Increase
Water Supply Access Charge; and Water Supply Availability Charge	6% or \$37 increase per Assessment; \$656 per annum per connection. *
Water Usage Charge <sup>^</sup>	6% increase:- * \$4.89 per kilolitre for water consumption less than 200 kilolitres * \$6.47 for every kilolitre over 200.

- \* The Water Supply Access Charges and water consumption user-pays charges for the towns of Dalton, Crookwell, Gunning and Taralga are uniform.

- <sup>^</sup> Note that NSW Government water regulations require a minimum 50% of all town water supplies income to be generated from the water usage charge.

**Stormwater Charges:**

- There is a zero increase. The Stormwater Annual Charge will continue to be levied for the towns of Crookwell, Gunning, Collector and Taralga. This levy will remain at \$25 for Residential properties and \$50 for Businesses.

**Domestic Waste Management (Garbage) Charges:**

<b>Domestic Waste Management Charge</b>	<b>Increase</b>
Domestic Waste Management Charge* (For the Shire)	7% or \$46 increase. \$703 per annum per service
Domestic Waste Availability Charge (All vacant properties in towns where the garbage service is available)	7% or \$19 increase. \$278 per Assessment.

**Commercial Waste (Garbage) Charges:**

<b>Commercial Waste Charge</b>	<b>Increase</b>
Commercial Waste Charge (Business Rate Categories)	7% or \$55 increase. \$833 per annum per service
Commercial Waste Availability Charge (All vacant business land in towns where the garbage service is available)	7% or \$19 increase. \$278 per Assessment.

**Rural Waste Charges:**

<b>Rural Waste Charge</b>	<b>Increase</b>
Rural Waste Charge (Properties that do not have a Domestic Waste Service)	7% or \$20.90 increase per Assessment. * \$278 per Assessment

\* The Rural Waste Charge is subject to GST. The annual charge is \$305.80 per annum per service inclusive of GST with 1/11 of the waste charge being remitted to the ATO.

- The Rural Waste Charge entitles ratepayers to dispose of one standard garbage bin (120-litre bin) of waste per week at no cost at waste transfer centres in the Shire. Disposal of sorted recyclable materials will be accepted free of charge at Council waste transfer centres.

**Loans:**

- There is one new loan forecast this financial year. The draft Operational Plan estimates a \$1.2 million new borrowing for 2026/2027 to support the construction of the Crookwell Waste Transfer Station at a total cost of \$2.7 million.
- There is no refinancing of existing loans.

**Capital Works Expenditure Highlights – 2026/2027 Total Program \$17.04 million**

<b>Project Description</b>	<b>Project Cost</b>
<b>General Fund</b>	
Plant Replacement (including fleet vehicles) net purchase cost	\$1.95million
Buildings - solar power installation projects: Crookwell Library, Council Chambers, Council Depot, Gunning Showground, street lighting LED replacement	\$502,000
Buildings - disabled ramp to Crookwell Administration Office	\$180,000
Buildings – Libraries painting and wall patching repairs	\$80,000
Kerb and Gutter - King Rd, Crookwell (High School side to Crown St)	\$300,000
Footpath - Lin Cooper Rec Area, Crookwell	\$196,000
Footpath - Warrataw Street, Gunning - (Cullivan Street to Lerida Street)	\$140,000
Stormwater - Court St, Taralga	\$100,000
Roads:	
• Rugby Road, Bevendale (Black Spot Program)	\$1,500,000
• Sealing unsealed section on Wombeyan Caves Road	\$820,000
• Bitumen Resealing - Rural Local Roads (throughout the Shire)	\$540,000
• Bitumen Resealing - King Road - Crookwell	\$350,000
• Bitumen Resealing - Urban Roads (throughout the Shire)	\$180,000
• Bitumen Resealing - Regional Roads (throughout the Shire)	\$550,000
• Heavy Patching - Regional Roads	\$332,000
• Pavement Rehabilitation - Bigga Road (R2R)	\$732,000
• Pavement Rehabilitation - Reids Flat Road (R2R)	\$732,000
• Gravel Resheeting - Peelwood Rd (R2R)	\$120,000
• Gravel Resheeting - Rugby Rd (R2R)	\$120,000
• Gravel Resheeting - Grabine Rd (R2R)	\$120,000
• Hay/Prell Street, Crookwell new sealing	\$180,000
<b>Domestic Waste Management</b> – Crookwell Waste Transfer Station transfer station design and construction	\$2.7million
<b>Water Fund</b> – mains replacement including hydrants and valves across the 4 towns and solar power projects in Crookwell, Gunning and Taralga	\$1.2million
<b>Sewer Fund</b> – mains renewal/rehabilitation across the 3 towns, Taralga pumping station and irrigation system works and solar projects at Crookwell and Gunning	\$1.8million

---

## Finance and Administration - 16 April 2026

---

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

**FILE REFERENCE**    **I26/90**

**AUTHOR**                      **Director Finance and Administration**

### **ISSUE**

This report provides a recommendation for adoption of the Council Code of Meeting Practice after a public exhibition period for public forum changes to Extraordinary Council meetings.

