



# BUSINESS PAPER

## ORDINARY MEETING

Thursday 19 August 2021

9:00AM

Council Chambers Crookwell

### **TABLELANDS REGIONAL COUNCIL'S VISION**

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

### **COUNCIL'S MISSION**

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

### **COUNCIL'S AIMS**

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

## **NOTICE OF MEETING**

10 August 2021

### **Councillors**

Dear Members

### **Ordinary Meeting of Council**

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 19 August 2021** in the **Council Chambers Crookwell** commencing at **9:00AM**.

Your presence is requested.

Yours faithfully



Colleen Worthy  
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."*

<b>1</b>	<b>NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING</b>	
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	Nil	

**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**

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

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

## AGENCY ADVICE

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

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

## UPPER LACHLAN SHIRE COUNCIL

### COUNCILLORS DISCLOSURE OF A PECUNIARY INTEREST

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

To the 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<sup>1</sup>

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

*[Tick or cross one box]*

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



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Current zone/planning control

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Proposed change of zone/planning control

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

☐ Appreciable financial gain

☐ Appreciable financial loss

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*[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 15 July 2021 .....	12
--	----

**PRESENT:** Mayor J Stafford (Chairperson), Cr P Culhane, Cr J Searl, Cr D O'Brien, Cr P Kensit, Cr J Wheelwright, Cr B McCormack, Ms C Worthy (General Manager), Mr A Croke (Director Finance and Administration), Mr V Straw (Manager of Environment & Planning), Mr G Lacey (Director of Infrastructure), Miss K Dewar (Executive Assistant)

**VIDEO:** Mr C Gordon (Media Officer)

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**THE MAYOR DECLARED THE MEETING OPEN AT 09:03am**

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

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

*The Mayor also advised the new requirements for Council meetings, requiring all Councillors and staff to wear masks during Council meetings as required by NSW Public Health Order for COVID-19.*

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

There were no apologies.

**SECTION 3: CITIZENSHIP CEREMONY**

Nil

**SECTION 4: DECLARATIONS OF INTEREST**

Nil

**SECTION 5: CONFIRMATION OF MINUTES**

**ITEM 5.1**                    **RESOLVED** by Mayor Stafford and Cr Searl  
**98/21**

That the minutes of the Ordinary Council Meeting held on 17 June 2021 be adopted.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**                    Nil

**SECTION 6: MAYORAL MINUTES**

**ITEM 6.1**                    **MAYORAL MINUTE**  
**99/21**                    **RESOLVED** by Mayor Stafford and Cr Searl

That Council receive and note the activities attended by the Mayor for June and July 2021.

Councillor Stafford noted that Councillor McCormack and Councillor Wheelwright be nominated as part of the LGNSW Local Government Association awards for meritorious service.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**                    Nil

**SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC**

Nil

## **SECTION 8: CORRESPONDENCE**

### **ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF JUNE/JULY 2021**

**100/21** **RESOLVED** by Cr Searl and Cr Kensit

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

1. Office of Local Government – Circular 21–09 – Crown Lands – Plans of Management funding extension – 7 June 2021
2. Office of Local Government – Circular 21–10 – Guidelines for Designated Rehoming Organisations under Section 88B of the Companion Animals Act 1998 – 9 June 2021
3. Office of Local Government – Circular 21–11 – Preparation of non-residential rolls – 10 June 2021
4. Office of Local Government – fortnightly e-newsletter – 11 June 2021
5. Office of Local Government – Circular 21-12 – “Electoral Matter” and use of Council resources prior to local government elections – 11 June 2021
6. Office of Local Government - Letter from Minister Hon Shelley Hancock - Emergency Service Levy Letter Payment - 15 June 2021.
7. Office of Local Government - Local Government Amendment to Act - 10 June 2021
8. Office of Local Government - Circular 21-14 - Transitioning back to in-person council and committee meetings - 28 June 2021

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

## **SECTION 9: LATE CORRESPONDENCE**

Nil

## **SECTION 10: INFORMATION ONLY**

### **ITEM 10.1 DEVELOPMENT STATISTICS FOR THE MONTHS OF JUNE 2021**

**101/21** **RESOLVED** by Cr Searl and Cr Kensit

1. Council receives and notes the report as information.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 10.2-10.8 INFORMATION ONLY ITEMS**

**102/21** **RESOLVED** by Cr Searl and Cr O'Brien

Council receives and notes items 10.2-10.8 as information.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

## REPORTS FROM STAFF AND STANDING COMMITTEES

### SECTION 11: ENVIRONMENT AND PLANNING

**ITEM 11.1 NAMING OF THE KANGAROO CREEK BRIDGE, BIGGA**  
**103/21 RESOLVED by Cr O'Brien and Cr Kensit**

1. Council name the bridge the Trevor Picker Bridge.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 11.2 NAMING OF THE CROOKWELL MEMORIAL OVAL BUILDING**  
**104/21 RESOLVED by Cr O'Brien and Cr McCormack**

1. Council endorse the name Emily Chalker Sports Venue

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil



**ITEM 11.3                    VEGETATION MANAGEMENT AND TREE REMOVAL  
AMENDMENTS TO ULSC DCP 2010**

**105/21                    RESOLVED by Cr Searl and Cr O'Brien**

1. The Council advertise the proposed amendments to section 4.2.1 of the Upper Lachlan Development Control Plan 2010 for a minimum of 28 days in line with the Community Participation Plan.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, D  
O'Brien, B McCormack, J Searl,  
J Stafford and J Wheelwright

**Councillors who voted against:-**                    Nil

**ITEM 11.4                    DEVELOPMENT APPLICATION 35 YASS STREET GUNNING**

**106/21                    RESOLVED by Cr Searl and Cr Culhane**

1. Council approve Development Application 57/2021 for a dwelling house on Lot 31 DP 557691 and detached shed subject to the relevant conditions of consent.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, D  
O'Brien, B McCormack, J Searl,  
J Stafford and J Wheelwright

**Councillors who voted against:-**                    Nil

**ITEM 11.5                    DEVELOPMENT APPLICATION DWELLING WOMBAT STREET  
GUNNING 49/2021**

**107/21                    RESOLVED by Cr Searl and Cr Culhane**

1. That Council approve Development Application 49/2021 for a dwelling house and detached shed at 3A Wombat Street Lot 2 DP1272189 subject to the relevant conditions of consent.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 11.6  
108/21**

**ROAD OPENING AND CLOSING LERRIDA ROAD SOUTH**

**RESOLVED** by Cr Searl and Cr McCormack

1. That the Council endorse the opening and closing of sections of Lerrida Road South as shown on the attached maps.
2. The Council approve the sale and purchase of affected remnant land.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**SECTION 12: INFRASTRUCTURE DEPARTMENT**

**ITEM 12.1  
109/21**

**WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE**

**RESOLVED** by Cr Searl and Cr McCormack

1. Council receive the report and note the information.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**SECTION 13: FINANCE AND ADMINISTRATION**

**ITEM 13.1 DELIVERY PROGRAM BI-ANNUAL REVIEW 2020/2021**

**110/21** **RESOLVED** by Cr Searl and Cr McCormack

1. Council adopt the Delivery Program Review and the Fit for the Future Action Plan Review for the six month period ended 30 June 2021.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 13.2**

**ACCOUNTS RECEIVABLE BAD DEBT WRITE OFF**

**111/21**

**RESOLVED** by Cr Culhane and Cr O'Brien

1. Council approve the bad debt write-off for unrecoverable miscellaneous accounts receivable aged debtor in the name of NSW Rural Fire Service totalling \$16,631.40.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 13.3**

**BUSINESS CONTINUITY PLAN**

**112/21**

**RESOLVED** by Cr Searl and Cr O'Brien

1. Council adopt the Business Continuity Plan.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 13.4**  
**113/21**

**REVIEW OF TOURISM EVENT FUNDING POLICY**

**RESOLVED** by Cr Searl and Cr O'Brien

1. Council adopts the reviewed Tourism Event Funding Policy.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

<b>POLICY:-</b>	
Policy Title:	Tourism Event Funding Policy
File reference:	F13/77-09
Date Policy was adopted by Council initially:	28 July 2005
Resolution Number:	200/05
Other Review Dates:	16 August 2011, 21 August 2014, 21 June 2018
Resolution Number:	323/11, 260/14, 184/18
Current Policy adopted by Council:	15 July 2021
Resolution Number:	113/21
Next Policy Review Date:	2024

<b>PROCEDURES/GUIDELINES:-</b>	
Date procedure/guideline was developed;	
Procedure/guideline reference number:	

<b>RESPONSIBILITY:-</b>	
Draft Policy Developed by:	Tourism Manager
Committee/s (if any) consulted in the development of this policy::	Nil
Responsibility for implementation:	Director of Finance and Administration
Responsibility for review of Policy:	Director of Finance and Administration

## Objective

Encourage the development and expansion of tourism events and to create a vibrant events calendar for visitors and local residents. Provide applicants with guidelines for event funding and outline the Upper Lachlan Shire Council's expectation for tourism events.

## Purpose

The Upper Lachlan **Shire Council** would like to foster and financially support events that encourage visitors to visit more often, stay longer, enjoy more and see more of our Council area. This will, in part, be achieved by providing financial support for new and existing events in accordance with guidelines set out below.

## Definitions

For the purposes of this policy, "Tourism" is defined as the short term movement of people to destinations outside the places where they normally live and work, together with their activities and experiences during these journeys. They may come for business or pleasure, they may stay overnight or come for the day, they may stay with friends and relatives or in paid accommodation.

A "Tourism Event" is an event, which receives the majority of its attendance from tourists.

## Funding

### *i. New Events*

Each financial year, the Upper Lachlan **Shire Council** will allocate \$1,500 towards the financial assistance of a new tourism event. The **Council** will finance one tourism related event to the value of \$1,500 per year for a period of two years. The aim is to assist events that will be sustainable without further significant financial support after that period.

### *ii. Existing Events*

Each financial year, the Upper Lachlan **Shire Council** will allocate **\$1000** of its **tourism** budget to the support of existing events within the Shire. The aim is to support events that make the greatest contribution towards achieving the objectives of the **Tablelands Destination Development Plan 2020-2025** and the **Upper Lachlan Destination Action Plan 2020-2025**. Small grants up to \$500.00 are available for a specific purpose.

### *iii. Unused Funds*

Any new or existing event funding that is not awarded during the grants process will be re-allocated to general advertising funds and used for the promotion of the Upper Lachlan Shire as a tourist destination.

The Upper Lachlan **Shire Council** will advertise for applications for new and existing tourism event funding during May each year with applications open for a minimum of four weeks.

Applications will be assessed on the basis of cost-benefit analysis. The level of contribution from the applicant for the event in cash and/or in-kind (voluntary labour and/or materials etc) will be highly favoured, as will efforts to seek funding from other sources. The Upper Lachlan **Shire Council** will only fund events that they consider viable and/or suitable and are consistent with the **Tablelands Destination Development Plan 2020-2025** and the **Upper Lachlan Destination Action Plan 2020-2025**.

Decisions regarding funding allocations will be made by the Upper Lachlan **Shire Council** at its June meeting for funding in the next financial year. All applicants will be advised in writing of the outcome of their application and are welcome to seek feedback from the **Tourism Manager**.

## **Assessment Criteria**

*Assessment criteria include -*

- Is the event aligned with the **Tablelands Destination Development Plan 2020-2025 and the Upper Lachlan Destination Action Plan 2020-2025?**
- Does the event primarily target tourists and how?
- What level of short and long-term visitation is the event likely to encourage?
- What is the likely economic impact of the event upon the Upper Lachlan?
- Is the event sustainable or does it have the potential to be self sustaining?
- Does the event have wider community support?
- Are there measures in place to gauge the success of the event?
- Does or will the event, comply with all relevant federal, state and local legislative requirements?
- Has the applicant conducted a thorough risk assessment and have risk management plans in place?

The funding round is a competitive process and the applicants are advised to include all detail that will assist **in** assessing the merits of the application.

## **Terms and Conditions**

Applications may be received from:

- Incorporated not-for-profit organisations
- School P&C Committees
- Churches and other charitable organisations
- Individuals, groups and unincorporated associations with a nominated auspicing body. An auspicing body is a legally constituted organisation that will take legal and financial responsibility for a grant if awarded
- Commercial enterprises

Applicants must reside within the Upper Lachlan Shire Council local government area.

All applications must be received in writing using either the “New Event” or “Existing Event” **online or hardcopy application form, addressing all of the assessment criteria,** to be eligible for funding.

All **hardcopy** applications are to be forwarded to the attention of the Tourism Manager – Upper Lachlan Shire Council – PO Box 303, Crookwell NSW 2583.

**All approved funding will be reported to Council as part of the minutes from the Section 355 Upper Lachlan Tourist Association Committee.**

Tourism event funding must be spent before the end of the financial year for which it is granted.



If a funded event does not go ahead for any reason, then any unspent funds must be returned ~~to the ULTA~~ within 30 days of the proposed event date.

The tourism event for which an applicant seeks funding must be based in the Upper Lachlan Shire local government area.

All grants awarded by the ~~Council~~ are made on the assumption of honest and full disclosure of information. Evidence of any breach of this trust will make the grant null and void; in which case any funds paid under this policy must be returned ~~to the Association~~.

Any successful event organiser will be required to sign an Agreement document which specifies the conditions of the funding. This will include:-

- Post event evaluation report;
- Funds to be spent in accordance with the purpose identified in the application; and
- Acknowledgements of the ~~Council's~~ contribution.

Applicants must provide indemnity for the ~~Upper Lachlan Tourist Association and~~ Upper Lachlan Shire Council from all claims, actions, damages, losses, expenses and liability. This is provided for in the Agreement.

Minutes from all event management meetings may be required to be forwarded to the Upper Lachlan ~~Shire Council~~ including financial statements.

All funded events must comply with the relevant local, state and federal legislation regarding temporary events including but not limited to Upper Lachlan Development Control Plan 2010, Upper Lachlan Local Environmental Plan 2010, NSW Food Authority Regulations and NSW Roads and Maritime Services Regulations.

## RELEVANT LEGISLATION AND COUNCIL POLICIES

Council will process funding applications with reference to:-

- Local Government Act 1993 (as amended);
- Local Government (General) Regulations 2005;
- Environmental Planning and Assessment (EPA) Act 1979;
- Independent Commission against Corruption Act 1988;
- Work Health and Safety Act 2011;
- Government Information (Public Access) Act (GIPA) 2009;
- Anti Discrimination Act 1977;
- ~~NSW State Records Act 1988;~~
- ~~Government Information (Public Access) Act (GIPA) 2009;~~
- ~~Tablelands Regional Community Strategic Plan 2036;~~
- Code of Conduct for Councillors, staff and delegates of Council;
- Privacy Management Plan;
- Complaints Management Policy;
- ~~Section 355 Committee Policy;~~
- ~~Tablelands Destination Development Plan 2020-2025~~
- ~~Upper Lachlan Destination Action Plan 2020-2025~~

- Bribes Gifts and Benefits Policy;
- Grievance Policy;
- Disciplinary Policy; and
- Any other relevant legislation and guidelines as applicable.

### Variation to Policy

Council reserves the right to vary the terms and conditions of this policy.

#### ITEM 13.5

#### REVIEW OF PUBLIC ART POLICY

114/21

**RESOLVED** by Cr Searl and Cr Culhane

1. Council adopts the reviewed Public Art Policy.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

<b>POLICY:-</b>	
Policy Title:	Public Art Policy
File reference:	F13/618-04
Date Policy was adopted by Council initially:	26 June 2008
Resolution Number:	200/08
Other Review Dates:	16 August 2011, 21 August 2014, 21 June 2018
Resolution Number:	323/11, 260/14, 184/18
Current Policy adopted by Council:	15 July 2021
Resolution Number:	114/21
Next Policy Review Date:	2024

<b>PROCEDURES/GUIDELINES:-</b>	
Date procedure/guideline was developed;	

Procedure/guideline reference number:	
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<b>RESPONSIBILITY:-</b>	
Draft Policy Developed by:	Tourism Manager
Committee/s (if any) consulted in the development of this policy::	Nil
Responsibility for implementation:	Director of Finance and Administration
Responsibility for review of Policy:	Director of Finance and Administration

## **Objective**

To provide guidelines for the encouragement, creation, placement and maintenance of public artworks in the Upper Lachlan Shire.

This policy is to –

- Provide a methodology, framework and procedures to assist the Upper Lachlan Shire Council to make decisions on public art projects from within the organisation, individuals, non-profit and commercial organisations and State and Federal funding bodies.
- Outline a clear application, assessment and implementation process for the completion of public art projects for the Shire.

## **Scope**

This policy applies to any external or internally generated applications to undertake public art works, commissions, grants and major capital works.

## **Public Art Defined**

For the purposes of this policy, “Public Art” is defined as work that exists within the public space; this shall include natural and built environments. For instance, a sculptural work in the local park or an entrance sign at the town fringe are both public art, as is a dimensional artwork displayed in a gallery, museum or library that is the property of the Upper Lachlan Shire Council. Public art may be permanent or temporary and it may be owned by Council or privately.

Public artwork is not signage or other works that promote a business, organisation or individual for commercial or personal gain.

Public art may be produced in three ways –

1. Professional commissioned work – this is work in a public space that a professional artist has been commissioned to design, fabricate (or oversee fabrication) and install (or oversee installation) to a client brief. That client may or may not be Council.
2. Donated work – this is work in a public space that has been gifted to the Upper Lachlan Shire and may or may not have been produced by a professional artist.
3. Community Art – this is work in a public space that has been developed through a community consultation and creative process under the guidance of a professional artist and to a client brief. That client may or may not be Council.

it is highly recommended that public artworks intended for display in the Upper Lachlan Shire are not commissioned before discussing the project with Council to ensure that the applicant is fully aware of the potential requirements.

## **Basic Principles**

The conception and installation of public art in the Upper Lachlan Shire shall be guided by the following principles:-

- Respect and consideration for cultural and natural heritage and existing landscape/streetscape.
- Respect and consideration for the past and present residents of the Shire and the natural and built environments, which provide the region with points of difference, interest and creative environs.
- Respect and consideration for local identity, sense of place and current usages of the space.
- Respect, consideration and valuing of the cultural diversity within the community and of those who visit.
- Consideration of means in which to provide equitable opportunities for participation.
- Consideration and establishment of networks, partnerships and co-ordination responsibilities.
- The concept, design and fabrication of work should utilise local artists, fabricators and cultural industry workers as and where appropriate.
- Where local skills are not available applicants should seek to use avenues in which skill sharing and development at a local level can occur.

Respect and value for “the artist” and their right for creative licence, copyright, appropriate wages and adequate timeframes in which to complete the work.

Projects should utilise contracts that clearly outline the rights and responsibilities of each party including, where appropriate, a shared copyright agreement regarding public art work.

- Projects should ensure that maintenance schedules, budgets and responsibilities are identified at the time of conception.
- In particular, projects that reflect the themes of local industry, local flora and fauna, heritage, indigenous, historical icons including residents, clean environment and prospectors/miners should be given support as these were identified in the community consultation process.

### **Schedule of Conditions for the Approval of Public Art Works**

Upper Lachlan Shire Council, wherever possible, encourage public art works that meet the following conditions:-

- Applicants must be able to demonstrate that they have the necessary funding, expertise and commitment to undertake the project.
- The design must integrate with existing artworks where applicable.

- Applicants must provide detailed design plans and/or drawings of the proposed public artwork. The plans must indicate the dimensions of the work, materials to be used, costing, timeframes for completion and the proposed location.
- Applicants must be prepared to enter a contract with Council that guarantees completion of the work in a manner approved by Council. (this is in addition to any documentation required for a development approval and brief)
- Where required, applicants must complete a risk assessment and all other documents as outlined in the brief and this must be approved by Council's Department of Environment and Planning.

## **Approval Process**

Public art can be acquired via purchase through capital, fundraising and/or donation.

The Upper Lachlan Shire Council will approve a public art project using the following process –

- Applications must be addressed to the General Manager, in writing, describing the project and demonstrating how the project meets the Schedule of Conditions.
- The General Manager will convene a meeting of staff with representation from Environment and Planning, Tourism, Economic Development and any other functions deemed appropriate to the proposed project.
- The meeting will determine if a development approval is deemed to be required, in accordance with all relevant regulations, and advise the applicant of the required documentation.
- Projects that require a development application will follow the Council's standard processes with regard to development assessment and approval and comply with all relevant regulations.
- If a development application is deemed not to be required, the General Manager can determine what level of community consultation is appropriate to ensure all stakeholders are informed and have opportunity to comment.
- For all projects, staff will prepare a report for the General Manager recommending approval or rejection once the necessary assessments and consultations have been completed.

## **Public Art Plan**

The Upper Lachlan Shire Council is committed to a cohesive public art program that addresses the desires and concerns of shire residents. Council will therefore work with Southern Tablelands Arts (STA) and interested members of the public to develop a Public Art Plan for the endorsement of Council. The plan will integrate with the Upper Lachlan Shire Cultural Plan and take into account any other streetscape, landscape or public developments planned within the Shire.

## **Maintenance and Care of Public Art Works**

Any public art work approved by the Upper Lachlan Shire Council will be the responsibility of Council unless stipulated otherwise during the approval process. Accordingly Upper Lachlan Shire Council will:-

- Record any artwork in a public register;
- Ensure that the work is valued and adequately insured; and
- Regularly inspect the condition of the work and carry out, or request, any maintenance required **unless the piece was originally designed to be temporary.**

If the work has been damaged or deteriorated to the extent that it is dangerous or an eyesore, Council shall co-ordinate the restoration, relocation or removal of the piece, whichever is deemed most appropriate.

Artist contracts, maintenance, valuations and insurance shall be negotiated on an individual basis. Upper Lachlan Shire Council will not be responsible for maintenance unless approved by the General Manager. Public artworks commissioned by external commercial developers will not be maintained by Council.

## Relevant Legislation and Council Policies

Council will process/assess applications with reference to:-

- Local Government Act 1993 (as amended);
- Local Government (General) Regulations 2005;
- Environmental Planning and Assessment (EPA) Act 1979;
- **Upper Lachlan Local Environmental Plan 2010 (LEP 2010)**
- Independent Commission against Corruption Act 1988;
- Work Health and Safety Act 2011;
- Government Information (Public Access) Act (GIPA) 2009;
- Anti Discrimination Act 1977;
- Code of Conduct for Councillors, staff and delegates of Council;
- Complaints Management Policy;
- Cultural Plan;
- Public Art Plan;
- Bribes Gifts and Benefits Policy;
- Grievance Policy;
- Disciplinary Policy; and
- Any other relevant legislation and guidelines as applicable.

### Variation to Policy

Council reserves the right to vary the terms and conditions of this policy.

#### ITEM 13.6 REVIEW OF TOURISM SIGNAGE POLICY

115/21 **RESOLVED** by Cr Searl and Cr O'Brien

1. Council adopts the reviewed Tourism Signage Policy.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

<b>POLICY:-</b>	
Policy Title:	Tourism Signage Policy
File reference:	F10/618-04



Date Policy was adopted by Council initially:	22 March 2007
Resolution Number:	99/07
Other Review Dates:	16 August 2011, 19 June 2014, 21 June 2018
Resolution Number:	323/11, 189/14, 184/18
Current Policy adopted by Council:	15 July 2021
Resolution Number:	115/21
Next Policy Review Date:	2024

<b>PROCEDURES/GUIDELINES:-</b>	
Date procedure/guideline was developed;	N/A
Procedure/guideline reference number:	N/A

<b>RESPONSIBILITY:-</b>	
Draft Policy Developed by:	Tourism Manager
Committee/s (if any) consulted in the development of this policy::	Nil
Responsibility for implementation:	Tourism Manager
Responsibility for review of Policy:	Director of Finance and Administration

## **OBJECTIVE**

Provide guidelines for the provision of signs, on a road reserve, to facilities, services and tourist attractions.

Council's intention is to ensure that adequate signposting is provided to guide the public to facilities, services and tourist attractions. Signposting is part of the total information system consisting of signs, maps, brochures, visitor information centres, information bays and the like.

This signposting policy aims to:-

- Enhance road safety and the orderly movement of traffic by providing timely information and reducing erratic movements; and
- Provide a consistent approach to applications for signposting.

## **BACKGROUND**

A large percentage of tourism inflow into the Upper Lachlan Shire arrives via the road network. Council considers that tourism and tourist-related activities depend to an extent on effective and appropriate signposting.

Roads in the Shire fall into one of two categories:-

1. RMS controlled roads – State and Regional Main Roads; and
2. Upper Lachlan Shire Council controlled roads - Local road network.

## **PRINCIPLES**

Signage to tourism facilities is not granted “as of right” and not for promotional purposes. It is only considered and granted by the road authorities on the basis of motorist safety and traffic management principles.

Signage for tourist attractions uses the international convention of white lettering on a brown background, while signing for tourist accommodation and not-for-profit facilities uses white lettering on a blue background.

Tourism signage will not be granted to compensate for a poorly located tourism facility. Selection of a site suitable to capture visitation should be a primary consideration when establishing a tourism business.

## **TOURISM SIGNPOSTING ON RMS ROADS**

Signing for tourist attractions on the RMS controlled road network is permissible according to the guidelines set out in the RMS publication “Tourist Signposting V4.0 2012”.

Application for signposting on the RMS road network is made to the joint RMS / Destination NSW “Tourism Attractions Signing Advisory Committee

ASAC). TASAC may consult with the local road authority and the local RMS office but its decisions are binding.

## **TOURISM SIGNPOSTING ON THE LOCAL ROAD NETWORK**

The following applies specifically to signage for tourism attractions and services on the local road network within the Upper Lachlan Shire; i.e. those roads under the sole jurisdiction of Council. As a general principle, Council will follow the guidelines set out in the RMS documents "Tourist Signposting V4.0 2012" and "Service Signposting 2010" where appropriate.

An eligible tourism attraction in the townships may be signed at one, or sometimes, two points from its nearest arterial road/s.

