

# **BUSINESS PAPER**

## ORDINARY MEETING

## Thursday 15 October 2020 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**

7 October 2020

#### Councillors

**Dear Members** 

#### **Ordinary Meeting of Council**

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 15 October 2020** in the **Council Chambers Crookwell** commencing at **9.00AM**.

Your presence is requested.

Yours faithfully

Colleen Worthy General Manager Upper Lachlan Shire Council

#### <u>AGENDA</u>

#### ACKNOWLEDGEMENT OF COUNTRY

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

1	NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING		
2	APOLOGIES AND LEAVE OF ABSENCE		
3	CITIZENSHIP CEREMONY Nil		
4	DECLARATIONS OF INTEREST		
5	<ul><li>CONFIRMATION OF MINUTES.</li><li>5.1 Minutes of the Ordinary Meeting of Council of 17 September 2020</li></ul>	<b>11</b> 12	
6	MAYORAL MINUTES.         6.1 Mayoral Minute	<b>95</b> 96	
7	PRESENTATIONS TO COUNCIL/PUBLIC Nil		
8	CORRESPONDENCE	97	
	8.1 Correspondence items for the month of October	98	
9	LATE CORRESPONDENCE		
10	INFORMATION ONLY	103	
	10.1 Development Statistics for the Month of September 2020	104	
	10.2 Monthly Biosecurity Activites	111	
	10.3 Library Services 1st Quarter Report 2020/2021	115	
	10.4 Investments for the month of September 2020	119	
	10.5 Bank Balance and Reconciliation - September 2020	122	
	10.6 Rates and Charges Outstanding - 30 September 2020	123	
	10.7 Grants Report	125	
	10.8 Action Summary - Council Decisions	130	
REP	ORTS FROM STAFF AND STANDING COMMITTEES		
11	ENVIRONMENT AND PLANNING	137	
	Street, Collector	138	
12	INFRASTRUCTURE DEPARTMENT	187	

13	FINANCE AND ADMINISTRATION	189	
	13.1 Referral for Audit - 2019/2020 Financial Statements	190	
	13.2 Review of Salary Sacrifice Policy	193	
	13.3 Review of Library Membership and Access Policy	203	
14	GENERAL MANAGER	209	
	14.1 Questions with Notice Summary	210	
	14.2 COVID-19 Report	213	
15	LATE REPORTS Nil		
16	REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES	215	
	16.1 Reports from Committees for the month of October	216	
17	NOTICES OF MOTION229 Nil		
18	QUESTIONS WITH NOTICE	231	
19	CONFIDENTIAL SESSION	237	
	19.1 Procurement of two new water trucks		
	19.2 Staffing Matters		
	19.3 General Manager - KPI's Update		

#### 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	council@upperlachlan.nsw.gov.au	www.upperlachlan.nsw.gov.au
ICAC	(02)8281 5999 Toll Free 1800463909	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Office of Local Government	(02) 4428 4100	olg@olg.nsw.gov.au	www.olg.nsw.gov.au
NSW Ombudsman	(02) 9286 1000 Toll Free 1800451524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

#### **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	
I	l,
	/

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.]

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 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.
- $\Box$  The identified land.
- □ Land that adjoins or is adjacent to or is in proximity to the identified land.

Proposed change of zone/planning control

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

	Appreciable financial gain		Appreciable financial loss
--	----------------------------	--	----------------------------

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

#### Councillor's Signature:

Date:

#### 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 Ι, Declare a Conflict of Interest, being a NON-PECUNIARY Interest. Significant Non Significant **COUNCIL MEETINGS** Name of Meeting \_\_\_\_\_ Date of Meeting Page Number \_\_\_\_\_ Item Number \_\_\_\_\_ Subject Reason for Interest As a result of my non-pecuniary interest, my involvement in the meeting will be as follows: **Option A** – Make a declaration, stay in the Chamber, participate in the debate, and vote. **Option B** – Make a declaration, stay in the Chamber, participate in the debate, but not vote. **Option C** – Make a declaration, stay in the Chamber, participate in the debate, but leave the Chamber for the vote. Option D – Make a declaration, stay in the Chamber, not participate in the debate, but vote. **Option E** – Make a declaration, stay in the Chamber, not participate in the debate and not vote.

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

Signature

Date

## 5 CONFIRMATION OF MINUTES

The following minutes are submitted for confirmation -

5.1 Minutes of the Ordinary Meeting of Council of 17 September 2020......12

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS

#### ON 17 SEPTEMBER 2020

- **PRESENT:** Mayor J Stafford (Chairperson), Cr P Culhane, Cr P Kensit, Cr D O'Brien, Cr J Searl, Cr J Wheelwright, Cr B McCormack, Ms C Worthy (General Manager), Mr A Croke (Director Finance and Administration), Mr G Lacey (Director of Infrastructure), Miss K Dewar (Executive Assistant) and Ms S Pearman (Administration Officer).
- **VIDEOLINK :** Mrs T Dodson (Director of Environment & Planning) and Mr C Gordon (Media Officer).

#### THE MAYOR DECLARED THE MEETING OPEN AT 09:01AM.

#### 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.

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

There were no apologies.

SECTION 3: CITIZENSHIP CEREMONY

Nil

SECTION 4: DECLARATIONS OF INTEREST

Nil

#### 156/20 <u>RESOLVED</u> by Cr Wheelwright and Cr McCormack that -

1. Items 14.2 Election of the Mayor and 14.3 Election of Deputy Mayor be moved forward.

- CARRIED

Councillors who voted for:- Cr

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

Councillors who voted against:- Nil

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS

#### ON 17 SEPTEMBER 2020

The General Manager as the Returning Officer assumed the Chair to conduct the Election of Mayor and Deputy Mayor the time being 9:02AM

## ITEM 14.2 ELECTION OF MAYOR (SECTION 225-230, LOCAL GOVERNMENT ACT, 1993)

1. The General Manager declared John Stafford elected as Mayor for the one year term, unopposed.

## ITEM 14.3 ELECTION OF DEPUTY MAYOR (SECTION 231, LOCAL GOVERNMENT ACT, 1993)

1. The General Manager declared Councillor John Searl elected as Deputy Mayor for the one year term, unopposed.

Cr Mayor Stafford who was elected Mayor resumed the Chair and proceeded with the meeting the time being 9:04AM

#### SECTION 5: CONFIRMATION OF MINUTES

#### **157/20 RESOLVED** by Cr Wheelwright and Cr Searl

1. That the minutes of the Ordinary Council Meeting held on 20 August 2020 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

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### **SECTION 6: MAYORAL MINUTES**

#### ITEM 6.1 MAYORAL MINUTE

158/20 <u>RESOLVED</u> by Mayor Stafford and Cr Searl

1. That Council receive and note the activities attended by the Mayor for August and September 2020.

- CARRIED

Councillors who voted for:-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 ITEMS FOR THE MONTH OF SEPTEMBER

159/20 <u>RESOLVED</u> by Cr Searl and Cr McCormack

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

- NSW Local Government Grants Commission FAGs Payments 20-21 - 21 August 2020
- NSW Local Government Grants Commission A713604 GC -2020-21 Financial Assistance Grants - Advice to Councils -Appendix A - - 21 August 2020
- NSW Local Government Grants Commission A713604 GC -2020-21 Financial Assistance Grants - Advice to Councils -Appendix B - SOP - 21 August 2020
- NSW Local Government Grants Commission A713604 GC -2020-21 Financial Assistance Grants - Advice to Councils -Appendix C - Guidelines for Special Submission - 21 August 2020
- NSW Local Government Grants Commission A713604 GC -2020-21 Financial Assistance Grants - Advice to Councils -Appendix D - Framework - 21 August 2020
- Malcolm Barlow Letter to Council is response to Presentation 4 September 2020

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

7. Office of Local Government - Message from Minister Hancock - 4 September 2020

- 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 10.1-10.8 INFORMATION ONLY ITEMS

**RESOLVED** by Cr Searl and Cr Wheelwright

1. Council receives and notes items 10.1, 10.3-10.8 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

ITEM 10.2 DEVELOPMENT STATISTICS FOR THE MONTH OF AUGUST 2020

160/20

**<u>RESOLVED</u>** by Cr McCormack and Cr Searl 1. Council receives and notes the report as information.

- CARRIED

Councillors who voted for:-O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### **REPORTS FROM STAFF AND STANDING COMMITTEES**

SECTION 11: ENVIRONMENT AND PLANNING

Nil

- SECTION 12: INFRASTRUCTURE DEPARTMENT
- ITEM 12.1 REGIONAL ROAD TRANSFER AND ROAD CLASSIFICATION REVIEW
- 161/20 <u>RESOLVED</u> by Cr Searl and Cr McCormack
  - 1. Council receive the report and approve the request to submit all regional roads to the Regional Road Transfer and Road Classification Independent Panel.

- 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 REVIEW OF PRIVATE USE OF COUNCIL MOTOR VEHICLE POLICY
- 162/20 <u>RESOLVED</u> by Cr Searl and Cr Wheelwright
  - 1. Council adopts the reviewed Private Use of Council Motor Vehicle 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

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

POLICY:-		
Policy Title:	Private Use of Council Motor Vehicle	
File Reference:	F10/618-03	
Date Policy was adopted by Council initially:	27 July 2006	
Resolution Number:	191/06	
Other Review Dates:	24 April 2008, 19 November 2009, 16 August 2011, 19 December 2013 and 21 July 2016	
Resolution Number:	122/08, 479/09, 308/11, 410/13 and 192/16	
Current Policy adopted by Council:	17 September 2020	
Resolution Number:	<mark>162/20</mark>	
Next Policy Review Date:	2023	

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

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

### MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### OBJECTIVE

Council will endeavour to achieve the following outcomes:-

- 1. Manage the motor vehicle leaseback fleet in an equitable and cost effective manner, providing best value for money;
- 2. Minimising the environmental impact of the motor vehicle leaseback fleet;
- 3. Provide employee benefits to assist in the task of attracting and retaining talent; and
- 4. Ensure the motor vehicle lease fees are set and reviewed annually so as to maintain the leaseback fee at a level that minimises Council's Fringe Benefits Tax (FBT) obligations and reflects increases in the vehicles maintenance and running costs.

#### POLICY STATEMENT

This policy sets out the terms and conditions of an agreement between Council and eligible employees whereby the Council agrees to allow private use of a motor vehicle on the terms and conditions contained in the motor vehicle leaseback agreement and the lessee accepts those terms and conditions in the full understanding of and agreement to, those terms and conditions.

The leaseback fee is not based on a full cost recovery basis for Council.

The "Staff Motor Vehicle Lease Agreement" is an Appendix to this policy.

#### THE LOCAL GOVERNMENT (STATE) AWARD

The Local Government (State) Award governs the arrangements for the leaseback of motor vehicles to Council employees.

Leaseback motor vehicles may be provided to employees as a condition of employment (e.g. as an incentive for accepting employment) or as a discretionary benefit that is not a condition of employment.

A leaseback motor vehicle will be considered to be a condition of employment for an employee unless it was clearly identified that it was not being provided on such a basis at the time that it was provided.

The Local Government (State) Award provides that where the leaseback motor vehicle agreement was entered into prior to 1 November 2010, the Council shall give a minimum of twelve (12) months notice to terminate the agreement.

Proposals to vary leaseback motor vehicle arrangements, including the formula for calculating the leaseback fee, must be referred to Council's Consultative Committee.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### GUIDELINES

That the following act as a guideline for Council's Motor Vehicle Leaseback Scheme:-

- 1. The leaseback fee will be published annually in Council's Schedule of Fees and Charges and shall be adopted for all employees having full private usage of the motor vehicle. All new employees who are granted the entitlement to full private usage will pay the leaseback fee upon commencement.
- 2. The leaseback fee is subject to review annually in June and the new fee will commence in the first full pay period after 1 July. The leaseback fee will include any CPI adjustments, increased plant running costs and increased Fringe Benefits Tax costs over the previous twelve month period.
- 3. The weekly leaseback charge shall be deducted from the employee's net salary each fortnight. Signing of the agreement shall be taken to authorise Council to deduct the leaseback payment from the employee's wages. The amount will be deducted as a post tax rate from the employee's fortnightly earnings.
- 4. Use of Council's motor vehicle for private purposes must not result in any significant restriction of the business availability of that motor vehicle.
- 5. The leaseback vehicle is to be driven to work every day except for periods of sick, annual and/or other approved leave. Motor vehicles assigned under a leaseback arrangement will not be available to other staff without the lessee's prior knowledge or consent. Requests to use the vehicle for business purposes should not be unreasonably denied by the lessee.
- 6. Where the vehicle is used by another member of staff, the lessee will have the right to expect that reasonable care will be taken of the vehicle and that the interior and exterior will be kept in a comparable condition as it was before that use.
- 7. Smoking is not permitted in a Council vehicle at any time.
- 8. Council will purchase motor vehicles based on the sale of vehicles within 100,000 kilometre range and/or up to three years from the purchase date. This may be varied by the General Manager based upon budget constraints. The motor vehicle schedule will be subject to a review each year.
- 9. That the leaseback scheme be reviewed annually by the General Manager and reported to the Council budget workshop as part of preparation of Council's Operational Plan.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- 10. It is a condition of the leaseback scheme that an annual Fringe Benefits Tax (FBT) Return be completed by each lessee in the prescribed format for each separate motor vehicle allocated to the lessee. Receipts for the purchase of fuel, oils etc for private use are to be attached to the declaration.
- 11. The lessee is required to complete a log book of kilometres travelled and the allocation of the same to business use and private use. The log book information will be used by Council to record internal plant hire income. A log book declaration for a 12 week period will be used in calculating the annual FBT Return.
- 12. The lessee is to ensure that the motor vehicle is at work and available for Council's general use as a pool car during the Lessee's normal working hours.
- 13. The lessee must obtain the consent of the General Manager in order to retain possession of the motor vehicle whilst on leave for a period which exceeds four weeks.
- 14. The General Manager shall be delegated authority to set a lease fee for any motor vehicles having to/from home use only, to cover any possible Fringe Benefits Tax (FBT) liability.
- 15. All accident damage is to be reported promptly to the Council Plant Superintendent and arrangements made for quotations for repair and submission of insurance claims.
- 16. The lessee has the responsibility to present the motor vehicle for regular servicing in compliance with warranty requirements.
- 17. Standard accessories will include floor mats, seat covers, bonnet and headlight protectors, mud flaps, cruise control and a choice between manual and automatic transmission.
- 18. Motor vehicle selection shall be based on suitability, purchase price, fuel efficiency, resale value and running costs note, only motor vehicles available under the NSW Government Procurement Policy are to be purchased by Council.
- 19. The General Manager determines the type of motor vehicle appropriate to the status and work needs of the employee. The type of motor vehicle shall be determined suitable based on the primary purpose of Council service delivery. The vehicle purchased is to have regard to the lowest "whole of life" cost of ownership and be generally restricted to the most common models.
- 20. There is a preference for four cylinder models, where appropriate, in order to reduce fuel costs and carbon footprint where it is considered that a four cylinder motor vehicle can adequately perform the work required.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- 21. Employees applying for internal position vacancies should note that their current position's entitlement to a motor vehicle is not transferable to another position. This is in accordance with the Local Government (State) Award.
- 22. Private leaseback of a motor vehicle shall not be available to any employees that are not employed on a full time permanent basis.

#### **RELEVANT LEGISLATION**

- Local Government Act 1993 (as amended);
- Local Government (General) Regulations 2005;
- Local Government (State) Award 2020;
- Income Tax Assessment Act 1997;
- Fringe Benefits Tax Assessment Act 1986;
- A New Tax System (Goods and Services Tax) Act 1999;
- Road Transport (Safety and Traffic Management) Act 1999;
- Motor Traffic Act 1909;
- State Records Act 1998;
- Privacy and Personal Information Protection Act 1998;
- Independent Commission against Corruption Act 1988;
- Government Information (Public Access) Act 2009;
- Council's Integrated Plans; including Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan;
- Workers Compensation Act 1987;
- Work Health and Safety Act 2011;
- Code of Conduct for Councillors, staff and delegates of Council;
- Recruitment and Selection Policy;
- Salary Sacrificing Policy;
- Plant Replacement Policy;
- Purchasing and Acquisition of Goods Policy and Procedures;
- Complaints Management Policy;
- Grievance Policy;
- Records Management Policy;
- Disciplinary Policy; and
- Any other relevant legislation and guidelines as applicable.

#### VARIATION

That Council, after consultation with the eligible employees, reserves the right to vary the terms and conditions of this policy and the motor vehicle leaseback agreement.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### Agreement B STAFF - FULL PRIVATE USE

#### UPPER LACHLAN SHIRE COUNCIL

#### STAFF MOTOR VEHICLE LEASE AGREEMENT

#### BETWEEN: UPPER LACHLAN SHIRE COUNCIL ("Council")

AND: ..... of .....

In the State of New South Wales ("the Lessee")

#### 1. Council to Supply Vehicle

1.1 Council shall supply the Lessee with a mutually satisfactory motor vehicle in accordance with Council's policy entitled "Private Use of Council Motor Vehicle".

#### 2. Term of Lease

2.1 The term of this lease shall begin on ...... and shall remain current while ever the Lessee retains the position held at the time of signing this lease or, if appointed by the General Manager, to an acting position senior to the Lessee's current position.

#### 3. Lease Fee

- 3.1 During the term of the Lease Council shall deduct the amount of \$112.00 ("the fee") every week from the Lessee's salary.
- 3.2 The Council shall review the fee annually and to vary it according to movements in the amount payable as Fringe Benefits Tax and plant running expenses and in accordance with Local Government (State) Award conditions. Such variation is to be subject to fourteen days written notice by the General Manager to the Lessee.
- 3.3 The Lessee shall not be required to pay fees during extended periods in which the Vehicle is unavailable for private use by the Lessee. The General Manager is to approve all temporary lease fee changes.

#### 4. Vehicle to Remain Council's Property

4.1 The Vehicle is owned by and shall remain the property of Upper Lachlan Shire Council.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### 5. Use of Vehicle

- 5.1 Subject to clause 6, the Lessee may retain possession of the Vehicle for private use and for use in connection with Council business.
- 5.2 The lessee must maintain a logbook in the Council approved form and record all business-related travel.

#### 6. Restrictions on Use of Vehicle

- 6.1 The Lessee shall ensure that the Vehicle is at work and available for Council's general use as a pool car during the Lessee's normal working hours. The Lessee shall ensure that the Vehicle is pooled with another Lessee and garaged at the other Lessee's residence for at minimum one night each year refer to Australian Taxation Office (ATO) Private Ruling Number 84108.
- 6.2 The Lessee must obtain the written consent of the General Manager in order to retain possession of the Vehicle whilst on leave for a period which exceeds four (4) weeks.
- 6.3 Leave for the purposes of Sub clause 6.2 includes Annual, Long Service and Sick Leave. Employees on Leave Without Pay or Workers Compensation shall not be entitled to retention of the vehicle for any period in excess of 5 days.

#### 7. Drivers of Vehicle

- 7.1 The Vehicle may be driven for private use by:
  - (a) The Lessee;
  - (b) The Lessee's spouse or partner;
  - (c) A family member who has attained the age of 25 years;
  - (d) A family member whose age is less than 25 years provided that the Lessee is also in the Vehicle;
  - (e) Other licensed drivers provided they have attained the age of 25 years and the Lessee has the prior written approval of the General Manager.
- 7.2 The Vehicle may not be driven by a person who does not hold the relevant drivers licence issued by the Roads and Maritime Services in NSW or its equivalent.
- 7.3 The vehicle must be driven in accordance with this Lease and with all regulations laid down pursuant to the Motor Traffic Act and with any parking ordinances or regulations.
- 7.4 The driver of a vehicle is solely responsible for any parking or traffic infringement notice incurred during either private or council use. However, where the driver cannot be identified, the Lessee shall pay the fine. Adequate records must

### MINUTES OF THE ORDINARY MEETING OF COUNCIL

#### HELD IN THE COUNCIL CHAMBERS

#### ON 17 SEPTEMBER 2020

therefore be kept using the "Council Vehicle Use Log Book" by the Lessee to identify the driver at the time the infringement occurred.

#### 8. Service, Maintenance and Insurance

- 8.1 Council shall be responsible for:
  - (a) The regular servicing and maintenance of the Vehicle;
  - (b) Registration of the Vehicle;
  - (c) Full and comprehensive insurance in respect of the Vehicle and its use; and
  - (d) NRMA subscriptions in respect of the Vehicle (when there is no dealer warranty).

#### 9. Provision of Fuel

- 9.1 The employee is responsible for the cost of fuel supplied to the Vehicle outside of the Shire when not on Council business.
- 9.2 The lessee must use the Council allocated Fuel Card, at a nominated fuel supplier, garage or depot for the supply of fuel within the Shire and/or in Goulburn.
- 9.3 The Council allocated Fuel Card shall only be used for the purchase of fuel for Council Vehicles, as well as oil and other transmission fluids if required. No other purchases are permitted on the fuel card. The use of this card for obtaining bonus points (i.e. Fly buys Points) is prohibited.
- 9.4 At the end of each month, the Lessee shall provide Council's Manager of Finance and Administration with receipts for any purchases of fuel for private use and complete FBT form in April each year.
- 9.5 A fuel surcharge will apply in addition to the private use leaseback contribution where a Vehicle's total fuel cost is excessive. In cases where the vehicle total fuel costs are excessive the General Manager will determine the quantum of payment to be made and will advise the lessee in writing.

#### 10. Proper Care of Vehicle

- 10.1 The Lessee must keep the Vehicle in a clean and tidy condition.
- 10.2 The Lessee is responsible for the proper care of the Vehicle including:
  - (a) Regular cleaning of the Vehicle, both inside and outside;
  - (b) Regular checking of fuel and oil levels, tyre pressures, battery and radiator in accordance with the manufacturer's recommendations;

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- (c) Cleaning shall be carried out immediately after transporting of any animal/s in the vehicle;
- (d) When at the employee's residence, the Vehicle must be parked off-street and under cover where practical;
- (e) No modifications are to be made or equipment added to or removed from the Vehicle without the approval of the Director of Infrastructure.

#### 11. First Aid Kit

- 11.1 Council shall provide the Lessee with a first aid kit.
- 11.2 The Lessee shall keep the first aid kit in the Vehicle at all times.
- 11.3 The Lessee shall, at the Council's expense, restock the first aid kit to replace the items, which have been used or expired.

#### 12. Accident or Breakdown

12.1 If the Vehicle is involved in an accident or breaks down, the driver must utilise either the service of the motor dealer warranty, and/or NRMA, or Council's workshop.

#### 13. Repairs

- 13.1 If the Vehicle develops a fault or requires repairs, the Lessee shall arrange the required service, maintenance or repairs.
- 13.2 If the Vehicle requires extensive repairs when remote from Upper Lachlan Council area, the Lessee may arrange to have the repairs carried out but must obtain the consent of the Director of Infrastructure or General Manager.
- 13.3 If the Vehicle requires immediate repairs due to mechanical failure and is unavailable for use the Lessee may obtain an existing Council fleet vehicle. In extreme cases Council may hire a replacement vehicle with the approval of the Director of Infrastructure. If approval is granted to hire a vehicle, the replacement vehicle hired will be the most economical and/or lowest cost option available to Council.

#### 14. Extras

- 14.1 First time extras shall only be fitted to the Vehicle with the prior consent of the General Manager.
- 14.2 First time extras shall not be fitted to the Vehicle at Council's expense.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- 14.3 If extras are removed, the Vehicle must be left as near as practicable to its original condition and must be to the satisfaction of the Director of Infrastructure.
- 14.4 Previously approved fitted extras shall be fitted to the replacement vehicle at Council's expense.
- 14.5 For Council business trips to or through Sydney or when travelling on other toll roads, a Council E-Tag is available and shall be used by the Lessee in the Vehicle. Any private use of a leaseback Vehicle on toll roads must be paid by the Lessee of the Vehicle.

#### 15. Prohibited Use

- 15.1 The Vehicle may not be used in any car rally or car competition.
- 15.2 Smoking is not permitted under any circumstances in Council Vehicles at any time. This includes the driver and all passengers.
- 15.3 The Vehicle shall not be used for a commercial or business purpose or an activity where the Lessee derives an income which is not related to the Lessee's employment with Council.
- 15.4 The Vehicle may not be used in any manner which might contravene the insurance policy (a copy of which is annexed hereto) or result in voidance of the insurance cover and/or the Vehicle manufacturer's warranty.

#### 16. Insurance Claims

- 16.1 If the Vehicle is involved in an accident, the Lessee shall pay the full amount of any claim rejected by Council's insurers due to a breach of the insurance contract by any action of the driver or passengers of the Vehicle.
- 16.2 Any age excess applicable to a claim shall be paid by the Lessee unless the driver of the Vehicle at the time of the accident was a Council employee.

#### 17. Termination

- 17.1 Council may terminate this Lease prior to the end of the term set out in clause 2 upon twelve months notice to the Lessee of its intention to do so.
- 17.2 Council may terminate this Lease immediately upon:
  - (a) A breach by the Lessee of a term of this Lease;
  - (b) A change of the Lessee's duties which no longer renders necessary the use of the Vehicle;

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- (c) The Lessee's appointment to a new position which does not provide for a vehicle to be made available as part of the salary package;
- (d) The Lessee being disqualified from holding a driver's licence;
- (e) Abuse or misuse of the Vehicle by the Lessee in accordance with Clause 15;
- (f) Misuse and/or excessive use of the Council Fuel Card by the Lessee for private purposes.
- 17.3 The Lessee may terminate this Lease immediately upon giving Council written notice of intention to do so.

#### 18. Surrender of Vehicle and Fuel Card

- 18.1 The Vehicle and Fuel Card shall be surrendered to Council:
  - (a) Upon termination of this Lease; or
  - (b) Upon termination of employment; through retirement, resignation or employee redeployment, being the last day on which the Lessee attends work.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### **UPPER LACHLAN SHIRE COUNCIL**

#### STAFF MOTOR VEHICLE LEASE DECLARATION

I have read and understand the Private Use of Council Motor Vehicle Policy and Staff Motor Vehicle Lease Agreement. I hereby agree to these conditions. I understand and accept the implications of having a motor vehicle and the implications regarding Reportable Fringe Benefits.

Signed in agreement of the terms set out in the Staff Motor Vehicle Lease Agreement offered by the General Manager of Upper Lachlan Shire Council on the:-

...... Day of ..... 2......

General Manager UPPER LACHLAN SHIRE COUNCIL

Witness

.....

.....

Signed in agreement of the terms set out above by the Lessee on the:-

..... Day of .....

LESSEE

Witness

.....

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

## ITEM 13.2 REVIEW OF RELATED PARTY DISCLOSURES POLICY

163/20 <u>RESOLVED</u> by Cr Wheelwright and Cr Searl

1. Council adopts the reviewed Related Party Disclosures 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

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

POLICY:-	
Policy Title:	Related Party Disclosures Policy
File Reference:	F10/618-05
Date Policy was adopted by Council initially:	15 June 2017
Resolution Number:	178/17
Other Review Dates:	15 June 2017,
Resolution Number:	N/A
Current Policy adopted by Council:	21 September 2020
Resolution Number:	<mark>163/20</mark>
Next Policy Review Date:	2023

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

RESPONSIBILITY:-	
Draft Policy developed by:	Director of Finance and Administration
Committee/s (if any) consulted in the development of this Policy:	N/A
Responsibility for Implementation:	Director of Finance and Administration
Responsibility for review of Policy:	Director of Finance and Administration

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### **OBJECTIVE**

To ensure compliance with the provisions of Australian Accounting Standard AASB 124 regarding the disclosure of Related Parties, Related Party Relationships and Related Party Transactions.

#### **PURPOSE**

The purpose of this policy is to:-

- 1. Define the parameters for Related Party Relationships and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124.
- 2. Ensure that Council's Related Party Relationships are disclosed, irrespective of whether there have been transactions between the parties.

#### **Definitions**

**AASB 10** – the Australian Accounting Standards Board - Consolidated Financial Statements – details the criteria for determining whether Council has significant influence over an entity.

**AASB 11 –** the Australian Accounting Standards Board - Joint Arrangements - details the criteria for determining whether Council has significant influence over an entity.

**AASB 124** - the Australian Accounting Standards Board - Related Party Disclosures Standard under Section 334 of the *Corporations Act 2001* – details that an entity's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

**AASB 128 –** the Australian Accounting Standards Board - Investments in Associates and Joint Ventures - details the criteria for determining whether Council has significant influence over an entity.

**Close family members or close members of the family** - in relation to a KMP, family members who may be expected to influence, or be influenced by that KMP in their dealings with Council will include:

- a) that person's children and spouse or domestic partner;
- b) children of that person's spouse or domestic partner; and
- c) Dependants of that person or that person's spouse or domestic partner.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

For the purpose of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) *if* they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

**Entity -** can include a body corporate, a partnership or a trust, incorporated association, or unincorporated group or body.

**Key Management Personnel (KMP)** - are those persons having the authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including Councillors, the General Manager and Directors of Upper Lachlan Shire Council.

**Material (materiality)** - means the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis of an entity's financial statements. For the purpose of this policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

**Ordinary Citizen Transaction** - means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council.

**Related Party** (related party relationships) - a person or entity that is related to the entity preparing its financial statements (reporting entity).

**Related Party Transaction** - is a transfer of resources, services or obligations between a Council and a related party, regardless of whether a price is charged. Such transactions may include:

- Purchase or sale of goods,
- Purchase or sale of property and other assets,
- Rendering or receiving of services,
- Leases,
- Quotations and/or tenders,
- Commitments,
- Settlements of liabilities on behalf of Councillor by Council on behalf of the related party.

**Remuneration -** means remuneration package and includes any money, consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a Related Party Transaction.

**Significant (significance) -** means likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/taxpayer relationship.

The Act - the Local Government Act 1993

The Regulation - the Local Government (General) Regulation 2005

#### POLICY

#### Introduction

Council is required to disclose Related Party Relationships and Transactions as well as Key Management Personnel (KMP) compensation in its Annual Financial Statements in accordance with the Accounting Standard AASB 124.

The objective of this policy is to ensure that Upper Lachlan Shire Council's financial statements contain the necessary related party disclosures, thereby ensuring transparency in dealings and their effect on Council's financial reports. These disclosures draw attention to the possibility that Council's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

The key assessment is whether knowledge of the relationship and terms and conditions could influence a user's understanding of the impact on the financial statements.

#### **Policy Statement**

Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions.

Related party relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A related party relationship could influence the normal business operations of Council even if related party transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties. For example, goods may be supplied to Council on terms that might not be offered to other customers.

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with related parties) may affect assessments of Council's operations.

AASB 124 provides that Council must disclose all material and significant related party transactions and outstanding balances, including commitments, in its Annual Financial Statements. Generally, disclosure will only be made where a transaction has occurred between Council and a related party of Council. In addition, the transaction must be material in nature or size when considered individually or collectively.

The Australian Accounting Standards Board advised in its April 2017 Agenda Decision 'the board considers there is little value in an entity incurring significant costs to obtain data that is immaterial for disclosure, and accordingly, the Board does not expect information to be collected unless it could be material for disclosure'.

When assessing whether such transactions are significant the following factors will be taken into consideration:-

- significance in terms of size
- was it carried out on non-market terms
- is it outside normal day-to-day Council operations
- was it subject to Council approval
- did it provide a financial benefit not available to the general public
- was the transaction likely to influence decisions of users of the Annual Financial Statements

Regard must also be given to transactions that are collectively but not individually significant.

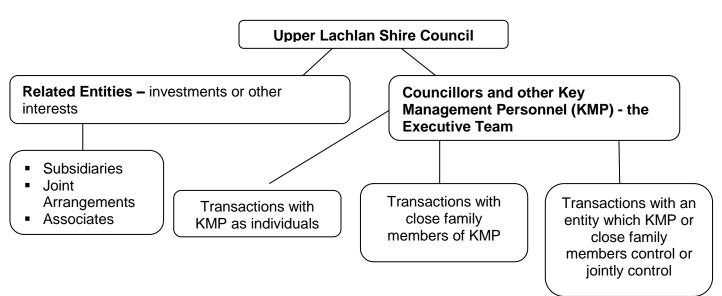
To enable Council to comply with AASB 124, Council's KMP are required to declare full details of any Related Parties and Related Party Transactions. Such information will be retained and reported, where necessary, in Council's Annual Financial Statements.

#### **Related Parties**

Related parties of Council are as follows:-

- Entities related to Council;
- Key Management Personnel (KMP) of Council;
- Close family members of KMP;
- Entities that are controlled or jointly controlled by KMP, or their close family members.

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020



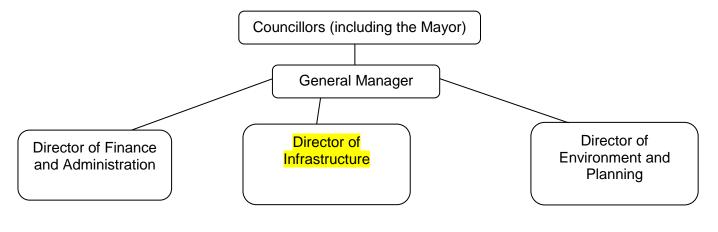
#### **Entities Related to Council**

Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council. Council will need to identify transactions with these entities and may need to make extra disclosure about them in Council's financial statements. When assessing whether Council has control or joint control over an entity Council must consider AASB 10 and AASB 11. AASB 128 details the criteria for determining whether Council has significant influence over an entity.

