BUSINESS PAPER

ORDINARY MEETING

Thursday 16 March 2023
1:30pm
Council Chambers

COUNCIL'S VISION

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

COUNCIL'S MISSION

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

COUNCIL'S AIMS

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

NOTICE OF MEETING

9 March 2023

Councillors

Dear Members

Ordinary Meeting of Council

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 16 March 2023** in the **Council Chambers** commencing at **1:30pm.**

Your presence is requested.

Yours faithfully

Alex Waldron
Acting General Manager
Upper Lachlan Shire Council

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

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

1 NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING

2 APOLOGIES AND LEAVE OF ABSENCE

3 CITIZENSHIP CEREMONY
Nil

4 DECLARATIONS OF INTEREST

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Nil

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

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

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

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

AGENCY ADVICE

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

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

UPPER LACHLAN SHIRE COUNCIL

COUNCILLORS DISCLOSURE OF A PECUNIARY INTEREST

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

To the General Manager

I, _____

Declare a Conflict of Interest, being a PECUNIARY Interest.

Name of Meeting: Ordinary Meeting of Council

Date of Meeting:

Page Number: **Item Number:**

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

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

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

to be held on the day of 20 .

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

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

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

Matter giving rise to pecuniary interest[1]
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land)[2]
[Tick or cross one box]

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

Current zone/planning control

Proposed change of zone/planning control

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

☐ Appreciable financial gain ☐ Appreciable financial loss

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

Councillor's Signature:

Date:

UPPER LACHLAN SHIRE COUNCIL

COUNCILLORS DISCLOSURE OF A NON-PECUNIARY INTEREST

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

To the 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

5 CONFIRMATION OF MINUTES

The following minutes are submitted for confirmation -

5.1 Minutes of the Ordinary Meeting of Council of 16 February 2023 12

UPPER LACHLAN SHIRE COUNCIL

MINUTES OF THE

ORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS

ON 16 FEBRUARY 2023

PRESENT: Mayor P Kensit (Chairperson), Cr J Marshall, Cr M McDonald, Cr N McDonald, Cr J Searl, Cr S Reynolds, Cr L Woodbridge, Ms C Worthy (General Manager) Mr A Croke (Director Finance and Administration), Mr L Kruger (Director of Infrastructure), Ms A Waldron (Director of Environment & Planning), Ms K McCarthy (Executive Assistant) and Mr C Gordon (Communications Officer).

VIDEO LINK: Cr P Culhane

THE MAYOR DECLARED THE MEETING OPEN AT 1:35pm

SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING

Mayor Kensit advised no public gallery today

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

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

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

Apology was received by Cr D O'Brien.

09/23 ***RESOLVED*** by Cr Searl and Cr Reynolds that the apology be received and a leave of absence granted.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 3: CITIZENSHIP CEREMONY

Nil

A minutes silence was observed for Vanessa Mackay who passed away.

SECTION 4: DECLARATIONS OF INTEREST

Mrs K McCarthy (Executive Assistant to General Manager and Mayor) declared a Non- Pecuniary Interest in confidential Item 19.1 Land Sale Contract – Laggan Road Crookwell, as her husband has acted for Council on this matter previously as their legal representative and will make the declaration, leave the Chamber upon making the declaration, and not return to the Chamber. Ms S Pearman will assume the chair as minute taker for the confidential section of the Council Meeting.

Cr S Reynolds declared a Pecuniary Interest in Item 11.2 Modification of DA89/2017.2 24 Reservoir Road Crookwell as she is the land owner and will make the declaration, leave the Chamber upon making the declaration, and not return to the Chamber until the matter is resolved.

The Mayor noted Council had been advised by the developer that Item 11.2 Modification of DA89/2017.2 24 Reservoir Road Crookwell be deferred to a later Council meeting.

SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1

RESOLVED by Cr Searl and Cr Woodbridge

10/23

1. That the minutes of the Ordinary Council Meeting held on 15 December 2022 be adopted.

- CARRIED

Councillors who voted for:-	Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, S Reynolds, J Searl and L Woodbridge
Councillors who voted against:-	Nil

ITEM 5.2 ***RESOLVED*** by Cr Searl and Cr Woodbridge

11/23

1. That the minutes of the Extraordinary Council Meeting held on 23 January 2023 be adopted.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 5.3 ***RESOLVED*** by Cr Searl and Cr Woodbridge

12/23

1. That the minutes of the Extraordinary Council Meeting held on 13 February 2023 be adopted.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 6: MAYORAL MINUTES

ITEM 6.1 **MAYORAL MINUTE**

13/23 ***RESOLVED*** by Cr Woodbridge and Cr Searl

1. That Council receive and note the activities attended by the Mayor for January and February 2023.

- CARRIED

Councillors who voted for:-	Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, S Reynolds, J Searl and L Woodbridge
Councillors who voted against:-	Nil

ITEM 6.2 **MAYORAL MINUTE - RESIGNATION FROM CROOKWELL COMMUNITY CONSULTATION COMMITTEE (HEALTH)**

14/23 ***RESOLVED*** by Cr Searl and Cr Reynolds

1. Council receive and note the resignation of the Mayor from Crookwell Community Consultation Committee.

- CARRIED

Councillors who voted for:-	Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, S Reynolds, J Searl and L Woodbridge
Councillors who voted against:-	Nil

SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

SECTION 8: CORRESPONDENCE

ITEM 8.1 **CORRESPONDENCE FOR THE MONTH OF DECEMBER 2022**

15/23 ***RESOLVED*** by Cr Searl and Cr Woodbridge

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

1. Office of Local Government - Circular 22-37 - Model Media Policy.

2. Office of Local Government – Circular 22-38 – Consultation on the outcomes of the review of the Councillor misconduct framework.
3. Office of Local Government – Circular 22-39 – Release of Cyber Security Guidelines for NSW Local Government.
4. Office of Local Government – Circular 22-40 – Amendments to the tendering provisions of the Local Government (General) Regulation 2021 and consultation of the development of new procurement guidelines for councils.
5. Office of Local Government – Circular 22-41 – Update on the Guidelines for Risk Management and Internal Audit for Local Government in NSW.
6. Office of Local Government – Circular 22-42 – Council and Joint Organisations to provide OLG's credit card guidelines to their AIRC's.

- CARRIED

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

Councillors who voted against:- Nil

Cr Paul Culhane left the meeting, the time being 1:42 pm and did not return.

A ***MOTION*** was moved by Cr Woodbridge that -

That Council review Model Media Policy after workshop within the next three months.

On being put to the meeting the motion was carried

16/23 ***RESOLVED*** by Cr Woodbridge and Cr Reynolds

1. That Council review Model Media Policy after workshop within the next three months.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 9: LATE CORRESPONDENCE

Nil

SECTION 10: INFORMATION ONLY

ITEM 10.1 **DEVELOPMENT STATISTICS REPORT**

17/23 ***RESOLVED*** by Cr Searl and Cr Reynolds

1. Council receives and notes the report as information.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 10.2-10.9 **INFORMATION ONLY ITEMS**

18/23 ***RESOLVED*** by Cr Woodbridge and Cr Searl

1. Council receives and notes items 10.2 to 10.9 as information.

- CARRIED

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

Councillors who voted against:- Nil

REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 AMENDMENTS TO THE LOCAL STRATEGIC PLANNING STATEMENT

19/23 ***RESOLVED*** by Cr Searl and Cr Woodbridge

1. Council adopt the amended Upper Lachlan Local Strategic Planning Statement as attached.
2. The amended Local Strategic Planning Statement be uploaded to the NSW Planning Portal and a copy forwarded onto the office of the Department of Planning – Southern Region.
3. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

- CARRIED

Councillors who voted for:-	Crs P Kensit, J Marshall, M McDonald, N McDonald, S Reynolds, J Searl and L Woodbridge
Councillors who voted against:-	Nil

Cr Susan Reynolds left the meeting in line with her declaration, the time being 02:16pm.

ITEM 11.2 **MODIFICATION OF DA89/2017.2 24 RESERVOIR ROAD, CROOKWELL**
STAFF RECOMMENDATION

It is recommended that;

1. Council not support the application to modify Condition 25 of Development Approval 89/2017.2 based on;
   - Modifying the condition would be in direct contradiction of the requirements of the Upper Lachlan Development Control Plan 2010;
   - The developer was aware of this requirements when the original approval was issued on 21 December 2017, enabling the cost to provide the services to be factored into the design and lot costs;
   - The justification to vary the condition on cost grounds is not based on sound planning grounds;
   - The existing power infrastructure is in close proximity to the proposed development site enabling same to be extended to service all properties; and
   - Provide purchasers of the lots with an option to be connected to the grid, be self-sufficient or a combination of both.

2. That Condition 3 not be modified and the developer only be required to seal from the existing bitumen seal to the common access point to Lots 4 and 5

A motion was moved by Cr Searl and Cr Woodbridge that the matter Item 11.2 Modification Of DA89/2017.2 24 Reservoir Road, Crookwell be deferred to a future Council Meeting.

On being put to the meeting the motion was carried.

20/23 ***RESOLVED*** by Cr Searl and Cr Woodbridge

1. That the matter Item 11.2 Modification Of DA89/2017.2 24 Reservoir Road, Crookwell be deferred to a future Council Meeting.

- CARRIED

Councillors who voted for:- Crs P Kensit, J Marshall, M McDonald, N McDonald, J Searl and L Woodbridge

Councillors who voted against:- Nil

Cr Susan Reynolds returned to the meeting, the time being 02:18pm

SECTION 12: INFRASTRUCTURE DEPARTMENT

ITEM 12.1 CROOKWELL DEPOT WORKSHOP ALTERATIONS

MOVED by Cr Woodbridge and Cr Reynolds

1. Council allocate $120,760 held from Internal Restricted Reserve Uncompleted Carry Over Works for alterations to the workshop building at the Crookwell Depot.
2. Council source the remaining $54,240 of funding being requested, these funds will be utilised from Council's unrestricted cash.

An Amendment was moved by Cr Searl and Cr Reynolds to add point 3 in addition to points 1 and 2 that –

1. Council allocate $120,760 held from Internal Restricted Reserve Uncompleted Carry Over Works for alterations to the workshop building at the Crookwell Depot.
2. Council source the remaining $54,240 of funding being requested, these funds will be utilised from Council's unrestricted cash.
3. Council discontinue potential sale of Crookwell Depot at this time

On being put to the meeting the Amendment was carried.

21/23 ***RESOLVED*** by Cr Searl and Cr Reynolds

1. Council allocate $120,760 held from Internal Restricted Reserve Uncompleted Carry Over Works for alterations to the workshop building at the Crookwell Depot.
2. Council source the remaining $54,240 of funding being requested, these funds will be utilised from Council's unrestricted cash.
3. Council discontinue potential sale of Crookwell Depot at this time.

Councillors who voted for:- Crs P Kensit, M McDonald, N McDonald, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Cr J Marshall

ITEM 12.2 TRANSFER OF FUNDS FOR DEPOT ADMINISTRATION IMPROVEMENTS

22/23 ***RESOLVED*** by Cr Searl and Cr Woodbridge

1. Subject to a formal quotation process Council allocate money from Council's Building Reserve to develop a design and cost estimate for improvements to Council's Crookwell Depot.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 QUARTERLY BUDGET REVIEW STATEMENTS - 2ND QUARTER 2022/2023

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

1. Council endorse the 2nd Quarter Budget Review Statements for 2022/2023 including revotes of income and expenditure to the Operational Plan; and
2. Council endorses the Operational Plan Performance Summary Report.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 13.2 DELIVERY PROGRAM BI-ANNUAL REVIEW 2022/2023

24/23 ***RESOLVED*** by Cr Searl and Cr Woodbridge

1. Council adopt the Delivery Program Review for the six month period ended 31 December 2022.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 13.3 **ADOPTION OF CHILD SAFETY AND WELLBEING POLICY**

25/23 ***RESOLVED*** by Cr Woodbridge and Cr Reynolds

1. Council adopts the Child Safety and Wellbeing Policy.
2. Council endorses the organisation's Commitment to Child Safety Statement.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, N McDonald, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Cr J Marshall

HTTPS://WWW.UPPERLACHLAN.NSW.GOV.AU/WP-CONTENT/UPLOADS/2023/02/CHILD-SAFETY-AND-WELLBEING-POLICY-DATE-ADOPTED-16-FEBRUARY-2023-RESOLUTION-25-23-REVIEW-2026.PDF

SECTION 14: GENERAL MANAGER

Nil

Mayor Kensit thanked the General Manager, Colleen Worthy on behalf of Council and the Shire for her efforts during her three year service at Upper Lachlan Shire Council.

The General Manager thanked the Staff and Management Executive Team (Directors) for their efforts and support during her tenure and is looking forward to her retirement.

SECTION 15: LATE REPORTS

Nil

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

ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTH OF FEBRUARY 2023

26/23 ***RESOLVED*** by Cr Reynolds and Cr Woodbridge

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

1. Breadalbane Hall Committee - AGM and Meeting Minutes - 20 November 2022.
2. Breadalbane Hall Committee - Chairs report - 2022.
3. Breadalbane Hall Committee - Letter advising change in Committee.

- CARRIED

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

Councillors who voted against:- Nil

27/23 ***RESOLVED*** by Cr Searl and Cr Woodbridge that -

1. Council write to Breadalbane Hall S355 Committee accepting the newly appointed committee members Sylvie Hayles, Gayle White, Sally Hoskins, Christine McLean, Vanessa Edwards, Cr John Searl (Clr representative), Sally McLean, Karen Lyn, Jan Weir, Rod Edwards and Libby Webster.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 17: NOTICES OF MOTION

Nil

SECTION 18: QUESTIONS WITH NOTICE

Nil

Mrs K McCarthy left the meeting in accordance with her declaration and Ms S Pearman resumed as Minute Secretary the time being 2:57pm. Ms K McCarthy did not return to the meeting.

CLOSED COUNCIL ITEMS

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021, in the opinion of the General Manager, the following business is of a kind as referred to in 10A (2) of the Act and should be dealt with in a part of the meeting closed to the public and the media.

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

28/23 ***RESOLVED*** by Cr Searl and Cr Woodbridge

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

- CARRIED

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

Councillors who voted against:- Nil

Council closed its meeting at 2:57pm and the public, staff and press left the chambers and live streaming ceased.

29/23 ***RESOLVED*** by Cr Searl and Cr Woodbridge

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

- CARRIED

Councillors who voted for:-	Crs P Kensit, J Marshall, M McDonald, N McDonald, S Reynolds, J Searl and L Woodbridge
Councillors who voted against:-	Nil

Open Council resumed at 4:06pm live streaming returned to the public prior to the meeting closing.

Resolutions from the Closed Council Meeting

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

SECTION 19: CONFIDENTIAL SESSION

ITEM 19.1 LAND SALE CONTRACT - LOT 3 DP 1112816 LAGGAN ROAD, CROOKWELL

MOVED by Cr Woodbridge and Cr Reynolds

1. Council receive and note the report as information and make a determination on the preferred course of action with regard to the sale of land contract at Lot 3 DP 1112816, Laggan Road Crookwell.

An Amendment was moved by Clr Searl and Clr Kensit

That Council make an application to the Supreme Court for an order to rescind the sale of land contract to Crookwell Taralga Aged Care Limited being Lot 3 DP 1112816, Laggan Road Crookwell.

On being put to the meeting the Amendment became the Motion.

30/23 ***RESOLVED*** by Cr Searl and Cr Kensit

1. That Council make an application to the Supreme Court for an order to rescind the sale of land contract to Crookwell Taralga Aged Care Limited being Lot 3 DP 1112816, Laggan Road Crookwell.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 19.2 **MULTIPURPOSE AQUATIC AND ACTIVITY CENTRE - FUNDING FOR HEATED INDOOR POOL**

31/23 ***RESOLVED*** by Cr Woodbridge and Cr Reynolds

1. Council receive and note the report on Multipurpose Aquatic and Activity Centre as information only.

- CARRIED

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

Councillors who voted against:- Nil

THE MEETING CLOSED AT 4.06pm

Minutes confirmed 16 MARCH 2023

…….
Mayor

6 MAYORAL MINUTES

The following item is submitted for consideration -

6.1 Mayoral Minute 32

Mayoral Minutes - 16 March 2023

ITEM 6.1 **Mayoral Minute**

FILE REFERENCE **I23/53**

February 2023

16 February 2023	Council Meeting
20 February 2023	LGNSW Rural and Regional Summit with General Manager Colleen Worthy in Sydney
21 February 2023	Country Mayors Association NSW – Meet the Leaders Forum with General Manager Colleen Worthy in Sydney
22 February 2023	Flood Map Study Discussions with Director of Environment and Planning, Director of Infrastructure and General Manager Meeting with Manager Human Resources - General Manager Recruitment Discussions
27 February 2023	Meeting with General Manager Gunning Community Debrief regarding Flooding event on 31 October 2022 at Gunning Shire Hall

March 2023

1 March 2023	General Manager Colleen Worthy's farewell afternoon tea with Councillors Meeting with Constituents – North Street Crookwell
2 March 2023	Gunning Community Outreach Meeting
6 March 2023	Meeting with Acting General Manager
13 March 2023	Meeting with Acting General Manager
14 March 2023	Big Hill Community Outreach Meeting
16 March 2023	Meeting with Telstra – regarding Upper Lachlan Shire Connection discussions Council Meeting

8 CORRESPONDENCE

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

10 INFORMATION ONLY

The following items are submitted for consideration -

10.1	Development Statistics Report	36
10.2	Investments for the month of February 2023	41
10.3	Bank Balance and Reconciliation - February 2023	45
10.4	Rates and Charges Outstanding for the month of February 2023	46
10.5	Grants Report	48
10.6	Action Summary - Council Decisions	56

ITEM 10.1 **Development Statistics Report**

FILE REFERENCE **I23/54**

AUTHOR **Director of Environment and Planning**

ISSUE

This report provides Council with an overview of the development control activities that have occurred in the period of 1 February 2023 to 28 February 2023, and an update on the status of the Planning and Development Control department.

RECOMMENDATION That -

1. Council receives and notes the report as information.

BACKGROUND

A standard monthly report providing Council with a summary of the development control activities that have occurred in the period 1 February 2023 to 28 February 2023.

REPORT

This report provides Council with an overview of the development control activities that have occurred in the period of 1 February 2023 to 28 February 2023, and an update on the status of the Planning and Development Control department.

It should be noted that the format below has been changed from previous reports to allow easy comparison of statistics compared to the same period in the previous year.

PLANNING STATISTICS

Development Applications

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

Table 1 - Number of development applications received per month:

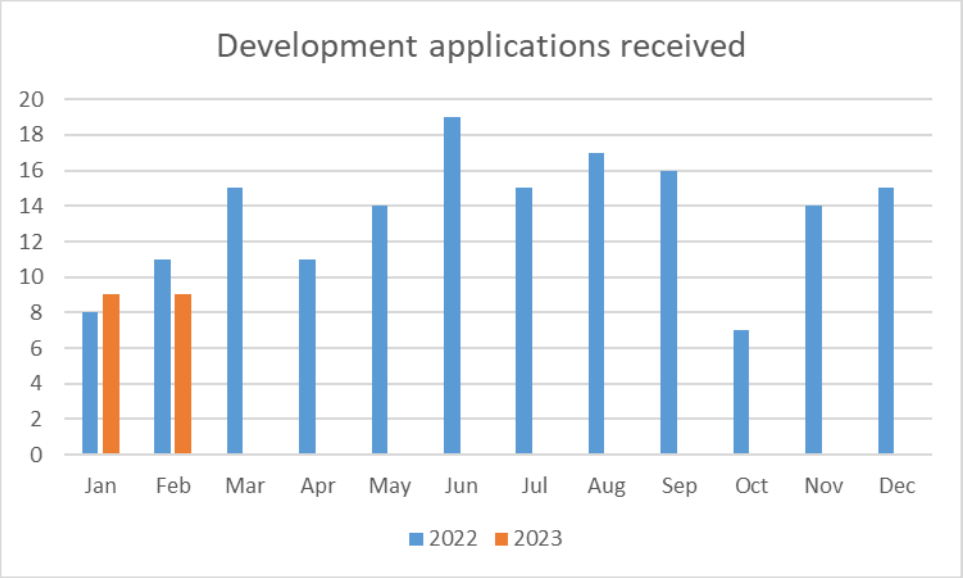
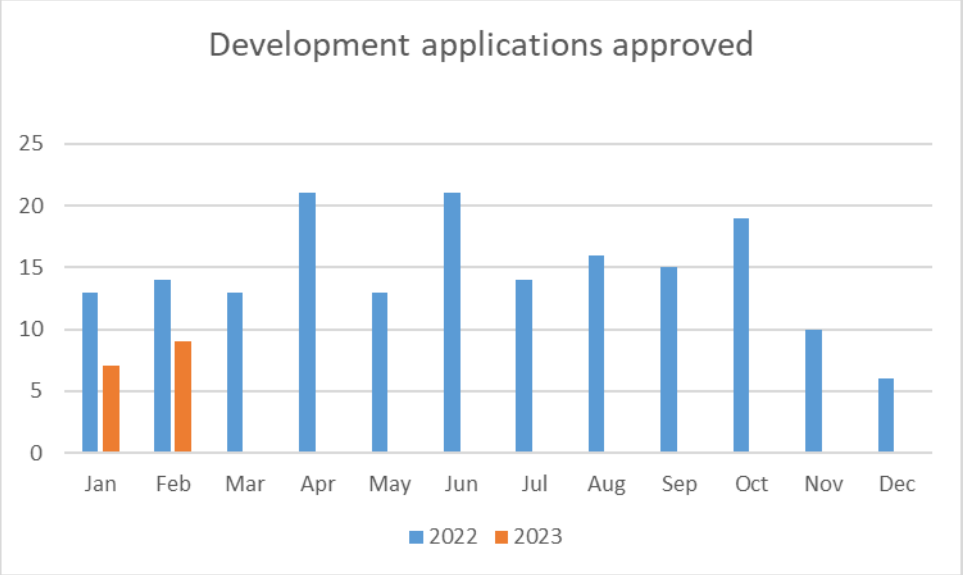


Table 2 - Number of development applications determined per month:



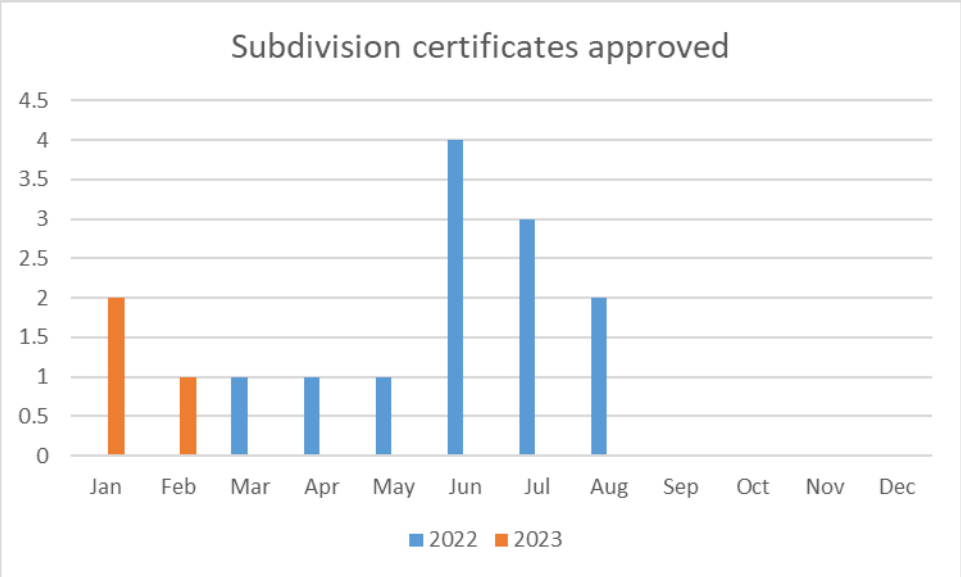
Development Applications Determined

Development Applications Approved By Council (February 2023):

DA Reference	Proposal	Property Details
63/2021	Principal and secondary dwelling	Levels Road, Golspie Lots 104, 117, 135 and 73 DP 753044
85/2022	Dwelling	46 Lachlan Street, Bigga Lot 1 DP 355531
125/2022	3 Lot Residential Subdivision	66 Macarthur Street, Taralga Lot 57 Sec 8 DP 976169
140/2022	Garage	23 Robertson Street, Crookwell Lot 1 DP 722525
145/2022	Garage	3 Gordon Street, Crookwell Lot 14 Sec 5 DP 1809
146/2022	Dwelling	10B Holborrow Street, Crookwell Lot 4 DP 1287718
167/2022	Garage	121 Reservior Road, Crookwell Lot 6 DP 1054839
177/2022	Deck	2 Gordon Road, Crookwell Lot 8 Sec 4 DP 1809
91/2022 Review	6 Lot Residential Subdivision	30 Goldsmith Street, Binda Lot 2 DP 1274243

Subdivision Certificates

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

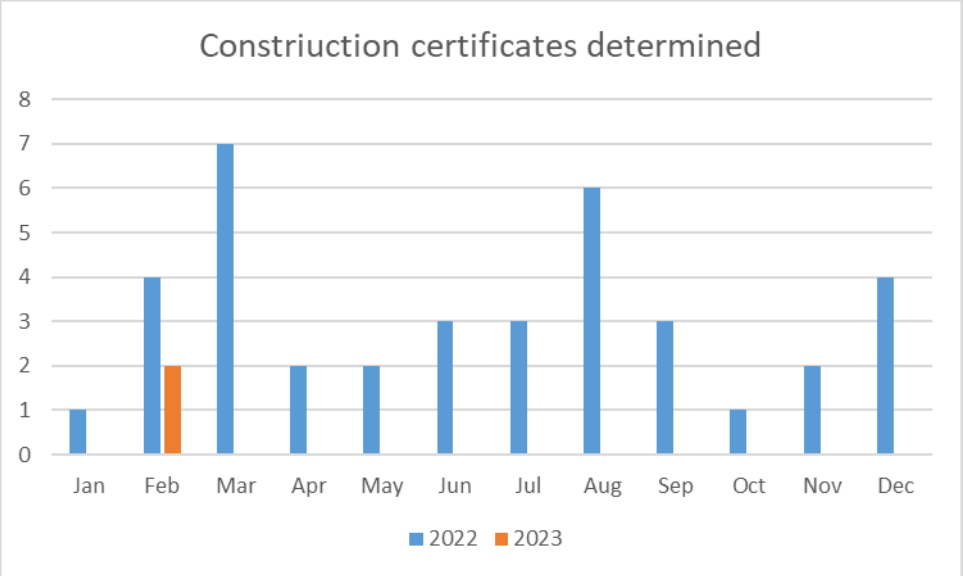


Planning Certificates

The number of Planning Certificates issued per month are detailed below

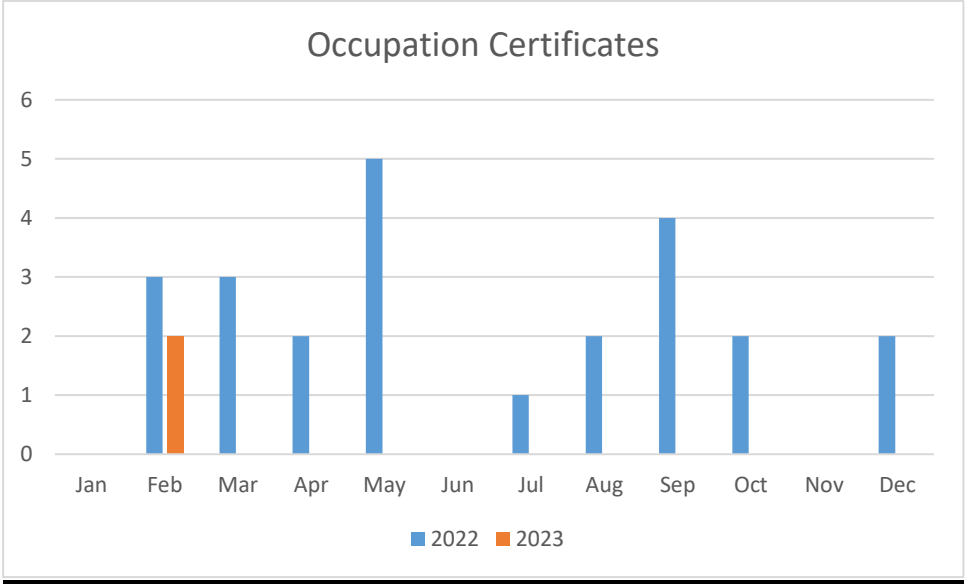
Construction Certificates

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



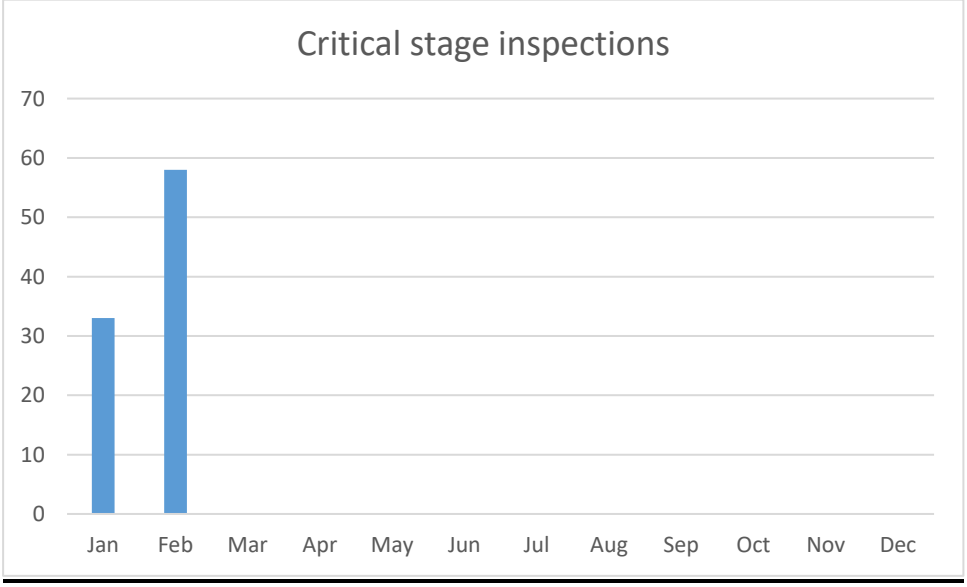
Occupation Certificates

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



Critical Stage Inspections

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



RECOMMENDATION That -

1. Council receives and notes the report as information.

ATTACHMENTS

Nil

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

FILE REFERENCE **I23/66**

AUTHOR **Director of Finance and Administration**

ISSUE

Council Investment Portfolio Register as at 28 February 2023.

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

BACKGROUND

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

REPORT

Investments to 28 February 2023

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
CBA	Call	$700,000	0.20%	N/A	28-02-23	$107.40
IMB	TD	$1,000,000	3.20%	210	01-03-23	$18,410.96
Bank of Qld	TD	$1,000,000	3.50%	210	08-03-23	$20,136.99
Bank of Qld	TD	$1,000,000	3.50%	210	15-03-23	$20,136.99
Bank of Qld	TD	$1,000,000	3.58%	210	22-03-23	$20,597.26
Bank of Qld	TD	$1,000,000	3.60%	217	29-03-23	$21,402.74
IMB	TD	$1,000,000	3.40%	224	05-04-23	$20,865.75
IMB	TD	$1,000,000	3.40%	224	12-04-23	$20,865.75
IMB	TD	$1,000,000	3.45%	223	19-04-23	$21,078.08
Bendigo Bank	TD	$1,000,000	3.80%	224	26-04-23	$23,320.55
NAB	TD	$1,000,000	3.95%	224	03-05-23	$24,241.10
Bank of Qld	TD	$1,000,000	4.18%	217	10-05-23	$24,850.96
CBA	TD	$1,000,000	3.90%	196	17-05-23	$20,942.47
CBA	TD	$500,000	4.05%	210	24-05-23	$11,650.68
Bank of Qld	TD	$700,000	4.10%	224	31-05-23	$17,613.15

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
Bendigo Bank	TD	$1,000,000	4.10%	210	07-06-23	$23,589.04
NAB	TD	$1,000,000	4.12%	210	14-06-23	$23,704.11
NAB	TD	$1,000,000	4.11%	210	21-06-23	$23,646.58
IMB	TD	$1,000,000	4.10%	210	28-06-23	$23,589.04
NAB	TD	$1,000,000	4.14%	217	05-07-23	$24,613.15
CBA	TD	$1,000,000	4.21%	210	12-07-23	$24,221.92
CBA	TD	$1,000,000	4.30%	210	19-07-23	$24,739.73
CBA	TD	$500,000	4.22%	182	26-07-23	$10,521.10
Bank of Qld	TD	$500,000	4.40%	196	02-08-23	$11,813.70
NAB	TD	$1,000,000	4.41%	210	09-08-23	$25,372.60
CBA	TD	$1,000,000	4.40%	196	16-08-23	$23,627.40
IMB	TD	$1,000,000	4.35%	189	23-08-23	$22,524.66
CBA	TD	$1,000,000	4.66%	189	30-08-23	$24,129.86
Bendigo Bank	TD	$1,000,000	4.25%	280	13-09-23	$32,602.74
Bendigo Bank	TD	$1,000,000	4.30%	273	20-09-23	$32,161.64
		$27,900,000				**$637,078.08**

COUNCIL INVESTMENT PERFORMANCE: -

BUDGET COMPARISON TO 28 FEBRUARY 2023

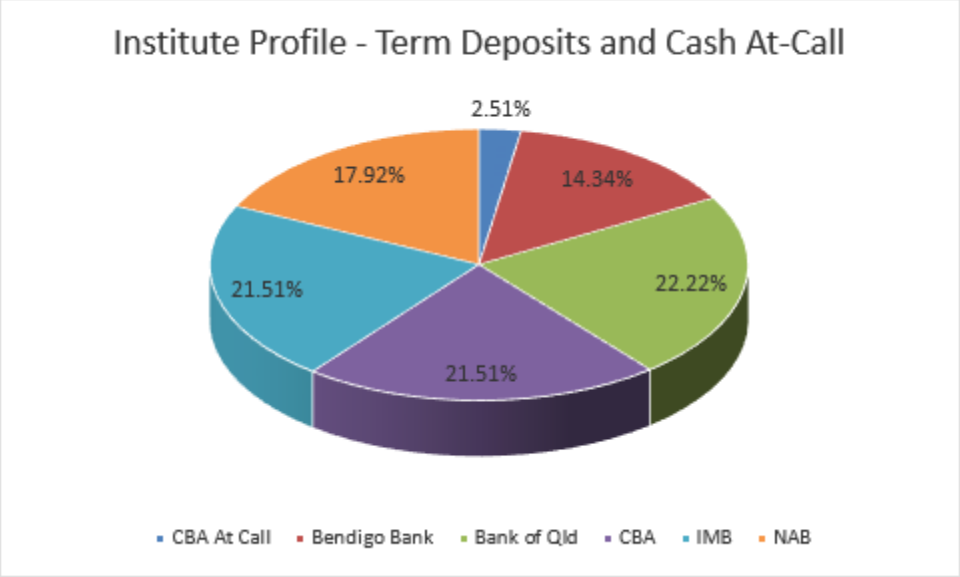
Interest on Investments Received YTD	$243,456
Annual budgeted amount for all funds	$294,600
Percentage of Interest Received YTD	82.64%
Percentage of Year Elapsed	66.85%
Average market interest rate (90 day BBSW)	3.46%
Average return on all investments	3.97%

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

FINANCIAL INSTITUTION INVESTMENTS PROFILE AS AT 28 FEBRUARY 2023

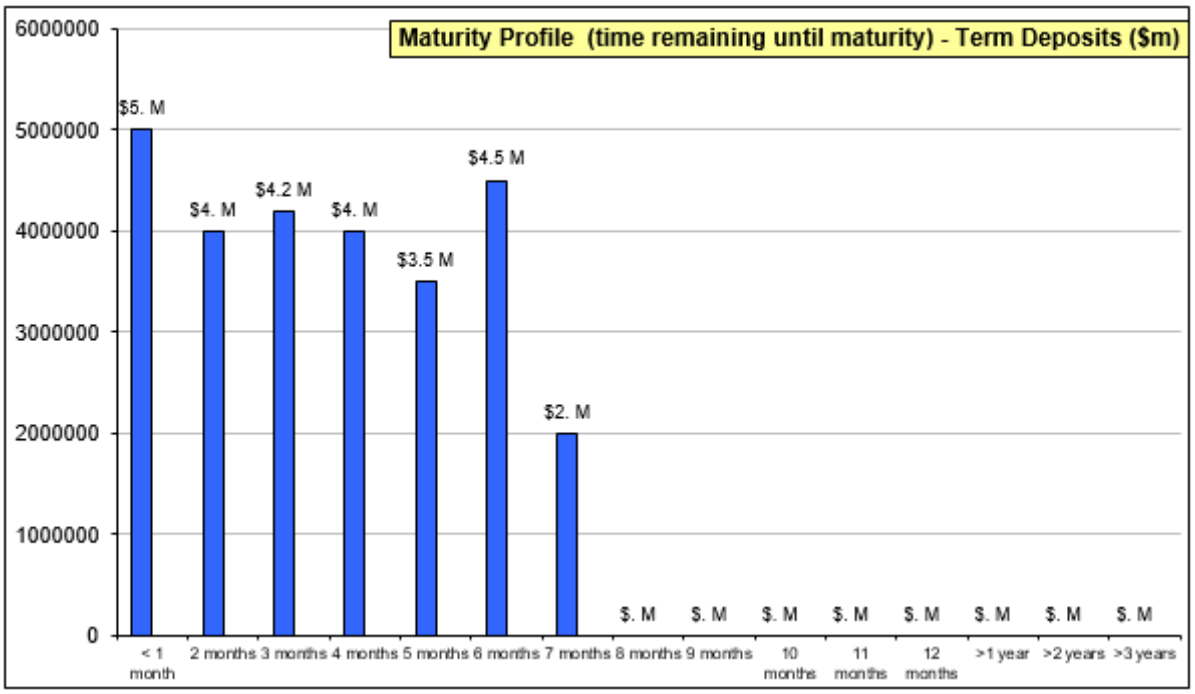
The following chart shows the current distribution of Council's investment portfolio between the authorised financial institutions used. The current distribution of funds between institutions complies with Council's Investment Policy which states:-

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



INVESTMENTS - MATURITY PROFILE AS AT 28 FEBRUARY 2023

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



SUMMARY OF AVAILABLE CASH AT 28 FEBRUARY 2023

TOTAL INVESTMENTS: -	**$**	**27,900,000**

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

General Fund Reserves	$	15,350,735
Water Supply Fund Reserves	$	3,817,938
Sewerage Fund Reserves	$	6,472,215
Domestic Waste Management Fund Reserves	$	2,250,291
Trust Fund Reserves	$	8,821

POLICY IMPACT

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

OPTIONS
Nil

FINANCIAL IMPACT OF RECOMMENDATIONS
Nil

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

ATTACHMENTS

Nil

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

FILE REFERENCE **I23/67**

AUTHOR **Director of Finance and Administration**

ISSUE

Statement of Bank Balance and Reconciliation as at 28 February 2023.

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

BACKGROUND
Nil

REPORT
STATEMENT OF BANK BALANCE & RECONCILIATION

General Ledger Balance brought forward 31 January 2023	952,312.86
Add: Receipts for February 2023	8,557,413.11
	9,509,725.97
Deduct: Payments for February 2023	4,235,833.33
Balance as at 28 February 2023	**5,273,892.64**
Balance as per Bank Statement 28 February 2023	6,032,285.79
Add: Outstanding Deposits	18,696.90
	6,050,982.69
Less: Unpresented Cheques/ EFTs	777,090.05
Balance as at 28 February 2023	**5,273,892.64**

POLICY IMPACT
Nil

OPTIONS
Nil

FINANCIAL IMPACT OF RECOMMENDATIONS
Nil

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

ATTACHMENTS

Nil

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

FILE REFERENCE **I23/68**

AUTHOR **Director of Finance and Administration**

ISSUE

Rates and Charges Outstanding Report to 28 February 2023.

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

BACKGROUND

A Summary report of the Rates and Charges outstanding at 28 February 2023 is detailed.

REPORT

There is an attached report titled “Rate Collection Year 2023” for the 2022/2023 financial year. A comparison of the rates and charges outstanding percentage to previous financial years is highlighted in the below table:-

Description	28/02/2023	28/02/2022	28/02/2021
Total % Rates and Charges Outstanding	22.39%	22.19%	23.82%
Total $ Amount Rates and Charges Outstanding	$3.168million	$2.979million	$3.014million

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

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

ATTACHMENTS

1.⇩	Rate Collection Year - February 2023	Attachment

Rate Collection 2023 Year

Rating Categories	Levy Raised to date	Rates Received to 2 March 2023	Rates Outstanding to 2 March 2023	% Rates Outstanding 2 March 2023
Farmland	5,440,094.54	4,210,351.99	1,229,742.55	**22.61%**
Residential	1,453,045.16	1,073,288.30	379,756.86	**26.14%**
Rural Residential	811,503.49	627,617.84	183,885.65	**22.66%**
Business	604,841.54	517,369.62	87,471.92	**14.46%**
Mining	2,083.54	1,563.49	520.05	**24.96%**
Water	1,117,595.84	834,605.85	282,989.99	**25.32%**
Sewerage	1,795,627.73	1,343,941.01	451,686.72	**25.15%**
Domestic & Comm Waste	1,523,907.48	1,136,009.12	387,898.36	**25.45%**
Rural Waste	824,964.61	637,132.15	187,832.46	**22.77%**
Storm Water	48,965.74	36,028.74	12,937.00	**26.42%**
****Arrears**	528,300.56	431,404.74	96,895.82	**18.34%**
Credits		133,924.77	-133,924.77	
Overall Total Rates	**14,150,930.23**	**10,983,237.62**	**3,167,692.61**	**22.39%**

Prepared by---------- Date---------- 3/3/2023

Authorised by---------- Date---------- 3/3/2023

I:\2022-2023\Rates\Recs\%oust_February 28 - 2023

ITEM 10.5 **Grants Report**

FILE REFERENCE **I23/52**

AUTHOR **Acting General Manager**

ISSUE

This report advises Council of grants available, grant applications in progress, submitted or unsuccessful applications and grant projects funded.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Nil

REPORT

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

A list of grants available and ongoing grants listed on Council's website can be accessed by the following link:

https://www.upperlachlan.nsw.gov.au/community/grants

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

1.⇩	Grants and Projects Council Report February 2023	Attachment

Grants and Projects Report to Council -February 2023

Grant Applications in progress

Grantee	Due or Submitted	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Veolia	22-Feb-23	Lin Cooper Sport Amenities Upgrade			$ 100,000	$ 100,000	$ 100,000	Application lodged
Disaster Ready Fund - Round 1	14-Feb-23	Upper LachlanShire LGA Total Flood Warning Systems - Crookwell, Taralga, Gunning and Collector			$ 250,000	$ 250,000	$ 250,000	Application lodged
	14-Feb-23	Gunning Flood Mitigation Works	$ 350,000		$ 2,400,000	$ 2,750,000	$ 2,750,000	Application lodged
Community Heritage Grants	2-Dec-22	ULSC Oral Aboriginal History Project	$ -	$ -	$ 50,000	$ 50,000	$ 50,000	Application lodged
Strong and Resilient Communities (SARC) Activity – Inclusive Communities	3-Nov-22	Youth Engagement Officer and Project Funding	$ -	$ -	$ 360,000	$ 360,000	$ 360,000	Application lodged
Fixing Country Roads Round 6	14-Oct-22	Peelwood Road (co funded by Heavy vehicle safety and productivity program)	$ 60,000	$ 432,000	$ 650,180	$ 1,142,180	$ 1,142,180	Application successful
	14-Oct-22	Wheeo Road (co funded by Heavy vehicle safety and productivity program)	$ 85,000	$ 573,288	$ 797,012	$ 1,455,300	$ 1,455,300	Application successful
Fixing Local Roads - Round 4 - Region South	9-Sep-22	Back Arm and Golspie Road	$ 29,799	$ -	$ 1,191,942	$ 1,221,741	$ 1,221,741	Application unsuccessful
		Breadalbane Road	$ 150,857	$ -	$ 1,005,712	$ 1,156,568	$ 1,156,568	Application successful
		Wheeo Road	$ -	$ -	$ 2,332,962	$ 2,332,962	$ 2,332,962	Application unsuccessful
		Reids Flat Rd & Foggs Crossing Rd	$ -	$ -	$ 896,382	$ 896,382	$ 896,382	Application unsuccessful
		Greenmantle Road, Salisbury Road & Hollow Mount Road	$ 33,155	$ -	$ 1,326,188	$ 1,359,343	$ 1,359,343	Application unsuccessful
		Collector Road	$ 30,140	$ -	$ 1,205,587	$ 1,235,726	$ 1,235,726	Application unsuccessful
Regional Airport Program Round 3	17-May-22	Safety Upgrade Crookwell Aerodrome: smoothing ruts on airstrip, laying gravel base and sealing access road and pads for hangar construction and fencing	$ 124,000	$ -	$ 124,000	$ 248,000	$ 248,000	Application successful. RFQ in progress
Local Roads and Community Infrastructure Phase 4	10-May-22	Council's Contribution for MAAC Stage 2 Heated Pool, Running/Walking Track and Exercise Bikes		$ -	$ 1,203,040	$ 1,203,040	$ 1,203,040	Successful
Remote Roads Upgrade Pilot Program	2-Mar-22	Kangaloolah Road Upgrade Binda	$ 500,000	$ -	$ 7,832,500	$ -	$ 7,832,500	Application lodged
		Rugby Road Upgrade Crookwell	$ 400,000	$ -	$ 7,366,000	$ -	$ 7,366,000	
		Foggs Crossing Upgrade Bigga	$ 435,750	$ -	$ 8,090,250	$ -	$ 8,090,250	
		Greenmantle Road Upgrade Bigga	$ 492,600	$ -	$ 9,359,400	$ -	$ 9,359,400	