To be eligible for tourism facility signing on the local road network a business must:-

- Open for at least five days a week including the weekend and school holidays;
- Offer the public a tourism experience (as opposed to retail) as its core operation;
- Meet all statutory requirements of the State and local authorities;
- Be appropriately signed within its property line and clearly visible to passing motorists;
- Provide detailed navigational advice on collateral marketing and visitor information material;
- Wineries must have a purpose built facility for wine tasting (cellar door);
- Art galleries and craft outlets must either feature a resident artist or craftsperson, display a production process or provide more than 50% of their artwork from local / regional artists / craftspeople. All other galleries / craft outlets are considered to be retail in nature and do not qualify for tourism signing; and
- Primary production attractions must display quality interpretive material and / or provide guided tours of the production process.

Tourist attractions opening on a seasonal-only basis are not eligible for permanent signing and are encouraged to use the visitor information sources to communicate with the public.

## **SIGN LOCATION AND DESIGN**

Commercial tourism services (eg motels, hotels, B&Bs, self contained cottages etc) can be signed at one point from their nearest arterial road.

Caravan and camping parks in the townships are eligible for a maximum of two signs from key arterial routes. They must be located no more than 3km from the business. Intermediate signing may be provided using Australian Standard symbols.

Where the most logical point for a tourism service (i.e. accommodation) is at the intersection of a local road and an RMS controlled road, the business may be eligible to be signed at that intersection provided that the actual sign is located in the road reserve of the local road and not the RMS controlled land.

Within the townships, the business must be located within 3 km of the signing point/s. Eligible businesses in rural areas may be signed up to 10km from the signing point/s.

Reference to commercial tourism facilities will usually be made by abbreviated name and the relevant Australian Standard symbol where available.

Signing to tourism facilities more than 1 km distant from the signing point must carry a distance indicator, rounded up to the next whole number.

Signing may not be granted where the location of a tourism business will require extensive trail blazing signing from the nearest arterial route. The exceptions may be attractions attached to historical or unique natural features, which cannot be replicated elsewhere.

The style and size of the sign will be determined by the prevailing speed of traffic and other safety/traffic management considerations, determined by the road authority according to the Australian Standard and relevant traffic engineering standards.

Signing to eligible tourist facilities (i.e attractions and/or services) is limited to two business names at any permissible intersection. This complies with Australian Standard signposting principles as referenced in the RTA document "Tourist Signposting V4.0 2012".

Only symbols complying to Australian Standard AS2342 "Development, testing and implementation of information and safety symbols" and AS 1742 Part 6 "Service and tourist signs for motorists" will be used.

Logos and trademarks are not permitted to be used on tourist signposts. Logos depicting a touring route eg The Gold Trail, may in some instances, be permitted for limited display on a sign face, following satisfactory testing for legibility and comprehension under AS 2342.

## **SIGNING PROCESS AND MANUFACTURE**

Applications for tourist signposting must be submitted in writing to Council's Tourism Manager.

Signing requests will be considered in consultation with Council's Department's of Environment and Planning and Department of Infrastructure where required.

Council is not bound by any timeframe for the installation of tourist signposting.

The proprietor of the establishment requesting a sign will be required to pay a sum equal to Council's final cost of supply and installation. All future maintenance and replacement costs are to be met by the operator.

Damaged, destroyed or faded signs are required to be replaced at the request of the road authority, at the expense of the business proprietor.

If a business fails to continue to meet the conditions of eligibility, any signs will be removed by the road authority and no compensation will be owing.

Applicants will be advised in writing by the Tourism Manager of the progress and outcome of their signage application.

## **RELATED LEGISLATION AND COUNCIL POLICY AND PROCEDURES**

Council will assess and process applications with reference to:-

- RMS Tourist Signposting V4.0 2012;
- **RMS Service Signposting 2010;**
- RMS Australian Standard Supplement – AS1742 V2.4 Parts 1-15;
- AS2342:1992(R2013) Development, testing and implementation of information and safety symbols;
- AS 1742 V2.4:2016 Manual of Uniform Traffic Devices;
- RMS Guidelines for the Signposting Associated with Accommodation Facilities;
- Local Government Act 1993 (as amended);
- Local Government (General) Regulations 2005;
- Environmental Planning and Assessment (EPA) Act 1979;
- Independent Commission against Corruption Act 1988;
- **Work Health and Safety Act 2011;**
- NSW State Records Act 1988;
- Government Information (Public Access) Act (GIPA) 2009;
- Code of Conduct for Councillors, staff and delegates of Council;
- Tablelands Regional Community Strategic Plan 2036;
- **Upper Lachlan Local Environmental Plan 2010 (LEP 2010);**
- **Tablelands Destination Development Plan 2020 – 2025;**
- **Upper Lachlan Destination Action Plan 2020 – 2025;**
- Southern NSW Destination Management Plan 2018-2020;
- Upper Lachlan Streetscapes Themes Guide;
- Privacy Management Plan;
- Complaints Management Policy;
- Bribes Gifts and Benefits Policy;
- Grievance Policy; and
- Any other relevant legislation and guidelines as applicable.

## **VARIATION TO POLICY**

Council reserves the right to vary the terms and conditions of this policy.

**ITEM 13.7****INTERNAL AUDIT AND RISK MANAGEMENT POLICY****116/21****RESOLVED** by Cr Searl and Cr O'Brien

1. Council adopts the Internal Audit and Risk Management Policy.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**

Nil

<b>POLICY:-</b>	
Policy Title:	Internal Audit and Risk Management Policy (previously titled: Risk Management Policy)
File reference:	F10/618-06
Date Policy was adopted by Council initially:	20 October 2011
Resolution Number:	391/11
Other Review Dates:	21 April 2016
Resolution Number:	87/16
Current Policy adopted by Council:	15 July 2021
Resolution Number:	116/21
	2024

Next Policy Review Date:	
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<b>PROCEDURES/GUIDELINES:-</b>	
Procedures/Guidelines Title:	New Internal Audit and Risk Management Framework for Local Councils in NSW issued by the Office of Local Government

<b>RESPONSIBILITY:-</b>	
Draft Policy Developed by:	Manager Audit, Risk and Improvement
Committee/s (if any) consulted in the development of this policy::	N/A
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	Director of Finance and Administration

## OBJECTIVE

The Internal Audit and Risk Management Policy for Upper Lachlan Shire Council (the Council) seeks to strengthen internal audit, risk management and governance practices across Council by achieving the following key objectives:-

### **Objective 1:**

To establish an independent Audit, Risk and Improvement Committee that adds value to Council.

### **Objective 2:**

To establish a robust risk management framework that accurately identifies and mitigates the risks facing Council operations.

### **Objective 3:**

To establish an effective internal audit function that provides independent assurance to the governing body that the Council is functioning effectively and the internal controls the Council has put into place to manage risk are working as intended.

## POLICY

The Internal Audit and Risk Management Policy for Upper Lachlan Shire Council (the Council) is a mandatory policy which has been prepared to support the Council in fulfilling its legislative obligation under the Local Government Act and NSW Regulations by outlining minimum standards for risk management, internal audit and operation of the Audit, Risk and Improvement Committee (ARIC).

The Policy should be read alongside other policy and guideline papers that apply to Internal Audit and Risk Management for Local Councils in NSW, including the new *“Internal Audit and Risk Management Framework for Local Councils in NSW”* issued by the Office of Local Government.

The Council's internal audit function will support the Audit, Risk and Improvement Committee to fulfil its assurance responsibilities through the audit of particular risks, as identified in the internal audit function's work plan. The role of the Council's internal audit function in relation to risk management is to be documented in the Council's Internal Audit Charter.



## POLICY REQUIREMENTS

In order to achieve the Policy objectives the Council is required to meet the following core requirements of the Internal Audit and Risk Management Policy:-

POLICY OBJECTIVE	REQUIREMENT
<b>Objective 1:</b> Establish an Independent Audit, Risk and Improvement Committee that adds value to the governing body.	<b>Core Requirement 1:</b> Appoint an independent Audit, Risk and Improvement Committee.
<b>Objective 2:</b> Establish a robust risk management framework that accurately identifies and mitigates the risks facing Council operations.	<b>Core Requirement 2:</b> Establish a risk management framework consistent with the current Australian risk management standards.
<b>Objective 3:</b> Establish an effective internal audit function that provides independent assurance to the governing body that the Council is functioning effectively and the internal controls the Council has put into place to manage risk are working as intended.	<b>Core Requirement 3:</b> Establish an internal audit function mandated by an Internal Audit Charter.
	<b>Core Requirement 4:</b> Appoint internal audit personnel and establish reporting lines.
	<b>Core Requirement 5:</b> Develop an agreed internal audit work program.
	<b>Core Requirement 6:</b> Develop an agreed internal audit methodology to guide how internal audits are performed and reported.
	<b>Core requirement 7:</b> Undertake ongoing monitoring and reporting.
	<b>Core requirement 8:</b> Establish a quality assurance and improvement program.
	<b>Core requirement 9:</b> Establish shared internal audit arrangements.

### Requirements for an Attestation Statement

The General Manager shall attest the Council's compliance with the Core Requirements of the Internal Audit and Risk Management Policy in an Attestation Statement published in the Council's annual report, with a copy provided to Office of Local Government on or before 31 December each year.

The General Manager shall self-assess and determine whether the Council has been 'compliant', 'non-compliant' or 'in transition' in relation to each of the Core Requirements of the Internal Audit and Risk Management Policy for the reporting period.

The Independent Chairperson of the Audit, Risk and Improvement Committee is to also sign the attestation statement where he/she agrees that it is a true and accurate reflection of the Council's compliance status against core requirements.

## ROLES AND RESPONSIBILITIES

It is the responsibility of all Council's Managers and staff to manage risk. The following table details specific roles and responsibilities of Managers and staff in relation to risk management and internal audit.

<b>Council Official</b>	<b>Responsibility</b>
Councillors	The Councillors have ultimate responsibility and accountability for risk management and internal audit implementation at Council.
General Manager	<ul style="list-style-type: none"> <li>• Approving the Council's risk management plan, risk treatment plans, risk register and risk profile.</li> <li>• Recommending the Council's Internal Audit and Risk Management Policy and risk criteria for the endorsement of the Audit, Risk and Improvement Committee and approval of the governing body of Council.</li> <li>• Overseeing the Council's risk management framework and ensuring it is effectively communicated, implemented and reviewed regularly.</li> <li>• Promoting and championing a positive risk culture.</li> <li>• Ensuring that all Council Managers and staff (permanent, temporary or contract) understand their risk management responsibilities and that these are included in all job descriptions, staff induction programs and performance appraisals.</li> <li>• Annually attesting that Council's risk management framework complies with statutory requirements, and</li> <li>• Approving the Council's implementation of corrective actions recommended by the Council's internal audit function, external audits and the Audit, Risk and Improvement Committee.</li> </ul>
Council Department Directors / Executive Management (MANEX)	<ul style="list-style-type: none"> <li>• Developing the Council's Internal Audit and Risk Management Policy.</li> <li>• Determining the Council's risk criteria.</li> <li>• Leading the risk management process - for example, evaluating the Council's internal and external context, identifying, assessing and prioritising risks and developing risk treatment plans and internal controls.</li> <li>• Developing the Council's risk register and risk profile.</li> <li>• Communicating and implementing the Council's Internal Audit and Risk Management Policy and plans across Council.</li> <li>• Advising/reporting on the performance and implementation of the Council's risk management framework to the General Manager, and</li> <li>• Reviewing recommendations for corrective actions from the Manager Audit, Risk and Improvement and Council's internal audit function and determining Council's response.</li> </ul>
Manager Audit, Risk and Improvement	<p><b>Internal Audit</b></p> <ul style="list-style-type: none"> <li>• Managing the day-to-day direction and performance of the Council's internal audit activities to ensure they add value to Council.</li> <li>• Supporting the operation of the Audit, Risk and Improvement Committee.</li> <li>• Development and review of Council's Internal Audit Plan.</li> <li>• Ensuring the Council's internal audit activities comply with statutory requirements, the IPPF and the Council's needs.</li> <li>• Developing, implementing and reviewing the Council's Internal Audit Charter, policies and procedures, work plans and quality assurance and improvement program.</li> </ul>

	<ul style="list-style-type: none"> <li>• Providing advice to the Audit, Risk and Improvement Committee and governing body of the Council on the adequacy and effectiveness of the Council's governance frameworks, risk management practices and internal controls.</li> <li>• Confirming the implementation by the Council of corrective actions that arise from the findings of internal audit activities, and</li> <li>• Managing internal audit personnel and ensuring that they have the skills necessary to perform audits and are up to date on current issues affecting the Council and on audit techniques and developments.</li> </ul> <p><b>Internal Audits Program - outsourced</b></p> <ul style="list-style-type: none"> <li>• Overseeing the service contract and the quality of audits conducted by the external provider (including overseeing the quality assurance and improvement program).</li> <li>• Ensuring that the Council retains control of the strategic direction of internal audit activities.</li> <li>• Reporting to the General Manager and the governing body of the Council on the adequacy and effectiveness of the Council's governance frameworks, risk management practices and internal controls (based on the findings provided by the external provider).</li> <li>• Confirming the Council's implementation of corrective actions that arise from the findings of audits.</li> <li>• Developing policies and procedures that guide the audits conducted by the external provider.</li> <li>• Developing the internal audit annual work plan and strategic plan</li> <li>• Ensuring audit methodologies used by the external provider comply with the IPPF and are accessible to the Council (subject to any licensing restrictions), and</li> <li>• Supporting the operation of the Audit, Risk and Improvement Committee.</li> </ul>
<p>Manager Audit, Risk and Improvement and Assets and Risk Coordinator</p>	<p><b>Risk Management</b></p> <ul style="list-style-type: none"> <li>• Supporting the executive management group by coordinating and providing clear and concise risk information, advice and/or reports that can be used in planning and decision-making.</li> <li>• Coordinating the various activities relating to risk management within the Council.</li> <li>• Helping to build a risk management culture within the Council, including facilitating and driving risk management at the strategic and operational level within the Council and ensuring consistency in practice.</li> <li>• Ensuring there are easily accessible systems and processes in place to enable all staff to conveniently undertake risk management in their day-to-day work.</li> <li>• Ensuring risk management processes are applied consistently across the Council.</li> <li>• Organising appropriate staff risk management training and development.</li> <li>• Developing and maintaining a risk reporting framework to enable regular advising/reporting of key risks, and the management of those risks, to the executive management group.</li> </ul>

	<ul style="list-style-type: none"> <li>Supporting Council staff with their risk management obligations and providing staff with advice and tools to ensure risk management compliance.</li> <li>Implementing effective risk management communication mechanisms and information system/s</li> <li>Establishing and maintaining an ongoing monitoring system to track the risk management activities undertaken within Council and assessing the need for further action.</li> <li>Assessing risk management information for completeness, accuracy and consistency (for example, risk registers, risk treatment plans), and preparing advice or reports for the Audit, Risk and Improvement Committee and attending Committee meetings.</li> </ul>
Council Managers and Team Leaders/ Coordinators	<b>Risk Management</b> <ul style="list-style-type: none"> <li>Promoting awareness of risks and risk treatments that must be implemented.</li> <li>Ensuring Council staff are implementing the Council's risk management framework as developed and intended and performing their risk management responsibilities.</li> <li>Identifying risks that will affect the achievement of the Council objectives.</li> <li>Establishing and/or implementing specific Council policies, operating and performance standards, budgets, plans, systems and/or procedures to manage risks, and</li> <li>Monitoring the effectiveness of risk treatment and internal controls.</li> </ul>
Council Staff	<b>Risk Management</b> <ul style="list-style-type: none"> <li>Helping to identify risks in their business unit.</li> <li>Implementing risk treatment plans within their area of responsibility.</li> <li>Adhering to Council policies.</li> <li>Implementing and adhering to standard operating procedures (where applicable), and</li> <li>Communicating or escalating new risks that emerge to their Manager.</li> </ul>

## LEGISLATION

The statutory framework regulating internal audit and risk management in NSW for councils includes:-

### *Local Government Act 1993 (NSW)*

- Section 428A of the Local Government Act
- Section 428B of the Local Government Act
- Section 223 of the Local Government Act
- Section 413 of the Local Government Act
- Section 335 of the Local Government Act
- Section 338 of the Local Government Act
- Section 355 of the Local Government Act
- Section 377 of the Local Government Act
- Section 440 of the Local Government Act
- Guidelines for NSW Local Government Audit, Risk and Improvement Committees, Risk Management Frameworks and Internal Audit Functions* issued under section 23A of the Local Government Act

### *Local Government (General) Regulation 2005 (NSW)*

- Clause 209 of the Local Government Regulation

*Governing standards*

- ISO 31000:2009, Risk Management – Guidelines (AS/NZS ISO 31000:2018)
- The Institute of Internal Auditors (2017) International Professionals Practices Framework. International Standards for the Professional Practice of Internal Auditing

**Ownership and Approval**

<b>Responsibility</b>	<b>Role</b>
Author	Manager of Audit Risk and Improvement
Owner	Director of Finance and Administration
Approver	General Manager

**Variation**

Council reserves the right to vary or revoke this policy in accordance with changes to Legislation and/or Council Policies and Procedures.

**ITEM 13.8**

**REVIEW OF BRIBES, GIFTS AND BENEFITS POLICY**

**117/21**

**RESOLVED** by Cr Searl and Cr Kensit

1. Council adopts the reviewed Bribes, Gifts and Benefits Policy.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

<b>POLICY:-</b>	
Policy Title:	Bribes Gifts and Benefits Policy
File Reference:	F13/77-011
Date Policy was adopted by Council initially:	24 March 2005
Resolution Number:	86/05
Other Review Dates:	24 January 2008, 19 May, 2011, 20 March 2014 and 19 April 2018
Resolution Number:	36/08, 180/11, 66/14 and 112/18
Current Policy adopted by Council:	15 July 2021
Resolution Number:	117/21
Next Policy Review Date:	2024

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

<b>RESPONSIBILITY:-</b>	
Draft Policy developed by:	Director of Finance and Administration
Committee/s (if any) consulted in the development of this policy:	Nil
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	Director of Finance and Administration

## OBJECTIVE

The objective of this policy is to:-

1. Clearly define the behaviour required of Council officials in relation to gifts and benefits; and
2. Provide a transparent and accountable process with regard to gifts and benefits that promotes public confidence in the Council.

Any gift or benefit offered or accepted shall be subject to the provisions of this policy. The policy is intended to complement the Council's Code of Conduct, specifically Part 6 Personal Benefit.

## POLICY STATEMENT

This policy applies to all council officials. A council official includes; Councillors, members of staff of a Council, Administrators, Council Section 355 committee members, delegates of Council and council advisors.

This policy extends its application to also include non-council officials including; volunteers, contractors and members of Council advisory committees.

A person must not:-

- Seek or accept a bribe, or other improper inducement;
- Seek or accept gifts or benefits of any kind;
- Accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty;
- Accept any gift or benefit of more than token value; subject to Part 6.7, of the Council Code of Conduct;
- Accept an offer of cash or a cash-like gift as defined by Part 6.13, of the Council Code of Conduct, regardless of the amount;
- Participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser;
- Personally benefit from reward points programs when purchasing on behalf of the Council;
- Use their position to improperly influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else.

## GIFTS AND BENEFITS

In a private context, gifts are usually unsolicited and meant to convey a feeling on behalf of the giver, such as gratitude. There is ordinarily no expectation of repayment. Gifts given in a private context are not the focus of this policy.

It is Council's preferred position that:-

- Gifts and benefits are not offered to Council officials and non-council officials;
- Gifts and benefits are not to be solicited;
- Gifts and benefits should be actively discouraged by Council officials and non-council officials;
- People doing business with Council should understand that they do not need to give gifts or benefits to Council officials to get high quality service.

Gifts and benefits fall into two categories, those that are more than a token value and those of a token value.

Gifts and benefits below a token value may be accepted, unless they are items listed in this policy as “Gift Items more than a Token value”. For the purposes of this policy “token value” is described as goods and/or services which do not exceed \$100 in value.

On the rare occasion that gifts, other than those listed as having a token value, are accepted, the details of the gift must be disclosed and recorded in the publicly available Gifts and Benefits Register held by Council. These gifts become the property of Council.

Examples of gifts and benefits are listed in Part 6, of the Council Code of Conduct.

### **Gift Items more than a Token value**

For the purposes of this policy, Council considers the following gift items to have more than a token value and are not to be accepted, including:-

- Tickets to sporting, social and cultural events or other entertainment;
- Sports team sponsorship by a supplier;
- Goods and items donated to Council and employee functions;
- Discounted products for personal use;
- Use of facilities such as gyms and holiday homes;
- Free or discounted travel and hospitality;
- Free “training excursions”;
- Alcohol; over \$100.00
- Clothes;
- Prizes or Awards.



## BRIBES

Bribes should never be accepted. A council official and/or Non-council official offered a bribe should refuse it and report the incident as soon as possible to their Supervisor or Department Director or General Manager. Council will take steps to report the matter to ICAC and the NSW Police immediately.

**Council officials must not offer or seek a bribe.**

Receiving a bribe is an offence under both the common law and NSW legislation. The common law offence of bribery is defined as receiving or offering any undue reward by, or to, any person in public office in order to influence his or her behaviour in that office, and to incline that person to act contrary to the known rules of honesty and integrity.

Section 249B (1), of the Crimes Act 1900, creates an offence if any council official receives or solicits (or corruptly agrees to receive or solicit) from another person any benefit as an inducement to do, or not do, something in relation to their official duties. Similarly, it is an offence for a council official to corruptly receive or solicit (or corruptly agree to receive or solicit) any benefit that would in any way tend to influence that council official to show favour or disfavour to any person in relation to their official duties.

Any council official who breaches Section 249B (1), of the Crimes Act 1900, is liable to imprisonment for 7 years.

Section 249J of the Crimes Act also provides that custom is not a defence to the receiving, soliciting, giving or offering of any benefit. This means that a person cannot rely on the fact that it is customary to offer and receive gifts and benefits in his or her trade, business, profession or calling, as a defence.

## GIFTS AND BENEFITS REGISTER

Council will maintain a Gifts and Benefits Register. The register will contain the following information:-

- The name of the recipient.
- The name of the person who offered the gift and their organisation.
- The decision taken in relation to the gift.
- The signature of the recipient's supervisor, General Manager or the Mayor.

It will be used to record all gifts and benefits that are received that are above a nominal value. The form to be utilised is the *Declaration of Gifts, Benefits or Hospitality*

## How to report /inform the Independent Commission against Corruption (ICAC)

ICAC may investigate allegations of corrupt conduct against council officials and non-council officials. ICAC may be contacted on (02) 8281 5999 or by writing to:-

ICAC  
GPO Box 500  
Sydney NSW 2001

## RELEVANT LEGISLATION AND RELATED POLICIES

The Policy should be read in conjunction with:-

- *Local Government Act 1993*
- *Local Government (General Regulation) 2005*
- *Government Information (Public Access) Act 2009*
- *State Records Act 1998*
- *Public Interest Disclosures Act 1994*
- *Independent Commission Against Corruption Act 1998*
- *Crimes Act 1900*
- *Code of Conduct*
- *Code of Meeting Practice*
- *Disciplinary Policy*
- *Records Management Policy*
- *Fraud and Corruption Prevention Policy*
- *Government Information (Public Access) Policy*
- *Interaction between Councillors and Staff Policy*
- *Complaints Management Policy*
- *Public Interest Disclosures Policy*
- *Local Government (State) Award 2020*
- *ICAC publication "No Excuse for Misuse, preventing the misuse of council resources".*

## VARIATION

Council reserves the right to vary or revoke this policy in accordance with changes to Legislation and/or Council Policies and Procedures.

### ITEM 13.9

### PROCUREMENT POLICY

118/21

**RESOLVED** by Cr Searl and Cr McCormack

1. Council adopts the Procurement Policy.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

<b>POLICY:-</b>	
Policy Title:	Procurement Policy (Replacing Purchasing Acquisition of Goods and Services Policy)
File Reference:	F10/618-011
Date Policy was adopted by Council initially:	18 November 2004
Resolution Number:	319/04
Other Review Dates:	19 March 2009, 16 December 2010, 15 December 2011, 20 April 2017
Resolution Number:	116/09, 472/10, 489/11 109/17
Current Policy adopted by Council:	15 July 2021
Resolution Number:	118/21
Next Policy Review Date:	2024

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

<b>RESPONSIBILITY:-</b>	
Draft Policy developed by:	Procurement Coordinator
Committee/s (if any) consulted in the development of this Policy:	N/A
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	Director of Finance and Administration

## **PART 1 - INTRODUCTION**

### **1. BACKGROUND**

1.1 Council staff have an obligation to procure goods and services to achieve the best value for money. To assist staff, this policy has been updated to provide simple practical guidance on the minimum obligations of any staff when spending public money. More detailed, specific requirements are listed within the appropriate procedure.

### **2. OBJECTIVE**

2.1 The objective of this Policy is to set out the principles and framework for Council's procurement activities and to ensure that Council is at all times compliant with the *Local Government Act 1993*, *Local Government (General) Regulations 2005*, Tendering Guidelines for NSW Local Government and Council's Code of Conduct in relation to the procurement of goods and services.

2.2 Through the application of this Policy, Council is committed to the following:-

- Obtaining value for money for the Community;
- Fairness, openness, transparency and accountability;
- Making environmentally sustainable decisions;
- Eliminating any conflicts of interest;
- Ensuring probity
- Monitoring and evaluating performance;
- Providing policy and guidance on procurement activities to ensure consistency;
- Improving Council's procurement governance framework;
- Minimising risk.

### **3. SCOPE**

3.1 This Policy applies to all procurement, tendering and contracting activities undertaken by Upper Lachlan Shire Council, other than statutory payments or payments for membership of regional or state organisations and is binding on Council Officers (i.e. staff, contractors, consultants, Committee members and volunteers) who are involved in any aspect of procurement on behalf of Council.

### **4. DELEGATED AUTHORITY**

4.1 In order to purchase goods and services on behalf of Council, a *delegated authority* is required from the Council General Manager. Numerous employees of Council are charged with financial delegations for the *Purchasing and Procurement of Goods, Works and Services*. Employees may only procure goods and/or services applicable to their delegated authority.