Council's Contracts Register, Leases and License Register and the Schedule of Debts Written Off will be reviewed to identify related party transactions/parties. This information will be included in the related party register which will include all joint arrangements and updated on an annual basis.

#### Key Management Personnel (KMP)

The following chart identifies KMP of Upper Lachlan Shire Council:-



## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### Close Family Members of KMP

Those close family members, or close members of the family, of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council.

## Entities that are Controlled or Jointly Controlled by KMP or their Close Family Members

Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

The following table will assist in identifying close family members:-

Definitely a close family member	Maybe a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with Council

#### DISCLOSURE

#### Council Disclosure

AASB 124 provides that Council must disclose all material and significant related party transactions in its Annual Financial Statements by aggregate or general description and include the following details:-

the nature of the related party relationship

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- relevant information about the transactions including:-
  - the amount of the transaction
  - the amount of outstanding balances, including commitments
  - their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in the settlement
  - o details of any guarantee given or received
  - provision for doubtful debts related to the amount of outstanding balances
  - the expense recognised during the period in respect of bad or doubtful debts due from related parties

All required transactions involving related parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are ordinary citizen transactions, and to determine the significance of each of the transactions.

Generally, transactions with amounts receivable from and payable to the KMP or their related parties which:-

- occur within normal employee, customer or supplier relationships and at arm's length
- are not material or significant

These shall be excluded from detailed disclosures; they will be disclosed in the financial statements by general description. Disclosures that Related Party Transactions were made on terms equivalent to an arms-length transaction can only be made if such terms can be substantiated.

#### Related Party and KMP Disclosure

The types of disclosure that are required are as follows:-

- 1. Relationships between a parent and its subsidiaries, irrespective of whether there have been transactions between them.
- 2. KMP Compensation (remuneration) relate to all forms of consideration paid, payable, or provided in exchange for services provided in total and for each of the following categories:
  - Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees.
  - Post-employment benefits such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- Other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit sharing, bonuses and deferred compensation.
- Termination benefits.
- 3. Where related party transactions have occurred:-
  - The nature of the related party relationship
  - Information about the transactions, outstanding balances and commitments, including terms and conditions
- 4. Separate disclosure for each category of the related party.
- 5. For the types of transactions to be disclosed refer to Related Party Transactions section.

KMP Declarations must be made annually by 30 June by using the Related Party Transaction Disclosure by KMP form (see Appendix A).

<u>Note:</u> these related party transaction notification requirements are in addition to the notifications KMP are required to make to comply with, such as:

• For Councillors and KMP, the pecuniary interests and conflicts of interest obligations in the *Local Government Act 1993* and Code of Conduct.

A related party transaction, as opposed to the Register of Pecuniary Interests, the related party and relationship must be disclosed for both the KMP and their close family member even if the same related party entity is held jointly or in common by them.

The NSW Audit Office shall audit related party information as part of their annual audit.

#### Notifications by Key Management Personnel

In order to comply with the AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to the Manager of Finance and Administration of any existing or potential related party transactions between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

KMPs must complete the related party relationships notification using the Key Management Personnel Form (see Appendix B), notifying any existing or potential related party relationships between Council and any related parties of the KMP, to the

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

Manager of Finance and Administration by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy
- 30 days after a KMP commences their term or employment with Council

#### **Related Party Transactions**

Related party transactions are required to be disclosed, regardless of whether a price is charged. Such transactions may include:-

- purchase or sale of goods (finished or unfinished)
- purchase or sale of property and other assets
- rendering or receiving services
- leases
- transfers of research and development
- transfers under licence agreements
- transfers under finance arrangements (including loans and equity contributions in cash or in kind)
- provision of guarantees or collateral
- commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised)
- quotations and/or tenders
- settlements of liabilities on behalf of Council or by Council on behalf of the related party
- Expense recognised during the period in respect of bad debts
- Provision for doubtful debts relating to outstanding balances

#### Procedures

The method for identifying the close members and associated entities of KMP will be by KMP self-assessment. KMP have an ongoing responsibility to advise Council immediately of any related party transactions.

The preferred method of reporting is for KMPs to provide details of related parties and related party transactions to the Manager of Finance and Administration.

Information provided will be reviewed by Council staff and will be held on a centralised register within the Finance and Administration Department.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

## Access to Government Information (Public Access) Act 2009 (GIPA Act)

Information provided by KMPs and other related parties shall be held for the purpose of compliance with Council's legal obligation and shall be disclosed where required for compliance or legal reasons only.

Disclosures, Notifications and the Register are not available for public access under the GIPA Act.

#### Review

This policy will be reviewed at minimum every three years or when any of the following occur:-

- Related legislation is amended or replaced;
- As a result of changes to the Office of Local Government Local Government Code of Accounting Practice and Financial Reporting;
- Changes to AASB 124.

## LEGISLATIVE PROVISIONS

Reference should be made to the following legislation, guidelines and policy documents when reading this policy:-

- AASB 10 Consolidated Financial Statements;
- AASB 11 Joint Arrangements;
- AASB 124 Related Party Disclosures;
- AASB 128 Investments in Associates and Joint Ventures;
- Corporations Act 2001;
- Environmental Planning and Assessment Act 1979;
- Government Information (Public Access) Act 2009;
- Independent Commission against Corruption Act 1988 and ICAC Guidelines;
- Local Government Act 1993;
- Local Government (General) Regulations 2005;
- Local Government Amendment (Governance and Planning) Act 2016;
- Local Government Code of Accounting Practice and Financial Reporting Guidelines;
- Local Government (State) Award 2020;
- Office of Local Government Tendering Guidelines for NSW Local Government;
- Ombudsman Act 1974;
- Privacy and Personal Information Protection Act 1998;
- Public Interest Disclosures Act 1994;
- State Records Act 1998;
- Work Health and Safety Act 2011 and Regulations;
- Code of Conduct for Councillors, staff, contractors and delegates of Council;

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- Council Bribes, Gifts and Benefits Policy;
- Council Code of Business Practice;
- Council Code of Meeting Practice;
- Council Disciplinary Policy;
- Council Fraud and Corruption Prevention Policy;
- Council Government Information (Public Access) Policy:
- Council Payment of Expenses and Provision of Facilities Policy;
- Council Public Interest Disclosures Internal Reporting Policy;
- Council Purchasing and Acquisition of Goods Policy and Procedures.

#### VARIATION

Council reserves the right to review, vary or revoke this policy.

Appendix A – Related Party Transactions Notification



**RELATED PARTY TRANSACTION DISCLOSURE BY KEY MANAGEMENT PERSONNEL** 

Financial Year ... 2019-2020...

Name of Key Management Person:

.....

Position of Key Management Person:

.....

Please read the Related Party Disclosures Policy provided with this notification, which explains what is a related party transaction and the purposes for which Council is collecting, and will use and disclose, the related party information provided by you in this notification.

Please complete the table below for each Related Party Transaction with Council that you, or a close member of your family, or an entity related to you or a close member of your family:

- 1. has previously entered into **and** which will continue in the ......**2019-2020**...... financial year
- 2. has entered into, or is reasonably likely to enter into, in the ........**2019-2020**...... financial year

Related Party's Name (Individual's or entity's name)	Relationship	Nature of Transaction Existing or Potential	Dollar/Equivalent Value \$	Description of Transaction Documents

KMP Compensation (remuneration) in total and for each of the following categories:

Type of Remuneration	Short-term Employee Benefits \$	Post-Employment Benefits \$	Other long-term Benefits \$	Termination benefits \$

Note: Only the aggregate amount of KMP remuneration will be included in the Council Annual Financial Statements.

Disclosure

..... (Full name)

(Position)

notify that, to the best of my knowledge, information and belief, as at the date of this disclosure, the above information includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the ......2019-2020... financial year.

I make this disclosure after reading the Related Party Disclosures Policy provided by Upper Lachlan Shire Council, which details the meaning of the words "related party", "Related Party Transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Manager of Finance and Administration and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests in relation to me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Person: .....

Dated: .....

Appendix B – Examples of Related Parties and Transactions



## **EXAMPLES – RELATED PARTIES AND TRANSACTIONS**

#### Some specific examples of related party transactions may include:

- paying rates and utility charges in accordance with Council's schedule of Fees and Charges
- using Council's public facilities after paying the corresponding fees:
- entering into leases with Council or Council owned properties
- entering into contracts to provide/receive goods/services to/from Council
- use of Council assets free of charge (e.g. office space for personal reasons)
- writing off debts due to/by related parties

#### Company that is a Related Party of Council – Example 1

Upper Lachlan Shire Council () owns 90% of the shares in Upper Lachlan Regional Development Pty Ltd (the Company).

ULSC has assessed that it has control over the company. The company is therefore a related party of ULSC because ULSC controls it.

ULSC produces consolidated financial statements which include both a parent entity column and consolidated entity column. In the statements all individually significant transactions between ULSC and the company will need to be disclosed. For other transactions that are collectively, but not individually, significant ULSC will need to disclose a qualitative and quantitative indication of their extent.

ULSC must also disclose the nature of its relationship with the company.

#### Key Management Personnel – Close Family Members – Example 2

ULSC has recently employed Julie's son (Richard) in the Council's Works and Service area. Julie is Council's Mayor but was not involved in hiring Richard. This process was managed by the Human Resources Officer and included an independent assessment process. Julie did not have any influence in Richard securing the job.

Julie has been identified as a KMP of Council, which makes her a related party.

Richard will also be a related party of Council because he is a close family member of Julie. The recruitment process that was undertaken for Richard's postion is irrelevant when assessing whether Richard is a related party.

#### Key Management Personnel – Close Family Members – Example 3

The Mayor of Upper Lachlan Shire Council (Julie) has lived in the Shire her whole life. In fact her family has been in the area for over three generations.

Julie's cousin Sally, owns and operates a local newsagent through a company Today's News Pty Ltd, of which she is 100% owner. Julie and Sally have always been close and regularly socialise.

Julie has been identified as a KMP of the Council. Sally is classified as a close family member of Julie because she would be able to influence, or be influenced by, that person with her dealings with Council.

Both Sally and the Company she controls, Today's News Pty Ltd would both be related parties of the Council. Any transactions that the Council makes with the newsagent would need to be separately identified and need to be disclosed.

#### Entities that are Controlled or Jointly Controlled by KMP or their Close Family Members – Example 4

The Mayor of Upper Lachlan Shire Council (Julie) is the President of Taralga Football League Inc, the local rugby club. The club is overseen by a committee which comprises the President and five other committee members. Each member has a single vote when making decisions at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 150 members that each have a vote in electing the committee members at the club's annual general meeting.

The Mayor does not control or jointly control the football club so it will not be a related party of Council just because the Mayor is the President of the club.

However, an entity where Julie has a close family member who has a voting right they would be considered as a related party.

#### Different Party Transactions that may occur between Related Parties - Example 5

The Council's functions include raising revenue to fund its functions and activities, and planning for and providing services and facilities (including infrastructure) for the local community. In carrying out its functions, the Council undertakes a wide range of activities including the imposition of rates and charges upon constituents, and the provision without charge of services such as parks and roads.

Councillor Paul is a ratepayer residing within the Council's constituency. As such, Councillor Paul takes advantage of the availability of free public access to local parks and libraries. Councillor Paul also used the swimming pool at the Council's Aquatic Centre twice during the financial year, paying the casual entry fee applicable to the general public each time. The recreation centre has approximately 20,000 visitors each financial year.

All of the transactions described above between the Council and Councillor Paul are related party transactions of the Council considered for disclosure in the Council's general purpose financial statements. Based on the facts and circumstances described, the Council may determine that

these transactions are unlikely to influence the decisions that users of the Council's financial statements make having regard to both the extent of the transactions, and that the transactions have occurred between the Council and Councillor Paul within a public service provider/ratepayer relationship.

#### **Contentious Issues**

Note: where there are contentious issues in the determination of related party disclosures Council should seek advice from the External Auditor.

When assessing whether a KMP or close family member controls, or jointly controls, an entity Council will need to refer to ASSB 10 and ASSB 11.

## Example of completed 'Related Party Transaction Disclosure by Key Management Personnel' form



RELATED PARTY TRANSACTION DISCLOSURE BY KEY MANAGEMENT PERSONNEL (EXAMPLE)

Financial Year 2016/2017

Name of Key Management Person:

Julie Smith

Position of Key Management Person:

Mayor

Please read the Related Party Disclosures Policy provided with this notification, which explains what is a related party transaction and the purposes for which Council is collecting, and will use and disclose, the related party information provided by you in this notification.

Please complete the table below for each Related Party Transaction with Council that you, or a close member of your family, or an entity related to you or a close member of your family:

- 1. has previously entered into **and** which will continue in the <u>2016/2017</u> financial year
- 2. has entered into, or is reasonably likely to enter into, in the 2016/2017 financial year

Related Party's Name (Individual's or entity's name)	Relationship	Nature of Transaction Existing or Potential	Dollar/Equivalent Value \$	Description of Transactions and/or Documents
Julie Smith		Payment of Rates	\$2,172.69	Rates Notice
Julie Smith		Payment of Water Charges	\$650.00	Water Bill Account
Julie Smith	President of Taralga Football League Inc.	Nil	Nil	N/A
Julie Smith		Private Works – Maintenace on private access road	\$8,500.00	Council Invoice
Richard Smith	Son	Employee of ULSC	\$40,500.00	Normal Employee Wages
Sally Smith	Cousin	Stationery Sales	\$1,000.00	100% Owner of Today's News Pty Ltd – 30 day Terms on Invoices

KMP Compensation (remuneration) in total and for each of the following categories:

Type of Remuneration	Short-term Employee Benefits \$	Post-Employment Benefits \$	Other long-term Benefits \$	Termination benefits \$
Councillor Remuneration	\$16,800			

Note: Only the aggregate amount of KMP remuneration will be included in the Council Annual Financial Statements.

#### Disclosure

\_\_\_\_\_Julie Smith , Mayor (Full name) (Position)

notify that, to the best of my knowledge, information and belief,

as at the date of this disclosure, the above information includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the <u>2016/2017</u> financial year.

I make this disclosure after reading the Related Party Disclosures Policy provided by Upper Lachlan Shire Council, which details the meaning of the words "related party", "Related Party Transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Manager of Finance and Administration and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests in relation to me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Person: <u>Julie Smith</u> Dated: <u>30 June 2017</u>

## Appendix C – Related Party Register



## RELATED PARTY REGISTER

Name	Relationship	Nature of Transactions	Terms and Conditions	Reference - Supporting Evidence

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

## ITEM 13.3 REVIEW OF FUND RAISING AND STREET STALLS POLICY

164/20 <u>RESOLVED</u> by Cr Searl and Cr Wheelwright

- 1. Council adopts the reviewed Fund Raising and Street Stall 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

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

POLICY:-	
Policy Title:	Fund Raising Activities and Street Stall Policy
File Reference:	F10/618-04
Date Policy was adopted by Council initially:	26 October 2006
Resolution Number:	315/06
Other Review Dates:	20 November 2008, 20 October 2011, 17 July 2014 and 20 April 2017
Resolution Number:	366/08, 400/11, 214/14 and 105/17
Current Policy adopted by Council:	21 September 2020
Resolution Number:	<mark>164/20</mark>
Next Policy Review Date:	2023

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

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

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### OBJECTIVES

- To provide guidelines for the monitoring and control of the use of street stalls, raffle ticket sales, door knock appeals or other activities conducted by community organisations and/or other persons for fund raising activities.
- 2. To monitor and manage activities in public places, such as public footpaths, under the control and/or management of Council (excluding public reserves / community land areas).
- To ensure that fund raising activities do not adversely impact on residents or business operators, whilst at the same time providing an opportunity for fundraising for community organisations.

#### NO POLICY EXEMPTIONS DURING COVID-19 WITHOUT CONSENT FROM COUNCIL

- This policy only applies to public places under the control and/or management of Council and does not apply to public reserves / community land areas which are subject to separate arrangements or Plans of Management and/or approvals by Council.
- 2. Fundraising activity coordinated by non-profit organisations established externally outside the Upper Lachlan Shire Council are not exempt from procedures in this policy. These non-profit organisations may have days allocated for street stalls that shall not conflict with bookings made by local Upper Lachlan Shire Council based organisations at the direction of Council's General Manager. Examples include; Canteen Children's Foundation, Cancer Council of NSW, and Heart Foundation. However, these non-profit organisations must have public liability insurance of at minimum twenty million dollars (\$20,000,000) and a certified copy of the policy <u>must be</u> provided to Council\*\*
- There are no exemptions from the requirements to obtain Council approval for fund raising activities in public places within the Council area due to COVID-19.

#### PROCEDURES RELATING TO APPROVALS

- 1. Street stalls or other fund raising activities held on the footpaths within the central business district of Crookwell, Gunning, Taralga and other villages within Council's LGA require the approval of Council.
- 2. The following arrangements apply to fundraising activities:
  - a. In Crookwell, fund raising activities shall be conducted from the facility located in the Amenities Building, Goulburn Street.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

In addition, fund raising activities may be conducted by an approved organisation may also have a small table and chair located on the footpath adjacent to the Crookwell Newsagency and the IGA Supermarket subject to the following:-

- (i) The table location is only to be used for the selling of tickets;
- (ii) No product/items to be displayed at that location (including adjacent road way); and
- (iii) The table and chair shall be positioned so as not to obstruct use of the footpath, lines of sight, doorways and the like.
- (iv) Approval is granted by the Council.

In Crookwell, Gunning, Taralga and the other villages fund raising activities shall be conducted from sites only by prior approval from the General Manager.

Note: the display of items / products associated with fundraising is subject to the liability of the approved organisation. In that respect the organisation must ensure compliance with other legislation (e.g. traffic regulations, health, work health and safety, etc).

- b. The fundraising activity must be conducted by non-profit organisations, which are represented by a Committee established in the Upper Lachlan Shire Council or broader/larger not for profit organisation such as the ones provided in the previous page of this policy.\*\*
- c. The fundraising activity must clearly indicate the organisation they represent.
- d. Allocation of dates will be made by Council following the calling of applications in September / October each year. Applications are to be made on Council's prescribed form.
- e. Applications received other than through the annual process will be allocated vacant dates (if available).
- f. All applications must include a copy of the organisation/committee COVID-19 safety plan (note this is a requirement of NSW Health)
- g. All applications must be approved by Council's General Manager prior to fundraising activities taking place.
- h. Only one (1) allocation will be made per day, except in the two (2) weeks prior to Christmas each year when multiple bookings will be permitted. In this case between the dates of 10 December to 24 December, first bookings with the Council will get preference to the amenities block or outside IGA

## MINUTES OF THE ORDINARY MEETING OF COUNCIL

#### HELD IN THE COUNCIL CHAMBERS

## **ON 17 SEPTEMBER 2020**

and Newsagency. Second booking will be able to share with IGA and Newsagency, (two (2) tables on either side of entry, dependant on the COVID-19 situation at the time).

- i. The site is to be cleaned and left in a tidy manner at the completion of the fund raising activities.
- j. On community activity/festival days (e.g. Crookwell Potato Festival and Taralga Rodeo) the use of the street stall will be at the discretion of the organisers of those days (subject to bookings and approval being made in accordance with the provisions of this Policy).
- k. Fund raising activities must not affect pedestrian traffic movement and public safety.
- I. Fund raising organisations except those exempt under the Charitable Fund Raising Act 1991, must hold an authority from the Chief Secretary's Department to conduct fund raising activities.
- m. Collectors for charitable collections shall wear appropriate identification indicating the organisation they represent and must make documentation available for inspection at any time.
- n. The approval for a door knock appeal; i.e. Salvation Army Red Shield Appeal, shall include a requirement that the applicant suitably advertise the appeal prior to the event in a manner that will inform residents of the reasons for the appeal.
- o. The collection of money from the occupants of motor vehicles within the Council area is strictly prohibited.
- p. No amplified speech or noise is to be used for fund raising activities.
- q. Food items displayed and sold under this Policy must comply with the Food Act 2003 and the Food Regulation 2010.
- r. Councils' General Manager is delegated the authority to issue approvals in respect of Fund Raising Activities.
- s. Enforcement of above procedures will be in accordance with Council's Enforcement Policy.
- t. All organisations must have appropriate public liability insurance of at minimum ten million dollars (\$10,000,000) and a certified copy of the policy <u>must be</u> provided to Council with the application.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS

## ON 17 SEPTEMBER 2020

#### RELATED LEGISLATION AND COUNCIL POLICY AND PROCEDURES

Reference should be made to the following legislation, guidelines and policy documents when reading this policy:-

- Local Government Act 1993 (as amended);
- Food Act 2003;
- Food Regulation 2010;
- Environmental Planning and Assessment Act 1979;
- Local Government (General) Regulations 2005;
- Anti Discrimination Act 1977;
- State Records Act 1998;
- Government Information (Public Access) Act 2009;
- Council's Community Strategic Plan;
- Council's Social and Community Plan;
- Council's Cultural Plan 2017-2020;
- Council's Complaints Policy;
- Council's Code of Conduct;
- Council's Service Delivery Policy; and
- Council's Enforcement Policy.

## VARIATION

Council reserves the right to vary or revoke this policy and its terms and conditions.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

## **UPPER LACHLAN SHIRE COUNCIL**

44 Spring Street CROOKWELL NSW 2583 **123 Yass Street** GUNNING NSW 2581

STREET STALL / DOOR-KNOCK ACTIVITIES

## APPLICATION FORM

*In accordance with Upper Lachlan Shire Council's Fund Raising Activities and Street Stall Policy.* 

Please email <u>council@upperlachlan.nsw.gov.au</u> a copy of your application form including pages 1 - 5 of this document to agree you have read and accept the above. Please ensure the below is also provided.

- COVID-19 officer's details (full name, email and contact number)
- Insurances (public liability)
- Business / Committee COVID-19 safety plan

For assistance with COVID-19 Safety plans head to <u>https://www.nsw.gov.au/sites/default/files/2020-07/covid-19-safety-plan-non-food-markets.pdf</u>

NAME OF ORGANISATION:	
Is it a non-profit organisation?	YES / NO
Is it represented by a Committee established in the Upper Lachlan Shire Council?	YES / NO
Does the organisation have public liability insurance with a indemnity limit of \$10 million as a minimum?	an YES / NO
A certified copy of the public liability insurance	

policy is attached to this application? YES / NO

(If the answer to all of the above is 'YES' proceed with the application)

NAME OF PERSON IN	
CHARGE OF ORGANISATION	
ORGANIZATION / COMMITTEE	
PO BOX OR ADDRESS OF	
ORGANISATION / COMMITTEE	
PHONE NUMBER	

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS

## ON 17 SEPTEMBER 2020

FROM AM / PM TO AM / PM			
**NOTE TO UNDERSTAND THE ROLE OF A COVID OFFICER HEAD TO			
GOV.AU/OFFICER-DUTIES-COVID-19			

Full name	Signature	Date

The provisions of Councils' Policy in regard to Fund-Raising Activities is acknowledged by the signature of the applicant.

# ITEM 13.4 2019/2020 BUDGET REVOTES TO CARRY FORWARD TO INTERNAL RESTRICTED RESERVE

165/20 <u>RESOLVED</u> by Cr Searl and Cr Wheelwright

. . .

1. Council approves the 2019/2020 transfers to the Council internal restricted reserve fund totalling \$5,410,395 including revote of uncompleted works expenditure projects.

- 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

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### SECTION 14: GENERAL MANAGER

ITEM 14.1 DISCLOSURES OF INTEREST BY COUNCILLORS AND DESIGNATED PERSONS UNDER CLAUSE 4.21 OF THE COUNCIL CODE OF CONDUCT

166/20 <u>RESOLVED</u> by Cr Searl and Cr O'Brien

1. Council notes the tabling of the Disclosures of Pecuniary Interest Returns by Councillors and Designated Persons to 30 June 2020.

- 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 ELECTION OF MAYOR (SECTION 225-230, LOCAL GOVERNMENT ACT, 1993)

Item dealt with at the commencement of the meeting.

# ITEM 14.3 ELECTION OF DEPUTY MAYOR (SECTION 231, LOCAL GOVERNMENT ACT, 1993)

Item dealt with at the commencement of the meeting.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

## ITEM 14.4 COUNCIL MEETINGS - TIMES AND FREQUENCY

167/20 <u>RESOLVED</u> by Cr Searl and Cr McCormack

- 1. Ordinary Council Meetings are to be held on the third Thursday of the month at Crookwell (no meeting held in January) with all meetings to commence at 9:00am, as per the following schedule of meeting times and dates:
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 October 2020 commencing at 9:00am
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 19 November 2020 commencing at 9:00am
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 17 December 2020 commencing at 9:00am
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 February 2021 commencing at 9:00am
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 March 2021 commencing at 9:00am.
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 April 2021 commencing at 9:00am.
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 20 May 2021 commencing at 9:00am.
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 17 June 2021 commencing at 9:00am.
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 July 2021 commencing at 9:00am.
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 19 August 2021 commencing at 9:00am.
  - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 September 2021 commencing at 9:00am.

- 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

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

## ITEM 14.5 COLLECTOR VILLAGE PUMPKIN FESTIVAL COMMITTEE

168/20 <u>RESOLVED</u> by Cr Searl and Cr McCormack

- 1. Council receives and notes the report as information.
- Collector Village Pumpkin Festival Committee Meeting Minutes – 21 August 2020 be received.
- Collector Village Pumpkin Festival Committee Meeting Minutes – 4 September 2020 be received.
- 4. Council resolve that on the Section 355 Collector Village Pumpkin Festival Committee be dissolved.
- 5. Council resolves that any residual monies held by the Section 355 Collector Village Pumpkin Festival Committee be transferred into Council internally restricted reserve fund for the purposes of and the benefit of the Collector village. All bank accounts to be closed by 16 December 2020.
- 6. Council write to thank the committee for their services.

- 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 14.6 COUNCIL AGENDA FORMAT AND COMMITTEES STRUCTURE

169/20 <u>RESOLVED</u> by Cr Searl and Cr Wheelwright

- 1. Council adopts Schedule A as the Agenda for the business of the Ordinary Meeting of Council.
- 2. Council adopts Schedule B as being appropriate for the various Committee structures, current Committee memberships and appointment of representations/delegates.
- 3. Council appoints the below-mentioned Committees in accordance with Clause 260 of the Local Government (General) Regulation 2005.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

4. Council has a workshop to discuss the future structure of all committees and a further report be provided to the November Council meeting.

## COMMITTEES, STAFF AND COUNCILLOR MEMBERSHIP

#### Audit, Risk & Improvement Committee

#### Function:

The Audit, Risk & Improvement Committee will act as an advisory Committee to Council. The primary role of the Committee is to assist Council in the effective operation of its responsibilities for financial reporting, risk management, investments, governance, to maintain and review the internal control systems and to facilitate the organisation's ethical development. The Audit, Risk & Improvement Committee will liaise with Council's external auditor and internal auditor to facilitate achieving the organisational goals and maintaining efficient work practices.

Council Delegates: - Clr Culhane, Clr Wheelwright and Clr Searl

**Staff Representation (non-voting):** - General Manager, Director of Finance & Administration, Manager of Finance & Administration and Manager Risk, Audit and improvement. Management Accountant (As required)

*Community Representation*: Mr William Martin, Mr Malcolm Barlow and Mr Denis Marshall.

*Meets:* Quarterly.

Minute Secretary: Administration Officer

#### Code of Conduct Committee/Sole Conduct Reviewers

#### Function:

The following are the objectives for the Code of Conduct Committee -

- Give consideration to any complaints that may be received by or from Council in respect to corrupt conduct, maladministration and waste of public resources.
- Investigate such complaints and then report upon the findings of such complaints.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- Maintain close liaison with the NSW Ombudsman and the Independent Commission Against Corruption.
- > Advise any complainants of the outcome of such investigation.

In accordance with the "Part 3 Administrative Framework, Procedures for the Administration of the Model Code of Conduct", Council must by resolution establish a panel of conduct reviewers. Council may by resolution, enter into an arrangement with one or more other Councils to share a panel of conduct reviewers.

At the Council Meeting held on 19 September 2019 under resolution no. 251/19 Council resolved that Council in accordance with Part 3, of the Administrative Framework Procedures for the Administration of the Model Code of Conduct for Local Councils, appoints suppliers, for a three year term to expire on 30 June 2022, to a Panel of Conduct Reviewers as follows:-

- Echidna Associates
- Meehan and Meehan
- Applied Integrity Solutions
- Train Reaction
- Sinc Solutions
- Centium
- O'Connor Marsden
- Australian Workplace Training
- Weir Consulting
- Mediate Today
- Nemesis Consultancy Group
- Redenbach Lee Lawyers

Council Delegates: Nil.

Meets: As and when required.

*Minute Secretary*: Executive Assistant.

#### Consultative Committee

#### Function:

To provide a forum for consultation between Council and its employees to positively co-operate in the implementation of award restructuring and ensuing workplace reform to enhance the efficiency and productivity of the Council and to provide employees with access to career opportunities and more fulfilling, varied and better paid jobs. In an advisory capacity only, to consider:-

## MINUTES OF THE ORDINARY MEETING OF COUNCIL

## HELD IN THE COUNCIL CHAMBERS

## ON 17 SEPTEMBER 2020

- > Commitment to equal employment opportunity principles.
- New work function descriptions.
- Organisation structure.
- > Personnel policies and practices and employment arrangements.
- > Work and Management practices and employment arrangements.
- Skills audit and job analysis.
- Council competency standards for progression within the skills based award.
- > Multi-skilling opportunities.
- > New career paths within the terms of the skills-based award.
- > Council agreements which may include such items as:-
  - hours of work;
  - training;
  - performance;
  - local conditions;
  - salary points; and
  - work practices.

*Minute Secretary*: Executive Assistant.

*Meets*: First Monday bi-monthly at 11.00am.

**Staff Representation:** David Scott (Chair), Susie Pearman, Chris Wray, Stephen Lloyd, Rodney Stephenson (LGEA), Brian Smithers (DEPA), General Manager, Director of Environment & Planning, Manager of Infrastructure Delivery, Human Resource Coordinator (Management).

## Performance Review Committee - General Manager

## Function:

- To assess the performance of the General Manager against agreed objectives and performance criteria.
- Council is in compliance with Circular 07-52 from the Director General of the Department of Local Government directing that the whole process of performance management be delegated to a Performance Review Panel, including decisions about performance, any actions that should be taken, and the determination of the new performance agreement.
- Whilst the Council can undertake the performance management of its General Manager, it delegates this task to the Performance Review Panel.
- It is Council practice to enable Councillors not on the Panel to provide feedback to the Mayor in the week prior to each performance review.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- The Performance Review Panel provides a superior forum for constructive discussion and feedback.
- The result of the Performance Review will be reported to a closed meeting of Council.
- As per the Department of Local Government Circular 07-52 direction, the report in the closed meeting of Council is not to be an opportunity to debate the results, or re-enact the performance management of the General Manager.

*Council Delegates*: The Mayor, Deputy Mayor, Clr Kensit and Clr McCormack.

*Meets*: Annually.

#### Local Traffic Committee

#### Function:

Primarily a technical review committee that advises Council on traffic related matters in the Upper Lachlan Shire Council area.

<u>Note:</u> Where Council decides to act contrary to the Traffic Committee advice, written notification must be provided to the Roads and Maritime Service and to the NSW Police Force with no further action taken within 14 days from the date of written notification.

*Council Delegate*: Clr McCormack; (1 Vote) (Clr Searl as alternate representative).

*Meets:* Quarterly

*Minute Secretary*: Engineering Executive Assistant *Other Representation:* RMS representative (1 Vote), Police Representative (1 Vote) and Local Members Representatives (1 Vote).

*Other Staff Involved*: Director of Infrastructure, Manager of Asset and Design, and Road Safety Traffic and Assets Officer.

#### Workplace Health and Safety Committee

#### Function:

In an advisory capacity to:

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- Keep under review the measures taken to ensure the health and safety of the persons at the place of work;
- Investigate any matter at the place of work which a member of the Committee or a person employed there at considers is not safe or is a risk to health, and which has been brought to the attention of the employer;
- Attempt to resolve any such matter but, if it is unable to do so, shall request an inspector under the associated work health and safety legislation to undertake an inspection of the place of work for the purpose;
- Assist in the development of an appropriate recording system of accidents and hazardous situations in respect of the place of work;
- Assist in the development of safe working environment and safe systems of work;
- Monitor the measures taken to ensure the proper use, maintenance and, if necessary, replacement of equipment considered likely to create hazardous situations;
- Make such recommendations as it thinks appropriate to ensure the health and safety of persons at that place of work.

*Meets*: First Monday bi-monthly at 9.30am.

*Minutes Secretary:* Executive Assistant.