Grant Projects Funded

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment/Progress
Fixing Local Roads Pothole Repair Program round 2 (Regional and Local Roads Repair Program	11-Jan-23	Pothole Repair in the Shire between 1 December 2022 and 1 January 2024			$ 3,482,373	$ 3,482,373	$ 3,482,373	Application successful
Female Friendly Sports Facilities	23-Nov-22	Female Friendly and Safe Gunning Pool Change Facilities and Amenities	$ 15,000	$ -	$ 500,000	$ 515,000	$ 515,000	Application Successful
Creative Capital Grant	8-Aug-22	Gunning Shire Hall Rejuvenation	$ 12,299	$ 2,000	$ 92,623	$ 106,922	$ 106,922	Application Successful
Heritage NSW Grants	2-Dec-22	Local Heritage Advisor, Local Government Heritage Grants	$ -	$ -	$ 25,000	$ 25,000	$ 25,000	Application Successful
Fixing Local Roads Pothole Repair Program Round 1	8-Nov-22	Pothole Repair in the Shire between 1 December 2022 and 1 January 2024	$ -	$ -	$ 655,884	$ 655,884	$ 655,884	Application Successful
Summer Holiday Break Program	21-Oct-22	Upper Lachlan Summer Holiday Program January 2023 - Dauntless workshops and performance for Multi Sport Come and Try Day 21 Jan and Inflatable Water Park 14 Jan	$ -	$ -	$ 15,000	$ 15,000	$ 15,000	Acquittal complete
Australia Day Grant	19-Nov-22	Upper Lachlan Shire Australia Day 2023 Celebrations - 26 January 2023	$ 2,000	$ -	$ 18,020	$ 20,020	$ 20,020	Application Successful, event executed. Milestones report will be prepared for submission in the coming weeks.
Stronger Country Communities Fund (Round 5)	23-Sep-22	Program 1 Sustainable fit out for Crookwell Multi Aquatic Activity Centre - includes solar	$ -	$ -	$ 829,915	$ 829,915	$ 829,915	Application Successful
Crown Reserves Improvement Fund	3-Jun-22	Power Upgrade Gunning Showground	$ 39,350	$ -	$ 203,860	$ 243,210	$ 243,210	Application Successful
Regional Reconnecting Grant	15-Jul-22	Upper Lachlan Christmas Fair 3 December 2022. Multi Sport Come and Try Day 21 January 2023. Other events TBC	$ -	$ -	$ 239,000	$ 239,000	$ 239,000	Application Successful
2022/23 Walking & Cycling Program	28-Feb-22	Gunning Saxby & Warrataw Street Footpath	$ -	$ -	$ 150,000	$ -	$ 150,000	Works awarded, scheduled to be completed by the end of March 2023
		Crookwell Carrington & Northcott Street Footpath	$ -	$ -	$ 185,000	$ -	$ 185,000	Application successful. Design complete, works to be delivered by Council crews.
Regional Road Repair Program	29-Apr-22	MR248 Laggan Road. Widen shoulder 1m both side, 200mm overlay total width, Lime stabilization for soft patches, pipe culvert extension and replacement, installation of traffic signage and guide post, double coat of bitumen sealing, line marking	$ 332,000	$ -	$ 332,000	$ 664,000	$ 664,000	Application successful. Survey works complete, design in progress. Work to start late March..
Road Safety Program, School Zone Infrastructure Sub Program	21-Mar-22	Various Roads - Upper Lachlan - Dragons Teeth, patches and signs.	$ -	$ -	$ 263,300	$ 263,000	$ 263,000	Signage works are complete, line marking scheduled for March 2023

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment/Progress
Department of Industry, Science and Resources	13-Oct-22	Wombeyan Caves Road - Slope Stabilisation	$ -	$ -	$ 350,000	$ 350,000	$ 350,000	Project delayed due to NPWS project at the caves, anticipated project start is March 2023 and completion by July 2023 pending additional funding due to additional scope and price escalations
Transport NSW (TfNSW)	13-Oct-22		$ -	$ -	$ 350,000	$ 350,000	$ 350,000	
Regional Youth Spring Holiday Break	29-Jul-22	Spring Holiday program gymnastics and parkour workshops and live performance by Dauntless Movement Crew at Multi-Sport Come and Try Day 8th October	$ -	$ -	$ 7,000	$ 7,000	$ 7,000	Acquittals complete
Multi Sport Community Facility Fund	25-Feb-22	MAAC Stage 2 Heated Pool, Running/Walking Track and Exercise Bikes	$ 1,188,366	$ -	$ 1,188,366	$ -	$ 2,376,732	Project commenced. Slab has been poured and walls formed. Exercise bikes purchased.
NSW Planning Portal API Grant Program	9-Jun-22	ULSC Planning portal API augmentation. Integrating documents submitted over the planning portal into Council's records management system	$ -	$ -	$ 80,000	$ 80,000	$ 80,000	Project progressing
Regional Sports Events Fund	29-Apr-22	Upper Lachlan Multi Sport Come and Try Day - Lin Cooper & Todkill Park Reserve - Saturday 21 January 2023	$ -	$ -	$ 10,000	$ 10,000	$ 10,000	Acquittals complete
Youth Week	31-May-22	Upper Lachlan Shire Winter Youth Program	$ -	$ -	$ 3,300	$ 3,300	$ 3,300	Acquittals complete
Youth Holiday Break Program	20-May-22	Upper Lachlan Shire Winter Youth Program	$ -	$ -	$ 7,000	$ 7,000	$ 7,000	
Open Space Program - Places to Play	4-Mar-22	Wattle Glen Adventure Park Grabben Gullen	$ -	$ -	$ 500,000	$ -	$ 500,000	MOU being finalised. Common Ground Trails contract prepared and with landowner to sign. DA to be done.
Psychosocial Community Grants	24-Apr-22	Staff Wellbeing Program	$ -	$ -	$ 24,300	$ 24,300	$ 24,300	Partway complete with MHFA training of 19 ULSC coordinators/managers/directors. Survey developed to review 'how it is going' to be delivered in January 2023, then next phase of the program tailored to address any glaring issues.
Saluting Their Service Commemorations Grants	10-Apr-22	Breadalbane Hall Anzac - Breadalbane Hall 355 Committee commemorative flags.	$ -	$ -	$ 2,332	$ 2,332	$ 2,332	Project Completed May 2022.
NSW State Library's Public Library Infrastructure Grant	22-Oct-21	Upper Lachlan Shire Libraries Building Upgrade	$ -	$ -	$ 189,564	$ 189,564	$ 189,564	Flooring installation booked. Revising shelving quotes for final layout. Pre-refurbishment survey completed.
Preparing Australian Communities Local Stream	6-Jan-22	Upgrade to Crookwell Emergency Operations Centre	$ 20,920	$ -	$ 67,480	$ 88,400	$ 88,400	New location for EOC identified: Council Chambers, with Break out space in the Emily Chalker Building. EOC Audit of new location underway. Variation requested.

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment/Progress
Black Summer Bushfire Recovery Grant	6-Oct-21	Taralga Dam: Preliminary assessments and design	$ 20,000	$ -	$ 875,000	$ 895,000	$ 895,000	Scope of works for the project complete. Tender prepared and awarded. Preliminary study to qualify location has been complete. Investigations and Assessments to commence shortly. Land evaluation has been ordered and paid for and we are awaiting a report.
Local Roads & Community Infrastructure Grant Phase 3	5-Oct-21	Stage 2 MAAC Multi Purpose Aquatic and Activity Centre: Toddlers pool and amenities	$ 1,200,000	$ -	$ 1,200,000	$ 2,400,000	$ 2,400,000	Detail excavation, stormwater works and in-ground hydraulic works have been completed
		Stormwater in North St, Gordon St, Soudan Rd, Wolseley Rd in Crookwell and Warrataw and Yass St in Gunning	$ -	$ -	$ 650,000	$ 650,000	$ 650,000	Crookwell stormwater is now complete. Gunning stormwater project is in preliminary investigation stage. Council is assessing the level of protection that can be provided within the current budget allowance.
		Gravel re-sheeting Boiler Hill Reid Flat Road	$ -	$ -	$ 550,000	$ 550,000	$ 550,000	Works will commence Feb/Mar 2023
Regional Sport Facilities Fund (Round 2) (Including Stronger Country Communities)	8-Oct-21	Lin Cooper Sport Amenities Upgrade	$ 20,000	$ -	$ 978,601	$ 998,601	$ 998,601	Tender documentation (EOI) went out in June 2022. Supplier chosen, response to EOI and award of contract in progress. Final Design complete.
Veolia Mulwaree Trust	15.09.21	Equipment for Coleman Park Inclusive Play space	$ -	$ -	$ 50,000	$ 50,000	$ 50,000	Playground Concept design complete. Contract awarded to ModuPlay. Final design to be approved. Variation requested new project end date 30 June 2023
Council Litter Prevention Grant	8-Nov-21	Just Bin it - Big Belly bins and cigarette bins in Crookwell, Taralga and Gunning	$ 2,500	$ -	$ 57,217	$ 59,717	$ 59,717	The 4th bin will be located at Matts Bakery and is booked to be installed. Council held a stall in Crookwell to raise awareness of the EPA don't be a tosser campaign handing out merchandise. Gunning will be the next stall.
Creative Capital Grant	11-Apr-22	Gunning Picture House Gallery Roof Restoration	$ 5,150	$ 11,000	$ 498,522	$ 514,672	$ 514,672	Preparing tender documents. Will go out to tender in March 2023.
	26-Oct-21	Gunning Court Room upgrade	$ -	$ 10,000	$ 65,559	$ 75,559	$ 75,559	Equipment purchased. Grand Piano Performance and Opening Day was successful. Currently arranging materials & handrail contractor for disability ramp/stairs construction. Scheduled to commence in the new year.
Fixing Local Roads Round 3	16-Jul-21	Mulgowrie	$ 75,000	$ -	$ 925,000	$ 1,000,000	$ 1,000,000	Commenced September 2022. Project on schedule.
		Julong Road						95% Complete. Bitumen sealing two steep hill sections to be carried out before end of 2022. Project on schedule.
		Middle Arm Roads						Commenced September 2022. Project on schedule.

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment/Progress
School Zone Infrastructure		School zones in Crookwell, Collector, Gunning and Taralga		$ -	$ 500,000		$ 500,000	Works complete
Integrated Water Cycle Management	9-Jun-21	Delivery of an Integrated Water Cycle Management (IWCM) Strategy for Upper Lachlan Shire Council.	$ -				$ 349,096	The IWCM Project has commenced. Delivery of IWCM Strategy - Re-evaluating Taralga Secure Yield to incorporate bore water production. The issues paper was presented to Council on the 24th January.
Bushfire Local Economic Recovery Fund (BLERF)	28-Jan-21	Visitors Information Centre	$ 150,000	$ -	$ 2,462,947	$ 2,612,947	$ 2,612,947	All in ground hydraulics and stormwater has been completed for the building. All reinforcement and formwork has been completed and the slab has now been poured. This includes all the structural steel cast-ins. The slab will now sit to be cured and then the structural steel will be installed.
Regional Connectivity Program	17-Nov-20	Upper Lachlan Rural Connectivity Solution	$ 15,000	$ 90,000	$ 298,405	$ 403,405	$ 403,405	Contribution to Regional Connectivity Program - 2 sites to go. Delay due to negotiating the final 2 positions. Will be completed by end of April 2023
Everyone Can Play	3-Nov-20	Coleman Park Inclusive Play Space	$ 150,000	$ 150,000	$ 300,000	$ 600,000	$ 600,000	Final design complete. Equipment ordered. Expected delivery April 2023
Crown Reserves Improvement Fund	8-Jul-20	Crookwell Caravan Park Improvements	$ 30,000	$ -	$ 117,818	$ 147,818	$ 147,818	Project almost complete, solar lights installed, new electrical and water reticulation, drainage, bins and footings for lights complete. CCTV ordered, and will be installed once it arrives. Variation sought to use surplus funds on further security improvements
Local Roads and Community Infrastructure Grant - Phase 1	1-Jul-20	Multipurpose Aquatic and Activity Centre Stage 1 (25m pool and demolition); In addition Coleman Park Playground $150,000	$ 770,000		$ 1,203,040	$ 2,836,918	$ 2,836,918	Demolition completed. Constructed the new concrete outdoor pool. Delivery of all myrtha pool system equipment. Now commencing the pool installation. Balance tank floor slab has been poured and we have commenced construction of the walls.
Local Roads and Community Infrastructure Grant - Phase 2	7-Oct-20				$ 863,878			
Bushfire Community Recovery and Resilience Fund (BCRRF)	26-Oct-20	Upper Lachlan Rural Connectivity Solution	$ -	$ -	$ 75,000	$ 75,000	$ 75,000	Contribution to Regional Connectivity Program - 2 sites to go. Delay due to negotiating the final 2 positions. Will be completed by end of April 2023

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment/Progress
Fixing Local Roads - Phase 2	11-Dec-20	Various Reseals - Cullerin, Bigga, Fullerton, Jerrawa, Peelwood, Collector, Roslyn Roads.	$ 228,016	$ -	$ 4,332,280	$ 4,560,296	$ 4,560,296	Peelwood , Fullerton, Jerrawa and Collector are completed. Bigga & Cullerin re-scoped and out for tender
Heavy Vehicle Safety and Productivity Program Round 7	29-May-20	Peelwood road Upgrade 3km	$ 60,000	$ 650,180	$ 432,100	$ 1,142,280	$ 1,142,280	Delay due to wet weather. Commencement in August. Project extension might be required if the current inclement weather continues.
Heavy Vehicle Safety and Productivity Program Round 7	29-May-20	Wheeo Road Upgrade 5km	$ 85,000	$ 797,012	$ 573,288	$ 1,455,300	$ 1,455,300	Delay due to wet weather. Commenced in September. Project extension might be required if the current inclement weather continues.
Bridges Renewal Program Round 5	29-May-20	Crookwell River Bridge - Julong			$ 768,600			Construction underway. Latent site conditions encountered . Completion of works projected for May 2023
Fixing Country Bridges	9-Oct-20		$ 76,860	$ -	$ 691,740	$ 1,537,200	$ 1,537,200	
Bridges Renewal Program Round 5	29-May-20	Burra Burra Creek Bridge - Blue Hill Road			$ 479,726			Construction underway. First concrete pour of the new bridge complete. Completion of works projected for February 2023
Fixing Country Bridges	9-Oct-20		$ 47,973	$ -	$ 431,753	$ 959,452	$ 959,452	
Bridges Renewal Program Round 5	29-May-20	Peelwood Creek Bridge - Cooksvale Rd			$ 552,614			New construction works complete, demolition of existing bridge outstanding
Fixing Country Bridges	9-Oct-20		$ 55,262	$ -	$ 497,352	$ 1,105,228	$ 1,105,228	
Showground Stimulus Funding Program Tranche 2 19/20	25-Apr-20	Gunning Showground Amenities Fit out	$ -	$ -	$ 37,400	$ 37,400	$ 37,400	Tender under review, EOT request likely
Country Passenger Transport Infrastructure Grant	27-Aug-19	Gunning and Dalton Bus Stops	$ 20,000	$ -	$ 22,000	$ 42,000	$ 42,000	Project Progressing
Fixing Local Roads	2-Dec-19	Collector Road Upgrade 3km	$ 495,300	$ -	$ 1,485,900	$ 1,981,200	$ 1,981,200	We've received advice from TfNSW to undertake additional heavy patching on Collector Road, works have been tendered and will be completed in the new year
Stronger Country Communities Fund (Round 3)	18-Sep-19	Gunning Showground Amenities Construction	$ 50,000	$ -	$ 672,747	$ 722,747	$ 722,747	Tenders under review, EOT request likely
Regional Growth Growing Local Economies Fund	5-Jul-18	Grabine Road Upgrade	$ 200,000	$ -	$ 3,300,000	$ 3,500,000	$ 3,500,000	Due to severe wet weather, culvert installation delayed – Request for time extension submitted to funder agency until 31 March 2023
Streets as Shared Spaces	10-Jun-20	Share R Streets	$ 3,000	$ -	$ 99,700	$ 102,700	$ 102,700	Project Completed. Acquittal to be done
		Laggan and Taralga Shared Streets	$ 3,000	$ -	$ 115,885	$ 118,885	$ 118,885	
Drought Communities Programme	21-Jan-20	Peelwood Bridge Replacement	$ 731,016	$ -	$ 1,000,000	$ 1,731,016	$ 1,731,016	Bridge components have been delivered onsite. Completion of works projected for February 2023
		PAMP - (Pedestrian Access Mobility Projects)						

Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment/Progress
Growing Local Economies Fund	2019	Tablelands Way	$ 329,215	$ -	$ 6,255,079	$ 6,584,294	$ 6,584,294	Bridge Design 100% complete, Issues with road design triggered redesign, tender documents 80% complete

ITEM 10.6 **Action Summary - Council Decisions**

FILE REFERENCE **I23/51**

AUTHOR **Acting General Manager**

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

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

BACKGROUND

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

REPORT

Summary sheet from the:-

Council Meeting: 21 April 2022

84/22	1.	That the Upper Lachlan Shire Council move to reinstitute a Youth Council committee."	GM	Policy to be reviewed and A further meeting be convened with relevant councillors
88/22	1.	The General Manager provides a report to Council at the June 2022 meeting detailing a path forward for council to explore the economic development opportunities and the creation of independent income streams."	GM	Workshop held in September 2022. Draft REDS to be adopted & surveys to be completed by councillors prior to the development of the new ED strategy

Council Meeting: 16 June 2022

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

Council Meeting: 18 August 2022

182/22	1. Item 11.1 Adoption of Upper Lachlan Shire Heritage Review be deferred to a future Council meeting.	DEP	To come back to future Council meeting following workshop.

Council Meeting: 20 October 2022

229/22	1. Council resolve to close as public road the Council roads located shown as Lot 1 DP 1224882 and Lot 2 DP 1224882 in the vicinity of Laggan Road. 2. Council resolve that upon closure, Council transfer the closed roads to the adjoining owner as compensation for land acquired for road opening on Laggan Road	DOI	Referred back to RJ McCarthy & Co to action.
230/22	1. Council resolve to close as public road the Council roads located on the eastern boundary of Lot 1 DP 563054 and northern boundary of Lot 129 DP 750014 in the vicinity of Gibraltar Road. 2. Council resolve that upon closure, Council transfer the closed roads to the adjoining owner as compensation for land acquired for road opening on Gibraltar Road.	DOI	Letters sent to key stakeholders February 20 2023

Council Meeting: 16 December 2022

272/22	1. 'Farm stay accommodation' be removed from the 'permitted with consent' section of the Upper Lachlan Local Environmental Plan land use tables applicable to the RU5 Village and R5 Large Lot Residential zones; and 1. 'Agritourism' be removed from the 'permitted with consent' section of the Upper Lachlan Local Environmental Plan land use tables applicable to RU5 Village and R5 Large Lot Residential zones.	DEP	Department of Planning and Environment informed of resolution and changes expected to be implemented by DPE by March 2023.

