BUSINESS PAPER

ORDINARY MEETING

Thursday 16 August 2012
9.00am
Council Chambers, Crookwell

COUNCIL'S VISION

To be a diverse local government area that provides various lifestyle, business enterprise, leisure and recreation alternatives, whilst ensuring environmental sustainability, preservation of our history and a sense of belonging in our community.

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.
NOTICE OF MEETING

7 August 2012

Councillors

Dear Members

Ordinary Meeting of Council

Notice is hereby given that the next Ordinary Meeting of Council will take place on Thursday 16 August 2012 in the Council Chambers, Crookwell commencing at 9.00am.

Your presence is requested.

Yours faithfully

JK Bell
General Manager
Upper Lachlan Shire Council
AGENDA

ACKNOWLEDGEMENT OF COUNTRY
I would like to acknowledge the Traditional Custodians of this Land. I would also like to pay respect to the Elders past and present, of the Wiradjuri Nation, and extend that respect to other Aboriginals present.

1 APOLOGIES AND LEAVE OF ABSENCE

2 CITIZENSHIP CEREMONY
Nil

3 DECLARATIONS OF INTEREST

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Nil

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Nil

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Nil

Ordinary Meeting held on 16 August 2012
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UPPER LACHLAN SHIRE COUNCIL

LEAVE OF ABSENCE

General Manager
Upper Lachlan Shire Council
Spring Street
CROOKWELL NSW 2583

Dear Sir

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 Department of Local Government and,
  2. Non-pecuniary – regulated by Codes of Conduct and policy, ICAC, Ombudsman, Department of Local Government (advice only).

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

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

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

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

<table>
<thead>
<tr>
<th>Contact</th>
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<tbody>
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<td>Upper Lachlan Shire Council</td>
<td>(02) 4830 1000</td>
<td><a href="mailto:council@upperlachlan.nsw.gov.au">council@upperlachlan.nsw.gov.au</a></td>
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<tr>
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<td>(02) 8281 5999</td>
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<td></td>
<td>1800463909</td>
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<td>Division of Local Government</td>
<td>(02) 4428 4100</td>
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<td><a href="http://www.dig.nsw.gov.au">www.dig.nsw.gov.au</a></td>
</tr>
<tr>
<td>NSW Ombudsman</td>
<td>(02) 9286 1000</td>
<td><a href="mailto:nswombo@ombo.nsw.gov.au">nswombo@ombo.nsw.gov.au</a></td>
<td><a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a></td>
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To the General Manager

I, ____________________________

Declare a Conflict of Interest, being a PECUNIARY Interest.

COUNCIL MEETING

Name of Meeting ____________________________

Date of Meeting ____________________________

Page Number __________ Item Number __________

Subject ____________________________

Reason for Interest ____________________________

OTHER THAN COUNCIL MEETINGS

Reason for Interest ____________________________

_________________________ Signature ____________________________ Date
To the General Manager

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

Ordinary Meeting held on 16 August 2012
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4 CONFIRMATION OF MINUTES

The following minutes are submitted for confirmation -

4.1 Minutes of the Ordinary Meeting of Council of 19 July 2012 ......................... 13
UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JULY 2012

PRESENT: Mayor, Councillor Shaw,
Councillors Moloney, Wheelwright, Barlow, Mayoh, Coley,
Culhane and Bill, Messrs J Bell (General Manager), A Croke
(Director of Finance and Administration), P Newham (Director of
Works and Operations), Mrs T Dodson (Director of Environment
and Planning), Messrs P Brown (Manager Noxious Weeds),
R Wong (Manager Environment and Planning) G Anable (Manager
Works), H Spirek (Media Officer) and Mrs H Peterson (Executive
Assistant).

THE MAYOR DECLARED THE MEETING OPEN AT 9.00AM

SECTION 1: APOLOGIES
An apology was received for the absence of Clr McCormack.

207/12 RESOLVED by Clr Councillor Coley and Clr Councillor
Wheelwright that the apology be received and the leave of
absence granted.

SECTION 2: CITIZENSHP CEREMONY
Nil

SECTION 3: DECLARATIONS OF INTEREST
Councillor B Moloney declared a significant Non - Pecuniary Interest under the Local
Government Act Section 451 in Section 7 Correspondence, Item 12 Various
Residents - Petition - Golspie Wind Farm and he will make the declaration, stay in the
Chamber, participate in the debate, but leave the Chamber for the vote.

SECTION 4: CONFIRMATION OF MINUTES
208/12 RESOLVED by Clr Coley and Clr Culhane

That the minutes of the Ordinary Council Meeting held on 21 June
2012 be adopted.

- CARRIED
Upper Lachlan Shire Council
Minutes of the
Ordinary Meeting of Council
Held in the Council Chambers
On 19 July 2012

Section 5: Mayoral Minutes
Nil

Section 6: Presentations to Council/Public
Nil

Section 7: Correspondence

Item 7.1 Correspondence Tabled July 2012

209/12 Resolved by Clr Bill and Clr Coley

That Item 7.1 - [Correspondence/Information] listed below be received:

1. Canberra Airport – High Speed Rail.

210/12 Resolved by Clr Culhane and Clr Coley

That Item 7.1 - [Correspondence/Information] listed below be received:

2. Gunning Patchwork Weekend – Request for subsided use of Hall for Patchwork Workshops.
7. Planning and Infrastructure – Joint Regional Planning Reappointment's.

A motion was moved Clr Barlow and Clr Bill that:

Council expresses its support for the petitioners, and so asks the State Government to decline to approve the proposed Golspie Wind Farm because:

a. As outlined to Council in November 2011, it does not comply with Council’s DCP for Wind Farms.

b. As evidenced by the petition there is a high degree of local opposition to the project, especially in the impacted area.

c. Already there are 6 wind farms operational or approved in the eastern part of the Shire: totalling 237 turbines, the extra 100 turbines of this project represents an excessive cumulative impact in the more closely settled part of the Shire.

RESOLVED Clr Bill and Clr Mayoh that Council move into Committee of the Whole.

RESOLVED Clr Mayoh and Clr Bill that Council move out of Committee of the Whole.

An amendment was moved Clr Coley and Clr Mayoh that Council expresses its support in principle for the petitioners, and so asks the NSW State Government to decline to approve a proposed Golspie Wind Farm to the extent that presently it might not comply with Council’s DCP for Wind Farms. As evidenced by the petition there is a high degree of local opposition to the outlined project, especially in the impacted area. Already there are 6 wind farms operational or approved in the eastern part of the Shire: totalling 237 turbines; the extra 100 turbines of this project represents an excessive cumulative impact in the more closely settled part of the Shire.

Cir Moloney left the meeting the time being 9.55am.

The amendment was moved and carried and became the motion.

RESOLVED by Clr Coley and Clr Mayoh that Council expresses its support in principle for the petitioners, and so asks the NSW State Government to decline to approve a proposed Golspie Wind Farm to the extent that presently it might not comply with Council’s DCP for
Wind Farms. As evidenced by the petition there is a high degree of local opposition to the outlined project, especially in the impacted area. Already there are 6 wind farms operational or approved in the eastern part of the Shire: totalling 237 turbines; the extra 100 turbines of this project represents an excessive cumulative impact in the more closely settled part of the Shire.

The Motion was put to the meeting and was carried unanimously.

_Clr Moloney returned to the meeting the time being 9.56am._


- CARRIED

SECTION 8: LATE CORRESPONDENCE

Nil

REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 9: ENVIRONMENT AND PLANNING

ITEM 9.1 MONTHLY WEED ACTIVITIES REPORT

214/12 _RESOLVED_ by Clr Bill and Clr Culhane

1. Council receive and note the report as information.

_Councillors who voted for:_ Councillors Shaw, Wheelwright, Barlow, Bill, Moloney, Mayoh, Coley and Culhane.

_Councillors who voted against:_ Nil.

_Absent:_ Clr McCormack

- CARRIED
ITEM 9.2  LOCAL CONTROL AUTHORITY DELEGATIONS UNDER THE NOXIOUS WEEDS ACT 1993

215/12  RESOLVED by Clr Mayoh and Clr Barlow

1. Council delegate the powers, functions and responsibilities under Section 68 of the Noxious Weeds Act 1993 to the positions as outlined below:

Position Delegations under the Noxious Weeds Act 1993

Section 12 Failure to Control Noxious Weeds.
Subsection (1)
Delegate authority to initiate prosecutions under this provision to the General Manager.

Subsection (2)
Delegate authority to issue a notice under this provision to the Director of Environment and Planning, Noxious Weed Manager, Senior Noxious Weeds Officer and Noxious Weeds Officer.

Subsection (4)
Delegate authority to initiate prosecutions under this provision to the General Manager.

Section 15 Failure to Notify Presence of Notifiable Noxious Weeds
Delegate authority to initiate prosecutions under this section to the General Manager.

Section 16A Failure of Other Persons to Notify Presence of Notifiable Noxious Weeds
Delegate authority to initiate prosecutions under this section to the General Manager.

Section 18 Weed Control Notices.
Delegate authority to issue and to amend or revoke a weed control notice to the General Manager, Director of Environment and Planning, Noxious Weed Manager, Senior Noxious Weeds Officer and Noxious Weeds Officer.
Section 18A Prior notice of weed control notice
Delegate authority to issue a notice of a proposed weed control notice to the Noxious Weed Manager, Senior Noxious Weeds Officer and Noxious Weeds Officer.

Subsection (2) (c) and (d)
Delegate the duty to consider submissions from occupiers regarding a proposed weed control notice to the General Manager and Director of Environment and Planning.

Subsection (3)
Delegate the duty to give oral or written notice of an emergency weed control notice to the Noxious Weed Manager, Senior Noxious Weeds Officer and Noxious Weeds Officer.

Section 19 Failure to Comply with a Weed Control Notice.
Delegate authority to initiate prosecutions under this section to the General Manager.

Section 20 Noxious Weed Control by LCA after Weed Control Notice not complied with.
Subsection (1)
Delegate authority to authorise such work to the General Manager.

Subsection (2)
Delegate authority to carry out such work to Noxious Weed Manager, Senior Noxious Weeds Officer and Noxious Weeds Officer.