**Staff Representation:** P Cramp – Chair (Workshop), J Croke (Works Staff), S Poidevin (Works Staff), S Hassett (Water waste), S Roberts (Works Staff), K Anderson (Finance & Administration) S Bill (Noxious Weeds) Ms E McGeechan (Store), K Kara (Human Resources Coordinator), B Churchill (WH&S Coordinator), Ms D Woodwell (WH&S) General Manager (Management) and Manager of Infrastructure (Management).

## **SECTION 355 COMMITTEES**

#### Access Committee

**Functions of the Committee:** Provide input to Council on access issues and to assist with the ongoing development of the Disability Action Plan.

Council Delegate: Clr Searl and Clr Wheelwright.

Minute Secretary: Engineering Executive Assistant.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL

#### HELD IN THE COUNCIL CHAMBERS

#### ON 17 SEPTEMBER 2020

**Staff Representation:** Director of Infrastructure, Manager of Asset and Design, Road Safety Traffic and Assets Officer and Director of Environment & Planning (where required).

*Meets:* Quarterly

#### **Biala Wind Farm Community Enhancement Fund Committee**

**Function:** To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

*Council Delegate*: Mayor or Clr McCormack (as alternate representative).

*Staff Representation:* General Manager and Director of Environment & Planning (as alternate representative).

*Community Representation*: Two vacancies (EOI's yet to be advertised).

*Wind Farm Representation*: To be announced (Biala Wind Farm representative).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Bigga Memorial Hall Committee**

**Functions of the Committee:** The care, control and management of the Bigga Memorial Hall in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council.

Council Delegate: Clr Wheelwright.

*Staff Representation*: Director of Environment & Planning (as required).

*Meets:* As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Binda Hall Committee**

**Functions of the Committee:** The care control and management of the Binda Hall in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

Council Delegate: Clr Wheelwright.

*Staff Representation*: Director of Environment & Planning (as required).

*Meets:* As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### Breadalbane Community Hall Committee

*Functions of the Committee*: The care, control, management and organisation of the Breadalbane Community Hall in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

#### Council Delegate: Clr Searl.

*Staff Representation*: Director of Environment & Planning (as required).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Building Review Committee**

**Functions of the Committee:** To provide recommendations to Council on options for possible locations for a possible relocation of the Works Depot in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

*Council Delegates*: Clr Opie, Clr Cummins and Clr Kensit.

*Staff Representation:* - General Manager, Director of Infrastructure, Director of Environment & Planning and Director of Finance & Administration.

*Community Representation*: Mr Jerome Rowley and Mr Sean Proudman.

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### **Collector Oval Committee**

*Functions of the Committee*: The care, control, management and organisation of the Collector Oval in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr Searl.

Staff Representation: Director of Infrastructure (as required).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

### **Collector Wind Farm Community Enhancement Fund Committee**

**Function:** To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor and Clr Searl (as alternate representative).

*Staff Representation:* General Manager and Director of Environment & Planning (as alternate representative).

*Community Representation*: Two vacancies (EOI's yet to be advertised).

*Wind Farm Representation*: To be announced (Collector Wind Farm representative).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### Community Technology Centre Committee

*Functions of the Committee*: The care, control, management and organisation of the Community Technology Centres in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr Opie.

Staff Representation: - Director of Finance & Administration.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL

### HELD IN THE COUNCIL CHAMBERS

# ON 17 SEPTEMBER 2020

*Meets:* As required as per Upper Lachlan Shire Council Sec 355 Committee Policy

# Crookwell & District Arts Gallery

*Functions of the Committee*: The care, control, management and organisation of the Crookwell Arts Gallery in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr Kensit.

Staff Representation: - None.

*Meets*: Monthly.

# **Crookwell & District Historical Society**

**Functions of the Committee:** The care control and management of the history of the Crookwell portion of the area in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council.

*Council Delegate*: Clr Kensit and Clr Culhane (as alternate representative).

*Meets:* Second Thursday of each month.

### <u>Crookwell II & III Wind Farms Community Enhancement Fund</u> <u>Committee</u>

**Function:** To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

*Council Delegates*: Clr Culhane and Clr Cummins (as alternate representative).

*Staff Representation:* General Manager and Director of Environment & Planning (as alternate representative).

*Community Representation*: Katrina Nixon and One vacancy (EOI's advertised).

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

*Wind Farm Representation*: To be announced (Crookwell II Wind Farm representative).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

### Crookwell Potato Festival Committee

*Functions of the Committee*: The care, control, management and organisation of the annual Crookwell Potato Festival in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any budget that is voted by Council annually.

*Council Delegate*: Clr Opie, Clr Kensit and Clr Culhane (as alternate representative).

Staff Representation: - Tourism Manager.

*Meets:* As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Crookwell Memorial Hall Committee**

**Functions of the Committee:** The care, control and management of the Crookwell Memorial Hall in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council. Responsibility for the care, control and management of the Crookwell Memorial Hall for a period of five years from 1 September 2008 in accordance with the Management arrangement with Council.

Council Delegate: Clr O'Brien.

*Staff Representation:* - Director of Environment & Planning and Manager of Library Services (as required).

Meets: Bi-monthly

#### **Cullerin Wind Farm Community Enhancement Fund Committee**

**Function:** To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

Council Delegates: Mayor and Clr Searl (as alternate representative).

*Staff Representation:* General Manager and Director of Environment & Planning (as alternate representative).

*Community Representation*: Mrs J Boyce and Mr M Coley.

*Wind Farm Representation*: Ms Katrina Nelson (Cullerin Wind Farm representative) and Mrs Rachael Foley (as alternate representative).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

# Economic Development Task Force Committee

**Function:** To consider and improve economic development strategies for the Upper Lachlan Shire, to act as an umbrella group for other organisations in the Shire with the Taskforce's aims being:

- To work closely with Shire staff and Council, especially the Environment and Planning Department via the Economic Development Officer.
- To develop and pursue strategies to improve the services, infrastructure and lifestyle of the shire.
- To increase the job opportunities in the Shire allowing existing businesses to be successful and expand.
- To increase the population of the shire in a controlled manner by promoting the residential qualities, relaxed lifestyle and attractiveness of the area.
- To identify, plan and attract professionals, businesses and light industry to the Shire.
- To build on the Shire's rural strengths.

Council Delegates: All Councillors with Mayor as Chair.

*Staff Representation:* Director of Environment & Planning.

*Community Representation*: Mr Andrew Lindner, Ms Catherine Duff, Daryl Smith, Susan Reynolds and Terry Lovelock (one vacancy)

Minute Secretary: Economic Development Officer

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### Gullen Range Wind Farm Community Enhancement Fund Committee

**Function:** To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

*Council Delegate*: Mayor or Clr Culhane (as alternate representative).

*Staff Representation:* General Manager and Director of Environment & Planning (as alternate representative).

*Community Representation*: Mr Floyd Davies and Mr David Johnson.

Goulburn Mulwaree Representation: Mr Scott Martin.

*Wind Farm Representation*: Mr Derek Powell (Gullen Range Wind Farm representative).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

### **Gunning Arts Festival Committee**

*Functions of the Committee*: The care, control, management and organisation of the Gunning Arts Festival in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

*Council Delegate*: Clr Kensit or Clr Searl (as alternate)

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Gunning Golf Club Management Committee**

*Functions of the Committee*: The care, control, management and organisation of the Gunning Golf Club in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr Searl.

Staff Representation: Director of Infrastructure (where required).

# MINUTES OF THE ORDINARY MEETING OF COUNCIL

#### HELD IN THE COUNCIL CHAMBERS

### ON 17 SEPTEMBER 2020

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

### Gunning Shire Hall and Showground Precinct Advisory Committee

*Functions of the Committee*: To provide advice with respect to the care, control, management and organisation of the Gunning Shire Hall and Showground Precinct in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr Searl.

*Staff Representation:* Director of Infrastructure and Director of Environment & Planning (as required).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Pool Review Committee**

*Functions of the Committee*: To provide advice with respect to the investigation of a hydrotherapy pool, a heated pool and the performance and adequacy of the existing pools within the Upper Lachlan Shire Council local government area.

Council Delegate: Clr Culhane and Clr Kensit.

*Staff Representation:* Director of Infrastructure and Coordinator Recreation and Waste

Community Representation: Mr John Oke and Mrs Julie Simpson.

*Meets*: As required.

#### Rye Park Wind Farm Community Enhancement Fund Committee

**Function:** To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

*Council Delegate*: Mayor or Clr Wheelwright (as alternate representative).

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

*Staff Representation:* General Manager and Director of Environment & Planning (as alternate representative).

*Community Representation*: Two vacancies (EOI's yet to be advertised).

*Wind Farm Representation*: To be announced (Rye Park Wind Farm representative).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

### Sport & Recreation Committee

**Function:** To advise Council on matters involving the use, maintenance and improvement of Sporting Fields and Recreational Facilities throughout the Upper Lachlan Shire.

**Council Delegates:** Clr Culhane (Chair), Clr O'Brien, Clr Stafford and Clr Searl

*Minute Secretary*: Engineering Executive Assistant.

*Staff Representation:* Parks & Gardens Supervisor and Director of Infrastructure (where required).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Stonequarry Cemetery Committee**

**Functions of the Committee:** The care control and management of the Stonequarry Cemetery in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council.

Council Delegate: Clr Stafford.

Staff Representation: Director of Infrastructure (where required).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Streetscape Committee**

**Functions of the Committee:** To provide higher level guidance and advice (not on operational matters) in relation to the Streetscape Project to Council and to act as a conduit between the Community and

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

Council's Project Control Group that is responsible for delivering the Streetscape Project in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council.

*Council Delegates*: Clr Cummins, Clr Searl and Clr Stafford.

*Staff Representation*: Director of Infrastructure, Project Manager and General Manager (where required).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

### Taralga War Memorial Hall Committee

*Functions of the Committee*: The care, control, management and organisation of the Taralga Memorial Hall in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr Stafford.

*Staff Representation*: Director of Environment & Planning (when required).

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

#### **Taralga Wind Farm Community Enhancement Fund Committee**

**Function:** To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Clr Stafford.

*Staff Representation:* General Manager and Director of Environment & Planning (as alternate representative).

Community Representation: Mr Brian Moloney and Mr Craig Croker.

Wind Farm Representation: Krista Kim.

*Meets*: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

### Tuena Hall and Recreation Area Committee

**Functions of the Committee:** The care control and management of the Tuena Hall and Recreation Area in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council.

Council Delegate: Clr Wheelwright.

*Meets:* As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

# Upper Lachlan Australia Day Committee

**Functions of the Committee:** The Australia Day Committee will be responsible for the co-ordination of the official Australia Day celebrations across the Upper Lachlan Shire. Subject to the Australia Day Guidelines the Committee's responsibilities in respect of this event are as follows:

- a) The Committee will: organise the Ambassador, provide recommendations to Council on the annual Australia Day Awards and Sportsperson of the Year Awards and be responsible for expenditure as per Operational Plan allocation.
- b) The Council will: be responsible for any administrative assistance to the Committee and be responsible for funding as per the Operational Plan for the current year.

Council Delegates: Clr Kensit, Clr Stafford, Clr O'Brien and Clr Searl.

*Minute Secretary*: Executive Assistant.

Staff Representation: - Director of Finance & Administration.

*Meets:* As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

# **Upper Lachlan Tourist Association**

**Functions of the Committee:** The care control and management of the tourist function of the Upper Lachlan area in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council. *Council Delegates*: Clr Searl and Clr Opie.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

Staff Representation: Tourism Manager.

*Meets*: Second Monday bi-monthly at 1.00pm.

**Other Staff Involved:** Director of Finance & Administration and Manager of Finance and Administration (as alternate delegate). **Youth Council (YA'MAD)** 

*Functions of the Committee*: The care, control, management and organisation of the Upper Lachlan Shire Youth Council in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within any budget that is voted by Council annually.

Council Delegate: Vacant.

Staff Representation: - Economic Development Officer.

*Meets:* As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

### COUNCIL DELEGATES / REPRESENTATIONS (OTHER THAN COUNCIL COMMITTEES)

#### **Biala Wind Farm Community Consultative Committee**

Council Delegate: Clr Culhane

Meets: As required.

#### Canberra Region Joint Organisation (CRJO)

**Objective**: To advocate on agreed regional positions and priorities for South East NSW whilst providing a forum for regional cooperation and resource sharing and nurturing investment and infrastructure development.

*Membership*: Bega Valley Shire Council, Eurobodalla Shire Council, Goulburn Mulwaree Council, Hilltops Council, Queanbeyan-Palerang Regional Council, Snowy Monaro Regional Council, Upper Lachlan Shire Council, Wingecarribee Shire Council, Yass Valley Council with associate members being the ACT Government, East Gippsland Shire Council, Snowy Valleys Council and Wagga Wagga City Council.

Council Delegate: Mayor

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

Staff Representation: General Manager

Meets: Quarterly

**Collector Community Association** 

Council Delegate: Clr Searl.

Meets: Monthly

### **Collector Wind Farm Community Consultative Committee**

*Council Delegate*: Mayor and Clr Searl (as alternate representative). *Meets*: As required.

### **Country University Centre Committee**

Council Delegate: Clr Kensit

*Meets:* Monthly

# **Crookwell Community Consultation Committee (Health)**

*Council Delegate*: Clr Kensit and Clr Culhane (as alternate representative).

Meets: Second Wednesday of the month at 10.30am

### <u>Crookwell II and III Wind Farm Community Consultative</u> <u>Committee</u>

Council Delegate: Clr Culhane

Meets: As required.

#### Goulburn-Crookwell Rail Trail Working Party

Council Delegate: Clr Culhane

*Staff Representative:* Director of Infrastructure, Economic Development Officer and Tourism Manager.

Meets: As required

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

#### **Gullen Range Wind Farm Community Consultative Committee**

*Council Delegate*: Clr Culhane and Clr Wheelwright (as alternate representative). *Meets*: As required.

#### **Gunning District Association**

Council Delegate: Clr Searl.

*Meets*: Monthly <u>Gunning District Community and Health Service Inc Management</u> <u>Committee</u>

Council Delegate: Clr Searl.

*Meets*: Monthly

# **Gunning & District Historical Society**

Council Delegate: Clr Searl.

*Meets:* Fourth Thursday of each month.

# Gunning Wind Farm Community Enhancement Program Advisory Group

Council Delegate: Mayor.

Staff Representation: General Manager.

*Meets*: As required.

# Kiamma Creek Landcare Group

Council Delegate: Clr McCormack

Meets: Quarterly

#### Local Government NSW (LGNSW)

*Objective:* To promote the interests of Metropolitan, Rural and Urban Councils at a divisional level.

Membership: All Councils in NSW.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

Council Delegate: Mayor

Staff Representation: General Manager

Meets: As required.

### **Regional Hockey Centre Committee**

Council Delegate: Clr Culhane.

Meets: As required.

# Rye Park Wind Farm Community Consultative Committee

*Council Delegate*: Clr Wheelwright and Clr Kensit (as alternate representative).

*Meets*: As required.

# South East Australian Transport Strategy Inc (SEATS)

**Objective**: To stimulate and facilitate investment in transport and infrastructure in south eastern NSW, eastern Victoria and the ACT.

Council Delegate: Clr Wheelwright.

Staff Representation: Director of Infrastructure

Meets: Quarterly

#### Southern Tablelands Bush Fire Management Committee

*Council Delegate*: Clr Wheelwright and Clr Culhane (as alternate representative).

Meets: Quarterly

Staff Representation: Director of Infrastructure. Note: This Committee is a statutory Committee appointed under the Rural Fires Act.

#### Southern Tablelands Regional Arts Board

Council Delegates: Clr Kensit and Tourism Manager.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

*Meets:* Quarterly <u>Southern Tablelands (Rural Fire Services) Zone Liaison</u> <u>Committee</u>

*Council Delegate:* Clr Wheelwright and Clr Culhane (as alternate representative).

*Staff Representation:* Director of Infrastructure.

Meets: Quarterly

# Taralga & District Historical Society

**Functions of the Committee:** The care control and management of the history of the Taralga portion of the area in accordance with the requirements of the Local Government Act and Regulations, 1993, Council policies and within the funds voted by Council.

Council Delegate: Clr Stafford.

Meets: As required

# Upper Lachlan Joint Regional Planning Panel

*Function:* To determine designated development applications and other development applications as prescribed.

*Council Delegate:* Clr Culhane and Clr Cummins.

Staff Delegate: Director of Environment & Planning.

*Meets*: As required.

# Upper Lachlan Local Emergency Management Committee

#### Function:

- To develop and maintain a Consequences Management Guide (CMG) for Upper Lachlan Shire.
- To review local emergency service organisational and functional area plans.
- > Produce specific local hazard management plans if appropriate.
- Arrange emergency management training for individuals, including individuals employed in emergency service organisations and functional areas.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- Arrange the conduct of exercises to train individuals and agencies to test Emergency Management Plans.
- Produce Standing Orders and instructions and standard operating procedures under the local CMG.
- Assist the District Emergency Management Committee as required in the preparation and review of the District CMG.

*Council Delegate:* Clr Wheelwright and Clr Searl (as alternate representative)

# **Council Membership:**

- Director of Infrastructure (LEMC Chairman)
- Manager of Infrastructure Delivery (Deputy LEMO)

*Meets:* Quarterly

*Minute Secretary*: Engineering Executive Assistant.

- 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 14.7 COVID-19 REPORT

170/20 <u>RESOLVED</u> by Cr Searl and Cr McCormack

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

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

**ITEM 14.8 CROOKWELL POOL - UPDATE** 171/20 **RESOLVED** by Cr Searl and Cr Wheelwright 1. Council receives and notes this report as information. 2. Upper Lachlan Shire Council to liaise with local schools and youth groups regarding periodical excursions to Gunning and Goulburn Pool. 3. Our media officer develop a media release to remind parents the dangers of children swimming unsupervised in freshwater in particular. - 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 14.9** QUESTIONS WITH NOTICE SUMMARY 172/20 **RESOLVED** by Cr Searl and Cr Wheelwright 1. Council receives and notes this 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 SECTION 15: LATE REPORTS Nil

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

- SECTION 16: REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES
- ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTH OF SEPTEMBER
- 173/20 <u>RESOLVED</u> by Cr Searl and Cr McCormack

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

1. Taralga Historical Society Inc – Newsletter No3/2020.

- 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

# ITEM 17.1 NOTICE OF RESCISSION MOTION - 133/20

174/20 <u>RESOLVED</u> by Cr Searl and Cr McCormack

1. Council extends its Green waste service for the full 12 months of the year and implements the waste less recycle more bin audit and education with the notification that the Green waste service is going to be extended.

Is rescinded".

- CARRIED

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

Councillors who voted against:- Cr P Kensit

A further motion was moved by Cr Culhane and Cr O'Brien that -

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS

# ON 17 SEPTEMBER 2020

Council request a workshop and a report on the operation of the greenwaste services thus far so that Council can review the potential extensions of service to a full year service.

On being put to the meeting the motion was carried.

181/20 **<u>RESOLVED</u>** by Cr Culhane and Cr O'Brien that –

Council request a workshop and a report on the operation of the green-waste services thus far so that Council can review the potential extensions of service to a full year 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 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:

### 175/20

**<u>RESOLVED</u>** 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 (2c) 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.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

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 10:25am and the public, staff and press left the chambers.

176/20 <u>RESOLVED</u> by Cr Searl and Cr McCormack

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 10:59AM

#### **Resolutions from the Closed Council Meeting**

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

SECTION 19: CONFIDENTIAL SESSION

- ITEM 19.1 PROCUREMENT OF ONE NEW 6.5 TONNE SINGLE CAB TIPPING TRUCK
- 177/20 <u>RESOLVED</u> by Cr Searl and Cr O'Brien
  - 1. Council purchase one single cab tipping truck for the sum of \$ 76,020 ex GST from Canberra Isuzu.

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS **ON 17 SEPTEMBER 2020**

2. Sell existing truck (Plant 567) through auction providing best value for money.

- 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 19.2 PROCUREMENT OF ONE NEW 12 TONNE SINGLE CAB TIPPING** TRUCK **RESOLVED** by Cr Searl and Cr McCormack

178/20

- 1. Council purchase one single cab tipping truck for the sum of \$142,327.29 EX GST from Southern Truck Centre.
- 2. Sell existing truck (Plant 468) through auction providing best value for money.

- 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

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

### LATE CONFIDENTIAL REPORT

A motion was moved by the Mayor and Cr Wheelwright that:

1. In accordance with clause 9.3 (a) and (b) of the Council Code of Meeting procedure agreed to Item 19.3 Multipurpose Aquatic and Activities Centre acceptance of Quote be considered as it is of a urgent nature due to the item being time sensitive and requires a decision by Council before the next Ordinary Meeting of Council on 15 October 2020.

On being put to the meeting the motion was carried.

# 179/20 <u>RESOLVED</u> by Mayor and Cr Wheelwright

 In accordance with clause 9.3 (a) and (b) of the Council Code of Meeting procedure agreed to Item 19.3 Multipurpose Aquatic and Activities Centre acceptance of Quote be considered as it is of a urgent nature due to the item being time sensitive and requires a decision by Council before the next Ordinary Meeting of Council on 15 October 2020.

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 19.3 MULTIPURPOSE AQUATIC AND ACTIVITIES CENTRE CROOKWELL - ACCEPTANCE OF QUOTE

- 180/20 <u>RESOLVED</u> by Cr Wheelwright and Cr Kensit
  - Council accepts the tender submission from Conrad Gargett (is \$439,950.00 GST inclusive) for both Separable Portion 1 – Concept Design and Separable Portion 2 – Final Schematic Design and Construction Documentation for the Multipurpose Aquatic and Activities Centre (MAAC) at Crookwell.

- CARRIED

# MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON 17 SEPTEMBER 2020

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 10:59AM

Minutes confirmed 15 OCTOBER 2020

Mayor

# 6 MAYORAL MINUTES

The following item is submitted for consideration -

6.1 Mayoral Minute

96

# Mayoral Minutes - 15 October 2020

ITEM 6.1	Mayoral Minute
FILE REFERENCE	120/425
September 2020	
17 September 2020	2GN Radio Interview September Council Meeting Aerodrome workshop – Councillors, Director of Infrastructure and General Manager
22 September 2020	Meeting with General Manager Taralga wind farm community fund section 355 committee meeting Gullen Range wind farm community section 355 committee meeting
24 September 2020	2GN Radio Interview ULSC Pool Committee Morning Tea with representatives including General Manager, Cr Kensit and Cr Culhane
October 2020	
1 October 2020	2GN Radio Interview
8 October 2020	2GN Radio Interview
13 October 2020	Meeting with General Manager

15 October 2020 2GN Radio Interview October Council Meeting

# 8 CORRESPONDENCE

The following item is submitted for consideration -

8.1	Correspondence items for the month of October	98
011		00

# **Correspondence - 15 October 2020**

ITEM 8.1

Correspondence items for the month of October

# **RECOMMENDATION:**

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

- 1. Crookwell Barbell Club Letter of support naming Crookwell Memorial Oval complex – 7 September 2020
- 2. Office of Local Government Circular 20-37 COVID-19 Measures 22 September 2020

# ATTACHMENTS

1. <u>↓</u>	Crookwell Barbell Club - Letter of support naming of memorial	Attachment
	oval complex - 7 September 2020	
2. <u>↓</u>	Office of Local Government - Circular 20-37 COVID-19	Attachment
	Measures - 22 September 2020	

Item: 8.1

CROOKWELL BARBELL CLUB Inc. (9887813)



3240 Laggan Rd., Crookwell, NSW 2583

President: Mr John Broderick, Phone: 48321134

The General Manager and Councillors Upper Lachlan Shire Council

We write with regard to suggesting the naming of the internal room designated as a gymnasium at the Memorial Oval Complex. We have referred to the council Infrastructure Assets Naming Policy and suggest that this might be accommodated with a perpetual plaque on an inside wall of the gym.

Given the fifty or more years of dedicated service to the Crookwell Barbell Club and the local community we strongly believe that the new gymnasium should be named

#### "The Robert Bruce Belford Gymnasium".

Until a few years ago, Mr Belford was active on the Club committee and still keeping fit in the gym. At 91 years of age, he is still interested in the gym and we keep him informed without imposing too much. Bruce moved to Crookwell in 1963 as the building inspector for the Shire Council, and soon after he joined the Youth and Recreation Centre to continue weight-training. Bruce had an impressive record achieving an Australian and NSW middle heavyweight championships, and several national and state power lifting records. He inspired others to train with him, it wasn't long before he formed the Crookwell Barbell Club. Bruce remained the Club President until 2006. Bruce and his late wife, Gillian, also managed the Historical Society for several decades.

As the Club grew it occupied several locations including the old mill building and a shop front beside the Royal Hotel. In the late 1980s, the Rugby League Club approached Bruce to join them in a plan for a gymnasium at the memorial oval. It was built thanks to public funds and voluntary labour.

Bruce coached and mentored several generations of young locals to achieve both national and state recognition. In the early years of the Club there were several title holders including Fred Roberts was the first record holder for a NSW junior middle-weight dead lift. In Bill Maberly took out both the NSW middleweight and light-heavyweight senior dead lift records. John Broderick was NSW and Australian junior middle-heavyweight champion. Later on Charlie Tarby was NSW and Australian junior dead lift record holder. Mark George achieved a NSW and Australian record bench press of 175kg in the under 23, 100 kg division. Most recently, Daniel Wray became a world-ranking bench-presser, and is described as an elite lifter in weightlifting circles. He holds the NSW, Australian and Oceania (inc. NZ) records for the bench press in his bodyweight division and has won every competition he has entered. Also, Dan represented Australia in 2004 in Oceanic titles in New Zealand. All attribute their success in weight-lifting and other aspects of life to Bruce's encouragement.

Since announcing that the Barbell Club's decision not to re-open the gym we have received several comments with a repeated sentiment about Bruce's mentorship and guidance. The gratitude and esteem with which people remember Bruce's encouragement has, in fact, prompted an offer of

financial support to re-open the gym. The benefactor has requested that the gym is named in honour of Bruce Belford.

Aside from the goal of re-opening the gym, we commend honouring of one of Crookwell's best servicing citizens in this way and look forward to your response to this request.

Yours faithfully,

John Broderick President, Crookwell Barbell Club Inc. 7<sup>th</sup> September 2020



# Circular to Councils

Circular Details	20-37 / 22 September 2020 / A723972
Previous Circulars	20-09 Compliance with social distancing requirements to limit
	the spread of the COVID-19 virus at council and committee meetings
	20-12 Modification of statutory requirements in response to the
	COVID-19 pandemic
	20-28 Rules on attendance at council and committee meetings
	during the COVID-19 pandemic as of 1 July 2020
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance / 02 4428 4100 / <u>olg@olg.nsw.gov.au</u>
Action required	Information / Response to OLG / Council to Implement

#### Status of special COVID-19 measures

#### What's new or changing

- Amendments have been made to the *Local Government (General) Regulation* 2005 (the Regulation) to:
  - extend the period during which the special COVID-19 pandemic provisions of the *Local Government Act 1993* (the Act) apply, and
  - postpone the repeal of the COVID-19 pandemic regulation-making power in the Act.
- The regulations made under the COVID-19 pandemic regulation-making power on 17 April 2020 prescribing the measures notified in <u>circular 20-12</u> expire on 18 October 2020.

#### What this will mean for your council

- The Regulation extends the "prescribed period" for the purposes of sections 747A and 747AB of the Act to the end of **25 March 2021**.
- Section 747A provides that during the prescribed period, a requirement for councillors or others to attend a meeting is satisfied if the meeting is held in whole or in part remotely using audio visual links.
- Section 747AB limits the ability of councils to commence proceedings to recover unpaid rates and charges during the prescribed period unless certain steps have been taken to identify and address financial hardship.
- The measures prescribed on 17 April 2020 under section 747B of the Act in response to the COVID-19 pandemic notified in circular 20-12, automatically expire on 18 October 2020.
- The amendments made to the Regulation on 17 April 2020 removing requirements for newspaper advertising also notified in <u>circular 20-12</u> are ongoing and will continue to apply after the COVID-19 pandemic passes.

#### Key points

 Councillors and council staff may attend council and committee meetings in person. However, councils must continue to allow councillors and staff to attend and participate in meetings by audio visual links where it is reasonably practicable to do so.

Office of Local Government

5 O'Keefe Avenue NOWRA NSW 2541

Locked Bag 3015 NOWRA NSW 2541

- т 02 4428 4100 г 02 4428 4199 тту 02 4428 4209
- E olg@olg.nsw.gov.au Wwww.olg.nsw.gov.au ABN 20 770 707 468

- Members of the public are permitted to attend meetings. However, councils
  must not allow persons to attend a meeting if the size of the meeting venue is
  insufficient to ensure there is 4 square metres of space for each person
  attending the meeting.
- Councillors and council staff are not to be counted when calculating the space available for each person at the meeting venue and the number of persons who are attending a meeting.
- Where councils exclude members of the public from meetings, they must livestream their meetings using audio-visual links to satisfy the requirement under section 10 of the Act for members of the public to be permitted to "attend" meetings.

#### Where to go for further information

• For further information please contact the Council Governance Team on 02 4428 4100 or by email at <u>olg@olg.nsw.gov.au</u>.

Tim Hurst Deputy Secretary Local Government, Planning and Policy

Office of Local Government 5 O'Keefe Avenue NOWRA NSW 2541 Locked Bag 3015 NOWRA NSW 2541 T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209 E olg@olg.nsw.gov.au Wwww.olg.nsw.gov.au ABN 20 770 707 468 2020

# 10 INFORMATION ONLY

The following items are submitted for consideration -

10.1	Development Statistics for the Month of September 2020	104
10.2	Monthly Biosecurity Activites	111
10.3	Library Services 1st Quarter Report 2020/2021	115
10.4	Investments for the month of September 2020	119
10.5	Bank Balance and Reconciliation - September 2020	122
10.6	Rates and Charges Outstanding - 30 September 2020	123
10.7	Grants Report	125
10.8	Action Summary - Council Decisions	130

# Information Only - 15 October 2020

# ITEM 10.1 Development Statistics for the Month of September 2020

FILE REFERENCE 120/445

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 September 2020.

#### **RECOMMENDATION** That -

1. Council receives and notes the report as information.

#### BACKGROUND

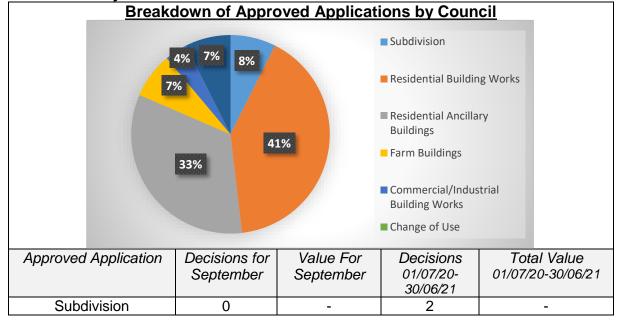
A standard monthly report providing Council with a summary of the development control activities that have occurred in the month of September 2020.

#### REPORT

The current level of development activity for September 2020 is summarised below:

DAs under assessment	S4.55 (MOD) under assessment	DAs received	DA modifications received	DAs determined	DA S4.55 (MOD) determined
26	4	8	1	4	1

The average determination processing time is for the month of September was 25 days.