Council Meeting: 16 February 2023

16/23	1. That Council review Model Media Policy after workshop within the next three months.	GM	Workshop to be scheduled in next three months.
19/23	1. Council adopt the amended Upper Lachlan Local Strategic Planning Statement as attached. 2. The amended Local Strategic Planning Statement be uploaded to the NSW Planning Portal and a copy forwarded onto the office of the Department of Planning – Southern Region. 3. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.	DEP	NSW Planning informed, next steps taken.
20/33	1. That the matter Item 11.2 Modification Of DA89/2017.2 24 Reservoir Road, Crookwell be deferred to a future Council Meeting.	DEP	DA to come back to future Council meeting.
21/33	1. Council allocate $120,760 held from Internal Restricted Reserve Uncompleted Carry Over Works for alterations to the workshop building at the Crookwell Depot. 2. Council source the remaining $54,240 of funding being requested, these funds will be utilised from Council's unrestricted cash. 3. Council discontinue potential sale of Crookwell Depot at this time.	DOI	Contractor has been engaged to complete these works.
22/23	1. Subject to a formal quotation process Council allocate money from Council's Building Reserve to develop a design and cost estimate for improvements to Council's Crookwell Depot.	DOI	Suitable Contractors being contacted for quotations.
23/23	1. Council endorse the 2nd Quarter Budget Review Statements for 2022/2023 including revotes of income and expenditure to the Operational Plan; and 2. Council endorses the Operational Plan Performance Summary Report.	DFA	Actioned on 24 February 2023. Revotes updated in Civica Authority system.
24/23	1. Council adopt the Delivery Program Review for the six month period ended 31 December 2022.	DFA	Actioned

25/23	1. Council adopts the Child Safety and Wellbeing Policy. 2. Council endorses the organisation's Commitment to Child Safety Statement.	EA/GM	Policy published on Council website on 16 February 2023. ULSC Commitment to Child Safety statement signed by GM and Mayor and distributed to staff / Council website on 20 February 2023.
27/23	1. Council write to Breadalbane Hall S355 Committee accepting the newly appointed committee members Sylvie Hayles, Gayle White, Sally Hoskins, Christine McLean, Vanessa Edwards, Cr John Searl (Clr representative), Sally McLean, Karen Lyn, Jan Weir, Rod Edwards and Libby Webster.	EA/GM	Letter sent to Breadalbane Hall S355 Committee accepting new members on 16 February 2023.
30/23	1. That Council make an application to the Supreme Court for an order to rescind the sale of land contract to Crookwell Taralga Aged Care Limited being Lot 3 DP 1112816, Laggan Road Crookwell.	DFA/GM	Council solicitors have been instructed to proceed with application to Court.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

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

ATTACHMENTS

Nil

11 ENVIRONMENT AND PLANNING

The following items are submitted for consideration -

11.1	Review of Pesticide/Herbicide Use Notification Policy	62
11.2	Amendment to the Upper Lachlan Shire Council Local Strategic Planning Statement	79
11.3	Creation of an easement for access - Lot 21 Section 20 DP759000, 30 Bathurst Street, Tuena	114

ITEM 11.1 **Review of Pesticide/Herbicide Use Notification Policy**

FILE REFERENCE **I23/26**

AUTHOR **Director of Environment and Planning**

ISSUE

A review of the Pesticide Use Notification Policy.

RECOMMENDATION That -
1. Council adopts the reviewed Pesticide/Herbicide Use Notification Policy.

BACKGROUND

Nil

REPORT

This report details the review of Pesticide/Herbicide Use Notification Policy. The Policy is attached with amendments highlighted in yellow for Council's review.

POLICY IMPACT

This is a review of an existing policy of Council.

OPTIONS

Nil

VARIATION

Council reserves the right to vary or revoke this policy.

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -
1. Council adopts the reviewed Pesticide/Herbicide Use Notification Policy.

ATTACHMENTS

1.⇩	Pesticide-Herbicide Use Notification Policy - Date Adopted 16 March 2023 Resolution XX - 23 Review 2026	Attachment

POLICY:-	
Policy Title:	Pesticide/Herbicide Use Notification Policy
File reference:	F11/135
Date Policy was adopted by Council initially:	14 December 2006
Resolution Number:	398/06
Other Review Dates:	21 July 2011, 19 September 2019
Resolution Number:	246/11, 245/19
Current Policy adopted by Council:	16 March 2023
Resolution Number:	XX/23
Next Policy Review Date:	2026
PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed;	
Procedure/guideline reference number:	
RESPONSIBILITY:-	
Draft Policy Developed by:	Director Environment and Planning
Committee/s (if any) consulted in the development of this policy:	Nil
Responsibility for implementation:	Director Environment and Planning
Responsibility for review of Policy:	Director Environment and Planning

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PESTICIDE/HERBICIDE USE NOTIFICATION PLAN

1. INTRODUCTION

This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation 2017 (the Regulation). The plan sets out how Upper Lachlan Shire Council will notify members of the community of the pesticide applications it makes or allows to be made to public places that it owns or controls.

The aim of this plan is to meet the community's general right to know about pesticide/herbicide applications made to outdoor public places that are owned or controlled by public authorities. The plan allows members of the community to take action to avoid contact with pesticides, if they wish. Council ensures that pesticides are applied to public places in a safe, responsible manner, minimising harm to the community or the environment.

The plan describes:

- What public places are covered by the plan
- Who regularly uses these public places and an estimate of the level of use
- How and when Council will provide the community with information about its pesticide applications in public places (i.e. what notification arrangements will be used)
- How the community can access this plan and get more information about Council's notification arrangements
- How future reviews of the plan will be conducted
- Contact details for anyone wishing to discuss this plan with Council.
- Allocation of chemical.

This plan states that Council only uses pesticides and herbicides in public places when necessary to eliminate weeds, to protect public property from pest damage and to protect the users of public places from nuisance or danger and for the beautification and maintenance of parks and reserves as well as for safety maintenance e.g., road side growth control.

The majority of pesticide and herbicide use consists of herbicides for weed management and in parks and gardens maintenance. A small proportion of pesticide is used to control and manage insect infestations.

Where council uses small quantities of pesticides that are available from retail outlets and are ordinarily used for domestic purposes, Council does not intend to provide notice for such pesticide applications other than those that have been described in this plan. This will apply to minor control of indoor and outdoor insect pests using baits or aerosol cans and spot weed control using a hand-held spray bottle.

Council will not provide pesticide/herbicide to members of public for use. When necessary, council will provide pesticide/herbicide to contractors who are working for Upper Lachlan Shire Council. The quantities will be recorded for reference.

Further information on pesticide use can be obtained by contacting the Upper Lachlan Shire Council Environment and Planning Department on 4830 1000

2. PUBLIC PLACES COVERED BY THIS PLAN

Upper Lachlan Shire proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls:

- Public gardens
- Public parks, playgrounds and memorials
- Picnic areas
- Sporting fields and ovals
- Road verges and reserves
- Laneways and pathways
- Drains
- Golf courses
- Camping grounds and caravan parks
- Undeveloped reserves
- Swimming pools
- Cemeteries
- Tips
- Council administration buildings
- Council depots
- Council pounds
- Councils water and sewerage treatment works
- Street trees and gardens on nature strips
- Airfields
- Public Lands managed by Councils 355 Committees

This plan only covers regions within Upper Lachlan Shire Council *Appendix 1.*

Upper Lachlan Shire's estimate of the level of community use, regular user groups and types of pesticide use in each of these categories of public places are summarised in the following table.

Public places	Regular user groups	Level of use of public place	Type of pesticide/herbicide use
Public gardens	Day visitors including children and families; employees and contractors	High use area	Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale nonselective herbicides Broadscale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control Fungicide

Public places	Regular user groups	Level of use of public place	Type of pesticide/herbicide use
Public parks, playgrounds and memorials	Day visitors including Children and families; employees and contractors	Variable – low in remote areas but often high in or near urban areas	Spot Herbicide Spot Insecticide Broad scale selective herbicide
Picnic areas	Day visitors including children and families; Employees and contractors	Variable – low in remote areas but often high in or near urban areas	Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale nonselective herbicides Broadscale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control Fungicide
Sporting fields and ovals	Sporting clubs and associations School sports groups General recreational users (e.g.joggers, dogwalkers) Council Employees and contractors	Seasonal – medium to high during relevant sporting season	Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale nonselective herbicides Broadscale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control Fungicide
Road verges and reserves	Recreational users, motorists, employees and contractors, farmers with stock movements	Variable – low in remote areas but often high near urban areas	Spot herbicides Spot insecticides Broad scale selective herbicides Broad scale nonselective herbicides Broad scale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control
Laneways and pathways	Recreational users, motorists, Trades and business personal employees and contractors,	Variable low – to high depending on town and location	Spot herbicides Spot insecticides Broad scale selective herbicides Broad scale nonselective

Public places	Regular user groups	Level of use of public place	Type of pesticide/herbicide use
	farmers with stock movements		herbicides Broad scale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control
Drains	Employees, contractors, recreational walkers	Low	Spot herbicides Spot insecticides Broad scale selective herbicides Broad scale nonselective herbicides Broad scale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control
Golf courses (owned or controlled by Council)	Club members, recreational users and grounds staff	High use area on competition days low to medium use for the rest of the week	Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale nonselective herbicides Broadscale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control Fungicide
Camping grounds and Caravan parks(owned or Controlled by Council)	Individuals or groups staying for varying periods (days to weeks), employees and contractors	Variable and Seasonal i.e. low to very high use	Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale nonselective herbicides Broadscale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control Fungicide

Public places	Regular user groups	Level of use of public place	Type of pesticide/herbicide use
Undeveloped Reserves	Local residents , visitors, Council employees	Low	Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale nonselective herbicides Broadscale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control Fungicide
Swimming pool Buildings and grounds	Day visitors including Families, children, teenagers; employees and contractors	Variable and seasonal i.e. low to very high use	Spot Herbicide Spot Insecticide Broad scale selective Herbicide
Cemeteries	Day visitors including children and families; employees and contractors	Medium	Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale nonselective herbicides Broadscale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control Fungicide
Council Tips and Transfer Stations	General Public; employees and contractors	High use area	Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale nonselective herbicides Broadscale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control Fungicide

Public places	Regular user groups	Level of use of public place	Type of pesticide/herbicide use
External gardens at Council administration buildings	Day visitors including Shire residents, visitors; employees and contractors	High use area	Spot Herbicide Spot Insecticide Broad scale selective herbicide
Council depots	employees and contractors	Low	Spot Herbicide Spot Insecticide Broad scale selective herbicide
Council pounds	Staff and residents picking up animals	Low	Spot Herbicide Spot Insecticide Broad scale selective herbicide
Councils Water and sewerage treatment works	Council Staff and contractors School group excursions	Low	Spot Herbicide Spot Insecticide Broad scale selective herbicide
Street trees and gardens on nature strips	Local residents or visitors walking or driving on the road	Variable, depending on town and location	Spot Herbicide Spot Insecticide Broad scale selective herbicide Fungicide
Airfields	Aviators Visitors Emergency Services personnel Ground maintenance staff	Low	Spot herbicides Spot insecticides Broad scale selective herbicides Broad scale nonselective herbicides Broad scale insecticides Spray termiticides, wasps & ant control Bait termiticides, ant control Bait rabbit, bird control
Public Lands managed by Councils 355 Committees	Visitors local residents, Council employees	Variable low to high depending on town and location	Spot Herbicide Spot Insecticide Broad scale selective herbicide Fungicide

3. NOTIFICATION ARRANGEMENTS

Upper Lachlan Shire Council will provide notification to the public of pesticide/herbicide use in public places. This notification will involve the advertisements of Council's programs in local newspapers and newsletters and the placement of signage at and around the sites of application.

- **Advertisements**

Advertisements will be placed in appropriate newspapers and newsletters within the local area, advising of the approximate timing and purpose of programs and also providing a contact person and contact phone number where further information can be obtained or objections registered.

- **Signage**

Appropriate signage is to be displayed at the application site and also where practicable at sites to provide advance warning of the application site. These signs will provide information on the purpose of the application and the pesticide being used. The signs will include a contact person and contact phone number where further information can be obtained.

These notification arrangements are based on Council's assessment of;

- The level of use of the public place to be treated with pesticides
- Activities that could lead to direct contact with pesticides
- Type of pesticide used
- Signage at the application site

Notice of pesticide/herbicide use will be provided by one or more of the following;

- Signage
- Advertisement in the local newspaper
- Information at Council administration buildings during business hours
- Door-knocking in emergency situations

The notification arrangements described below will apply to the following areas owned or controlled by Council;

- Public gardens
- Parks and playgrounds
- Picnic areas
- Sporting fields and ovals
- Swimming pools
- Sports stadium
- Cemeteries
- Shire Chambers

- Public lands managed by Councils 355 Committees

In these public areas information provided to the general public will be by signage and articles in local newspapers twice yearly which will specify the details of the proposed program. Signage will be in place during the application and persist for 24 hours after application of the following:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Broadscale fungicides

No notification will be given for the use of glyphosphate (roundup) other that the erection of signage for the duration of the application. Application will be means suitable for the area. This will be at the discretion of the spray operator.

Sporting associations or other user groups that express an interest in the sporting fields and ovals, will be given 48 hours notification before application by email or other method such as telephone.

The notification arrangements described below will apply to the following areas owned or controlled by Council;

- Road verges and reserves
- Laneways and pathways
- Aerodrome
- Crown reserves controlled by Council
- Street Trees on Nature Strips
- Council Tips

For these public places, information about Councils work program for broadscale herbicide and insecticide application will be placed twice per year in the local newspapers, as broadscale application of herbicide and insecticide only occurs at appropriate times of the year.

- **Road verges and laneways**

It is recognised that the application of pesticides on roadsides and laneways is normally a mobile operation travelling substantial distances during programs and in Upper Lachlan Shire this is regularly conducted in remote areas. During these programs signage as described in the Notification Arrangements will be located on the mobile spray unit and the advance warning signage will either be located on an escort vehicle or on the roadside where practicable.

- **Emergency Pesticide Application**

For emergency application of pesticides in public areas for dangerous insects, locusts and rodents that pose an immediate danger or threat, Council will, where possible, post signs in the vicinity of the application.

- **Public places and pesticide uses where Council will not provide any notification**

Remote laneways or roads where spot application of herbicides is required to control weeds, no notification will be required.

- **Pesticide Application Contractors and Lessees of Public Places**

Where contractors are used by Council to apply pesticides**/**herbicides, Council will ensure notification is made in accordance with the notification requirements of this plan. Council requires the contractors to erect signage in accordance with the Pesticide**/**Herbicide Notification Plan.

Where persons or organisations hold an existing lease on Council land that remains a public place and if they use pesticides**/**herbicides on this land, Council will request notification in accordance with the requirements of this plan. Council will not notify on their behalf. Council will request that signs will be erected by the organisations or persons holding the lease in accordance with this Pesticide Use Notification Plan.

4. SPECIAL MEASURES FOR SENSITIVE PLACES

Pesticides Regulation 2017 defines a sensitive place to be any:

- School or pre-school
- Kindergarten
- Childcare centre
- Hospital
- Community health centre
- Nursing home
- A place declared to be a sensitive place by the Environment Protection Authority (EPA).

For non-emergency reactive pesticide**/**herbicide use in outdoor public places next to sensitive places, Council will provide concurrent notice shortly before use to the occupier by phone, email, door-knock or letterbox drop, depending upon what is practicable.

If a pesticide**/**herbicide must be used to deal with an emergency in an outdoor public place that is adjacent to (or within 150 meters) of a sensitive place, Council will organise a door-knock in that sensitive place, preferably at least 30 minutes before, so people are aware that a pesticide**/**herbicide is about to be used to deal with a dangerous or plague pest infestation.

Council has develop a register of sensitive places and shire residents wishing to have their details include in the sensitive areas register may do so but they must provide an adequate reason and proof as to why that area of land should be included.

(See Appendix 2 for Sensitive places in the Upper Lachlan Shire area).

5. HOW THE COMMUNITY WILL BE INFORMED

Upper Lachlan Shire Council will advise residents of this plan and its contents by:

- Making a copy of the plan available for public viewing, free of charge, at Council offices at 44 Spring Street, Crookwell, 123 Yass Street, Gunning and the Taralga Post Office, Orchard Street, Taralga;
- Placing a copy of the Plan on the Council website;
- Placing a notice in Crookwell Gazette, Council News Letter, Goulburn Post, Lions Club of Gunning Notice board and the Yass Tribune.

6. FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every 5 years or as circumstances require. The review will include:

- A report on the progress of implementing the plan;
- Public consultation on the notification methods outlined in the plan; and
- Recommendation for alterations (if applicable) to the plan.

The next review of this document will take place in 2027

7. CONTACT DETAILS

Anyone wishing to contact Upper Lachlan Shire Council to discuss the notification plan or to obtain details of pesticide applications in public places should contact:

Environment and Planning Department
Upper Lachlan Shire Coucil
44 Spring Street, Crookwell
Ph: 4830 1000

Appendix 1
Map of Upper Lachlan Shire

Appendix 2
Sensitive Areas within Upper Lachlan Shire

	Sensitive Area	Address	Contact number
1	Crookwell Hospital	15 Kialla Rd Crookwell 2583	4837 5000
2	Crookwell Public School	43 Denison St Crookwell 2583	4832 1213
3	Crookwell StMarys Primary School	Wade St Crookwell 2583	4832 1592
4	Crookwell High School	Crown St through King Road through Laggan Road Crookwell 2583	4832 1421
5	Crookwell Pre School Kindergarten	10 Colyer St as well as rear of property on Park St Crookwell 2583	4832 3501
6	The Health Care Centre	17 Kialla Rd Crookwell 2583	4843 2500
7	Doctor Surgery (Dr Thangavelu)	110 Goulburn St Crookwell 2583	4832 1006
8	Gunning and District Pre-School	37 Biala St, Gunning (PO Box 53) 2581	4845 1396
9	Gunning Primary School	Yass St through Melanglo St through Copeland St Gunning 2581	4845 1129
10	Gunning District Community & Health Service	101 Yass St through Warrataw St through Saxby Lane, Gunning (PO Box 50) 2581	4845 1166
11	Taralga Primary School	Orchard St Taralga 2580	4840 2047
12	Bigga Primary School	Blackman St Bigga 2583	4835 2236

13	Binda Primary School	Queen St Binda 2583	4835 6052
14	Dalton Primary School	Jobson St and rear of property Howard Street Dalton 2581	4845 6210
15	Laggan Public School	Laggan Rd Laggan 2583	4837 3215
16	Taralga Play Centre	Orchard St Taralga 2580	4840 2300
17	Taralga Children's Centre	76 Hillas St Taralga 2580	4840 2220
18	Country Kids	21 King Rd Crookwell 2583	4832 2591
19	Breadalbane Primary School	Collector Rd Breadalbane	4844 2243
20	Viewhaven Lodge	Laggan Road Crookwell	4832 2437
21	Sunset Lodge	Bannaby Street Taralga	4840 2167
22	**Wombeyan Caves Road.** No Spray North of Mares Forest Road.		4830 1000
23	**MR54 Kingsdale Winery.** No Spray from Sooley Creek, south to Bumana Creek.		4830 1000
24	**MR54 Binda Road.** No spray from Old Binda Road north west through to Boorowa road.		4830 1000

ITEM 11.2 **Amendment to the Upper Lachlan Shire Council Local Strategic Planning Statement**

FILE REFERENCE **I23/70**

AUTHOR **Acting General Manager**

ISSUE

At its meeting of 21 October 2021, Council considered and supported a planning proposal for Lot 4 DP 1198749, 18 Boureong Drive, Gunning. The proposal will result in change to the land zone from RU4 Primary Production Small Lots to RU5 Village zone and reduce the minimum lot size from 10ha to 1,000m2.

Prior to a planning proposal being forwarded to the State Government for consideration Council is required to ensure that its Local Strategic Planning Statement reflects the desired outcome.

RECOMMENDATION That -

1. Council not support the amendments to the Local Strategic Planning Statement until:
   - the applicant provides further supporting documentation to address the STP buffer zone based on the NSW Water Directorate STP Buffer Zone Land Use Planning guidelines; and
   - the additional information be forwarded to the relevant Government Agency for consideration and comment.
2. A further report be provided to Council for consideration to amend the Local Strategic Planning Statement on completion of the above actions.

BACKGROUND

At its meeting of 21 October 2021, Council considered and supported a planning proposal to amend the Upper Lachlan Local Environmental Plan 2010. The planning proposal incorporates amending the zone provisions of Lot 4 DP 1198749, 81 Boureong Drive, Gunning from RU4 Primary Production Small Lots zone to RU5 Village zone and reduce the minimum lot size from 10ha to 1,000m2. Council resolved:

1 The Council submit the planning proposal for a Gateway Determination to amend the Upper Lachlan Local Environmental Plan 2010 by changing the zone and minimum lot size provisions of Lot 4 DP 1198749 from RU4 Primary Production Small Lots zone to RU5 Village zone and to reduce the minimum lot size from 10ha to 1,000m2.

2 The Council requests the Department of Planning Industry and Environment to authorise Council to exercise delegation of plan making functions in accordance with the Environmental Planning and Assessment Act 1979.

3 The Council delegate authority to the General Manager to undertake any required changes.

4 *The Council notify the community of the proposed changes to the local environmental plan through appropriate processes at the time*.

When submitting a planning proposal early due diligence should be undertaken to scope the proposal. These investigations should also include review of the strategic directions and expectations set down in a council's local strategies and Local Strategic Planning Statement (LSPS), and more broadly the relevant district and/or regional plans.

In considering the planning proposal at the meeting of 21 October 2021, in principal support was resolved, however no consideration was given to amending the LSPS. Therefore, to enable the planning proposal to proceed, the LSPS needs to be amended to reflect the proposal and to ensure consistency with the direction of development as supported by Council for the community of Gunning.

Council was advised at the time, and is further advised that the proposed development is within close proximity to the Gunning sewage treatment plant (GSTP), which has the potential to create a future challenge associated with odour and ensuring compliance with the respective EPA licence. This is discussed further in this report.

REPORT

Planning proposal
Laterals Planning of Goulburn submitted a planning proposal on behalf of the owner to amend the zone and the minimum lot size provisions of Lot 4 DP 1198749, 81 Boureong Drive, Gunning, located to the north of the existing village. The following maps show Gunning, surrounds, and the proposed property.

The property will be connected to the town services, which have the capacity to provide water and remove sewerage.