**RECOMMENDATION**    That -

1. Council in accordance with Section 32 (1) (a) and (2), of the *Local Government Act 1993*, adopts the Code of Meeting Practice as publicly exhibited.

---

### **BACKGROUND**

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

Councils are required, under the *Local Government Act 1993*, to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code.

The existing Code of Meeting Practice adopted at the Ordinary Council Meeting on 18 December 2025, as adopted by Resolution Number 228/25, will be replaced following the proposed amendments as below:

At the 19 February 2026, Ordinary Council Meeting it was resolved as per resolution 24/26:

1. That the Council amend the Code of Meeting Practice as follow

Amendment to clause 4.5

Replace:

“Applications to speak at the public forum must be received by three (3) business days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak ‘for’ or ‘against’ the item.”  
with:

“Applications to speak at the public forum must be received by the later of:  
(a) three (3) business days before the date on which the public forum is to be held; or

## **Finance and Administration**

### **ADOPTION OF CODE OF MEETING PRACTICE cont'd**

(b) one (1) business day after the business papers for the meeting are published on the Council's website.

Applications must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item."

Amendment to clause 4.12

Replace:

"Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than three (3) days before the public forum."

with:

"Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs by the later of:

(a) three (3) business days before the public forum; or

(b) two (2) business days after the business papers for the meeting are published on the Council's website."

The above was placed on public exhibition up until the 6 April 2026.

### **REPORT**

In accordance with Section 361, of the *Local Government Act 1993*, Council has publicly exhibited the draft Code of Meeting Practice for 42 days. There were zero public submissions received with respect to the draft Code of Meeting Practice change to this section.

### **POLICY IMPACT**

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

### **OPTIONS**

Nil

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

### **RECOMMENDATION** That -

1. Council in accordance with Section 32 (1) (a) and (2), of the *Local Government Act 1993*, adopts the Code of Meeting Practice as publicly exhibited.

### **ATTACHMENTS**

1.	DRAFT Exhibition - Model Code of Meeting Practice for Local Councils in NSW - ULSC - February - April 2026	Attachment
----	--	------------

# UPPER LACHLAN SHIRE COUNCIL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW



**2026 – DRAFT**

## Table of Contents

1	INTRODUCTION .....	3
2	MEETING PRINCIPLES .....	3
3	BEFORE THE MEETING.....	4
4	PUBLIC FORUMS.....	9
5	COMING TOGETHER.....	11
6	THE CHAIRPERSON.....	17
7	MODES OF ADDRESS.....	18
8	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS .....	18
9	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS.....	19
10	RULES OF DEBATE.....	21
11	VOTING.....	25
12	COMMITTEE OF THE WHOLE.....	27
13	DEALING WITH ITEMS BY EXCEPTION.....	27
14	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC .....	28
15	KEEPING ORDER AT MEETINGS.....	32
16	CONFLICTS OF INTEREST.....	35
17	DECISIONS OF THE COUNCIL .....	36
18	TIME LIMITS ON COUNCIL MEETINGS .....	38
19	AFTER THE MEETING.....	39
20	COUNCIL COMMITTEES.....	40
21	IRREGULARITIES .....	43
22	DEFINITIONS .....	44

## 1 INTRODUCTION

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

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

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

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

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

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

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

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "Chairperson" for "Mayor", "voting representative" for "Councillor" and "Chief Executive Officer" for "General Manager".

In adopting the Model Meeting Code, county councils should adapt it to substitute the term "Mayor" for "mayor" and "member" for "councillor".

## 2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

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

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

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

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

*Trusted:* The community has confidence that councillors and staff act

ethically and make decisions in the interests of the whole community.