Building Works	5		I.	\$11,000
	0	-	I	\$44,000
Commercial/Industrial	0	\$60,292	<u> </u>	\$104,022 \$44,000
Buildings Farm Buildings	1	¢60.202	C	¢104.022
Works Residential Ancillary	0	-	9	\$226,741
Residential Building	3	\$1,086,065	11	\$3,192,777



Number of new lots Sep-20
Total Number of Lots 01/07/2020-30/06/2021

Type of	Number of applications	Number of new	Total Number of Lots
development	September 2020	lots	01/07/2020 – 30/06/2021
		September 2020	
Residential	0	0	11
Subdivision			
Rural	0	0	0
Subdivision			
Commercial	0	0	0
/Industrial			
Subdivision			
Boundary	0	0	0
Adjustments			
Strata	0	0	0
Community	0	0	0
Title			
S4.55	0	0	0
Modification			

Development Applications Approved By Council (1 September to 30 September 2020):

DA	Proposal	Property Details		Stop the	Internal	Total Elapsed
Reference				Clock days	Referral	days
49/2020	Dwelling	Hall C CROOKWELL Lot 50 DP 250695	rescent	18	0	74
63/2020 (S4.55)	Farm Shed	Pudman Creek BLAKNEY CREEk Lot 10 DP 754136		0	0	9

73/2020	Farm Shed	Golspie Road LAGGAN Lot 5 DP 753015			1	0	7
74/2020	Dwelling		Wheeo BEN GULLE P 1227074		1	0	14
76/2020	Dwelling	GRABE	Wheeo BEN GULLE DP 75411		0	0	24

# Complying Development Applications Approved By Private Certifier (1 September to 30 September 2020)

Application Reference	Council Reference	Proposal	Property Details
1025/20	10/2020	Dwelling	12 Tait Street CROOKWELL
			Lot 106 DP 1111842
881 &	3/2019	Dwelling &	71 Cooper Street TARALGA
190196/03	(mod)	Shed	Lot 1 DP 1247091

The Development Applications outstanding as of 30 September 2020 are summarised in the following table:

	Development Applications Outstanding on September 2020					
			e submitted to Council)			
DA No.	Date Rec.	Proposal	Property	Reason		
23/2018	26/2/2018	Dwelling	Gundaroo Rd, BELLMOUNT FOREST - Lot 1 DP 754573, Lot 148 & 197 DP 754113	Under Assessment		
187/2004 (S4.55)	1/10/2019	Subdivision	233 Holloways Rd, TARLO Lot 1 DP 1152061	Awaiting Additional Information		
107/2015 (S4.55)	10/12/2019	Alterations & Additions	Cullerin Rd, GUNNING Lot 2 & 3 DP 743172	Under Assessment		
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	Referred for Concurrence – State Agencies & Awaiting Additional Information		
33/2020	14/04/2020	Dwelling Additions and Alterations	3981 Taralga Road, TARALGA Lot 1 DP 1180518	Awaiting Additional Information		
35/2020	22/04/2020	Additions and Alterations	56 Yass Street, GUNNING Lot 1 DP 214923	Under Assessment		

		to Service Station		
98/2019 (S4.55)	24/04/2020	3 Lot Subdivision	Wheeo Road, GRABBEN GULLEN Lot 2 DP 203470	Referred for Concurrence – State Agencies
39/2020	12/05/2020	Deck	25 Saxby Street GUNNING Lot B DP 403622	Awaiting Infrastructure Comments
41/2020	19/05/2020	2 Lot Subdivision	265 Laggan Road LAGGAN Lot 1 DP 136732 & Lot 2 DP 186334	Awaiting Additional Information
42/2020	20/05/2020	Retail business	9 Murray Street COLLECTOR Lot 3 Sec 3 DP 995869	Under Assessment
48/2020	9/06/2020	Second dwelling, pool, dwelling addition, Deck	87 Breadalbane Road COLLECTOR Lot 150 DP 750008	Awaiting Additional Information
50/2020	12/06/2020	22 Lot Subdivision - Staged	93 Wade Street CROOKWELL Lot 1 DP 526480 Lot 5 DP 540808	Referred for Concurrence – State Agencies & Awaiting Additional Information
51/2020	16/06/2020	Fire Station Extension	Nelanglo Street GUNNING Lot 1 & 4 DP 843551	Awaiting Additional Information
54/2020	30/06/2020	Dwelling	232 Carrabungla Road ROSLYN Lot 1 DP 1163257	Referred for Concurrence – State Agencies & Awaiting Additional Information
56/2020	30/06/2020	6 Lot Subdivision	Hailstone Street BIGGA Lot 1 DP 1003429	Awaiting Additional Information
62/2020	03/07/2020	Dwelling Additions & Alterations	196 St Stephens Road WAYO Lot 23 DP 750054	Referred for Concurrence – State Agencies
64/2020	15/07/2020	Dwelling	2246 Greenmantle Road BIGGA Lot 3 DP 1176105	Awaiting Additional Information

			Pomeroy Road POMEROY	Awaiting
65/2020	15/07/2020	Dwelling	Lot 167 DP 750019	Additional
				Information
68/2020	31/07/2020	Dwelling	40 Ryan Place GUNNING	Under
00/2020	31/07/2020	Dwennig	Lot 8 DP 1219071	Assessment
			Woodhouselee Road	Awaiting
69/2020	11/08/2020	Farm Shed	WAYO	Additional
			Lot 21 DP 586570	Information
			Woodhouselee Road	Awaiting
70/2020	11/08/2020	Farm Shed	WAYO	Additional
			Lot 49 DP 750054	Information
			Woodhouselee Road	Awaiting
			WAYO	Additional
71/2020	11/08/2020	Farm Shed	Lot 20 DP 586570	Information
1 1/2020	11/00/2020		LUI 20 DF 580370	monnation
			12 Murray Street	Awaiting
72/2020	26/08/2020	Dwelling	COLLECTOR	Infrastructure
, _ 0 _ 0	20,00,2020	Dweining	Lot 4 DP 1073254	Comments
			49 Wheeo Road GRABBEN	Under
75/2020	01/09/2020	Shed	GULLEN	Assessment
10/2020	01/03/2020	Oneu	Lot 367 DP 754115	/1000001110111
			Lorn Street COLLECTOR	Notification &
77/2020	02/09/2020	Dwelling	Lot 2 DP 731782	Under
11/2020	02/03/2020	Dwennig	LUL 2 DF 731782	Assessment
			19 Hill Street TARALGA	Under
78/2020	02/09/2020	Shed	Lot 2 DP 194734	Assessment
			Goulburn Street	Awaiting
79/2020	10/09/2020	Business	COLLECTOR	Additional
79/2020	10/09/2020	Premise		Information
			Lot 4 Sec 15 DP 758263	
00/0000	40/00/0000	Chad	14 Gordon Street	
80/2020	19/09/2020	Shed		Assessment
			Lot 14 Sec 4 DP 1809	
	04/00/0000		289 Redground Road	Under
81/2020	21/09/2020	Subdivision	CROOKWELL	Assessment
			Lot 2 DP 810987	
82/2020	23/09/2020	Dwelling	3 Lark Close COLECTOR	Under
52,2020			Lot 102 DP 1258213	Assessment

# Withdrawn Applications (1 September to 30 September 2020)

DA Reference	Proposal	Property
108/2019	Community Event	1 Brennan St, COLLECTOR Lot 11 DP 1046757

### Information Only DEVELOPMENT STATISTICS FOR THE MONTH OF SEPTEMBER 2020 cont'd

# 2. <u>Construction Certificates</u>

Construction Certificates Issued by Council between 1 September to 30 September 2020						
Approved by Council September 2020		Certifie	ed by Private Year to date r September 2020			
5		2	16			
CC No.	Approved by	Proposal	Property			
1079/20	Private Certifier	Dwelling 2 Yass Street GUNNING Lot 4 DP 878504				
40/2020	Council	Dwelling	14 Dalton Road GUNNING Lot 2 DP 1034956			
63/2020	Council	Dwelling50 Wade Street CROOKWELLAdditionsLot 1 DP 302659				
69/2020	Council	Dwelling Additions	8 Wade Street CROOKWELL Lot 20 DP1682			
70/2020	Council	Farm Shed	Golspie Road LAGGAN Lot 5 DP 753015			
71/2020	Council	Dwelling	643 Wheeo Road GRABBEN GULLEN Lot 3 DP 1227074			
2020/059	Private Certifier	Dwelling	140GreenridgeRoadCURRAWEELALot 6 DP 1221640			

# 3. <u>Occupation Certificates</u>

Occupation Certificates Issued by Council between 1 September to 30 September 2020

Approved by Council September 2020		Approved by Private Certifier September 2020		Year to date	
1		0		10	
OC No.	Approved by	Р	roposal	Property	/
54/2020	10/09/2020	Shed			gby Road DALTON 1173050

## Information Only DEVELOPMENT STATISTICS FOR THE MONTH OF SEPTEMBER 2020 cont'd

# 4. <u>Subdivision Certificates</u>

Subdivision Certificates Issued between 1 September to 30 September 2020						
Approved b	ру Со	uncil				
September 2020Year to Date						
1 3						
SC No.	Prop	oosal		Property		
7/2020	4 Agrie	Lot subdivision culture only	_	Boongarra Road, LAGGAN Lot 3 DP 1163350		

# 5. Planning Certificates

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

Year	Number of Certificates Issued
1 July 2020 to 30 September	124
2020	
1 July 2019 to 30 June 2020	442
1 July 2018 to 30 June 2019	347

# POLICY IMPACT

Nil

# OPTIONS

Nil

# FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

# **RECOMMENDATION** That -

1. Council receives and notes the report as information.

# ATTACHMENTS

Nil

ITEM 10.2 Monthly Biosecurity Activites

FILE REFERENCE 120/443

## AUTHOR Manager of Regulatory and Biosecurity Services

### ISSUE

Providing Council with a summary of weed control activities undertaken throughout the Upper Lachlan Shire Council operational area.

#### **RECOMMENDATION** That -

1. Council receives and notes the report as information.

### REPORT

The month of September resulted in ninety four (94) property inspections with a high percentage of land owners being compliant with their Biosecurity responsibility. In addition to property inspections roadside spraying targeting Serrated Tussock and Chilean Needle grass was also conducted.

#### **Property Inspections**

Weed	Parish	Road or Street	Date	Action	Degree
BB	Pomeroy	Prices Lane	01/09/20	Notified	2
-	Pomeroy	Prices Lane	01/09/20	Routine	-
ST	Pomeroy	Storriers Lane	02/09/20	Routine	2
BB	Pomeroy	Storriers Lane	02/09/20	Routine	1
BB	Pomeroy	Learys Lane	02/09/20	Routine	1
ST	Pomeroy	Storriers Lane	02/09/20	Routine	2
ST,BB	Pomeroy	Storriers Lane	02/09/20	Routine	2,1
ST,BB	Pomeroy	Walkoms Lane	03/09/20	Notified	2
ST	Pomeroy	Prices Lane	07/09/20	Routine	1
BB	Lampton	Bannister Lane	07/09/202	Routine	1
-	Pomeroy	Bannister Lane	08/09/20	Routine	-
ST	Pomeroy	Storriers Lane	08/09/20	Notified	1
ST,BB	Lampton	Learys Lane	10/09/20	Routine	1,1
BB	Pomeroy	Bannister Lane	10/09/20	Routine	1
BB	Lampton	Bannister Lane	10/09/20	Notified	2
ST	Pomeroy	Storriers Lane	11/09/20	Notified	2
BB	Lampton	Bannister Lane	11/09/20	Routine	1
ST	Lampton	Bannister Lane	11/09/20	Routine	1
-	Gurrundah	Gurrundah Road	14/09/20	Routine	-
-	Gurrundah	Gurrundah Road	14/09/20	Routine	-
-	Gurrundah	Bannister Lane	15/09/20	Routine	-

# Information Only MONTHLY BIOSECURITY ACTIVITES cont'd

_	Gurrundah	Bannister Lane	15/09/20	Routine	-
_	Lampton	Bannister Lane	16/09/20	Routine	-
SJW,ST	Lampton	Grabben Gullen Rd	17/09/20	Routine	2,1
-	Lampton	Gurrundah Road	17/09/20	Routine	-
ST	Lampton	Gurrundah Road	17/09/20	Routine	1
ST,BB	Lampton	Gurrundah Road	22/09/20	Routine	1,1
-	Lampton	Gurrundah Road	22/09/20	Routine	-
ST	Pomeroy	Storriers Lane	22/09/20	Routine	1
-	Lampton	Gurrundah Road	23/09/20	Routine	-
_	Lampton	Gurrundah Road	23/09/20	Routine	
_	Lampton	Gurrundah Road	23/09/20	Routine	-
BB	Lampton	Learys Lane	25/09/20	Routine	1
GO,ST	Wollogorang	Wollogorang Road	28/09/20	Re-Inspect	1,1
ST	Guinecor	Roseberry	26/8/20	Routine	1
ST	Guinecor	Roseberry	26/8/20	Routine	1
ST	Guinecor	Roseberry	26/8/20	Routine	1
ST	Guinecor	Roseberry	26/8/20	Routine	1
ST	Guinecor	Roseberry	20/8/20	Routine	1
ST BB	Guinecor	Taralga	27/8/20	Routine	11
ST BB	Guinecor	Taralga	27/8/20	Routine	1
ST	Bubalaha	Oberon	27/8/20	Notified	2
ST BB	Bubalaha	Oberon	27/8/20	Notified	2 2
ST	Guinecor	Stonequarry	1/9/20	Routine	1
ST BB	Guinecor	Stonequarry	1/9/20	Notified	12
ST	Guinecor	Golspie	1/9/20	Reinsp	1
ST	Strathaird	Taralga	1/9/20	Reinsp	2
ST BB	Guinecor	Laggan	2/9/20	Routine	11
ST	Guinecor	Laggan	2/9/20	Routine	1
ST	Guinecor	Laggan	2/9/20	Routine	1
ST	Guinecor	Stonequarry	3/9/20	Notified	1
ST	Guinecor	Stonequarry	3/9/20	Notified	2
ST BB	Guinecor	Stonequarry	3/9/20	Routine	11
ST	Wowagin	Golspie	8/9/20	Routine	1
ST	Wowagin	Golspie	8/9/20	Routine	1
ST	Wowagin	Golspie	8/9/20	Routine	- 1
ST BB	Turrallo	Back Arm	17/9/20	Notified	33
ST BB	Turrallo	Back Arm	17/9/20	Reinsp	33
ST BB	Guinecor	Laggan	22/9/20	Routine	11
ST	Guinecor	Laggan	22/9/20	Routine	1
Brm	Guinecor	Laggan	22/9/20	Notified	2
ST	Guinecor	Strathaird	22/9/20	Routine	1
ST	Guinecor	Scabben Flat	23/9/20	Routine	- 1
ST	Guinecor	Scabben Flat	23/9/20	Routine	1
ST	Tyrl Tyrl	Laggan	23/9/20	Routine	- 1
ST	Tyrl Tyrl	Laggan	23/9/20	Routine	1
ST	Tyrl Tyrl	Laggan	24/9/20	Routine	1
ST	Tyrl Tyrl	Laggan	24/9/20	Routine	1
ST	Tyrl Tyrl	Laggan	24/9/20	Routine	1
ST	Tyrl Tyrl	Laggan	24/9/20	Notified	2
S/T	Wayo	Woodhouselee Rd	1/9/2020	Reinspecti	2

# Information Only MONTHLY BIOSECURITY ACTIVITES cont'd

S/T	Wayo	Woodhouselee Rd	1/9/2020	Reinspecti	3
S/T,BB	Kiamma	Redground Rd	3/9/2020	Routine	1,1
S/T,CHN	Wangalo	Wangalo Rd	11/9/2020	Routine	2.1
S/T,CHN	Wangalo	Wangalo Rd	11/9/2020	Routine	1,1
S/T	Tuena	Cooksvale Rd	14/9/2020	Notified	2
S/T,BB	Bingham	Cooksvale Rd	14/9/2020	Routine	1,2
S/T	Bingham	Cooksvale Rd	15/9/2020	Notified	2
S/T	Bingham	Cooksvale Rd	15/9/2020	Notified	2
S/T	Bingham	Cooksvale Rd	15/9/2020	Notified	2
S/T,CHN	Tuena	Montana Rd	15/9/2020	Routine	2,1
S/T	Tuena	Montana Rd	15/9/2020	Routine	1
S/T	Tuena	Montana Rd	16/9/2020	Routine	1
S/T	Tuena	Montana Rd	16/9/2020	Routine	1
S/T	Tuena	Montana Rd	16/9/2020	Routine	1
ALG	Cuddyong	Peelwood Rd	22/9/2020	Reinspecti	1
S/T,BB	Yarraman	Mt Costigan Rd	22/9/2020	Notified	1,2
S/T	Tuena	Mt Costigan Rd	22/9/2020	Notified	2
S/T	Tuena	Mt Costigan Rd	23/9/2020	Routine	2
S/T	Tuena	Mt Costigan Rd	23/9/2020	Routine	2
S/T	Tuena	Mt Costigan Rd	24/9/2020	Routine	2
S/T	Tuena	Mt Costigan Rd	24/9/2020	Routine	2
S/T	Tuena	Mt Costigan Rd	24/9/2020	Routine	2
-	Tuena	Mt Costigan Rd	24/9/2020	Routine	-
S/T,BB	Tuena	Cooksvale Rd	25/9/2020	Notified	2,2
S/T	Tuena	Peelwood Rd	29/9/2020	Notified	2
S/T	Tuena	Peelwood Rd	29/9/2020	Notified	2
S/T	Tuena	Peelwood Rd	29/9/2020	Notified	2
S/T,BB	Tuena	Peelwood Rd	29/9/2020	Notified	2
S/T,BB	Tuena	Peelwood Rd	29/9/2020	Notified	2



### Information Only MONTHLY BIOSECURITY ACTIVITES cont'd

# Key for Weed Abbreviations

Weed ID Weed Identification	n
S/T Serrated Tussock	BB Blackberry
PC Paterson's Curse	Nth Nodding Thistle
EB English Broom	FW Fireweed
Go Gorse	CG Coolatai Grass

SJW St John's Wort CNG Chilean Needle Grass ALG African Lovegrass

### 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.

## POLICY IMPACT

Nil

## **OPTIONS**

1. Council receives and notes the report as information.

#### FINANCIAL IMPACT OF RECOMMENDATIONS

Nil.

## **RECOMMENDATION** That -

1. Council receives and notes the report as information.

## ATTACHMENTS

Nil

ITEM 10.3 Library Services 1st Quarter Report 2020/2021

FILE REFERENCE 120/459

AUTHOR Library Manager

#### ISSUE

This report provides a summary of the activities in the Upper Lachlan Shire Council libraries for the 1st Quarter 2020/2021.

#### **RECOMMENDATION** That -

1. Council receive and note the Library Services report as information.

#### BACKGROUND

Nil

#### REPORT

### LIBRARY USAGE:

	Crookwell	Gunning
Loans*	4,979	1,535
New Members	14	3
Internet Sessions	132	67
Visitors	2,789	1,208
Hours open per week	31.5	19

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

#### **OVERVIEW**:

The provision of library services and facilities by Council continue to be guided by the NSW Public Library Association (PLA), NSW Health and the NSW State Library COVID-19 safety plan and recommendations. In this quarter our libraries moved to the second phase of reopening with computers, photocopiers and laminating services available to the public. Inter Library Loans has recently restarted again at our libraries. All items received or returned from other libraries to fulfil inter library loans requests will be subject to the library's 48 hours quarantine process. Our libraries continued to operate with new operating hours to allow for extra cleaning and returning items from quarantine. Public toilets and kitchens remain closed to the public and face to face library activities and events remain suspended. In this quarter library usage has increased each month as people felt more comfortable venturing outside their homes.

## Information Only LIBRARY SERVICES 1ST QUARTER REPORT 2020/2021 cont'd

# EVENTS AND PROMOTION:

### Crookwell and Gunning Libraries:

- Access to library eBooks, eMagazines and eAudiobooks were once again promoted on the library's Facebook page.
- Activities were once again promoted on the library's Facebook page including weekly online Storytime, weekly Lego activities, online books, book lists and online author talks.
- 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 spring; waste and recycling. Gunning Library displayed items on waste and recycling. Both libraries also displayed new library items in 'new book' displays throughout the library.
- Promotional articles were published in the Crookwell Gazette, Goulburn's 2GN, 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:

- No face to face activities and events to report due to COVID-19.
- An online virtual reality space activity was held for children and adults on 21 August (adults) and 22 August (children). Both libraries participated. This was a free online event as part of National Science Week. Participants were required to collect the virtual reality head set kit from the library. Eighteen people participated in Crookwell and twenty-five people participated in Gunning.
- The Crookwell Public School displayed their student windmills and STEM projects in the Crookwell Library. A number of families popped into the library to show their parents their projects and others viewed them on the library's Facebook page.
- A local Landcare Workshop on 'Waste, plastic and beeswax wraps' was held online on 29 September. Participants were required to a collect kit from each library. Both libraries had a book display on the theme of waste and recycling. Twenty people participated in Crookwell and eighteen participated in Gunning.
- Crookwell after School Care used the Crookwell Library in September. Seven people came with this group.

# COLLECTIONS, RESOURCES AND FACILITIES:

## Collections

- Crookwell Library staff weeded the Study Skills Collection (HSC guides) and non-fiction collections.
- The Crookwell Friends of the Library renewed their subscription to the Choice Magazine for Crookwell Library's magazine collection for a further two years.
- The State Library of NSW were giving away batches of new books to regional NSW libraries. Our library service received six brand new titles.
- Library staff updated the Law books for Libraries core collection list of titles as part of the LIAC agreement with the State Library of NSW.

### Information Only LIBRARY SERVICES 1ST QUARTER REPORT 2020/2021 cont'd

## Resources

- This quarter, there was no volunteers due to COVID-19 restrictions.
- The vacant Library Assistant position at Gunning Library was advertised and interviews were held.
- Library staff completed a number of online training courses. These included: 'Engaging with your Community' webinar; State Library of NSW Cultural Competence online training course; 'Childsafe: safe people, safe programs, and safe places' Childsafe webinar; and an online Book Week Forum.
- Library staff completed their OoSoft evaluations.
- In this quarter the Library Manager:
  - Reviewed the fees and charges for the SLA with Goulburn Mulwaree Council for library services.
  - Attended a Zoom meeting with staff from Bolinda's BorrowBox product.
  - Completed procedures for library equipment usage during COVID-19 for library staff.
  - Attended the Council Managers Meeting held by the General Manager.
  - Completed the COVID-19 procedures for volunteers ready for the return of volunteers when it is safe to do so.
  - Attended the Crookwell Memorial Hall Committee Meeting.
  - Attended a South East Zone Zoom meeting on 4 September.
  - Completed the 2019/2020 NSW Public Library Statistics Return.
  - Completed the Narrative Statement of Library Operations for 2019/2020, and the Local Priority Grants form for 2020/2021.
  - Attended an online meeting for the NSW Spydus User Network (SPUN).
  - Completed the library's contribution to Council's Annual Report.
  - Attended a collaborative author talk's online meeting with other public libraries in NSW.
  - Attended two Risk Register Workshop Marketing events, culture and economic development.
  - Started the eSmart project and completed a PowerPoint and verbal presentation and emailed this to staff as part of a deliverable for the project.

## Facilities

- Our libraries computers were made available to the public from late July 2020. Each library has three computers available to the public with the restriction of thirty minutes per booking.
- The IT Systems Support Officer installed three computers at the Crookwell Library.
- The IT Systems Support Officer increased the bandwidth (to maximum speed) on the public computers at Crookwell Library as the computers were very slow.
- Our Libraries Wi-Fi facilities continue to be well used by patrons and people passing through.

## Information Only LIBRARY SERVICES 1ST QUARTER REPORT 2020/2021 cont'd

- A new version of Spydus was installed in this quarter.
- Council's Building Maintenance Officer fixed the front door lock at Gunning Library and the Fire Control Panel at Crookwell Library.
- The Crookwell Friends of the Library purchased an adult sized seat and book tub combination for the children's area at the Crookwell Library, cost of \$1,318.39.

### **POLICY IMPACT**

Nil

# OPTIONS

Nil

# FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

## **RECOMMENDATION** That -

1. Council receive and note the Library Services report as information.

# ATTACHMENTS

Nil

ITEM 10.4 Investments for the month of September 2020
---

FILE REFERENCE I20/433

AUTHOR Director of Finance and Administration

#### ISSUE

Council Investment Portfolio Register as at 30 September 2020.

#### **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 30 September 2020

Investment Institution	Туре	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
СВА	Call	\$910,000	0.20%	N/A	30-09-20	\$190.68
Bank of Qld	TD	\$700,000	1.60%	182	07-10-20	\$5,584.66
Bank of Qld	TD	\$1,200,000	0.80%	364	18-08-21	\$9,573.70
Bank of Qld	TD	\$700,000	1.55%	363	14-10-20	\$10,790.55
Bank of Qld	TD	\$800,000	1.50%	364	02-12-20	\$11,967.12
Bank of Qld	TD	\$1,000,000	3.15%	1097	25-08-21	\$94,672.60
Bank of Qld	TD	\$500,000	1.25%	182	18-11-20	\$3,116.44
Bank of Qld	TD	\$1,000,000	0.75%	169	03-02-21	\$3,472.60
Bank of Qld	TD	\$1,500,000	1.10%	287	24-03-21	\$12,973.97
Bendigo Bank	TD	\$1,000,000	0.65%	273	09-06-21	\$4,861.64
Bendigo Bank	TD	\$1,200,000	1.20%	266	09-12-20	\$10,494.25
Bendigo Bank	TD	\$800,000	1.55%	259	16-12-20	\$8,798.90
Bendigo Bank	TD	\$1,000,000	0.65%	196	20-01-21	\$3,490.41
Bendigo Bank	TD	\$1,000,000	0.65%	126	21-10-20	\$2,243.84
СВА	TD	\$1,500,000	0.62%	140	17-02-21	\$3,567.12

СВА	TD	\$1,000,000	0.75%	259	10-03-21	\$5,321.92
СВА	TD	\$1,000,000	0.58%	273	16-06-21	\$4,338.08
СВА	TD	\$1,000,000	1.40%	363	11-11-20	\$13,923.29
IMB	TD	\$1,000,000	0.53%	106	16-12-20	\$1,539.18
IMB	TD	\$1,000,000	0.55%	99	02-12-20	\$1,491.78
IMB	TD	\$1,400,000	0.50%	140	10-02-21	\$2,684.93
IMB	TD	\$1,300,000	1.45%	364	28-10-20	\$18,798.36
IMB	TD	\$1,000,000	0.95%	181	28-11-20	\$4,710.96
IMB	TD	\$1,000,000	0.85%	195	06-01-21	\$4,541.10
NAB	TD	\$500,000	0.76%	177	27-01-21	\$1,842.74
NAB	TD	\$1,400,000	0.85%	364	04-08-21	\$11,867.40
NAB	TD	\$1,000,000	0.78%	350	11-08-21	\$7,479.45
NAB	TD	\$1,500,000	0.86%	196	13-01-21	\$6,927.12
NAB	TD	\$1,000,000	0.75%	271	26-05-21	\$5,568.49
NAB	TD	\$800,000	1.34%	364	17-03-21	\$10,690.63
NAB	TD	\$1,000,000	0.93%	140	04-11-20	\$3,567.12
		\$31,710,000				\$291,091.04

### Information Only INVESTMENTS FOR THE MONTH OF SEPTEMBER 2020 cont'd

# COUNCIL INVESTMENT PERFORMANCE: -

## **BUDGET COMPARISON TO 30 SEPTEMBER 2020**

Interest on Investments Received YTD	\$152,315
Annual budgeted amount for all funds	\$467,700
Percentage of Interest Received YTD	32.57%
Percentage of Year Elapsed	25%
Average market interest rate (90 day BBSW)	0.13%
Average return on all investments	1.03%

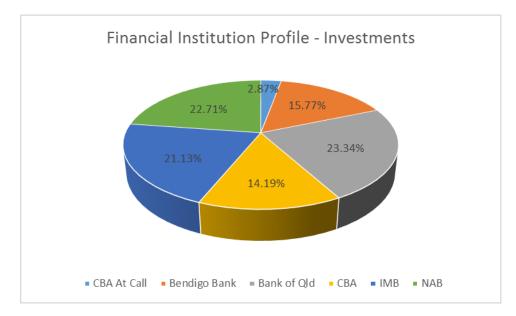
The above investments have been made in accordance with Section 625, of the Local Government Act 1993, the Local Government Regulations, the Ministerial Investment Order and the Council's Investment Policy.

## FINANCIAL INSTITUTION INVESTMENTS PROFILE AS AT 30 SEPTEMBER 2020

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

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

### Information Only INVESTMENTS FOR THE MONTH OF SEPTEMBER 2020 cont'd



# SUMMARY OF AVAILABLE CASH AT 30 SEPTEMBER 2020

# TOTAL INVESTMENTS: -

# \$ 31,710,000.00

# INVESTMENTS BY FUND (INCLUDES RESTRICTED & UNRESTRICTED CASH): -

General Fund Reserves	\$ 20,907,965.56
Water Supply Fund Reserves	\$ 3,346,206.88
Sewerage Fund Reserves	\$ 5,687,534.47
Domestic Waste Management Fund Reserves	\$ 1,765,974.93
Trust Fund Reserves	\$ 2,318.16

# POLICY IMPACT

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

# OPTIONS

Nil

#### FINANCIAL IMPACT OF RECOMMENDATIONS Nil

## **RECOMMENDATION** That -

1. Council receive and note the report as information.

# ATTACHMENTS

Nil

ITEM 10.5	<b>Bank Balance and Reconciliation</b>	- September 2020

FILE REFERENCE I20/434

AUTHOR Director of Finance and Administration

#### ISSUE

Statement of Bank Balance and Reconciliation as at 30 September 2020.

#### **RECOMMENDATION** That -

1. Council receive and note the report as information.

#### BACKGROUND

Nil

#### REPORT

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

General Ledger balance brought forward 31 August 2020	605,134.88
Add: Receipts for September 2020	2,950,978.58
	3,556,113.46
Deduct: Payments for September 2020	3,049,137.24
Balance as at 30 September 2020	506,976.22
Balance as per Bank Statement 30 September 2020	997,185.41
Add: Outstanding Deposits	6,782.75
	1,003,968.16
Deduct: Unpresented Cheques / EFTs	496,991.94
Balance as at 30 September 2020	506,976.22

#### POLICY IMPACT Nil

OPTIONS Nil

FINANCIAL IMPACT OF RECOMMENDATIONS
Nil

#### **RECOMMENDATION** That -

1. Council receive and note the report as information.

### ATTACHMENTS

Nil

ITEM 10.6 Rates and Charges Outstanding - 30 September 2020

FILE REFERENCE I20/435

AUTHOR Director of Finance and Administration

#### ISSUE

Rates and Charges Outstanding Report to 30 September 2020.

#### **RECOMMENDATION** That -

1. Council receive and note the report as information.

#### BACKGROUND

A Summary report of Council Rates and Charges outstanding at 30 September 2020.

#### REPORT

There is an attached report titled "Rate Collection Year 2021" for the 2020/2021 financial year. A comparison of the rates and charges outstanding percentage to previous financial years is highlighted in the below table:-

Description	30/09/2020	30/09/2019	30/09/2018
Total % Rates and Charges Outstanding	59.31%	58.97%	60.25%
Total \$ Amount Rates and Charges Outstanding	\$7,508,291	\$7,177,200	\$6,937,438

## POLICY IMPACT

Nil

## OPTIONS

Nil

# FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

#### **RECOMMENDATION** That -

1. Council receive and note the report as information.

## ATTACHMENTS

1. Rate Collection by Year - October 2020 Attachment

#### Rate Collection 2021 Year

Rating Categories	Levy Raised	<b>Rates Received to</b>	<b>Rates Outstanding to</b>	% Rates Outstanding
	to date	1 October 2020	1 October 2020	1 October 2020
	A			
Farmland	5,205,231.25	1,992,398.56	3,212,832.69	61.72%
Residential	1,333,416.62	519,452.21	813,964.41	61.04%
Rural Residential	722,502.22	319,057.62	403,444.60	55.84%
Business	324,787.87	205,246.58	119,541.29	36.81%
Mining	1,994.69	1,994.69	-	0.00%
Water	980,164.66	390,167.60	589,997.06	60.19%
Sewerage	1,564,638.73	618,996.12	945,642.61	60.44%
Domestic & Comm Waste	1,284,255.47	508,753.80	775,501.67	60.39%
Rural Waste	694,869.77	294,844.46	400,025.31	57.57%
Storm Water	47,519.66	17,565.36	29,954.30	63.04%
**Arrears	499,969.49	282,582.56	217,386.93	43.48%
<b>Overall Total Rates</b>	12,659,350.43	5,151,059.56	7,508,290.87	59.31%

 M (loman)
 7/10/20,

 Prepared by
 Date

 Authorised by
 G. Crohe

 Date
 7/10/20,

I:\2020-2021\Rates\Recs\%outst\_September 30 -2020

ITEM 10.7 Grants Report

FILE REFERENCE I20/426

AUTHOR Grants/Projects Officer

#### ISSUE

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

#### **RECOMMENDATION** That -

1. Council receive and note the report as information.

#### BACKGROUND

Nil

#### REPORT

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

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

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

#### **POLICY IMPACT**

Nil

#### **OPTIONS**

Nil

## FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

#### **RECOMMENDATION** That -

1. Council receive and note the report as information.

### ATTACHMENTS

1. Grants and Projects Report for Council 15 October 2020 Attachment

Grants and Projects Report to Council - 15 October 202	20
--	----

<b>Grant Application</b>	rant Applications in progress												
	Due or			Council		Other		Amount					
Grantee	Submitted	Project		Contrib.	Co	ontribution	F	Requested		Subtotal	P	roject Cost	Comment/Progress
Veolia Mulwaree Trust	19.08.20	Gunning Swimming Pool Upgrades	\$	30,000	\$	-	\$	49,107	\$	79,107	\$	79,107	Lodged - permanent shade structures and seating - awaiting news on success
Bridges Renewal Program Round 5	29.05.20	Crookwell River	\$	76,860	¢	-	\$	768,600	Ś	1,537,200	¢	1,537,200	Successful
Fixing Country Bridges	09.10.20	Bridge - Julong	Ŷ	10,000	Ŷ		\$	691,740	Ŷ	1,557,200	<b>,</b>	1,557,200	Lodged
Bridges Renewal Program Round 5	29.05.20	Peelwood Creek Bridge - Cooksvale	Ś	55,262	\$	-	\$	552,614	Ś	1,105,228	Ś	1,105,228	Successful
Fixing Country Bridges	09.10.20	Rd	Ŷ	55,262	7		\$	497,352	Ŷ	1,100,220	Ŷ	1,100,220	Lodged
Bridges Renewal Program Round 5	29.05.20	Burra Burra Creek Bridge - Blue Hill	\$	47,973	\$	_	\$	479,726	Ś	959,452	\$	959,452	Successful
Fixing Country Bridges	09.10.20	Road	۲	47,373	Ļ		\$	431,753	۰	555,452	Ļ	555,452	Lodged
Country Passenger Transport Infrastructure Grant	27.8.19	Gunning and Dalton Bus Stops	\$	20,000	\$	-	\$	22,000	\$	42,000	\$	42,000	Awaiting news of success - Applications closed 30.9.19
Growing Local Economies Fund	2019	Tablelands Way	\$	329,215	\$	-	\$	6,255,079	\$	6,584,294	\$	6,584,294	Oberon Council lodged joint application
Local Roads and Community Infrastructure Grant	Jul-20	Multipurpose Aquatic and Activity Centre	\$	3,796,960	\$	1,203,040	\$	-	\$	5,000,000	\$	5,000,000	Conrad Gargett contracted for Concept Design/Final Designs and Tender Docs.
Crown Reserves Improvement Fund	10.07.20	Crookwell Caravan Park Improvements	\$	30,000	\$	-	\$	117,818	\$	147,818	\$	147,818	Awaiting news on success

Grant Application	rant Applications in progress											
	Due or		Council	Other	Amount							
Grantee	Submitted	Project	Contrib.	Contribution	Requested	Subtotal	Project Cost	Comment/Progress				
Fixing Country Roads	19.12.19			\$-	\$ 1,478,700			Awaiting news on success				
Heavy Vehicle Safety and Productivity Program Round 7	29.5.20	Peelwood Road Upgrade 3km	\$ 60,000	\$-	\$ 432,100	\$ 1,970,800	\$ 1,970,800	Successful				
Heavy Vehicle Safety and Productivity Program Round 7	29.05.20	Wheeo Road Upgrade 5km	\$ 85,000	\$-	\$ 573,288	\$ 2,633,150	\$ 2,633,150	Successful				
Fixing Country Roads	19.12.19			\$-	\$ 1,974,862			Awaiting news on success				
Grant Projects Fu	Grant Projects Funded											
Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment/Progress				
NSW Small Business Month 2020	31.08.20	Small Business Workshops	\$ -	\$ -	\$ 2,000	\$ 2,000	\$ 2,000	MAP Institute engaged to undertake mentoring sessions for Small Businesses in October.				
Streets as Shared		Share R Streets	\$ 3,000	\$-	\$ 99,700	\$ 102,700	\$ 102,700	Project progressing.				
Spaces	10.06.20	Laggan and Taralga Shared Streets	\$ 3,000	\$ -	\$ 115,885	\$ 118,885	\$ 118,885	Project progressing.				
Fixing Local Roads	02.12.19	Collector Road Upgrade 3km	\$ 495,300	\$-	\$ 1,485,900	\$ 1,981,200	\$ 1,981,200	Project progressing.				
Fixing Country Roads	10.10.19	Kangaroo Creek Bridge - Bigga	\$ 965,000	\$-	\$ 965,000	\$ 1,930,000	\$ 1,930,000	Project progressing.				