Figure 1: Gunning and surrounding land use zones (ULSC LEP 2010)

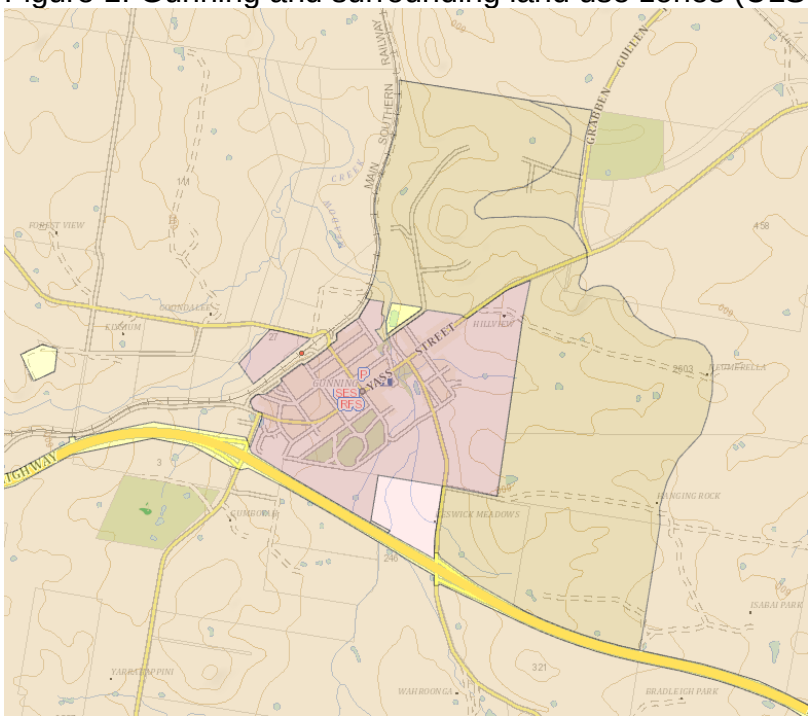
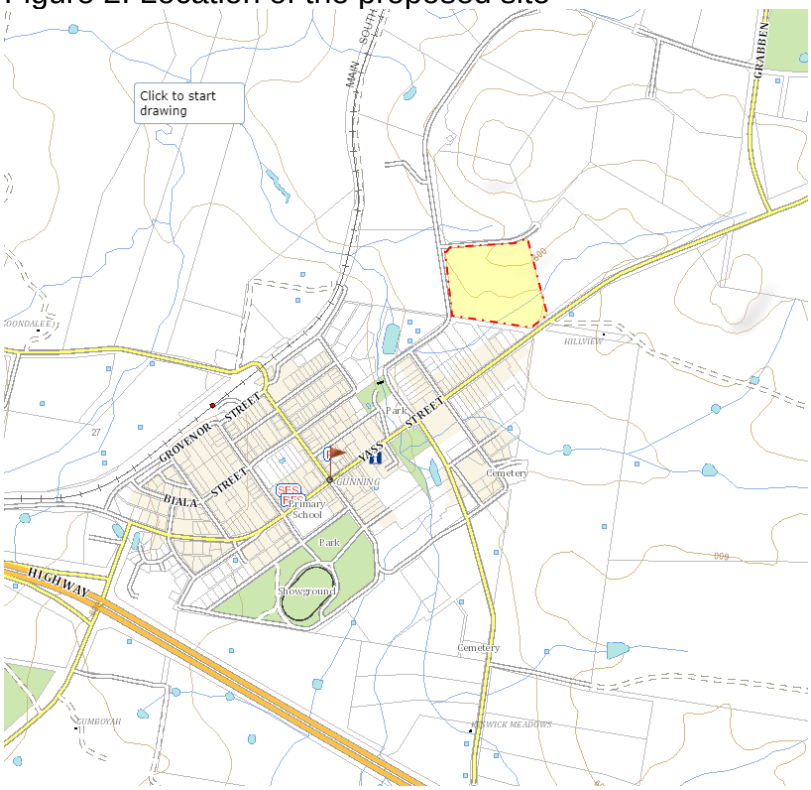


Figure 2: Location of the proposed site



The area is approximately 10 ha, and located immediately north of the town and has good connectivity to the urban and rural hinterland. The land rises quickly away from the village providing properties with good views. The property is relatively well drained but part of it has a large intermittent watercourse or gully running through the south-east corner.

AMENDMENT TO THE UPPER LACHLAN SHIRE COUNCIL LOCAL STRATEGIC PLANNING STATEMENT cont'd

Consistency with the Local Strategic Planning Statements

The LSPS sets out the 20-year vision for a local government area, demonstrates how change will be managed and identifies local priorities for updating council's Local Environmental Plan (LEP).

Where there is a proposal to amend its LEP Council is required to ensure that it reflects the direction outlined in the LSPS. Where there are inconsistencies the LSPS is required to be updated to incorporate the amended visions or changes.

Gunning is a growth area in the Planning Statement. Gunning is identified as an area that will be influenced by the growth of Canberra and to some extent by the development and growth of Goulburn. The town has relatively easy access to the Hume Highway and via Gundaroo and Sutton to Canberra.

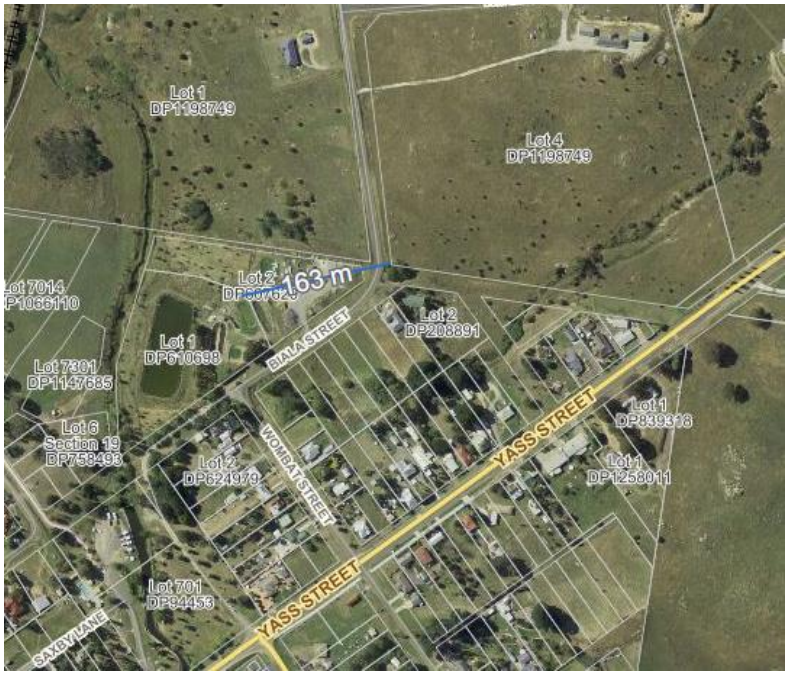
The proposal will change the zone from RU4 Primary Production Small Lots zone to RU5 Village zone. The amendment also proposes to reduce the minimum lot size from 10ha to 1,000m2 to enable the development of dwelling houses on lots to be created under the LEP. The proposal will remove the land from small lot primary production intent to large lot village style living. The planning proposal submits that the land is not particularly good quality land for intensive agricultural use. The Local Strategic Planning Statements recommend new urban areas adjacent to existing villages facilitating councils existing character as a Shire of villages.

Land immediately to the south has been zoned village since the LEP was gazetted in 2010. The property has not been developed but has significant potential. This proposal is consistent with that zoning in that it adds urban land to the north and east.

Potential implications associated with the sewage treatment works.

The boundary of the proposed development site is located approximately 160m from Council's existing sewage treatment plant.

Figure 3: Distance of proposed development site from the Gunning Sewage Treatment Plant



AMENDMENT TO THE UPPER LACHLAN SHIRE COUNCIL LOCAL STRATEGIC PLANNING STATEMENT cont'd

Based on the close proximity of the development site to the GSTP the initial scoping report incorporated an 'Odour amenity impact assessment, as prepared by SLR (dated June 2021), which is includes as Attachment 1 for Council's information. This report concluded:

'In the absence of separation guidelines issued by NSW EPA, a conservative separation distance of 160m has been adopted for the GSTP using guidelines set by other regulatory agencies in Australia. The site predominantly lies outside this separation distance, suggesting that there is a low risk of potential adverse amenity impacts on the site from the GSTP. In addition, prevailing wind conditions suggest that the site would be downwind of the GSTP very infrequently, and therefore the likelihood of any odour plume from the GSTP intersecting the site could be considered unlikely.

Based on the above, the risk of odour impacts at the site is considered low and therefore suitable for sensitive land use as proposed.'

(Note: that the wind characteristics were obtained from the Goulburn airport due to this being the location of the nearest weather station.)

As required by the NSW Department of Planning – *Local Environmental Plan Making guidelines* the scoping report was forwarded onto relevant government agencies for comment. This enables these agencies to provide initial feedback, thus allowing the proponent to provide further information where required, in an attempt to ensure all potential issues are addressed prior to the planning proposal being submitted.

The scoping report was forwarded to the NSW EPA for consideration, with the response advising;

'The EPA has reviewed the information provided by ULSC and has identified some concerns regarding the proximity of the proposed residential subdivision to the Gunning Sewage Treatment Plant (GSTP) and Gunning Landfill. These concerns relate primarily to the potential for odour and noise impacts and associated potential conflicts between the sites.

ULSC hold Environment Protection Licence No. 3110 for sewage treatment processing. The licence includes a range of conditions which protect the environment and impacts on sensitive receivers. While this development application is a planning matter for ULSC to assess and determine, the EPA advises that approval of developments (which include sensitive receivers) within proximity of odour generating activities be carefully considered and robustly assessed to ensure the amenity of sensitive receivers are protected and not place the licensee at risk of non-compliance.

Appropriate site selection is key in reducing the potential for conflict between proposed developments and established infrastructure. Project planning should consider the compatibility of the proposal with current and future land uses. Although odour control measures are discussed in the framework, once the land has been developed the range and effectiveness of mitigation measures may be limited. It is therefore important to consider site selection prior to development occurring.'

A copy of the NSW EPA correspondence in included in Attachment 2 for Council's information.

AMENDMENT TO THE UPPER LACHLAN SHIRE COUNCIL LOCAL STRATEGIC PLANNING STATEMENT cont'd

The response received from the NSW EPA was forwarded onto the proponent for consideration with and addition response from SLR (dated 31 May 2022), which is included in Attachment 3 for Council's information, advising;
'The OAIA considered the buffer between odour emissions sources and the potential sensitive receptors of Lot 4 and concluded that it is adequate to mitigate the risk of odour impacts (equal to or greater than the relevant recommended minimum separation distance of 160m) it is our understanding that the southwest of the site is now to include an area to be used for access and passive recreation, effectively creating a buffer area such that the separation between the GSTP and the site residences will be at least 250m.'

In summary, SLR considers that OAIA for the Lot 4 adequate to demonstrate low risk of land-use due to the following:

- *The small scale and odour potential of GSTP'*
- *The separation distance to residences within Lot 4 being greater than the relevant recommended separation distances;*
- *The low frequency of wind directions required to promote odour transport from GSTP to Lot 4; and*
- *The apparent absence of odour nuisance at sensitive receptors closer (and in several cases, within the recommended separation distance) to GSTP and in directions experiencing higher frequencies of wind directions required to promote odour transport from the GSTP.*

SLR considers that the OAIA meets the intent of the relevant aspects of the Technical Framework and that the qualitative low-risk outcome indicates that a more detailed assessment is not required.'

In reviewing, the report as prepared by SLR it appears to be silent on the *NSW Water Directorate STP Buffer Zone Land Use Planning Guidelines*. These guidelines focus on utilising a risk based approach as it is recognised that a rigid approach to buffer zone planning is not appropriate. Each STP and surrounding environment needs to be assessed individually for effective and appropriate land use to be achieved. Council is advised that the previous guideline had a recommended minimum buffer stipulated at 400m.

The Guidelines were developed to assist environmental and water infrastructure professional staff in determining compatible land uses within the buffer zones of existing and proposed sewage treatment facilities for mitigating off-site impacts. It provides a structured risk assessment procedure for land use planning that consider individual sewage treatment plant operations and their unique characteristics.

The current guidelines do not supersede the 400m buffer distance currently recommended in NSW policy. Rather, they work within this policy, aiding the identification of whether this recommended distance is appropriate for the given location.

Council officers recommend that further investigations are required to provide Council and relevant Government agencies with a high level of confidence that the proposal as submitted will not impact upon Council's ability to manage the Gunning sewage treatment plant in accordance with the EPA licence conditions. Council also need to

consider any potential impacts that may occur if the plant is required to be expanded as a result of growth and demand within the Gunning community.

The level of detail and respective attachments have been provided to Council for consideration due to the potential impacts that such a development may have on Council's ability to manage the sewage treatment work in accordance with the EPA licence conditions. The impact on the current plant maybe deemed acceptable, however as Gunning grows and there are additional pressure placed on the plant there may be a need to expand the plant and such may result in management challenges.

POLICY IMPACT
Where supported, the proposal will amend the LSPS by changing the zone and minimum lot size provisions of the locality of Gunning.

OPTIONS
The Council may:

- Support the requirement to amend the LSPS based on the proposal;
- Reject the change of minimum lot size and the zone provisions;
- Request additional information and seek further comments from the relevant Government agencies.

FINANCIAL IMPACT OF RECOMMENDATIONS

There are no financial implications for the Council.

RECOMMENDATION That -

1. Council not support the amendments to the Local Strategic Planning Statement until:
   - the applicant provides further supporting documentation to address the STP buffer zone based on the NSW Water Directorate STP Buffer Zone Land Use Planning guidelines; and
   - the additional information be forwarded to the relevant Government Agency for consideration and comment.
2. A further report be provided to Council for consideration to amend the Local Strategic Planning Statement on completion of the above actions.

ATTACHMENTS

1.⇩	Attachment 1: SLR - Odour Assessment Report	Attachment
2.⇩	Attachment 2: NSW EPA response	Attachment
3.⇩	Attachment 3: SLR - Laterals Planning response	Attachment

GUNNING LOT 4 DP 1198749

Odour Amenity Impact Assessment

Prepared for:

Laterals Engineering and Management
Upstairs 35 Montague Street
Goulburn NSW 2580

PREPARED BY

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BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Laterals Engineering and Management (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
610.30375-R01-v2.0	4 June 2021	Jason Shepherd	K Lawrence	Jason Shepherd

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1 Introduction

SLR Consulting Australia Pty Ltd (SLR) was engaged by Laterals Engineering and Management Pty Ltd (Laterals) to prepare an amenity impact assessment (AIA) for Gunning Lot 4 DP1198749 (the Site) relating to potential odour impacts from the nearby Gunning Sewerage Treatment Plant (GSTP).

This odour AIA was commissioned to assess whether any constraints are posed by the GSTP on the proposed residential use of the Site.

The odour AIA was performed with reference to relevant standards, guidelines, and resources from across Australia, including:

- Environmental Planning and Assessment Regulation 2000 (NSW Government, 2000)
- ACT Government publication 'Separation Distance Guidelines for Air Emissions' (ACT Government, 2018)
- Environmental Protection Authority (EPA) Victoria publication 'Recommended Separation Distances for Industrial Residual Air Emissions' (EPAV, 2013)
- EPA South Australia publication 'Evaluation Distances for Effective Air Quality and Noise Management' (EPA SA, 2016)
- Gunning Sewerage Treatment Plant Pollution Incident Response Management Plan (Upper Lachlan Shire Council, undated)

2 Project Description and Site Details

2.1 Site Location and Surroundings

Gunning is a town on the Old Hume Highway, between Goulburn and Yass in the Southern Tablelands of New South Wales, Australia, about 260 km southwest of Sydney and 75 km north of Canberra. At the 2016 census, Gunning had a population of 659.

The Site is approximately 10 hectares in size, and is located immediately northeast of existing Gunning residences. It is approximately 150 m east of the GSTP.

The location of the Site relative to the GSTP and the nearest existing Gunning residences is shown in the aerial photograph presented in Figure 1.

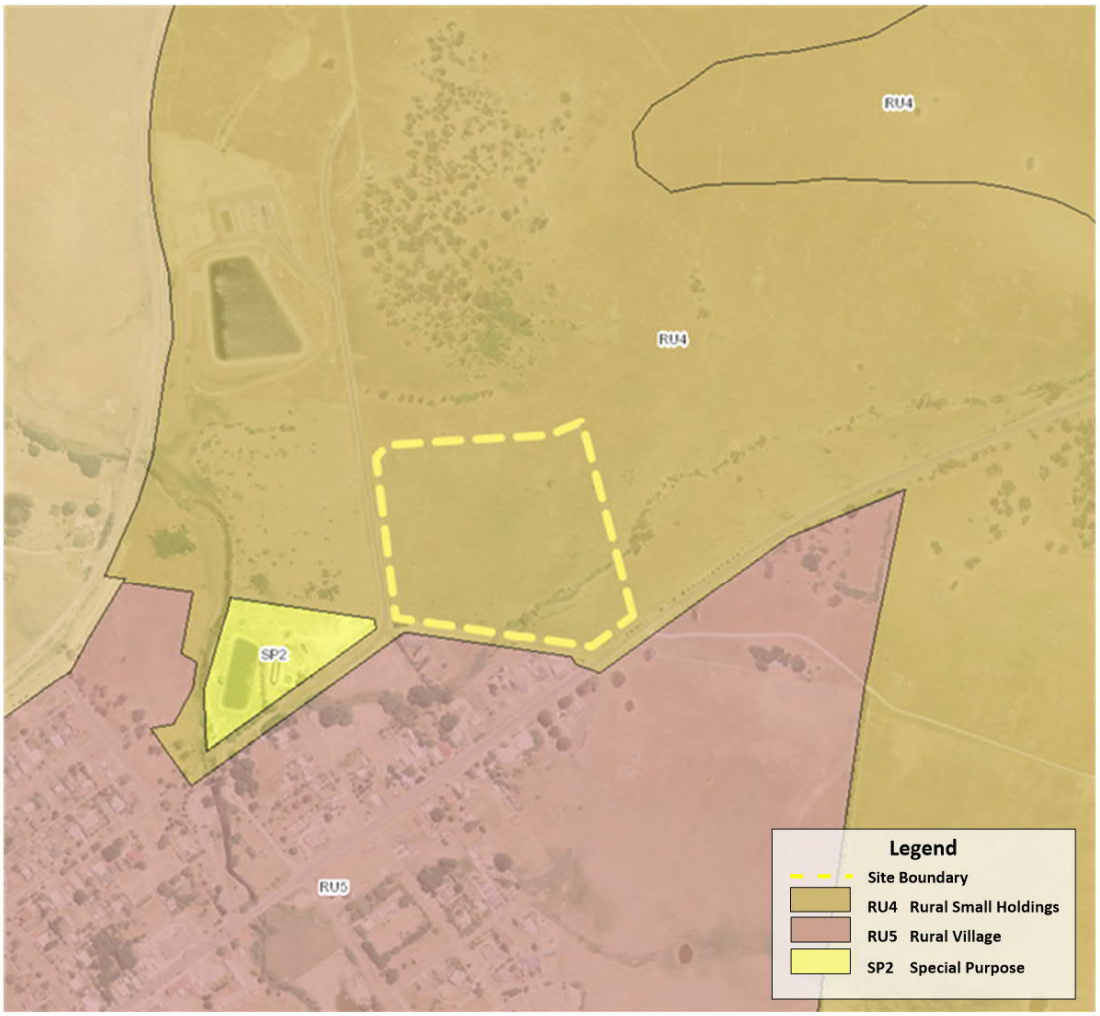
The Site is zoned as RU4 Rural Small Holdings (see Figure 2). It is bordered by RU4 and RU5 Village to the southwest (existing residences of Gunning). It is proposed to rezone the Site to RU5, the objective of which is:

> 'to provide for a range of land uses, services and facilities that are associated with a rural village. To promote development in existing towns and villages in a manner that is compatible with their urban function. To encourage well-serviced sustainable development.'

It is proposed to develop the Site with residential lots.

Figure 1 Site Location

Figure 2 Land Use Zoning



3 Relevant Odour and Amenity Standards and Guidelines

3.1 Odour

Impacts from odorous air contaminants are often nuisance-related rather than health-related. Odour performance goals guide decisions on odour management but are generally not intended to achieve 'no odour'.

The detectability of an odour is a sensory property that refers to the theoretical minimum concentration that produces an olfactory response or sensation. This point is called the odour threshold and defines one odour unit (ou). An odour goal of less than 1 ou would theoretically result in no odour impact being experienced.

In practice, the character of a particular odour can only be judged by the receiver's reaction to it, and preferably only compared to another odour under similar social and regional conditions. Based on the literature available, the level at which an odour is perceived to be a nuisance can range from 2 ou to 10 ou depending on a combination of the following factors:

- Odour quality: whether an odour results from a pure compound or from a mixture of compounds. Pure compounds tend to have a higher threshold (lower offensiveness) than a mixture of compounds.
- Source characteristics: whether the odour is emitted from a stack (point source) or from an area (diffuse source). Generally, the components of point source emissions can be identified and treated more easily than diffuse sources. Emissions from point sources can be more easily controlled using control equipment. Point sources tend to be located in urban areas, while diffuse sources are more often located in rural locations.
- Health Effects: whether a particular odour is likely to be associated with adverse health effects. In general, odours from agricultural activities are less likely to present a health risk than emissions from industrial facilities.

An example for this can be shown in a theoretical case of a bakery. A person walking past the bakery may smell the bakery odours and like these baking odours (it can be shown that people generally react positively to baking odours). However, a person living next to the bakery and who experiences the baking odours throughout their house and garden on a continuous basis may find the baking odours offensive to the point where they complain to local authorities.

Other factors may also come into play when assessing odour impacts, such as:

- Population sensitivity: any given population contains individuals with a range of sensitivities to odour. The larger a population, the greater the number of sensitive individuals it may contain.
- Background level: whether a given odour source, because of its location, is likely to contribute to a cumulative odour impact. In areas with more closely-located sources it may be necessary to apply a lower threshold to prevent offensive odour.
- Public expectation: whether a given community is tolerant of a particular type of odour and does not find it offensive, even at relatively high concentrations. For example, background agricultural odours may not be considered offensive until a higher threshold is reached than for odours from a landfill facility.

3.2 Separation/Buffer Distances

The application of minimum recommended separation distances (or 'buffer' distances) provides a valuable screening tool to judge whether a detailed assessment is required to evaluate the potential risk of conflicting land uses. Separation distances provide guidance on the appropriate level of separation between a source of emissions and sensitive land uses in order to mitigate the impacts of intended and unintended emissions on people. This approach relies on the knowledge that impacts on the environment generally decrease with increasing distance from the source of emissions. Separation distances are based on an understanding of the types of emissions associated with various industries and their potential impacts on people. These distances can vary based on the scale and size of the industry, location topography, prevailing winds and other factors.

NSW

There are no separation guidelines issued by NSW EPA, hence the following sections refer to guidelines set by other regulatory agencies in Australia. These recommended separation distances have been developed to be applied to sensitive uses, such as residential dwellings, schools, hospitals and childcare centres, and are considered appropriate for this Project (residential development).

ACT

Separation Distance Guidelines for Air Emissions (ACT Government, 2018) includes recommended separation distances for sewage treatment plants that are based on the type of installation and the size of the population that they serve, as provided in Table 1.