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

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

**Note: The Office of Local Government has issued a guideline on free speech in local government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local government, including in relation to council meetings. The Guidelines have been issued under section 23A of the Act meaning councils must consider them when exercising their functions at meetings.**

### 3 BEFORE THE MEETING

#### Timing of ordinary council meetings

- 3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings. **[Ordinary Meetings of Council are held at Crookwell Council Chambers on the third Thursday of each month (excluding January) commencing at 10:00AM (unless otherwise set by resolution of the Council)]**

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

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

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

**Note: Under clause 13 of Schedule 11 of the Act, councils that have been designated as a rural and remote council under the Regulation are required to meet at least four (4) times each year, each time in a different quarter of the year.**

#### Extraordinary meetings

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

**Note: Clause 3.2 reflects section 366 of the Act.**

- 3.3 The mayor may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.

Notice to the public of council meetings

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

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

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council must be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The Chief Executive Officer must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

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

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

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

Notice to councillors of extraordinary meetings

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

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

Giving notice of business to be considered at council meetings

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

- 3.11 A councillor may, in writing to the Chief Executive Officer, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the Chief Executive Officer considers that a notice of motion submitted by a Councillor for consideration at an ordinary meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the Chief Executive Officer may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the Council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the Chief Executive Officer must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the Council, or
  - (b) by written notice sent to all Councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the Council to such a date specified in the notice, pending the preparation of such a report.

#### Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the Chief Executive Officer about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder.
- 3.16 The Chief Executive Officer or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council.

#### Agenda and business papers for ordinary meetings

- 3.17 The Chief Executive Officer must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The Chief Executive Officer must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the Mayor – any matter or topic that the Mayor proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.10.

- 3.19 Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting without notice under clause 9.7.
- 3.20 The Chief Executive Officer must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is, or the implementation of the business would be, unlawful. The Chief Executive Officer must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the Chief Executive Officer, is likely to take place when the meeting is closed to the public, the Chief Executive Officer must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
  - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.19 reflects section 9(2A)(a) of the Act.**

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

Availability of the agenda and business papers to the public

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

**Note: Clause 3.21 reflects section 9(2) and (4) of the Act.**

- 3.24 Clause 3.21 does not apply to the business papers for items of business identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.22 reflects section 9(2A)(b) of the Act.**

- 3.25 For the purposes of clause 3.21, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.23 reflects section 9(3) of the Act.**

- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.21, may in addition be given or made available in electronic form unless the council determines otherwise.

**Note: Clause 3.24 reflects section 9(5) of the Act.**

Agenda and business papers for extraordinary meetings

- 3.27 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.28 Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7.
- 3.29 Despite clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.
- 3.30 A motion moved under clause 3.27 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite any other provision of this code, only the mover of a motion moved under clause 3.27, and the Mayor, if they are not the mover of the motion, can speak to the motion before it is put.
- 3.31 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.27 and the Mayor also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.32 A motion of dissent cannot be moved against a ruling of the Mayor under clause 3.29 on whether a matter is urgent.

Prohibition of pre-meeting briefing sessions

- 3.33 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

**Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.**

- 3.34 Nothing in clause 3.31 prevents a councillor from requesting information from the Chief Executive Officer about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

#### 4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to meetings of the council and committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to meetings of other committees of the council. **[Public Forums may be held prior to an Ordinary Council Meeting, at the Crookwell Council Chambers, commencing at 9:30AM].**
- 4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held, see clauses 4.4 to 4.27.
- 4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums.
- 4.4 Public forums will be chaired by the Mayor or their nominee.
- 4.5 Applications to speak at the public forum must be received by the later of:  
(a) three (3) business days before the date on which the public forum is to be held; or  
(b) one (1) business day after the business papers for the meeting are published on the Council's website.
- Applications must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item."
- 4.6 A person may apply to speak on no more than **two (2) items** of business on the agenda of the Council meeting.
- 4.7 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.8 The Chief Executive Officer or their delegate may refuse an application to speak at a public forum. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.
- 4.9 No more than two (2) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the Chief Executive Officer

or their delegate is to determine who will address the Council at the public forum.

- 4.11 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate may, in consultation with the Mayor or the Mayor's nominated Mayor, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
- 4.12 Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs by the later of:
- (a) three (3) business days before the public forum; or
  - (b) two (2) business days after the business papers for the meeting are published on the Council's website."
- 4.13 The Chief Executive Officer or their delegate is to determine the order of speakers at the public forum.
- 4.14 Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the Mayor.
- 4.15 Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Mayor is to direct the speaker not to do so. If a speaker fails to observe a direction from the Mayor, the speaker will not be further heard.
- 4.16 A Councillor (including the Mayor) may, through the Mayor, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.17 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to two (2) minutes.
- 4.18 Speakers at public forums cannot ask questions of the Council, Councillors, or Council staff.
- 4.19 The Chief Executive Officer or their nominee may, with the concurrence of the Mayor, address the Council for up to five (5) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.20 Where an address made at a public forum raises matters that require further consideration by Council staff, the Chief Executive Officer may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.21 When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of

the Council's code of conduct or making other potentially defamatory statements.