Subsection (3)
Delegate responsibility to issue notices to occupiers, prior to action under this section to the General Manager, Director of Environment and Planning.

Section 26 Expenses
Delegate authority to recovery expenses in accordance with this section to the General Manager.

Section 28 Sale or Removal from Land, of Notifiable Weed Material.
Delegate authority to initiate prosecutions under this section to the General Manager.

Section 29 Sale of Turf etc. From Land Infested With Notifiable Weeds.
Delegate authority to initiate prosecutions under this section to the General Manager.
Section 30 Scattering of Notifiable Weed Material.
Delegate authority to initiate prosecutions under this section to the General Manager.

Section 32 Use of Agricultural Machines that are Carrying Notifiable Weeds.
Delegate authority to initiate prosecutions under this section to the General Manager.

Section 36A Temporary Restrictions during Weed Control.
Subsection (2)
Delegate authority to require an occupier to remove livestock and to keep livestock out of land for purposes of work carried out under Section 20, to the Noxious Weed Manager, Senior Noxious Weeds Officer and Noxious Weeds Officer.

Subsection (3) to subsection (5) inclusive
Delegate authority to impose temporary restrictions during noxious weed control to the Noxious Weed Manager, Senior Noxious Weeds Officer and Noxious Weeds Officer.

Section 37 Record Keeping Obligations
Subsection (1)
Delegate responsibility to monitor presence of noxious weeds and to keep records to the General Manager.

Subsection (2)
Delegate responsibility to report to the Director General on the presence and distribution of noxious weeds to the General Manager.

Section 38 Aquatic Weeds
Delegate the power to authorise the draining of a swamp on land to the General Manager.

Section 41 Appointment of Inspectors.
Delegate the power to appoint inspectors under the Noxious Weeds Act for the local control authority to the General Manager.

Section 45 Notice of Entry.
Delegate the duty to give occupiers notice prior to entry to Director of Environment and Planning, Noxious Weed Manager, Senior Noxious Weeds Officer and Noxious Weeds Officer.

Section 46 Use of Force.
Delegate power to authorise use of force to gain entry to premises to
the General Manager.

Section 47 Notification of Use of Force.
Delegate responsibility to notify an occupier of the use of force to the General Manager.

Section 49 Compensation
Delegate responsibility to authorise payment of compensation to the General Manager.

Section 50 Certificates of Authority.
Delegate power to issue Certificates of Authority for Inspectors under the Noxious Weeds Act 1993 to the General Manager.

Section 54 Offences: Obstructing an Inspector etc.
Delegate authority to initiate prosecutions under this section to the General Manager.

Section 55 Offence: Impersonation of an Inspector.
Delegate authority to initiate prosecutions under this section to the General Manager.

Section 64 Certificates as to Weed Control Notices etc. on land.
Subsection (3)
Delegate power to issue such certificates to the General Manager and Director of Environment and Planning.

Councillors who voted for:- Councillors Shaw, Wheelwright, Barlow, Bill, Moloney, Mayoh, Coley and Culhane.

Councillors who voted against:- Nil.

Absent: Clr McCormack.

- CARRIED

ITEM 9.3 DEVELOPMENT STATUS REPORT
216/12

**RESOLVED** by Clr Coley and Clr Bill

1. Council receive the report and note the information.
ITEM 9.4  TARALGA WIND FARM  
217/12  
RESOLVED by Clr Barlow and Clr Coley

1. Council receive and note the report as information.

Councillors who voted for:- Councillors Shaw, Wheelwright, Barlow, Bill, Moloney, Mayoh, Coley and Culhane.

Councillors who voted against:- Nil.

Absent: Clr McCormack.

- CARRIED

ITEM 9.5  ECONOMIC ANALYSIS OF WAUBRA AND GUNNING WIND FARMS  
218/12  
RESOLVED by Clr Bill and Clr Culhane

1. Council receive the report and note the information.

Councillors who voted for:- Councillors Shaw, Wheelwright, Barlow, Bill, Moloney, Mayoh, Coley and Culhane.

Councillors who voted against:- Nil.
ITEM 9.6 PROPOSED DALTON POWER PROJECT
219/12
RESOLVED by Clr Wheelwright and Clr Coley

1. Council endorse the lodgement of a submission to the NSW Planning Assessment Commission outlining the following suggested conditions that Council would consider appropriate to address the concerns raised by Council.

- Proposed C41. Water Quality and Hydrology
  The Proponent shall provide a compensatory water supply to any owner of privately-owned land and/or operator of any publicly owned water utility whose water supply is adversely impacted (other than an impact that is negligible) as a result of the project, in consultation with the NSW Office of Water, and to the satisfaction of the Director-General.

  The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply must be provided by way of the installation of a pipeline and associated infrastructure from Gunning.

  The pipeline is to be constructed and maintained for the life of the project by the proponent.

  If the Proponent and the landowner and/or the operator of the publicly owned water utility cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director-General for resolution.

  If the proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide alternative compensation to the satisfaction of the Director-General.

- Amendment to Condition No B16. Planning Agreement
  Within 12 months of the date of this approval, unless otherwise
agreed by the Director-General, the Proponent shall enter into a Planning Agreement with Council in accordance with Division 6 of Part 4 of the Act, to provide contributions to Council for a Community Enhancement Fund.

The contributions and conditions shall be consistent with those identified contributions and conditions in the Voluntary Planning Agreement dated the 17 May 2012 signed by both Upper Lachlan Shire Council and the Proponent (AGL Energy Ltd).

Councillors who voted for:- Councillors Shaw, Wheelwright, Barlow, Bill, Moloney, Mayoh, Coley and Culhane.

Councillors who voted against:- Nil.

Absent: Clr McCormack.

- CARRIED

The meeting adjourned for morning tea the time being 10.30am.

The meeting resumed the time being 10.50am.

ITEM 9.7 PROPOSED PEELWOOD NORTH - OPEN CUT COPPER, LEAD AND ZINC MINE

220/12 RESOLVED by Clr Wheelwright and Clr Moloney

1. Council receive the report and note the information.

Councillors who voted for:- Councillors Shaw, Wheelwright, Barlow, Bill, Moloney, Mayoh, Coley and Culhane.

Councillors who voted against:- Nil.

Absent: Clr McCormack.

- CARRIED
ITEM 9.8 DEVELOPMENT APPLICATION 51/2010 - HOLIDAY CABIN, LOT 7 DP114312, MARES FOREST ROAD, WOMBEYAN CAVES

221/12 RESOLVED by Clr Moloney and Clr Bill that Council move into Committee of the whole.

222/12 RESOLVED by Clr Bill and Clr Coley that Council move out of Committee of the Whole.

223/12 RESOLVED by Clr Culhane and Clr Wheelwright

1. Council refuse the application for the following reasons:

   The proposed development is considered to be for the purpose of a dwelling house as defined by the Environmental Planning and Assessment Model Provisions 1980, on which basis:

   (a) Council is not satisfied that the proposed development is consistent with the aims specified at subclauses (a) and (c) of clause 2 (Aims of Policy) of State Environmental Planning Policy (Rural Lands) 2008 (“the Rural Lands SEPP”):
       • to facilitate the orderly and economic use and development of rural lands for rural and related purposes,
       • to implement measures designed to reduce land use conflicts;

   (b) Having regard to subclause (3) of clause 10 (Matters to be considered in determining development applications for rural subdivisions or rural dwellings) of the Rural Lands SEPP, the proposed development is considered by Council to have potential to lead to significant negative impacts on existing, preferred and predominant rural land uses in the locality, and to be incompatible with those uses;

   (c) Having regard to subclause (3) of clause 9 (Zone objectives and development control table) of Mulwaree Local Environmental Plan 1995 (the LEP), Council is not of the opinion that the carrying out of the development is consistent with the objectives of Zone 1 (a) (General Rural) to:
       • Promote, enhance and conserve agricultural land in a manner that sustains its efficient and effective
agricultural production potential, and
- Minimise the costs to the community of fragmented and isolated development of rural land;

(d) The subject land does not satisfy any of the matters specified by subclauses (3) (a)-(f) and (4) (b) of clause 19 (Dwelling-houses within Zone No 1 (a), 1 (b), 7 (a) or 7 (b)) of the LEP;

(e) Having regard to subclause (d) of clause 33 (Land subject to bush fire hazards) of the LEP, Council is not of the opinion that satisfactory fire protection measures can be undertaken within the boundaries of the subject land;

(f) Having regard to clause 38 (Development along roads within Zone No 1 (a), 1 (b) or 7 (b)) of the LEP, the proposed building would be erected at a distance less than 50m from the road boundary and, having regard to clause 7 (Consent may be granted) of State Environmental Planning Policy No 1—Development Standards (SEPP 1), Council:
- is not satisfied that the applicant's submitted objection to the development standard specified by clause 38 of the LEP is well founded, and
- is not of the opinion that granting of consent to the development application is consistent with the aims set out in clause 3 (Aims, objectives etc) of SEPP 1.

Councillors who voted for:- Councillors Shaw, Bill, Wheelwright, Barlow, Moloney, Coley and Culhane.

Councillors who voted against:- Clr Mayoh.

Absent: Clr McCormack.

- CARRIED

ITEM 9.9 GULLEN RANGE WIND FARM - DRAFT COMMUNITY ENHANCEMENT PROGRAM

224/12 RESOLVED by Clr Barlow and Clr Coley

1. Council endorse the revised Draft Gullen Range Wind Farm Community Enhancement Program referenced GR-PM-PRC-0001, Rev B, dated the 5 July 2012 to allow Goldwind Australia
to undertake consultation with the community.

Councillors who voted for:- Councillors Shaw, Wheelwright, Barlow, Bill, Moloney, Mayoh, Coley and Culhane.

Councillors who voted against:- Nil.

Absent: Clr McCormack.