Grant Projects Fu	Grant Projects Funded													
Grantee	Submitted	Project	-	Council ontrib.	Ot Contri	her bution		Amount Received	s	ubtotal	Ρ	roject Cost	Comment/Progress	
Bushfire Community Resilience and Economic Recovery Fund	26.02.20	Training, Marketing and Events	\$	-	\$	-	\$	100,000	\$	100,000	\$	100,000	Seeking variation for extension for tourism and app sections.	
Showground Stimulus Funding Program Tranche 1 19/20	25.4.20	Improvements Gunning Showground Hall	\$	46,201	\$	-	\$ \$	45,593.70 44,513.00	\$1	36,307.20	\$	136,307.20	Project completed. Report completed.	
Building Better Regions Fund - Round 3	15.11.18	Wombeyan Caves Road Upgrade	\$	100,000	\$	-	\$	2,500,000	\$	2,500,000	\$	5,028,000	Draft tender documents completed.	
Growing Local Economies Fund	05.07.18				\$	-	\$	2,428,000	\$ 2	,428,000			completeu.	
Waste Less Recycle More	27.06.18	Bin Audit and Education	\$	-	\$	-	\$	70,000	\$	70,000	\$		Returning Funding due to requirement in deed to process organic waste on site.	
Stronger Country Communities Fund	18.9.19	Pat Cullen Reserve Group Picnic Shelter	\$	-	\$	-	\$	58,695	\$	58,695	\$	58,695	RFQ for Installation closes 14 October 2020.	
(Round 3)	10.5.15	Gunning Showground Amenities	\$	50,000	\$	-	\$	672,747	\$	722,747	\$	722,747	Project progressing.	
Drought Communities Programme	21.01.20	Peelwood Bridge Replacement	\$	731,016	\$	-	\$	1,000,000	\$ 1	1,731,016	\$	1,731,016	Variation approved for Peelwood Bridge to complete 30/6/21 and pathways	
Growing Local Economies Fund	05.07.18	PAMP Grabine Road Upgrade	\$	200,000	\$	-	\$	3,300,000	\$3	,500,000	\$	3,500,000	complete 24/03/21. Project progressing.	

Grant Projects Fu	Grant Projects Funded											
Grantee	Submitted	Project	Council Contrib.				Subtotal	Pr	oject Cost	Comment/Progress		
Stronger Country Communities Fund	01.05.18	Lights Football Action	\$-	\$-	\$	150,000	\$	150,000	\$	150,000	Completed	
(Round 2)	01.05.18	PAMP – 1 <sup>st</sup> priorities	\$-	\$-	\$	356,772	\$	356,772	\$	356,772	Variation successful. RFQ being written.	
Country Passenger Transport Infrastructure Grant EOI	26.02.18	Taralga, Bigga and Binda Bus Stops	\$-	\$-	. \$	30,000	\$	30,000	\$	30,000	Taralga Bus stop being installed	
Bridges Renewal (Round 3)	15.05.17	Kiamma Creek	\$ 81,260	\$-	\$	450,000	Ś	1,062,490	ć	1,062,490	Final Reporting being	
Fixing Country Roads 2015	02.05.16	Bridge Upgrade	Ş 81,200	\$-	\$	531,230	ŗ	1,002,490	Ļ	1,002,490	undertaken.	
Bridges Renewal		Crookwell River Bridge - Woodville Road	\$ 294,861	\$-	\$	294,860	\$	589,721	\$	589,721	Project progressing.	
(Round 4)	05.02.19	Diamond Creek Bridge - Kangaloolah Road	\$ 561,007	\$-	\$	560,000	\$	1,121,007	\$	1,121,007	Constuction starting early October.	

ITEM 10.8 Action Summary - Council Decisions

FILE REFERENCE 120/428

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.

#### BACKGROUND

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

#### REPORT

Summary sheet from the:-

#### Council Meeting: 16 August 2018

242/40	Council in compliance with the	<u> </u>	As required when
243/18	Council in compliance with the		As required when
	recommendation of the Southern		suitable grants or
	Tablelands Regional Economic		funding is made
	Development Strategy 2018-2022 and		available.
	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.		

#### Council Meeting: 20 June 2019

	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 Act 1979 to reclassify the Community Land to Operational Land.	GM	Negotiating price of compulsory acquisition of land.
--	---	----	--

4.40.40		014	
149/19		GM	Report items 1, 3
	objective of moving Council from a net		and 4 were
	energy user to a net energy exporter that		reported to EDTF
	the Department of Infrastructure and		Committee Meeting
	Environmental and Planning prepare a		on 5 August 2019.
	report as to the path forward to prepare		
	business cases for street lighting, all		All 3 report items
			will be addressed in
	waste management and energy		
	generation.		the future review of
	3. That the EDTF recommends the		the LEP.
	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.		
	4. That the EDTF recommends the		
	•		
	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.		

# Council Meeting: 19 September 2019

262/19	The Minutes of the Economic Development Task Force Committee meeting held 2		
	September 2019 be received and noted.		
	Item 6.2 Review of the EDTF Charter	GM	Report to be
	That Council change the meeting composition to accommodate six (6) community representatives and the Economic Development Officer be included		prepared to a future EDTF meeting after Workshop with
	as the secretariat.	CM	Councillors.
	Item 6.5 How important is water in the Strategic Planning of our town	GM	
	and villages		Issue was
	That Council research and develop a water sensitive design policy for the Shire.		addressed in Draft Housing Strategy.

270/19	<ol> <li>Council enter negotiations with the two providers seeking a commercial return;</li> <li>Council advertise an EOI based of the</li> </ol>	DOI	EOI closed on June 23 2020.
	concept plan B7 if the commercial negotiations fail.		Present tender documents to Councillors at future workshop.

# Council Meeting: 17 October 2019

301/19	That Council upon the appointment of the	Mayor/GM	Future workshop.
	new General Manager give priority to a		
	workshop to determine a path forward for		
	exploring economic development		
	opportunities to create independent income		
	streams.		

# 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	Report to be provided to a future Council
	investigation into the number of buildings in the towns and villages of the Upper Lachlan Shire that requires fire safety statements.	Meeting.

# Council Meeting: 20 February 2020

21/20	Council defer the recommendations 1 to 5 of the Water Security in ULSC report.	GM	Report to be provided to a future Council
			Meeting.

# Council Meeting: 16 July 2020

113/20	1.	At the September Council meeting the Mayor presents to Council the current negotiated contract for the General Manager and a performance agreement setting out agreed performance criteria for Council consideration.	Mayor/GM	Tabled October meeting.	at 15 2020
	2.	At the October Council meeting the General Manager prepare and submit			

to Council an action plan of key priorities for the forth coming year.	

# Council Meeting: 20 August 2020

153/20	1.	That Council approves the recommendation of the suppliers for Plant at Attachment 1;	DOI	Council notified tenderers on 21 September 2020.
	2.	That Council approves the recommendation of the suppliers for Trucks at Attachment 2;		
	3.	That delegation be provided to the Director of Infrastructure and the Manager of Infrastructure Delivery to accept future submissions for additional newly available truck and plant and assess and appoint the new companies to the Truck and Plant Hire Register during the 2 + 1 year contract term.		
155/20	1.	Expression of interest are sought for occupying the lease for Crookwell Memorial Oval Community Sports Centre gym/active space.	DEP / GM	EOI was advertised Friday 11 September 2020.

# Council Meeting: 17 September 2020

159/20	1.	Chairman of Audit, Risk committee to present to Council at future meeting following resolution 150/20.	GM	Future date to be determined
161/20	1.	Council receive the report and approve the request to submit all regional roads to the Regional Road Transfer and Road Classification Independent Panel.	DOI	Council regional roads were submitted to the State Governments portal on 22 September 2020
162/20	1.	Council adopts the reviewed Private Use of Council Motor Vehicle Policy.	EA	Policy registered and placed on Website 17 September 2020.
163/20	1.	Council adopts the reviewed Related Party Disclosures Policy.	EA	Policy registered and placed on Website 17 September 2020.
164/20	1.	Council adopts the reviewed Fund Raising and Street Stall Policy.	EA	Policy registered and placed on Website 17 September 2020.

165/20	1.	Council approves the 2019/2020 transfers to the Council internal restricted reserve fund totalling \$5,410,395 including revote of uncompleted works expenditure projects.	DFA	Transfer of reserves completed and included in 2019/2020 Financial Statements.
167/20	1.	Ordinary Council Meetings are to be held on the third Thursday of the month at Crookwell (no meeting held in January) with all meetings to commence at 9:00am, as per the following schedule of meeting times and dates.	EA/MO	Media officer published dates on Council website on 24 September 2020.
168/20	4. 5.	Council resolve that on the Section 355 Collector Village Pumpkin Festival Committee be dissolved. Council resolves that any residual	DFA/EA	Letter sent to Collector Village Pumpkin Festival Committee 28
	5.	monies held by the Section 355 Collector Village Pumpkin Festival Committee be transferred into Council internally restricted reserve fund for the purposes of and the benefit of the Collector village. All bank accounts to be closed by 16 December 2020.		September 2020.
	6.	Council write to thank the committee for their services.		
169/20	1.	Council adopts Schedule A as the Agenda for the business of the Ordinary Meeting of Council.	GM/EA	Workshop to be locked in for a future date.
	2.	Council adopts Schedule B as being appropriate for the various Committee structures, current Committee memberships and appointment of representations/delegates.		
	3.	Council appoints the below-mentioned Committees in accordance with Clause 260 of the Local Government (General) Regulation 2005.		
	4.	Council has a workshop to discuss the future structure of all committees and a further report be provided to the November Council meeting.		
171/20	1.	Upper Lachlan Shire Council to liaise with local schools and youth groups	GM/WWS	Council have contacted local schools to notify

		regarding periodical excursions to Gunning and Goulburn Pool.		them of closures and to look to Gunning or Goulburn for excursions.
	2.	Our media officer develop a media release to remind parents the dangers of children swimming unsupervised in freshwater in particular.	МО	Media officer has placed on Council website.
177/20	1. 2.	Council purchase one single cab tipping truck for the sum of \$ 76,020 ex GST from Canberra Isuzu. Sell existing truck (Plant 567) through auction providing best value for money.	DOI	Both trucks were ordered on 23 September 2020 with an expected delivery of February 2021. The disposal of the old trucks will happen via auction upon delivery of the new trucks.
178/20	1. 2.	Council purchase one single cab tipping truck for the sum of \$142,327.29 EX GST from Southern Truck Centre. Sell existing truck (Plant 468) through auction providing best value for money.	DOI	Both trucks were ordered on 23 September 2020 with an expected delivery of February 2021. The disposal of the old trucks will happen via auction upon delivery of the new trucks.
180/20	1.	Council accepts the tender submission from Conrad Gargett (is \$439,950.00 GST inclusive) for both Separable Portion 1 – Concept Design and Separable Portion 2 – Final Schematic Design and Construction Documentation for the Multipurpose Aquatic and Activities Centre (MAAC) at Crookwell.	DOI/GM	Council notified the successful tenderer on 21 September 2020 along with the unsuccessful tenderers.
181/20	1.	Council request a workshop and a report on the operation of the green- waste services thus far so that Council can review the potential extensions of service to a full year service.	GM/WWS	A future date to be set prior to March 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

The following item is submitted for consideration -

11.1 Section 4.6 Vairation Concurrence - Lot 2 DP 731782 - 4 Lorn Street, Collector

138

# **Environment and Planning - 15 October 2020**

ITEM 11.1 Section 4.6 Vairation Concurrence - Lot 2 DP 731782 - 4 Lorn Street, Collector

FILE REFERENCE I20/453

AUTHOR Director of Environment and Planning

#### ISSUE

In the Collector Village, the Local Environmental Plan requires a minimum lot size for a dwelling at 2,000m<sup>2</sup>. Approval and registration of the subdivision within which the current allotment exists, provided for residential lots for the purposes of housing, in 1986. The newer Upper Lachlan Local Environmental Plan 2010 contains a clause at section 6.10 determining a minimum lot size for the purposes of ensuring environmentally safe installation of effluent management systems for dwellings.

Where the objectives or intent of a clause under an environmental planning instrument may be achieved, the LEP provides a mechanism at section 4.6 which allows consideration and variance of a development standard. This mechanism requires concurrence of the NSW Department of Planning, Infrastructure and Environment, and Council to achieve a variation. Certain ranges of concurrence are deemed as assumed under delegation to the Local Council. This limit is generally up to 10% and is delegated by Council to the Director of Environment and Planning for all zones. Where this limit is exceeded Concurrence must be sought from the Department for Rural and Environmental zones, or from Council for other zones.

This variation is 32.65% and in a Village zone. The purpose of this report is for Council to determine the variation to the development standard, in order that staff may then assess and determine the Development Application.

#### **RECOMMENDATION** That –

- Council vary the minimum lot size requirement of clause 6.10 of the Upper Lachlan Local Environmental Plan 2010, by 32.65% (minimum 2,000m<sup>2</sup> to 1,377m<sup>2</sup>) to permit the development of 4 Lorn Street, Collector (Lot 2 DP 731782) for a dwelling on, in accordance with documents and details retained in Development Application 77/2020; and
- 2. Council delegate to the Director of Environment and Planning, the final assessment and determination of the Development Application in line with section 4.15 of the Environmental Planning and Assessment Act, 1979.

#### BACKGROUND

In the Collector village the Local Environmental Plan requires a minimum lot size for a dwelling of 2000m<sup>2</sup>. The purpose of the current proposal and lot upon which it is proposed, is residential and the lot's creation predates the plan. The purpose of the minimum size is to make provision for environmentally responsible onsite effluent

disposal. This is made clear in clause 6.10 of the LEP which provides for onsite disposal and enables the Lot Size Map attached to the LEP for this purpose.

The Local Plan has a provision that permits Council to vary its standards where the objective of the standard can be met. The NSW government has delegations it lets to Council's and Staff on assumed concurrence for variations. This limits the size of the variation that can be delegated to staff to 10%. This variation is 32.65%. The purpose of the 2000m<sup>2</sup> is provided in clause 6.10.

An on-site wastewater management report submitted by Harris Environmental Consultants and dated 2 March 2020 recommends that a suitable on-site wastewater management system be installed at 4 Lorn Street Collector and that it will be able to treat and dispose of the anticipated waste water volumes for a dwelling. As well it believes that a backup area is also available should this current recommended area fail over time.

## REPORT

A development application, 77/2020 for a relocatable dwelling at 4 Lorn Street Collector, has been submitted on a block of land that is 1,377m<sup>2</sup>. The use is permissible with consent and is in an RU5-zone. The minimum lot size for villages without reticulated sewer is explained in clause 6.10:

# 6.10 Erection of dwelling houses on land in certain rural and residential zones

- (1) The objective of this clause is to ensure that dwelling houses erected in areas without reticulated sewerage have an appropriate minimum lot size to provide for the disposal of onsite effluent.
- (2) This clause applies to land where reticulated sewerage is not available in the following zones—
  - (a) Zone RU5 Village,
  - (b) Zone R5 Large Lot Residential.
- (3) Development consent must not be granted for the erection of a dwelling house on a lot to which this clause applies, and on which no dwelling house has been erected, unless the lot is a lot that is at least the minimum lot size specified for that lot by the <u>Lot Size Map</u>.
- (4) Despite subclause (3), development consent may be granted for the erection of a dwelling house if it is to replace a lawfully erected dwelling house already existing on the land.

Clause 4.6 of Upper Lachlan local environmental plan 2010 provides that the Council can grant consent for the development even when it contravenes a development standard.

#### 4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows—
  - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
  - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
  - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless—
  - (a) the consent authority is satisfied that—
    - the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
    - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
  - (b) the concurrence of the Planning Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Planning Secretary must consider—
  - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
  - (b) the public benefit of maintaining the development standard, and
  - (c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.

Beginning at the end, the Planning Secretary delegates this decision making process to the Council through Planning Circular PS 18-003 dated 21 February 2018, later updated at Planning Circular PS 20-002 of 5 May 2020. Council may only delegate to Staff, variations up to 10% under this circular. This variation is 32.65% and within a zone that does not require direct concurrence of the Department (Rural & Environmental zones).

Clauses 6.10 of the LEP is not excluded from variation and is moreover a numerical standards yet based on qualitative proof being supplied by the Applicant also.

The applicant, utilising the services of CPC Land Development Consultants, has prepared a formal request in the prescribed form by the DoPIE Guidelines for sec 4.6 variations, and was submitted with DA 77/2020. The request identifies that the purpose

of the clause is to provide a large enough area of land and suitable treatment and disposal system, to adequately treat and dispose of effluent, among other things. An on-site water management report provided by Harris Environmental Consultants (attached) indicates that provided conditions are complied with, the size of the land is adequate. The issues include using an Aerated Wastewater Treatment System, disposal to an adequately sized evapotranspiration bed (suitably prepared), and preserving an area of site suitable for replication in time, should the first bed cease to function.

The purpose of this report is to vary the development standard in this instance.

The Village of Collector has a number of lots that are below the 2000 m<sup>2</sup> minimum for a dwelling. Many of these lots were created by the Crown for the purpose of a dwelling. Some of the lots were independently subdivided pursuant to the Gunning Planning Scheme of the day, yet still required effluent management defence at DA for a dwelling. This allotment is one of the latter referred to instances. In this application, the owner of the land has provided environmental information to demonstrate that the purpose for the minimum Lot size, providing for effluent disposal, can be met. In this case, the minimum lot size requirement is unnecessary to protect the environment and public health.

## POLICY IMPACT

Varying the development standard does not set a precedent because the argument presented relies on meeting the objectives of the standard and protecting the environment and public health. The request for the variation is consistent with the local environmental plan, the prior environmental planning instrument (in intent) and the variation methodology is consistent with the methodology applied to other applicants.

## OPTIONS

Council may wish to determine the application and have the application completed by the Environment and Planning Staff after determining this variation. Alternatively, the Council may refuse to vary the development standard leading to a refusal of the development application.

Should the Council approve the variation to the development standard, this is consistent with several other developments approved in the village, with the exception that they are on larger blocks of land.

## FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

## **RECOMMENDATION** That –

 Council vary the minimum lot size requirement of clause 6.10 of the Upper Lachlan Local Environmental Plan 2010, by 32.65% (minimum 2,000m<sup>2</sup> to 1,377m<sup>2</sup>) to permit the development of 4 Lorn Street, Collector (Lot 2 DP

731782) for a dwelling on, in accordance with documents and details retained in Development Application 77/2020; and

2. Council delegate to the Director of Environment and Planning, the final assessment and determination of the Development Application in line with section 4.15 of the Environmental Planning and Assessment Act, 1979.

# ATTACHMENTS

1. <u>↓</u>	DA 77/2020 - Section 4.15 Evaluation	Attachment
2. <u>↓</u>	DA 77/2020 - Soil and Site Assessment for Onsite Wastewater	Attachment
	Management	
3. <u>↓</u>	DA 77/2020 - Site Plan and Elevations	Attachment

#### EPA ACT 1979 - Section 4.15 Evaluation

DA:	Proposal:	
77/2020	Dwelling – note sec 4.6(LEP) variance sought	
Lot/Sec/DP:	Property;	
Lot: 2 DP: 731782	4 Lorn Street COLLECTOR	
Site Inspection Date:	Assessing Officer:	
14 September 2020	Craig Filmer (Relief Building & Planning Officer)	

Site and locality description:



Locality Map of Collector



Aerial Image of 4 Lorn St Collector (Lot 2)

#### Referral Required:

Department/Issue	N/A	Date Sent	Date Received	
Internal				
Infrastructure Department - Access & Stormwater		29/9/2020	29/9/2020	
Infrastructure Department - W&S		29/9/2020	29/9/2020	
H&B	As	Assessing Officer Dual Qual/Exper		
Heritage - Heritage Advisor	N/A			
External				
Water NSW	N/A			
TfNSW (Transport for NSW)	N/A			
RFS	N/A			
Department of Planning, Industry & Environment (NRAR)	N/A			
NSW Health	N/A			
NSW Food Authority	N/A			
Crown Roads	N/A			
Other: Dept Planning not reqd on sec 4.6 - commentary in report				

#### Notification to Adjoining Property

#### Notification

Compliance with Community Participation Plan 2020 (adopted 20/02/2020) In accordance with page 11 & 12 – considered notification not required, however due to the sec 4.6 variation request, the neighbours either side were notified out of due diligence in the decision making process.

#### Submission

The owner on the south side of the subject development did make a submission. There is no objection to the stated development, however the very large tree on the side boundary adjoining, is sited on this neighbours land. The prospect of removing this tree becomes harder upon development of this vacant allotment. This neighbour sought advice from Council Staff as to how

An email on Council's Tree Works Application and processes was sent, and similar information was conveyed to the Project Manager for the proponents house. The tree has got very large, wide and unwieldly and no great objection from Council is foreshadowed from Staff were it to be removed now and replaced with smaller more appropriate trees, was the advice as given.

#### Desk Top Assessment

Provisions prescribed by EP&A	Clause 92 (AS2601) - Demolition of Structures	Not applicable – vacant site
Regulations	Clause 93 Fire Safety Considerations (Change of use of an existing building):	Not applicable – no existing building
	Clause 94 Fire Safety Considerations (rebuilding/altering/enlarging/extending existing building(s):	Not applicable – no existing building

S4.15(1)(a)	-		
(i) any environmenta	SEPP APPLICABLE	Comment/Issues	
l planning instrument:	State Environmental Planning Policy (Affordable Rental Housing) 2009	not applicable	
	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Certificate provided	
	State Environmental Planning Policy (Concurrences) 2018	not applicable to this development type, or land	
	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	not applicable	
	· State Environmental Planning Policy (Exempt and Complying Development Codes) 2008:	not applicable - LEP constraints min Land Size	
	· State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004:	not applicable	
	State Environmental Planning Policy (Infrastructure) 2007	referred and no issues based on current access and location	
	· State Environmental Planning Policy (Koala Habitat Protection) 2019	not mapped as affected	
	<ul> <li>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries)</li> <li>2007</li> </ul>	not applicable	
	<ul> <li>State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007</li> </ul>	not applicable	
	<ul> <li>State Environmental Planning Policy (Primary Production and Rural Development) 2019:</li> </ul>	not applicable	
	• State Environmental Planning Policy (Vegetation in Non Rural Areas)2017	Large tree on boundary with neighbour - common intere in removal due to size, age and branch drop, Tree Works Appn required as no specific request this DA. Smaller adjacent part dead regrowth tree ok for removal for site works	
	<ul> <li>State Environmental Planning Policy No 1 — Development Standards</li> </ul>	repealed	
	<ul> <li>State Environmental Planning Policy No 21 — Caravan Parks</li> </ul>	not applicable	
	<ul> <li>State Environmental Planning Policy No 33 —</li> <li>Hazardous and Offensive Development</li> </ul>	not applicable	
	<ul> <li>State Environmental Planning Policy No 36 — Manufactured Home Estates</li> </ul>	not applicable	
	· State Environmental Planning Policy No 44 —Koala Habitat Protection	see above	
	· State Environmental Planning Policy No 50 —Canal Estate Development	not applicable	
	<ul> <li>State Environmental Planning Policy No 55 — Remediation of Land: Land Application</li> </ul>	not applicable	
	<ul> <li>State Environmental Planning Policy No 64 — Advertising and Signage</li> </ul>	not applicable	

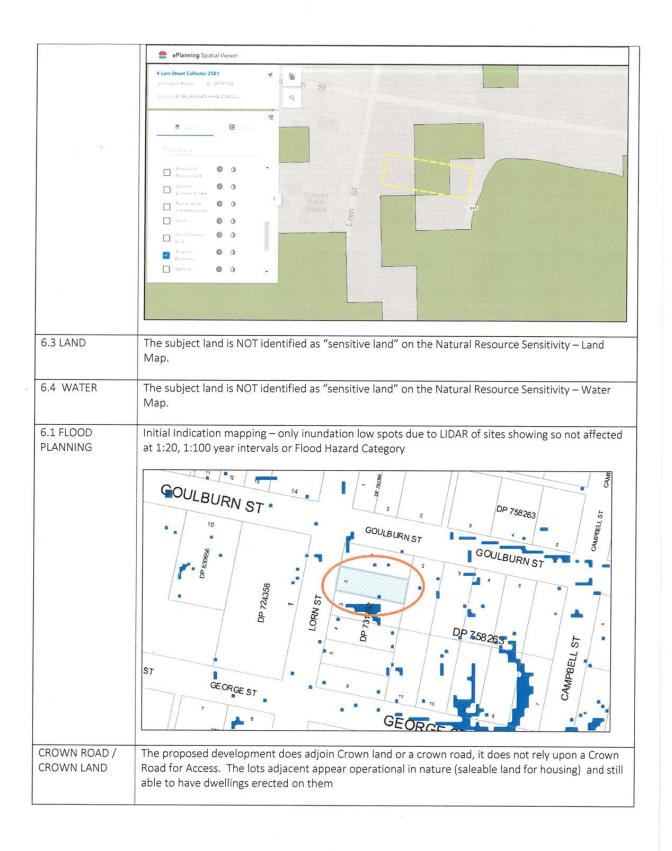
	State Environmental Planning Policy No 65 — not applicable     Design Quality of Residential Apartment			
	Development			
2	REP's Applicable:			
	South East and Tablelands Regional Plan 2036 – Upper Lachlan			
	<ul> <li>Priorities <ul> <li>Protect and enhance the area's high environmental value lands, waterways and water catchments.</li> <li>Protect important agricultural lands as resources for food security.</li> <li>Protect the area's valued heritage assets.</li> </ul> </li> <li>Economy and employment <ul> <li>Capitalise on the area's proximity to Canberra and Sydney to attract industry and investment, including using advances in technology to create smart work opportunities.</li> <li>Promote the area as a destination and attract visitors from Canberra and Sydney.</li> <li>Leverage the area's existing expertise in renewable energy to foster innovative economic development opportunities.</li> <li>Diversify the agriculture industry, including opportunities for value-added activities and access to national and international markets.</li> </ul> </li> <li>Housing <ul> <li>Support the rural lifestyle and the unique cultural and historic heritage of the area's villages.</li> <li>Support a variety of housing options and land developments to cater for an ageing population.</li> </ul> </li> </ul>			
e e e e e e e e e e e e e e e e e e e	COMMENTS:			
	Development consistent with the priorities for residential settlement			
Biodiversity Conservation Act 2016	The proposed construction area on the subject land is not identified as "sensitive land" on the Biodiversity Value Map <u>https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap</u>			
	COLLINARY THEY COLLINARY			
	Threshold: <u>https://www.environment.nsw.gov.au/biodiversity/entryrequirements.htm</u> <i>Area clearing threshold</i>			
	The area threshold varies depending on the minimum lot size (shown in the Lot Size Maps made under the			

	relevant Local Environmental Plan (LEP)), or actual lot size (where there is no minimum lot size provide for the relevant land under the LEP).				
		Threshold for clearing, above which the BAM and offsets scher apply			
	Less than 1 ha 0	0.25 ha or more			
	1 ha to less than 40 ha 0	0.5 ha or more			
	40 ha to less than 1000 ha 1 l	1 ha or more			
	1000 ha or more 21	ha or more			
	subdivided. <u>OUTCOME :</u> No clearing proposed and not in a mapped a	to be required for the intended use of the land after it is rea.			
	r Lachlan Local Environmental Plan 2010:				
	tion has been considered with regard to the releva	ant provisions of the ULLEP 2010 including:			
Clause 1.2	tion has been considered with regard to the releva Aims of Plan Zone objectives and Land Use Table	ant provisions of the ULLEP 2010 including: Consistent			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated • • To ensure within each • To impro community • To conset that contrib • To protec village and s • To protec groundwate • To mainta	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. et creeks and waterways that are associated with the surrounding area. et and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose         Not inconsistent – new housing       Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special item       Not inconsistent – OSM Report & Bushfire Report supplied         Not inconsistent – OSM Report & Bushfire Report supplied       Not inconsistent – OSM Report & Bushfire Report supplied         Not inconsistent – Village residential lot       Not inconsistent – Village residential lot			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated • To ensure within each • To impro community • To conset that contrib • To protect yillage and s • To protect groundwate • To mainta Clause 2.4 L Clause 2.5 A	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. et creeks and waterways that are associated with the surrounding area. et and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Juzoned land Additional permitted uses for particular land	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose         Not inconsistent – new housing       Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special       item         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – OSM Report & Bushfire Report       supplied			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated • • To ensure within each • To impro community • To conset that contrib • To protect groundwate • To protect groundwate • To mainta	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. et creeks and waterways that are associated with the surrounding area. et and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Juzoned land	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose         Not inconsistent – new housing       Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special       item         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – Village residential lot       n/a			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated v • To provid associated v • To ensure within each • To impro community • To conset that contrib • To protect village and s • To protect groundwate • To mainta Clause 2.4 L Clause 2.5 A	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. et creeks and waterways that are associated with the surrounding area. et and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Juzoned land Additional permitted uses for particular land	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose         Not inconsistent – new housing       Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special       item         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – OSM Report & Bushfire Report         supplied       Not inconsistent – Village residential lot         n/a       n/a			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated v • To ensurd within each • To impro community • To conset that contrib • To protect village and s • To protect groundwate • To mainta Clause 2.4 L Clause 2.5 / Clause 2.7 E	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. et creeks and waterways that are associated with the surrounding area. et and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Unzoned land additional permitted uses for particular land bubdivision—consent requirements	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose         Not inconsistent – new housing       Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special       item         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – Village residential lot       n/a         n/a       Not sought			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated v • To ensurd within each • To impro community • To consee that contrib • To protect village and s • To protect groundwate • To mainta Clause 2.4 L Clause 2.5 / Clause 2.7 E Clause 2.8 T	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. et creeks and waterways that are associated with the surrounding area. et and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Unzoned land Additional permitted uses for particular land bubdivision—consent requirements Demolition requires development consent	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose         Not inconsistent – new housing       Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special       item         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – Village residential lot       n/a         n/a       n/a         Not sought       No demolition proposed			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated v • To ensurd within each • To impro community • To conset that contrib • To protect groundwate • To protect groundwate • To mainta Clause 2.4 L Clause 2.5 / Clause 2.6 S Clause 2.7 E Clause 2.8 T Clause 3.1 E	Aims of Plan Zone objectives and Land Use Table Village es of zone de for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. et creeks and waterways that are associated with the surrounding area. et and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Unzoned land Additional permitted uses for particular land bubdivision—consent requirements Demolition requires development consent Temporary use of land	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose         Not inconsistent – new housing       Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special       item         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – OSM Report & Bushfire Report       supplied         Not inconsistent – Village residential lot       n/a         n/a       n/a         Not sought       No demolition proposed         Not a temporary use       Not a temporary use			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated v • To ensure within each • To impro community • To conset that contrib • To protec village and s • To protec groundwate • To mainta Clause 2.4 L Clause 2.5 / Clause 2.5 / Clause 2.7 E Clause 2.8 T Clause 3.1 E Clause 3.1 E	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. ct creeks and waterways that are associated with the surrounding area. ct and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Juzoned land Additional permitted uses for particular land subdivision—consent requirements Demolition requires development consent remporary use of land Exempt development Zomplying development Ainimum subdivision lot size	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose Not inconsistent – new housing         ures       Not inconsistent – not adjacent an historic or special item         Not inconsistent – OSM Report & Bushfire Report supplied         Not inconsistent – OSM Report & Bushfire Report supplied         Not inconsistent – Village residential lot         n/a         n/a         Not sought         No demolition proposed         Not a temporary use         Not complying         n/a			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated v • To ensure within each • To impro community • To consei that contrib • To protec groundwate • To mainta Clause 2.4 L Clause 2.5 / Clause 2.4 L Clause 2.5 / Clause 2.6 S Clause 2.7 E Clause 3.1 E Clause 3.1 E Clause 3.2 C Clause 3.1 E	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. et creeks and waterways that are associated with the surrounding area. et and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Juzoned land Additional permitted uses for particular land subdivision—consent requirements Demolition requires development consent remporary use of land exempt development	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special item Not inconsistent – OSM Report & Bushfire Report supplied Not inconsistent – OSM Report & Bushfire Report supplied Not inconsistent – Village residential lot         n/a       n/a         n/a       Not sought         Not a temporary use       Not exempt         Not complying       Not complying			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated v • To ensure within each • To impro community • To consei that contrib • To protec groundwate • To mainta Clause 2.4 L Clause 2.5 / Clause 2.5 / Clause 2.6 S Clause 2.7 E Clause 3.1 E Clause 3.1 E Clause 3.2 C Clause 3.1 E Clause 3.2 C	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat oute to the character and identity of village areas. ct creeks and waterways that are associated with the surrounding area. ct and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Jnzoned land Additional permitted uses for particular land Subdivision—consent requirements Demolition requires development consent Temporary use of land Exempt development Jinimum subdivision lot size A Minimum subdivision lot size for community title	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose Not inconsistent – new housing         ures       Not inconsistent – not adjacent an historic or special item         Not inconsistent – OSM Report & Bushfire Report supplied         Not inconsistent – OSM Report & Bushfire Report supplied         Not inconsistent – Village residential lot         n/a         n/a         Not sought         Not demolition proposed         Not exempt         Not complying         n/a         n/a			
Clause 1.2 / Clause 2.3 2 Zone RU5 1 Objectiv • To provid associated v • To ensurd within each • To ensurd within each • To impro community • To conset that contrib • To protec village and s • To protec groundwate • To mainta Clause 2.4 L Clause 2.4 L Clause 2.5 A Clause 2.5 A Clause 2.6 S Clause 2.7 E Clause 2.6 S Clause 2.7 E Clause 3.1 E Clause 3.1 E Clause 3.1 E Clause 3.1 C Clause 4.1 M Clause 4.1 A	Aims of Plan Zone objectives and Land Use Table Village es of zone le for a range of land uses, services and facilities that a with a rural village. e the orderly and efficient use of land and infrastructu village. ve the amenity of residential, commercial, civic and uses within village areas. rve buildings, landscape features and streetscape feat bute to the character and identity of village areas. ct creeks and waterways that are associated with the surrounding area. ct and enhance the water quality of watercourses and er systems and to reduce land degradation. ain areas of high conservation value vegetation Juzoned land Additional permitted uses for particular land subdivision—consent requirements Demolition requires development consent remporary use of land Exempt development Zomplying development Ainimum subdivision lot size	Consistent         are       Consistent – residential dwelling         re       Consistent – on land originally created for the purpose Not inconsistent – new housing         Not inconsistent – not adjacent an historic or special item Not inconsistent – OSM Report & Bushfire Report supplied Not inconsistent – OSM Report & Bushfire Report supplied Not inconsistent – Village residential lot         n/a       n/a         n/a       Not sought         Not a temporary use       Not exempt         Not complying       n/a         n/a       n/a			