Financial delegations define the financial limitations within which specified staff may approve a purchase, quotation and contractual processes. Employees may only procure goods and/or services in accordance with these delegations.

## **PART 2 - POLICY STATEMENT**

### **5. PURCHASING PROCEDURES**

5.1 Prescriptive purchasing procedures are located in Council's *Procurement Procedures and Guidelines* documentation.

5.2 The procedures outline Council's requirements when procuring goods and/or services on behalf of Council. Different requirements apply, depending on the total value of the supply.

5.3 All goods and/or services procured on behalf of Council must be procured following these procedures.

5.4 Purchasing requirements includes; quotations, EOI and/or RFQ for goods and services less than \$250,000.00 (GST Inclusive). Employees are to provide suppliers with Council's standard approved Purchase Order and/or Contract Number prior to commencement of supply.

## **6. TENDERING PROCEDURES**

6.1 Public tenders are *mandatory* for purchases, under *Section 55 (1) (2) of Local Government Act 1993*, where the total anticipated expenditure is \$250,000 (GST inclusive) or above over more than one accounting period. Council may also choose to tender for purchases below this limit.

6.2 Detailed tender procedures and a tender assessment checklist are contained in Council's Procurement Procedures and Guidelines.

6.3 It is noted that the process for public tendering may be waived when dealing with prescribed NSWBuy Government Contracts, Local Government Procurement (LGP), Disability Employment Organisations or Procurement Australia Contracts. Advice on this may be sought from Council's Financial Accounting Section and Council Procurement Coordinator.

6.4 Exemptions to tender requirements, under *Section 55 (3) of the Local Government Act 1993*, includes; purchases for emergency situations and procurement by a local council to other councils.

## **7. PROCUREMENT PROTOCOLS**

### **7.1 Ethics and Probity**

All Council Officers must comply with the standards of integrity, probity, professional conduct and ethical behaviour established by Council's *Code of Conduct*, Code of Business practices and Guidelines issued by ICAC.

Council officials must disclose any potential or actual conflict of interest (whether pecuniary or non-pecuniary) in order to protect the public interest and prevent breaches of public trust.

Council has adopted a Code of Business Practice which sets out the standards of behaviour that Council expects from its private/public partners.

Probity auditors/advisors may be commissioned where deemed appropriate by Council's General Manager, in circumstances where additional professional knowledge, experience or independent recommendation is required.

### **7.2 Fraud and Corruption Principles**

The principal elements of Council's Fraud and Corruption Prevention Policy are:-

- Preventing fraud at its origin, in particular, implementing effective control structures and procedures that aim to eliminate the prospect of fraud occurring;
- Making all staff, Councillors, contractors to Council and volunteers aware of their obligation to act ethically and to follow Council's Code of Conduct at all times;

- Making all contractors and those dealing with Council aware of the ethical standards that Council applies and of the ethical standards of others in their dealings with Council;
- Committing to a policy of detection, investigation and prosecution of individual cases of fraud; and
- Respecting the civil rights of employees and members of the public and committing to natural justice.

Council has a Fraud and Corruption Prevention Plan that underpins this Policy and details responsibilities of positions within Council and the community. It also outlines steps involved in identifying, investigating, reporting and taking action around fraud and corruption.

The Fraud and Corruption Prevention Plan and Council's Code of Conduct also outline the policies and procedures being implemented by Council to ensure that any allegations and subsequent investigations into fraud are handled confidentially and in accordance with applicable legislation.

### **7.3 Value for Money**

Council resources are to be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

### **7.4 Record Keeping**

All substantive communications with potential suppliers in respect of procurement and purchasing should be in writing and/or formal minuted meetings. Records for all procurement activities must be kept and recorded in Council's records management system and Council's corporate finance system.

## **7.5 Lobbying**

Lobbying of Councillors and staff by tenderers or their agents is not permitted and shall result in their disqualification from the quotation or tender process on that occasion. For the purposes of this clause “lobbying” shall include seeking to influence, seeking to obtain support or assistance, urging or persuading.

## **7.6 Gifts and Benefits**

Council Officers must never seek or accept any payment, gift or benefit intended or likely to influence, or that could be reasonably perceived by an impartial observer as intended or likely to influence their decision making.

In some circumstances token gifts may be accepted but only in situations that do not create a sense of obligation on the staff or Councillors actions. Where you cannot reasonably refuse or return a gift or benefit of more than token value this must be disclosed to your supervisor and then ensure this is recorded in the Gifts and Benefits Register through Governance. Under no circumstances should a gift of cash, or cash – like gift, be accepted. Please refer to Council’s Bribes, Gifts and Benefits Policy.

## **7.7 Local Supplier Support**

Council currently does not have a Local Preference Policy.

## **7.8 Risk Management**

Managing risk is fundamental to effective procurement. Risk management is as much about identifying opportunities as avoiding and mitigating losses. Identification, analysis, assessment, treatment and monitoring of risk in procurement will contribute to successful outcomes.

Ensure segregation of duties in the requisitioning, approval and payment functions to minimise fraud risks.

Council Officers should consider not just the purchase price but also the availability and whole of life costs including those associated with acquisition, implementation, running, maintenance, depreciation, decommissioning and disposal.

Council Procurement Coordinator is to maintain a Contract Register and register of procedures for evaluation, including clear guidelines of expectations for contractor performance and maintenance by contractors of agreed insurance and liability coverage.

## **8. SUSTAINABLE PURCHASING**

8.1 Council supports a sustainable procurement quadruple bottom line approach around civic leadership, social, environmental and economic pillars by incorporating these within planning activities.

8.2 Council staff and its representatives must consider the impact that their purchases have on the environment. Value for money in procurement is enhanced by promoting the efficient, effective and ethical use of resources.

8.3 Consideration will be given to areas such as:-

- Minimising greenhouse gas emissions, waste, habitat destruction, soil degradation and toxicity;
- Maximising water efficiency.

## **9. WORKPLACE HEALTH AND SAFETY**



9.1 All contractors of Council must adhere to relevant Work Health and Safety (WHS) 2011 legislation. WHS performance will be monitored and reviewed to ensure continued adherence to legislation and relevant Council policies and procedures.

## **10. ADMINISTRATION OF THIS POLICY**

10.1 General enquiries in regard to this Policy should be directed in the first instance to Council's Procurement Coordinator.

10.2 Council will deal promptly with any concerns or complaints regarding this Policy. Any issues should be directed in writing to the General Manager.

## **RELEVANT LEGISLATIVE INSTRUMENTS**

- *Local Government Act 1993;*
- *Local Government (General) Regulations 2005;*
- *Tendering Guidelines for NSW Local Government;*
- *Independent Commission Against Corruption Act 1988;*
- *Ombudsman Act 1974;*
- *Work Health and Safety Act 2011;*
- *Public Interest Disclosures Act 1994;*
- *Local Government Code of Accounting Practice and Financial Reporting;*
- *Government Information (Public Access) Act 2009;*
- *Waste Avoidance and Resource Recovery Act 2001;*
- *Related Party Transaction Act 2016;*
- *Privacy and Personal Information Protection Act 1998;*
- *State Records Act 1988.*

## **RELATED POLICIES, PLANS AND PROCEDURES**

- Code of Conduct
- Procurement Procedures and Guidelines
- Audit, Risk and Improvement Charter
- Code of Business Practice
- Corporate Credit Card Policy
- Delegations of Authority Policy and Procedure
- Disposal of Council Assets Policy
- Disposal of Council Real Estate Policy
- Government Information (Public Access) Policy
- Internal Control Policy and Procedures
- Internal Audit and Risk Management Policy
- Work Health and Safety Policy
- ICAC Guidelines
- Fraud and Corruption Prevention Policy
- Fraud and Corruption Prevention Plan
- Records Management Policy
- Bribes, Gifts and Benefits Policy
- Disciplinary Action Policy

## **VARIATION**

Council reserves the right to vary or revoke this Policy in accordance with changes to Legislation and/or Council Policies and Procedures.

**ITEM 13.10**

**2021/2022 TOURISM EVENT FUNDING ROUND**

**119/21**

**RESOLVED** by Cr Searl and Cr O'Brien

1. Council resolves to grant \$500 to the Crookwell Garden Festival in accordance with the Tourism Event Funding Policy.
2. Council conduct a second grant funding round in late 2021.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**

Nil

**ITEM 13.11**

**2021/2022 CULTURAL ACTIVITY FUNDING ROUND**

**120/21**

**RESOLVED** by Cr Searl and Cr Wheelwright

1. Council resolves to grant \$500 to the Taralga and District Progress Association and grant \$1,000 to the Bigga Progress Association in accordance with the Council Cultural Activity Funding Program.
2. Council conduct a second grant funding round in late 2021.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**SECTION 14: GENERAL MANAGER**

**ITEM 14.1**

**CONSTRUCTION OF SHED AT TARALGA WATER FILTRATION PLANT**

**121/21**

**RESOLVED** by Cr Searl and Cr Culhane

1. Council receives and notes the report as information.
2. That Council engaged a contractor to complete the concrete slab and erect the previously purchased shed, at an estimated cost of \$65,000.00.
3. That Council transfers \$65,000.00 from Water Reserves to complete the erection of the Industrial Shed at Taralga Water Filtration Plant.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 14.2**

**MULTIPURPOSE AQUATIC AND ACTIVITY CENTRE - UPDATE**

**MOVED** by Cr Searl and Cr Kensit

1. Council receives and notes this report as information

2. Council note the BLERF co funded Australian and NSW State Government grant application has not been successful to complete the next stage of the MAAC
3. Council resolve to allocate \$2.4 million of LCRI Phase 3 Government grant to assist in the completion of Stage 2 of the Multipurpose Aquatic and Activity Centre.

- LOST

**Councillors who voted for:-** Crs P Culhane, P Kensit and D O'Brien

**Councillors who voted against:-** Crs B McCormack, J Searl, J Stafford and J Wheelwright

A motion was moved by Councillor Stafford and Councillor Kensit that an extraordinary meeting be held with Councillors in the next two weeks to determine the use of Local Roads and Community Infrastructure Program (LCRI grant funding and the alternative funding through borrowings for stage 2 of the Multipurpose Aquatic and Activity Centre.

On being put to the meeting the motion was carried.

**122/21**

**RESOLVED** by Cr Stafford and Cr Kensit

1. An extraordinary meeting be held with Councillors in the next two weeks to determine the use of Local Roads and Community Infrastructure Program (LCRI) grant funding and the alternative funding through borrowings for stage 2 of the Multipurpose Aquatic and Activity Centre.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

The Mayor congratulated Vince Heffernan for another year winning the "Paddock" category for best biodynamically produced lamb. A letter will be sent on behalf of Council.

## **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 JUNE/JULY**  
**123/21** **RESOLVED** by Cr Searl and Cr McCormack

That Item 16.1 - Minutes of Committee/Information listed below be received:

1. Gunning Shire Hall and Showground Advisory Committee - Minutes - 7 June 2021
2. Biala Community Windfarm Fund S355 Committee - Minutes - 24 June 2021
3. Gullen Range Community Windfarm Fund S355 Committee - Minutes - 24 June 2021
4. Taralga Community Windfarm Fund S355 Committee - Minutes - 24 June 2021

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**SECTION 17: NOTICES OF MOTION**

Nil

**SECTION 18: QUESTIONS WITH NOTICE**

Nil

## CLOSED COUNCIL ITEMS

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

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

**124/21**                      **RESOLVED** by Cr Searl and Cr McCormack

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

- CARRIED

**Councillors who voted for:-**                      Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**              Nil

Council closed its meeting at 10:27am and the public, staff and press left the meeting

**125/21**                      **RESOLVED** by Cr Searl and Cr Kensit

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

- CARRIED

**Councillors who voted for:-**                      Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**              Nil

Open Council resumed at 10:34am

## 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**

A motion was moved by the Mayor and Cr McCormack that -

1. In accordance with clause 9.3 (a) and (b) of the Council Code of Meeting procedure Item 19.1 Taralga Dam be considered as it is time sensitive due to closing date of potential grant application.

On being put to the meeting the motion was **CARRIED**

**126/21**

**RESOLVED** by Mayor and Cr McCormack

1. In accordance with clause 9.3 (a) and (b) of the Council Code of Meeting procedure Item 19.1 Taralga Dam be considered as it is time sensitive due to closing date of potential grant application.

– CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl and J Stafford

**Councillors who voted against:-**

Nil

**ITEM 19.1**

**TARALGA DAM**

**127/21**

**RESOLVED** by Cr Culhane and Cr O'Brien

Council receives and notes the report as information.

1. Council continue to work with Department of Planning Infrastructure & Environment Water to secure a site and funding for the Taralga off-stream storage (dam).

– CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**

Nil

**THE MEETING CLOSED AT 10:34am**

Minutes confirmed 19 AUGUST 2021

.....  
Mayor





5.2	Minutes of the Extraordinary Meeting of Council of 29 July 2021.....	66
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**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 29 JULY 2021**

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**PRESENT:** Mayor J Stafford (Chairperson), Cr P Culhane, Cr J Searl, Cr D O'Brien, Cr P Kensit, Cr J Wheelwright, Cr B McCormack, Ms C Worthy (General Manager), Mr A Croke (Director Finance and Administration), Ms A Waldron (Director of Environment & Planning), Mr G Lacey (Director of Infrastructure), Miss K Dewar (Executive Assistant)

**VIDEO:** Mr C Gordon (Media Officer)

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**THE MAYOR DECLARED THE MEETING OPEN AT 15:00**

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

*Mayor Stafford advised that Extraordinary Council Meeting is being webcast live and audio recorded in accordance with Council Code of Meeting Practice.*

*The Mayor also advised the new requirements for Council meetings, requiring all Councillors and staff to wear masks during Council meetings as required by NSW Public Health Order for COVID-19.*

*The Mayor also advised the update from NSW Electoral Commission regarding the postponement of Local Government Elections being held Saturday 4 December 2021.*

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

There were no apologies.

**SECTION 3: DECLARATIONS OF INTEREST**

Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 29 JULY 2021**

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**SECTION 4: GENERAL MANAGER**

*General Manager noted under Roads Grants (page 12 of the agenda) - Table 3 Transport Grants Allocated with project not commenced needed to be amended from Various Gravel Sheeting to Various Bitumen Reseal.*

**ITEM 4.1 MULTIPURPOSE AQUATIC AND ACTIVITY CENTRE - UPDATE**

**MOVED** by Mayor Stafford and Cr Searl

1. Council receives and notes this report as information.
2. Council note the BLERF co funded Australian Government and NSW Government grant application has not been successful to complete to fund the next stage of the Multipurpose Aquatic and Activity Centre (MAAC).
3. Council resolves to adopt **Option 1** to allocate \$2.4 million of Local Roads and Community Infrastructure Program (LRCI) Phase 3 Australian Government grant to assist in the completion of Stage 2a of the Multipurpose Aquatic and Activity Centre, leaving only stage 2b to be completed once grant funding becomes available.

A foreshadowed amendment was moved by Mayor Stafford and Councillor Searl that –

1. Council receives and notes this report as information.
2. Council note the BLERF co funded Australian Government and NSW Government grant application has not been successful to complete to fund the next stage of the Multipurpose Aquatic and Activity Centre (MAAC).
3. Council resolve to borrow \$1.2 million to assist in the completion of Stage 2a of the Multipurpose Aquatic and Activity Centre.
4. Council resolves to allocate a further \$1.2 million of Local Roads and Community Infrastructure Program (LRCI) Phase 3 Australian Government grant to assist in the completion of Stage 2a of the Multipurpose Aquatic and Activity Centre, leaving only stage 2b to be completed once grant funding becomes available.
5. Council resolves to allocate \$650,000.00 of Local Roads and Community Infrastructure Program (LRCI) Phase 3 Australian Government grant to assist in the completion of Stormwater projects in Warrataw Street, Gunning and North Street, Crookwell.
6. Council resolves to allocate \$550,000.00 of Local Roads and Community Infrastructure Program (LRCI) Phase 3

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 29 JULY 2021**

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Australian Government grant to assist in the completion of gravel resheeting on local roads across the Upper Lachlan Shire.

On being put to the meeting the foreshadowed amendment was carried becoming the resolution.

**128/21**

**RESOLVED** by Mayor Stafford and Cr Searl that -

1. Council receives and notes this report as information.
2. Council note the BLERF co funded Australian Government and NSW Government grant application has not been successful to complete to fund the next stage of the Multipurpose Aquatic and Activity Centre (MAAC).
3. Council resolve to borrow \$1.2 million to assist in the completion of Stage 2a of the Multipurpose Aquatic and Activity Centre.
4. Council resolves to allocate a further \$1.2 million of Local Roads and Community Infrastructure Program (LRCI) Phase 3 Australian Government grant to assist in the completion of Stage 2a of the Multipurpose Aquatic and Activity Centre, leaving only stage 2b to be completed once grant funding becomes available.
5. Council resolves to allocate \$650,000.00 of Local Roads and Community Infrastructure Program (LRCI) Phase 3 Australian Government grant to assist in the completion of Stormwater projects in Warrataw Street, Gunning and North Street, Crookwell.
6. Council resolves to allocate \$550,000.00 of Local Roads and Community Infrastructure Program (LRCI) Phase 3 Australian Government grant to assist in the completion of gravel resheeting on local roads across the Upper Lachlan Shire.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, P Kensit, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 29 JULY 2021**

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**THE MEETING CLOSED AT 15:35pm**

Minutes confirmed 19 AUGUST 2021

.....  
Mayor



## **6 MAYORAL MINUTES**

The following item is submitted for consideration -

6.1	Mayoral Minute	72
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## Mayoral Minutes - 19 August 2021

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### ITEM 6.1                      Mayoral Minute

#### FILE REFERENCE    I21/229

#### July 2021

16 July 2021	Meeting with Angus Taylor MP, General Manager and Councillor Searl, visiting Gunning sites.
19 July 2021	Meeting with Wendy Tuckerman and General Manager – Virtual Meeting
20 July 2021	Meeting with General Manager Meeting with General Manager and Inspector David Cowell, Yass Police Station   The Hume Police District – Virtual Meeting
22 July 2021	2GN Interview
27 July 2021	Meeting with General Manager Meeting with Collector Community Association with General Manager, Director of Environment and Planning, Manager Environment and Planning & Councillor Searl – Virtual Meeting Councillor briefing session re Extraordinary meeting
29 July 2021	2GN Interview Office of Local Government – Postponement of Election Webinar with Councillors Extraordinary Council Meeting

#### August 2021

2 August 2021	Taralga Streets as shared spaces event Taralga Progress Association Meeting
3 August 2021	Meeting with General Manager
5 August 2021	2GN Interview
10 August 2021	Meeting with General Manager
12 August 2021	2GN Interview
16 August 2021	Meeting with Wendy Tuckerman and General Manager – Virtual Meeting
19 August 2021	2GN Interview Council Meeting – August



## **8        CORRESPONDENCE**

The following item is submitted for consideration -

8.1	Correspondence for the month of July/Aug 2021	74
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## Correspondence - 19 August 2021

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### ITEM 8.1

### Correspondence for the month of July/Aug 2021

#### RECOMMENDATION:

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

1. Office of Local Government – Circular 21-15 – Introduction of free lifetime registration for rescued pets and increases to Companion Animal fees for 2021-22.
2. Office of Local Government – Circular 21-16 – Annual Report and Annual Performance Statement checklists.
3. Office of Local Government – Circular 21-18 – Calendar of Compliance and Reporting requirements 2021-22.
4. Office of Local Government – Circular 21-19 – Joint Organisation Calendar of Compliance and Reporting requirements 2021-22.
5. Office of Local Government – Circular 21-20 – Postponement of Local Government Elections – 26 July 2021.
6. Office of Local Government – Council elections set for 4 December 2021.
7. Malcolm Barlow – Letter of resignation from Audit, Risk and Improvement Committee.

#### ATTACHMENTS

1. <a href="#"><u>□</u></a>	21-15 - Introduction of free lifetime registration for rescued pets and increases to companion animal fees for 2021-2022	Attachment
2. <a href="#"><u>□</u></a>	21-16 - Annual Report and Annual Performance Statement Checklists	Attachment
3. <a href="#"><u>□</u></a>	21-18 - Calendar of Compliance and Reporting Requirements 2021-22	Attachment
4. <a href="#"><u>□</u></a>	21-19 - Joint Organisation Calendar of Compliance and Reporting Requirements 2021-22	Attachment
5. <a href="#"><u>□</u></a>	21-20 – Postponement of Local Government Elections – 26 July 2021	Attachment
6. <a href="#"><u>□</u></a>	OLG - Council elections set for 4 December 2021	Attachment
7. <a href="#"><u>□</u></a>	Malcolm Barlow - Resignation Letter from Audit Risk and Improvement Committee	Attachment



Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	21-15 / 30 June 2021 / A779149
<b>Previous Circular</b>	20-27 / 13-54
<b>Who should read this</b>	Councillors / General Managers / Council finance staff / Companion Animal Enforcement and Administration Officers
<b>Contact</b>	Program Delivery Team – (02) 4428 4100 or 1300 134 460 <a href="mailto:pets@olg.nsw.gov.au">pets@olg.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

### Introduction of free lifetime registration for rescued pets and increases to companion animal fees for 2021/22

#### What's new or changing

- From 1 July 2021, the NSW Government is introducing free lifetime registration for people who adopt a rescue pet from council pounds and animal shelters, and rehoming organisations.
- All registration and annual permit fees have been adjusted for 2021/22.
- The 2021-22 registration and permit fees effective from 1 July 2021 are prescribed below:

Registration Category	New fee amount
Dog – Desexed (by relevant age)	\$66
Dog – Desexed (by relevant age eligible pensioner)	\$27
Dog – Desexed (sold by pound/shelter)	\$0
Dog – Not Desexed or Desexed (after relevant age)	\$224
Dog – Not Desexed (not recommended)	\$66
Dog – Not Desexed (recognised breeder)	\$66
Dog – Working	\$0
Dog – Service of the State	\$0
Assistance Animal	\$0
Cat – Desexed or Not Desexed	\$56
Cat – Eligible Pensioner	\$27
Cat – Desexed (sold by pound/shelter)	\$0
Cat – Not Desexed (not recommended)	\$56
Cat – Not Desexed (recognised breeder)	\$56
Registration late fee	\$18
Annual permit category	New fee amount
Cat not desexed by four months of age	\$81
Dangerous dog	\$197
Restricted dog	\$197
Permit late fee	\$18

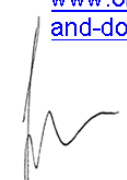
- Councils must continue to register eligible pound/shelter animals through the NSW Companion Animals Register. Free registration for these animals does not mean that registration is not required. The established process of 'flagging' an animal as being purchased from an eligible pound/shelter is required to validate a free registration.
- When processing a registration for an eligible pensioner whose pet has been recommended by a vet to not undergo desexing (either temporarily or permanently), select the new "not desexed (not recommended – pensioner)" category. This will allow the eligible pensioner to claim the discounted registration.

#### Key points

- The *Companion Animals Regulation 2018* has been amended so that
  - cl.18(2)(a) sets the baseline registration fee for a dog at \$66; and
  - cl.18(2)(c) has been removed and replaced by a new clause under section 18(4) to prescribe that no registration fee is payable for a companion animal that is desexed and sold to the owner by a rehoming organisation.
- Clause 18(2)(b) is unchanged in that the registration fee for a cat would remain at \$10 less than the registration fee for a dog (\$56). However, to avoid doubt, a new clause prescribed as 18(6C) sets out the registration fee for a dog and cat at \$66 and \$56. The amounts include the CPI adjustment.
- The regulation amendments override the registration fee for a dog notified in the [Companion Animals \(Adjustable Fee Amounts\) Notice 2021](#) that was gazetted on 3 June 2021.
- The CPI adjusted registration fee for pensioners, the additional fee for a non-desexed dog, late fee and permit fees remain as per the notice (as outlined in the table above).
- The Companion Animals Register will be modified to allow councils to apply the new lifetime registration and permit fees from 1 July 2021, including the use of the existing pound/shelter registration categories that will now have a \$0 fee.
- The NSW Pet Registry will be updated to include the new fees for online registration and permit payments made by pet owners from 1 July 2021.
- Both the old and new fee structures will be maintained on the Companion Animals Register to allow councils to correct registration details for existing records and catch up on data entry backlogs (i.e. where fees have been receipted before 1 July 2021 but not entered on the Register).
- As advised in [Circular to Councils 21-03](#), the annual permit fee (cats) or the additional registration fee (dogs) does not apply if the new owner purchases the animal from a pound/shelter/approved rehoming organisation. A late fee also cannot be applied.

#### Where to go for further information

- A list of registration categories, current fees and the new fees for 2021/22 is provided on the Office of Local Government's (OLG) website at [www.olg.nsw.gov.au/public/dogs-cats/nsw-pet-registry/microchipping-and-registration](http://www.olg.nsw.gov.au/public/dogs-cats/nsw-pet-registry/microchipping-and-registration).
- Information relating to the processing of registration fees is available in *Companion Animals Guideline 1 – Registration Agents*, available on OLG's website at [www.olg.nsw.gov.au/councils/responsible-pet-ownership/nsw-pet-registry/the-cat-and-dog-register](http://www.olg.nsw.gov.au/councils/responsible-pet-ownership/nsw-pet-registry/the-cat-and-dog-register).

  
Kiersten Fishburn  
Coordinator General  
Planning Delivery and Local Government



Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	21-16 / 30 June 2021 / A773314
<b>Previous Circular</b>	19/28
<b>Who should read this</b>	Councillors / General Managers / All council staff / Joint Organisations/Executive Officers
<b>Contact</b>	Performance Team / (02) 44284100 <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Council and Joint Organisations to Implement

### Annual Report and Annual Performance Statement Checklists

#### What's new or changing

- An annual report checklist has been drafted for councils.
- An annual performance statement checklist has been drafted for Joint Organisations (JOs)

#### What this will mean for your council

- Councils can use the annual report checklist and JOs can use the annual performance statement checklist to ensure that all the information required under the *Local Government Act 1993* (Act), the *Local Government (General) Regulation 2005* and other relevant legislation and guidelines is included within their annual report and annual performance statement.