Table 1 ACT Separation Distance Guidelines for Air Emissions: Sewage Treatment Works

Description	Equivalent Population	Distance (m)
Mechanical/biological wastewater plants including aerated lagoons	<1,000	100
	>1,000 & <5,000	200
	>5,000 & <15,000	300
	>15,000	Individual assessment
Facultative lagoons	<1,000	150
	>1,000 & <5,000	350
	>5,000 & <15,000	700
	>15,000	Individual assessment

Victoria

Recommended Separation Distances for Industrial Residual Air Emissions' (EPAV, 2013) also provides separation distances for sewage treatment plants that are based on the type of installation and the size of the population that they serve. Table 2 provides the equations and distances to be used when considering proposals for new and existing sewage treatment plants based on the equivalent population that they will serve.

Table 2 EPAV Recommended Separation Distances for Sewage Treatment Plants

Type of Installation	Separation Distance (m; n = Equivalent Population)
Mechanical/biological wastewater plants	10 x $n^{1/3}$
Aerobic pondage systems	5 x $n^{1/2}$
Facultative ponds	10 x $n^{1/2}$
Disposal areas for secondary treated effluent by spray irrigation	200
Disposal areas for secondary treated effluent by flood irrigation	50

South Australia

Evaluation Distances for Effective Air Quality and Noise Management (EPA SA, 2016) includes recommended evaluation distances for wastewater treatment plants based on the type of installation and the size of the population that they serve, which are identical to those in the ACT Separation Distance Guidelines for Air Emissions (Table 1).

Western Australia

The Separation Distances between Industrial and Sensitive Land Uses (WA EPA, 2015) states that recommended separation distances for wastewater treatment plants should be assessed on a case by case basis and advice should be sought from the authority.

4 Existing Conditions

4.1 GSTP

The village of Gunning is serviced by approximately 9 km of sewer mains and one major pump station (collects all flows from reticulation) transferring sewage to the GSTP. The GSTP is relatively small, described in the GSTP Pollution Incident Response Management Plan (Upper Lachlan Shire Council, undated) as treating approximately 100 kilolitres (kL) of sewage daily in dry weather, potentially reaching 250 kL per day during heavy rain periods. SLR understands that the GSTP has a design 1,000 persons equivalent capacity. For comparison, Schedule 3 of the Environment Planning and Assessment (NSW Government, 2000) considers a sewerage system or works a Designated Development (requiring an environmental impact statement) if it has an intended processing capacity of more than 750 kL per day (or 2,500 persons equivalent capacity), more than double the capacity of the GSTP.

Potential Odour Emissions and Impacts from the GSTP

Wastewater management processes have the potential to expose sensitive land uses to unacceptable air emissions. The GSTP may generate odour from the wastewater treatment process and sludge handling, the impacts of which could vary from being just detectable to levels that can cause nuisance and become objectionable and offensive. The main effect of environmental odour is nuisance, but stronger or persistent odours can lead to feelings of nausea, headache, loss of sleep and other symptoms of stress. Repeated exposure to nuisance levels of odour can lead to a high level of annoyance. While some people may become accustomed to odours, others may become sensitised to them.

There is little information publicly available on the design and treatment processes at the GSTP. Upper Lachlan Shire Council were contacted to confirm the operation of the GSTP however, no response was received at the time of reporting.

The main components of the GSTP identified from aerial imagery are shown in Figure 3. The main odour sources are expected to be the aeration pond and sludge lagoons . The tertiary pond, which stores treated water prior to discharge, is not expected to be a significant source of odours and has not been considered further.

Figure 3 Layout of the GSTP

Given the relatively small scale of the GSTP, the emission of odour is likely to be low, however the scale of the impact of any odour at nearby sensitive receptors (existing and proposed) will further depend on the distance and direction between source and receptor. The greater the separation between the two, the greater opportunity for the odour to disperse, becoming diluted to below detectable concentrations. As the odour plume will travel and disperse downwind of the source, the wind must travel in the direction of the receptor for the impact to reach the receptor.

4.2 Complaints History

Upper Lachlan Shire Council were contacted to request a complaints history record for the GSTP however, no response was received at the time of reporting. Previous studies by SLR in Gunning have obtained anecdotal advice that there is no significant history of odour nuisance in the area.

4.3 Meteorology

The nearest available meteorological monitoring station operated by the Bureau of Meteorology (BOM) is the Goulburn Airport automatic weather station (AWS) (station number 070330), located approximately 42 km east of the Site. Of the parameters monitored at the Goulburn Airport AWS, the most relevant to this AIA are wind speed and wind direction, as these will influence the transport of any air pollutants (including odour) from the GSTP towards the Site.

Annual wind roses for the years 2016 to 2020 compiled from data recorded by the Goulburn Airport AWS are presented in Figure 4, with seasonal wind roses for 2020 presented in Figure 5. These plots indicate the prevailing wind directions for the year and how they change between seasons. Wind roses show the frequency of occurrence of winds by direction and strength. The bars correspond to the 16 compass points (degrees from North). The bar at the top of each wind rose diagram represents winds blowing from the north (i.e. northerly winds), and so on. The length of the bar represents the frequency of occurrence of winds from that direction, and the widths of the bar sections correspond to wind speed categories, the narrowest representing the lightest winds. Thus, it is possible to visualise how often winds of a certain direction and strength occur over a long period, either for all hours of the day, or for particular periods during the day.

The following description of wind speeds references the Beaufort Wind Scale, as outlined in Table 3. Use of the Beaufort Wind Scale is consistent with terminology used by the BoM.

Table 3 Beaufort Wind Scale

Beaufort Scale #	Description	m/s	Description on land
0	Calm	0-0.5	Smoke rises vertically
1	Light air	0.5-1.5	Smoke drift indicates wind direction
2-3	Light/gentle breeze	1.5-5.3	Wind felt on face, leaves rustle, light flags extended, ordinary vanes moved by wind
4	Moderate winds	5.3-8.0	Raises dust and loose paper, small branches are moved
5	Fresh winds	8.0-10.8	Small trees in leaf begin to sway, crested wavelets form on inland waters
6	Strong winds	>10.8	Large branches in motion, whistling heard in telephone wires; umbrellas used with difficulty

Source: http://www.bom.gov.au/lam/glossary/beaufort.shtml

The annual wind roses for the five years 2016 to 2020 indicate that there is consistently a relatively high proportion of moderate and strong winds from the west-northwest, followed by winds from the east-southeast. All seasons see a similar pattern to the annual distribution, however the winter months see this pattern strengthen towards the west-northwest while the summer months experience more of a balance of winds from the two opposing directions.

During all seasons, winds from the southwest and west-southwest, which would blow emissions from the GSTP towards the Site, occur very infrequently (approximately 3% of the time). Furthermore, light winds (0 - 3 m/s) generally associated with worst case odour impacts, occur very infrequently from these directions (approximately 2% of the time).

Figure 4 Goulburn Airport AWS Annual Wind Roses (2016 - 2020)

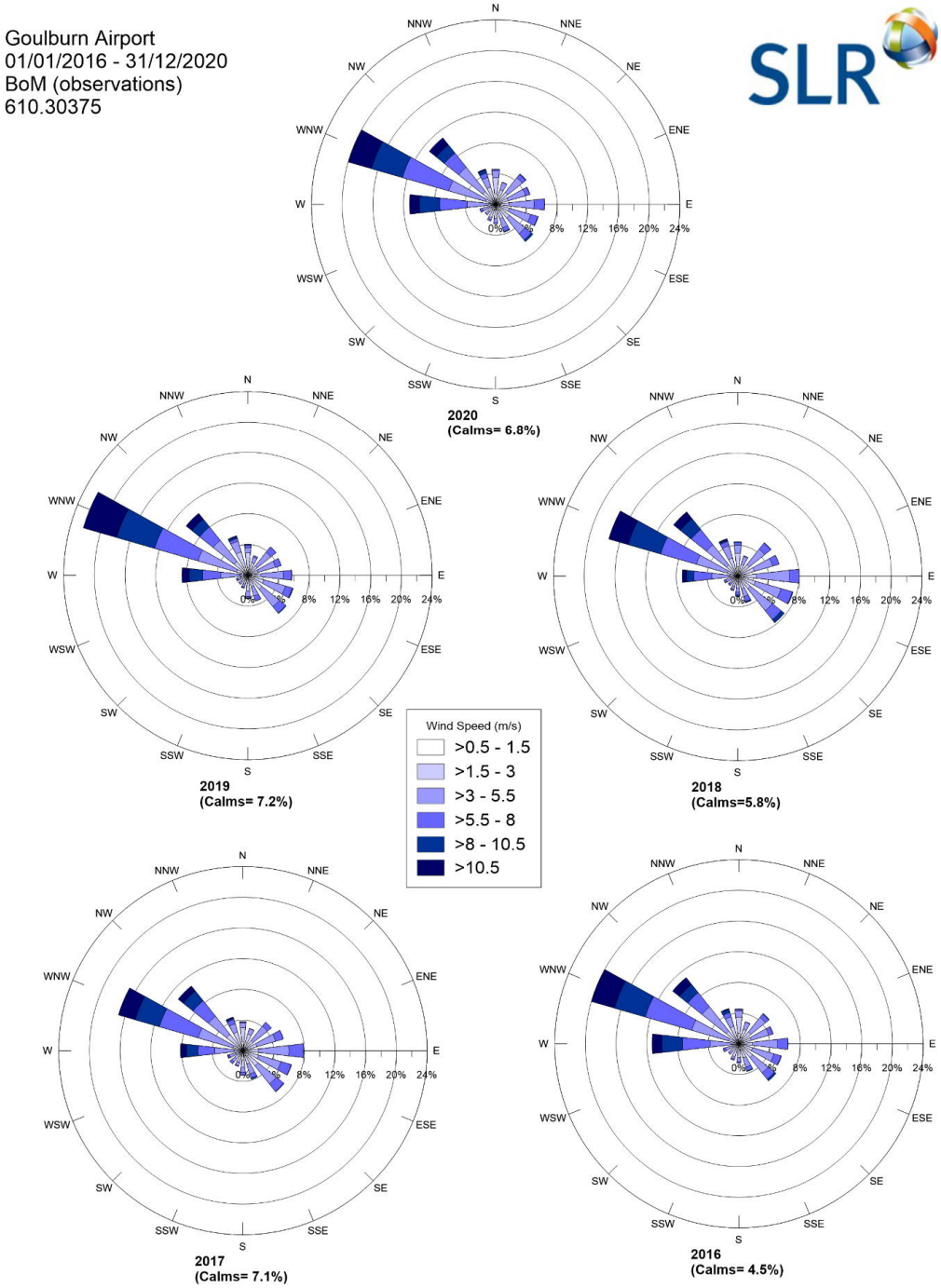
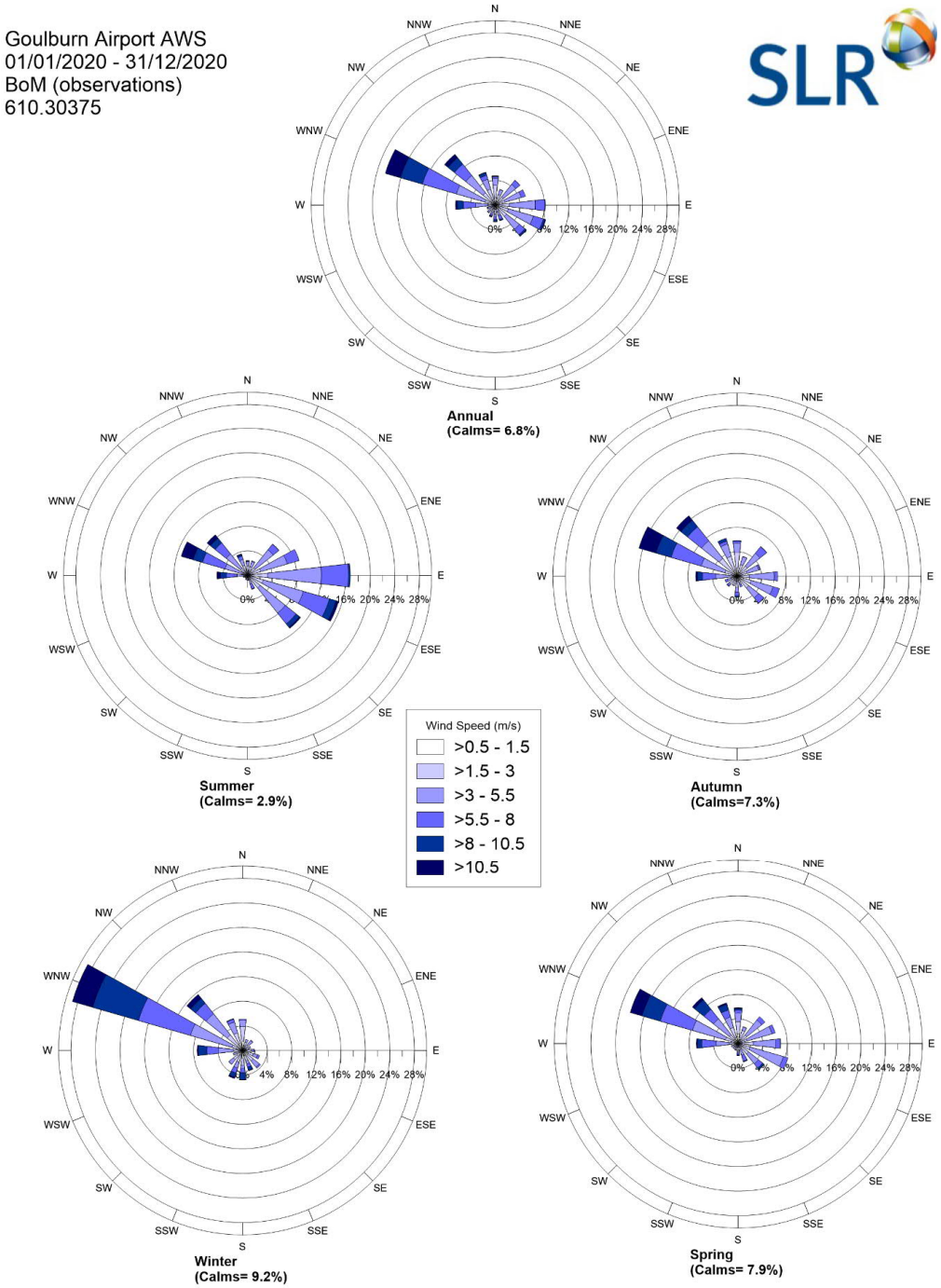


Figure 5 Goulburn Airport AWS Annual and Seasonal Wind Roses (2020)



5 Desktop Study

5.1 Qualitative Assessment

Based on the review of state guidelines on separation distances for sewerage treatment plants (Section 3.2), Table 4 provides the minimum separation distances that would be recommended for the GSTP, conservatively assuming a population of 1000 (Gunning's 2016 population was 659).[1]

Table 4 Sewerage Treatment Plant Separation Distances by State

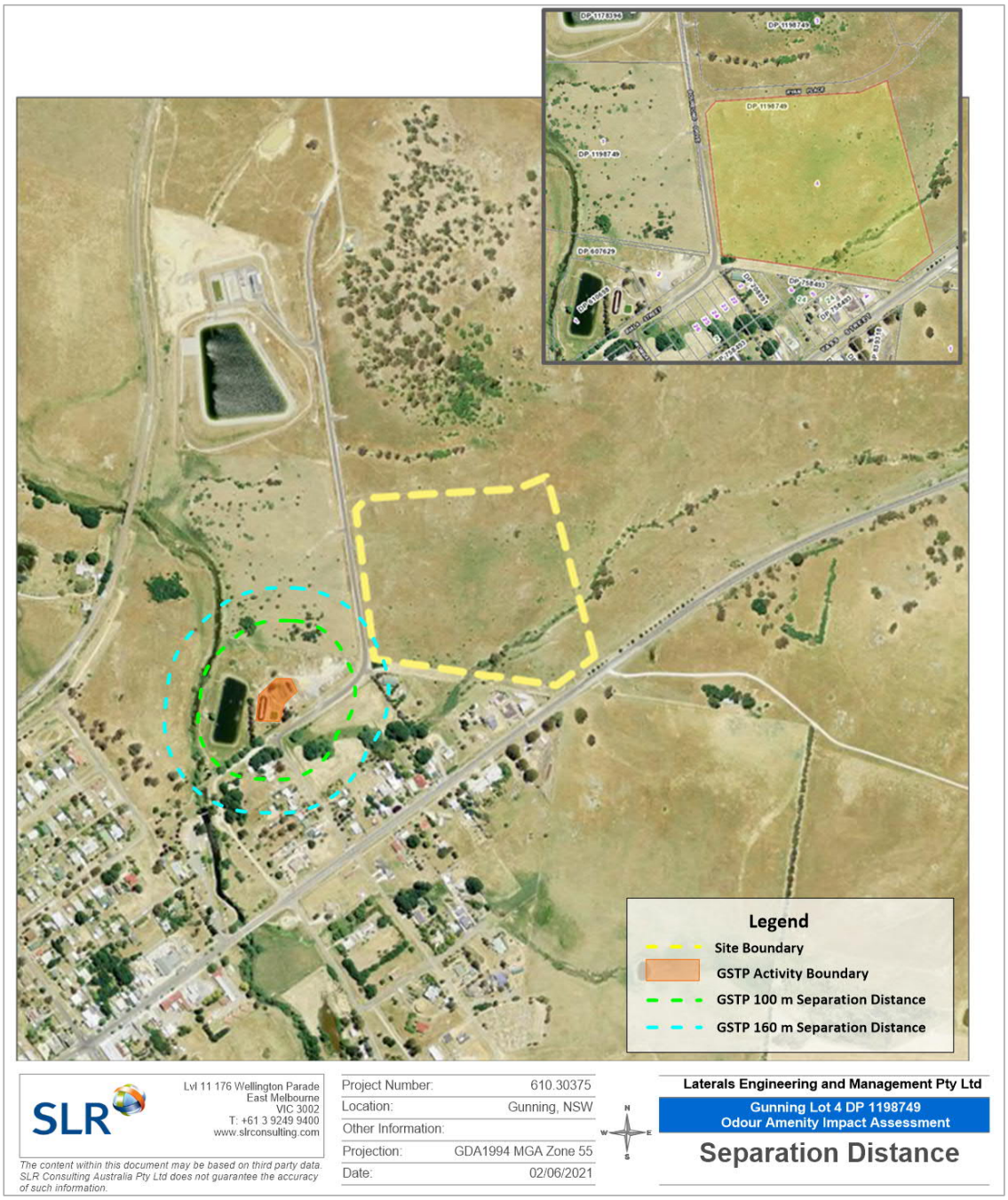
State	Type of Installation	Separation Distance (population= 1000)
ACT South Australia	Mechanical/biological wastewater plants including aerated lagoons	100
	Facultative lagoons	150
Victoria	Mechanical/biological wastewater plants	100
	Aerobic pondage systems	160
	Facultative ponds	320
	Disposal areas for secondary treated effluent by spray irrigation	200
	Disposal areas for secondary treated effluent by flood irrigation	50

The most relevant separation distances listed in Table 4 for the GSTP is considered to be those for mechanical/biological wastewater plants (100 m) and aerobic pondage systems (160 m).

EPAV advises that the distance between an industrial activity and the nearest sensitive land use should be measured from the 'activity boundary' of the industrial activity, a convex polygon that includes all current or proposed industrial activities from which residual air emissions may arise. Figure 6 illustrates the approximate extent of the separating distances of 100 and 160 m from the relevant activity and shows that the nearest point of the Site boundary is beyond the 100 m separation distance and just inside the 160 m separation distance. It is noted that there are existing residences directly to the south of the GSTP that lie within both these separation distances.

[1] Note: The peak inflow to the GSTP of 250 kL per day (see Section 4.1) would also be equivalent to an equivalent population of 833 based on the conversion given in Schedule 3 of the Environment Planning and Assessment (NSW Government, 2000) pf 750 kL per day being comparable to a 2,500 persons equivalent capacity.

Figure 6 GSTP Recommended Separation Distance



5.2 Additional Considerations

Light winds blowing from the southwest and west-southwest would be required for odour emissions from the GTSP to be transported to the Site. As indicated by the wind roses provided in Section 4.3, winds from these directions occur approximately 3% of the time annually, rising to 5% of the time over the winter months. Thus, for the majority of the time, winds will disperse any odour emissions from the GSTP in directions away from the Site. Winds blowing emissions towards the Site can be expected to occur with a frequency equivalent to approximately one day every month.

6 Conclusion

In the absence of separation guidelines issued by NSW EPA, a conservative separation distance of 160 m has been adopted for the GSTP using guidelines set by other regulatory agencies in Australia. The Site predominantly lies outside this separation distance, suggesting that there is a low risk of potential adverse amenity impacts on the Site from the GSTP. In addition, prevailing wind conditions suggest that the Site would be downwind of the GSTP very infrequently, and therefore the likelihood of any odour plume from the GSTP intersecting the Site could be considered unlikely.

Based on the above, the risk of odour impacts at the Site is considered low and therefore suitable for sensitive land use as proposed.

7 References

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WA EPA. (2015). Separation distances between Industrial and Sensitive Land Uses.

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DOC22/308502

Ms Siobhan Scott Nielsen
Strategic Planner
Upper Lachlan Shire Council

Email: scottnielsen@upperlachlan.nsw.gov.au

EPA advice: Planning proposal of 18 Boureong Drive Gunning
Lot 4 DP 1198749

Dear Ms Scott Nielsen,

I refer to documentation received by the NSW Environment Protection Authority (EPA) from Upper Lachlan Shire Council (ULSC) on 12 April 2022 regarding a planning application seeking the rezoning of Lot 4 DP 1198749, Gunning.

The EPA is aware that the application seeks consideration of rezoning Lot 4 DP 1198749 from RU4 Primary Production small lots to RU5 Village, for the development of a residential subdivision. The EPA has reviewed the information provided by ULSC and has identified some concerns regarding the proximity of the proposed residential subdivision to the Gunning Sewage Treatment Plant (GSTP) and Gunning Landfill. These concerns relate primarily to the potential for odour and noise impacts and associated potential conflicts between the sites.

ULSC hold Environment Protection Licence No. 3110 for sewage treatment processing. The licence includes a range of conditions which protect the environment and impacts on sensitive receivers. While this development application is a planning matter for ULSC to assess and determine, the EPA advises that approval of developments (which include sensitive receivers) within proximity of odour generating activities be carefully considered and robustly assessed to ensure the amenity of sensitive receivers are protected and not place the licensee at risk of non-compliance.