SECTION 10: WORKS AND OPERATIONS

ITEM 10.1 WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE
225/12 RESOLVED by Clr Wheelwright and Clr Bill

1. Council receive the report and note the information.

- CARRIED

ITEM 10.2 WORKS IN PROGRESS - TECHNICAL AND MANAGERIAL TASKS
226/12 RESOLVED by Clr Coley and Clr Moloney

1. Council receive the report and note the information.

- CARRIED
ITEM 10.3  WATER AND SEWER UPDATE
227/12  RESOLVED by Clr Moloney and Clr Coley

1. Council receive the report and note as information

- CARRIED

ITEM 10.4  REPAIRS TO CROOKWELL TOWN CLOCK
228/12  RESOLVED by Clr Mayoh and Clr Wheelwright

1. Council receive and note the report regarding the refurbishment of the Crookwell Town Clock.

2. Council consider allocating funds for the refurbishment of the Crookwell Town Clock when formulating its 2013/14 Operational Plan.

- CARRIED

ITEM 10.5  LOCAL ROADS GRAVEL RE-SHEETING PROGRAM
229/12  RESOLVED by Clr Bill and Clr Barlow


- CARRIED
SECTION 11: FINANCE AND ADMINISTRATION

ITEM 11.1 INVESTMENTS TO 30 JUNE 2012
230/12 RESOLVED by Cllr Mayoh and Cllr Culhane

1. Council receives and note the report as information.

- CARRIED

ITEM 11.2 STORES STOCKTAKE JUNE 2012
231/12 RESOLVED by Cllr Coley and Cllr Barlow

1. Council resolves to write on stores to the value of $630.62.

- CARRIED

ITEM 11.3 BANK BALANCES AND RECONCILIATION TO 30 JUNE 2012
232/12 RESOLVED by Cllr Mayoh and Cllr Wheelwright

1. Council receive and note the report as information.

- CARRIED
ITEM 11.4

RATES AND CHARGES OUTSTANDING AS AT 30 JUNE 2012

RESOLVED by Clr Wheelwright and Clr Coley

1. Council receive and note the report as information.

- CARRIED

ITEM 11.5

GIPA POLICY REVIEW

RESOLVED by Clr Bill and Clr Wheelwright


- CARRIED

ITEM 11.6

LIBRARY SPONSORSHIP POLICY - REVIEW

RESOLVED by Clr Mayoh and Clr Culhane

1. Council adopts the reviewed Library Sponsorship Policy.

- CARRIED
ITEM 11.7 SERVICE DELIVERY POLICY REVIEW
236/12 RESOLVED by Clr Wheelwright and Clr Barlow

1. Council adopts the reviewed Service Delivery Policy.

- CARRIED

ITEM 11.8 LEASE TO SDN CHILDREN’S SERVICES - CROWN RESERVE TRUST
237/12 RESOLVED by Clr Mayoh and Clr Wheelwright:

1. Council’s Mayor and General Manager sign the Deed of Lease Agreement with SDN Children’s Services for Crown Reserve Trust Number 91469, Land Title - Lot 1 DP39590, Colyer Street, Crookwell.

2. Council affix the Common Seal to the Deed of Lease Agreement for the Crown Reserve Trust Number 91469.

- CARRIED
ITEM 11.9 DELIVERY PROGRAM REVIEW 2011/2012
238/12 RESOLVED by Clr Culhane and Clr Mayoh

1. Council resolves to adopt the Delivery Program Review for the six month period to 30 June 2012.

- CARRIED

SECTION 2: GENERAL MANAGER

ITEM 12.1 STAFFING MATTERS
239/12 RESOLVED by Clr Wheelwright and Clr Bill

1. Council receive and note the report as information.

- CARRIED

ITEM 12.2 DISCLOSURE OF INTERESTS AT MEETING POLICY AND PROCEDURE
240/12 RESOLVED by Clr Moloney and Clr Coley

1. Council adopt the reviewed Disclosure of Interests at Meetings Policy and Procedure.

- CARRIED
ITEM 12.3 CHILD PROTECTION POLICY
241/12 RESOLVED by Clr Wheelwright and Clr Mayoh

1. Council adopts the reviewed Child Protection Policy.

- CARRIED

ITEM 12.4 INTERACTION BETWEEN COUNCILLORS AND STAFF POLICY
242/12 RESOLVED by Clr Wheelwright and Clr Moloney

1. Council adopt the reviewed Interaction between Councillors and Staff Policy.

- CARRIED

ITEM 12.5 COMPLAINTS POLICY & PROCEDURE
243/12 RESOLVED by Clr Moloney and Clr Coley

1. Council gives public notice of its intention to adopt and amend the Complaints Policy & Procedure allowing 28 days for the making of public submissions.

- CARRIED
ITEM 12.6  PAYMENT OF EXPENSES AND PROVISION OF FACILITIES
244/12  
RESOLVED by Clr Mayoh and Clr Barlow

1. Council under s253 (1) of the Local Government Act 1993, Council gives public notice of its intention to adopt and amend the policy for the payment of expenses and provision of facilities allowing 28 days for the making of public submissions.

- CARRIED

ITEM 12.7  INDEPENDANT LOCAL GOVERNMENT REVIEW PANEL
245/12  
RESOLVED by Clr Barlow and Clr Moloney

1. Council accepts the invitation for the Upper Lachlan Shire Council to address the SEROC Stage 1 meeting with the Independent Local Government Review Panel and following the SEROC meeting, the Mayor and the General Manager are to decide as to whether it would be advantageous for Council to also address the CENTROC Stage 1 meeting with the Independent Local Government Review Panel.

- CARRIED
ITEM 12.8  DESIGNATED PERSONS DISCLOSING INTERESTS - RETURNS POLICY
246/12  RESOLVED by Cllr Wheelwright and Cllr Bill


- CARRIED

ITEM 12.9  ACTION SUMMARY - COUNCIL DECISIONS
247/12  RESOLVED by Cllr Moloney and Cllr Culhane

1. Council receive and note the report as information.

- CARRIED

SECTION 13:  LATE REPORTS
248/12  RESOLVED Cllr Coley and Cllr Bill that the late report be received.

ITEM 13.1  COST SHIFTING SURVEY 2010-2011
249/12  RESOLVED by Cllr Barlow and Cllr Coley

1. Council receives and notes the report as information.

- CARRIED
UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 JULY 2012

SECTION 14: REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES

ITEM 14.1 REPORTS FOR THE MONTH OF JULY 2012
250/12

RESOLVED by Clr Coley and Clr Mayoh

That Item 14.1 - [Minutes of Committee/Information] listed below be received:

1. Community Transport Committee minutes from meeting held 31 May 2012.
2. Local Emergency Management Committee minutes from meeting held 26 June 2012.

- CARRIED

SECTION 15: BUSINESS WITHOUT NOTICE

Nil

SECTION 16: NOTICES OF MOTION

Nil

SECTION 17: QUESTIONS WITH NOTICE

Nil

CLOSED COUNCIL ITEMS

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in 10A (2) 2d(i) 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:

251/12  **RESOLVED** by Clr Mayoh and Clr Bill

1. That Council move into closed Council to consider business identified, together with any late reports tabled at the meeting.

2. That pursuant to section 10A (2) 2d(i) of the Local Government Act 1993: the press and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A (2) as outlined above.

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

- CARRIED

Council closed its meeting at 12.40pm and the public, staff and press left the chambers.

252/12  **RESOLVED** by Clr Bill and Clr Wheelwright

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

- CARRIED

Open Council resumed at 12.50pm.

**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.
ITEM 18.1  TENDERS FOR THE SUPPLY OF TWO BACKHOES
253/12  RESOLVED by Clr Mayoh and Clr Barlow

1. Council receive and note the report regarding the purchase of two new backhoes.
2. Council purchase two Volvo BL71B backhoes from CJD P/L for the sum of $318,000 (ex GST).
3. Council sell existing backhoe Plant No.6 via Graysonline Auctions.
4. Council sell existing backhoe Plant No.304 to CJD P/L for the sum of $21,000 (ex GST).

- CARRIED

ITEM 18.2  TENDERS FOR THE PURCHASE OF ONE NEW MOTOR GRADER
254/12  RESOLVED by Clr Wheelwright and Clr Barlow

1. Council receive and note the report regarding the purchase of one new motor grader.
2. Council purchase one new Caterpillar 12 M motor grader from Westrac P/L for the sum of $339,850.00.
3. Council purchase a Topcon 3D - MC² machine control system from Position Partners P/L for the sum of $71,184.00.
4. Council sell Caterpillar grader Plant No. 303 via Pickles Auctions P/L.

- CARRIED
SECTION 13: TENDER PANEL

Nil

THE MEETING CLOSED AT 12.51PM.

Minutes confirmed 16 AUGUST 2012

Mayor
MAYORAL MINUTES

There were no items submitted for this section at the time the Agenda was compiled.
The following item is submitted for consideration -

7.1 Correspondence tabled for the month of August
Correspondence - 16 August 2012

ITEM  Correspondence tabled for the month of August

RECOMMENDATION:

That Item 7.1 - [Correspondence/Information] listed below be received:

A. Hon Katrina Hodgkinson MP – Taralga Water Supply Augmentation Scheme.
B. Various Residents – Petition to fix Gurrundah Road.
C. Wind Prospect CWP – Golspie Wind Farm – Resolution 213/12.
D. RAC – Proposed Collector Windfarm – Public Exhibition Period.
E. Australian Trucking Association – Intelligent Access Program (IAP).
F. NSW Government Planning and Infrastructure – Golspie Windfarm Petition acknowledged.

ATTACHMENTS

| A. The Hon Katrina Hodgkinson - Construction of Taralga Water Supply Augmentation Scheme | Attachment |
| B. Petition - Gurrundah Road Residents | Attachment |
| C. Wind Prospect CWP - Golspie Wind Farm - Resolution 213/12 | Attachment |
| D. RAC - Proposed Collector Windfarm - Public Exhibition Period | Attachment |
| E. Australian Trucking Association - Intelligent Access Program (IAP) | Attachment |
| F. NSW Govt Planning & Infrastructure - Petition Golspie Windfarm Acknowledged | Attachment |
Dear Councillor Shaw,

Thank you for Council’s letter of 26 June 2012 (your reference: F1070) regarding financial assistance towards the cost of the construction of the Taralga Water Supply Augmentation Scheme.