#### Key points

- Under the Act, councils must prepare an annual report and JOs an annual performance statement within five months after the end of the financial year.
- Councils and JOs must upload a copy of the annual report to their website and provide a copy to the Minister for Local Government and such other persons and bodies as regulations require. Councils and JOs should notify the Minister by providing a URL link to the Office of Local Government (OLG) ([olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)).
- Councils should ensure they report performance against targets, outcomes, efficiency and cost effectiveness over time.
- JOs should ensure they report as to their progress in implementing strategies and plans for delivering strategic regional priorities.

#### Where to go for further information

- The annual report and annual performance statement checklists are available on OLG's website at <https://www.olg.nsw.gov.au/councils/policy-and-legislation/guidelines-and-policy-information-resources-for-councils/council-annual-reporting-requirements/>

**Kiersten Fishburn**  
Coordinator General  
Planning Delivery and Local Government

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Local Government

## Circular to Councils

<b>Circular Details</b>	21-18 / 19 July 2021 / A779633
<b>Previous Circular</b>	20-33
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Performance Team / (02) 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information / Council to Implement

### Calendar of Compliance and Reporting Requirements 2021-22

#### What's new or changing

The Calendar of Compliance and Reporting Requirements for councils and county councils has been updated for the 2021-22 financial year.

#### What this will mean for your council

Councils and county councils should use the Calendar of Compliance and Reporting Requirements 2021-22 to assist in planning strategic and operational tasks throughout the year.

#### Key points

- The Calendar of Compliance and Reporting Requirements 2021-22 includes key statutory and other reporting deadlines for councils and county councils.
- Councils' and county councils' statutory and other reporting deadlines are not limited to those included in the Calendar of Compliance and Reporting Requirements 2021-22.
- The online Calendar of Compliance and Reporting, developed by the Office of Local Government (OLG), will be updated to reflect the Calendar of Compliance and Reporting Requirements 2021-22.

#### Where to go for further information

- The Calendar of Compliance and Reporting Requirements 2021-22 is available on OLG's website at <https://www.olg.nsw.gov.au/councils/policy-and-legislation/guidelines-and-policy-information-resources-for-councils/council-annual-reporting-requirements/>
- A Joint Organisation Calendar of Compliance and Reporting Requirements 2021-22 has been prepared (Circular 21-19) and can be located at: <https://www.olg.nsw.gov.au/circulars/>

**Kiersten Fishburn**  
Coordinator General – Planning Delivery and Local Government

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## Circular to Councils

<b>Circular Details</b>	21-19 / 19 July 2021 / A779633
<b>Previous Circular</b>	20-34
<b>Who should read this</b>	Joint Executive Officers / Councillors / General Managers
<b>Contact</b>	Performance Team / (02) 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information / Joint Organisation to Implement

### Joint Organisation Calendar of Compliance and Reporting Requirements 2021-22

#### What's new or changing

The Joint Organisation Calendar of Compliance and Reporting Requirements has been updated for the 2021-22 financial year.

#### What this will mean for your council

Joint Organisations should use the Joint Organisations Calendar of Compliance and Reporting Requirements 2021-22 to assist in planning strategic and operational tasks throughout the year.

#### Key points

- The Joint Organisations Calendar of Compliance and Reporting Requirements 2021-22 includes key statutory and other reporting deadlines for Joint Organisations.
- Joint Organisations' statutory and other reporting deadlines are not limited to those included in the Joint Organisations Calendar of Compliance and Reporting Requirements 2021-22.
- The online Calendar of Compliance and Reporting, developed by the Office of Local Government (OLG), will be updated to reflect the Joint Organisation Calendar of Compliance and Reporting Requirements 2021-22.

#### Where to go for further information

- The Joint Organisation Calendar of Compliance and Reporting Requirements 2021-22 is available on OLG's website at:  
<https://www.olg.nsw.gov.au/councils/policy-and-legislation/guidelines-and-policy-information-resources-for-councils/council-annual-reporting-requirements/>
- A Calendar of Compliance and Reporting Requirements 2021-22 for councils and county councils has been prepared (Circular 21-18) and can be located at: <https://www.olg.nsw.gov.au/circulars/>

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Local Government

## Circular to Councils

<b>Circular Details</b>	21-20/ 25 July 2021
<b>Previous Circular</b>	20-25 <i>The date of the next ordinary local government elections is 4 September 2021</i>
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Council Governance Team/ 02 4428 4100/ <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information

### Postponement of the local government elections to 4 December 2021

#### What's new or changing

- The Minister for Local Government has published an order in the Gazette under section 318C of the *Local Government Act 1993* (the Act) postponing all council elections to **4 December 2021**.
- The decision to postpone all council elections has been made in response to the escalating outbreak of the Delta variant of the COVID-19 virus in Greater Sydney and the potential for further outbreaks in regional areas.
- The decision has been made in consultation with and on the advice of the NSW Electoral Commissioner and NSW Health

#### What this will mean for your council

- Current councillors and popularly elected mayors will continue to hold their civic offices until council elections are held on 4 December 2021.
- The order made under section 318C continues the suspension of the requirement to hold by-elections to fill vacancies for the period specified in the order.
- Councils will not be required to hold by-elections to fill vacancies or to apply to the Minister to dispense with the requirement to hold a by-election before ordinary council elections are held on 4 December 2021.
- The making of the order will not affect the requirement to hold mayoral elections.
- Mayoral elections must be held for mayors elected in September 2019 when their two year-terms expire in September 2021.
- Mayors elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.
- Chairpersons of county councils now hold office for two years.
- Chairpersons of county councils elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.
- The composition of joint organisation boards may need to change in September 2021 if mayors of member councils elected by councillors are not re-elected.
- The postponement of the next ordinary local government elections will not affect the timing of future council elections, and the subsequent ordinary local government elections will still proceed in September 2024.

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**Key points**

- The local government elections were previously postponed to 4 September 2021 by orders made under section 318B of the Act.
- The order made under section 318C revokes the previous order and appoints 4 December 2021 as the day on which all council elections will be held.

**Where to go for further information**

- Further information is provided in the FAQ which is available on the Office of Local Government's website [here](#).
- For further information, please contact the Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

**Kiersten Fishburn**

**Coordinator General, Planning Delivery and Local Government**

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## Council elections set for 4 December 2021

The NSW Government announced a new date for the local government elections has been set for Saturday 4 December 2021.

The decision has been made after extensive consultation with and on advice from the NSW Electoral Commission and NSW Health to the COVID-19 situation.

A [circular is available in this email](#) that outlines what this will mean for councils.

In particular:

- **Current councillors and popularly elected mayors** will continue to hold their civic offices until council elections are held on 4 December 2021.
- **Councils will not be required to hold by-elections to fill vacancies** or to apply to the Minister to dispense with the requirement to hold a by-election before ordinary council elections are held on 4 December 2021.
- Mayoral elections must be held for mayors elected in September 2019 when their two year-terms expire in September 2021.
- Mayors elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.
- **Chairpersons of county councils** now hold office for two years. Chairpersons of county councils elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.
- The **composition of joint organisation boards** may need to change in September 2021 if mayors of member councils elected by councillors are not re-elected.
- The postponement of the next ordinary local government elections **will not affect the timing of future council elections**, and the subsequent ordinary local government elections will still proceed in September 2024.

An [Order setting the new election date](#) has been published in the Government Gazette.

More information, including a frequently asked questions document, will be available on the OLG website this week.

## Important dates

**25 Oct 2021** Close of electoral rolls (6pm)  
Candidate nominations open

**03 Nov 2021** Close of candidate nominations (12pm)  
Registration of electoral materials commences

**05 Nov 2021** Caretaker period commences

**22 Nov 2021** Pre-poll voting opens

**26 Nov 2021** Registration of electoral material closes (5pm)

**27 Nov 2021** Declared institution voting commences

**29 Nov 2021** Postal vote applications close (5pm)

**03 Dec 2021** Declared institution voting closes (6pm)  
Pre-poll voting closes (6pm)

**04 Dec 2021** Election day (8am-6pm)

**17 Dec 2021** Return of postal votes closes (6pm)

**21 – 23 Dec 2021** Results declared progressively as counts are finalised by election manager

If you have any questions about the topics covered in this email, please contact your Office of Local Government Council Engagement Manager.

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Department of Planning, Industry & Environment, Parramatta Square, 12 Darcy Street,  
Parramatta, NSW 2150, Australia  
[Unsubscribe](#) [Manage preferences](#)

"Lachlands"  
619 Redground Road  
CROOKWELL NSW 2583

28 July 2021

The Mayor and Council  
Upper Lachlan Shire Council  
PO Box 42  
GUNNING NSW 2581

**Re: My resignation as a member and Chair of Council's Audit, Risk and Improvement Committee since October 2016**

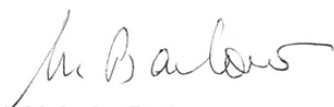
As those who were present at today's meeting of our Audit, Risk and Improvement Committee are aware, unless the current Committee is required to meet once again by the Director to help the Annual Audit papers, I am resigning both my membership and Chairmanship of this Committee.

Otherwise, I wish to make the following comments for Council and Senior Management to consider.

1. I could not have had a better Director than Andrew Croke with whom to work. His professionalism, competence in the role and sound advice make him a rare individual.
2. I wish to thank Dennis Marshall and Bill Martin two experienced and qualified individuals for the work they put into always expressing a community point of view on matters that came before our Committee.
3. Coming out of the Chairman's Report at this meeting were several matters that Council needs to consider.
  - (a) Unanimously, the Committee wants a new Audit Risk and Improvement Committee for Upper Lachlan Shire to consist only of local people.
  - (b) By a majority vote the Committee wants the results of the survey of members regarding the new Audit, Risk and Improvement Committee to be reported to both Upper Lachlan Shire Council and the State Office of Local Government.

In particular, this survey unanimously agreed that any Councillor on an Audit, Risk and Improvement Committee should be there in a non-voting capacity;  
That our group favoured a local standalone Audit, Risk and Improvement Committee;  
That the selection Committee should be Chaired by an Office of Local Government Official; and  
That candidates should have long enough local residency to be aware of particular needs and requirements of the Shire.

I wish the new Council well in its term of office, I offer the same advice: be very prudent with other people's money; and always keep spending reasonably within the limits imposed by income. Remember, debt can only be a short term answer.



Malcolm Barlow  
(Retiring Chairperson of Audit, Risk and Improvement Committee)

## **10        INFORMATION ONLY**

The following items are submitted for consideration -

10.1	Monthly Weeds Activity Report	86
10.2	Development Statistics for the months of July 2021	90
10.3	Investments for the month of July 2021	98
10.4	Bank Balance and Reconciliation - July 2021	102
10.5	Rates and Charges Outstanding for the month of July 2021	103
10.6	Library Services 4th Quarter Report 2020/2021	105
10.7	Grants Report	109
10.8	Action Summary - Council Decisions	116

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## Information Only - 19 August 2021

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### ITEM 10.1 Monthly Weeds Activity Report

**FILE REFERENCE** I21/234

**AUTHOR** Director of Environment and Planning

### ISSUE

Providing Council with a summary of weed control activities undertaken throughout the Upper Lachlan Shire Local Government Area.

**RECOMMENDATION** That -

1. Council receives and notes the report as information.

### BACKGROUND

The standard monthly report summarising weed control activities conducted between June 1 and June 29, 2021, includes additional inspections not previously reported. In July, site visits were limited due to inclement weather. The checks previously reported were for the south of the shire.

### REPORT

In addition to the last report, Biosecurity Officers conducted Thirty-Five (35) property inspections in June totalling 64 inspections for the month. The total site visits for the calendar year is 301. Over all, the shire landholders have a good record for controlling local priority weeds.

Blackberry, Serrated Tussock and African Love Grass have been the most prominent weeds and are the focus of inspections. Other weeds of interest this month include St John's Wort, Chilean Needle Grass, and Nodding Thistle. Broom was present at one site.

### Property Inspections:

Weed	Parish	Road or Street	Date	Action	Degree
BB	Pomeroy	Prices Lane	31/05/2021	Re-Inspec	1
ST,BB	Biala	Heffernans Lane	1/06/2021	Routine	1,1
ST	Biala	Heffernans Lane	1/06/2021	Routine	1
ST	Biala	Abbey Collins Road	2/06/2021	Routine	1
ST,BB	Biala	Bulleys Crossing Road	4/06/2021	Notified	2,2
ST,BB	Biala	Heffernanas Lane	7/06/2021	Routine	1,1
ST	Burridgee	Fullerton	6/06/2021	Routine	2
ST	Burridgee	Fullerton	6/06/2021	Routine	2

**Information Only****MONTHLY WEEDS ACTIVITY REPORT cont'd**

ST	Burrigee	Fullerton	6/06/2021	Routine	3
ST	Burrigee	Fullerton	6/06/2021	Routine	1
ST	Burrigee	Fullerton	6/06/2021	Routine	1
ST	Grabine	Greenmantle	19/06/2021	Notified	3
ST	Grabine	Greenmantle	19/06/2021	Notified	3
ALG	Jerrara	Bevandale	13/6/6/21	Routine	1
ST	Jerrara	Bevandale	13/06/2021	Routine	1
ST	Jerrara	Bevandale	13/06/2021	Routine	1
ST	Jerrara	Bevandale	14/06/2021	Routine	1
SJW	Jerrara	Bevandale	14/06/2021	Notified	1
ST	Jerrara	Bevandale	14/06/2021	Routine	1
ST	Jerrara	Bevandale	14/06/2021	Routine	1
ST	Jerrara	Bevandale	15/06/2021	Routine	1
ST BB	Jerrara	Bevandale	15/06/2021	Routine	1 1
ST	Jerrara	Bevandale	20/06/2021	Notified	2
ST	Jerrara	Jerrara	20/06/2021	Notified	1
ALG	Jerrara	Jerrara	20/06/2021	Routine	1
ST	Jerrara	Jerrara	21/06/2021	Routine	1
SJW	Jerrara	Jerrara	21/06/2021	Notified	1
BB	Jerrara	Jerrara	21/06/2021	Routine	1
SJW Brm	Jerrara	Jerrara	21/06/2021	Notified	1 2
ST	Jerrara	Jerrara	22/06/2021	Routine	1
ST	Jerrara	Jerrara	22/06/2021	Routine	1
ST	Jerrara	Jerrara	22/06/2021	Routine	1
ST CNG	Jerrara	Mullengrove	27/06/2021	Routine	1 1
ST	Jerrara	Bevandale	27/06/2021	Routine	1
ST	Jerrara	Bevandale	27/06/2021	Routine	1
ST	Jerrara	Bevandale	28/06/2021	Routine	1
ST BB	Jerrara	Bevandale	28/06/2021	Routine	1
ST	Jerrara	Bevandale	28/06/2021	Notified	2
ST,GO	Kildare	Blakney Creek Rd Nth	16/06/2021	Routine	1,1
CG	Narrawa	Fish River	29/06/2021	Routine	1
CG	Narrawa	Fish River	29/06/2021	Routine	2
ST	Narrawa	Fish River	29/06/2021	Routine	1
-	Preston	Rugby Road	2/06/2021	Routine	-
-	Preston	Rugby Road	2/06/2021	Routine	-
-	Preston	Rugby Road	3/06/2021	Routine	-
-	Preston	Rugby Road	7/06/2021	Routine	-
-	Preston	Rugby Road	7/06/2021	Routine	-
ST,GO	Preston	Blakney Creek Rd Nth	9/06/2021	Notified	2,1
ST	Preston	Blakney Creek Rd Nth	9/06/2021	Routine	1
-	Preston	Blakney Creek Rd Nth	9/06/2021	Routine	-
-	Preston	Rugby Road	10/06/2021	Routine	-
-	Preston	Maryvale Road	10/06/2021	Routine	-
-	Preston	Maryvale Road	10/06/2021	Routine	-
-	Preston	Maryvale Road	10/06/2021	Routine	-
-	Preston	Rugby Road	15/06/2021	Routine	-
ST,GO	Preston	Blakney Creek Rd Nth	16/06/2021	Routine	1,1
ST,BB	Preston	Bevandale Road	17/06/2021	Notified	2,1
-	Preston	Rugby Road	18/06/2021	Routine	-

## Information Only

### MONTHLY WEEDS ACTIVITY REPORT cont'd

-	Preston	Maryvale Road	18/06/2021	Routine	-
BB	Preston	Maryvale Road	18/06/2021	Routine	1
SJW	Preston	Bevendale Road	21/06/2021	Routine	1
-	Preston	Rugby Road	21/06/2021	Routine	-
-	Preston	Maryvale Road	22/06/2021	Routine	-
BB	Preston	Maryvale Road	22/06/2021	Routine	1
BB	Pomeroy	Prices Lane	31/05/2021	Re-Inspec	1
ST, BB	Biala	Heffernans Lane	1/06/2021	Routine	1,1
ST	Biala	Heffernans Lane	1/06/2021	Routine	1
ST	Biala	Abbey Collins Road	2/06/2021	Routine	1
ST, BB	Biala	Bulleys Crossing Road	4/06/2021	Notified	2,2
ST, BB	Biala	Heffernanas Lane	7/06/2021	Routine	1,1

### Key for Weed Abbreviations

#### Weed ID Weed Identification

S/T Serrated Tussock

BB Blackberry

SJW St John's Wort

PC Paterson's Curse

Nth Nodding Thistle

CNG Chilean Needle Grass

EB English Broom

FW Fireweed

ALG African Lovegrass

Go Gorse

CG Coolatai Grass

### Key for Degree of Infestations

1. Scattered Plants
2. Scattered Plants with Isolated Patches
3. Dense Infestations

### Key for Actions of Inspections

**Routine** – an inspection where the landowner has either provided adequate information or conducted adequate control work to fulfil their obligations to control weed infestations on their land.

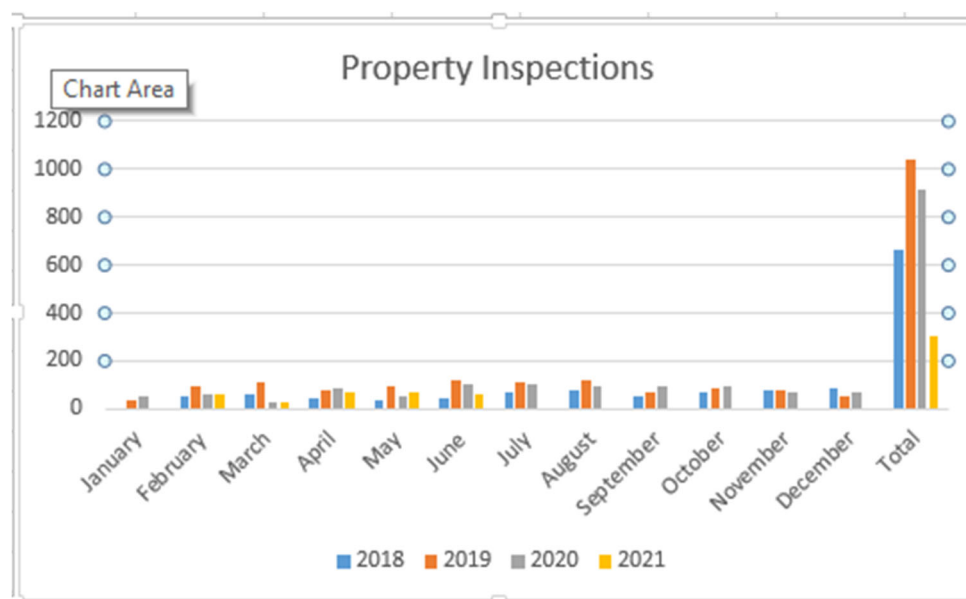
**Notified** – an inspection where landowners are notified either verbally or by letter that control work is required on specific weed infestations. These inspections generally will require a reinspection.

**Reinspection** – an inspection that has been conducted to investigate whether adequate control work has been conducted after notification to control weed infestations.



## Information Only

### MONTHLY WEEDS ACTIVITY REPORT cont'd



## POLICY IMPACT

Nil

## OPTIONS

Nil

## FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

## RECOMMENDATION That -

1. Council receives and notes the report as information.

## ATTACHMENTS

Nil

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## Information Only - 19 August 2021

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**ITEM 10.2**                      **Development Statistics for the months of July 2021**

**FILE REFERENCE**    I21/236

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

### ISSUE

Providing Council with a brief summary of the development control activities that have occurred in the month of July 2021.

**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 July to 31 July 2021.

### REPORT

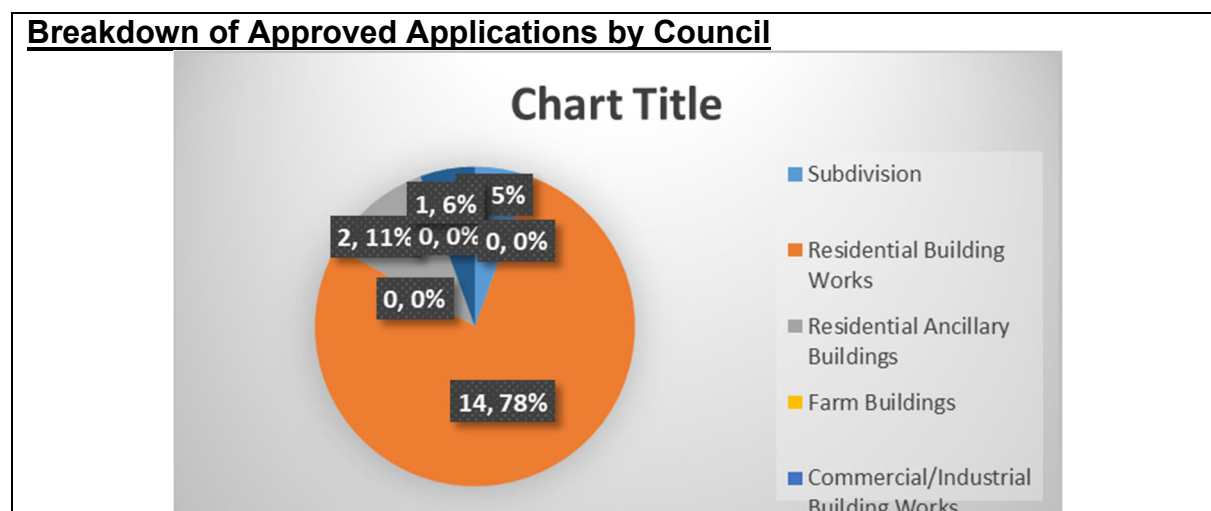
#### 1. Development Applications

The current level of development activity for July 2021 is summarised below:

DAs under assessment	S4.55 (MOD) under assessment	DAs received	DA modifications received	DAs determined	DA S4.55 (MOD) determined
40	5	9	2	17	1

The average determination processing time is for the month of July was 50 days.