Clause 4.3 Height of buildings	Not Adopted
Clause 4.4 Floor space ratio	Not Adopted
Clause 4.5 Calculation of floor space ratio and site area	Not Adopted
Clause 4.6 Exceptions to development standards	None sought
Clause 5.3 Development near zone boundaries	Not adopted
Clause 5.4 Controls relating to miscellaneous permissible uses	Not applicable – dwelling
Clause 5.8 Conversion of fire alarms	n/a
Clause 5.10 Heritage conservation	No heritage this site
Clause 5.11 Bush fire hazard reduction	n/a
Clause 5.12 Infrastructure development and use of existing buildings of the Crown	n/a
Clause 5.13 Eco-tourist facilities	n/a
Clause 5.14 Siding Spring Observatory—maintaining dark sky	n/a
Clause 5.15 Defence communications facility	n/a
Clause 5.16 Subdivision of, or dwellings on, land in certain rural,	n/a
esidential or environment protection zones	
lause 5.17 Artificial waterbodies in environmentally sensitive areas in	n/a
reas of operation of irrigation corporations	
lause 5.18 Intensive livestock agriculture	n/a
Clause 5.19 Pond-based, tank-based and oyster aquaculture	n/a
Clause 6.1 Flood planning	See specific LEP commentary & map below
clause 6.2 Biodiversity	Having regard to the matters for consideration there
(3) Before determining a development application for land to which	will be no adverse impact on the biodiversity of the
this clause applies, the consent authority must consider any adverse	site. The mapping appears pixilated and inconsistent
impact from the proposed development on—	with site vegetation. One large crowned tree on
(a) a native ecological community, and	boundary and this suffers branch drop and concern yet
(b) the habitat of any threatened species, populations or	is not in a connective capacity between notable stands
ecological community, and	of box woodlands.
(c) a regionally significant species of fauna and flora or habitat,	or box woodiands.
and	Smaller adjacent part dead regrowth tree ok for
(d) a habitat element providing connectivity.	removal for site works
(4) Development consent must not be granted to development on	removal for site works
land to which this clause applies unless the consent authority	Development and it is a large the
is satisfied that—	Development considered reasonable
(a) the development is designed, sited and will be managed to	
avoid any adverse environmental impact, or	
(b) if that impact cannot be avoided—the development is	
designed, sited and will be managed to minimise that impact, or	
(c) if that impact cannot be minimised—the development will	
be managed to mitigate that impact.	
be managed to mitigate that impact.	
lause 6.3 Land	The land is not mapped in the LEP for this attribute
<ol> <li>Before determining a development application for land to which</li> </ol>	the land is not mapped in the LEF for this attribute
this clause applies, the consent authority must consider any	
adverse impact from the proposed development in relation to—	
(a) the geotechnical stability of the site, and	
(b) the probability of increased erosion or other land degradation	
processes.	
<ol> <li>Processes.</li> <li>Development consent must not be granted to development on</li> </ol>	
land to which this clause applies unless the consent authority is	
satisfied that—	
(a) the development is designed, sited and will be managed to	
avoid any adverse environmental impact, or	
(b) if that impact cannot be avoided—the development is	
designed, sited and will be managed to minimise that impact, or	
(c) if that impact cannot be minimised—the development will be	
managed to mitigate that impact.	
managea to mugate that impact.	

Clause 6.4 Water	The land is not mapped in the LEP for this attribute	
(3) Before determining a development application for land to which		
this clause applies, the consent authority must consider any		
adverse impact from the proposed development on—		
(a) the water quality of receiving waters, and		
(b) the natural flow regime, and		
(c) the natural flow paths of waterways, and		
(d) the stability of the bed, shore and banks of waterways, and		
(e) the flows, capacity and quality of groundwater systems.		
(4) Development consent must not be granted to development on		
land to which this clause applies unless the consent authority is		
satisfied that—		
(a) the development is designed, sited and will be managed to		
avoid any adverse environmental impact, or		
(b) if that impact cannot be avoided—the development is		
designed, sited and will be managed to minimise that impact, or	5	
(c) if that impact cannot be minimised—the development will be		
managed to mitigate that impact.		
Clause 6.5 Earthworks	Demonstrated on plan as part of development – not an	
	activity in its own right on this application.	
Clause 6.6 Erection of dwelling houses on land in certain rural and	Not a rural or EP zone	
environmental protection zones	The Charle McDelwell Callou Phase (No. 1971) and All The All Charles Charle	
Clause 6.7 Dual occupancy development	Single domicile so n/a	
Clause 6.8 Multi dwelling housing developments	Single domicile so n/a	
Clause 6.9 Essential services	Power connection proposed. No reticulated water or	
	sewer in this Village	
Clause 6.10 Erection of dwelling houses on land in certain rural and	Specific purpose of report to Council – more detailed	
residential zones	assessment below.	
Clause 6.11 Development in proximity of waste disposal facilities and	n/a	
sewerage treatment works		
Clause 6.12 Airspace operations	n/a	
Clause 6.13 Development in areas subject to airport noise	n/a	
Schedule 1 Additional permitted uses	n/a	
Schedule 2 Exempt development	n/a	
Schedule 3 Complying development	n/a	
Schedule 4 Classification and reclassification of public land	n/a	
Schedule 5 Environmental heritage	n/a	
Schedule 6 Pond-based and tank-based aquaculture	n/a	
Jpper Lachlan Local Environmental Plan 2010:		
ONE: RU5 Village		

1		
	ePlanning Spatial Viewer	
	4 Lorn Street Collector 2581 🛛 🗸 🚡	1.51
	Let Serrick Ranks 2: 0P731782	P.
	Course UPPER LECHLAN SHIFE CODINCI.	Gollecto
	8	
	*	*
	The laws	
	General Br	6
	Administration	
	Principal Planning Layers	
	Principal Planning Layers C	
	State Environmental Planning Policies	PUL:
	Development Control	
	Hazard	
	• • • • • • • • • • • • • • • • • • • •	
		George as
Minimum Lot size:	: 2,000m2	
	Map provided below. Application not compliant, yet variant	ce sought nursuant to clause 4.6 of LEP
	Review of the proposal in light of the variance request and t	he Guidelines of the NSW Dept of
	Planning, Infrastructure & Environment, undertaken below.	the ourdennes of the Now Dept of
	4 Lom Street Collector 2581 4	
	Course & UFRER LACHLAN SHIRE COUNCIL Q	
	*	
	📚 talent 🔛 tagena	
	Files tays is	
	Menoum Listor 🔘 🕐 🔹	
	Econo Econo	
	Lahd Remote allow	
	Morrison 💿 🕼	
	A-11	
	Tantas 0 0 -	
6.2 BIODIVERSITY	See the Biodiversity assessment above.	
SIZ DIGDIVENDITI		
	Map below	



see commentary below       report         Erection of Advertising Structure:       Development Near Boundary:         Not proposed       Not adjoining a property or zone boundary.         Heritage Item:       BASIX:         Not a listed item or place       o Provided and on file for review.         Proposed Water Supply:       Proposed Sewer/Sewage:         Tank supply per BASIX       On Site Sewage Management Facility propo         Geotechnical report of soil and site design is file.       Proposed Stormwater:         Mains reticulated supply available adjacent site.       To be either charged and to street, or to		ePlanning Spatial Viewer	
Image: Second		Lot Section Planet 21: DP331782	a constant
Dwelling Permissibility:       Objectives of the Zone:         Permissibility:       Objectives of the Zone:         Permissible under Land Use Table yet subject to clause 6.10 of LEP - see commentary below       Meets zone objectives broadly - see earlier report         Erection of Advertising Structure:       Development Near Boundary:         Not a proposed       Not adjoining a property or zone boundary.         Not a listed item or place       Proposed Sewer/Sewage:         On Site Sewage Management Facility propo       Geotechnical report of soil and site design is file.         Proposed Power Supply:       Proposed Stormwater:         Tank supply per BASIX       Proposed Stormwater:         Mains reticulated supply available adjacent site.       To be either charged and to street, or to			
Dwelling Permissibility:       Objectives of the Zone:         Permissible under Land Use Table yet subject to clause 6.10 of LEP – see commentary below       Objectives of the Zone:         Erection of Advertising Structure:       Development Near Boundary:         Not proposed       Development Near Boundary:         Not a listed item or place       O Provided and on file for review.         Proposed Water Supply:       On Site Sewage Management Facility propo         Tank supply per BASIX       Proposed Stormwater:         Tank supply:       Proposed Stormwater:         To be either charged and to street, or to		Filter täyets	
Dwelling Permissibility:       Objectives of the Zone:         Permissible under Land Use Table yet subject to clause 6.10 of LEP – see commentary below       Objectives of the Zone:         Erection of Advertising Structure:       Not aljoining a property or zone boundary:         Not proposed       Not adjoining a property or zone boundary.         Not a listed item or place       o         Proposed Water Supply:       On Site Sewage Management Facility propoge Geotechnical report of soil and site design is file.         Proposed Power Supply:       Proposed Stormwater:         Tank supply available adjacent site.       Proposed Stormwater:		Administration	
Dwelling Permissibility:       Objectives of the Zone:         Permissible under Land Use Table yet subject to clause 6.10 of LEP - see commentary below       Objectives of the Zone:         Erection of Advertising Structure:       Not adjoining a property or zone boundary:         Not proposed       Not adjoining a property or zone boundary.         Heritage Item:       O Provided and on file for review.         Proposed Water Supply:       On Site Sewage Management Facility propo         Geotechnical report of soil and site design is file.       On Site Stormwater:         To be either charged and to street, or to       To be either charged and to street, or to			C029
Dwelling Permissibility:       Objectives of the Zone:         Permissible under Land Use Table yet subject to clause 6.10 of LEP – see commentary below       Meets zone objectives broadly – see earlier report         Erection of Advertising Structure:       Development Near Boundary:         Not a proposed       Not adjoining a property or zone boundary.         Heritage Item:       O Provided and on file for review.         Proposed Water Supply:       Proposed Sewer/Sewage:         Tank supply per BASIX       On Site Sewage Management Facility propo Geotechnical report of soil and site design is file.         Proposed Power Supply:       Mains reticulated supply available adjacent site.		Consum O	
Dwelling Permissibility:       Objectives of the Zone:         Permissible under Land Use Table yet subject to clause 6.10 of LEP – see commentary below       Meets zone objectives broadly – see earlier report         Erection of Advertising Structure:       Development Near Boundary:         Not proposed       Not adjoining a property or zone boundary.         Heritage Item:       BASIX:         Not a listed item or place       o Provided and on file for review.         Proposed Water Supply:       On Site Sewage Management Facility propo Geotechnical report of soil and site design is file.         Proposed Power Supply:       Mains reticulated supply available adjacent site.			Strate B
Permissible under Land Use Table yet subject to clause 6.10 of LEP –       Meets zone objectives broadly – see earlier report         Erection of Advertising Structure:       Development Near Boundary:         Not proposed       Not adjoining a property or zone boundary.         Heritage Item:       O         Not a listed item or place       O         Proposed Water Supply:       Proposed Sewer/Sewage:         Tank supply per BASIX       On Site Sewage Management Facility propo         Geotechnical report of soil and site design is file.       Proposed Stormwater:         To be either charged and to street, or to       To be either charged and to street, or to		Generated Aka	
Permissible under Land Use Table yet subject to clause 6.10 of LEP –       Meets zone objectives broadly – see earlier report         Erection of Advertising Structure:       Development Near Boundary:         Not proposed       Not adjoining a property or zone boundary.         Heritage Item:       O         Not a listed item or place       O         Proposed Water Supply:       Proposed Sewer/Sewage:         Tank supply per BASIX       On Site Sewage Management Facility propo         Geotechnical report of soil and site design is file.       Proposed Stormwater:         To be either charged and to street, or to       To be either charged and to street, or to	Dwelling Permissibility	/:	Objectives of the Zone
Erection of Advertising Structure:       Development Near Boundary:         Not proposed       Not adjoining a property or zone boundary.         Heritage Item:       BASIX:         Not a listed item or place       o Provided and on file for review.         Proposed Water Supply:       Proposed Sewer/Sewage:         Tank supply per BASIX       On Site Sewage Management Facility propo         Geotechnical report of soil and site design is file.       Froposed Stormwater:         Mains reticulated supply available adjacent site.       To be either charged and to street, or to	Permissible under Lar	nd Use Table yet subject to clause 6.10 of LEP –	Meets zone objectives broadly - see earlier in
Heritage Item:       BASIX:         Not a listed item or place       o       Provided and on file for review.         Proposed Water Supply:       Proposed Sewer/Sewage:       On Site Sewage Management Facility propo         Tank supply per BASIX       On Site Sewage Management Facility propo       Geotechnical report of soil and site design is file.         Proposed Power Supply:       Proposed Stormwater:       To be either charged and to street, or to			
Not a listed item or place       o       Provided and on file for review.         Proposed Water Supply:       Proposed Sewer/Sewage:       On Site Sewage Management Facility propo         Tank supply per BASIX       On Site Sewage Management Facility propo       Geotechnical report of soil and site design is file.         Proposed Power Supply:       Proposed Stormwater:       To be either charged and to street, or to	Not proposed		Not adjoining a property or zone boundary.
Tank supply per BASIX       On Site Sewage Management Facility propo         Geotechnical report of soil and site design is file.         Proposed Power Supply:         Mains reticulated supply available adjacent site.		асе	
Geotechnical report of soil and site design is file.         Proposed Power Supply:         Mains reticulated supply available adjacent site.    Proposed Stormwater: To be either charged and to street, or to			Proposed Sewer/Sewage:
Mains reticulated supply available adjacent site. To be either charged and to street, or to	Tank supply per BASIX		On Site Sewage Management Facility proposed – Geotechnical report of soil and site design is on file.
Mains reticulated supply available adjacent site. To be either charged and to street, or to	Proposed Power Supp	ly:	Proposed Stormwater:
dispersal pits below the effluent drainage field and away from the boundary.			To be either charged and to street, or to dispersal pits below the effluent drainage field

#### Section 4.6 & 6.10 of Upper Lachlan LEP 2010

The subject land is 1,347 sq.m in size. The minimum Lot Size as given in the ULSC LEP 2010 is 2,000 sq.m. Prima Facie the development is NOT permissible for this reason. The enabling clause for this lot size restriction is clause 6.10 of the LEP, which reads as follows;

# 6.10 Erection of dwelling houses on land in certain rural and residential zones

- (1) The objective of this clause is to ensure that dwelling houses erected in areas without reticulated sewerage have an appropriate minimum lot size to provide for the disposal of onsite effluent.
- (2) This clause applies to land where reticulated sewerage is not available in the following zones—
   (a) Zone RU5 Village,
  - (b) Zone R5 Large Lot Residential.
- (3) Development consent must not be granted for the erection of a dwelling house on a lot to which this clause applies, and on which no dwelling house has been erected, unless the lot is a lot that is at least the minimum lot size specified for that lot by the Lot Size Map.
- (4) Despite subclause (3), development consent may be granted for the erection of a dwelling house if it is to replace a lawfully erected dwelling house already existing on the land.

In particular, sub clause (3) enables the Lot Size Mapping under the LEP.

Section 4.6 of the Standard Instrument LEP which Council's adopt around their specific provisions, allows for the potential request by an applicant to request a variance to a "development standard" which may be in force under an LEP. Importantly, it is not allowed to be used on a "prohibition". Whilst Clause 6.10(3) does use the words "must not" it is an apparent development standard as it uses a numerical value based around a specific issue, that being the environmentally safe handling and disposal of effluent from an On Site Sewage Management Facility, where reticulated Council Sewerage system is not available.

Clause 4.6 reads as follows;

#### 4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows-
- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
  - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
  - that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless-
  - the consent authority is satisfied that—
    - the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
    - the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
  - (b) the concurrence of the Planning Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Planning Secretary must consider—
  - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
  - (b) the public benefit of maintaining the development standard, and
- (c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.
   (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if—
  - the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
  - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

#### Note-

When this Plan was made it did not include Zone E4 Environmental Living.

- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following—
  - (a) a development standard for complying development,
  - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <u>State Environmental Planning Policy (Building Sustainability</u> <u>Index: BASIX) 2004</u> applies or for the land on which such a building is situated,
  - (c) clause 5.4.

The NSW Department of planning, Infrastructure & Environment (DoPIE) has developed a rigorous framework for assessment, when considering applications made in this regard. Normally the process for a DA to be assessed under

these circumstances, would require a referral for concurrence by DoPIE, before Council may make its assessment on the matter. This has been most recently clarified in a DoPIE Circular (PS 20-002 dated 5 May 2020) as to when and how "deemed concurrence" may or may not be assumed.

In its most condensed form, the table of concurrences assumed or otherwise reads as follows, and is moreover stated in the obverse of what may <u>not</u> be assumed;

No.	Conditions
1	<ul> <li>Concurrence may not be assumed for a development that contravenes a development standard relating to the minimum lot size required for the erection of a dwelling on land in one of the following land use zones, if the variation is greater than 10% of the required minimum lot size:</li> <li>Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition</li> <li>Zone R5 Large Lot Residential</li> <li>Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living</li> <li>a land use zone that is equivalent to one of the above land use zones</li> <li>This condition does not apply to State significant development or development for which a Minister is the consent authority</li> </ul>
2	Concurrence may not be assumed for the following development, if the function of determining the development application is exercised by a delegate of the consent authority: - development that contravenes a numerical development standard by more than 10% - development that contravenes a non-numerical development standard Note. Local planning panels constituted under the Environmental Planning and Assessment Act 1979 exercise consent authority functions on behalf a council and are not delegates of the council
	This condition does not apply to State significant development, regionally significant development or development for which a Minister is the consent authority

In assuming concurrence responsibility, this renders the matter as one which must be exercised by full Council and is unable to be delegated to Staff. This assessment will be complemented by a report to Council which seeks it to exercise the deemed concurrence delegation from DoPIE to itself.

The subject development is for land in the RU5 – Village Zone. It does not meet any of the tests above. As such, concurrence may be assumed and Council may determine in line with the Guideline published by DoPIE entitled "<u>Varying</u> <u>Development Standards: A Guide - August 2011</u>" after receiving appropriate justification from the Owner/Applicant, in the form within the Guidelines. This has been received along with specialty consultant reports in support, for the current application.

In essence, the application seeks to vary the 2,000 sq.m development standard minimum lot size, to the actual allotment size of 1,347 sq.m. This represents a variance of 32.65% to the development standard, yet is defended by virtue of the ability to receive, treat and dispose of the on site sewage management for the proposed development, on site and without nuisance or environmental harm.

In the prescribed format of the DoPIE Guidelines, the following defence of the request to vary the standard is summarised as follows;

- Last vacant allotment seeking a house in this 1986 subdivision of 6 allotments in DP 731782 all others approved, or developed as houses on single allotments or a house across 2 allotments;
- The subdivision approval of the time would have envisaged development of housing and area for disposal of effluent, and therefore have been assessed for same;
- Former Gunning LEP 1997 was not as rigorous as present clause holding to 2000 sq.m, allowing housing if on site sewage management could be proven to be environmentally safe and sound;
- Clause 6.10's over-arching principal is similar yet it has the lot size standard, which requires the 4.6 variation
- Enforcing strict compliance with the 2,000 sq.m standard would be unreasonable as it would leave allotments unable to be built on throughout the Village
- A detailed Geotechnical assessment has been provided, prepared by Harris Environmental Consulting of Jamberoo (dated 2/3/2020 Ref 3668WW ver 1), which after site and soil assessment against all Environmental

Standards for an On Site Sewage Management Facility, has been able to come up with an effective system on the land with all appropriate setbacks, and also have enough land reserved for a back up location should area 1 fail in time.

From review of these site specific matters (precedent not to be examined in defence of this position per Guideline) as raised by the effluent and due to the confidence gained from the GeoTechnical Report, it is intended to recommend the variance be approved by Council under sec 4.6, as the analysis and the intent of the former planning instrument and subdivision that created the land, had obvious intent to permit development if the site specific analysis and design had been applied. This has been undertaken by the Applicant and found that the proposal is reasonably able to be done, without environmental harm and in line with the strategic intent of the planning instruments prepared for the Village.

The matter does not set a precedent as the same rigour would need to be applied should another allotment in the Village face this planning complication, it too would need site specific analysis. Further, the matter is in line with the settlement strategies in the Regional Plan, where Villages are encouraged to be strengthened and settled.

This assessment and recommended determination are, however, subject to Council's consideration of this matter, and concurrence being issued.

S4.15 (1)(a)(ii) - Any proposed environmental planning instrument that has been subject to public consultation – (draft SEPPs/REPs/LEPs):

#### No draft EPI's affect the land.

S4.15(1)(a)(iiia) - Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4:

No VPA or other Planning Agreement exists over the subject land.

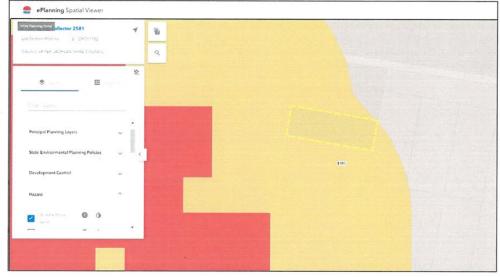
S4.15(1)(a)(iii)- Any Development Control Plan (DCP) - Upper Lachlan Development Control Plan 2010:

The application has been considered with regard to the following relevant provisions of the DCP including:

2. Plan Objectives	
2.1 Village/Residential Development Objectives	Primarily objectives exist around residential development being appropriately scaled and sized for the land in question, with all available controls in place to effect same. It is considered this development meets these objectives
2.2 Rural Development Objectives	Not rural
4. General Development Controls	
4.1 Matters for consideration	
4.1.1 Matters for consideration (General)	The application addresses the prescribed matters of character, access, land capability, availability or provision of alternate services, BASIX obligations, the GeoTechnical Site analysis, and the neighbourhood fit.
4.1.2 Matters for consideration (Subdivision)	Not applicable
<u>4.2 Environment</u>	
4.2.1 Tree and vegetation preservation	Only one tree on site and not mentioned in this application for removal as proposal does not impact upon it. Neighbour has commented to staff about removal of large tree at mid block adjacent their development which is on or near boundary.
	Smaller adjacent part dead regrowth tree ok for removal for site works
	If the new house gets built, a window of opportunity to trim or remove this tree will be lost. Advice has been given to seek a Tree Works

	Application. Nothing listed for consideration at this DA nor does the development conflict with this tree.
4.2.2 Waterways, water bodies and wetlands	None adjacent
4.2.3 Riparian corridors	Not adjacent and not mapped for this attribute in LEP
4.2.4 Groundwater	Considered in GeoTech Report – ok
4.2.5 Well Head Protection Plans	Not required
4.2.6 Biodiversity management	See commentary above in earlier section. Whilst mapped, the sole large tree crown has most likely distorted the satellite interpretative mapping for this layer. Not considered an issue.
4.2.7 Bushfire risk management	No plan required

# BUSHFIRE PRONE LAND MAPPING



The Applicant has submitted a Bushfire Hazard Assessment by a BPAD Accredited Assessor (Harris Environmental Consulting – BPAD Assessor Kate Harris BPAD-L3-26927) – Report dated 3 March 2020 Ref 3668BF dated 3/3/2020. This report has worked through the relative issues in the Vegetation Buffer affected land. The conclusion reached is a Bushfire Attack Level of 12.5and has made certain construction and infrastructure recommendations. These are incorporated into the building design and will be reinforced by conditioning on any determination, if and when issued.

4.3 Design	
4.3.1 Solar access	BASIX compliant so design is reasonable
4.3.2 Landscaping	Not strictly a requirement yet revegetation of cut and fill as a minimum will be required.
4.3.3 Disability standards for access	Not required as not commercial.
4.3.4 Crime Prevention Through Environmental Design	Not required as not commercial.
4.4 Heritage	
4.4.1 European (non-Indigenous) heritage conservation	Not identified as an item of significance
4.4.2 Indigenous heritage and archaeology	Not identified as near a relic or culturally significant location and not within 1km of same from AHIMs Search conducted
4.5 Flooding and Stormwater	
	See earlier basic search on Council Exponare system & commentary
4.5.2 Stormwater management	All stormwater to be disposed of via charged lines to street or to an absorption dispersal bed below any designated effluent disposal field, and reserve. Plans appear to indicate

			some form of stormwater discharge poi allotment drainage of a formal nature deposited plan.		
4.5.3 Impacts on drinking	water catchments		Not in SCA area		
4.5.4 Overland Flow Paths			Not obvious as affecting this land		
4.6 Traffic and Car Parking					
4.6.1 Vehicular access and parking		Street table drain road edges – referral to Engineering Dep has provided the minimum standard of crossing required Condition to be imposed and a Works in Road Reserv Permit to be obtained before works undertaken.			
4.6.2 Roads and Traffic Au	thority (RTA) controlled i	roads	n/a		
4.6.3 Heavy vehicle genero	ition development – hau	lage	n/a		
routes		1.77.			
4.7 Existing Use			n/a		
4.8 Temporary events			n/a		
5. Residential development	t		Jan Anna ann an Anna Anna Anna Anna Anna		
5.1 Subdivision			None proposed		
5.2 Residential			None proposed		
5.2 ULSC DCP ~ Residentia	l – R2, RU5, R5				
Controls	Proposed	Require	d	Compliance	
Height	4.9m	8.5m		OK	
Setbacks	6m West (Street)	6m		ОК	
	4m Nth	900mm		OK	
	6.31m Sth	900mm		OK	
	33.04m East	900mm		ОК	
Private Open Space	Large lot	10% wit	h 5x5 m	OK	
		Directly	accessible		
		General	ly flat (less than 5%)		
	C 1	Preferal	bly northerly		
Privacy	See above	2metres	s separation or windows of hab. Rooms not	ОК	
			directly adjacent.		
Vehicular Parking	Double garage &	Garage	no more than 50%	OK	
	setback 6m		not forward of front building line		
10. Engineering requireme	nts				
10.1 Utility services			Electricity only		
10.2 Roads					
10.2.1 Urban			Village – crossover required – see Eng cond	's	
10.2.2 Rural			n/a		
10.2.3 Crown Roads			n/a	1	
10.2.4 Unmaintained Coun	cil controlled Public Road	ds	n/a		
10.3 Easements			None known		
10.4 Building over sewer			Not applicable		
10.5 Staging of development in expanded village areas and the provision of essential infrastructure			n/a		

# S4.15 (1)(b)-Likely impacts of the development:

CONTEXT & SETTING	The proposal is consistent with housing in this Street in Collector. Despite the size anomaly with the minimum lot size for housing and effluent, this is a large block with comfortable side setbacks giving it an appropriate Village setting style.
ACCESS, TRANSPORT & TRAFFIC	The land is serviced by a sealed road. There is no kerb and gutter so the level of appropriate road connection to the land will be conditioned to meet Council Policy.

PUBLIC DOMAIN	The land was originally created for the purpose in 1986 so the expectation at the time of creation of the land was that if developed for a dwelling, the range of services available in the Village includes passive recreation, primary schooling and emergency based services, with a Hotel, Coffee/Wine Shop in existence. Increase in settlement will see public domain needs increase yet this was foreshadowed at subdivision and should not be a negatively assessed matter at this time.
	Unsettled land is required to meet a public contribution (roads, services, public facilities) as
LANDSCAPING / CLEARING	part of the dwelling DA process and this will be a condition of any consent. Dwelling curtilage only – assessed prior in report – no unexpected impact.
NOISE AND VIBRATION	Only during construction – noise and time conditions are standard in ULSC Consents
AIR QUALITY	
WASTE	No impact expected All construction rubbish will need to be disposed of to the local Transfer Station during the
WASTE	build. The dwelling at completion will join the kerbside collection service currently offered to the Village
ENERGY	Development meets the reduction targets of utilities by issuance of a BASIX Certificate
VIEWS	Within built up Village area and set well back from boundaries and below road level – no view loss anticipated.
SAFETY, SECURITY & CRIME PREVENTION (NSW POLICE SERVICE CHECKLIST)	Normally assessed wider at a commercial/industrial development. Residential development in quieter country village so no untoward impact expected.
SOCIAL IMPACT IN THE LOCALITY	Positive - by the potential for another new family joining the Village community
ECONOMIC IMPACT IN THE LOCALITY	Positive – new development within smaller community
SITE DESIGN & INTERNAL DESIGN	Reasonable with good side setbacks and appropriate setting to street
FLORA & FAUNA	No impact expected
NATURAL HAZARDS	None known
TECHNOLOGICAL HAZARDS	None known
CONSTRUCTION	Contemporary project home proposed – short build time and established building practises & methods

## S4.15 (1)(c) - The suitability of the site for the development

□ Does the proposal fit the locality □ Are the site attributes conducive to development: The development is considered appropriate for the locality Yes, as examined within this report and subject to formal variation of the development standard by report to Council

# S4.15 (1)(e) -The public interest

 The health and safety of the public will not be adversely affected by the proposal.