I am pleased to offer Council financial assistance of $853,525 (being 50 per cent of $1,707,049, excluding GST) under the Country Towns Water Supply and Sewerage Program (CTWS&SP), towards the cost of the Scheme. A schedule of costs is attached for Council’s information.

Under the CTWS&SP rules, there are no provisions for revised estimates or additional costs. The upper limit of financial assistance for this phase of the work is $853,525.

The standard conditions that will apply to this financial assistance are attached in duplicate. Council is requested to return a signed original of these conditions to Mr Colin McLean, Executive Director, Urban Water, Office of Water, GPO Box 3889, Sydney 2001. The attached conditions for the use of NSW Government funds for the construction of water supply and sewerage scheme supersede all previously issued conditions.

In particular, I draw Council’s attention to the condition for timely completion of the works. This financial assistance is contingent on completion of the project within three years from the date of this offer. Project delays within Council’s control may result in financial assistance being reduced or withdrawn.

This financial assistance is also dependent upon substantial compliance by Council with each of the criteria in the Best Practice Management of Water Supply and Sewerage Guidelines, which are listed in the attached Schedule 3 to the Conditions. Council will note that some payments will be withheld, as nominated in Schedule 2 of the Conditions, until Council complies with the Guidelines and as listed in Schedule 3 of the attached standard conditions.
Council may proceed to issue a Letter of Acceptance for the construction of the Taralga Water Supply Augmentation Scheme as soon as it desires.

I have requested that Mr Paul Lee, Regional Manager South, Office of Water, be available to discuss management of the project and due processes to determine eligibility of, and timing for, funding with you. Mr Lee may be contacted on 02 4224 9733.

Yours sincerely

Katrina Hodgkinson MP
Minister for Primary Industries

Encl.
### UPPPER LACHLAN SHIRE COUNCIL
### TARALGA WATER SUPPLY AUGMENTATION SCHEME
### PROJECT COST SUMMARY

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Cost ($)</th>
<th>Govt Subsidy Rate (%)</th>
<th>Govt Subsidy Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>This Offer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Pre-construction activities</td>
<td>140,547</td>
<td>50</td>
<td>70,274</td>
</tr>
<tr>
<td>1.2</td>
<td>Water treatment plant</td>
<td>1,312,002</td>
<td>50</td>
<td>656,001</td>
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<tr>
<td>1.3</td>
<td>Power supply</td>
<td>72,000</td>
<td>50</td>
<td>36,000</td>
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<td>1.4</td>
<td>Land matters</td>
<td>102,500</td>
<td>50</td>
<td>51,250</td>
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<tr>
<td>1.5</td>
<td>Project/Construction management</td>
<td>80,000</td>
<td>50</td>
<td>40,000</td>
</tr>
<tr>
<td></td>
<td>Sub-Total this offer</td>
<td>1,707,049</td>
<td>50</td>
<td>853,525</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>1,707,049</td>
<td>50</td>
<td>853,525</td>
</tr>
</tbody>
</table>

Note:
- All figures for this offer exclude GST.
NSW OFFICE OF WATER
Country Towns Water Supply and Sewerage Program

SCHEDULE 1 TO THE CONDITIONS
FOR COUNCIL MANAGED WATER SUPPLY AND SEWERAGE WORKS

<table>
<thead>
<tr>
<th>The Work:</th>
<th>Upper Lachlan Shire Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taralga Water Supply Augmentation</td>
<td></td>
</tr>
</tbody>
</table>

The Work comprises:

<table>
<thead>
<tr>
<th></th>
<th>Pre-construction activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Water treatment plant</td>
</tr>
<tr>
<td>2</td>
<td>Power supply</td>
</tr>
<tr>
<td>3</td>
<td>Land matters</td>
</tr>
<tr>
<td>4</td>
<td>Project/Construction management</td>
</tr>
</tbody>
</table>

The Estimated Cost
The estimated cost for the Work is $1,707,049 (excluding GST).

The Amount of Grant
The Upper Amount of this Grant, referred to in the Clause 9 of the Conditions is $853,525 (excluding GST).

The Common Seal of Council
was hereunto affixed on

Mayor

General Manager
## NSW OFFICE OF WATER

Country Towns Water Supply and Sewerage Program

### SCHEDULE 2 TO THE CONDITIONS

FOR COUNCIL MANAGED WATER SUPPLY AND SEWERAGE WORKS

Taralga Water Supply Augmentation

Grant Payments against Project Milestones

<table>
<thead>
<tr>
<th>Items and Components or Stages of the Work in Schedule 1</th>
<th>Project Milestones</th>
<th>Maximum Amount of Grant Payment and Term of Payment Subject to Note 1 below</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Completion of pre-construction activities</td>
<td>Payment at the rate of 50% of eligible expenditure on award of the water treatment plant construction contract to a maximum amount of $70,274</td>
</tr>
<tr>
<td>2</td>
<td>At 25%, 50% and 75% completion of the water treatment plant contract works</td>
<td>Three payments each of $164,000 to a maximum total of $492,000</td>
</tr>
<tr>
<td>3</td>
<td>Completion of power supply</td>
<td>Payment at the rate of 50% of the eligible expenditure to a maximum amount of $36,000</td>
</tr>
<tr>
<td>4</td>
<td>Completion of land matters</td>
<td>Payment at the rate of 50% of the eligible expenditure to a maximum amount of $51,250</td>
</tr>
<tr>
<td>5</td>
<td>Satisfactory progress of project/construction management</td>
<td>Progressive payments at the rate of 50% of the eligible expenditure to a maximum amount of $40,000</td>
</tr>
<tr>
<td>2</td>
<td>100% Practical Completion of the Works in Schedule 1 including commissioning and achievement of Best Practice Compliance as set down in Schedule 3.</td>
<td>Payment of $164,001</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$853,525</td>
</tr>
</tbody>
</table>

**NOTE 1:**

Payments will be subject to satisfactory completion of the Works and compliance with the enclosed “Conditions for Using Government Funds for the Construction of Water Supply and Sewerage Scheme”.

The Common Seal of Council was hereunto affixed on

Mayor
General Manager
NSW OFFICE OF WATER
Country Towns Water Supply and Sewerage Program

SCHEDULE 3 TO THE CONDITIONS

FOR COUNCIL MANAGED WATER SUPPLY AND SEWERAGE WORKS

Taralga Water Supply Augmentation Scheme

Best Practice Criteria Requiring Completion

- Complete and/or update strategic business plans and financial plans;
- Complete IWCM Strategy.
NEW SOUTH WALES OFFICE OF WATER

URBAN WATER

CONDITIONS FOR USING GOVERNMENT FUNDS FOR THE CONSTRUCTION OF WATER SUPPLY AND SEWERAGE SCHEME

1: Definitions

"Act" means, unless otherwise indicated, the Local Government Act, 1993.

"Council" means TULU SHIRE Council.

"Office" means the New South Wales Office of Water.

"General Manager" means the General Manager of Council.

"Fixed Grant" means the approved maximum amount of financial assistance which may be provided under this Agreement against the Work as set out in Schedule 1.

"Minister" means the Minister for Primary Industries.

"Work" means the works set out in the Schedule 1 attached and includes:

(a) The approved pre-construction activities after adoption of a preferred option. These are concept design, survey, project management, design, community consultation, environmental assessments, preparation of tender documents and risk management; and

(b) Construction management and construction of the works and land acquisition in connection with the works.

"Scheme" means Council's overall system providing the water or sewerage service which is managed as a single financial entity and of which the Work will be part.

2: Recitals

Whereas:

(i) Council has made application to the Minister for construction of the Work in accordance with Section 57(1) of the Act; and

(ii) the Minister has, subject to this agreement, approved financial assistance to Council for the tendered cost of the Work set out in the covering letter attached hereto and the Schedule 1; and

(iii) the Minister has appointed the Office to act on the Minister's behalf in relation to the matters set out in this agreement;

then subject to Council's acceptance of and compliance with the conditions set out herein, the Minister may make progress and final payments in relation to the Work strictly as described herein.
3: **Background - Legislative Matters**

(i) The requirement under Section 60 of the Act for Council to seek the Minister's approval shall apply in respect of the Work.

(ii) Council shall be the proponent of the relevant activity relating to the Work under Part 5 of the *Environmental Planning & Assessment Act 1979*.

(iii) Council shall conduct the Work as determined by all the relevant determining authorities in the environmental impact assessment under Part 5 of the *Environmental Planning and Assessment Act 1979* for the activities associated with the Work.

(iv) The Minister has charged Council with the care and management of the existing sewerage work in the Scheme under Section 58 of the Act.

4: **Role of the Office**

(i) Anything that the Minister may do under this agreement, including but not limited to the giving of approval, directions and notification, may be done by the Office on behalf of the Minister as the Minister's representative.

(ii) Any approval required to be sought from the Minister shall be sought from the Office acting on the Minister's behalf as the Minister's representative.

(iii) Any thing required to be given to the Minister under this Agreement, including but not limited to notification, documents, and certificates, shall be given to the Office on behalf of the Minister as the Minister's representative.

(iv) Any participation of the Minister which the Minister may undertake under this Agreement may be carried out by the Office, and any liaison required to be carried out with the Minister shall be carried out with the Office, as the Minister's representative.

5: **Carrying Out of the Work**

(i) Prior to commencing the Work, Council shall satisfy itself as to the adequacy of the Work for its intended purpose.

(ii) Council shall commence the Work as soon as practicable upon being advised by the Minister that funds under this Agreement are available.

(iii) Council shall ensure that any agreed program of the Work is strictly observed.

(iv) Council shall notify the Minister without delay of any circumstance relating to work that may reduce or increase the cost of the Work.
6: Responsibility for the Carrying Out and Operation of the Work

(i) The Work shall be performed at Council's risk. Council accepts full responsibility for the Work including the design and construction.

(ii) The Minister accepts no responsibility in relation to investigation, design or construction of the Work but relies on the Council and any professional person engaged by it to ensure proper standards are maintained at all stages of design and construction and that the design and construction comply with any instruction/directions, standards, criteria or benchmarks/policies as specified in this Agreement.