#### Breakdown of Approved Applications by Council

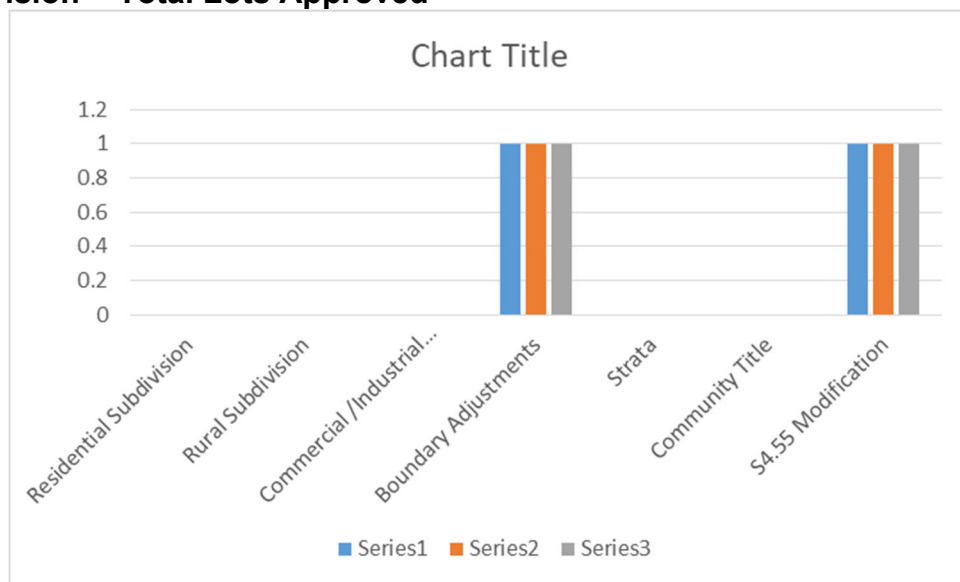


**Information Only**

**DEVELOPMENT STATISTICS FOR THE MONTHS OF JULY 2021 cont'd**

<b>Approved Application</b>	<b>Decisions for July</b>	<b>Value For July</b>	<b>Decisions 1/07/21-30/06/22</b>	<b>Total Value 1/07/21-30/06/22</b>
Subdivision	1	0	1	0
Residential Building Works	14	\$4,260,106	14	\$4,260,106
Residential Ancillary Buildings	2	\$53,696	2	\$53,969
Farm Buildings	0	0	0	0
Commercial/Industrial Building Works	0	0	0	0
Change of Use	0	0	0	0
S4.55 Modification	1	0	1	0
Other	0	0	0	0
<b>TOTAL</b>	<b>18</b>	<b>\$4,313,802</b>	<b>18</b>	<b>\$4,313,802</b>

**Subdivision - Total Lots Approved**



<b>Type of Approved Subdivision</b>	<b>Number of applications July 2021</b>	<b>Number of new lots July 2021</b>	<b>Total Number of Lots 01/07/2021 - 30/06/2022</b>
Residential Subdivision	0	0	0
Rural Subdivision	0	0	0
Commercial /Industrial Subdivision	0	0	0
Boundary Adjustments	1	1	1
Strata	0	0	0
Community Title	0	0	0

**Information Only****DEVELOPMENT STATISTICS FOR THE MONTHS OF JULY 2021 cont'd**

S4.55 Modification	1	1	1
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Development Applications Approved By Council (1 July 2021 to 31 July 2021):

<b>DA Reference</b>	<b>Proposal</b>	<b>Property Details</b>	<b>Stop the Clock days</b>	<b>Total Elapsed days</b>
122/2019.2 (S4.55)	Subdivision	892 Sylvia Vale Road, Binda Lot 101 DP 1244963	65	100
41/2021	Dwelling	3 Gordon Street, Crookwell Lot 14 Sec 5 DP 1244963	54	93
42/2021	Alterations & additions to Dwelling	918 Kialla Road, Crookwell Lot 81 DP 754108	0	100
43/2021	Alterations & additions to Dwelling	186 Baxters Lane, Wollogorang Lot 6 DP 1093447	0	98
49/2021	Dwelling	3A Wombat Street, Gunning Lot 1 DP 1272189	72	89
50/2021	Dwelling	Walkoms Lane, Bannister Lot 2 DP 1094463	60	88
57/2021	Dwelling	35 Yass Street, Gunning Lot 31 DP 557691	1	78
58/2021	Dwelling	6 Amber Lane, Gunning Lot 110 DP 1250004	14	63
62/2021	Garage	46 Wombat Street, Gunning Lot 2 DP 1082201	2	59
65/2021	Dwelling	14 North Street, Crookwell Lot 13 Sec 3 DP 1809	0	64
66/2021	Dwelling	2471 Range Road, Bannister Lot 4 DP 1262741	0	42
67/2021	Alterations & additions to Dwelling	58 Biala Street, Gunning Lot 16 Sec 8 DP 758493	1	64
69/2021	Alterations & additions to Dwelling	2487 Taralga Road, Laggan Lot 9 DP 874866	0	37
73/2021	Dwelling	37 Graham Crescent, Crookwell Lot 41 DP 1270792	0	48
76/2021	Garage	118 Yass Street, Gunning Lot 6 Sec 22 DP 758493	0	11
78/2021	Alterations & additions to Dwelling	29 Kialla Road, Crookwell Lot 3 DP 1056265	1	24
84/2021	Dwelling	14 Cooper Street, Gunning Lot 102 DP 1250004	0	27
95/2021	Boundary Adjustment	3848 Grabben Gullen Road, Crookwell Lot 1 DP 332252	0	1

**Information Only****DEVELOPMENT STATISTICS FOR THE MONTHS OF JULY 2021 cont'd**

Complying Development Applications Approved By Private Certifier (1 July 2021 to 31 July 2021)

Application Reference	Council Reference	Proposal	Property Details
-	CDC7/2021	Garage	502-538 Clancy's Road, Biala Lot 18 DP 754114

Withdrawn Applications  
(1 July 2021 to 31 July 2021)

DA Reference	Proposal	Property
-	-	-

The Development Applications outstanding as of 31 July 2021 are summarised in the following table:

Development Applications Outstanding on 30 July 2021 (In order of date submitted to Council)				
DA No.	Date Rec.	Proposal	Property	Reason
161/2006 (S4.55)	23/3/2020	11 Lot Subdivision	Middle Arm Rd, MIDDLE ARM Lot 182, 183 & 146 DP 750051, Lot 2 DP 532757, Lot 4 DP 532758	Awaiting Additional Information
51/2020	16/06/2020	Fire Station Extension	Nelanglo Street GUNNING Lot 1 & 4 DP 843551	Awaiting Additional Information
95/2020	30/10/2020	Dwelling Additions & Alterations	1865 Golspie Road GOLSPIE Lot 218 DP 753034	Awaiting Additional Information
106/2020	09/12/2020	Dwelling	2878 Laggan Road LAGGAN Lot 1 DP 1202201	Awaiting Additional Information
111/2020	17/12/2020	Demolition	108 Biala Street GUNNING Lot 2 DP 626075	Awaiting Additional Information
29/2021	9/03/2021	Plant Nursery	2725 Boorowa Road NARRAWA Lot 99 DP 754121	Under Assessment
32/2021	15/03/2021	Micro- brewery	3365 Goulburn Road PEJAR Lot 402 DP 1012308	Awaiting Additional Information
33/2021	16/03/2021	Dwelling	Mullers Lane LERIDA Lot 99, 128, 130, 176 DP 754127	Under Assessment
34/2021	18/03/2021	Dwelling Additions & Alterations	1766 Sapphire Road BIALA Lot 1 DP 1188760	Awaiting Additional Information
35/2021	24/03/2021	Dog Breeding	371 Tyrl Tyrl Road LAGGAN Lot 11DP 1079302	Awaiting Additional Information

**Information Only****DEVELOPMENT STATISTICS FOR THE MONTHS OF JULY 2021 cont'd**

38/2021	29/03/2021	2 Lot Subdivision	101 Golspie Road TARALGA Lot A DP 413644	Under Assessment
39/2021	31/03/2021	Rural 2 Lot Subdivision	2430 Rye Park Road DALTON Lot 2 DP 731997	Under Assessment
40/2021	31/03/2021	Change of Use - Retail	43 Orchard Street TARALGA Lot C DP 158224	Awaiting Additional Information
44/2021	16/04/2021	Dog Breeding Facility	2548 Woodhouselee Road LAGGAN Lot 2 DP 1150915	Awaiting Additional Information
53/2021	28/04/2021	Shed	Blue Hills Road YALBRAITH Lot 19 DP 753017	Awaiting Additional Information
59/2021	13/05/2021	Subdivision	Mount Rae Road, Taralga Lot 2 DP 801277	Under Assessment
60/2021	19/05/2021	Bed & Breakfast Accommodation	Orchard Street, Taralga Lot 2 DP 995232 & Lot 3 DP 995232	Under Assessment
61/2021	20/05/2021	Temporary Event	3365 Goulburn Road, Pejar Lot 403 DP 1012308	Awaiting Additional Information
62/2021	21/05/2021	Garage	46 Wombat Street, Gunning Lot 2 DP 1082201	Under Assessment
63/2021	24/05/2021	Principal Dwelling & Secondary Dwelling	Levels Road, Golspie Lots 73, 135, 104 & 117 DP 753044	Awaiting Additional Information
64/2021	25/05/2021	Subdivision	Golspie Road, Laggan Lot 133 DP 753043	Under Assessment
68/2021	27/05/2021	Dwelling	931 Yalbraith Road, Golspie Lot 1 DP 1066391	Awaiting Additional Information
18/2020.2 (S4.55)	7/06/2021	Dwelling	43 Povey Place, Breadalbane Lot 6 DP 1205245	Under Assessment
70/2021	8/06/2021	Dwelling	2845 Woodhouselee Road, Laggan Lot 31 DP 1246818	Under Assessment
74/2021	15/06/2021	Subdivision	66 Biala Street, Gunning Lot 20 Sec 8 DP 758493	Neighbour Notification
77/2021	23/06/2021	Dwelling	100 Wade Street, Crookwell Lot 33 DP 1797	Under Assessment
78/2021	28/06/2021	Alterations and additions to dwelling	29 Kialla Road, Crookwell Lot 3 DP 1056265	Under Assessment

**Information Only****DEVELOPMENT STATISTICS FOR THE MONTHS OF JULY 2021 cont'd**

79/2021	29/06/2021	Dwelling	Wheeo Road, Grabben Gullen Lot 4 DP 882389	Under Assessment
80/2021	29/06/2021	Dwelling	Yarraman Road, Bigga Lot 51 DP 753011	Under Assessment
81/2021	29/06/2021	Subdivision	185 Bushs Lane, Dalton Lot 1 DP 1153473	Under Assessment
82/2021	30/06/2021	Garage	28 King Road, Crookwell Lot 1 DP 1090730	Awaiting Additional Information
83/2021	30/06/2021	Subdivision	106 Orchard Street, Taralga Lot 291 DP 808142	Under Assessment
85/2021	2/07/2021	Transportable Dwelling	Jerrawa Road, Dalton Lot 1 DP 1143904, Lot 1 DP 1191348, Lots 47, 48, 50, 173 DP 754111 & Lot 491 DP 883200	Under Assessment
86/2021	12/07/2021	Alterations and additions to dwelling	21 Murray Street, Collector Lot 15 DP 1265699	Under Assessment
87/2021	13/07/2021	Dwelling	385 Lost River Road, Lost River Lot 6 DP 1145749	Under Assessment
88/2021	16/07/2021	Alterations and additions to pub	34 Goulburn Street, Crookwell Lot 2 DP 800629	Exhibition
89/2021	19/07/2021	Subdivision	11 Wolseley Road, Crookwell Lots 11 & 12 Sec 5 DP 1809	Under Assessment
90/2021	20/07/2021	Dwelling	8 Graham Crescent, Crookwell Lot 20 DP 1253454	Under Assessment
91/2021	28/07/2021	Subdivision	Redground Road, Crookwell Lots B1 & B2 DP 343251	Under Assessment
92/2021	28/07/2021	Temporary Mast	Pudman Creek Road, Blakney Creek Lots 142, 160, 147, 127, 157, 185, 156, 131, 35 DP 754102 Lot 1 DP 1108976 & Lot 101 DP 1241515	Under Assessment
94/2021	29/07/2021	Dwelling	Mulgowrie Road, Crooked Corner Lots 1 & 4 DP 1272569 & Lot 9 DP 753045	Under Assessment
46/2017 (S4.55)	29/07/2021	Alterations and	Jerrawa Road, Jerrawa Lots 201 & 202 DP 754122	Under Assessment

**Information Only****DEVELOPMENT STATISTICS FOR THE MONTHS OF JULY 2021 cont'd**

		additions to Dwelling		
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**2. Construction Certificates**

Construction Certificates Issued between 1 July 2021 to 31 July 2021			
Approved by Council July 2021		Approved by Private Certifier July 2021	Year to date
1		0	1
CC No.	Approved by	Proposal	Property
54/2021	Council	Dwelling	3 Gordon Street, Crookwell Lot 14 Sec 5 DP 1809

**3. Occupation Certificates**

Occupation Certificates Issued between 1 July 2021 to 31 July 2021			
Approved by Council May 2021		Approved by Private Certifier May 2021	Year to date
1		0	1
OC No.	Approved by	Proposal	Property
35/2021	Council	Dwelling alterations and additions	1661 Woodhouselee Road, Roslyn Lot 2 DP 808749

**4. Subdivision Certificates**

Subdivision Certificates Issued between 1 July 2021 to 31 July 2021		
Approved by Council		
July 2021	Year to Date	
2	2	
SC No.	Proposal	Property
23/2021	Subdivision	Lots 84, 149, 162 & 170 DP 754130 Lot 1 DP 653931 and Lot 1 DP 809910
24/2021	Subdivision	Lots 1 & 4 DP 865737 and Lot 32 DP 754147

**5. Planning Certificates**

The number of Planning Certificates issued this financial year are detailed below:

Year	Number of Certificates Issued
1 July 2021 to 30 June 2022	50
1 July 2020 to 30 June 2021	475
1 July 2019 to 30 June 2020	442
1 July 2018 to 30 June 2019	347

**POLICY IMPACT**

Nil



***Information Only***

**DEVELOPMENT STATISTICS FOR THE MONTHS OF JULY 2021 cont'd**

**OPTIONS**

Nil

**FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That -

1. Council receives and notes the report as information.

**ATTACHMENTS**

Nil

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## Information Only - 19 August 2021

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**ITEM 10.3**                      **Investments for the month of July 2021**

**FILE REFERENCE**    **I21/240**

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

### **ISSUE**

Council Investment Portfolio Register as at 31 July 2021.

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

---

### **BACKGROUND**

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

### **REPORT**

#### **Investments to 31 July 2021**

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
CBA	Call	\$250,000	0.05%	N/A	30-07-21	\$12.33
NAB	TD	\$1,400,000	0.85%	364	04-08-21	\$11,867.40
Bank of Qld	TD	\$800,000	0.25%	84	04-08-21	\$460.27
NAB	TD	\$1,000,000	0.78%	350	11-08-21	\$7,479.45
Bendigo Bank	TD	\$1,200,000	0.15%	84	11-08-21	\$414.25
Bank of Qld	TD	\$1,200,000	0.80%	364	18-08-21	\$9,573.70
NAB	TD	\$1,000,000	0.28%	84	18-08-21	\$644.38
IMB	TD	\$1,300,000	0.30%	182	25-08-21	\$1,944.66
IMB	TD	\$1,000,000	0.20%	84	25-08-21	\$460.27
NAB	TD	\$1,000,000	0.30%	182	01-09-21	\$1,495.89
Bendigo Bank	TD	\$1,000,000	0.15%	84	01-09-21	\$345.21
CBA	TD	\$1,000,000	0.35%	182	08-09-21	\$1,745.21
CBA	TD	\$1,000,000	0.28%	84	08-09-21	\$644.38
Bank of Qld	TD	\$1,000,000	0.40%	175	15-09-21	\$1,917.81
NAB	TD	\$500,000	0.20%	77	22-09-21	\$210.96

**Information Only****INVESTMENTS FOR THE MONTH OF JULY 2021 cont'd**

IMB	TD	\$1,400,000	0.18%	77	29-09-21	\$531.62
Bendigo Bank	TD	\$1,000,000	0.20%	98	06-10-21	\$536.99
CBA	TD	\$1,300,000	0.30%	105	13-10-21	\$1,121.92
Bank of Qld	TD	\$500,000	0.25%	98	20-10-21	\$335.62
CBA	TD	\$1,500,000	0.28%	91	27-10-21	\$1,047.12
CBA	TD	\$700,000	0.55%	364	10-11-21	\$3,839.45
Bendigo Bank	TD	\$1,000,000	0.50%	364	17-11-21	\$4,986.30
Bank of Qld	TD	\$1,700,000	0.40%	362	08-06-22	\$6,744.11
Bank of Qld	TD	\$1,000,000	3.15%	1097	25-08-21	\$63,172.60
		<b>\$24,750,000</b>				<b>\$121,531.89</b>

**COUNCIL INVESTMENT PERFORMANCE: -****BUDGET COMPARISON TO 31 JULY 2021**

Interest on Investments Received YTD	\$9,136.72
Revised interest budget amount for all funds	\$194,800
Percentage of Interest Received YTD	4.69%
Percentage of Year Elapsed	8.22%
Average market interest rate (90 day BBSW)	0.02%
Average return on all investments	0.48%

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

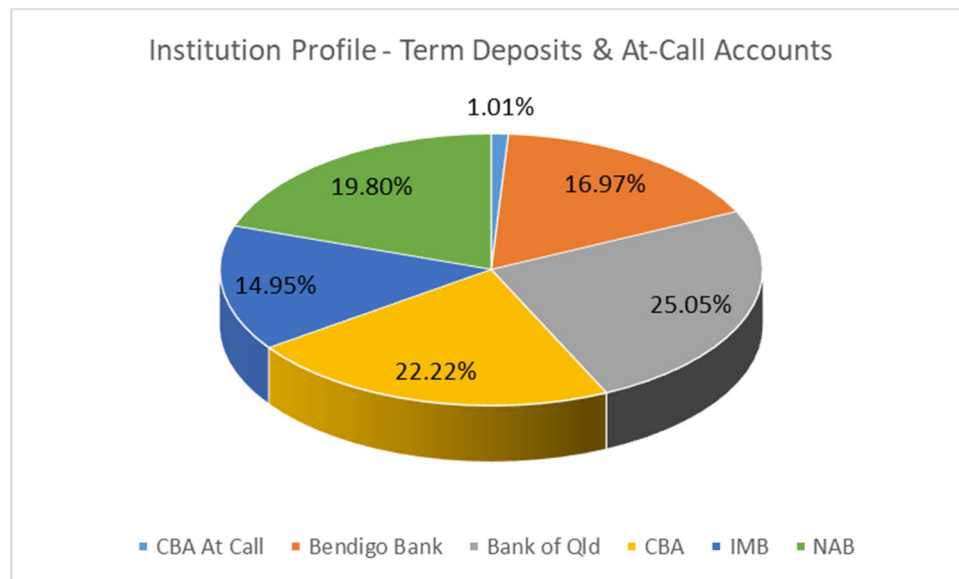
## Information Only

### INVESTMENTS FOR THE MONTH OF JULY 2021 cont'd

#### **FINANCIAL INSTITUTION INVESTMENTS PROFILE AS AT 31 JULY 2021**

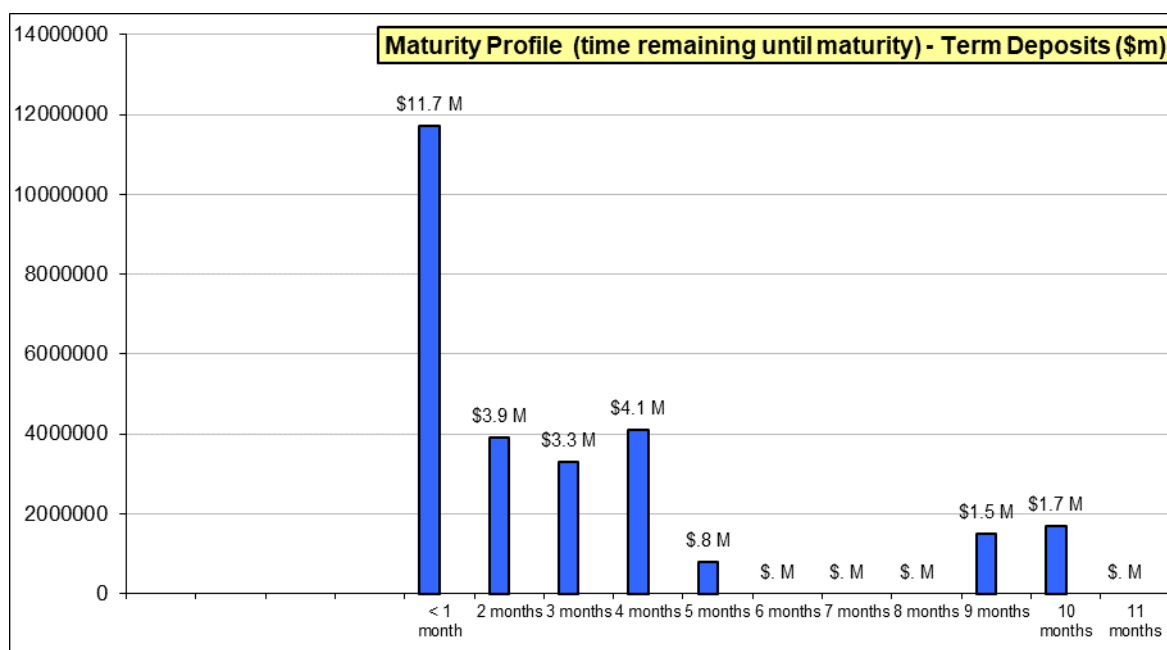
The following chart shows the current distribution of Council's investment portfolio between the authorised financial institutions used. The current distribution of funds between institutions complies with Council's Investment Policy which states:-

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



#### **INVESTMENTS - MATURITY PROFILE AS AT 31 JULY 2021**

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.



**INVESTMENTS FOR THE MONTH OF JULY 2021** cont'd

**TOTAL INVESTMENTS: -**

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

## POLICY IMPACT

## OPTIONS

## FINANCIAL IMPACT OF RECOMMENDATIONS

**RECOMMENDATION** That -

- ## ATTACHMENTS

Nil

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## Information Only - 19 August 2021

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### ITEM 10.4                      Bank Balance and Reconciliation - July 2021

**FILE REFERENCE**    I21/243

**AUTHOR**                      Director of Finance and Administration

#### **ISSUE**

Statement of Bank Balance and Reconciliation as at 31 July 2021.

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

---

#### **BACKGROUND**

Nil

#### **REPORT**

##### **STATEMENT OF BANK BALANCE & RECONCILIATION**

General Ledger balance brought forward 30 June 2021	228,063.98
Add: Receipts for July 2021	<u>9,485,855.01</u>
	9,713,918.99
Deduct: Payments for July 2021	<u>6,247,373.87</u>
<b>Balance as at 31 July 2021</b>	<u>3,466,545.12</u>
Balance as per Bank Statement 31 July 2021	3,831,915.82
Add: Outstanding Deposits	<u>8,524.85</u>
	3,840,440.67
Deduct: Unpresented Cheques / EFTs	<u>373,895.55</u>
<b>Balance as at 31 July 2021</b>	<u>3,466,545.12</u>

#### **POLICY IMPACT**

Nil

#### **OPTIONS**

Nil

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

Nil

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

#### **ATTACHMENTS**

Nil

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## Information Only - 19 August 2021

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**ITEM 10.5**                      **Rates and Charges Outstanding for the month of July 2021**

**FILE REFERENCE**    I21/244

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

### **ISSUE**

Rates and Charges Outstanding Report to 31 July 2021.

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

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### **BACKGROUND**

A Summary report of the Rates and Charges outstanding at 31 July 2021 is detailed.

### **REPORT**

There is an attached report titled "Rate Collection Year 2022" for the 2021/2022 financial year. A comparison of the rates and charges outstanding percentage to previous financial years is highlighted in the below table:-

<b>Description</b>	<b>31/07/2021</b>	<b>31/07/2020</b>	<b>31/07/2019</b>
Total % Rates and Charges Outstanding	91.79%	83.71%	83.85%
Total \$ Amount Rates and Charges Outstanding	\$12.32 million	\$10.59 million	\$10.19 million

### **POLICY IMPACT**

Nil

### **OPTIONS**

Nil

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

### **ATTACHMENTS**

1. <a href="#">Rate Collection by Year - August 2021</a>	Attachment
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**Rate Collection 2022 Year**

<b>Rating Categories</b>	<b>Levy Raised to date</b>	<b>Rates Received to 2 August 2021</b>	<b>Rates Outstanding to 2 August 2021</b>	<b>% Rates Outstanding 2 August 2021</b>
<b>Farmland</b>	5,313,498.04	308,679.85	5,004,818.19	<b>94.19%</b>
<b>Residential</b>	1,384,104.60	151,543.13	1,232,561.47	<b>89.05%</b>
<b>Rural Residential</b>	772,704.26	73,486.89	699,217.37	<b>90.49%</b>
<b>Business</b>	451,928.09	6,911.57	445,016.52	<b>98.47%</b>
<b>Mining</b>	2,034.64	-	2,034.64	<b>100.00%</b>
<b>Water</b>	1,047,816.00	91,268.59	956,547.41	<b>91.29%</b>
<b>Sewerage</b>	1,647,700.44	124,633.11	1,523,067.33	<b>92.44%</b>
<b>Domestic &amp; Comm Waste</b>	1,474,747.35	133,086.38	1,341,660.97	<b>90.98%</b>
<b>Rural Waste</b>	748,865.70	54,314.51	694,551.19	<b>92.75%</b>
<b>Storm Water</b>	48,098.01	3,001.91	45,096.10	<b>93.76%</b>
<b>**Arrears</b>	528,300.56	121,839.47	406,461.09	<b>76.94%</b>
<b>Credits</b>		32,361.94	-32,361.94	
<b>Overall Total Rates</b>	<b>13,419,797.69</b>	<b>1,101,127.35</b>	<b>12,318,670.34</b>	<b>91.79%</b>

Prepared by M. ClementsDate 3/8/21Authorised by Andrew G. GokeDate 3/8/2021

I:\2021-2022\Rates\Recs\%outst\_July 31-2021



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## Information Only - 19 August 2021

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**ITEM 10.6**                      **Library Services 4th Quarter Report 2020/2021**

**FILE REFERENCE**    **I21/241**

**AUTHOR**                      **Library Manager**

### **ISSUE**

This report provides a summary of the activities in the Upper Lachlan Shire Council libraries for the 4th Quarter 2020/2021.

**RECOMMENDATION**        That -

1. Council receive and note the report as information.

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### **BACKGROUND**

Nil

### **REPORT**

#### **LIBRARY USAGE:**

	<b>Crookwell</b>	<b>Gunning</b>
<b>Loans*</b>	4,064	1,424
<b>New Members</b>	30	6
<b>Internet Sessions</b>	378	163
<b>Visitors</b>	3,913	1,559
<b>Hours open per week</b>	31.5	19

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

### **OVERVIEW:**

The availability of library services and facilities continue to be guided by the NSW Public Library Association (PLA), NSW Health and the NSW State Library COVID-19 health orders, safety plan and recommendations.

### **EVENTS AND PROMOTION:**

#### **Crookwell and Gunning Libraries:**

- The Gunning Library Crafternoon had eighteen people attend during the quarter.
- The Friends of Crookwell Library held their monthly scrabble with twenty-seven people attending during the quarter. The Friends continue to run the session and sponsor afternoon tea.
- The Friends of Crookwell Library held the Library book sale from 17–18 April 2021 and again during library opening hours until 30 April 2021.

- The Friends of Crookwell Library bought a box of wheels for the Lego Club.
- The Crookwell Library held a history of the Peruvian potato talk by Evelyn Quispe on 19 April 2021, followed by a boxed lunch sponsored the Crookwell Potato Festival and the Crookwell Friends of the Library. Twenty-eight people attended the talk and the lunch.
- Australia's Biggest Morning Tea was at the Gunning Library on 28 May 2021. Twenty six people attended the event.
- Tony Saunders held a Habitat Management in Upper Lachlan talk at Crookwell Library on 18 June 2021. This talk was organised by Upper Lachlan Landcare and thirty-one people attended.
- During the quarter, displays showcasing a selection of fiction and non-fiction items from the libraries were displayed in prominent areas of the library. These items provided an interesting variety of items for loan with a different theme and show the breath of items in the collections. The Crookwell Library displayed items on cracking good reads; banned books; you've seen the movie now read the book; Anzac Day; law week; Australian Library and Information Association week; space; craft; the environment and Winter Warmers. Gunning Library displayed items on yellow; Anzac Day; flower power; ECO friendly; crafternoon; save energy; blue and the animal kingdom. Both libraries also displayed new library items in 'new book' displays throughout the library.
- Promotional articles and promotion were published, as time allowed, in the Crookwell Gazette, Goulburn Post, Crookwell Library Facebook page, Council Website, Council's Facebook page, the Voice, and Gunning Library Activities' regular column in the Gunning Lions Newsletter.