- 4.22 If the Mayor considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the Mayor may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Mayor's request, the Mayor may immediately require the person to stop speaking.
- 4.23 Clause 4.21 does not limit the ability of the Mayor to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.24 Where a speaker engages in conduct of the type referred to in clause 4.20, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums for such a period as the Chief Executive Officer or their delegate considers appropriate.
- 4.25 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.
- 4.26 Notification of rejected requests to the Public Forum shall be provided within 48 hours after the public forum by the Chief Executive Officer.
- 4.27 Council will provide public notification on Council website that a Public Forum will be held prior to the date the Public Forum is to be held.

**Note: Public forums will not be held as part of a Council or committee meeting. Council or committee meetings should be reserved for decision-making by the Council or committee of Council.**

## 5 COMING TOGETHER

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

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

- 5.2 Council requires those in attendance to present in neat and tidy attire as the standard of dress for councillors when attending Council meetings and committees of council meetings.

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

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

**Note: Clause 5.4 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.4 and omit clause 5.3. Councils must not adopt clause 5.4.**

5.5 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.

5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.

5.7 Where a councillor makes an apology under clause 5.5, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.

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

**Note: Clause 5.8 reflects section 234(1)(d) of the Act.**

#### The quorum for a meeting

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

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

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

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

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the Mayor, or
  - (b) in the Mayor's absence, by the majority of the councillors present, or
  - (c) failing that, by the Chief Executive Officer.
- 5.13 The Chief Executive Officer must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the Chief Executive Officer and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called by the mayor under clause 3.3.

#### Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the Chief Executive Officer and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the Chief Executive Officer must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and

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

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

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

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.20 Clause 5.19 does not apply to meetings at which a mayoral election is to be held.
- 5.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the Chief Executive Officer prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.
- 5.23 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.24 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.

- 5.26 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.27 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.28 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.29 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting.
- 5.31 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

#### Entitlement of the public to attend council meetings

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

**Note: Clause 5.32 reflects section 10(1) of the Act.**

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

- 5.34 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

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

**Note: Clause 5.34 reflects section 10(2) of the Act.**

- 5.35 On the adoption of this code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion.

**Note: If adopted, clause 15.15 confers a standing authorisation on all Mayors of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.15 authorises Mayors to expel any person, including a councillor, from a council or committee meeting.**

#### Livestreaming of meetings

- 5.36 Each meeting of the council or a committee of the council is to be recorded by means of an audio-visual device.
- 5.37 At the start of each meeting of the council or a committee of the council, the Mayor must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
  - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.38 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.
- 5.39 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.
- 5.40 Clauses 5.36 - 5.39 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

**Note: Clauses 5.36 – 5.40 reflect section 236 of the Regulation.**

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

**Note: Joint organisations are not required to livestream their meetings but may choose to do so by adopting clauses 5.36–5.40. Joint organisations that choose not to livestream their meetings may omit clauses 5.36–5.40.**

#### Attendance of the Chief Executive Officer and other staff at meetings

- 5.42 The Chief Executive Officer is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

**Note: Clause 5.42 reflects section 376(1) of the Act.**

- 5.43 The Chief Executive Officer is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

**Note: Clause 5.43 reflects section 376(2) of the Act.**

- 5.44 The Chief Executive Officer may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the Chief Executive Officer or the terms of employment of the Chief Executive Officer.

**Note: Clause 5.44 reflects section 376(3) of the Act.**

- 5.45 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the Chief Executive Officer in consultation with the mayor.

## **6 THE CHAIRPERSON**

### The Chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

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

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

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

### Election of the Chairperson in the absence of the mayor and deputy mayor

- 6.3 If the Mayor is not present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

- 6.4 The election of a Chairperson must be conducted:

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

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

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

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

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

#### Mayor to have precedence

- 6.9 When the Mayor rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - (b) every councillor present must be silent to enable the Mayor to be heard without interruption.

### **7 MODES OF ADDRESS**

- 7.1 Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.
- 7.2 If the Chairperson is the mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.
- 7.3 If the Chairperson is the deputy mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.
- 7.4 Where the Chairperson is not the mayor or deputy mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.
- 7.5 A councillor is to be addressed as 'Councillor [surname]'.
- 7.6 A council officer is to be addressed by their official designation or as Mr/Ms/Mx [surname].