(iii) The ongoing operation of the Work shall be the responsibility of Council which must be undertaken to proper standards, in compliance with all statutory requirements and so that the performance capacity of the Work is achieved. The Minister will not be liable for any failure of Council to perform its ongoing obligations following construction of the Work.

7: Liability for Cost of the Work

(i) Subject to the contribution to the cost of the Work to be made by the Minister as hereinafter provided, all direct costs involved in the carrying out and completion of the components of the Work set out in the Schedule 1 shall be borne by Council.

(ii) The amount of grant is fixed and cannot be varied. Council shall bear the full cost of any additional costs above the tendered contract price for individual components of the Work set out in the Schedule 1 in all circumstances.

8: Certification of the Work

(i) As soon as practicable upon the completion of particular components of the Work as specified in the Schedule 1, Council shall submit to the Minister a Certificate, provided by a suitably qualified and competent professional person appointed by the General Manager, that the construction of the Work is satisfactory and complies with proper engineering standards of construction.

(ii) As soon as practicable upon the completion of particular components of Work as specified in the Schedule 1, the General Manager shall provide his certification of the moneys spent on the Work, referenced to the Work or part of the Work actually carried out. By the presentation of the Certificate of the General Manager, Council thereby represents that the Work or that part of the Work is being performed satisfactorily pursuant to these Conditions.

(iii) As soon as practicable upon the completion of the whole of the Work the General Manager shall provide a Final Certificate to the Office certifying that the Work has been completed in accordance with the conditions herein and setting out the actual Final Cost of the items listed in the Schedule 1.

(iv) These Certificates shall be relied on by the Minister for the purpose of ensuring the proper performance of the Work for the purpose of payments as provided for in this agreement.

(v) Council shall retain all Certificates for inspection by an auditor of Council appointed pursuant to Chapter 13 Part 3 of the Act, or such persons as are authorised by the Minister.
9: Payment by the Minister

(i) Financial assistance will be contingent on completion of the Work within three (3) years of the date of this offer. Failure to complete the Work in this timeframe may result in financial assistance being reduced or withdrawn.

(ii) Financial assistance will be contingent on Council as the Local Water Utility achieving substantial compliance with the Best Practice Management of Water Supply and Sewerage Guidelines as gazetted in May 2004. Failure to comply may result in financial assistance being reduced or withdrawn. Requirements to achieve this level of compliance are set out in the Schedule 3.

(iii) Subject to the matters set out in this Clause, the Minister may make payments based on completion of the Project Milestones specified in the Schedule 2 for components of the Work.

(iv) The Minister shall not make any Progress Payments based on part completion of the Project Milestones specified in the Schedule 2 for components of the Work unless otherwise agreed and specified in the Schedule 2. The making of such Progress Payments shall be at the complete discretion of the Minister.

(v) Council shall not seek payment for the Work or part of the Work until the Minister is satisfied that the Council has complied with its obligations set out in Clause 8 above.

(vi) If the Minister is at any time of the opinion that Council has failed to comply with the terms, conditions and provisions contained herein, the Minister may, at his complete discretion, withhold from Council for such period as he deems fit the payment of any or all of the sums agreed to be paid to Council by the Minister. Any such decision by the Minister shall not be a waiver of the rights set out in Clause 14 below.

(vii) Council shall not be entitled to interest payments on any amounts due but unpaid by the Minister.

(viii) Payment shall at all times be subject to continuance of available funding from the Government of New South Wales.

10: Minister’s Final Payment towards Final Land Acquisition Costs and Closing off the Project.

(i) Immediately upon commissioning of the assets in the final contract, the Council shall provide an estimate of all remaining land acquisition costs prepared by the Valuer General’s Department or a valuer approved by the Valuer General’s Department to the Minister.

(ii) When all Payments that may be made for the completion of components of the Work under this agreement have been made, and all certifications required to be given to the Minister in accordance with Clause 8 have been given, and the Minister is satisfied that the Council has complied with all its obligations under this agreement, the Minister may make Final Payment towards the Approved Estimate of the Final Land Acquisition Costs.

(iii) After the Minister’s Final Payment is made, the Work is deemed to be finalised and closed off.
11: Conduct of the Work

(i) Council shall apply the relevant guidelines in the Total Asset Management Manual 2006 in the performance of the Work, and shall ensure participation of the Minister in any value management and risk management assessments.

(ii) Council shall prepare a Project for the Work which shows Council's plan to implement obligations under the Conditions herein. The Plan shall provide for liaison with the Minister including the opportunity for review and concurrence at identified Project Milestones.

(iii) Council shall at all times be able to demonstrate compliance with the Local Government (Tendering) Regulation 1999, and show support of the use of Codes of Practice and Tendering for the NSW Construction Industry (published by Construction Policy Steering Committee of New South Wales).

(iv) Council shall at all times permit the Minister or his authorised officers to inspect the Work and any of Council's books of account, papers and other documents relating to the Work.

(v) Council shall from time to time promptly furnish to the Minister all such information and particulars of and concerning the Work and the cost thereof as the Minister may from time to time require.

12: Records

(i) Upon completion of the Work and precedent to the Final Payment, Council shall have construction records including a construction report, a complete set of drawings showing the Work as executed and documentation for proper operation and maintenance for the Work, and finalisation details for all associated service provider engagements and contracts.

(ii) Council shall have records to demonstrate that the Work has been carried out in accordance with the Project Development Plan as approved, and has not contravened:
   - relevant environmental impact assessment documentation under the Environmental Planning and Assessment Act 1979, and

13: Transparency of Government's Financial Assistance

At least one sign is to be displayed for the duration of the Work at a prominent location to acknowledge the Government's Financial Assistance towards the Work.
14: Breach of Condition

If Council fails to perform the Work or achieve the Project Milestones in the time specified in the Schedule 2, the Minister may terminate Government's financial assistance and Council shall, repay to the Minister the whole or any parts of any financial assistance made by the Minister. Council shall also repay any costs, charges and expenses incurred by the Minister in respect of the Work together with interest thereon at the interest rate specified in the gazette under Section 586 (3) of the Local Government Act, 1993, as determined by the Minister.

15: Notice

Any written notice or demand provided for in these conditions may be served on Council by ordinary prepaid post addressed to Council's Chambers or its postal address.

The Common Seal of the Council was hereunto affixed on

.................................................. ..................................................
Mayor General Manager
This petition is for the u/ grade of
the narrow and dangerous sections of
the Gurrundah Road.
It covers about 912 of road.
The last 512 which is at the end
of the drive road.
The hill section which is the most
dangerous owing to being very narrow
and blind corners with new growth and
nowhere to go.

Received
24.7.12

Page 1

<table>
<thead>
<tr>
<th>J.W. Harvey</th>
<th>L.W. Harvey</th>
</tr>
</thead>
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<tr>
<td>P.A. O'Cona</td>
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<td>A. Gordon</td>
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<td>M. Walker</td>
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<td>J. R. King</td>
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<td>A. D. McLaughan</td>
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<td>Owe George</td>
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<td>Karen Chandell</td>
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<td>Anthony Selmes, ASL</td>
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Item: 7.1

Petition - Gurrundah Road Residents

Ordinary Meeting of Council held on 16 August 2012

Page 57
Dear John,

Thank you very much for your time on the phone today. I heard the news that a petition containing 465 signatures against the proposed Golspie Wind Farm was tabled to Council last week, resulting in resolution 213/12 being passed.

I am very keen to ensure that a successful Golspie Wind Farm project can benefit not only the environment by producing clean energy but also deliver sustainable and long term outcomes for your local government area, the landholders of Golspie and Fullerton and the businesses of the Crookwell, Taralga and greater area.

I would like to reaffirm our commitment to working hard to deliver the best possible wind farm project which complies with the relevant planning requirements and gives careful consideration to Council's DCP 2010. We feel that this project could deliver significant positives for the region and our assessment work over the next 12 months will ensure that we, and all stakeholders, know what impacts the construction and operation of the wind farm may produce. We would hope to be able to offset any potential short-term negative outcomes with longer-term positive benefits such a key project can bring to the area.

I am very keen to meet with Council again in the near future to field questions and to continue to seek to understand the interests of the local government area and community. I am always available to those who are interested in directly conveying their concerns to me and who would like to discuss the merits and impacts of the proposed wind farm.

Please feel free to pass this email on to the Councillors and encourage them to contact me directly with their specific concerns or comments, if that will be of help.

Thanks again and I will ensure you continue to be kept up to date with upcoming events and key milestones for the Golspie Wind Farm project.

Sincerely,
Daniel
Please consider the environment prior to printing. Every sheet of A4 paper takes half a day for a tree to grow while emitting 14.3 grams of CO2 and consuming 58 watts of energy and over 400 ml of water. In contrast this email produced somewhere between 5-7 grams of CO2.
25 July 2012

Mr John Bell
General Manager
Upper Lachlan Shire Council
PO Box 10
Crookwell NSW 2583

BY EMAIL: ibell@gupperlachlan.nsw.gov.au

PROPOSED COLLECTOR WIND FARM – PUBLIC EXHIBITION COMMENCES

RATCH-Australia is pleased to announce the commencement of the public exhibition process for its Collector Wind Farm Environmental Assessment Report (EAR). The exhibition period will extend from Thursday, 26 July through to Monday, 24 September 2012 inclusive – a period of 60 days. I enclose/attach for your interest a copy of the latest RATCH-Australia Collector Wind Farm Development newsletter.

Wind farm developments have attracted considerable community, government and media attention in recent times and we anticipate that this proposal will be of interest to you and the Council. We would like to offer you a briefing on the Collector Wind Farm at your convenience, including a tour of the site if desired. Our project development representatives will be available throughout the public exhibition period and beyond should your office have any queries.

Following exhaustive environmental investigations and extensive community and stakeholder consultation, the Department of Planning and Infrastructure (DoPI) now considers the EAR has adequately addressed the Director-General’s Requirements. The EAR has most recently been amended to consider the Draft NSW Planning Guidelines: Wind Farms in accordance with instructions from DoPI.