The *Technical Framework: Assessment and management of odour from stationary sources in NSW* is the EPA's policy for managing odour in NSW. The framework is intended to be used as a guide by consent authorities and regulators such as local councils, the Department of Planning and the EPA for assessing proposals and setting licence and consent conditions. The framework promotes ongoing environmental improvement and best management practices to prevent or minimise odours. It also promotes sustainable land-use planning and management to avoid associated conflicts with odour.

The guidance should be considered in its entirety, however there are some sections that provide particularly relevant odour management guidance relating to development planning, including:

Phone 131 555 **TTY** 133 677 Locked Bag 5022 4 Parramatta Square **info@epa.nsw.gov.au**
Phone +61 2 9995 5555 **ABN** 43 692 285 758 Parramatta 12 Darcy St, Parramatta **www.epa.nsw.gov.au**
(from outside NSW) NSW 2124 Australia NSW 2150 Australia

- Section 5.2 - A strategic approach to avoiding odour through land-use planning
- Section 5.3 - Appropriate site selection

Appropriate site selection is key in reducing the potential for conflict between proposed developments and established infrastructure. Project planning should consider the compatibility of the proposal with current and future land uses. Although odour control measures are discussed in the framework, once the land has been developed the range and effectiveness of mitigation measures may be limited. It is therefore important to consider site selection prior to development occurring.

Thank you for seeing advice from the EPA. If you have any questions and would like to discuss the matter further, please contact me on 02 6229 7002 or at epa.southopsregional@epa.nsw.gov.au.

Yours sincerely,

20/04/2022

Janine Goodwin
Unit Head
Regulatory Operations Regional

Laterals

Planning
Engineering & Management
Environmental

Our Ref.: 20022

The General Manager
Upper Lachlan Shire Council
P O Box 42
GUNNING NSW 2581

Attention: Vivian Straw

Re: Stuart Duke
18 Boureong Road, Gunning - Lot 4 DP 1198749
Proposed Planning Proposal

Dear Vivian,
I refer to recent discussions regarding the above matter and particularly advice received by Council from the NSW EPA dated 20 April 2022.

The advice was forwarded to SLR Consulting Australia Pty Ltd for clarification and a copy of the response from SLR dated 31 May 2022 is attached. The response includes the following summary:

In summary, SLR considers the OAIA for Lot 4 adequate to demonstrate low risk of land-use conflict due to the following:

- *the small scale and odour potential of GSTP*
- *the separation distance to residences within Lot 4 being greater than the relevant recommended separation distances*
- *the low frequency of wind directions required to promote odour transport from GSTP to Lot 4*
- *the apparent absence of odour nuisance at sensitive receptors closer (and in several cases, within the recommended separation distance) to GSTP and in directions experiencing higher frequencies of wind directions required to promote odour transport from GSTP.*

SLR considers that the OAIA meets the intent of the relevant aspects of the Technical Framework and that the qualitative low-risk outcome indicates that a more detailed assessment (e.g. predictive modelling) is not warranted.

It is also advised that the advice from the EPA has been further considered by the proponent and he has suggested that the concerns of the EPA could be further ameliorated by increasing the buffer distance from the STP site to 250m as indicated on the attached site plan and aerial photograph (Sheets 1 and 2; Laterals Ref. 20022 dated 2 June 2022).

A draft development plan is also attached for your information which allows for the 250m buffer distance (Sheet 1 of 2; Laterals Ref. 20022 dated 8 June 2022).

If you require any further information or clarification please do not hesitate to contact me on 0428 483 558 or at robert@laterals.com.au.

Yours sincerely

Robert Mowle
LATERALS ENGINEERING and MANAGEMENT
8 June 2022

31 May 2022

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NSW EPA
Unit Head
Regulatory Operations Regional
Email: epa.southopsregional@epa.nsw.gov.au

Attention: Janine Goodwin

Dear Janine

Gunning Lot 4 DP 1198749
Response to EPA Advice (DOC22/308502)

I refer to your letter to Ms Siobhan Scott Nielson (22 April 2022) regarding the planning proposal for rezoning of Lot 4 DP 1198749 (the Site) from Rural Small Holdings RU4 to Rural Village RU5 and your concerns regarding the proximity of the Lot to Gunning Sewage Treatment Plant (GSTP) and Gunning Landfill. In particular, you state that your concerns relate to the potential for odour and noise emissions associated these facilities adversely impacting the Site and proffer consideration of EPA NSW document "*Technical Framework – Assessment and management of odour from stations sources in NSW*" (the Technical Framework).

SLR have previously prepared an odour amenity impact assessment (OAIA) for Lot 4 considering the potential for odour impacts associated with GSTP that we consider covers the relevant aspects of the Technical Framework including the likelihood of land-use conflict. We acknowledge the oversight in not including the Technical Framework, and the *Technical Notes: Assessment and management of odour from stationary sources in NSW* in the list of relevant standards and guidelines in Section 1 of the report, however the approach used addresses the content of these documents, as presented below.

Firstly however, regarding Gunning Landfill, it is our understanding that this site has not been operating as a landfill since 2017 and is now a relatively small waste transfer station consisting of a gravelled area on which several skip bins are available to accept waste and recyclables from the public (refer **Figure 1**). We note that this facility is approximately 2.9 km west of Lot 4, on the other side of the existing residences of Gunning (refer **Figure 2**), and therefore consider it to pose no risk of adverse odour (or noise) impacts at Lot 4.

Secondly, in consideration of noise from GSTP, previous noise impact assessments undertaken for other development sites located in closer proximity to GSTP than Lot 4 (i.e. 70 – 80 m separation) found that while noise from GSTP was audible at 70 m and at 80 m, levels were observed to comply with the lowest possible noise limits at all times (including at night). It follows then, that with at least 160 m separation from GSTP, the levels at the Site would also comply with these criteria and therefore noise amenity would not be adversely affected. On this basis, SLR does not consider there to be any concerns with regard to the noise amenity at Lot 4 resulting from GSTP activity.

With regard to the potential for adverse odour impacts at Lot 4 resulting from GSTP operations, SLR's OAIA includes several relevant considerations in-line with the Technical Framework's guidance, noting that in general, the Technical Framework approaches the interface of a facility and sensitive land use from the facility's perspective, and therefore many of its considerations are not applicable here.

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With regard to GSTP, an existing activity, we note that Section 1.6 of the Technical Framework, *Odour criteria for existing activities*, states:

> *Once a facility is operational the benchmark for the facility is no longer the odour assessment criteria but whether the emission of odour is:*
>
> - *'offensive' (for scheduled activities), or*
> - *being prevented or minimised using best management practices (for scheduled and non-scheduled activities).*

SLR is not aware of any existing ongoing nuisance issues associated with odour from the existing GSTP activities. This apparent absence of odour-related complaints from the existing residential areas indicates that the facility is achieving acceptable performance with regard to odour emissions. SLR considers that the emission of odour (intensity and character) is not offensive at the distances that existing sensitive receptors are located, as would be expected for a facility of this size, noting that these receptors are both closer and (as discussed in our assessment), downwind of the facility for a significantly greater proportion of the time than the Site proposed for land use change.

Section 4 of the Technical Framework sets out three levels of assessment:

- Level 1 – screening level technique based on generic parameters for the type of activity and site (only available for broiler chicken farms, piggeries and cattle feedlots)
- Level 2 – screening modelling assessment
- Level 3 – refined modelling assessment

As noted above, there are no Level 1 screening techniques available in the Technical Framework for STPs. Performing a Level 2 (or 3) modelling assessment requires detailed design and operational information for the STP to provide a reliable assessment, and would only be warranted if there was a reasonable risk of nuisance impacts. SLR's OAIA therefore presents a qualitative assessment of odour risks, which concluded that the risk was very low and therefore a more detailed assessment is not required.

In line with the Technical Framework Section 6.2 *Odour impact Assessment check list*, SLR's OAIA includes consideration of:

- potential odour sources from GSTP
- locations and characteristics of the odour sources
- locations of sensitive receptors (i.e. existing residences and Lot 4)
- weather conditions, including predominant wind directions
- site features that may affect odour propagation and dispersion, including topography
- the likely risk of odour impacts with consideration of:
  - the relatively small scale (capacity) of GSTP (and therefore the associated relatively small scale of odour emissions)
  - the separation distance between GSTP and Lot 4 in comparison to published minimum recommended buffer distances between waste water treatment plants and sensitive land uses.

- the prevailing wind conditions, in particular the frequency of wind directions that would be required to transport odour from GSTP to Lot 4, but also the frequency of wind directions that would transport odour to existing nearby sensitive receptors (residences) without apparent concern.

Note also that the Technical Framework Section 5.5 *Managing odour in the pathway* proposes the "Purchase or long-term leasing of neighbouring properties provides a secure buffer zone around a facility and increases the separation distance between the site of the odour emissions and existing (or potential) sensitive receptors." In addition, Section 5.4 *Managing odour at the source* describes locating "odour-generating activities taking account of topography and property boundary to maximise the 'on-site buffer' between the odour generating activities and the boundary and receptors." The OAIA considered the buffer distance between odour emissions sources and the potential sensitive receptors of Lot 4 and concluded that it is adequate to mitigate the risk of odour impacts (equal to or greater than the relevant recommended minimum separation distance of 160 m). It is our understanding that the southwest of the Site is now to include an area to be used for access and passive recreation, effectively creating a buffer area such that the separation between GSTP and Site residences will be at least 250 m.

In addition, SLR's OAIA considers known complaints history for existing sensitive receptors. While SLR was unable to determine the existence of any complaints held by Council, the OAIA notes that during previous similar studies in Gunning, anecdotal advice was obtained that there was no significant history of odour nuisance in the area.

In summary, SLR considers the OAIA for Lot 4 adequate to demonstrate low risk of land-use conflict due to the following:

- the small scale and odour potential of GSTP
- the separation distance to residences within Lot 4 being greater than the relevant recommended separation distances
- the low frequency of wind directions required to promote odour transport from GSTP to Lot 4
- the apparent absence of odour nuisance at sensitive receptors closer (and in several cases, within the recommended separation distance) to GSTP and in directions experiencing higher frequencies of wind directions required to promote odour transport from GSTP.

SLR considers that the OAIA meets the intent of the relevant aspects of the Technical Framework and that the qualitative low-risk outcome indicates that a more detailed assessment (e.g. predictive modelling) is not warranted.

Yours sincerely

JASON SHEPHERD
Principal, Air Quality

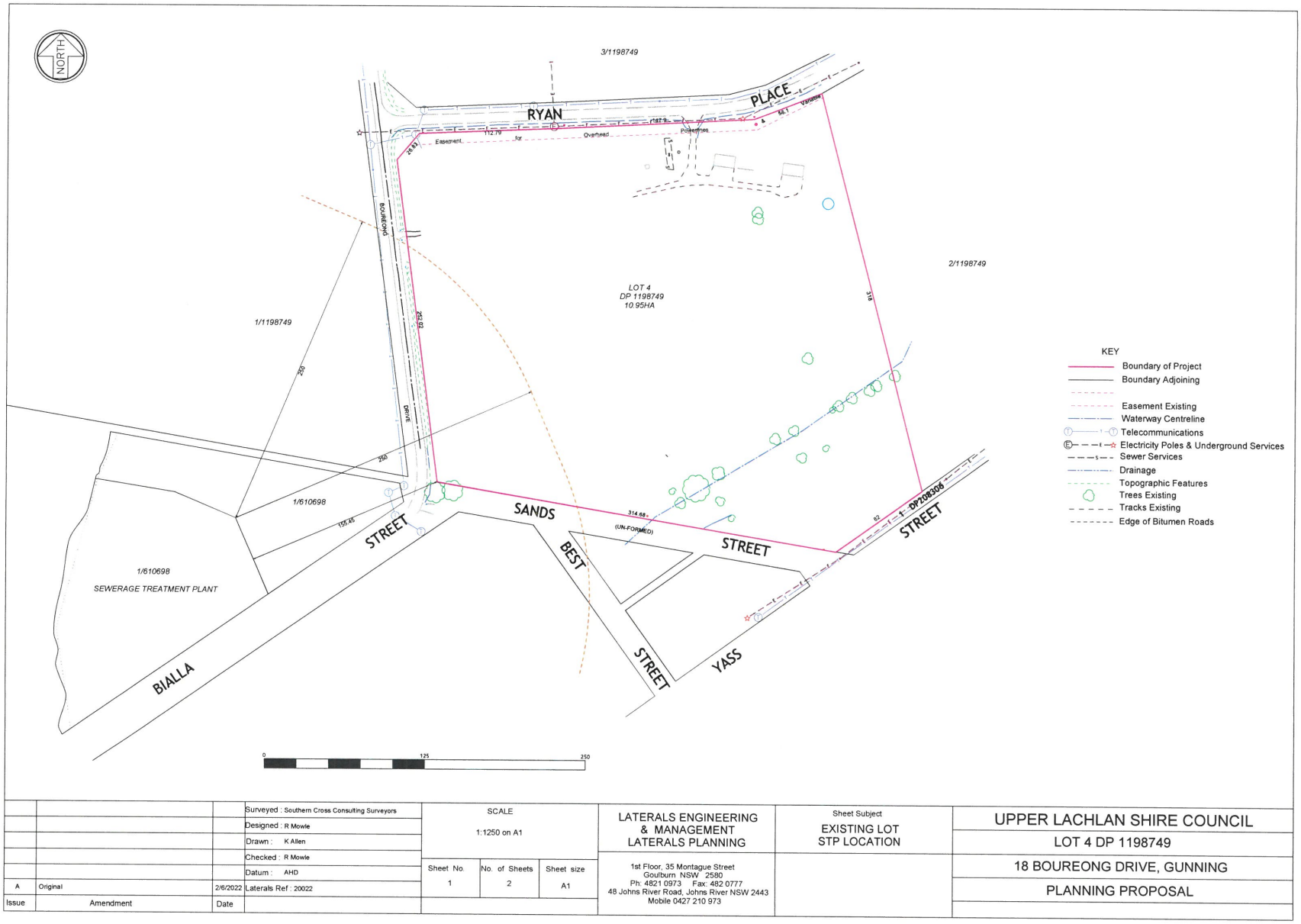
Checked/
Authorised by: KL

Figure 1 Gunning Waste Transfer Station

Source: https://www.upperlachlan.nsw.gov.au/news/gunning-waste-facility-become-waste-transfer-station

Figure 2 Gunning Waste Transfer Station Location

Source: Nearmap.com



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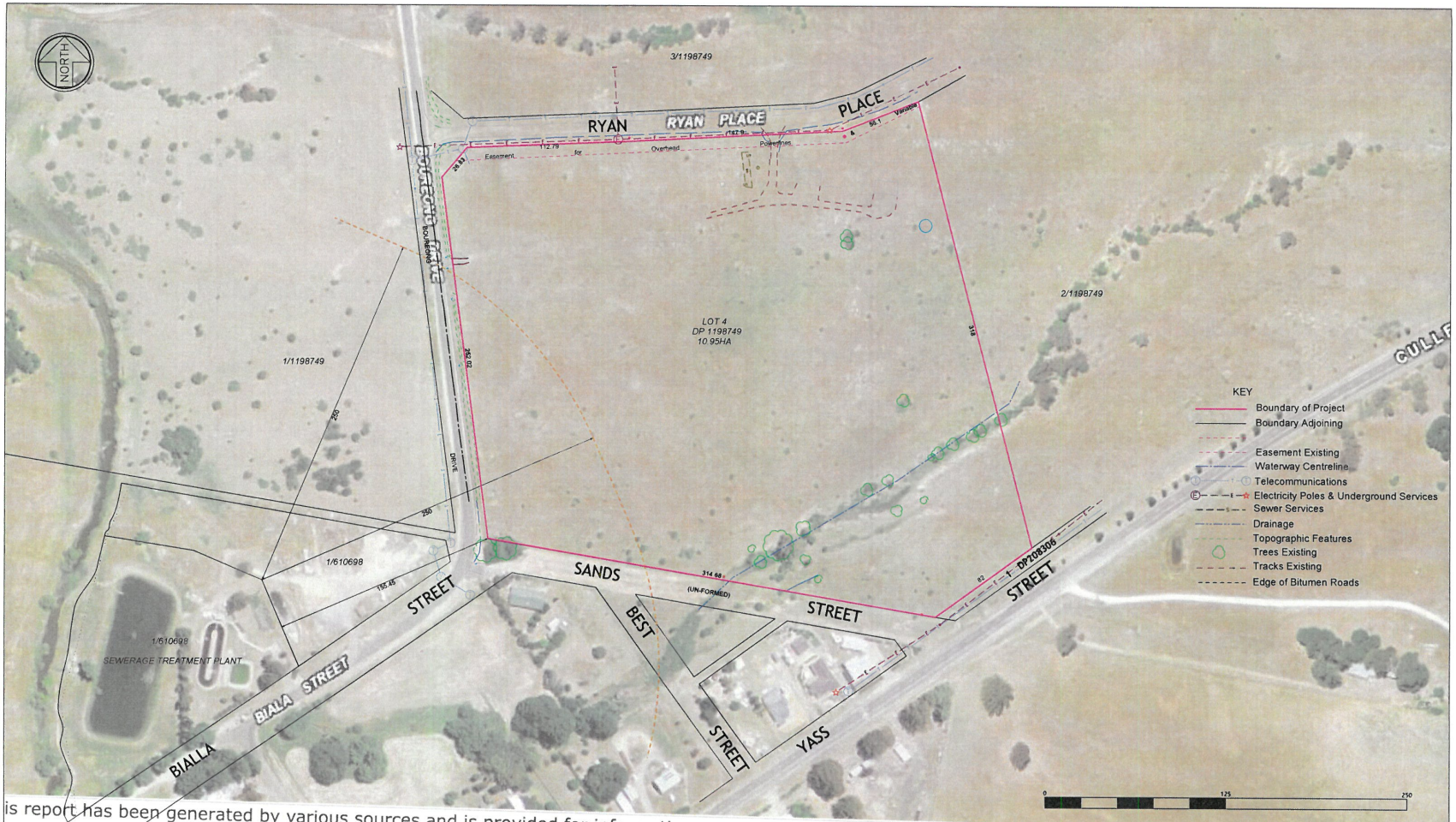
			Designed : R Mowle	1:1250 on A1		EXISTING LOT STP LOCATION	LOT 4 DP 1198749
			Drawn : K Allen				18 BOUREONG DRIVE, GUNNING
			Checked : R Mowle	Sheet No. 1 / No. of Sheets 2 / Sheet size A1	1st Floor, 35 Montague Street Goulburn NSW 2580 Ph: 4821 0973 Fax: 482 0777 48 Johns River Road, Johns River NSW 2443 Mobile 0427 210 973		PLANNING PROPOSAL
			Datum : AHD				
A	Original	2/6/2022	Laterals Ref : 20022				
Issue	Amendment	Date					



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			Designed : R Mowle				LOT 4 DP 1198749
			Drawn : K Allen				18 BOUREONG DRIVE, GUNNING
			Checked : R Mowle				PLANNING PROPOSAL
			Datum : AHD	Sheet No. 2 / No. of Sheets 2 / Sheet size A1	1st Floor, 35 Montague Street Goulburn NSW 2580 Ph: 4821 0973 Fax: 482 0777 48 Johns River Road, Johns River NSW 2443 Mobile 0427 210 973		
A	Original	2/6/2022	Laterals Ref : 20022				
Issue	Amendment	Date					

			Surveyed : Southern Cross Consulting Surveyors	SCALE	LATERALS ENGINEERING & MANAGEMENT LATERALS PLANNING	Sheet Subject	UPPER LACHLAN SHIRE COUNCIL
			Designed : R Mowle	1:1250 on A1		POTENTIAL SUBDIVISION TOPOGRAPHIC DETAILS	LOT 4 DP 1198749
			Drawn : K Allen				
			Checked : R Mowle	Sheet No. 1 / No. of Sheets 2 / Sheet size A1	1st Floor, 35 Montague Street Goulburn NSW 2580 Ph: 4821 0973 Fax: 482 0777 48 Johns River Road, Johns River NSW 2443 Mobile 0427 210 973		18 BOUREONG DRIVE, GUNNING
B	Amended Design for STP	8/6/2022	Datum : AHD				PLANNING PROPOSAL
A	Original	1/7/2021	Laterals Ref : 20022				
Issue	Amendment	Date					

ITEM 11.3 **Creation of an easement for access - Lot 21 Section 20 DP759000, 30 Bathurst Street, Tuena**

FILE REFERENCE **I23/73**

AUTHOR **Acting General Manager**

ISSUE

The owner Lot 21 Section 20 DP759000 30 Bathurst Street, Tuena, being the Presbyterian Church are in the process of selling the property. An informal road exists over the property, which provides access to a privately owned property located at the rear of the church.

This informal road has been inexistence for an extended period and members of the Tuena community have sought assistance from Council to formalise the current road prior to the sale of the church to ensure a legal access is established.

RECOMMENDATION That -

1. Council allocate funds to create an easement for access over Lot 21 Section 20 DP759000 30 Bathurst Street, Tuena to the benefit of Lot 117 DP753066.
2. The funds allocated shall incorporate the cost associated with creating and registering the easement, including surveyor costs and Council's legal fees.

BACKGROUND

Community representatives from Tuena approached Council officers to raise concerns that the pending sale of the Presbyterian Church will potentially remove the current access utilised for the property located at the rear of the church. The current access over Lot 21 Section 20 DP759000 has been in existence and utilised for an extended period, with alternate options limited due to the topography of the surrounding land.

The community and church have attempted to resolve the issue through ongoing negotiations, however this has been unsuccessful, hence Council being approached for assistance.

In discussions with both parties, Council officers have been able to reach common ground where the church has agreed to an easement being created to formalise the access, subject to the church not incurring any costs.

In investigating the alternative access options, Council officers are of the opinion that there is a benefit to both Council and the community if the easement were to be formalised. The community has also indicated that they are willing to assist and contribute to the creation of the easement and formalising the road.

REPORT
The Presbyterian Church currently owns Lot 21 Section 20 DP759000 30 Bathurst Street, Tuena and are in the process of selling based on the limited use of the existing church.

The access track over Lot 21 Section 20 DP759000 provides access to Lot 117 DP753066 and advice from the community indicates that the track has been in existence and utilised for an extended period.