### **8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS**

- 8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.
- 1. Acknowledgement of Country
  - 2. Notice of Webcasting/Recording of Meeting
  - 3. Apologies and Leave of Absence
  - 4. Declarations of Interest
  - 5. Citizenship Ceremony
  - 6. Confirmation of Ordinary Meeting Minutes
  - 7. Presentations to Council/Public

7. Mayoral Minutes
8. Correspondence
9. Late Correspondence
10. Reports – Information Only
11. Reports from Staff - Environment and Planning Department
12. Reports from Staff - Infrastructure Department
13. Reports from Staff - Finance and Administration Department
14. Reports from Staff – Chief Executive Officer
15. Late Reports
16. Reports from Other Committees, Section 355 Committees and Delegates
17. Notices of Motion
18. Questions with Notice
19. Confidential Session - Closed Council Reports

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

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

8.3 Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the Mayor, if they are not the mover of the motion, can speak to the motion before it is put.

## 9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

### Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
  - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
  - (b) is the election of a Mayor to preside at the meeting, or
  - (c) is a matter or topic put to the meeting by way of a mayoral minute, or
  - (d) is a motion for the adoption of recommendations of a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice has not been given of the business to councillors, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before

the next scheduled ordinary meeting. A resolution adopted under this clause must state the reasons for the urgency.

- 9.4 A motion moved under clause 9.3 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 9.3 and the Mayor, if they are not the mover of the motion, can speak to the motion before it is put.
- 9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the Mayor also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 9.6 A motion of dissent cannot be moved against a ruling by the Mayor under clause 9.5.

#### Mayoral minutes

- 9.7 The mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.
- 9.8 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.
- 9.9 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.10 Where a Mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the recommendation if adopted.

#### Staff reports

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

#### Reports of committees of council

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

### Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.12, unless the council determines otherwise in accordance with this code.
- 9.15 A councillor may, through the Mayor, ask another councillor about a matter on the agenda.
- 9.16 A councillor may, through the mayor, ask the Chief Executive Officer about a matter on the agenda. The Chief Executive Officer may request another council employee to answer the question.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must ask questions directly, succinctly, and without argument.
- 9.19 The Mayor must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

## **10 RULES OF DEBATE**

### Motions to be seconded

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

### Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it, they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the Mayor is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the Mayor, move the motion at the meeting, or

- (b) the Mayor may defer consideration of the motion until the next meeting of the council.

#### Mayor's duties with respect to motions

- 10.5 It is the duty of the Mayor at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The Mayor must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the Mayor is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the motion if adopted.

#### Amendments to motions

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

Limitations on the number and duration of speeches

- 10.16 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.17 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.18 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.19 Despite clause 10.17, the Mayor may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.20 Despite clauses 10.15 and 10.16, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.21 The Mayor must immediately put to the vote, without debate, a motion moved under clause 10.19. A seconder is not required for such a motion.
- 10.22 If a motion that the original motion or an amendment be now put is passed, the Mayor must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.15.
- 10.23 If a motion that the original motion or an amendment be now put is lost, the Mayor must allow the debate on the original motion or the amendment to be resumed.
- 10.24 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.25 Once the debate on a matter has concluded and a matter has been dealt with, the Mayor must not allow further debate on the matter.
- 10.26 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

Participation by non-voting representatives in joint organisation board meetings

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

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

**Note: Joint organisations must adopt clause 10.26. Councils must not adopt clause 10.26.**

## 11 VOTING

Voting entitlements of councillors

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

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

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

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

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

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

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

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

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

Voting at council meetings

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

- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the Chief Executive Officer must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the Mayor as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the Mayor must ensure that the division takes place immediately. The Chief Executive Officer must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.
- 11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded.

**Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.15 may be omitted.**

#### Voting on planning decisions

- 11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.14 The Chief Executive Officer must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.15 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.16 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

11.17 Clauses 11.14–11.16 apply also to meetings that are closed to the public.

**Note: Clauses 11.14–11.17 reflect section 375A of the Act.**

**Note: The requirements of clause 11.14 may be satisfied by maintaining a register of the minutes of each planning decision.**

## 12 COMMITTEE OF THE WHOLE

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

**Note: Clause 12.1 reflects section 373 of the Act.**

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and encouraging councillors and staff to stand when addressing the meeting.