#### **CHILDREN AND YOUNG PEOPLE:**

- In this quarter twenty-six people attended Storytime at Gunning Library, with ninety-nine people attending Storytime at Crookwell Library.
- In this quarter forty-four people attended Lego Club at Gunning Library, with thirty-six people attending Lego Club at Crookwell Library.
- Crookwell Library held a drop in windmill scratch art craft table every day of the April holidays. Two children participated in this event.
- Five teenagers used the Crookwell Library to host a Dungeons and Dragons get together in the school holidays on 8 April 2021.
- Our Libraries participated in National Simultaneous StoryTime as part of National Library and Information week.

#### **COLLECTIONS, RESOURCES AND FACILITIES:**

##### **Collections**

- Crookwell Library staff weeded the adult fiction collection and Gunning Library weeded the junior easy, junior fiction and adult fiction collections.

## **Information Only**

### **LIBRARY SERVICES 4TH QUARTER REPORT 2020/2021 cont'd**

- Gunning Library staff colour coded the Leapfrogs (early readers) for different reading abilities for the new book tubs acquired from the Veolia Mulwaree Trust Donation.

#### **Resources**

- Volunteers completed twenty-seven hours of work in the Crookwell Library. Volunteers helped this quarter at Crookwell Library with the book sale, book sale pack-up, shelving and the pick list.
- The Friends of Crookwell Library made over \$1,000 from their April book sale.
- Library staff meeting held at the Crookwell Library on 22 April 2021.
- In this quarter the Manager Library Services:
  - Coordinated input from the groups that are in the Crookwell Memorial Hall Complex on changes to their opening hours and contact details on the sign on the front of the building.
  - Provided the collections budget information to Goulburn Mulwaree Council Library for the Service Level Agreement.
  - Completed an analysis and report on the eSmart adult literacy survey.
  - Reviewed the junior fiction, junior easy and junior fiction standing author and junior subjects for Goulburn Mulwaree Library standing order with supplier James Bennett.
  - Attended the State Library of NSW seminar 'Members: engaging, retaining, and growing' via Zoom on 27 April 2021.
  - Renewed the service level agreement for three years with Dormakaba for the service of the automatic door at Crookwell Library.
  - Attended the ALIA APLA Public libraries supporting people living with disability via Zoom on 30 April 2021.
  - Attended a Zoom meeting with Laura Sutton and the Principal Solicitor from the Macarthur Legal Centre on 3 May 2021. The Macarthur Legal Centre is a community legal centre based in Campbelltown to discuss ways in which Macarthur Legal Centre can promote their services in the Southern Tablelands. The Macarthur Legal Centre is funded by state and federal governments to provide free legal services to residents of the local government areas of Upper Lachlan Shire, Yass Valley, Goulburn Mulwaree, Wingecarribee, Wollondilly, Camden and Campbelltown.
  - Attended SE Zone Library Managers Meeting on 14 May 2021 via Zoom.
  - Attended a meeting with the Gunning Library staff, Viv Straw and General Manager to discuss plans for the Gunning Library site on 19 May 2021.
  - Reviewed recruitment documentation for the Library Assistant position.
  - Completed the Veolia Mulwaree Trust Donation grant feedback form (acquittal) and prepared a media release.
  - Completed library procedures for Crookwell Library staff.
  - Completed the 2020/2021 performance appraisals with library staff.
  - Completed a draft of the library's contribution to Council's Annual Report.

The Manager Library Services, Michaela Olde, resigned, attended an exit interview, had farewell luncheons and finished duties on 28 May 2021. Recruitment for the Manager Library Services was undertaken and Susan McIlroy was successful in attaining the role and will commence duties on 26 July 2021.

## ***Information Only***

### **LIBRARY SERVICES 4TH QUARTER REPORT 2020/2021 cont'd**

#### **Facilities**

- Our Libraries computers, photocopiers and Wi-Fi facilities continue to be well used by patrons and people passing through.
- Council's IT Systems Support Officer updated computers at Crookwell and Gunning Libraries.
- Council's IT Systems Support Officer installed new computers at Gunning Library.
- A new version of Spydus and a patch were installed to our Spydus machines in this quarter.
- Shane Gann Electrical installed a new light in the Crookwell Library shed during the quarter.
- The Crookwell Friends of the Library purchased a new fridge for the kitchen at Crookwell Library as the old fridge was no longer working. The Crookwell Friends of the Library bought a new trolley with load limits to replace the older trolley that did not comply with safety regulations.

#### **POLICY IMPACT**

Nil

#### **OPTIONS**

Nil

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

Nil

#### **RECOMMENDATION**      That -

1. Council receive and note the report as information.

#### **ATTACHMENTS**

Nil

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## Information Only - 19 August 2021

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**ITEM 10.7**                      **Grants Report**

**FILE REFERENCE**    I21/230

**AUTHOR**                      **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.

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### **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 -

Council receive and note the report as information.

### **ATTACHMENTS**

1. <a href="#">1.</a>	Grants and Projects Report for Council - August 2021	Attachment
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Applications lodged										
Grantor	Due or Submitted	Submitted	Announced	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
<b>Floodplain Management Program 2021</b>	18-Mar-21	18-Feb-21	TBA	Crookwell's East Street Basin Scheme	\$ 18,333		\$ 36,667	\$ 55,000	\$ 55,000	Awaiting news of success
<b>Community Building Partnership</b>	14-May-21	14-May-21	TBA	Solar panels - Crookwell Library	\$ 8,198	-	\$ 8,198	\$ 19,675	\$ 19,675	Application lodged
<b>Community Building Partnership</b>	14-May-21	14.5.2021	TBA	Solar panels - Crookwell Library	\$ 8,198	-	\$ 8,198	\$ 19,675	\$ 19,675	Application lodged
<b>Crown Reserves Improvement Fund</b>	22-Jun-21	22-Jun-21	TBA	Tuena Public Reserve - Stage 2 Septic improvements and amenities	-	-	\$ 149,765	\$ 149,765	\$ 149,765	Application lodged
<b>Crown Reserves Improvement Fund</b>	22-Jun-21	22-Jun-21	TBA	Gunning Showground pest control	-	-	\$ 19,683	\$ 19,683	\$ 19,683	Application lodged
<b>Stronger Country Communities- Round 4</b>	22-Jun-21	22-Jun-21	Sep-21	Gunning Community Hub (Health and Community)	\$ 2,579,520		\$ 1,000,000	\$ 3,579,520	\$ 3,579,520	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Boiler Hill on Reids Flat Road and Foggs Crossing Road	\$ 243,750	-	\$ 731,250	\$ 975,000	\$ 975,000	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Back Arm Road and Golspie Road	\$ 247,500	-	\$ 742,500	\$ 990,000	\$ 990,000	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Greenmantle, Salisbury and Hollow Mount Roads	\$ 71,250	-	\$ 878,750	\$ 950,000	\$ 950,000	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Lost River, White, Snipe, Old Station Creek and Bolong Roads	\$ 74,250	-	\$ 915,750	\$ 990,000	\$ 950,000	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Mulgowrie, Julong and Middle Arm Roads	\$ 74,250	-	\$ 915,750	\$ 990,000	\$ 1,000,000	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Gorhams Lane, Third Creek and Pejar Roads	\$ 160,000	-	\$ 1,440,000	\$ 1,600,000	\$ 1,600,000	Application lodged

Applications lodged										
Grantor	Due or Submitted	Submitted	Announced	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Wheeo Road	\$ 573,288	-	\$ 2,426,712	\$ 3,000,000	\$ 3,000,000	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Peelwood Road	\$ 95,000	-	\$ 201,346	\$ 296,346	\$ 3,000,000	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Breadalbane Road	\$ 150,000	-	\$ 2,850,000	\$ 3,000,000	\$ 3,000,000	Application lodged
<b>Fixing Local Roads Round 3</b>	16-Jul-21	16-Jul-21	TBA	Collector Road	\$ 75,000	-	\$ 2,925,000	\$ 3,000,000	\$ 3,000,000	Application lodged

Unsuccessful Applications			
Grantor	Announced	Project	Comment/Progress
<b>Veolia Mulwaree Trust Round 2 2021</b>	1-Jul-21	Equipment for Coleman Park Inclusive Play Space	Council has been advised to apply in the next round. Grant monies provided at the moment are generally at a lower level than that Council sought.

Grants progressing										
Grantor	Due or Submitted	Submitted	Announced	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
<b>Local Roads and Community Infrastructure Grant - Phase 3</b>			19-May-21	TBA	TBA	TBA	\$ 2,406,096	Council will receive a funding allocation of \$2,406,096 from 1 January 2022 and Resolved (128/21) to allocate \$1.2m to the Multipurpose Aquatic and Activity Centre, \$650,000 to Stormwater projects, and \$550,000 to gravel resheeting on local roads		
<b>Bushfire Local Economic Recovery Fund (BLERF)</b>	28.01.21	28.1.21	30.6.2021	Visitors Information Centre	\$ 150,000	\$ -	\$ 2,450,000	\$ 2,600,000	\$ 2,600,000	The project schedule is being refined
<b>Fixing Local Roads - Phase 2</b>	11.12.20	11.12.20	Apr-21	Various Reseals - Cullerin Road, Bigga Road, Fullerton Road, Jerrawa Road, Peelwood Road, Collector Road and Roslyn Road	\$ 228,016	\$ -	\$ 4,332,280	\$ 4,560,296	\$ 4,560,296	Works scheduled

Grants progressing										
Grantor	Due or Submitted	Submitted	Announced	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Heavy Vehicle Safety and Productivity Program Round 7	29.5.20		Oct-20	Peelwood Road upgrade	\$ 60,000	\$ -	\$ 432,100		\$ -	Application Successful
Heavy Vehicle Safety and Productivity Program Round 7	29.05.20		Oct-20	Wheeo Road upgrade	\$ 85,000	\$ -	\$ 573,288		\$ -	Application Successful
Everyone Can Play	03.11.20	3.11.2020	Mar-21	Coleman Park Inclusive Play Space	\$ 150,000	\$ 150,000	\$ 300,000	\$ 600,000	\$ 600,000	Council to seek additional grant funding for project
Veolia Mulwaree Trust	19.08.20			Gunning Swimming Pool Upgrades	\$ 30,000	\$ -	\$ 49,107	\$ 79,107	\$ 79,107	Design finalised, implementation commencing August
Country Passenger Transport Infrastructure Grant	27.8.19			Gunning and Dalton Bus Stops	\$ 20,000	\$ -	\$ 22,000	\$ 42,000	\$ 42,000	Project progressing
Growing Local Economies Fund	2019			Tablelands Way	\$ 329,215	\$ -	\$ 6,255,079	\$ 6,584,294	\$ 6,584,294	Survey complete. Planning and designing underway.
Fixing Local Roads	02.12.19			Collector Road Upgrade 3km	\$ 495,300	\$ -	\$ 1,485,900	\$ 1,981,200	\$ 1,981,200	Design finalised. Survey and REF in completed. Procurement and installation of pipe culverts in progress.
Local Roads and Community Infrastructure Grant - Phase 1	Jul-20			Multipurpose Aquatic and Activity Centre Stage 1 (25m and demolition)	\$ 700,000	\$ 1,203,040	\$ -	\$ 2,766,918	\$ 2,766,918	project progressing
Local Roads and Community Infrastructure Grant - Phase 2	7.10.20					\$ 863,878				



Grants progressing										
Grantor	Due or Submitted	Submitted	Announced	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Streets as Shared Spaces	10.06.20			Laggan and Taralga Shared Streets	\$ 3,000	\$ -	\$ 115,885	\$ 118,885	\$ 118,885	Project progressing due for completion in September
Fixing Country Roads	10.10.19			Kangaroo Creek Bridge - Bigga	\$ 965,000		\$ 965,000	\$ 1,930,000	\$ 1,930,000	When line marking is undertaken the project will be complete
Building Better Regions Fund - Round 3	15.11.18			Wombeyan Caves Road Upgrade	\$ 100,000	\$ -	\$ 2,500,000	\$ 2,500,000	\$ 5,028,000	Work is in progress
Growing Local Economies Fund	05.07.18					\$ -	\$ 2,428,000	\$ 2,428,000		
Stronger Country Communities Fund (Round 3)	18.9.19			Gunning Showground Amenities	\$ 50,000	\$ -	\$ 672,747	\$ 722,747	\$ 722,747	Design Brief in progress
Showground Stimulus Funding Program Tranche 2 19/20	25.4.20	Oct-20		Gunning Showground Amenities	\$ -	\$ -	\$ 41,140	\$ 41,140	\$ 41,140	Variation approved to July 2022
Club Grants		08.10.20	Jan-21	Gunning Showground Amenities Block	\$ 50,000	\$ 672,747	\$ 192,053	\$ 914,800	\$ 914,800	Gap in SCCF funding for project plus outside furniture/BBQ area additional funding to be applied for
Growing Local Economies Fund	05.07.18		Feb-19	Grabine Road Upgrade	\$ 200,000	\$ -	\$ 3,300,000	\$ 3,500,000	\$ 3,500,000	\$2.2m claimed and approved. Extension provided until December 2021
Drought Communities Programme	21.01.20			Peelwood Bridge Replacement	\$ 731,016	\$ -	\$ 1,000,000	\$ 1,731,016	\$ 1,731,016	Piling Works completed with ongoing rain now causing delays

Grants progressing										
Grantor	Due or Submitted	Submitted	Announced	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment/Progress
Country Passenger Transport Infrastructure Grant EOI	26.02.18			Taralga, Bigga and Binda Bus Stops	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	Bus stops constructed
Bridges Renewal Program Round 5	29.05.20			Peelwood Creek Bridge - Cooksvale Rd	\$ 55,262	\$ -	\$ 552,614	\$ 1,105,228	\$ 1,105,228	Variation approved to December 2022
Fixing Country Bridges	09.10.20	Deed signed 26 April 2021					\$ 497,352			Request for Quotation for design for bridge in progress
Bridges Renewal Program Round 5	29.05.20		Jun-22	Crookwell River Bridge - Julong	\$ 76,860	\$ -	\$ 768,600	\$ 1,537,200	\$ 1,537,200	Request for Quotation for design for bridge in progress
Fixing Country Bridges	09.10.20	Deed signed 26 April 2021					\$ 691,740			Request for Quotation for design for bridge in progress
Bridges Renewal Program Round 5	29.05.20			Burra Burra Creek Bridge - Blue Hill Road	\$ 47,973	\$ -	\$ 479,726	\$ 959,452	\$ 959,452	Variation approved to December 2022
Fixing Country Bridges	09.10.20	Deed signed 26 April 2021					\$ 431,753			To go to tender for design and construction in July
School Zone Infrastructure			26-May-21	School zones in Crookwell, Collector, Gunning, and Taralga			\$ 500,000		\$ 500,000	The majority of works are scheduled for Jan to June 2022

Completed Projects							
Grantor	Project	Council	Other	Amount	Subtotal	Project Cost	Comment/Progress
<b>Bridges Renewal (Round 4)</b>	Crookwell River Bridge - Woodville Road	\$ 294,861	\$ -	\$ 294,860	\$ 589,721	\$ 589,721	Completed
<b>Stronger Country Communities Fund (Round 2)</b>	Binda Pathway construction completed and a variation applied to internal works at the toilet block and to tree planting and street furniture	\$ -	\$ -	\$ 356,772	\$ 356,772	\$ 356,772	Completed
<b>Drought Communities Programme</b>	PAMP at Gunning and Crookwell	\$ 731,016	\$ -	\$ 1,000,000	\$ 1,731,016	\$ 1,731,016	<b>NOTE: Funding part of larger grant and includes Peelwood Bridge Replacement costs</b> Work completed

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## Information Only - 19 August 2021

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### ITEM 10.8                      Action Summary - Council Decisions

**FILE REFERENCE**    I21/207

**AUTHOR**                      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.

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#### BACKGROUND

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

#### REPORT

Summary sheet from the:-

##### **Council Meeting: 16 August 2018**

243/18	Council in compliance with the recommendation of the Southern Tablelands Regional Economic Development Strategy 2018-2022 and Council's Resolution 22/18 further explore the economic feasibility of and seeks funding support for Crookwell's and Gunning's connection to natural gas.	GO	As required when suitable grants or funding is made available.
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##### **Council Meeting: 20 June 2019**

143/19	Council considers the location of the Crookwell Works Depot at a future Council meeting following the matter being considered by the Building Review Committee. Council ensure that the proper processes have been undertaken in compliance with the Local Government Act 1993 and the Environment and Planning Assessment	GM	Sale proceeding.
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**Information Only****ACTION SUMMARY - COUNCIL DECISIONS cont'd**

	Act 1979 to reclassify the Community Land to Operational Land.		
149/19	<p>1. That the EDTF recommends with the objective of moving Council from a net energy user to a net energy exporter that the Department of Infrastructure and Environment and Planning prepare a report as to the path forward to prepare business cases for street lighting, all waste management and energy generation.</p> <p>3. That the EDTF recommends the Department of Infrastructure and Environment and Planning prepare a recommendation in the next year 2019/20, detailing urban sustainability initiatives for on-site sewer systems in small villages and provide alternatives to specific tank disposal.</p> <p>4. That the EDTF recommends the Department of Infrastructure and Environment and Planning investigate the opportunity for solar powered cabins at the existing caravan park or alternate locations in Crookwell in conjunction with the Housing Strategy.</p>	DEP	<p>Report items 1, 3 and 4 were reported to EDTF Committee Meeting on 5 August 2019.</p> <p>All 3 report items will be addressed in the future review of the LEP.</p>

**Council Meeting: 17 October 2019**

301/19	That Council upon the appointment of the new General Manager give priority to a workshop to determine a path forward for exploring economic development opportunities to create independent income streams.	Mayor/GM	Workshop to be re-scheduled for new council.
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**Council Meeting: 21 November 2019**

349/19	That a report be provided to Council on the resources required to provide the Director of Environment and Planning to complete an investigation into the number of buildings in the towns and villages of the Upper Lachlan Shire that requires fire safety statements.	DEP	Report to be provided to a future Council Meeting.
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**Information Only****ACTION SUMMARY - COUNCIL DECISIONS cont'd****Council Meeting: 19 November 2020**

212/20	1. That council investigate installation of weed awareness signs in impacted locations and promote small landholding biosecurity information available on the DPI web site.	DEP/MEP	Council working with DPI 1.
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**Council Meeting: 17 December 2020**

238/20	<ol style="list-style-type: none"><li>1. Council prepares a planning proposal to amend the Upper Lachlan Local Environmental Plan 2010 to amend Clause 6.1 to accurately define the extent of land which Clause 6.1(2)(b) applies and removal of the reference to the superseded flood mapping.</li><li>2. Council prepare an amendment to the Upper Lachlan Development Control Plan 2010 Clause 4.5.1 to address detailed flood related development controls in accordance with the Floodplain Risk Management Plan and Study for the villages of Crookwell, Gunning, Collector and Taralga.</li></ol>	MEP	Planning proposal will be presented to a future Council meeting.
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**Council Meeting: 15 April 2021**

56/21	"That Council examine the option for EV charging stations within the Local Government Area".	GM	Council working with community for first EV charging station at Gunning
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**Council Meeting: 17 June 2021**

86/21	<ol style="list-style-type: none"><li>1. Council note the status of strategic planning within the Shire.</li><li>2. A workshop be organised to outline the Masterplanning Process.</li></ol>	MEP	A future workshop to be scheduled with Councillors.
87/21	1. Council agree to the change in the voluntary planning agreement from a payment of \$2500 per turbine to an annualised sum of \$40,000 total, plus CPI annualised increase.	MEP	Council has made contact with Rye Park Windfarm. Advertisement of changes to occur.

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

93/21	"That the Upper Lachlan Shire Council seek an updated costing for the sealed "capping" of Boiler Hill on Reids Flat Road'.	DOI	Updated cost \$400k for 800m sought funding Fixing Local Roads grant.
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**Council Meeting: 15 July 2021**

103/21	1. Council name the bridge the Trevor Picker Bridge.	EA / DOI	Council wrote to Picker Family to advise successful in naming the bridge on 21 July 2021. A future event to take place.
104/21	1. Council endorse the name Emily Chalker Sports Venue	EA / DEP	Council wrote to Emily Chalker & Family to advise successful in naming the Memorial Oval Venue on 21 July 2021. A future event to take place.
105/21	1. The Council advertise the proposed amendments to section 4.2.1 of the Upper Lachlan Development Control Plan 2010 for a minimum of 28 days in line with the Community Participation Plan.	MEP	Advertisement has been prepared for public exhibition on 6 August 2021 – 29 August 2021.
106/21	1. Council approve Development Application 57/2021 for a dwelling house on Lot 31 DP 557691 and detached shed subject to the relevant conditions of consent.	MEP	Council have contacted applicant and sent the consent.
107/21	1. That Council approve Development Application 49/2021 for a dwelling house and detached shed at 3A Wombat Street Lot 2 DP1272189 subject to the relevant conditions of consent.	MEP	Council have contacted applicant and sent the consent.
110/21	1. Council adopt the Delivery Program Review and the Fit for the Future Action Plan Review for the six month period ended 30 June 2021.	DFA	Council has placed on the website on 20 July 2021.

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

111/21	1. Council approve the bad debt write-off for unrecoverable miscellaneous accounts receivable aged debtor in the name of NSW Rural Fire Service totalling \$16,631.40.	DFA	The bad debt write-off processed on 21 July 2021.
112/21	1. Council adopt the Business Continuity Plan	DFA	Council has placed on the website on 20 July 2021.
113/21	1. Council adopts the reviewed Tourism Event Funding Policy.	EA	Policy updated on Council website and register 16 July 2021
114/21	1. Council adopts the reviewed Public Art Policy.	EA	Policy updated on Council website and register 16 July 2021
115/21	1. Council adopts the reviewed Tourism Signage Policy.	EA	Policy updated on Council website and register 16 July 2021
116/21	1. Council adopts the Internal Audit and Risk Management Policy.	EA	Policy updated on Council website and register 16 July 2021
117/21	1. Council adopts the reviewed Bribes, Gifts and Benefits Policy.	EA	Policy updated on Council website and register 16 July 2021
118/21	1. Council adopts the Procurement Policy.	EA	Policy updated on Council website and register 16 July 2021
119/21	1. Council resolves to grant \$500 to the Crookwell Garden Festival in accordance with the Tourism Event Funding Policy. 2. Council conduct a second grant funding round in late 2021.	TM	Applicants advised of outcome in writing on July 16 2021
120/21	1. Council resolves to grant \$500 to the Taralga and District Progress Association and grant \$1,000 to the Bigga Progress Association in accordance with the Council Cultural Activity Funding Program. 2. Council conduct a second grant funding round in late 2021.	TM	Applicants advised of outcome in writing on July 16 2021



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

121/21	<ol style="list-style-type: none"><li>1. Council receives and notes the report as information.</li><li>2. That Council engaged a contractor to complete the concrete slab and erect the previously purchased shed, at an estimated cost of \$65,000.00.</li><li>3. That Council transfers \$65,000.00 from Water Reserves to complete the erection of the Industrial Shed at Taralga Water Filtration Plant.</li></ol>	GM/DEP	Purchase order raised for project to commence.
122/21	<ol style="list-style-type: none"><li>1. An extraordinary meeting be held with Councillors in the next two weeks to determine the use of Local Roads and Community Infrastructure Program (LCRI) grant funding and the alternative funding through borrowings for stage 2 of the Multipurpose Aquatic and Activity Centre.</li></ol>	GM	Extraordinary Council meeting held 29 July 2021.

**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**

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



## **12      INFRASTRUCTURE DEPARTMENT**

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



## **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	Service NSW for Business Partnership Agreement	130
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## General Manager - 19 August 2021

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**ITEM 14.1**                      **Service NSW for Business Partnership Agreement**

**FILE REFERENCE**    **I21/247**

**AUTHOR**                      **Tourism Manager**

### **ISSUE**

New Partnership Agreement.

**RECOMMENDATION**      That –

1. Council delegates authority to the General Manager to enter into an agreement with Service NSW.

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### **BACKGROUND**

Council currently does not have an agreement in place with Service NSW for Business to promote and provide access to NSW Government information and services to better assist business owners and to support the local economy.

The support provided by Council to individuals and businesses to access these services has been invaluable, particularly during these challenging times.

### **REPORT**

Service NSW for Business provides free, personalised support to small business owners, to help them understand industry regulations, to guide them through transactions, and to access support.

The services provided to business owners include:

- Business Concierges offering over-the-phone, email and face-to-face support and case management.
- An online Business Profile to make it faster and easier for business owners to transact with NSW Government.
- Guidance and support for small business owners impacted by natural disasters or emerging issues to access a range of Government stimulus, support and information.
- Online business information hubs including how-to guides to help business owners understand key tasks and the support available when starting and running a business in NSW.

A new Partnership Agreement has been developed to provide consistency across all councils, reflect the broader focus of Service NSW for Business and provide the

## **General Manager**

### **SERVICE NSW FOR BUSINESS PARTNERSHIP AGREEMENT cont'd**

opportunity for Upper Lachlan Shire Council to engage with all services across Service NSW now and into the future.

The new Partnership Agreement includes further detail and clarity about the roles and responsibilities of all agencies in relation to the collection, storage and security of personal information.

The intention of the Partnership Agreement is to build awareness of the specialist advice services available, ensure Council staff can direct enquiries to these services and provide applicants with the skills to be better informed and researched prior to lodging any applications.

This program is at no cost to Upper Lachlan Shire Council. Support material, training and advice is provided by Service NSW for Business directly to the client or Council as appropriate and the role of Council is primarily to promote and support the available services.

### **POLICY IMPACT**

Nil

### **OPTIONS**

1. To enter in into a Partnership Agreement with Service NSW for Business

OR

2. To not enter into a Partnership Agreement with Service NSW for Business


### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

### **RECOMMENDATION**      That –

1. Council delegates authority to the General Manager to enter into an agreement with Service NSW.

### **ATTACHMENTS**

1. 	Upper Lachlan Shire Council - Service NSW Partnership Agreement - July 2021	Attachment
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## PARTNERSHIP AGREEMENT

Between **Service NSW** (ABN 37 552 837 401) and **Upper Lachlan Shire Council** (the 'Council')  
(the 'Parties')

Last Updated: 9 July 2021

### 1. Purpose

1.1. The purpose of this Agreement is to:

- A. Provide the services of Service NSW for Business, which is a division of Service NSW with a mandate of being the one front door for businesses in NSW to access government information and services.
- B. Provide the framework within which Services will be delivered
- C. Document the responsibilities of Service NSW and the Council on the provision of Services
- D. Provide mechanisms to manage the relationship between the Parties
- E. Promote a collaborative approach to working together in a timely and effective manner and to act in good faith

This Agreement is not legally binding.