There are hard copies of the EAR at Poidevins Café in Collector, the Gunning Library, the Upper Lachlan Shire Council offices in Crookwell, at the Goulburn-Mulwaree Council offices in Goulburn, at the Nature Conservation Council in Newtown, and at the NSW Department of Planning and Infrastructure offices in Sydney. We are able to send you an electronic copy of the documents and it’s also available to download at ours and the Department’s websites at: www.majorprojects.planning.nsw.gov.au or www.windfarms.net.au

We look forward to, indeed encourage, the participation of the community and other stakeholders during the exhibition period. Consistent with our ongoing commitment to community consultation, we will be hosting a series of information sessions in the Collector Memorial Hall to assist the community’s understanding of the EAR and respond to any
questions and concerns. We will also be seeking people from the community to form the Collector Wind Farm Forum, which will be established to enable open discussion between RATCH-Australia, the community, the Upper Lachlan Shire Council and other interested stakeholders on issues directly relating to the wind farm. Former ABC radio presenter Deborah Cameron will chair the Forum, which will meet regularly throughout the life of the project. One of the first issues the Forum will consider is how to administer the Community Benefit Fund.

We believe our proposal has significant merit; not only in its contribution to Australia’s bipartisan target that 20% of Australia’s electricity supply must come from renewable sources by 2020, but also through its contribution to the local community and economy through investment, employment and a $200,000 per annum community benefit fund once the wind turbines are operational.

Please do not hesitate to contact me or the RATCH-Australia project development team should you need further information.

Yours sincerely

Steve Loxton
CEO
RATCH-Australia Corporation

RATCH-Australia’s Collector Wind Farm Project Directors

Anthony Yeates
phone: 02 9464 1382
e-mail: anthony.yeates@ratchaustralia.com

Nick Valentine
phone: 02 9963 9924
e-mail: nick.valentine@app.com.au

About RATCH-Australia

RATCH-Australia is a strong supporter of wind energy. We currently own three operating wind farms and are working on additional proposals including the Collector Wind Farm. As well as our investments in wind energy, RATCH-Australia owns coal and gas fired power stations including the Collinsville Power Station and Townsville Power Station in Queensland and the Kemerton Power Station and BP Kwinana Power Station in Western Australia.
BENEFITS OF WIND ENERGY
IN AUSTRALIA

visit cleanenergycouncil.org.au
ECONOMIC BENEFITS OF WIND IN AUSTRALIA

The Clean Energy Council commissioned independent consultants SKM to produce a national and state-based snapshot on wind farm investment, jobs and carbon abatement. SKM looked at existing wind farm financial data and interviewed four companies with experience in numerous wind farm projects. The report presents a breakdown of investment during the construction and operations phases of a major wind farm, collated from actual data provided by developers, contractors, advisers and consultants.

INVESTMENT

- Total local capital investment in Australian wind farms: $4.25 billion (of a total $7 billion).
- Potential further local investment in proposed wind farms: some $17.8 billion (of a total $29.6 billion).

Typical project components that result in Australian investment include wind turbine towers, civil and electrical works, design and development, construction, and of course staff.

LOCAL INVESTMENT

The SKM report found that a typical 50 megawatt (MW) wind farm:

- Has an estimated average construction workforce of 48 people with each worker spending $25,000 per year in the local area. This equates to some $1.2 million per year flowing into hotels, shops, restaurants, and other local service providers.
- Employs around five staff for operations and maintenance, equaling to an ongoing local annual influx of $125,000.
- Provides up to $250,000 annually in payments to farmers, a proportion of which flows into the local community.
- Provides a community contribution of up to some $80,000 per year for the life of the project.

JOBS

Wind farms result in direct and indirect jobs in the local region, the state and nationally.

### CONSTRUCTION JOBS (ONE-YEAR, FULL-TIME EQUIVALENT PER 50 MW WIND FARM)

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<th>DIRECT EMPLOYMENT</th>
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<td>48</td>
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<td>TOTAL EMPLOYMENT</td>
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<tr>
<th>OPERATIONS JOBS (ONGOING FULL-TIME EQUIVALENT PER 50 MW WIND FARM)</th>
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<tr>
<td>DIRECT EMPLOYMENT</td>
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<td>TOTAL EMPLOYMENT</td>
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BRIAN AND MARCIA OSBORNE
Landholders at Capital Wind Farm, NSW

BACKGROUND:
Brian and Marcia are landholders for the Capital Wind Farm at Bungendore – they have 27 turbines on their property. The closest turbine is 900 metres from their home. The property has been in the family since 1866.

BENEFITS:
"Income from the wind farm has enabled us to improve our stock rates and take better care of our paddocks. We've spent around $100,000 on erosion problems and planted thousands of trees.

"This change has been accompanied by an increase in black swans, parrots and eagles – none of which seem affected by the adjacent turbines.

"I'm always surprised when people ask if our livestock mind the wind turbines. Our maiden Merino wool last year was some of the best wool we've ever had. Our classer said it was the best we had ever shown him and right amongst the best he had ever seen. Their upbringing was almost exclusively in the paddocks beneath the wind towers."

SCOTT MARTIN AND DEB CURTIS
Business owners of
Cape Bridgewater Café, Vic

BACKGROUND:
Scott and Deb have owned the local café in Cape Bridgewater for the past three-and-a-half years – from about a year after the Cape Bridgewater wind farm was built. This is the first time they have owned a café and they bought it after doing a Great Ocean Road trip from Adelaide.

It is a seven-days-a-week café with increased daily hours during summer.

BENEFITS:
"We get a lot of people asking about the wind farm.

"The wind company donated $80,000 towards a Sustainable Community Fund and we catered for the function.

"We benefit from the tradesmen and maintenance teams and from company functions."

"The roads put in by the wind farm developer give us much better access to our property which has improved our stock management practices and bushfire access."

"It has brought a community to our community."

"A lot of tourists are interested in wind farms – people are interested in wind energy.

"We have formed friendships with the maintenance team – they are even part of our food tripping competition."

ORDINARY MEETING OF COUNCIL HELD ON 16 AUGUST 2012
BENEFITS OF WIND FARMS IN REGIONAL COMMUNITIES

BRIAN AND JILL WILSON
Landholders at Clements Gap Wind Farm, SA

BACKGROUND:
Brian and Jill own 3500 acres. The property has been in the family since 1972 (they are fifth generation farmers) with an emphasis on crops and sheep. They have three children and their closest turbine is 1km from their house.

The local area experienced an unprecedented drought in 2006/07 which all of the local farmers are still recovering from.

BENEFITS:
“This is the first time we have had another source of income not dependent on rainfall. Turbines have helped us to drought-proof the farm.

“The road tracks are also an asset; both as fire breaks and giving us greater access to all parts of our property.

“It is a real benefit having the workers around, an extra set of eyes. They notify us if there is an injured animal, damaged fence or an open gate.

“More noise comes out of this treaty than the turbines.

“The hills are on they have always been and the sheep love the shade of the turbines during the hot summer months.

“It is a windy place, we need power, otherwise it is a wasted resource.”

STEVE MACKINTOSH
Worker at Capital Wind Farm, NSW

Steve has been working at Capital Wind Farm for one and a-half years. He has been a local of Eugendere for the past 30 years. He is pleased to be working for the wind farm because it means he has the chance to work locally.

“The job means I stay locally.”

“I also have a chance to work on other wind farms and there is loads of training in this industry.”
BENEFITS OF WIND FARMS IN REGIONAL COMMUNITIES

SARAH AND PETER SHARP
Landholders at Cape Nelson South, Vic

BACKGROUND:
Sarah and Peter have lived in southwest Victoria for the past 11 years. Sarah was born locally. They manage 200 hectares with 5500 cattle on the land. The couple have four children aged 22, 20, 16 and 14.

BENEFITS:
"We appreciate the diversity of income as well as having a keen interest in renewable energy.
"The wind farm opened up a door to vegetation offset — existing scrub is now protected, conserved for the future.
"The wind company helps to fund the Landcare Group which benefits the local community.

"In a funny way the wind farm has preserved the coastline because it can’t be sub-divided."

STUART NICOLSON
Lead Service Technician at Clements Gap Wind Farm, SA

BACKGROUND:
Stuart (Stuey) has worked at the Clements Gap Wind Farm for the past three-and-a-half years — almost since the commencement of the project. He previously worked on Hallett and Snowtown wind farms — all up about six years. Stuey has a heavy vehicle diesel mechanic background. He has lived on a property at Narriyup, between Crystal Brook and Buthana, all his life. He met his wife at Crystal Brook and they have three children.

BENEFITS:
"Employment and being able to stay locally. I have had lots of training since working on wind farms and have met some very interesting people from all over the world.

"I’m doing something worthwhile."
The Clean Energy Council is the peak body representing Australia's clean energy sector. It is an industry association made up of more than 600 member companies operating in the fields of renewable energy and energy efficiency.
PUBLIC EXHIBITION

Your opportunity to review the proposal and, if you wish, to make a submission in response.

Following exhaustive environmental investigations, and extensive community consultation, we are pleased that the Department of Planning and Infrastructure has approved our environmental assessment for public review.

Now it's your turn to review our proposal, ask questions and provide comment, either informally, or formally by making a submission to the Department. This is a very important part of the planning process and we welcome and encourage your participation. Our proposal is now up for scrutiny, and your views will assist the Government in making a decision on the project. Our Environmental Assessment Report will be on Public Exhibition for 60 days from Tuesday 26 July 2012. The documents contain a lot of information and you are encouraged to examine our submission closely.