**Note: Clauses 10.15 – 10.25 limit the number and duration of speeches.**

**Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.**

12.3 The Chief Executive Officer or, in the absence of the Chief Executive Officer, an employee of the council designated by the Chief Executive Officer, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

## 13 DEALING WITH ITEMS BY EXCEPTION

13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution where it considers it necessary to expedite the consideration of business at a meeting.

13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the Mayor must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the Mayor that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1.

#### 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

##### Grounds on which meetings can be closed to the public

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

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

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

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

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
  - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

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

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and
  - (b) are clearly identified in the advice,
  - (c) are fully discussed in that advice, and
  - (d) are subject to legal professional privilege.

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

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

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

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
  - (b) the discussion of the matter may:
    - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
    - (ii) cause a loss of confidence in the council or committee.

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

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

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

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
  - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
    - (i) should not be deferred (because of the urgency of the matter), and
    - (ii) should take place in a part of the meeting that is closed to the public.

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

Representations by members of the public

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

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

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.
- 14.12 Where the matter has been identified in the agenda of the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make a written application to the council.

Expulsion of non-councillors from meetings closed to the public

- 14.13 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

Obligations of councillors attending meetings by audio-visual link

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

Information to be disclosed in resolutions closing meetings to the public

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

**Note: Clause 14.16 reflects section 10D of the Act.**

Resolutions passed at closed meetings to be made public

- 14.17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Mayor must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.18 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the Mayor under clause 14.17 during a part of the meeting that is livestreamed where practicable.
- 14.19 The Chief Executive Officer must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The Chief Executive Officer must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

## 15 KEEPING ORDER AT MEETINGS

### Points of order

- 15.1 A councillor may draw the attention of the Mayor to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order must be taken immediately it is raised. The Mayor must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The Mayor must then rule on the point of order – either by upholding it or by overruling it.

### Questions of order

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

### Motions of dissent

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

### Acts of disorder

- 15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, the Regulation or this code, or
  - (b) assaults or threatens to assault another councillor or person present at the meeting, or

- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) uses offensive or disorderly words, or
- (e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
- (f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
- (g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

**Note: Clause 15.10 reflects section 182 of the Regulation.**

**Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".**

15.11 The Mayor may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a), (b), (d), (e), or (g), or
- (b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f) or (g).

**Note: Clause 15.11 reflects section 233 of the Regulation.**

15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the Mayor to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the Mayor may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

#### How disorder at a meeting may be dealt with

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

Expulsion from meetings

15.15 Mayor of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.17 Clause 15.15 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.18 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

**Note: Clause 15.18 reflects section 233(2) of the Regulation.**

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

15.20 Members of the public attending a meeting of the council:

- (a) must remain silent during the meeting unless invited by the Mayor to speak,
- (b) must not bring flags, signs or protest symbols to the meeting, and
- (c) must not disrupt the meeting.

15.21 Without limiting clause 15.19, a contravention of clause 15.20 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.20.

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

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

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

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

- 15.24 Where a councillor is attending a meeting by audio-visual link, the Mayor or a person authorised by the Mayor may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.25 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the Mayor of the meeting or a person authorised by the Mayor, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.26 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.27 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.28 Without limiting clause 15.19, a contravention of clause 15.27 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Any person who contravenes or attempts to contravene clause 15.27, may, as provided for under section 10(2) of the Act, be expelled from the meeting.
- 15.29 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

## 16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage conflicts of interest they have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time

during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

## 17 DECISIONS OF THE COUNCIL

### Council decisions

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

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

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

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

### Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given in accordance with this code.

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

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

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

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

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

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

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

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may

be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

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

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

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

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

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the Chief Executive Officer no later than **[the close of business on the Monday following the Council Meeting at which the resolution was adopted]**.

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

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

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

- (a) a notice of motion signed by three councillors is submitted to the Mayor at the meeting, and
- (b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.

- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.12(b) and the Mayor, if they are not the mover of the motion, can speak to the motion before it is put.

- 17.14 A resolution adopted under clause 17.12(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

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

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

- 17.16 In seeking the leave of the Mayor to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The Mayor must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.15 and the Mayor, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the Mayor under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the Mayor cannot be voted on unless or until it has been seconded.