### 2. Background

- 1) Service NSW is a Division of the Government Service established under the Service Act. The functions of Service NSW include the exercise of customer service functions, within the meaning of the Service Act; other functions conferred by statute; and other functions relating to the delivery of Government services, as directed by the Minister responsible for Service NSW.
- 2) Section 7 of the Service Act makes provision for customer service functions to be delegated by other NSW Government agencies to the Chief Executive Officer ('CEO').
- 3) The functions of the CEO are exercised by the staff of Service NSW.
- 4) Section 8 of the Service Act enables the CEO to enter into Agreements with local government agencies for the exercise of a non-statutory customer service function of the agency; or with respect to the exercise of a customer service function delegated to the CEO.
- 5) Subsection 8(4) of the Service Act provides that an Agreement with a council, a county council or a joint organisation within the meaning of the *Local Government Act 1993* must be approved by a resolution of the council, county council or joint organisation, must be approved before it is entered into.

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- 6) SNSW partners with the Council to promote and deliver the services of SNSW for Business to businesses across NSW.
- 7) The purpose of this collaboration is to ensure awareness and access to Government services to all businesses in NSW.
- 8) The services of SNSW for Business are free for the Council and for customers.
- 9) The PPIP Act and the HRIP Act set out information handling principles that apply to public sector agencies (as defined in section 3 of the PPIP Act). As public sector agencies, the parties must not do anything, or engage in any practice, that contravenes a privacy principle that applies to them.
- 10) Section 14 of the Service Act makes provision for the disclosure and use of information, including personal information, for the purposes of the exercise of customer service functions by the CEO. Section 14 has effect despite the provisions of any other Act, including the PPIP Act and the HRIP Act.
- 11) Section 15 of the Service Act makes provision for the collection of personal information for the purposes of the PPIP Act and the HRIP Act, by Service NSW.
- 12) Section 16 of the Service Act enables an Agreement made under the Service Act, or a delegation of a customer service function by an agency to the CEO, to provide for the exercise by Service NSW of functions relating to access to information under the Government information (Public Access) Act 2009 and functions relating to the State Records Act 1998, in connection with the functions of the council concerned. The responsibilities of Agencies under the *State Records Act 1998* include making and keeping full and accurate records of their office.
- 13) The Parties have agreed to enter into an Agreement under section 8 of the Service Act, incorporating these Standard Terms of Engagement.

### 3. Guiding Principles

#### 3.1. The Parties will:

- A. Work collaboratively and in good faith in a timely and effective manner, with open communication to achieve shared objectives
- B. Facilitate a partnership relationship that promotes and achieves continuous improvement and accountability
- C. Ensure that each of its Personnel complies with this AGREEMENT and all applicable laws and policies relating to the Services, including the *Work Health and Safety Act 2011*
- D. Comply with the agreed timelines for meeting obligations to ensure efficient and effective delivery of Services
- E. Work together to identify and manage shared risks
- F. Work together to prioritise initiatives and enhancements, particularly where there are limitations on time and resources; and
- G. Work together to respond to the media, advise Ministers, and consult each other when developing communications that impact on Services.

## 4. Roles and Responsibilities

### 4.1. Service NSW will:

- A. Provide the Services in accordance with this Agreement Standard Terms, subject to any Change Request
- B. Exercise the required standard of skill, care and diligence in its performance of the Services and ensure that its Personnel have appropriate qualifications and skills to provide the Services
- C. Take responsibility for the management of records it creates or holds as a result of the exercise of a customer service function, where required; and
- D. Take responsibility for performing necessary maintenance of its systems and data managing the impact on customers from Service NSW system outages and working in conjunction with the Council.

### 4.2. The Council will:

- A. Provide Service NSW with all information, inputs, resources and subject matter expertise in a timely manner as required to enable Service NSW to provide the Services as set out in the Agreement
- B. Take responsibility for the management of records it receives or holds following the exercise of a customer service function by Service NSW.

### 4.3. The Parties undertake to maintain open channels of communication by:

- A. Making available Personnel, data, reports and computer systems for the purposes of resolving customer issues
- B. Appointing a Relationship Manager with responsibility for managing the contractual and operational aspects of the Services. The Relationship Manager may be varied.

## 5. Services

### A. Service NSW will:

- (i) provide the relevant information and contacts to Council to ensure its local businesses are aware and can access the SNSW for Business services
- (ii) provide a single point of contact for Council to ensure it can access SNSW for Business services.

### B. the Council will:

- (i) refer eligible customers to the Program
- (ii) provide guidance to Service NSW staff to assist in responding to inquiries
- (iii) inform customers and Service NSW of the outcome of relevant applications in line with privacy requirements
- (iv) provide updates on changes to local government policies, guidelines or other matters which may affect the Program
- (v) identify local opportunities to inform customers of the program
- (vi) provide Service NSW with feedback on the effectiveness and performance of the Program.

## 6. Liability

### 6.1. To the full extent permitted by law, neither Council or Service NSW will be liable to the customer

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for the customer's actions or responsible for any liability, loss or cost suffered directly or indirectly by the business in connection with the Service NSW for Business service.

## 7. Data and Data Security

7.1. Each party retains ownership of its Data.

7.2. Except as required by law, neither party must ensure that its Personnel will not:

- A. use the Data belonging to the other party for any purpose other than the performance of its obligations under this Agreement
- B. sell, commercially exploit, let for hire, assign rights in or otherwise dispose of any Data; or

Each party must establish and maintain safeguards against the destruction, loss or alteration of either party's Data in the possession or control of that party which are consistent with and no less rigorous than those maintained by either party to secure its own data; and comply with all applicable laws and policies.

In particular, the Parties will ensure the secure transmission and storage of data, at standards no less than those recommended by Cyber Security NSW.

## 8. Confidential Information

8.1. The Parties must, in respect of any Confidential Information:

- A. Keep the Confidential Information confidential and not disclose that information to any person without the prior written consent of the disclosing party, other than to its Personnel, professional advisors or contractors requiring access to the Confidential Information in connection with providing the Services
- B. Use the Confidential Information solely for the purpose of carrying out its obligations
- C. Not permit the Confidential Information to be reproduced except to the extent reasonably required to carry out its obligations
- D. Not do anything that would cause the disclosing party or its Personnel to breach their obligations under Privacy Law; and
- E. Notify the other party as soon as possible upon becoming aware of any breach of this clause.

## 9. Privacy

9.1 Each party and its Personnel must:

- A. Comply with Privacy Laws; and
- B. Do all that is reasonably necessary to enable the other party to comply with Privacy Laws, including the development of documentation to demonstrate compliance with Privacy Laws, as agreed between the parties

9.2. In particular, Service NSW acknowledges that:

- A. The collection of personal or health information will take place in compliance with the Privacy Laws, as modified by section 15 of the Service Act; and
- B. the use, disclosure, storage and retention of such information will be in accordance with the Privacy Laws, and in accordance with applicable policies.

Schedule 3 documents the respective responsibilities of Service NSW and the Council in relation to the collection, storage, use, retention and disclosure of personal information.

- 9.4 Personal and health Information collected, used, disclosed or retained between the parties will be managed and retained by the parties in accordance with the *State Records Act 1998* (NSW) and all other applicable laws, including Privacy Laws.
- 9.5 Once either of the Parties has reasonable grounds to believe there has been unauthorised access to, unauthorised disclosure of, or a loss of Personal or Health Information, dealt with in connection with this Agreement (**'Data Incident'**):
  - A. The party must immediately (but in any event, no later than 72 hours of becoming aware of the Data Incident) notify the other party of that contravention together with all relevant information relating to the contravention
  - B. Consult with the other party as to which party should have primary responsibility for investigating and dealing with the breach or possible breach
  - C. Consider, having regard to the scope of the Data Incident and the nature of the personal or health information involved, together with any other relevant factors, whether the Data Incident is serious.
  - D. The party with primary responsibility for the breach must notify the Privacy Commissioner as soon as practicable that a serious Data Incident has occurred; and
  - E. The parties must co-operate and collaborate in relation to assessment and investigation of the Data Incident, and action required to prevent future Data Incidents.
- 9.6 If either of the Parties receives a complaint or request for an internal review of conduct in relation to a breach or alleged breach of a Privacy Law, including under section 53 of the PPIP Act, (a **'Complaint'**), the following will apply:
  - A. It is the responsibility of the party that receives the Complaint to perform a preliminary investigation to determine the party responsible for the conduct
  - B. If responsibility lies wholly with the party that received the Complaint, then that party is responsible for responding to the complaint or conducting the internal review of conduct
  - C. If, after performing the investigation, the relevant party reasonably considers that the Complaint should be transferred to the other party, it will (after obtaining the consent of the customer) promptly transfer the Complaint and any further information obtained by the party from its preliminary investigation to the other party, no later than 20 days after receipt of the original Complaint
  - D. If the Complaint relates jointly to the conduct of both parties, then the party that received the Complaint will (after obtaining the consent of the Customer) notify the other party no later than 20 days after its receipt of the original Complaint and provide any further information obtained by that party from its preliminary investigation. The parties will then work together to coordinate a joint response from the parties within 60 days of receipt of the Complaint. This response may include an internal review of conduct.



## **10. Intellectual Property**

- 10.1 Each party will retain the Intellectual Property Rights in its Existing Material.
- 10.2 Each party agrees to grant to the other party a non-exclusive and royalty free licence to use, sublicense, adapt, or reproduce:
  - A. Their Existing Material; and
  - B. All methodologies, processes, techniques, ideas, concepts and know-how embodied in their Existing Material,
  - C. To the extent their Existing Material is required for use by the other party, solely in connection with provision of the Services.
- 10.3 Each party represents and warrants to the other party that it has all required rights and consents for its Existing Material to be used for the Services.
- 10.4 Intellectual Property Rights in all New Contract Material will vest in the Council.
- 10.5 The Council grants a perpetual, worldwide, irrevocable and royalty free licence to the Intellectual Property Rights in all New Contract Material to Service NSW for the purpose of performing the Services.
- 10.6 Subject to clauses 10.1 and 10.4, Service NSW will own all Intellectual Property Rights in the provision of the Services, including any solution and service design.

## **11. Performance Management and Continuous Improvement**

- 11.1 Service NSW for Business does not require any provisions in relation to performance management
- 11.2 Service NSW for Business will work collaboratively with Council to ensure continuous improvement of its services to Council
- 11.3 Any future extension of this Agreement by Service NSW with Council will specify the relevant performance management and continuous improvement provisions required.

## **12. Reporting**

- 12.1 Service NSW for Business does not require any reporting arrangements
- 12.2 Any future arrangements that require reporting will be outlined in a Schedule to this Agreement.

## **13. Change Management**

- 13.1 Each party will comply with the Change Management Process set out in Schedule 4.
- 13.2 The parties agree to complete a Change Request in the form set out in Schedule 4 to add to or vary the Services.

## **14. Governance**

- 14.1      The parties agree to comply with the Governance Framework.

## **15. Business Continuity and Disaster Recovery**

- 15.1      Each party will maintain Business Continuity and Disaster Recovery Plan arrangements to ensure that each party is able to continue to perform its obligations under this Agreement, or where performance is not possible, resume performance as soon as reasonably practicable in the event of a Disaster.

## **16. Dispute Resolution**

- **16.1** In the event of a dispute between the parties, a party will:
- Raise the dispute with the other party's Relationship Manager and use best efforts to resolve the dispute
- If the dispute is not resolved within a reasonable period, the Chief Executive of the Council or their delegate will meet with the Chief Executive Officer of Service NSW (or their delegate) with a view to resolving the dispute.
- If the dispute is not resolved under clauses 16.1(b) within a reasonable period, attempt to resolve any dispute in accordance with the Premier's Memorandum M1997-26.
- **16.2** Despite the existence of a dispute, each party must continue to perform its obligations.

## **17. Termination**

- 17.1      Either party may terminate this Agreement in whole or in part by giving the other party 90 days written notice or as otherwise agreed.
- 17.2      On notice of termination or where Service NSW is otherwise required to cease to perform some or all of the Program, the parties will work together in good faith to finalise and agree a transition out plan to facilitate smooth and orderly transition of the relevant Program to the Council or the Council's nominated third party. Where the parties cannot agree, the dispute resolution provisions in clause 16 will apply.
- 17.3      Upon termination, each party agrees to return all Data and property belonging to the other party within 30 days of the termination date and comply with the transition out plan agreed under clause 17.2.

## **18. Miscellaneous**

- 18.1      Entire Agreement

This Agreement supersedes all previous Agreements, understandings, negotiations, representations and warranties and embodies the entire Agreement between the Parties about its subject matter.

18.2    Survival

The following clauses survive termination or expiry of the Agreement: Clauses 4, 6, 7, 8, 9, 14, 15, 16, 17, 18, 19 and any other clause which by its nature is intended to survive termination or expiry of the Agreement.

18.3    Notices

A notice under this Agreement Standard Terms must be in writing and delivered to the address or email address of the recipient party.

18.4    Variation

All variations to this Agreement and all consents, approvals and waivers made under this Agreement must be evidenced in writing and variations signed by both parties.

18.5    Waiver

If a party does not exercise (or delays in exercising) any of its rights, that failure or delay does not operate as a waiver of those rights.

10.6.    Applicable law

The Agreement is governed by, and is to be construed in accordance with, the laws in force in NSW.

18.7    Counterparts

The Agreement may consist of a number of counterparts and if so, the counterparts taken together constitute one and the same instrument.

## 19. Execution

Upper Lachlan Shire Council has reviewed and accepts this Agreement

Signed for and on behalf of <b>Upper Lachlan Shire Council</b> by its authorised signatory	Signed for and on behalf of <b>Service NSW</b> by its authorised signatory
Name:	Name:
Title:	Title:
Date:	Date:
Signature:	Signature:
Witness:	Witness:
Signature:	Signature:

## Schedules

### Schedule 1 - Definitions

In these Standard Terms, except where a contrary intention appears:

**Business Continuity and Disaster Recovery Plan** means a business continuity and disaster recovery plan which documents the back-up and response actions each of the parties will take to continue its obligations if a Disaster occurs

**Change Request** means the request for a change to the scope of Services in the form set out in Schedule 2

**Commencement Date** means the date of start of this Agreement.

**Confidential Information** of a party means any written or oral information of a technical, business or financial nature disclosed to the other party, including its employees or agents, by the disclosing Party (whether orally or in writing) whether before or after the Commencement Date, that:

- A. is by its nature confidential; or
- B. is designated as confidential; or
- C. the other party knows or ought to know is confidential,
- D. but does not include information which:
  - a. is or becomes public knowledge other than by breach of these Standard Terms; or
  - b. is in the lawful possession of the Party without restriction in relation to disclosure before the date of receipt of the information; or
  - c. is required to be disclosed by Law, government policy or legal process.

**Contact Centre** has the meaning set out in Schedule 1

**Continuous Improvement Principles** have the meaning set out in Schedule 1

**Continuous Improvement Process** has the meaning set out in Schedule 1

**Data** means the data of each party and all data and information relating to their operations, Personnel, assets, customers and systems in whatever form that may exist, including Confidential Information

**Disaster** means an event that causes, or is likely to cause, a material adverse effect on the provision of the Services that cannot be managed within the context of normal operating procedures including interruption, destruction or other loss of operational capacity

**Existing Material** means any material that is developed prior to entering into a Project Agreement or Service Agreement, or developed independently of a Project Agreement or Service Agreement, and includes any enhancements and modifications to its Existing Material created as part of a Project Agreement or Service Agreement

**Governance Framework** means the governance arrangements set out in the Service Agreement

**HRIP Act** means the *Health Records and Information Privacy Act 2002* (NSW);

**Instrument of Delegation** means the instruments of delegation (including its terms and conditions) made by the Council in relation to the Delegated Functions.

**Intellectual Property Rights** includes patent, knowhow, copyright, moral right, design, semi-conductor, or circuit layout rights, trademark, trade, business or company names or other proprietary rights and any rights to registration of such rights, whether created before or after the Commencement Date, in Australia

or elsewhere

**Middle Office** has the meaning set out in Schedule 1

**Moral Rights** means the right of integrity of authorship and the right not to have authorship falsely attributed, as confined by the *Copyright Act 1968* (Cth) and the rights of similar nature anywhere in the world, whether in existence before or after the Commencement Date

**New Contract Material** means new data created, other than the solution or service design

**Personal Information** has the meaning given to it in the Privacy Laws, as amended from time to time

**Personnel** means the person or persons employed or otherwise contracted by either party under these Standard Terms, as the context requires

**PIIP Act** means the *Privacy and Personal Information Protection Act 1998* (NSW)

**Privacy Law** means any law that applies to either or both of the parties which affect privacy or any personal information or any health information (including its collection, storage, use or processing) including:

- A. the PPIP Act; and
- B. the HRIP Act.

**Program** means the Easy to do Business program

**Quarterly Forecast** has the meaning set out in Schedule 1

**Relationship Manager** means the nominated relationship managers of either party, as set out in the Service Agreement, or as otherwise nominated by a party from time to time

- A. **Service Act** means the *Service NSW (One-stop Access to Government Services) Act 2013* (NSW);

**Service Centre** has the meaning set out in Schedule 1

**Service NSW Standard Operating Conditions** means the standard operating conditions met by Service NSW in the usual course of its performance of the Services set out in Schedule 1

**Service Levels** means the service levels, operating conditions and service levels relating to the Services as set out in the Service Agreement

**Standard Terms of Engagement** or **Standard Terms** means these terms and conditions and includes Schedules 1 and 2

**Subcontractor** means a third party to which Service NSW has subcontracted the performance or supply of any Services

## Schedule 2

### 1. Service NSW Standard Operating Conditions

In addition to the Project Agreement, Service Agreement or Research Agreement, this section covers the standard omnichannel service inclusions.

#### 1.1. Service Centre

Similar services as those available at Service Centres may be offered through Mobile Service Centres. The Mobile Service Centre timetable is published regularly on the Service NSW website.

Inclusion	Description
Concierge and digital assisted services	A Service NSW Concierge will greet and direct customers to the appropriate channel and dispense a ticket where applicable. If the transaction can be completed online, a Digital Service Representative will assist the customer to complete the transaction
Customer sentiment surveys	Before leaving the centre, customers will be offered the option of leaving feedback via a digital terminal

#### 1.2. Contact Centre

Similar services (to that of phone-based) may be offered through a web chat feature accessible via the Service NSW website.

Inclusion	Description
Virtual hold call back system	During high volume periods, customers will be offered the option of leaving their details with an Interactive Voice Response (IVR) auto attendant. Customers can hang up while holding their place in the queue. Their call will be returned by the next available operator
Inbound number	Service NSW will answer all inbound enquiries on 13 77 88 as 'Service NSW'
Call coding	A Customer Service Representative will record the customer's reason for calls and the outcome
Customer sentiment surveys	Once the call is complete, customers will be offered the option of leaving feedback via an automated IVR system

## 1.3. Middle Office

Inclusion	Description
Enquiry triage	Service NSW will triage enquiries received to <a href="mailto:info@service.nsw.gov.au">info@service.nsw.gov.au</a> or via Service NSW website 'Contact Us' page and <ul style="list-style-type: none"> <li>Resolve these enquiries or</li> <li>Refer it to the appropriate business area at the Agency</li> </ul>
Enquiry coding	A Customer Service Representative will record the customer's reason for enquiring and the outcome

## 1.4. Service NSW Website and Mobile App

Inclusion	Description
Scheduled maintenance and planned outages	Service NSW will conduct regularly scheduled maintenance of the website and mobile app. 10 business days of notice will be provided regarding outages from planned and scheduled maintenance  Maintenance activities with negligible impact or outage, such as enhancements to optimise for cybersecurity or performance, may occur without notification to the Agency

## 1.5. Service NSW for Business

Service NSW for Business provides a multi-channel service including digital, phone and face-to-face services for metro and regional businesses in NSW and develops relationships with councils and business associations to promote the offering to local businesses.

Inclusion	Description
Relationship management	Business Customer Service staff initiate and maintain relationships with councils and business associations to promote awareness and use of the service offering by such stakeholders and their local business community. It may include, but is not limited to, information sharing, regular liaison at events and stakeholder premises and issue of surveys.
Scheduled Maintenance and Planned Outages	Digital products controlled by Service NSW for Business will be regularly updated, upgraded and maintained without any outages.



#### 1.6. Training

Service NSW will provide appropriately trained Personnel to deliver the Services.

#### 1.7. Language

Service NSW will provide services in English and may arrange translation and interpreter services for customers from non-English speaking backgrounds if required.

#### 1.8. Branding

Unless otherwise set out in the Project Agreement, Service Agreement or Research Agreement, Service NSW channels are singularly branded. Marketing communication is limited to Service NSW led or co-led campaigns and programs.

#### 1.9. Contractors and Agents

Service NSW may use contractors and agents in connection with the delivery of Services. Such agents and contractors are approved persons under Part 2 Section 12 of the Service Act.

#### 1.10. Out of Scope Services

Any item, service or deliverable that is not specified in a Project Agreement, Service Agreement or Research Agreement is deemed to be out of scope for Service NSW.

### 2. Operational Framework

Service NSW operational framework outlines how operations are managed on a day-to-day basis.

Operational Support	Description
Knowledge Management	Service NSW creates and maintains support material (knowledge articles) for serving customers. These will be sent to the Agency for endorsement of content accuracy bi-annually
Complaints Management	Service NSW will record complaints and its supporting information unless resolved at the outset. Service NSW will contact the Agency where assistance is required
Issues Management	Issues relating to existing products and services should be raised via <a href="mailto:partnerships@service.nsw.gov.au">partnerships@service.nsw.gov.au</a> or directly with the Relationship Manager  The Relationship Manager will assess the issue and facilitate a resolution within Service NSW, providing regular updates

Quality control framework/ compliance	<p>Service NSW has a quality control framework that governs transactional activities in line with risk assessment at the time of onboarding</p> <p>The framework includes:</p> <ul style="list-style-type: none"> <li>- Regular review of contact centre calls, including being assessed against procedure and process used by the agent during the call</li> <li>- Daily quality checks of transactions undertaken by the service centre</li> <li>- Quarterly compliance reviews and certifications provided by all service delivery channels</li> </ul>
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## 2.1. IT Operations & Support

Service NSW runs a 24/7, 365 days a year service desk. Unplanned interruptions or degradations in quality of service should be raised to the Service NSW Service Desk on 1300 697 679 (option 2) or [servicedesk@service.nsw.gov.au](mailto:servicedesk@service.nsw.gov.au)

Incident response times in our production environment are prioritised based upon urgency and impact, with associated response and resolution times.

Priority Code	Service Level Target Response/Resolution Time
P1 - Critical	Response: Immediate response, action/update within 15 minutes Resolution: 2 hours
P2 - High	Response: Immediate response, action/update within 30 minutes Resolution: 4 hours
P3 - Medium	Response: 8 hours Target Resolution: 10 working days
P4 - Low	Response: Email notification of call being logged within 2 days. Response by email or phone within 2 working days Target Resolution: 20 working days

Where vendors or other government platforms are involved, Service NSW utilises a best practice vendor governance framework for service level Agreements and for priority 1 and 2 incidents.

## 2.2. System and Security Maintenance

Service NSW complies with the NSW Government Cyber Security Policy and operates an information security management system that is certified against ISO 27001. These engagement Terms do not extend the certification scope to the Agency's specific activities.

## 3. Customer Payments

Service NSW will collect payments from customers for transactions set out in the Service Agreement. Cash, cheque, money order, credit or debit card may be accepted and merchant fees plus GST will be recovered.

Service NSW will provide remittances and reconciliation files to the Agency which include:

- A. Credit T+2 value for cash, cheques\* and bank card payments
- B. Credit T+2 value for AMEX payments
- C. Debit any cheques dishonoured
- D. Debit any card payment chargebacks
- E. Debit any refunds processed on behalf of the Agency

Cheque payments received over \$50,000 will be remitted back to the Agency once the funds clear the Service NSW remitting bank account.

#### **4. Business Continuity and Disaster Recovery**

Service NSW will maintain an Enterprise Risk Management Framework focused on managing risks to Service NSW, including mitigation of the likelihood and impact of an adverse event occurring. As a function of risk management, business continuity management will enable Service NSW to minimise disruptive risks and restore and recover its business-critical services within acceptable predefined timeframes should an adverse event or other major business disruption occur.

Recovery and timeframes may be impacted when events or disruptions are related to dependencies on partner Agencies. The Parties will agree on Recovery Point Objectives and Recovery Time Objectives and associated charges prior to designing the system and will periodically review these objectives.

All systems and technology provided by Service NSW internally and through third-party vendors, operate through multiple data centres to achieve high availability. Service NSW systems are architected, where practicable and possible, to ensure continuity of service in the event of a data centre disruption or outage.

#### **Definitions**

**Recovery Point Objectives** means the age of files that must be recovered from backup storage for normal operations to resume if a computer, system, or network goes down because of a hardware, program, or communications failure.

**Recovery Time Objectives** means the targeted duration of time and a service level within which a business process must be restored after a disaster (or disruption) to avoid unacceptable consequences associated with a break in business continuity.

#### **5. Continuous Improvement**

Service NSW regularly reviews improvement ideas from employees and customers. We will provide you with any ideas relevant to your agency for consideration.

'Continuous Improvement' refers to identifying a process, system or policy opportunities that will deliver a benefit for our people, our customers or the NSW government. These improvements may be delivered in house where possible or by engaging our partnering agencies where further input or decisions are required under policy or legislation. A Continuous Improvement:

- A. Puts the customer first
- B. Makes the customer service job easier

- C. Improves a step in a process
- D. Changes the way a task is completed so that it doesn't take as long
- E. Reduces handling time and is cost effective
- F. Allows others to benefit from best practices
- G. Allows us to do things better locally, regionally or organisation-wide
- H. Is a low-investment process change and not a policy change
- I. Improves accountability within the various stages of the process
- J. Removes steps that don't add any value to a process

Service NSW will consider several factors such as cost to implement, cost savings, customer experience, team member experience and operational efficiency in prioritising continuous improvements.