There are hard copies of the proposal at the Posnivits Café in Collector, the Gunning Library, the Upper Lachlan Shire Council offices in Coolah, at Goulburn-Malbora Council, and at the NSW Department of Planning and Infrastructure offices in Sydney. We are able to send you an electronic copy of the documents, and it’s also available to download at our and the Department’s website at www.majorprojects.planning.nsw.gov.au/ www.windfarms.net.au

Any member of the public may contribute to the planning process for this project by making a submission. We particularly encourage residents of Collector and surrounds to participate. If you wish to make a submission, it must be made during the Public Exhibition period which ends on Monday 24 September 2012. Find out more about how to make a submission at: www.majorprojects.planning.nsw.gov.au/page/foudge-online/

A number of our representatives will host information sessions at the Collector Memorial Hall, Bourke Street, Collector on the following dates:

Friday 27 July 2012 between 3pm and 7pm
Saturday 28 July 2012 between 12pm and 4pm
Wednesday 1 August 2012 between 5pm and 8pm
Thursday 2 August 2012 between 1pm to 6pm
Thursday 9 August 2012 between 1pm to 6pm

We would like to see you there. We will be able to step you through the environmental documentation, and you will be able to view large size print outs of how the wind farm will look. We encourage you to ask questions, make suggestions, or perhaps share ideas for how to obtain maximum benefits from the Community Benefit Fund for Collector which will be established.

Generating electricity from the wind

Wind turbines are very effective at generating electricity. The Collector wind farm will generate approximately 550 GWh of electricity each year. This is enough energy to power 75,000 homes, more than all the homes in the Bumburrk, Goulburn and Monaro electorates combined. The wind farm will produce clean energy that would otherwise come from carbon dioxide-emitting coal and gas fired power stations.

Our project is making a significant contribution to Australia’s Renewable Energy Target and efforts to combat climate change.

CLEAN ENERGY NOW.

Did you know?

Nine out of ten Australians support renewable energy.

Get more facts about wind energy at:

Where will the Collector Wind Farm be located?

The Collector wind farm will be located on the Colleen Range between the Hume Highway and the Collector-Gunning Road. This is one of the windfarms in NSW. The village of Colleen is approximately 4km from the nearest of the proposed turbines.
There is **power** in Collector's **wind**

Wind power is certain to be a cornerstone of renewable energy in Australia and an important part of the “greening” of Australia. This region can be a major clean energy exporter, bringing widespread economic benefits to the community and adding a new business dimension for the future.

The wind farm will be a major source of employment. We will need fencing contractors, concreters, welders, electricians, plant and equipment operators, transport contractors, and administrators. Up to 400 construction workers will be required and we plan to recruit as many as possible locally as well as contracting local services and businesses. Once established and operating, there will be between 10 and 15 permanent operational jobs at Collector Wind Farm. We will provide training or retraining as part of our commitment to employing local residents.

There will also be flow on benefits to surrounding businesses, such as pubs, cafes, motels and shops. Local farmers benefit from the lease payments, maximising the potential for long-term viability in the rural community.

If you are interested in working on the site please register your interest at [www.windfarms.net.au](http://www.windfarms.net.au)

83% of residents in Collector believe creation of new jobs through our development is important or extremely important.
Local Community Benefit Fund

As part of our wider contribution to the Collector community, we will create a Community Benefit Fund to which we will donate $200,000 per year once the wind farm starts operating, which is $5m over the life of the project. Our intention is that the community will get to decide where the money is spent through the deliberations of the Collector Wind Farm Forum which is to be established shortly.

Giving back to the community: Pictured is the fire truck Inflgen Energy purchased for the Taylors Creek Road Bushfire Service and for the community of Tarago.

The Collector Wind Farm Forum

The Collector Wind Farm Forum will be established to enable open discussion between RATCH-Australia, the community, the Upper Lachlan Shire Council and other interested stakeholders on issues directly relating to the wind farm. Former ABC radio presenter, Deborah Cameron will chair the Forum, which will meet regularly throughout the life of the project. One of the first issues the Forum will consider is how to administer the Community Benefit Fund.

If you're interested in applying to be a member of the Forum, please contact Deborah by email at: d.cameron@ijassoc.com.au

The Collector Village Pumpkin Festival

RATCH-Australia is pleased to be an ongoing sponsor of the Collector Village Pumpkin Festival. Held in the Collector village each May, this fantastic event brings the community together and attracts around 5,000 visitors to the town to celebrate the annual harvest.

With pumpkin growing competitions, soups, scones and other produce on sale, as well as performances and displays, it's a great day out. RATCH-Australia looks forward to joining in the fun at next year's festival.
The wind farms near Bungendore are already having a **positive impact** on the region.

The Capital and Woodlawn wind farms, on the eastern side of Lake George near Bungendore, are both now operating. Every year approximately $2 million goes into the local community through sourcing supplies from local businesses, payments to land owners and local employee wages. It is estimated that since work began in the area in 2004 more than $10 million has been invested by the wind farms directly into the local community.

**Opportunities for contractors**

Goulburn business operator Andy Divall needs no convincing of the benefits of wind farms to rural communities. Divall’s, a family owned earthmoving operation in Goulburn, has had key contracts on Infiger’s Woodlawn and Capital wind farms as well on the Cullerin Range and Walwa wind farms. Mr Divall said wind farms are “a great economic stimulus package and employment source for rural communities. The economic benefits are clear. There have been few opportunities since we’ve been in business from these wind farms and we’d be keen to see them continue.

**Opportunities for employment**

Taralga resident Andrew McDade is one local already seeing the benefits of the growing renewable sector in his job on Capital Wind Farm. “I see the wind farms as an opportunity for locals to grab. The opportunities are few and far between in rural areas, and this is a great one. The money is good and you don’t necessarily need the qualifications to get a start. I work alongside a shearer, a butcher, a welder, car mechanics, a helicopter mechanic as well as electricians and fitters. We come from all walks of life and we all learn together.

After all, it is a new industry.”

Mr McDade said he gets asked a lot of questions about the wind farm. “I suffer no ill effects from being in and around the turbines, and sleep very well at night after a hard day’s work. If anything, my life has changed for the better.”

**No impact on property prices**

Bungendore area real estate agents were recently surveyed about their perceptions on the effect of the wind farms on property values – in their opinion, overall property sales and values in the area have not been affected. One agent said: “We sold one in between two wind mills and it didn’t impact the sale at all. That was about 18 months ago.”

Another commented: “We are still selling properties with views of the wind farm; there’s no effect on prices.”

**A positive step forward for climate change**

This development will power the equivalent of 75,000 homes a year, saving up to 11 million tonnes of greenhouse gas emissions over its lifespan of 25 years. That’s a significant achievement as we move from fossil fuel generation to clean energy.
CLEAN ENERGY NOW.

Did you know?

Wind fact #1

There is no evidence that wind turbines cause adverse health effects.

We recognise this is a hot topic and there are many views. On this issue, we must pay attention to Australia's peak public health body, the National Health & Medical Research Council (NHMRC). Following a review of all available scientific literature the NHMRC determined there is currently no published scientific evidence to positively link wind turbines with adverse health effects and there is no reliable evidence that sounds below the hearing threshold produce physiological or psychological effects. The NSW Department of Health and the Victorian Department of Health both accept the findings of the NHMRC.

So why are health concerns circulated so widely? Whether it's because people nearby are simply annoyed or have other reasons for not wanting wind turbines nearby, we can't speculate. All we can do is to have regard to the weight of scientific evidence on the matter. International research has consistently found no health issues caused by wind farms. The NSW Department of Health has said that the widely-circulated fears regarding health issues are "not scientifically valid."

In any event, we welcome continued research into any impact wind turbines may have. RATCH-Australia will continue to be guided by the NHMRC and any future research.

Wind fact #2

Most people in your community support wind farms

We polled the Collector area in November 2010, and found that 68% of respondents support this proposal compared with just 18% saying they oppose or strongly oppose.

These findings are backed by many other independent studies in rural areas. For example, in the NSW Government's survey of community attitudes to wind farms in 2010, 89% of people surveyed in Yass, Goulburn, Boorowa, Collector, Crookwell and surrounding regions favour wind farms. 79% agreed wind farms would benefit their local community and an overwhelming 98% agreed wind was a clean source of energy.

Wind fact #3

We're meeting some of the toughest environmental guidelines in the world.

We have designed our wind farm to comply with the NSW Government's draft wind farm noise guidelines, which the NSW Planning Minister has called "the toughest in the country, possibly the world." Noise from the wind farm won't exceed more than 35 decibels, day or night, which is equivalent to a quiet library and is less than the wind farm noise levels permitted in Victoria, South Australia, New Zealand, Europe and North America. By comparison, road noise from Federal Highway in Collector can be up to 55 decibels.

We are also observing strict fire safety standards. All wind farms are required to comply with International Electrotechnical Commission safety standards. Although the potential for fires in wind turbines is very low, we've incorporated various fire safety measures, including automatic shutdown, electrical and thermal fault alarms and lightning safety. In the event of local bush fires, the new roads will provide easier access for RFS.

Wind fact #4

There are now 54 wind farms in Australia, generating more than 2% of our electricity. In South Australia, wind turbines already supply 20% of the state's electricity.

Wind is the most cost-effective form of renewable energy in Australia. The cost of producing energy from wind has dropped by 80% over the past 25 years and is continuing to fall.

Collector Wind Farm is a highly efficient way to produce energy, and is designed to make the most of what is a very windy area. Wind power does not need any additional backup power from fossil fuel generators.
Public Exhibition of the Environmental Assessment Report

Our Environmental Assessment Report will be on Public Exhibition for 60 days from 26 July 2012. If you wish to make a submission, it must be made during the Public Exhibition.

There are hard copies of the report at the Federation Cafe in Collector, the Gunning Library, the Upper Lachlan Shire Council office in Crockwell, at Goulburn Mulwaree Council, and at the NSW Department of Planning and Infrastructure office in Sydney. We are also able to send you an electronic copy of the documents, and it’s also available to download at our website:

www.majorsprojects.planning.nsw.gov.au and www.windfarms.net.au

We will be hosting information sessions about the proposal at the Collector Community Hall on the following dates:

Friday 27 July 2012 between 2pm and 3pm
Saturday 28 July 2012 between 10am and 1pm
Wednesday 1 August 2012 between 6pm and 8pm
Thursday 2 August 2012 between 11am and 1pm
Thursday 9 August 2012 between 6pm and 8pm

Join the Collector Wind Farm Forum

The Collector Wind Farm Forum will be established to enable open discussion between RATCH-Australia, the community, the council and other interested stakeholders on issues directly relating to the wind farm. Former ABC radio presenter Deborah Cameron will chair the forum. If you’re interested in applying to be a member of the forum, please contact Deborah by email at: d.cameron@ijjassoc.com.au

Contact details:

If you would like an electronic copy of our Environmental Assessment Report, or require more information, please contact:

Nick Valentine
T: 02 9963 9284
E: nick.valentine@app.com.au

Anthony Yeates
T: 02 9464 1382
E: anthony.yeates@ratchaustralia.com

CLEAN ENERGY NOW.