#### ~~18 TIME LIMITS ON COUNCIL MEETINGS~~

- ~~18.1 Meetings of the council are to conclude at a time the council may from time to time determine.~~
- ~~18.2 If the business of the meeting is unfinished at the time the council has determined, and the council does not resolve to extend the council meeting, the Mayor must either:~~
- ~~(a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or~~
  - ~~(b) adjourn the meeting to a time, date and place fixed by the Mayor.~~
- ~~18.3 Clause 18.2 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.~~
- ~~18.4 Where a meeting is adjourned under clause 18.2 or 18.3, the Chief Executive Officer must:~~
- ~~(a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and~~
  - ~~(b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the Chief Executive Officer is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.~~

## 19 AFTER THE MEETING

### Minutes of meetings

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

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

19.2 At a minimum, the Chief Executive Officer must ensure that the following matters are recorded in the council's minutes:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Implementation of decisions of the council

19.12 The Chief Executive Officer is to implement, without undue delay, lawful decisions of the council.

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

## **20 COUNCIL COMMITTEES**

### Application of this Part

20.1 This Part only applies to committees of the council whose members are all councillors.

### Council committees whose members are all councillors

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

20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

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

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

### Functions of committees

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

#### Notice of committee meetings

- 20.6 The Chief Executive Officer must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
  - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

#### Non-members entitled to attend committee meetings

- 20.8 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
  - (b) to move or second a motion at the meeting, or
  - (c) to vote at the meeting.

#### Mayor and deputy Mayor of council committees

- 20.9 The Mayor of each committee of the council must be:
- (a) the mayor, or
  - (b) if the mayor does not wish to be the Mayor of a committee, a member of the committee elected by the council, or
  - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.10 The council may elect a member of a committee of the council as deputy Mayor of the committee. If the council does not elect a deputy Mayor of such a committee, the committee may elect a deputy Mayor.
- 20.11 If neither the Mayor nor the deputy Mayor of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Mayor of the committee.
- 20.12 The Mayor is to preside at a meeting of a committee of the council. If the Mayor is unable or unwilling to preside, the deputy Mayor (if any) is to preside at the meeting. If neither the Mayor nor the deputy Mayor is able or willing to preside, the acting Mayor is to preside at the meeting.

#### Procedure in committee meetings

- 20.13 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council.
- 20.14 Whenever the voting on a motion put to a meeting of the committee is equal, the Mayor of the committee is to have a casting vote as well as an original vote

unless the council or the committee determines otherwise in accordance with clause 20.13.

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

**Note: Clause 20.15 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.15 and omit clause 20.14. Councils must not adopt clause 20.15.**

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

#### Mayoral minutes

20.17 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

#### Closure of committee meetings to the public

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

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

20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Mayor under clause 20.19 during a part of the meeting that is livestreamed where practicable.

20.21 The Chief Executive Officer must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.

20.22 The Chief Executive Officer must consult with the committee and any other affected persons before publishing information on the council's website under clause 20.21 and provide reasons for why the information has ceased to be confidential.

#### Disorder in committee meetings

20.23 The provisions of the Act, the Regulation, and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way they apply to meetings of the council.

### Minutes of council committee meetings

- 20.24 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
  - (b) details of each motion moved at a meeting and of any amendments moved to it,
  - (c) the names of the mover and seconder of the motion or amendment,
  - (d) whether the motion or amendment was passed or lost, and
  - (e) such other matters specifically required under this code.
- 20.25 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.26 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.27 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.28 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 20.29 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.30 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## **21 IRREGULARITIES**

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

**Note: Clause 21.1 reflects section 374 of the Act.**

## 22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development contribution plan under that Act,

	but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

## **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 March and April        130

---

# Reports from Committees

---

**ITEM 16.1**

**Reports from Committees for the months of March and April**

**RECOMMENDATION:**

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

- 1. Gunning Shire Hall and Showground Advisory Committee – Minutes from meeting held on 2 March 2026.

**ATTACHMENTS**

1.	Gunning Shire Hall & Showground Advisory Committee - Minutes from meeting held 2 March 2026	Attachment
----	---	------------

**Gunning Shire Hall and Showground Advisory Committee (s.355)****Ordinary Meeting****2 March 2026 4.30pm****ULSC Council Chamber, Gunning****Minutes****1. Welcome and apologies**

Present: Sue Hope, Michael Coley (Secretary), Melissa Primmer, Doug Robertson, Councillor Simon Peirce, Belinda Cosgrove, Kazi Mahmud (Council Representative), Kelly Dowling (Chair), Simon Arkinstall (Council Representative)

Apologies: Karen Chapple, John Storey, Sami Southwell

**2. Minutes of the meeting on 1 December 2025****Minutes confirmed (Mike/Belinda - carried)****3. Matters arising from the minutes**

- Bush Block progress:
  - No One to report

- Mobile phone coverage:
  - No One to report

- Move of the Boer War memorial to the memorial area:
  - Doug reported that the RSL was working with Council's Grants Officer Renee Brownbill on grants for the improvement of the memorial area.