 The proposal is not contrary to any known Government policy in this area.

 S7.11 Contribution towards provision or improvement of amenities or services

 Adopted S94 Contribution Plan
 Applicable

 Residential (Per Dwelling) & Subdivisions Per Lot

 Roads
 9,994

 Waste Management
 549

 Open Space & Recreation
 867

 Community facilities
 1,502

Emergency Services	692
Plan Administration	188
Total:	\$13.792 x 1

S64 Contributions

Not Applicable (No reticulated water or sewerage)

# Assessment Summary:

The subject site is zoned RU5 Village and the permissibility of the development under Upper Lachlan Local Environmental Plan 2010 provides a broad indication that the site is suitable for the proposed development. An objection to the minimum lot size development standard has been made, and is considered reasonable due to site proof and justification of effluent disposal. Subject to Council confirming the variance to the development standard under section 4.6 of the LEP (separate report), this matter is recommended for approval.

Based on the assessment under this and other sections within this report it is considered that the site suitable for the proposed development.

#### Recommendation:

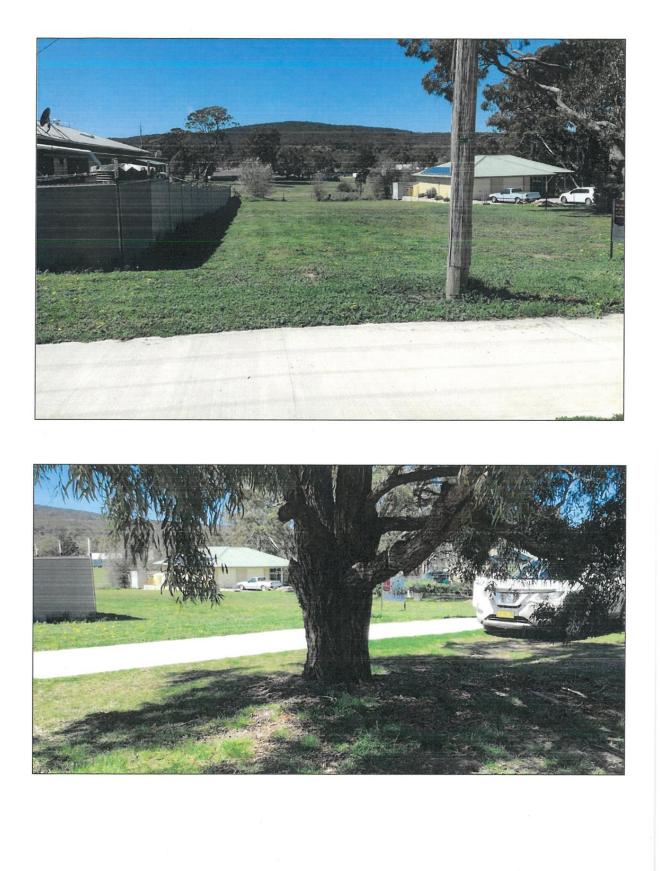
- 1. The matter of the section 4.6 objection to the 2000 sq.m development standard on unsewered Village land (clause 6.10 of LEP) be referred to Council for its decision, with a positive recommendation put forward by Staff;
- 2. Subject to 1. above, Development Application 77/2020 be approved subject to conditions in accordance with the EP&A Act and regulations and Council practices.

CRAIG FILMER (RELIEF BUILDING & PLANNING OFFICER)

Signature:

Date: 30 September 2020

SITE PHOTOGRAPHS







REF: 3668WW VERSION [1.0] MARCH 2, 2020

# Harrisenvironmental

# SOIL AND SITE ASSESSMENT FOR ONSITE WASTEWATER MANAGEMENT

**4 LORN ST, COLLECTOR** 

LGA: Upper Lachlan

Lot 2 DP 731782

CLIENT: Violeta Kuenne & Steven Brinfield

HARRIS ENVIRONMENTAL CONSULTING PO BOX 70, JAMBEROO, 2533, NSW TEL: (02) 4236 0954 info@harrisenvironmental.com.au

# **VERSION CONTROL**

Title	Soil and Site Assessment for Onsite Wastewater Management						
Site address	4 Lorn St, Col	4 Lorn St, Collector					
Description	AWTS and soi	AWTS and soil absorption beds					
Created By	Michael Wilso	Michael Wilson BSc (UNSW)					
Date Created	2/03/2020						
Version Number	Modified By	Modifications Made	Date Modified	Status			
[1.0]	M.W.	Issue for client review	2/03/2020	Complete			
				-			
				-			
				-			
				-			
				-			

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



# TABLE OF CONTENTS

1.	ASSESSMENT CRITERIA	3
2.	SITE INFORMATION	4
3.	SITE ASSESSMENT	4
4.	SOIL ASSESSMENT	5
5.	SUMMARY OF SOIL AND SITE CONSTRAINTS	6
6.	PROPOSED METHOD OF WASTEWATER TREATMENT	9
7.	WASTEWATER DISPOSAL	0
7	.1 Sizing of soil absorption bed/s1	0
8.	SUMMARY 1	1
9.	REFERENCES 1	2

# FIGURES

Figure 1	Location	3
----------	----------	---

# TABLES

Table 1	Minimum pipe diameter and grade calculations	10
Table 2	Minimum pipe depth for trafficable areas	0
Table 4	Dimensions for constructing soil absorption bed1	1

# APPENDICES

Appendix I	Construction of soil absorption beds1	3
Appendix II	General recomendations to manage water quality and quantity1	6
Appendix III	Standard Drawing 9A - Upslope Diversion Drain1	7
Appendix IV	Wastewater Management Plan: Details Sheet No.11	8
Appendix V	Wastewater Management Plan: Details Sheet No.21	9
Appendix VI	Standard Drawing – Soil Absorption Beds2	0
Appendix VII	Standard Drawing – Raised Soil Absorption Beds2	1

Harrisenvironmental

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au

#### **ASSESSMENT CRITERIA**

The owners of Lot 2 DP 731782, located on 4 Lorn St, Collector propose constructing a new 4 bedroom dwelling on the 1360m<sup>2</sup> block.

Fieldwork was undertaken by Harris Environmental Consulting (HEC) on the 21<sup>st</sup> February 2020. This plan is based on the primary investigation of the soils, topography, and hydrology of the site observed on the day of inspection. Soil samples and photos of the site were taken for further analysis. This assessment was undertaken for a proposal to install an Aerated Wastewater Treatment System (AWTS) for wastewater treatment and soil absorption bed for wastewater disposal.

Harris Environmental Consulting was commissioned by the owner to undertake this Soil and Site Assessment for On Site Wastewater Management in accordance with:

- Upper Lachlan Council Development Control Plan;
- Environment and Health Protection Guidelines (1998) On-site Sewage Management for Single Households (Department of Local Government);
- Local Government Act 1993;

LOCATION

- AS/NZ 1547:2012 On-site wastewater management (Standards Australia, 2012); and
- AS/NZS 3500 Plumbing and Drainage 2018 (Standards Australia, 2012).

Source: SixMaps

FIGURE 1

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



6

#### SOIL AND SITE ASSESSMENT FOR ONSITE WASTEWATER MANAGEMENT ON 4 LORN ST, COLLECTOR

# SITE INFORMATION

Project manager:	Simon Hvalica E: <u>simon.hvalica@gjgrdener.com.au</u> M: 0432420247			
Size of property:	1360m <sup>2</sup>	2		
Legal title:	Lot 2 DP 731782			
Local Government:	Upper Lachlan Council			
Water supply:	Tank (120L/person/day)			
Wastewater design load and	No Bedrooms	4 bedrooms		
daily wastewater (L/day)	Occupant numbers (at 2 persons/bedroom for first 3 bedrooms, and 1 person per bedroom for all additional bedrooms)	7 persons		
	Wastewater load	120L/person/day		
	Total wastewater load	840L/day		
Proposed wastewater treatment:	AWTS			
Proposed wastewater disposal:	Soil absorption bed			
Date site assessed:	March 2, 2020			
Date report prepared:	February 27, 2020			
Report prepared by	Michael Wilson BSc (UNSW)			
Site assessor:	Jew -	Science (UOW), Grad dip Nat Res (UNE), ic, Agriculture (HAC)		

# SITE ASSESSMENT

Climate - rainfall	Collector (Winderadeen) Station (median annual 692.8mm)			
Climate - evaporation	Goulburn pan evaporation (median 1699mm)			
Flood potential	Proposed wastewater treatment system is above 1 in 100 year flood level; minor limitation. Proposed wastewater disposal area above 1 in 20 year flood level; minor limitation.			
Frost potential	The site is not known to be subject to severe frosts, minor limitation			
Exposure	Western aspect; minor limitat	ion		
Slope	6%, minor limitation for irrigation	tion		
Landform	Uniform slope, minor limitation			
Run-on and seepage	Minor upslope stormwater run-on; minor limitation			
Erosion potential	Minor erosion potential			
Site drainage	Moderate to well drained soil profile; minor limitation			
Evidence of fill	No evidence of fill; minor limitation			
Domestic groundwater use	One groundwater bore is reported to be located on the property (GW108154). No such bore has been found			
Surface rock	No surface rock; minor limitat	ion		
Area available for effluent disposal	Area available for effluent disposal within designated Effluent Management Area (EMA), minor limitation			
Buffer distance from wastewater management system:	Permanent waters : Intermittent waters : Boundary of premises:	100m+ 40m+ 3-6m 6m+		
	Swimming pools: Buildings (shed):	om+ 3-6m		
	Dwellings:	15m		

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



#### SOIL ASSESSMENT

Method:	Mechanised a	uger/crowbar/shovel				
Depth to bedrock (m):	500mm to restrictive layer; major limitation					
Depth to high soil	No groundwater or subsoil mottling encountered at a depth					
watertable:	of 500mm; minor limitation					
Coarse (%):	No coarse frag	gments in subsoil, minor lin	nitation			
pH (soil/water):	pH 6-6.5; mind			1		
Electrical conductivity:		salinity is not a constraint;	minor limit	ation /		
Salinity hazard:		ormation available		1.		
Domestic groundwater use:	The Department of Primary Industries Office of Water search of groundwater bores found there are is one groundwater bores within 100m of the proposed effluent management area. This bore is reported to be on the property in question, however inspection of the area revealed no such					
Geological unit:	infrastructure Campbells Group undifferentiated sediments (Siltstone, phyllite, slate, quartzose and felsic volcaniclastic sandstone, carbonaceous and pyritic siltstone, limestone; minor felsic lava)					
Soil landscape:	Blakney Creel	Soil Landscape (Soloths)				
Greater Soil Group:	Yellow Podzolic Soils - less fertile (granites and metasediment)					
Surface rock:	No surface roo	k in proposed effluent mar	nagement	area		
Bulk density:	Friable, moder	rately structured topsoil; mi	nor limitati	ion		
Phosphorus balance assumptions:	<ul> <li>Phosphorus uptake by grass growth assumed to be 30 kg/ha/yr, 8mg/m²/day.</li> <li>P sorption 150mg/kg, which equals 2250kg/ha. Available soil depth is to be1m, of which 30% of profile is available for P sorption (potential rage of 30-75%)</li> </ul>					
Soil profile:	STORE STORE	Layer 1	DIR	DLR		
	Texture Colour Depth Structure Coarse frag.	Gravelly loam Cream 0-100mm Weakly No	N/A	N/A		
	- Notice Martin	Layer 2	DIR	DLR		
	Texture Colour	Loam Cream	N/A	50 mm/day		
	Depth Structure Coarse frag.	100-600mm Weakly No				
		Layer 3	DIR	DLR		
	Texture Colour Depth Structure	N/Á	N/A	N/A		

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



#### SUMMARY OF SOIL AND SITE CONSTRAINTS

Although there are no insurmountable soil or site constraints that would prevent the installation of an Aerated Water Treatment System (AWTS) for wastewater treatment and soil absorption beds for treated wastewater disposal for the proposed 4-bedroom dwelling, there are a number of constraints that require mitigation. The lot is small (1360m<sup>2</sup>) and the soil depth only 600mm, both presenting challenges in designing an on-site wastewater treatment management system. Soil will need to be added to the disposal area to increase soil depth to the required 1m minimum. This soil should be sourced from the site and be of loam texture. In addition, there are a number of bores within 100m of the property, and many in the township of Collector. GIS data indicates the existence of a bore on the subject property, although no evidence of it has been found upon inspection. It is assumed that, given the number of bores across the township and the lack of sewerage, none of these bores supply water for human consumption or bathing.

The proposed AWTS and soil absorption trenches will be installed to the east of the proposed dwelling in a location that is compliant with the buffers and setback distances required by the Upper Lachlan Shire Council. This includes locating the proposed soil absorption bed being at least 12m from downslope dwellings and boundaries, and at least 6m from upslope boundary lines and dwellings.

Addition of soil to change or augment soil profile

It is proposed that a minimum of 400mm of suitable soil (loam or sandy loam) will be incorporated into the surface soil in the area in which the soil absorption bed is to be located (as per AS/NZ1547(2012), p137, Table K2 *'import soil to raise ground level*'). Thus, the DLR adopted is for the soil texture found at a depth of 600mm instead of 1000mm.

The site is sloped, and although it is expected that the added soil in the area of the proposed absorption bed will be surrounded by a grassed batter (no greater gradient than 1 in 3) on all sides, the owners may prefer to retain this added soil. If this is to be the case the following information should be read and incorporated into any such design.

# 7. CONSTRUCTION OF SOIL ABSORPTION BEDS ON SLOPING SITES

The installation of soil absorption beds on a sloping site will often require the addition of soil to the downslope portion of the bed as its base is required to be level. In some cases, the soil profile will allow cutting into the upslope sections of the bed area, **however unless specified**, **this should not occur** as the minimum depth of permeable profile below the bed base would not be retained. The steeper the slope and wider the bed, the greater the quantity of suitable soil required. If excavation for building works is occurring onsite, soil made available may be suitable for the absorption beds, however it is essential that the fill material should be a natural, sandy loam to clay loam soil that is similar to the existing soil material. A topsoil purchased from a landscape supplier may have a high proportion of sand or organic material that will break down, potentially causing it to slump. In addition, any fill material should be compacted to prevent movement and settling after the bed has been constructed.

The base of any soil absorption bed must be level. Similarly, the limited range of topsoil depth permissible (100-150mm) over the bed means that the finished bed surface is also required to be level (or close to level). The effect of these design restrictions is that sloped land becomes terraced to some degree by the installation of absorption beds.

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au Harrisenvironmental

Depending on the owner's preferences, site, bed width and slope, the raised area of the bed will need retention, either by retaining wall or batter (soil slope).

#### **Retention options**

#### Retaining wall

Retaining walls may be the preferred solution on sloping sites requiring soil absorption beds, however they can be costly. Benefits can include the resulting terracing of land (potentially a visual benefit), and in some cases the reduction of the area of land required to support the raised bed (when compared to a battered slope). It is important to note that retaining walls of height greater than 600mm are required to be designed by a structural engineer. In addition, 300mm of retained soil shall surround the boundaries of the soil absorption beds to ensure wastewater does not track down the inside of the wall itself. This effectively increases the size of the area required. See Appendices.

#### **Battered Slope**

In most instances a soil absorption bed on a sloping site can be retained by a soil batter on its downslope face. The generally accepted maximum gradient of such a batter is 1 in 3. As with a retaining wall, the battered slope should begin 300mm from the downslope edge of the soil absorption bed. Of course, the natural slope of the land needs to be considered in any calculation of the horizontal length of the batter.

Any batter should be well-grassed and maintained as per the maintenance requirements of the soil absorption bed.

It should be noted that cohesionless soils (See 'Fill material and compaction for absorption beds' section below for description) are unlikely to be suitable for constructing soil batters as they may slump.

#### Fill material and compaction for absorption beds

The fill material should be a natural, sandy loam to clay loam soil that is similar to the existing soil material. The material should have sufficient clay and organic material to retaining moisture and maintain grass growth. Topsoil material excavated from the property may be suitable. Soil texture is a suitable indicator to assess the soil material that could be used. Table 1 provides further information on the composition of the soil texture classes being proposed for fill material.

A			

SOIL TEXTURE SUITABLE FOR RAISED SOIL ABSORPTION BED

Soil texture	Composition		
Sandy Loam	Soil material that contains either 20% clay or less, and the percentage of silt plus twice the percentage of clay exceeds 30, and 52% or more sand; or, less that 7% clay, less than 50% silt and between 43% and 52% sand.		
Loam	Soil material that contains 7% to 27% clay, 28% to 50% silt, and less than 52% sand.		
Sandy Clay Loam	Soil Material that contains 20% to 35% clay, less than 28% silt, and 45% or more sand.		
Clay Loam Soil material that contains 27% to 40% clay and 20% to 45% sar			

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



The preferred material is a clay loam soil as this will provide suitable moisture retention and phosphorus adsorption. A clay loam a cohesive, plastic soil that has sufficient clay fraction to enable it to be rolled to a thread or molded to a shape when moist.

If a locally available clay loam soil is not available, a sandy loam soil can be purchased from a bulk soil/landscape materials supplier. A sandy loam soil is more likely to be a cohesionless, non-plastic soil that cannot be molded to a shape. The strength of such soils is controlled by their relative density, and described as either loose, medium or dense. For this application, a medium level of compaction is recommended, which can be assessed, in the field, by assessing the resistance to driving a pointed 50mm square stake with a 5kg hammer into the ground.

Loose = a stake is easily driven into the ground Medium = a stake is driven into the ground with some effort Dense = a stake cannot be driven far

The fill material should be spread in layers of approx. 200mm and compacted under moist conditions. If the soil is dry (cannot be molded), reduce layer thickness to less than 150mm.

#### Soil chemical properties

If an unknown soil is to be used, it should be non sodic (less than 6% Exchangeable Sodium Percentage), 0-20% coarse fragments, not contain high levels of salt (<8 dS/m), pH in range of 4.5 - 6, not have low or high levels of organic carbon or any other extremes which may be retard plant growth or affect permeability.

For further information, see appendix for attached Standard Drawing – Retained Soil Absorption Bed and the construction notes for soil absorption beds described in this report

# Photo 1 Onsite soil assessment and soil profile



Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



# Photo 2 Looking downslope towards the proposed disposal area



#### PROPOSED METHOD OF WASTEWATER TREATMENT

A domestic AWTS has a capacity for 10 persons, which would be sufficient for the existing **4-bedroom house (7 persons).** The owner must provide Council with the AWTS manufacturer's specifications of the Sewage Management Facility. (Information on proposed AWTS can be obtained from the manufacturer or NSW Heath Register of Accredited Sewage Management Systems at <a href="http://www.health.nsw.gov.au/publichealth/environment/water/waste\_water.asp">http://www.health.nsw.gov.au/publichealth/environment/water/waste\_water.asp</a>).

The AWTS manufacturer will provide the necessary plans and specifications including NSW Health Accreditation, tank dimensions and capacity, operation and maintenance details, plus Licensed Plumber's name, address, phone number and license number.

The AWTS will be installed and maintained in accordance with Section 5 of the guidelines 'Onsite Sewage Management for Single Households' (Department of Local Government, 1998) and AS/NZS 1547-2012 'On-site Domestic Wastewater Management' (Standards Australia, 2012);

Upon approval from **Upper Lachlan Council** the owner is to enter into a servicing contract with an approved servicing agent for the life of the system. Copies of the written service reports should be lodged with **Upper Lachlan Council** following each quarterly service

The location of the AWTS is shown on the Site Plan. The location of the AWTS should be decided in conjunction with the licensed plumber in consultation with the property owner. The AWTS must be positioned on a stable, level base and be downslope of the building so there is sufficient fall from drainage outlets in the dwelling. The location of AWTS shown on the Site Plan was selected because:

- it is downslope of the buildings from where wastewater is generated;
- at least 1.5m away from the building
- at least 6m downslope from any in ground water storage tanks.
- Above 1 in 100 year flood level.

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au Harrisenvironmental

AWTS installation must comply with the manufacturer's recommendations, AS/NZS 3500.2:2018 Plumbing and Drainage Part 2 Sanitary Plumbing and Drainage' and Council requirements.

# 6.3 Installation of pipes

The sewer pipes between the plumbing amenities, AWTS and irrigation area must conform with 'AS/NZS 3500(Set):2015 Plumbing and Drainage Set' specifying the nominal pipe sizes and respective minimum grades. Table 1 contains these specifications.

In addition, where a sewer carrying untreated wastewater to a treatment system is longer than 60 metres, the minimum grade should be doubled, and inspection ports should be installed at least every 30 metres or at an angle or change of grade.

The sewer pipes between the plumbing amenities, AWTS and irrigation area must be buried at a depth that provides protection against mechanical damage or deformation, in accordance with 'AS/NZS 3500(Set):2015 Plumbing and Drainage Set'. Table 2 shows the minimum pipe depth for trafficable areas.

Nominal pipe size (DN)	Minimum grade %	Minimum grade ratio	
65	2.5	1:40	
80	1.65	1:60	
100	1.65*	1:60	
125	1.25	1:80	
150	1.00	1:100	

#### TABLE 3 MINIMUM PIPE DEPTH FOR TRAFFICABLE AREAS

Location	Minimum depth of cover (mm) for all materials other than cast iron	
Where subject to vehicular traffic	500	
Elsewhere	300	
	lumbing and drainage Set'. Table 3.7.2 Minimum Cover or Buried Pipes'	

#### WASTEWATER DISPOSAL

#### 7.1 Sizing of soil absorption bed/s

The soil absorption bed can be constructed within the range of widths and depths shown in Table 4 (ASNZ1547, 2012). The bed can be no deeper than 600mm and no wider than 4m. For this site, the proposed base of the bed is 400mm below ground surface (300mm aggregate and 100mm topsoil).



#### TABLE 4 DIMENSIONS FOR CONSTRUCTING SOIL ABSORPTION BED

	Typical dimensions (mm)	Maximum (mm)	Minimum (mm)
Width	1000-4000	4000	1000
Depth of aggregate	300-600	600	300
Depth of topsoil	100-150	150	100
Spacing between adjacent beds (sidewall to sidewall)	1 <b>7</b>	NA	1000
Source:'AS/NZS 1547:2012 On-si	te domestic wastewater	management	

The size of the soil absorption bed is calculated using the formulae in AS/NZ 1547(2012). It is based on design flow rate, design width and Design Loading Rate (DLR), which is the amount of effluent that, over the long-term, be applied each day per area of infiltrative surface without failure of the infiltrative surface.

The DLR adopted for the well-structured loam subsoils receiving secondary treated effluent is 50mm/d.

The AS/NZ1547(2012) method for calculating bed size is as follows:

$$L = Q$$

$$DLR \times W$$

$$Where$$

$$L = Length in m$$

$$Q = Design daily flow in L/day (840L/d)$$

$$W = Width in m$$

$$DLR = Design Loading Rate in mm/d (50mm/d)$$

Based on the above formulae and assumptions described in this report, the soil absorption bed must be **16.8m<sup>2</sup>**.

A **reserve area** is required in accordance with AS/NZ 1547(2012). The reserve effluent disposal area is **16.8m<sup>2</sup>**. The proposed reserve area is designated as land to be set aside for future soil absorption beds.

#### SUMMARY

This assessment recommends the following:

- Install a 16.8m<sup>2</sup> soil absorption bed for treated wastewater from the proposed septic tank at the location shown on the Site Plan (Appendix) and installed in accordance with this report. The proposed configuration includes ONE 9.8m x 1.72m bed.
- As per AS/NZS 1547:2012, an additional 100% reserve area must be set aside for future use or expansion of the soil absorption bed. Reservation of 16.8m<sup>2</sup> of land for the reserve soil absorption beds as shown on the Site Plans.

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



#### REFERENCES

Department of Local Government (1998) On-site Sewage Management for Single Households. NSW Government.

Standards Australia (2012) Australian/New Zealand Standard 1547:2012 On-site domestic wastewater management. Standards Australia.

NSW Health Septic Tank Accreditation Guidelines (2001).

Hazelton, P.A and Murphy, B.W ed. (1992) What Do All the Numbers Mean? A Guide for the Interpretation of Soil Test Results. Department of Conservation and Land Management (incorporating the Soil Conservation Service of NSW), Sydney.

Upper Lachlan Council Development Control Plan;

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



APPENDIX I CONSTRUCTION OF SOIL ABSORPTION BEDS

#### Step 1 Site Preparation

Obtain a copy of the council approved plans and conditions of consent. Accurately locate beds as shown on the site plans and according to the specified and approved design and/or any covenant. Check the location of all constructed beds against the approved site plans. If there is any change in their position from the site plans, a Section 96 application (from the *Environmental Planning and Assessment Act 1979*) must be made to council to alter their position.

# Step 2 Positioning

Build the beds along the contours and use laser leveling to ensure that the base is exactly level. If this does not happen, distribution will not be even and one part of the bed will be more heavily loaded. This could cause the most heavily loaded part of the bed to fail prematurely, with further creeping failure as the effluent is forced to more distant parts of the bed.

Always avoid cutting bed through existing weakened ground (eg. through the alignments of former underground pipes, cables or conduits) as they may provide preferential pathways for effluent to escape from the bed. If they cut downslope through the ground occupied by a series of bed, effluent may preferentially flow to the lowest bed causing it to fail or surcharge. Where it is unavoidable to cut into an alignment or it happens accidentally, seal the weaknesses in the bed walls with cement or bentonite grout.

#### Step 3 Timing

Build beds during fine weather. If it rains before beds are completed, they should be covered to protect them from rain damage.

Once dug, complete the beds promptly to avoid foreign material being washed into the open bed. In particular, avoid puddling, where clay settles out at the bottom of a water filled trench exposed to rain, as clay settling on the base of the bed will reduce bed performance.

# Step 4 Excavation

- Carefully excavate the base of any bed and level it with a dumpy or laser level. The bed must be level along and across the line of the bed. If there is a slope across the base of the bed, the effluent will drain to and preferentially load the downslope side of the bed, which may then fail or overflow.
- Where beds are dug along the contour on sloping ground by an excavator that does not have a pivoting bucket, the base of the bed will probably be cut parallel to the ground surface. In this case, the base of the bed will have a fall towards the downslope side. The bed should be further hand dug to level the base and stop excessive effluent accumulating against the downslope wall of the bed.
- Where beds are dug by excavator in clayey soils, any smearing of the bed walls and floor must be fixed by scarifying the surface.

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



#### Step 5 Construction

Do not dig beds in dispersive soils. If the soil appears dispersive after the beds are dug, add gypsum to the bed base at the rate of one kilogram per square metre. Absorption beds should not be built in medium to heavy clay soils, and preferably not in light clay soils.

Install a self-supporting pipe (secondary treated effluent) or arch (ReIn for primary septic effluent) that complies with AS/NZS1547:2012.

The following points relate specifically to pipe work required for the distribution secondary treated effluent:

- The pipe work that distributes effluent into each bed shall include a tap/valve to enable flows to be managed between beds so individual beds can be rested off-line. A brief resting phase is needed to break down the microbial biomass that develops around the bed that can eventually lead to its failure.
- The bed floor must be level and constructed using a survey level. It will be aligned along the contour.
- The effluent will be distributed in the bed using two parallel runs of perforated 80 or 100mm PVC pipe 600mm apart, laid level onto a 200mm depth of 20-40mm aggregate.
- The pipes will be drilled out with 10mm deburred holes every 30cm, and 20 degrees off the bottom of the pipe. Seep holes of 5mm should be sited at 2m intervals along the bottom of the pipe.
- Once laid, the pipe has a 50mm cover of aggregate. Total aggregate depth is 300mm. The end of each length of pipe will have a capped riser to allow flushing of the distribution pipe.
- A capped inspection port to be inserted on downhill side of the trench, using 50mm PVC pipe, slotted entire depth of gravel bed.
- Gravel to have geotextile on top in order to prevent topsoil mixing with gravel bed.
- The delivery line from the septic tank to the absorption bed to be backfilled with clay to prevent stormwater running along trench into absorption bed.

Ensure that the sides of beds are not damaged or caused to collapse when the beds are filled with gravel or sand.

Beds can be filled with gravel (typically 20-40 millimetres or occasionally coarse sand), but it should not be compacted. Appropriate consideration should be given to bed storage capacity where beds are filled with material other than gravel.

Lay geotextile filter cloth over the gravel or sand in a bed and under the topsoil to ensure that the topsoil does not penetrate and block the bed.

Test the beds with clean water before filling with gravel (or coarse sand) to ensure effective and even distribution of effluent.

Apply 150 to 200 millimetres of topsoil to the top of the bed and leave it slightly mounded above ground level to allow it to settle and to encourage incident rainfall to be shed away from the top of the bed.

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



The top of the absorption bed area should be turfed or grass planted to establish vegetation cover promptly after construction. This ensures the best uptake of effluent by evapotranspiration. Ensure that larger deep-rooting plants are not planted close to bed to reduce the chance of root intrusion and clogging of the beds.

A stormwater diversion berm/ drain should be built on sloping sites upslope of the absorption beds. Standard Drawing No. 9A provides detail about constructing a stormwater diversion drain.

The wastewater should be split between the beds using a **water rotor or distribution box**. If a water rotor is used, it must be protected by a disc filter (or 100-150 micron filter) which is to be cleaned at least once a month.

Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au



APPENDIX II GENERAL RECOMENDATIONS TO MANAGE WATER QUALITY AND QUANTITY

InSinkErator style kitchen garbage disposal units should be avoided as they increase water consumption and raise the nutrient and BOD concentrations of household effluent.

Water conservation can reduce the volume of wastewater that needs to be treated and discharged on site. The residence should include appliances that are rated under the Water Efficiency Labelling and Standards (WELS) Scheme that includes:

i. 4 star dual-flush toilets;

ii. 3 star showerheads;

iii. 4 star taps (for all taps other than bath outlets and garden taps);

iv. 3 star urinals; and

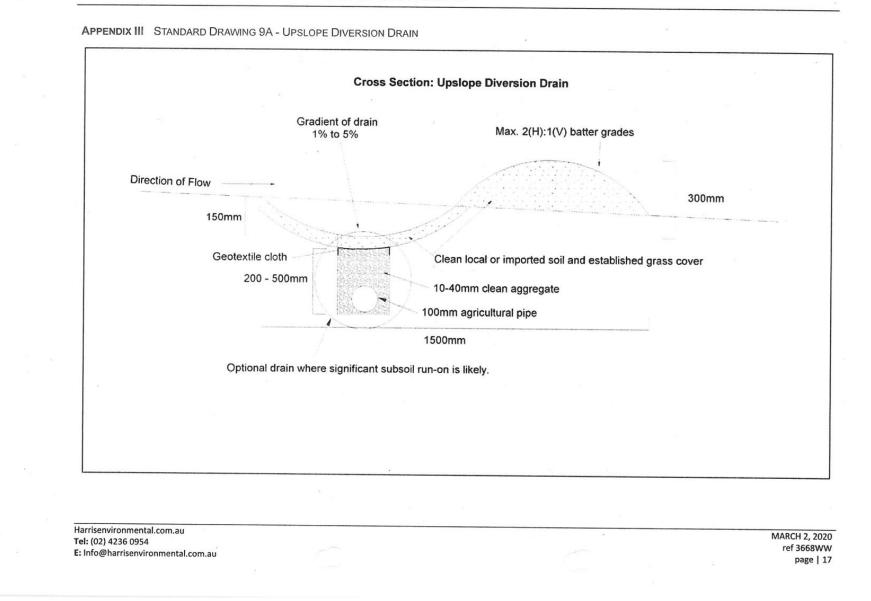
v. Water efficient washing machines and dishwashers are to be specified and used wherever possible.

Chemical cleaning compounds and other chemicals that enter the treatment system should be low in phosphate and salt.