Figure 1: Location of site

The community though ongoing discussions with representatives from the Presbyterian Church attempted to retain the access in its current form and location. Both parties were unable to reach an agreed position and as a result, the community representatives approached Council for assistance

Council officers have met with representatives from both the community and Presbyterian Church, with a potential position being reach as summarised below;

- The access easement being positioned adjacent to the property boundary, so as to reduce any impact on the value and use of the property;
- That the Presbyterian Church not being responsible for the cost associated with the creation of the easement;
- That the Presbyterian Church legal costs associated with the creation of the easement be covered and
- That the Presbyterian Church will not be responsible for any costs associated with the construction of the access track, including the removal of vegetation.

CREATION OF AN EASEMENT FOR ACCESS - LOT 21 SECTION 20 DP759000, 30 BATHURST STREET, TUENA cont'd

The Community representative has indicated that they will be able to cover the cost associated with the construction of the access road, removal of vegetation and the Presbyterian Church's legal cost (subject to this amount being confirmed).

To assist in resolving this matter and formalising legal access to an existing residential property Council is requested to consider allocating funds to create and register an easement over Lot 21 Section 20 DP759000 30 Bathurst Street, Tuena. Council officers suggest that the cost would be in the vicinity of $8,000 - $10,000, which is made up of approximately $3,000.00 for legal fees and $7,000, surveyor fees.

Council officers have inspected the site and investigated alternative options for access to Lot 117 DP753066, however such is limited because of existing vegetation and gullies that would be both relatively expensive to construct or upgrade and in turn maintain.

POLICY IMPACT

Nil impact.

OPTIONS

The Council may:

- Support the communities request an allocate funds to cover the creation and registering of the easement.
- Not support the process, thus requiring the owner of Lot 117 DP753066 to investigate and construct an alternative access;
- Construct an alternative road or upgrade and existing road to formalise access to Lot 117 DP753066.

FINANCIAL IMPACT OF RECOMMENDATIONS

The cost associated with the creation and registering of the easement has not been incorporated into Council's 2022/23 budget and as such, this would require addition funds to be allocated to enable such to be enacted. It is estimated that this cost would be in the vicinity of. $8,000 - $10,000.

RECOMMENDATION That -

1. Council allocate funds to create an easement for access over Lot 21 Section 20 DP759000 30 Bathurst Street, Tuena to the benefit of Lot 117 DP753066.
2. The funds allocated shall incorporate the cost associated with creating and registering the easement, including surveyor costs and Council's legal fees.

ATTACHMENTS

Nil

12 INFRASTRUCTURE DEPARTMENT

The following items are submitted for consideration -

12.1	Wombeyan Caves Road Slope Stability - Additional Works	118
12.2	Access Committee - Selection of New Members	121

ITEM 12.1 **Wombeyan Caves Road Slope Stability - Additional Works**

FILE REFERENCE **I23/57**

AUTHOR **Project Manager**

ISSUE

Due to additional slips on site and price escalations on the Wombeyan Caves Road Slope Stability project, projects costs have exceeded the allocated funds. The State and Federal funding bodies have advised that additional funding is not available through the current grants for this project to be completed.

RECOMMENDATION That –

1. Wombeyan Caves Road remains closed between Langs Road and the Wombeyan Caves Reserve until additional funds are secured to complete the works required to provide a safe road for road users.
2. Council seeks further grant funding in order to carry out the additional works required to address the safety issues which prevent the Wombeyan Caves Road from being open for public use.
3. Council's Acting General Manager be delegated authority to enter into direct commercial negotiations with the preferred tenderer once the additional funds are secured to complete the Slope Stability Works.

BACKGROUND

At the July 2022 Ordinary Council Meeting Council resolved to award the Slope Stability Works on the Wombeyan Caves Road to the preferred tenderer.

Council was set to begin Slope Stability Works on Wombeyan Caves Road from September to December 2022 as per Council resolution 187/22 from the August 2022 meeting.

ITEM 12.1 **UPDATE ON SLOPE STABILITY WORKS ON WOMBEYAN CAVES ROAD**

187/22 ***RESOLVED*** by Cr Searl and Cr Woodbridge

1. Council proceed with the reconstruction of Wombeyan Caves Road as a matter of priority.
2. Wombeyan Caves Road be closed between Langs Road and the Wombeyan Caves Reserve during the Slope Rehabilitation Stability Works.

- CARRIED

At the October 2022 Ordinary Council meeting (resolution 225/22) Council was advised that the Slope Stability Works needed to be postponed as a result of the multi-million dollar NSW National Parks and Wildlife Service (NPWS) Wombeyan Caves Tourism project. Due to the safety risks the two projects could not occur simultaneously ie undertake the slope stability project and Wombeyan caves tourism project at the same time.

REPORT

The NPWS Wombeyan Caves Tourism project is at completion stage and the original scope of the slope stability is ready to begin in March 2023. However, the delay in implementation of the original slope stability works and in specific the heavy rainfall in 2022, resulted in new slips and additional works required to two drystone walls. A geotechnical report identified that these issues created new risks that make the road unsafe and therefore require rectification (over and above the original Slope Stability Works), before the road can be re-opened to the public. Additionally the preferred tenderer has advised of an escalation in construction and materials costs due to the eight months delay since close of tender.

A reduction in the scope of works to reduce the costs of additional work cannot occur due to safety concerns.

The latest estimated project costs are approximately $325,000 over the $748,198.13 grant funding available. Council has reached out to the State and Federal governments to increase the grant funding to cover the extra costs however both Government departments have advised that they are unable to provide any additional funds than the current allocated amounts.

Staff will continue to seek further grant funding in order to complete project in its entirety. However, the process to apply and obtain approval could take six months to two years and there is no guarantee that Council will be successful with any grant application. Council could decide to take the risk and carry out the Slope Stability Works with the assumption that it will be successful with a grant application.

Consideration was given to complete the scope of works included in the original Slope Stability Works project and then complete the additional works at a later date. However, the road will remain unsafe for public use until the additional works have been completed. Therefore the only option is to complete the original and the additional scope of works at the same time.

POLICY IMPACT

The recommendation is consistent with Council's Road Management Policy including that Council has an obligation to ensure that its road network is as safe as possible for road users.

OPTIONS

1. Council to allocate the $325,000 additional funds required to complete the Slope Stability Works and award the contract to the previously selected preferred tenderer to start works as soon as practical.
2. Council decide to keep the road closed until additional funds are secured through external sources in order to complete the full scope of works required to open the road.

FINANCIAL IMPACT OF RECOMMENDATIONS

There is no budget allowance for the additional $325,000 to complete the project and it is therefore recommended that Council pursue grant funding to complete the Slope Stabilisation Works.

RECOMMENDATION That –

1. Wombeyan Caves Road remains closed between Langs Road and the Wombeyan Caves Reserve until additional funds are secured to complete the works required to provide a safe road for road users.
2. Council seeks further grant funding in order to carry out the additional works required to address the safety issues which prevent the Wombeyan Caves Road from being open for public use.
3. Council's Acting General Manager be delegated authority to enter into direct commercial negotiations with the preferred tenderer once the additional funds are secured to complete the Slope Stability Works.

ATTACHMENTS

Nil

ITEM 12.2 **Access Committee - Selection of New Members**

FILE REFERENCE **I23/58**

AUTHOR **Director of Infrastructure**

ISSUE

Selection of members of the public to the Upper Lachlan Shire Council Section 355 Access Committee.

RECOMMENDATION That -

1. Council write to the following four people advising them that they have been selected as new members of the Section 355 Access Committee:
    - Darren George
    - Samantha Cosgrove
    - David Johnson
    - Sharon Chan

BACKGROUND

At the December 2022 Ordinary Council Meeting Council resolved to adopt the Access Committee Charter and to advertise an expression of interest for members of the pubic to indicate their interest in becoming members of the committee. The Charter allows for three Councillors and four members of the public to be on the Access Committee.

During February 2023, Upper Lachlan Shire Council invited expressions of interest from community members to join the Section 355 Access Committee.

REPORT

The selected committee will meet quarterly and will provide input to Council on access issues across the Upper Lachlan Shire including the following.

- Matters relating to access issues, with emphasis on issues for people with disabilities as defined by the Disability Discrimination Act.
- Matters relating to access issues, with particular emphasis on actions from Pedestrian Access and Mobility Plan.
- The implementation of relevant Council programs and policies.
- Pedestrian and Access Mobility Plan review.

A total of six applications were received following the expression of interest process. All applicants live in the Upper Lachlan Shire Council Local Government Area and have met the key membership criteria requested. The selected community members will join the three councillors who were selected at the March 2022 Ordinary Council Meeting.

ACCESS COMMITTEE - SELECTION OF NEW MEMBERS cont'd

The following applicants submitted an expression of interest.

Darren George
Samantha Cosgrove
Sally Hutchings
David Johnson
Noelene Cosgrove
Sharon Chan

POLICY IMPACT

Nil

OPTIONS

Council can select the proposed members to the Access Committee or select other applicants that have submitted an Expression of Interest.

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council write to the following four people advising them that they have been selected as new members of the Section 355 Access Committee:
    - Darren George
    - Samantha Cosgrove
    - David Johnson
    - Sharon Chan

ATTACHMENTS

Nil

13 FINANCE AND ADMINISTRATION

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

14 GENERAL MANAGER

The following item is submitted for consideration -

14.1 Disbursement of former Collector Pumpkin Festival Committee funds 126

ITEM 14.1 **Disbursement of former Collector Pumpkin Festival Committee funds**

FILE REFERENCE **I23/74**

AUTHOR **Acting General Manager**

ISSUE

Council holds in reserve $83,555.95 from the former Collector Pumpkin Festival Committee. Council advertised a one off grant to the community to enable Collector community groups to apply for funding of suitable projects.

RECOMMENDATION That -

1. Council accept the minutes of the Collector Pumpkin Festival one off community grant meeting and endorses the Committee's recommendation.
2. Council releases the restricted reserve funds totalling $83,555,95 to the Collector Bushranger Reserve Trust for Stage one of the Collector Pump Track project subject to the completion of a hydrology study/report being conducted on the entire area and all relevant surrounding land.

BACKGROUND

Council holds in reserve $83,555.95 in funds from the former Collector Pumpkin Festival Committee. A one off grant was advertised to the community to enable community groups to apply for funds for suitable projects.

The one off community grant was designed to support community initiatives and groups specifically from within a 10km radius of the Collector locality.

REPORT

Council held in reserve $83,555.95 in funds from the former Collector Pumpkin Festival Committee.

The one off grant fund was open in December 2022, the eligible target community for the Community Grant included Incorporated or Not for Profit community groups, funds, projects/programs or facilities that are located within, or provided a direct benefit to, the community within a 10km radius of the Collector Village within the Upper Lachlan Local Government Area.

A total of three applications were received for this grant initiative. The Council Committee has recommended that the Collector Bushranger Reserve Trust be awarded the funding for their Collector Pump Track project, made up of two stages including Pump track (stage one) Bike & Bark Park (Stage 2) on the crown land public recreation reserve, known as Bushranger Reserve, Church Street Collector, and Deposited Plan 1141906.

POLICY IMPACT
Nil

OPTIONS
Council can accept or decline to allocate funds to the selected community group.

FINANCIAL IMPACT OF RECOMMENDATIONS

This is allocating funds held in reserve for a one off project payment.

RECOMMENDATION That -
1. Council accept the minutes of the Collector Pumpkin Festival one off community grant meeting and endorses the Committee's recommendation.
2. Council releases the restricted reserve funds totalling $83,555,95 to the Collector Bushranger Reserve Trust for Stage one of the Collector Pump Track project subject to the completion of a hydrology study/report being conducted on the entire area and all relevant surrounding land.

ATTACHMENTS

1.⇩	Collector Pumpkin Festival Funds - Minutes - 8 February 2023	Attachment

MINUTES OF THE FORMER COLLECTOR PUMPKIN FESTIVAL FUNDS ONE OFF COMMUNITY GRANT MEETING HELD WEDNESDAY 8 FEBRUARY 2023

PRESENT: Clr Pam Kensit (Mayor, ULSC)
Clr John Searl (Councillor, ULSC)
Ms Alex Waldron (Director Environment and Planning, ULSC)

NON-VOTING: Ms Jane Ramsay (Executive Assistant, ULSC)

1. WELCOME

The Mayor opened the meeting at 11.00am.

3. DECLARATIONS OF INTEREST

N/A.

4. PRIORITISATION OF PROJECT SUBMISSIONS FUNDING AVAILABLE – $83,555.00

The projects listed below were considered for funding:

	PROJECT	AMOUNT
1	Gunning Early Learning Centre	$5,155.00
2	Collector Bushranger's Reserve Trust	$78,843.00
3	The Uniting Church in Australia Property Trust (NSW on behalf of the Collector Uniting Church)	$9,900.00
	TOTAL	**$93,898.00**

RECOMMENDED: The Committee voted to award the total funding available to the Collector Bushranger's Reserve Trust. The Collector Bushrangers Reserve Trust application amount applied for was less than what the committee awarded but this is to ensure a hydrology study/report is completed.

The funding is conditional upon a hydrology study/report being conducted on the entire area and all relevant surrounding land.

The Committee was highly supportive of their application, the project's benefit to the wider Collector community and the location of the project.

Moved: Pam Kensit **Seconded:** Alex Waldron

The meeting closed at 11.35am.

16 REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES

The following item is submitted for consideration -

16.1 Reports from Committees for the month of March 2023 130

Reports from Other Committees, Section 355 Committees and Delegates - 16 March 2023

ITEM 16.1 **Reports from Committees for the month of March 2023**

RECOMMENDATION:

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

1. Tuena Hall & Recreation Area Committee – Minutes from Annual General Meeting held 22 February 2023.
2. Tuena Hall & Recreation Area Committee – Minutes from Meeting held 22 February 2023.

ATTACHMENTS

1.⇩	Tuena Hall & Recreation Committee - Minutes from Annual General Meeting held 22 February 2023	Attachment
2.⇩	Tuena Hall & Recreation Committee - Minutes from Meeting held 22 February 2023	Attachment

Tuena Hall & Recreation Area Committee

Bathurst Street, Tuena NSW 2583 PH. 48345267

A section 355 committee of Upper Lachlan Shire Council

Minutes of the Annual General Meeting

22nd February 20233

Present:
Vince Lonergan, June Lonergan, Robyn Hall, , Jill Cowey, Gabrielle Saville, Jenelle Parsons, Barb Blankenzee, Robyn Cartwright, Cheryl Gilbert, Rae Ford, Bev Hall, Dave McTaggart.

Apologies: Mandy MacDonald, Lesley Hall
Meeting Opened: 2.00pm.

Minutes from the previous AGM were not tabled as there was a blackout at the secretary's resident and these minutes were stored on her personal computer.

All position were declared vacant. Due process was followed.
Nominations were called for, seconded and unanimously agreed upon. Positions were accepted.

2023 Committee is:

Ex-Officio Chairperson: Mayor Pam Kensit
Council Representative: Mandy MacDonald

President: Jill Cowey
Vice President: Robyn Hall
Secretary: Gabrielle Saville
Treasurer: Jenelle Parsons.

Committee Members:
Vince Lonergan, June Lonergan, Robyn Hall, Lesley Hall, Jill Cowey, Gabrielle Saville, Jenelle Parsons, Craig Clulow, Dave McTaggart.
Barb Blankenzee, Bev Hall, Robyn Cartwright, Rae Ford.

Sub Committee: Ladies Craft Shop
Jill Cowey and Barb Blankenzee

Meeting Closed 2.10pm.

Tuena Hall & Recreation Area Committee

Bathurst Street, Tuena NSW 2583 PH. 48345267

A section 355 committee of Upper Lachlan Shire Council

Minutes of General Meeting

22nd February 20233

Present:

Vince Lonergan, June Lonergan, Robyn Hall, Jill Cowey, Gabrielle Saville, Jenelle Parsons, Barb Blankenzee, Robyn Cartwright, Cheryl Gilbert, Rae Ford, Bev Hall, Dave McTaggart.

Apologies: Mandy MacDonald, Lesley Hall

Meeting Opened: 2.15pm.

Best wishes were acknowledged for Mandy MacDonald who was unable to attend as she was undergoing a surgical procedure.

Condolences were expressed for Lesley Hall who was unable to attend as her mother, Annie Evans aged 104 of Crookwell, died last evening.

Minutes from the previous General Meeting were tabled.

Resolved: Jenelle Parsons, Barb Blankenzee ……. Unanimously accepted.

Treasures Report was tabled:

Resolved: Dave McTaggart, Robyn Hall…….. Unanimously accepted.

Correspondence:

Outgoing:

1. Letter to Council requesting update on works program for Recreation Area.
2. Letter to Council requesting status of Tablelands Way/ Peelwood Road intersection.
3. Several letters to Council concerning issue of access at St Margaret's Presbyterian Church.
4. Works request to Council for an inspection of bore water setup and installation of a heavy duty filter.

Incoming:

1. Email from Mandy MacDonald with update of Council Works in Progress & Grants with reference to Peelwood Road.

Business Arising from previous Minutes:

SHOWER BLOCK.

Work is almost complete. Total Cost $10,000. Fantastic result, very positive feedback. Robyn Summerall has resigned as our cleaner of the shower block due to ill health. Craig Clulow has accepted the position.

ACTION: Write a letter of thanks to Robyn and request that all equipment and product be made available to new cleaner.

KEL & ROZ SUSSEMS VAN

ACTION: Investigate when last payment for site fees was made, generate account with recommendation that van be removed.

St Margaret's Presbyterian Church access issue.

This is still a major concern.

Council is assisting and assessing potential solutions.

General Business:

1. Hall Lights

Three Exit signs are not working. One ceiling light is out.

ACTION; Works Request to Council for and electrician to remedy. (Note very high ceiling)

2. Screen Doors:

Motion: Hall Committee accepts the quote for supply and install of two screen doors to be fitted to the Craft Shop and Kitchen.

Resolved: Bev & June..Unanimously accepted.

Jenelle will contact supplier and arrange payment.

NB: Advise council that this was a request included in the Operational Plan for consideration and can be withdrawn.

3. Air Conditioning for Kitchen:

Motion: Hall Committee set aside a maximum of $4000 to have an appropriately sized Air Conditioning Unit installed in the Kitchen of the Community Hall.

Resolved: Cheryl & Robyn Hall..unamiously accepted.

Jenelle to organise.

(Post script: Jenelle has measured the space, received and accepted a quote for supply and installation for under $2000.)

4. Emergency Vehicle Entrance at Cricket Ground.

The present site is difficult to access due to drainage issues and changes to roads.

ACTION: Move the gate and to a better site. This will now be located on the boundary below the cricket shed. Dave McTaggart will oversee all work. Cost should be minimal.

5. Plumbing:

ACTION: Ask Brad Stevens (licenced plumber) to plumb rainwater to the Hall toilets. Tank on site and not used elsewhere. Ask Brad Stevens to replace float valve in bore water tank for showers to maintain efficiency. Hall Committee to cover cost.

6. Signs:

ACTION: arrange for 3 outdoor quality signs to be made and installed within the recreation area;

1.

RAIN WATER
This water is for Patrons of the Recreation area Only
Not for Public Use.

Why?
Because members of the general public have been witnessed accessing water from this tank in jerry cans..60 to 100 litres at a time.

2.

DESIGNATED PRIMITIVE CAMPGROUND
Short Stays Only
Crownlands Act

Why?
Long Stay is not permitted. We do not want to encourage LONG stay .

3.

.

During a Total Fire Ban you cannot light, maintain or use a fire in the open, or to carry out any activity in the open that causes, or is likely to cause, a fire. Penalties apply.

Sign hinged together and be secured at top so can be flipped open

Dave McTaggart will install all signs
Signs to be 500mm x 500mm.
Hall Committee agreed to cover cost.

7. Volunteer Workers Accident Insurance.

We have 3 persons on the Volunteer Workers Scheme through Centrelink. In an email from Centrelink we are required to provide proof of Volunteer Workers Accident Insurance.
ACTION: Ask Council if we have this cover through their insurance or do we have to provide our own.

8. Easter Markets

Will be the same format as in past years.
ACTION: Arrange signs and advertising to promote maximum success.

9. Working Bee at Cemetery.

Plan for working bee at Cemetery for after Easter.

Meeting Closed at 4.00pm

Next Meeting
May 2023.

17 NOTICES OF MOTION

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

18 QUESTIONS WITH NOTICE

The following item is submitted for consideration -

18.1 MAAC 140

Questions With Notice - 16 March 2023

ITEM 18.1 **MAAC**

AUTHOR **Councillor Jo Marshall**

Can the General Manager please advise the following information about the MAAC for the public;

a. What is the current cost of the MAAC development as originally designed?
b. What has been spent on the development to date?
c. What funding is left?
d. What funding is required to be sourced and for what part of the development?
e. What are the projected ongoing operating costs of the MAAC?

ACTING GENERAL MANAGERS COMMENTS

It should be noted that all the questions were answered fully in the document presented at the closed confidential session of the Ordinary Meeting of Council on 16 February 2023. Some of the items were of a contractual nature and therefore due to commercial in confidence, could not be detailed in an open Council session, this remains the same.

The original guestimate to replace 2 pools and add an additional heated indoor pool within a new building, including new compliant amenity / change-room buildings and new compliant ancillary plant (and plant room) was approximately $6 Million.

The concept design added a Visitor information Centre, a community exhibition space, a café/kiosk to the pool/visitors areas and public amenities – bringing total for the project to approximately $8.5 Million.

Since that concept design a number of additional elements such as solar, all – abilities playground, rehab/run track, tiered seating etc along with construction escalation costs due to Covid (to all facets of the construction) have added additional costs, which council is currently in negotiation to finalise.

Council were been successful in securing 6 grants and Council have expended around $4Million of the above mentioned funds on the project. It is anticipated that further funding will be required to complete the project in its entirety. The Government decision to scrap the Building Better Regions Fund has left Council with a gap in funds of around $1.2 Million.

Operating cost for the MAAC are being worked through as part of the annual budget process, however it is not anticipated that the net operating costs will be significantly higher than previously budgeted. This is due to efficient design such as solar PV inclusion, savings from rent expenditure associated with the VIC, business opportunities associated with the café and exhibition spaces, and anticipated increased patronage.

ATTACHMENTS

Nil