RATCH-Australia Corporation
Increasing productivity in New South Wales

It makes sense to have fewer trucks on our roads. Fewer trucks mean less exposure for our community to heavy vehicles, and it's a bonus for our environment, because fewer trucks mean less emissions. It's also a win for our roads, because fewer trucks mean less road wear.

We still need groceries on our supermarket shelves, fuel at the service station and medical supplies in our hospitals. With the population on the rise, the most sensible solution is to encourage the use of longer, safer combinations, which carry more freight. This has been done in Victoria for more than a decade. This decision by Victoria to encourage these vehicles has seen the industry's productivity skyrocket when compared to NSW.

The total tonnes-kilometres travelled by articulated trucks in NSW has dropped by 21% since 1999. The use of rigid trucks has actually increased by 21%. This means more trucks on the road!

Different truck combinations require different numbers of trips to complete a freight task. The example below shows how many trips are required by each vehicle type to complete a freight task of 1,000 tonnes.

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>No Trips per 1,000 tonnes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>General Mass Limits</td>
</tr>
<tr>
<td>Two-Axe Rigid</td>
<td>43</td>
</tr>
<tr>
<td>Three-Axe Rigid</td>
<td>77</td>
</tr>
<tr>
<td>Six-Axe Semi-trailer</td>
<td>42</td>
</tr>
<tr>
<td>B-double</td>
<td>26</td>
</tr>
<tr>
<td>B-trailer</td>
<td>29</td>
</tr>
</tbody>
</table>

General Mass Limits (GML) are the legislated mass limits for heavy vehicles. Higher Mass Limits (HML) is where a vehicle complies with various engineering and administrative requirements to enable that vehicle to legally carry a higher mass. It is acknowledged by the OECD that trucks complying with these requirements are able to increase their mass by 15% before having the same wear effect on roads as a vehicle that accesses GML. HML legislated limits are set at 15% higher than GML to encourage operators to use more efficient, safer combinations.

Where possible, it would make sense to encourage the longer, safer combinations to access HML, but in NSW, not many transport operators access HML, because the previous NSW government implemented the Intelligent Access Program, or IAP. IAP was originally designed as a way for governments to remotely manage the potential risk of sensitive infrastructure being exposed to very heavy vehicles and equipment that could damage the infrastructure, such as ultra heavy cranes. Regrettably, IAP was implemented in NSW in an ad hoc, disjointed manner, forcing operators who want to access HML to register with the costly program.
Local councils have been led to believe that IAP manages compliance. No compliance information is passed back to local councils by NSW Roads and Maritime Services (RMS), who are responsible for managing the IAP. How can any council have confidence the program works?

Administering IAP is a nightmare for trucking operators. This is causing trucking companies not to bother with the expense of managing IAP.

Local councils need to tell the state government that IAP should not be required as a condition of access. In fact, councils should be able to approve access to their roads for vehicles operating at HML, regardless of whether an operator has IAP or not.

The previous NSW government has denied productivity, environmental and safety gains in our community. We need to ensure RMS is aware its policies are stifling our state’s potential to grow productivity vastly. IAP should be removed as a condition for vehicles like B-doubles and semi-trailers wanting to access HML.

On behalf of your council and rate payers, we encourage you to write to RMS to show your support for a better productivity outcome for NSW. You can address your correspondence to:

Mr Peter Duncan  
Chief Executive  
Road & Maritime Services  
Locked Bag 928  
North Sydney NSW 2059

Then, the next time a transport operator seeks to access council roads with longer, safer combinations, think about how many truck movements you are saving and grant approval without the need for IAP. Where you do need trucks on your roads, think about how you are encouraging use of the safest combinations – those that operate at HML, those that require better trained drivers, and those that comply with extra safety requirements. You will be doing your community a favour.

To provide you with further information about IAP, we have enclosed a fact sheet to highlight myths and facts of the program.

For more information about safer trucks and higher mass limits, please contact our Manager, Jill Lewis, on (02) 9571 8500 or by email jill.lewis@trucknet.com.au.

Kind regards.

John Luff  
Chairman  
25 July 2012

End
IAP—MYTHS & FACTS

FACT – B-double drivers have a higher level of training than drivers only licensed to drive smaller trucks

Drivers of longer, safer trucks, more productive trucks like B-doubles, need to undertake more training to drive these vehicles. In some cases, they must also undertake medical checks. Companies ensure their drivers are competent and appropriately trained before sending them off in a major asset like a B-double.

FACT – Accidents involving trucks and other vehicles are often the fault of the other driver

Recent studies by National Transport Insurance (NTI) show that in fatal crash incidents involving a truck and another vehicle, the other driver was at fault in 82% of the accidents, not the truck driver. Better education of car drivers, along with improved roads, would go a long way to reducing the number of fatal crashes on our roads.

FACT – IAP is not being used in the way it was intended

IAP was designed as a tool for governments to remotely manage potential risks to sensitive infrastructure, like bridges. Very heavy vehicles, plant, and equipment may cause damage to infrastructure due to unusual unit mass and mass distribution. IAP was also developed for use in Supervisory Intervention Orders for systematic or persistent offences in the mass, dimension and load restraint area. Now, it has been applied to prescriptive modular combinations, and those wanting to operate at higher mass limits, where there is no increased risk to roads.

FACT – NSW government’s implementation of IAP was inconsistent

The previous NSW government implemented IAP in an ad-hoc manner. In NSW, longer, safer combinations like B-doubles (operating at higher mass limits), B-triples and AB-triples (which provide productivity and safety gains when compared to traditional road trains and semi-trailers) are required to have IAP. Road trains operate without monitoring and on any road in a prescribed area of NSW, and semi-trailers are generally unrestricted. Hence, the better, safer combination is disadvantaged, denying NSW much needed productivity, environmental and, importantly, safety gains.

FACT – IAP is expensive for operators to use

The costs for an operator to become registered with IAP and to maintain the system are prohibitive. Many transport companies operate on a 3% to 5% net profit margin. Maintaining an IAP system reduces this profit margin even further.

FACT – Operators who use their vehicles at higher mass limits are subjected to ongoing reviews and audits

In order to show enforcement agencies that the vehicles are being loaded to the correct weights, operators are required to undertake internal reviews and be audited by an approved auditor. Records are required to be maintained showing the vehicles are being correctly loaded.
IAP—MYTHS & FACTS

MYTH – IAP provides me with assurance that trucks operating at higher mass limits in our shire only use approved roads

Why? Councils are not provided with information about IAP compliance. Heavy trucks may be allowed to travel on roads at general mass limits, but not at higher mass limits. There is no way an IAP system can determine the mass of a truck. It relies on the self-declaration of the driver to say whether it is loaded or not. If other trucks can use roads and are assumed to be acting in a responsible manner, why wouldn’t all drivers be treated the same way? It’s assuming that drivers of a particular class of truck are dishonest! How un-Australian!

MYTH - Vehicles at higher mass limits create more wear on roads

This is not the case. Vehicles that have road friendly suspension, and which operate at higher mass limits, cause no more wear to roads than vehicles that do not use this type of suspension and which operate at general mass limits.

Imagine the productivity gains your community may be missing, based on someone’s lack of understanding!

MYTH – Drivers of large heavy vehicles drive further, and are therefore at a higher risk of fatigue related incidents

Incorrect. Drivers of vehicles over 12 tonnes are subject to stringent fatigue laws, which govern the amount of work a driver can complete in a day, a week, or a month. These laws are about ensuring that truck drivers have taken adequate rest so they are not a fatigue risk to the general community. Drivers of vehicles under 12 tonnes are not subject to these laws.

Modern prime movers are safer and provide a much better working environment for the driver, with improved sleeping facilities and better driving comfort, meaning a decrease in fatigue. Many rigid trucks do not provide the same level of comfort for the driver.

IAP on longer, safer, more productive combinations is unjustified and does not ensure the safety of your community.

**Table:**

<table>
<thead>
<tr>
<th>Type of truck</th>
<th>No. of trips</th>
<th>Measure of wear*</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-double, higher mass limits</td>
<td>23</td>
<td>173</td>
</tr>
<tr>
<td>Semi-trailer, higher mass limits</td>
<td>37</td>
<td>226</td>
</tr>
<tr>
<td>Semi-trailer, general mass limits</td>
<td>42</td>
<td>257</td>
</tr>
<tr>
<td>Three axle rigid truck</td>
<td>77</td>
<td>316</td>
</tr>
</tbody>
</table>

*Note: Lower ‘Measure of wear’ number is better for infrastructure.

Increasing the number of trips by using smaller trucks also means exposing your community to more trucks. Our aim is, and your aim should be, to reduce risk to your community.

MYTH – Bigger trucks are more polluting to our environment than smaller trucks

Wrong again. Larger trucks use less fuel than smaller trucks to deliver the same amount of freight. This means our B-double example above when compared to the three axle rigid uses just 65% of the fuel required to complete the same freight task, resulting in less emissions.

**Without Trucks Australia Ships**

Ordinary Meeting of Council held on 16 August 2012
26 July 2012

Mr J K Bell  
General Manager  
Upper Lachlan Shire Council  
PO Box 42  
GUNNING 2581

Dear Mr Bell,

I refer to your letter to Mr Sam Haddad, Director General, Department of Planning and Infrastructure enclosing a petition Council has received outlining opposition to the proposal to construct a wind farm at Golspie NSW.

The Director General has asked me to acknowledge your letter and to advise that the Department has yet to receive an Environmental Assessment for this project. If an Environmental Assessment is received, the Department will take account of Council's resolution in its assessment.

Yours sincerely,

Louise Higgins  
Executive Assistant (Projects) to the Director General