- Amenities block:
  - Simon Arkinstall informed the committee that due to time constraints and budgets the amenity blocks across the Shire are being maintained as best they can by the parks and gardens crew. As of this week the cleaning has been contracted out to a local person in Gunning for Gunning only.

Mel P reported on behalf of the PA & I Society how disappointed she was at the cleanliness of said amenities before Show day on Sunday 15th February, Mel P was informed by the parks and gardens crew on Monday morning after the show that the toilets had been cleaned 3 times prior to show day. It is very disheartening to see new amenities not being taken care of.

- Eastern side toilet:
  - Kel asked the question to Simon Arkinstall - How do we go about getting this toilet block reinstated?

Simon replied saying that at this point in time Council aren't interested in opening up another toilet facility due to the lack of budget and maintenance.

\* MOTION - We as the 355 Showground Advisory Committee request that the Council look into reinstating the eastern side toilet block. We understand that some major things would need upgrading at this toilet block like connecting it to town sewerage and tiling of walls and floors. Collectively all community groups that utilise these facilities for sporting events could apply for grants for these improvements and also propose that the community groups that use these facilities be able to keep them clean and tidy after each use and locked to the public at all other times.

Moved: Belinda Cosgrove

Seconded: Sue Hope

All In favour - carried

●

Power on Eastern side of Showground:(Announcers Box)

- Belinda reported that on show day the power was continually shorting out. Kel to add this to her show report and contact Adam in regard to this matter.

●

Caravan on event days:

- Kel would like to thank Council for placing signage up the week before the show notifying campers that the Showground was inaccessible for a few days due to the show.

●

Improvements to P & C catering shed:

- Melinda is applying for grants to get new stainless steel benches and a sink from the Upper Lachlan Foundation.

●

Hire fees for Showground and Hall:

- New fees will be coming for the next financial year.

Simon Arkinstall and Simon Peirce will be meeting ASAP in regard to working out a pre & post procedures checklist of the Hall, re - hiring before bonds are refunded.

- Mike thanked the Council for the disability ramps at the Shire Hall and the Courthouse, which makes accessibility a lot easier for people.

●

Dog running area: this remains an issue.

●

Flooding:

- Kazi said work has been carried out on a design for the Levi, which won't be going ahead at this time due to funding.

Mike also asked again about drainage along Saxby Lane. Kazi responded by asking Mike to write a letter to the Access Committee that may be able to acquire funds for this purpose.

#### **4. Correspondence**

##### **Out**

- Letter of support given to PA & I for grant funding for P & C shed upgrade, stainless steel benches and kitchen sink.

- Letter of support to RAS requesting another oven and Installation in Shire Hall.

Funding denied from RAS but has now been sourced through Acciona. Kel advised that this project will be placed under the GDA banner where she will convene with this committee to keep us updated.

#### **5. New items**

- Sami Southwell would like to bring to Council's attention an outdoor security light attached to the shire hall that shines right into her residence which is rather annoying, could this be moved or tilted in another direction.
- Belinda informed the meeting that at the tennis court end of the horse arena (main arena) there are some very large holes and a broken drain cover which is very dangerous and on show weekend witches hats were placed on them to advise people of the danger.

#### **6. Council matters**

- Simon Arkinstall informed the meeting that within the coming months a new budget and Fees and Charges list will be out for review. There will be a 30 day period for which rate payers can give feedback, please do so in the required time frame.

#### **7. Date of next meeting**

The next meeting is to be held on Monday, 1 June 2026

**The meeting closed at 5.20pm**



## **17 NOTICES OF MOTION**

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



## **18 QUESTIONS WITH NOTICE**

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



# **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 Procurement of one new grader

*This report is considered to be confidential in accordance with Section 10A(2d(ii)) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council.*

*This report is considered to be confidential in accordance with Section 10A(2d(iii)) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, reveal a trade secret.*

Item 19.2 DA 50/2025 - 3 Memory Ave CROOKWELL - Request Review of Section 7.11 and Section 64 Developer Contributions

*This report is considered to be confidential in accordance with Section 10A(2d(i)) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*



## **19 CONFIDENTIAL SESSION**

The following items are submitted for consideration -

19.1 Procurement of one new grader

19.2 DA 50/2025 - 3 Memory Ave CROOKWELL - Request Review of Section 7.11 and Section 64 Developer Contributions