#### 5.1. Continuous Improvement Process

The parties will identify new continuous improvement initiatives on an annual basis, with a 6-monthly check-in on ongoing continuous improvement initiatives.

When establishing a new continuous improvement initiative, the parties will classify the initiative based on whether it can be implemented as:

- A. part of the ongoing 'business as usual' services (cost and resourcing to be absorbed by Service NSW; or
- B. a new project initiative (cost and resourcing to be agreed by the parties).

A prioritisation process will be agreed upon between the parties to prioritise initiatives (for Service NSW, this will be performed by the Partnerships team).

The Agency may be required to effect policy, system or regulatory changes to assist in delivering the service process improvement, as agreed with Service NSW. Where a review of Agency policy, system or regulatory changes is requested by Service NSW from the Agency, these should be conducted within timeframes agreed between the respective Relationship Managers.

### **Schedule 3 – Privacy and Data Security**

#### **(a) General**

(i) Service NSW may collect, use, disclose, store and retain personal information when exercising functions for the Council:

(iv) Where Service NSW exercises functions for the Council, Service NSW can share information it obtains with the Council without separately requesting the customer's consent. Service NSW can also share the information it obtains with any person that the Council is authorised or required to disclose the information to in accordance with the Service Act.

#### **(c) Collection of information**

(i) Service NSW will collect the following information when exercising functions for the Council:

(ii) Service NSW will take reasonable steps to ensure that the personal or health information it collects on behalf of the Council is accurate, up-to-date and complete.

(iii) Service NSW will provide a privacy collection notice to customers whenever it collects their information.

(iv) If Service NSW collects personal information for its own internal purposes, when exercising functions for the Council, it will ensure that the privacy collection notice meets the requirements of section 10 of the *PPIP Act* in light of section 15(3) of the *Service Act*.

(v) The notice will address each of the matters that a privacy collection notice is, by law, required to address. Service NSW will develop the content of the notice in consultation with Upper Lachlan Shire Council.

#### **(d) Internal records maintained by Service NSW**

(i) Under the *Service Act*, Service NSW is permitted to collect, maintain and use the following records for its internal administrative purposes, including for the purposes of its interactions with customers for whom functions are exercised:

- Details of transactions between customers and Service NSW
- The preferences of customers for transacting matters with Service NSW and Upper Lachlan Shire Council, and
- Other information about customers.

(ii) Service NSW collects, maintains and uses the following information for its internal administrative purposes:

- Details of transactions between customers and Service NSW
- The preferences of customers for transacting matters with Service NSW and Upper Lachlan Shire Council, and
- Other information about customers.

**(e) Use of information**

- (i) Service NSW can use information in accordance with the *Service Act*, PPIP Act and HRIP Act.

**(f) Disclosure**

- (i) Service NSW can disclose information in accordance with the *Service Act*, PPIP Act and HRIP Act.

(ii) Where Service NSW performs a transaction for a customer, when exercising functions for the Council, it will ask the customer for consent before sharing that information with a different agency, unless there is another legal basis for Service NSW sharing the information.

**(g) Privacy Management plans**

The parties agree to update and periodically review their privacy management plans or other relevant policy documents so that any person can ascertain whether Service NSW or the Council holds personal information relating to that person and if so, the nature of the information, the main purposes for which it is used and the person's entitlement to access the information, in relation to the services covered by this Agreement.

**(h) Access to and amendment of**

- (i) Service NSW agrees that it will provide any individual who requests it with access to their own personal information without excessive delay and without any expense, in relation to information it holds as a result of exercising functions for the Council.

**(i) Privacy Officer**

The parties have nominated a Privacy Officer who is the point of contact for dealing with complaints, applications for internal reviews, data breaches, employee education and other privacy matters.

Privacy Officers can be contacted as follows:

**Service NSW:**

Privacy Officer

Service NSW

2-24 Rawson Place, Sydney NSW 2000

Phone: 13 77 88

Email: [privacy@service.nsw.gov.au](mailto:privacy@service.nsw.gov.au)

**Upper Lachlan Shire Council:**

## **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 July/June	152
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## Reports from Other Committees, Section 355 Committees and Delegates - 19 August 2021

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### ITEM 16.1

### Reports from Committees for the month of July/June

#### RECOMMENDATION:

That Item 16.1 - Minutes of Committee/Information listed below be received:

1. Stonequarry Cemetery s355 Committee - AGM Minutes - 10 July 2021.
2. Audit, Risk and Improvement Committee - Minutes - Attachments - 28 July 2021
3. Collector Community Fund S355 Windfarm Committee - Minutes - 06 July 2021
4. Gunning Arts Festival – Minute - 28 March 2021

#### ATTACHMENTS

1. <a href="#"></a>	Stonequarry Cemetery s355 Committee - AGM Minutes - 10 July 2021	Attachment
2. <a href="#"></a>	Audit, Risk and Improvement Committee - Minutes - Attachments - 28 July 2021	Attachment
3. <a href="#"></a>	Collector Community Fund S355 Windfarm Committee - Minutes - 06 July 2021	Attachment
4. <a href="#"></a>	Gunning Arts Festival - Minutes - 28 March 2021	Attachment



**MINUTES OF AGM OF THE  
STONEQUARRY CEMETERY 355 MANAGEMENT COMMITTEE  
HELD AT STONEQUARRY CEMETERY: 1PM  
Saturday 10<sup>th</sup> July, 2021**

**Present:** John Stafford, Mayor Upper Lachlan Shire Council

Brian Moloney, Helen Francis, Maureen Long, Elaine Connor, Karen Fishburn,  
Joan Scott, Jeff Chalker, Tim Dowsley, Wally Walsh, Margaret McGregor,  
Bruce McGregor, Ian Baxter,

and our guest Colleen Worthy, General Manager, Upper Lachlan Shire Council

Chairman John Stafford welcomed all to the meeting and called for apologies.

**Apologies:** Our Chairman Laurie Chalker due to COVID restrictions on  
Sydney residents

**Minutes:** of the previous meeting were tabled. Moved by Helen Francis and  
seconded by Eaine Connor that they be confirmed. Carried

**Chairman's Report:** Laurie Chalker provided a written report which was read  
by John Stafford. Moved by Joan Scott and seconded by Maureen Long that  
the report be adopted. Carried

**Secretary's Report:** Brian Moloney provided a written report.

**Treasurer's Report:** Helen Francis submitted an Audited Balance Sheet  
showing a credit balance of \$2,451.85. Moved by Karen Fishburn and  
seconded by Brian Moloney that the report be adopted. Carried

**Correspondence:** Nil

**Office Bearers:** Uncontested, all to remain

Chairman: Laurie Chalker

Secretary: Brian Moloney

Minutes Secretary: Maureen Long

Treasurer: Helen Francis

**General Business:**

GARDEN: to be erected in corner near Presbyterian gate by Volunteers

COLUMBARIUM: The top has been placed on the structure by Brian Doyle

BUSH REPLACEMENT: ULSC is requested to attend to this

SPRAYING OF WEEDS: ULSC is asked to spray to bring under control

TOILET: ULSC please look into obtaining a solar light

TABLES & BENCHES ULSC would you arrange replacement of timbers

The Committee will then paint the structures

OVER THE FENCE GRAVES: Discussion was held on the clearing of the ground and acknowledgement of suicide deaths, convict and Jewish graves

BAXTER EXHUMATION: We all waiting on Health Dept, and then all paperwork should be in order to proceed.

Brian Moloney

MEETING CLOSED 1.31PM:

Thank you all for coming.

Due to COVID restrictions could every one sign the book and note your phone number please.

In the last 5 years, many hours of painstaking research, significant financial support and a whole lot of hard yakka from hard working committee and volunteers has resulted in over 300 unmarked graves being located. Out of these, details of who is buried in 187 of them have been identified.

The project which began as a plan to clean and restore old graves at Stonequarry expanded to include the location and identification of unmarked graves and then marking them by placing cement headstones and plaques showing details of the interred. When the project began it was uncertain how much detail would be discovered.

To date, the cemetery has been tidied; erosion control measures have been introduced; old graves have been restored and strengthened; headstones have been cleaned and the lettering has been restored; unmarked graves have been located and marked with cement headstones and plaques denoting the identity of the interred have been attached; cemetery records have been updated and distributed to the local Historical Society and to Upper Lachlan Shire Council for their records; a toilet has been built; signs have been placed at the front showing a plan of the cemetery and also acknowledging the contributions and support provided by Veolia Mulwaree Trust and Pacific Hydro (Taralga Windfarm Fund).

During the process over 1300 headstones were cleaned, re-graveled and lettering on the headstones was restored. This work was all done by volunteers. For this a grant of \$3500 was obtained from the Department of Social Services to contribute to fuel and landscaping costs.

The toilet block was built with the assistance of Veolia Mulwaree Trust \$8989, Upper Lachlan Shire Council \$3000, Simone Neale \$2444 and volunteer labour. Additionally a web site for the cemetery has been produced and is available online and a video was made using a drone which shows the work done so far especially the new plaques. And Wombat corner has been fixed at last.

We received a further \$3000 under the 2018 Volunteer Grants that went towards resheeting the graves and ULSC donated a further \$3000 to complete this part of the project (45 tonnes of gravel which Divalls delivered for free). ULSC did part of the gravelling to help stop the erosion between the graves and a further grant of \$11495 from Pacific Hydro in 2019/20 resulted in the Catholic section being completed.

Cemetery records have been checked and updated and have been saved digitally. This alone took over 1000 hours of research.

The most important part of this project however was the location of unmarked graves and the identification of them by placing cement headstone and plaques showing details of the interred. There were 187 plaques purchased and installed. Veolia Mulwaree contributed to 89 of the plaques and Pacific Hydro contributed to 97. This could not have occurred without the generous contributions received from both Veolia Mulwaree Trust of \$17755 and Pacific Hydro of \$19000. This enabled us to purchase plaques denoting the name of the interred, their date of birth and date of death. The plaques also acknowledge the contribution of Veolia Mulwaree and Pacific Hydro.

The columbarium is also almost completed.

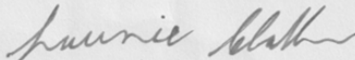
However, the restoration work is far from being completed. We still have to gravel between the graves in the Presbyterian and C of E sections. We have had a quote for \$6000 for which we will be looking for a further grant. Painting of the wrought iron railings and the lettering on 30 or so headstones is still to be done. There are rotten boards on the table and seats and these need to be replaced and painted. Also we need to install a solar light in the toilet.

Following this, the next big part of the restoration project is to start work on the Jewish cemetery which needs to be cleaned and rubbish removed, whipper snapped and weeds to be poisoned. We will then need to identify the graves in the Jewish Section and the other portions of the reserve. We will also have to build a fence and put a locked gate on the reserved area so it is no longer a dumping ground for rubbish and will be able to be slashed or mowed on a regular basis.

It is impossible to name all of the volunteers who helped to make this project a success however it attracted a huge amount of interest in the community and a surprising number of local people volunteered their time and energy to assist with this work.

I would like to thank all of the volunteers as well as Upper Lachlan Shire Council for their support and funding assistance and especially Linus Nesbitt-Hawes and Tina Dobson who helped with the submissions. I would also particularly like to thank Veolia Mulwaree Trust and Pacific Hydro for their most generous support that enabled this part of the project to be completed.

Laurie Chalker  
President Stonequarry 355 Committee





Bank Reconciliation		Jun-19	Mar-21
<b>Bank Balance</b>		<b>6143.69</b>	<b>2451.35</b>
Cash Book		4452.62	2451.85
Variance		1691.07	-0.5
<b>Variance Explained</b>			
Unpresented Cheques			
Divalls		1512.5	
Taralga Rural		133.28	
Taralga Rural		96.92	
Unexplained			51.13
Total		1742.7	51.13
Presented / Not Recorded		51.63	-51.63
Unrecorded Income			
Total		1691.07	-0.5
Unexplained variance		0	0

Year ending Mar 2021		3,351.84
Opening Balance		
Income		
Upper Lachlan	11,495.00	
Interest	6.75	
Total Income		11,501.75
Expenses		
Fuel	300.61	
Sign	110.00	
Prior year balance	51.13	
Liquid Nails and drill bits	445.00	
Gravel Work	11,495.00	
Total Expenses		12,401.74
Net Income		899.99
Cash book Balance		2,451.85

The books as presented to me are a true and accurate reflection of the activities of the committee for the current year

NOTE:- an unrecorded transaction of \$51.63 from a prior year has been identified and corrected in the books this year as a miscellaneous transaction of \$51.13 I reconciled the accounts as at Sep17 so expect that the missing transaction occurred between Sept 17 and Jun 19

I recommend:-

1. Correct the adjustment by a further 50c to balance the account
2. If possible, identify what the expense actually was.

Regards

*Karina Rees*

Karina Rees  
BACC University of Technology  
7/07/2021

**PRESENT:** Mr M Barlow (Chairperson), Cr J Searl, Cr J Wheelwright, Cr P Culhane, Mr D Marshall (Community Representative) and Mr W Martin (Community Representative).

**STAFF:** (Non-Voting) Ms C Worthy (General Manager), Mr A Croke (Director of Finance and Administration), Mr P Millett ( Chief Financial Officer), Mr B Todkill ( Senior Accountant) and Ms S Pearman (Administration Officer).

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**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 8.30AM.**

**SECTION 1: APOLOGIES & LEAVE OF ABSENCE**

There were no apologies.

**SECTION 2: DECLARATIONS OF INTEREST**

Nil

**SECTION 3: CONFIRMATION OF MINUTES**

**ITEM 3.1** **RESOLVED** by Mr Martin and Mr Marshall

That the minutes of the Audit, Risk and Improvement Committee Meeting held on 17 March 2021 be adopted.

- CARRIED

**Members who voted for:-** M Barlow, Crs P Culhane, J Searl, J Wheelwright, W Martin and D Marshall

**Members who voted against:-** Nil

## **SECTION 4:       REPORTS**

### **ITEM 4.1           INVESTMENTS FOR THE MONTH OF JUNE 2021**

**RESOLVED** by Cr Searl and Mr Martin

1. The report on Council investment portfolio is received and noted as information.

- CARRIED

**Members who voted for:-**                   M Barlow, Crs P Culhane, J Searl, J Wheelwright, W Martin and D Marshall

**Members who voted against:-**           Nil

### **ITEM 4.2           AUDIT OFFICE OF NSW - PRESENTATION OF ANNUAL ENGAGEMENT PLAN FOR UPPER LACHLAN SHIRE COUNCIL**

**RESOLVED** by Mr Martin and Mr Marshall

1. The Audit Office of NSW Annual Engagement Plan, including the Agreement of Terms and Audit Timetable, for the external audit of Upper Lachlan Shire Council for the year ending 30 June 2021, is endorsed.

- CARRIED

**Members who voted for:-**                   M Barlow, Crs P Culhane, J Searl, J Wheelwright, W Martin and D Marshall

**Members who voted against:-**           Nil

**ITEM 4.3**

**NSW AUDIT OFFICE - REPORT ON LOCAL GOVERNMENT  
FINANCIAL AUDIT 2020**

**RESOLVED** by Cr Searl and Mr Martin

1. The NSW Audit Office Report on Local Government 2020 is received and information noted.
2. The Committee express the view that local Councils hold only a minority interest and do not control Rural Fire Service assets (specifically plant and equipment) and accordingly Council do not consider Council should recognise these assets, this is consistent with Councils Accounting Policy. A submission be forwarded to the Office of Local Government and Auditor General.

- CARRIED

**Members who voted for:-**

M Barlow, Crs P Culhane, J Searl, J Wheelwright, W Martin and D Marshall

**Members who voted against:-**

Nil

**ITEM 4.4**

**NSW AUDIT OFFICE - 2020/2021 INTERIM AUDIT**

**RESOLVED** by Cr Searl and Mr Martin

1. The report is received and information noted.

- CARRIED

**Members who voted for:-**

M Barlow, Crs P Culhane, J Searl, J Wheelwright, W Martin and D Marshall

**Members who voted against:-**

Nil



**ITEM 4.5**

**INTERNAL AUDIT AS A SERVICE - REPORT TO CANBERRA  
REGION JOINT ORGANISATION**

**RESOLVED** by Cr Searl and Cr Wheelwright

1. The report is received and noted as information.

- CARRIED

**Members who voted for:-**

M Barlow, Crs P Culhane, J  
Searl, J Wheelwright, W Martin  
and D Marshall

**Members who voted against:-**

Nil

**ITEM 4.6**

**CHAIRPERSON REPORT**

**MOVED** by Mr Marshall and Mr Martin

1. The survey of members regarding aspects of the proposed new Audit, Risk and Improvement Committee and its results, both in tabular and summary form be provided to Upper Lachlan Shire Council and to the Office of Local Government for consideration by both bodies.
2. The report by council's jointly-employed Manager of Risk, Audit and Improvement, along with this committee's response to it, especially its rejection of the recommendation to adopt Option 3, be forwarded to Upper Lachlan Shire Council and to the Office of Local Government for their consideration.

Amendment was foreshadowed by Cr Culhane and Marshall

1. That the Committee recommend to Council that Council respond to the Office of Local Government that notwithstanding change at state level (Risk Management and Internal Audit Framework) the Upper Lachlan Shire Council would like to continue with a standalone Committee with a local Audit, Risk and Improvement Committee to consider localised issues.

On being put to the meeting the amendment was carried and became the resolution

**RESOLVED** by Cr Culhane and Mr Marshall

1. That the Committee recommend to Council that Council respond to the Office of Local Government that notwithstanding change at state level (Risk Management and Internal Audit Framework)

the Upper Lachlan Shire Council would like to continue with a standalone Committee with a local Audit, Risk and Improvement Committee to consider localised issues.

- CARRIED

**Members who voted for:-** M Barlow, Crs P Culhane, J Searl, J Wheelwright, W Martin and D Marshall

**Members who voted against:-** Nil

**ITEM 4.7 CHAIRPERSON REPORT - SUBMISSION TO LOCAL GOVERNMENT**

**RESOLVED** by Mr Martin and Mr Marshall

1. The results of the Council's Audit, Risk and Improvement Committee Chairperson commissioned survey of committee members be forwarded to the Office of Local Government and Council.

- CARRIED

**Councillors who voted for:-** Crs Barlow, W Martin and D Marshall

**Councillors who voted against:-** Crs P Culhane, Searl and J Wheelwright

The chairperson used his casting vote in favour of the motion therefore motion was carried.

**SECTION 5: ITEMS FOR DISCUSSION**

Nil

**THE MEETING CLOSED AT 9.45AM**

Minutes confirmed 13 OCTOBER 2021

.....  
Chairperson

MINUTES OF THE COLLECTOR WIND FARM COMMUNITY FUND SEC 355 COMMUNITY COMMITTEE  
MEETING HELD 06 JULY 2021

**PRESENT:** Cllr John Stafford (Mayor, Upper Lachlan Shire Council), Ms Colleen Worthy (General Manager, Upper Lachlan Shire Council) and Mleka White (RATCH-Australia Corporations Pty Ltd on behalf of Collector Wind Farm Pty Ltd– Collector Wind Farm), Katie Yeo (Community Representative), Robert Carter (Community Representative).

**NON VOTING:** Anthony Lewis (Administrative Assistant - Environment and Planning – Upper Lachlan Shire Council), Virginia Barrios RATCH-Australia Corporations Pty Ltd on behalf of Collector Wind Farm Pty Ltd– Collector Wind Farm)

**1. WELCOME**

The Mayor opened the meeting the time being 09.00am and welcomed those present.

**2. APOLOGIES**

Nil

**3. DECLARATIONS OF INTEREST**

Robert Carter declared as being treasurer of Collector Oval Committee.

**4. DRAFT COMMUNITY ENHANCEMENT CHARTER**

**4.1 RECOMMENDED:** The Collector Wind Farm Community Enhancement Program Committee Charter be adopted.

**5. FINANCE AVAILABLE FOR PROJECTS - \$200,000 (approx.)**

**6. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2020/2021 – FUNDING \$74,460.87**

**5.1 RECOMMENDED:** The projects listed below to be considered for funding are as follows:

	<i><b>PROJECT</b></i>	<i><b>AMOUNT</b></i>
1	Breadalbane Pony Club	\$10,000.00
2	Collector Memorial Hall	\$30,260.00
3	Gunning PA&I Society	\$3,000.00
4	Collector Oval	\$22,240.00
5	Collector Markets	\$8,970.87
	<b>TOTAL</b>	<b>\$74,470</b>

MINUTES OF THE COLLECTOR WIND FARM COMMUNITY FUND SEC 355 COMMUNITY COMMITTEE  
MEETING HELD 06 JULY 2021

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**Collector Memorial Hall**

- The committee agreed that it meets criteria, and agreed to fund the project.

**Collector Markets**

- The markets are currently being held on private property, and the markets may be considered to be a for profit business.
- It is not a community project with 1 family benefiting from the markets with all revenue going to a private entity.
- More information was sought to clarify structure of group and ensure that it is considered not for profit. – Organisation was not a Not-For-Profit organisation or incorporated association, and as such was not considered for approval.
- If this is a private organisation this application is rejected.

**Collector Oval**

- Robert was asked not to comment during discussions of this project as he had declared an interest.
- RATCH donated floodlights to the oval in 2020
- Funds have been allocated for Stage 1 – de-vegetation, however due to inclement weather, this has not been started as yet.
- Asking for \$21,321 for Stage 2 re-vegetation. As Stage 1 has not been completed, it was thought that Stage 2 would struggle to be completed in the allotted time-frame.
- Discussion relating to funding the BBQ as this would be of benefit for the whole community.
- Collector Oval will be eligible for Stage 2 through the Collector Windfarm Community Trust Fund.
- It was agreed that the BBQ and Shade Sail would be funded. A total of \$65,500.
- It was suggested that a Collector Oval Master Plan be developed.
- A survey and flood study be conducted.

**Gunning PA&I**

- Outside of the 10k radius
- It was considered that there would be no benefit to the Collector community if the funds went to the Gunning 200 committee.  
Committee voted against this application.

**Breadalbane Pony Club**

- There were concerns raised that the pony club was located on private land, however consideration was given that it had been in the area since 1972 and has brought benefits to the local community.
- Increases activities for many people.
- It was agreed that acquittals would be required after 6 months to determine where the money is being spent. Mieka will arrange this.
- Committee agreed to fund this proposal if the Pony Club can prove that it is an incorporated association.
- Information was later received that the pony club was a member of "The Pony Club

MINUTES OF THE COLLECTOR WIND FARM COMMUNITY FUND SEC 355 COMMUNITY COMMITTEE  
MEETING HELD 06 JULY 2021

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Association of New South Wales" and as such qualified under the guidelines.

**7. GENERAL BUSINESS**

- Discussion was held regarding any funds remaining funds and what was to be done with them. Were they to be rolled over to next year's funding round?
- Mieke believed that under the DA conditions, the money was required to be spent and another round was to be offered to the community. Colleen suggested that the DA be studied and the condition to be checked. Agreed that committee would hold off until an agreement was reached regarding surplus funds.

Meeting closed the time being 9.46am.

## Gunning Arts Festival Section 355 Committee

Meeting 28 – 5pm Sunday, 28 March 2021

held at Picture House Gallery, Gunning

Attendees: Michelle Storey (Chair), Margarita Georgiadis, Michael Coley,  
Natalie Albury, Helen Vooren (Minutes)

Apologies: D Tonks; Greg Baines; John Searl (ULSC); Karina Smith

## 1. Open

The meeting opened at 5.10pm and the Chair welcomed all attendees.

## 2. Apologies

The Chair advised receipt of apologies as listed.

## 3. Minutes

Minutes of Meeting 27 were circulated and approved at the meeting.

Moved: H Vooren

Seconded: N Albury

AGREED

## 4. Matters Arising

Progress on matters arising were noted.

## 5. Correspondence In / Out

The meeting noted correspondence received from:

In / Out	Subject
Out - Letters of support	For Elizabeth Dalman grant applications
Out – BJCE Australia	Newsletter articles on Flashwrite
Out – Sponsorship Letters	Creative Gunning – Silver Sponsor, BJCE Gold Sponsor
In – ULF grant	Confirmation of \$1000 for festival videographer
In – FRRR	Confirmation of grant \$6925
In – ULSC, FRRR, ULF	Change of Date
In – ULSC	Event of the Year Award
In – Whimsical Wares, Hold Cottage	Workshop Hosting
In – Wendy Tuckerman	Australia Day Award
In – Angus Taylor	Volunteers Grants

Motion:

That an application is made to the Volunteers Grants for up to \$4000 for the purchase of a GAF iPad Pro and assistance with bandwidth and data storage services.

Moved: M Coley

Seconded: N Albury

AGREED

**ACTION:** N Albury to prepare and submit application.

#### 6. Financial Report

The financial reports to February 2021 were provided to members and noted.

Moved: M Storey

Seconded: N Albury

AGREED.

#### 7. Update on Flashwrite

There is little progress to report on Flashwrite. Reviewed stories are ready for website.

**ACTION:** H Vooren – resend email re stories ready for web.

#### 8. Discussion of Schedule

A potential clash with the Aust Stock Horse Assoc using the showground for an event was noted. The committee agreed that this was not ideal as the use of the showground PA may clash with Arts Festival events.

**ACTION:** M Coley to check hall bookings with Council.

**ACTION:** M Georgiadis to contact G Washingmachine re performance on Saturday afternoon.

#### 9. Other Business

##### **Update on videographer**

N Albury reported Danny is confirmed for October dates, is happy to move between venues and can do some still photography

##### **Liz Dahlman talk**

It was suggested that subject to availability mid-September may be the best time to host a lunch and talk by Liz Dahlman.

**ACTION:** M Storey to follow up.

##### **Next Meeting**

The next meeting will be confirmed to members by email.

Meeting closed at 6.10pm





## **17       NOTICES OF MOTION**

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



## **18        QUESTIONS WITH NOTICE**

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