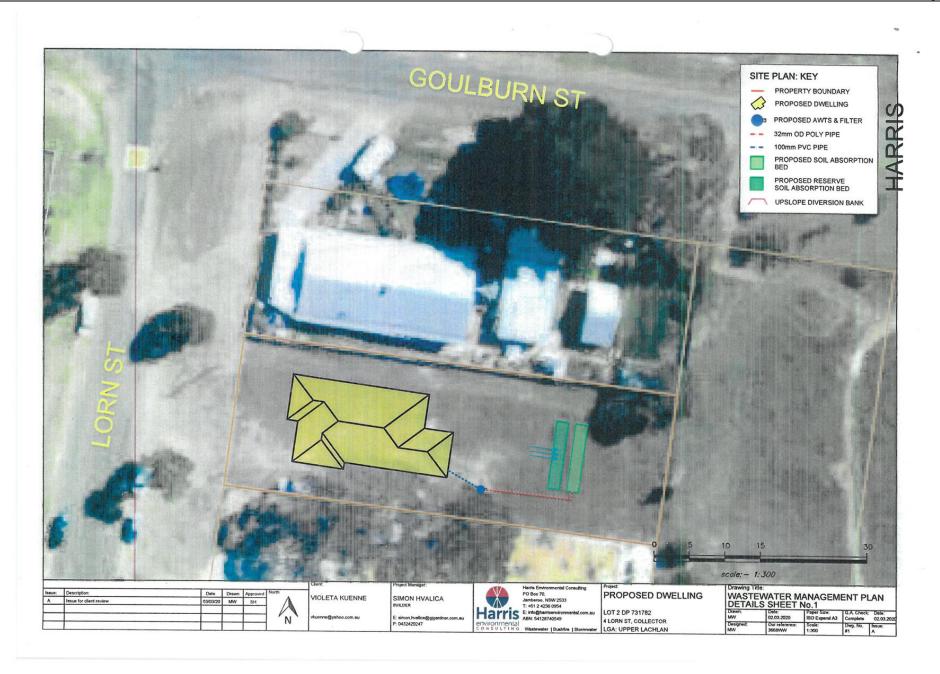
Anti bacterial chemical cleaning compounds and other chemicals that enter the treatment system should be avoided. This includes chlorine, disinfectants, bleaches etc.

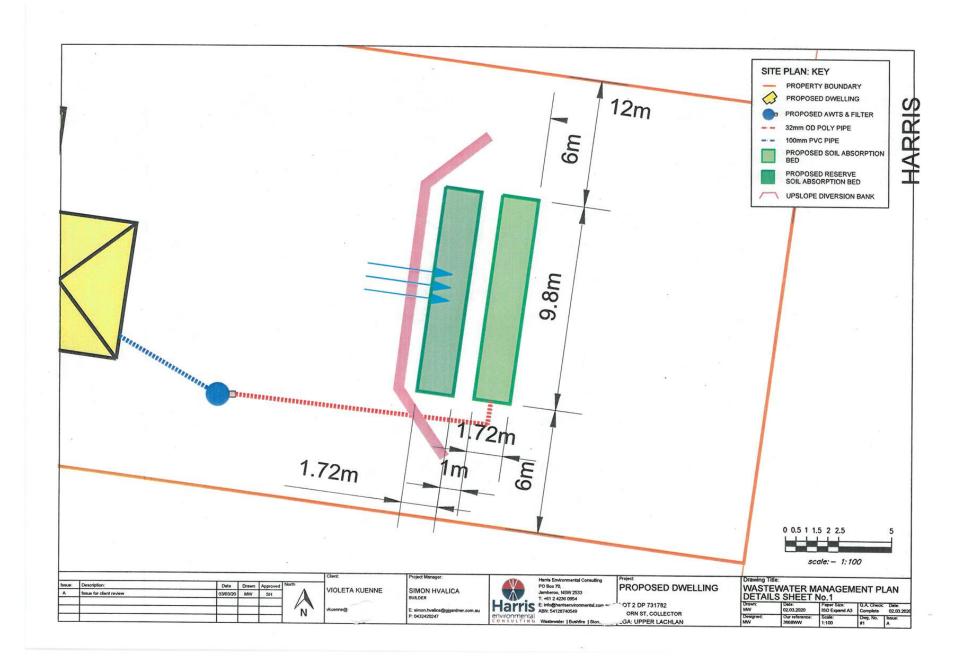
Harrisenvironmental.com.au Tel: (02) 4236 0954 E: Info@harrisenvironmental.com.au

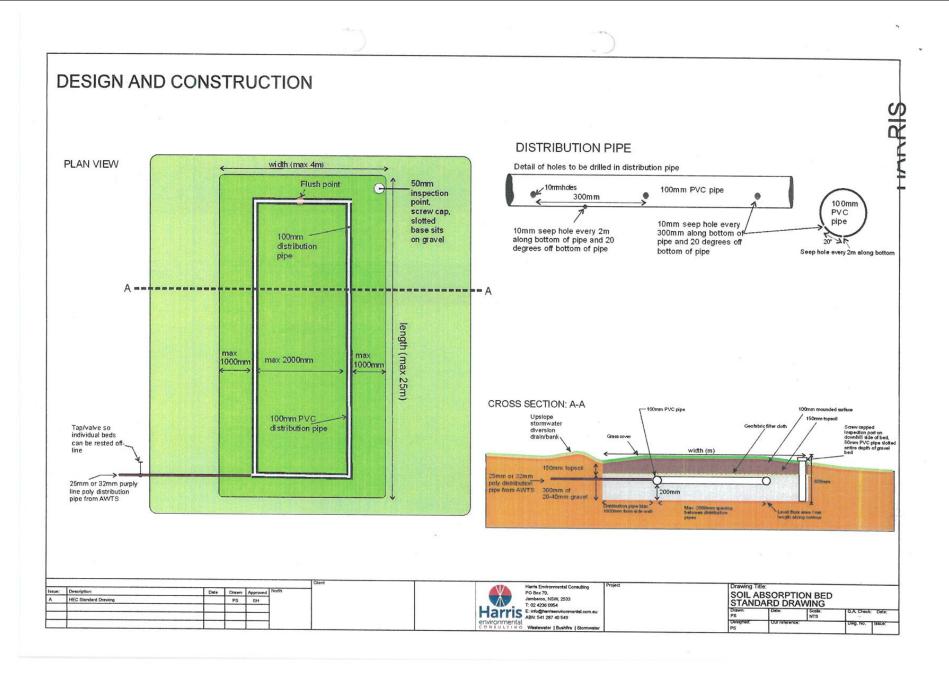


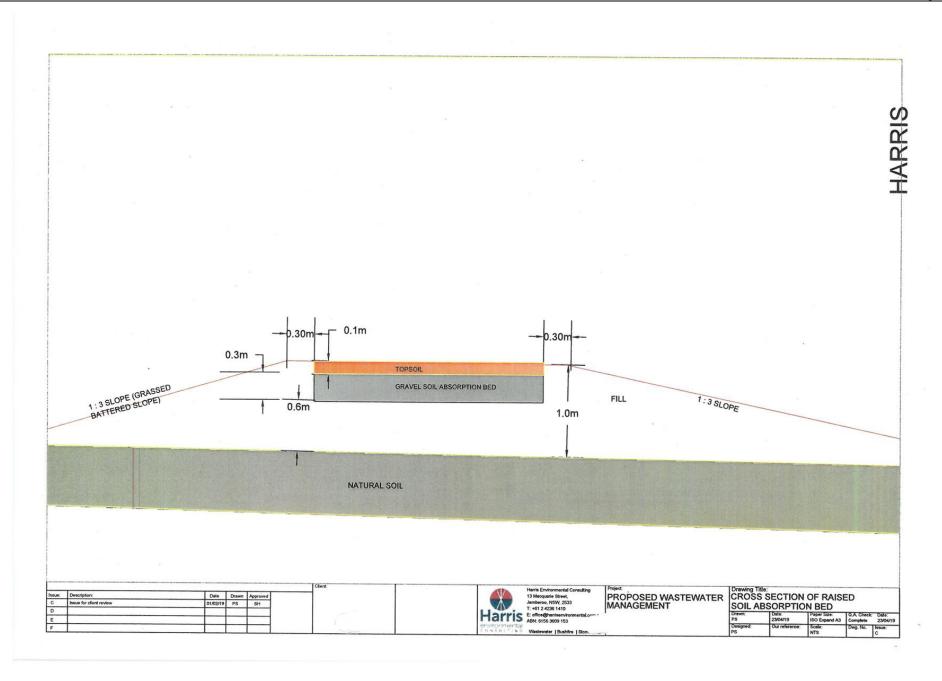


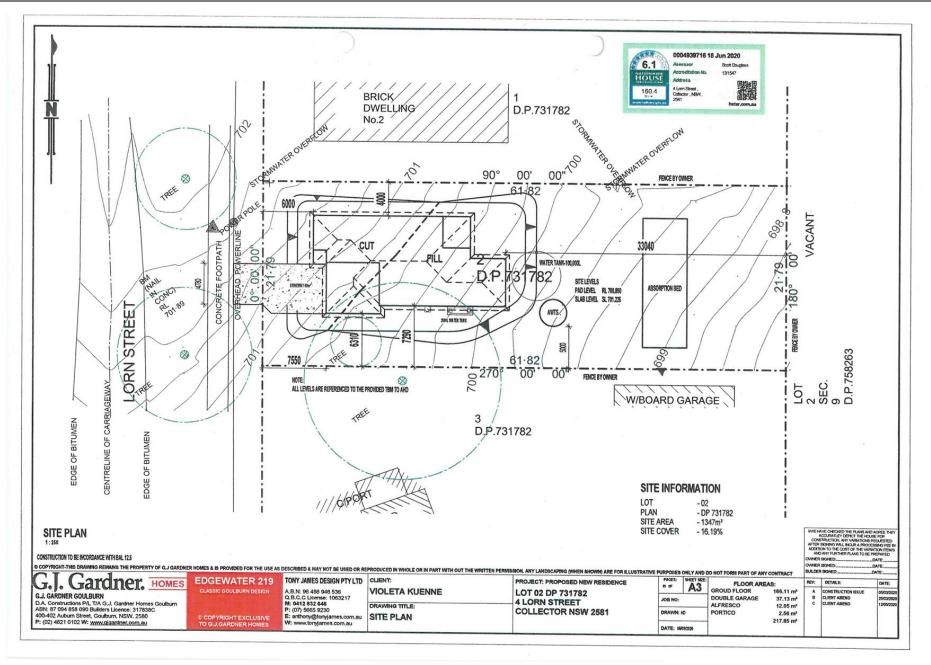
Item: 11.1

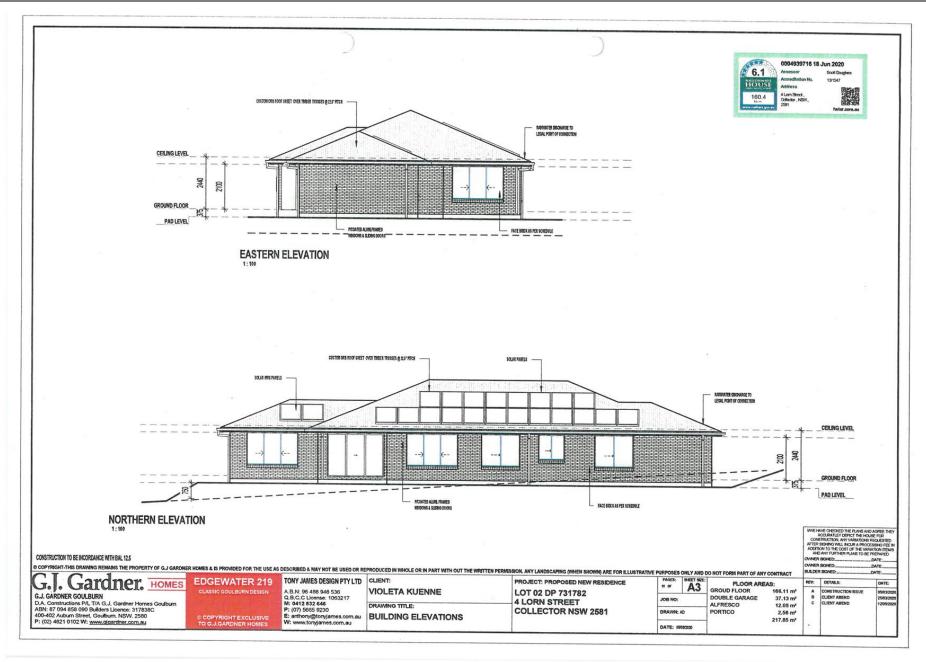




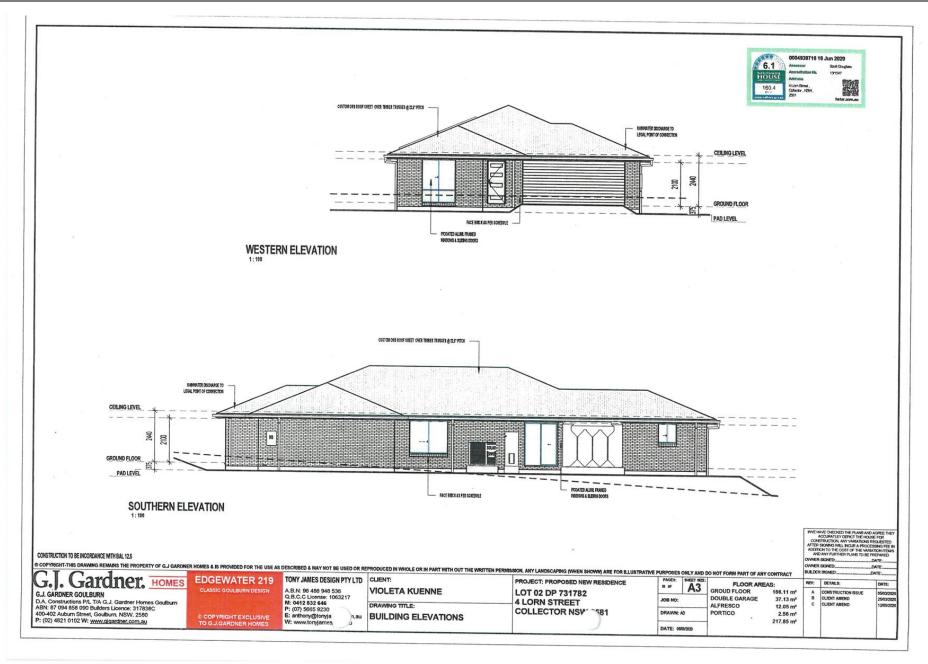












# 12 INFRASTRUCTURE DEPARTMENT

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

# 13 FINANCE AND ADMINISTRATION

The following items are submitted for consideration -

13.1	Referral for Audit - 2019/2020 Financial Statements	190
13.2	Review of Salary Sacrifice Policy	193
13.3	Review of Library Membership and Access Policy	203

# Finance and Administration - 15 October 2020

# ITEM 13.1 Referral for Audit - 2019/2020 Financial Statements

# FILE REFERENCE I20/419

AUTHOR Director of Finance and Administration

# ISSUE

Upper Lachlan Shire Council's 2019/2020 Financial Statements are required to be referred to the Audit Office of NSW as Council's external auditor, to conduct the independent audit.

# **RECOMMENDATION** That -

- 1. Council resolves that the 2019/2020 Financial Statements be referred for independent audit by external auditors, Audit Office of NSW;
- 2. The Mayor, Deputy Mayor, General Manager and Director of Finance and Administration sign the Statement by Councillors and Management for the General Purpose and Special Purpose 2019/2020 Financial Statements;
- 3. Council adopt the 2019/2020 Financial Statements for Council, containing the General Purpose and Special Purpose Financial Statements; and
- 4. The General Manager be delegated the authority to authorise the Council 2019/2020 Financial Statements for issue immediately upon receipt of the Auditors Report and delegated the authority to finalise the date at which the Auditor's Report and Financial Statements are presented to the public.

# BACKGROUND

It is a legislative requirement under Section 413 (1) and (2), of *the Local Government Act 1993*, for Upper Lachlan Shire Council to resolve that the annual Financial Statements be referred for independent audit, by Council's external auditors.

# REPORT

Council has prepared the draft pre-audited 2019/2020 Financial Statements ready to be referred to the Audit Office through contractor Deloitte Touche Tohmatsu to complete their conduct of audit and audit report on the Council's annual General Purpose and Special Purpose Financial Statements for year ended 30 June 2020.

The audit of Council's Financial Statements is scheduled to be undertaken by Deloitte Touche Tohmatsu on 6-16 October 2020. As required in accordance with Section 418 (1) (b), of the *Local Government Act 1993*, public notice will be given for the presentation of the Financial Statements to be undertaken upon receipt of the Auditor's Report.

#### Finance and Administration REFERRAL FOR AUDIT - 2019/2020 FINANCIAL STATEMENTS cont'd

The Auditor's Report in conjunction with the Financial Statements will be presented to the Ordinary Council Meeting, to be held on 19 November 2020. The Audit Office may make a presentation by teleconference at the Ordinary Council Meeting with respect to the Auditor's Report for the Financial Statements for the period ending 30 June 2020.

A comprehensive overview report will be provided by the Director of Finance and Administration at that November 2020 Council Meeting detailing the financial performance and financial position of Council.

The 2019/2020 Financial Statements have been prepared in compliance with:-

- The Local Government Act 1993 (as amended) and Regulations made there under;
- The Local Government Code 28 of Accounting Practice and Financial Reporting; and
- The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.

To the best of my knowledge and belief these Financial Statements:-

- Present fairly the Council's operating result and financial position for the year; and
- Accords with Council's accounting and other records.

Section 420 (2), of the *Local Government Act 1993*, provides that a submission to the Financial Statements must be in writing and is required to be lodged with Council within seven days after the day on which the Financial Statements are presented to the public.

Therefore, any submissions received will be referred to Council's auditors for comment and/or action as necessary. If warranted, the matter will be responded to by Council at its next Ordinary Meeting.

Please note: the 2019/2020 Financial Statements are included as a separate annexure to this report.

#### Financial Performance

Upper Lachlan Shire Council has achieved a surplus Net Operating Result for the year from all Council activities (before capital grants and contributions) totalling \$357,000, this compares to an original budget estimate of \$700,000 surplus result. Council is at present in a sound financial position to meet all provisions and liabilities.

The Statement of Performance Measurement to the Financial Statements, Note 25 (a) to (c), provides further information and associated graphs which outline the financial performance against benchmarks and comparison to previous year's results.

#### Finance and Administration REFERRAL FOR AUDIT - 2019/2020 FINANCIAL STATEMENTS cont'd

# **POLICY IMPACT**

Nil

# **OPTIONS**

Nil

# FINANCIAL IMPACT OF RECOMMENDATIONS

The Financial Statements show the financial performance and financial position of Upper Lachlan Shire Council as at 30 June 2020.

# **RECOMMENDATION** That -

- 1. Council resolves that the 2019/2020 Financial Statements be referred for independent audit by external auditors, Audit Office of NSW;
- 2. The Mayor, Deputy Mayor, General Manager and Director of Finance and Administration sign the Statement by Councillors and Management for the General Purpose and Special Purpose 2019/2020 Financial Statements;
- 3. Council adopt the 2019/2020 Financial Statements for Council, containing the General Purpose and Special Purpose Financial Statements; and
- 4. The General Manager be delegated the authority to authorise the Council 2019/2020 Financial Statements for issue immediately upon receipt of the Auditors Report and delegated the authority to finalise the date at which the Auditor's Report and Financial Statements are presented to the public.

# ATTACHMENTS

1. → Annual Financial Statements - 2019-2020 Appendix

# Finance and Administration - 15 October 2020

ITEM 13.2 Review of Salary Sacrifice Policy

FILE REFERENCE 120/437

AUTHOR Director of Finance and Administration

# ISSUE

A review of Council's Salary Sacrifice Policy.

#### **RECOMMENDATION** That -

1. Council adopts the reviewed Salary Sacrifice Policy.

#### BACKGROUND

Nil

#### REPORT

This report details a review of Council's Salary Sacrifice Policy. The policy is attached with amendments highlighted in yellow.

#### **POLICY IMPACT**

This is a review of an existing Council policy.

#### OPTIONS

Nil

#### FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

#### **RECOMMENDATION** That -

1. Council adopts the reviewed Salary Sacrifice Policy.

#### ATTACHMENTS

1. <u>↓</u>	Salary Sacrifice Policy - Date Adopted 16 March 2017 -	Attachment
	Resolution 61-17 - Review 2020	

POLICY:-		
Policy Title:	Salary Sacrifice Policy	
File Reference:	F10/618-04	
Date Policy was adopted by Council initially:	27 October 2005	
Resolution Number:	301/05	
Other Review Dates:	25 May 2006, 10 July 2008, 15 July 2010, 21 July 2011 and 17 April 2014, 16 March 2017	
Resolution Number:	123/06, 207/08, 275/10, 263/11, 96/14, 61/17	
Current Policy adopted by Council:	15 October 2020	
Resolution Number:	XX/20	
Next Policy Review Date:	2023	

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

RESPONSIBILITY:-	
Policy developed by:	Director of Finance and Administration
Committee/s (if any) consulted in the development of this Policy:	Consultative Committee
Responsibility for implementation:	Director of Finance and Administration
Responsibility for review of Policy:	Director of Finance and Administration

# OBJECTIVE

The aim of this policy is to define salary sacrificing arrangements between Council and employees who are eligible to participate. By definition salary sacrificing can only be offered to employees who are receiving salaries and elected Councillors.

# SALARY SACRIFICE DEFINED

Salary sacrifice is an arrangement between employer and employee, where the employee agrees to receive a part of their pre-tax salary as a benefit rather than salary. The effect of such an arrangement, as it conforms to tax rulings or determinations, is to allow a reduction in their pre-tax salary which is equivalent to the cost of the benefit. Generally this has the effect of providing the employee with tax-effective benefits and the salary packaged benefit is classified as an employer contribution for tax purposes.

All benefits provided for salary packaging are valued at Goods and Services Tax (GST) exclusive costs unless Fringe Benefits Tax (FBT) legislation defines them as Type I Benefits.

# BENEFITS THAT MAY BE SALARY SACRIFICED

Under the Local Government (State) Award 2020 employees are able to enter into salary sacrifice agreements with their employers, by agreement, for the following benefits:-

- Motor vehicles supplied by their employer under leaseback arrangements;
- Child care facilities operated by Council on its premises;
- Additional superannuation.

Upper Lachlan Shire Council shall also allow the following to be salary sacrificed:-

- Housing / rental accommodation supplied to designated senior staff employees;
- Eligible employees may salary sacrifice payroll contributions to the Local Government Superannuation Retirement Scheme or any approved Superannuation Scheme nominated by an employee;
- Novated Lease of a private motor vehicle to designated senior staff employees;
- Council elected representatives may salary sacrifice the Councillor remuneration to any approved Superannuation Scheme nominated by the Councillor.

# BENEFITS THAT SHALL NOT BE SALARY SACRIFICED

The benefits that shall not be salary sacrificed are as follows:-

- Leaseback of a motor vehicle to a Council employee;
- Purchase of a laptop computer predominantly for private use of an employee;

- Purchase of an electronic digital notebook and/or mobile telephone devices predominantly for private use of an employee;
- Any other expense payment benefit (i.e. private housing loan repayments etc.) unless employee signed evidence can be supplied to satisfy the General Manager that the payments are exempt from FBT; and
- Any other benefit where Council will incur an FBT expense.

# EMPLOYER CONSENT

Employer agreement to a salary sacrifice arrangement can not unreasonably be withheld. However, the employer will withhold consent in circumstances whereby:-

- \* The arrangement will result in substantial additional costs to the employer.
- \* The employee has not obtained independent and relevant written financial advice.
- \* The arrangement does not comply with taxation and other relevant laws.
- \* The employer does not supply motor vehicles under lease back arrangement.
- \* The employer does not supply housing/rental accommodation under a lease arrangement.
- \* The employer does not provide child care facilities on its own premises.
- \* The General Manager has not given approval for the salary sacrifice arrangement.

# SALARY SACRIFICE TO BE DOCUMENTED

The benefits to be salary sacrificed and the value of those benefits must be in writing and signed by employer and employee.

Details of the value of the benefit set out in writing, should include gross salary, the amount of salary sacrifice, the after salary sacrifice amount to be taxed, the marginal tax rate, the amount of FBT and after tax salary.

In the case of employee contributions to the Local Government Superannuation Retirement Scheme, the contribution percentage must also be shown. The financial details should be shown on an annualised basis as well as a pay period basis.

Annexed to this policy is the Salary Sacrifice Agreement which is to be used by Council and signed by the employee or Councillor.

# INDEPENDENT AND APPROPRIATE FINANCIAL ADVICE

It is essential that the employee obtains independent and appropriate financial advice prior to entering into salary sacrifice arrangements.

Employees should also obtain appropriate financial advice when proposing to alter a Salary Sacrifice arrangement.

# SUPERANNUATION, OVERTIME AND EXIT PAYMENTS

The value of the salary sacrifice benefit is treated as an approved benefit for superannuation purposes and does not reduce the employee's salary for employer contributions.

An employee's value of salary sacrifice benefits and applicable FBT shall be ordinary pay for calculating overtime and exit payments.

#### RELATED LEGISLATION AND COUNCIL POLICY AND PROCEDURES

- Local Government Act 1993;
- Local Government (General) Regulations 2005;
- Local Government (State) Award 2020;
- Superannuation Guarantee (Administration) Act 1992;
- Fair Work Act 2009;
- Income Tax Assessment Act 1997;
- Fringe Benefits Tax Assessment Act 1986;
- A New Tax System (Goods and Services Tax) Act 1999;
- State Records Act 1998;
- Privacy and Personal Information Protection Act 1998;
- Independent Commission against Corruption Act 1988;
- Industrial Relations Act 1996;
- Anti Discrimination Act 1977;
- Code of Conduct for Councillors, staff and delegates of Council;
- Complaints Management Policy;
- Fraud and Corruption Prevention Policy;
- Payment of Expenses and Provision of Facilities Policy;
- Mobile Telephone Policy;
- Grievance Policy;
- Disciplinary Policy; and
- Private Use of Council Motor Vehicle Policy.

# VARIATION TO POLICY

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

# SALARY SACRIFICE AGREEMENT

This Salary Sacrifice Agreement is made on the (Date)

Between: ("the employer")

and: ("the employee")

Payroll Number:

#### 1. Preamble:

- 1.1 This Agreement is made pursuant to clause 14, Salary Sacrifice, of the Local Government (State) Award 2020.
- 1.2 This Agreement shall be read and construed in conjunction with the relevant provisions of the Local Government (State) Award.
- 1.3 This Agreement shall be read and construed in conjunction with Council's Salary Sacrifice Policy and procedures applying from time to time.
- 1.4 The parties to this Agreement acknowledge that they have read and understood the terms, conditions and responsibilities under this Agreement and accept those terms, conditions and responsibilities.

#### 2. <u>Benefits to be Salary Sacrificed</u>:

2.1 The benefits salary sacrificed under this Agreement may include:-(Insert benefits i.e. housing / rental accommodation supplied to designated senior staff, additional superannuation, Local Government Superannuation Retirement Scheme contributions).

#### 2.2 <u>Benefits that shall not be Salary Sacrificed:</u>

The benefits that shall not be salary sacrificed under this Agreement are:-

- Leaseback of a motor vehicle to a Council employee;
- Novated Lease of a private motor vehicle to an employee;
- Purchase of a laptop computer predominately for private use of an employee;
- Purchase of an electronic digital notebook and/or mobile telephone devices predominantly for private use of an employee;
- Any other expense payment benefit (i.e. private housing loan repayments etc.) unless employee signed evidence can be supplied to satisfy the General Manager that the payments are exempt from FBT;
- Any other benefit where Council will incur an FBT expense or other benefits that are not approved by the General Manager.

# 3. Value of Benefits Salary Sacrificed:

- 3.1 The weekly/fortnightly value of the benefits salary sacrificed under this Agreement is:- Other Benefits (*insert financial details*)
- 3.2 Additional Superannuation *(insert financial details)*
- 3.3 House / Rental Accommodation *(insert financial details)*
- 3.4 Local Government Superannuation Retirement Scheme contributions *(insert financial details including employee percentage contribution)*

# 4. <u>Commencement of Salary Sacrifice Arrangement:</u>

4.1 The salary sacrifice arrangements as detailed in clause 3, of this Agreement, will take effect from the beginning of the first pay period to commence on or after *(insert date).* 

# 5. <u>Termination of Salary Sacrifice Agreement</u>:

- 5.1 This Agreement may be terminated by either party giving the other at least thirty (30) days, notice in writing (or such other period agreed between the parties).
- 5.2 This Agreement will be terminated immediately the day the employee ceases employment with Council.

#### 6. <u>Suspension of Salary Sacrifice Arrangement</u>:

- 6.1 The salary sacrifice arrangements under this Agreement may be suspended by either party at short notice in circumstances such as absence on periods of leave without pay or periods of workers compensation.
- 6.2 The suspension of the arrangement shall cease and this agreement shall resume and continue upon the conclusion of the employee's absence unless the Agreement has been terminated.

# 7. <u>Review of the Salary Sacrificing Arrangement:</u>

- 7.1 Except as otherwise agreed, the employee may request in writing to change the benefit or the value of benefits to be salary sacrificed under clauses 3.1 to 3.4. The employee must give the employer 14 days notice of application to change a salary sacrifice arrangement and the employer will not unreasonably refuse such a request.
- 7.2 Except as otherwise agreed, the employee may request in writing to change the benefit or the value of benefits be salary sacrificed to the Local Government Superannuation Retirement Scheme and /or to any nominated superannuation fund under clauses 3.2 and 3.4. The request

must include the employee's proposed percentage contribution and the current dollar value. Any change to the salary sacrifice amount will be effective as of 1st April each year, in accordance with the contribution conditions of the scheme. The employer will not unreasonably refuse such a request.

7.3 Except as otherwise agreed, the employee may request in writing, to change the value of benefits to be salary sacrificed once per year giving 14 days notice to the employer. For additional changes per year it will be assessed and require approval by the General Manager.

# 8. <u>Financial Advice:</u>

Item:

13.2

- 8.1 The employee entering into this Agreement confirms by their execution of this Agreement, that they have obtained appropriate and independent financial advice concerning the salary sacrificing arrangements to apply under this Agreement.
- 8.2 The employee agrees to obtain further appropriate and independent financial advice relative to any request by the employee to change the benefits or the value of benefits under clauses 3 and 7 of this Agreement.

# 9. Administration of Salary Sacrificing Arrangements:

9.1 Council will administer the salary sacrifice arrangements set in this Agreement at no administration cost to the employee.

#### 10. <u>Reconciliation of Salary Sacrifice Value and Costs</u>:

- 10.1 Should additional or unexpected FBT liability be incurred or owed at the end of a financial year during the currency of this Agreement, the cost of the FBT will be borne by the employee, and the employee will pay that additional amount of FBT to the employer within a period of 30 days.
- 10.2. Should additional or unexpected FBT be incurred or owing in respect of an incomplete financial year in the case of termination of this Agreement, the cost of that FBT will be borne by the employee and the employer shall deduct the amount of that FBT from any money owing to the employee on termination of employment.
- 10.3 Should the employee fail to provide sufficient information to allow Council to determine if an exemption or reduction of FBT exists than they shall be liable for the FBT expense.
- 10.4 Should FBT incurred be less than expected in respect of a financial year during the currency of this Agreement, the employer shall make a consequential adjustment and pay to the employee the relevant amount within a period of 30 days.

# 11. Confidentiality and Acknowledgements:

- 11.1 The terms of this Agreement remain confidential between the employer and employee.
- 11.2 The employee acknowledges that the employer is not liable for taxation or other liabilities, judgements, penalties or outcomes suffered or incurred by the employee resulting from entering into this Agreement.

# 12. <u>Disputes</u>:

Item:

13.2

12.1 In the event that a dispute between the parties arises from the interpretation or application of this Agreement, the dispute will be processed according to the Grievance and Dispute Procedures set in clause 36, of the Local Government (State) Award 2020.

#### 13. <u>Release and Indemnity</u>:

13.1 The employee releases and hereby indemnifies and undertakes to keep indemnified the employer from and against the following. All actions, claims, demands and proceedings whatsoever which the employee or any other person has or may have against the employer arising out of or in respect of or in any way connected with any advice received by the employee from the employer in connection with this Agreement, and all costs, damages and expenses which the employer may incur in defending or settling such actions, claims, demands and proceedings, to the extent that damages, costs and expenses are a result of the negligence of the employee.

#### 14. Variations to be in Writing:

14.1 All variations to this Agreement shall be in writing and shall be appended to this Agreement.

#### 15. <u>Definitions</u>:

#### "Employer" means Upper Lachlan Shire Council.

"Employee" means the employee who has signed this Agreement.

**"Salary Sacrifice"** means the sacrifice by the employee of an amount of their pre-tax ordinary pay as prescribed by the Local Government (State) Award.

**"FBT**" means Fringe Benefits Tax liable under the Fringe Benefits Tax Assessment Act 1986.

# 16. <u>Details:</u>

A copy of the notification / contribution form to the Superannuation fund must be attached.

# 17. Signatures:

# Employee:

Name	
Signed	
Date	

# For the Employer:

Name…	 	 	 
Signed.	 	 	 ••

Date	
------	--

# Finance and Administration - 15 October 2020

ITEM 13.3	Review of Library Membership and Access Policy
FILE REFERENCE	120/438
AUTHOR	Director of Finance and Administration

# ISSUE

A review of Council's Library Membership and Access Policy.

#### **RECOMMENDATION** That -

1. Council adopts the reviewed Library Membership and Access Policy.

# BACKGROUND

Upper Lachlan Shire Library Service utilises the Library Membership and Access Policy as developed by Goulburn Mulwaree Library. The Upper Lachlan Shire Library Service operates under a Service Level Agreement with Goulburn Mulwaree Council for library services and as such the library policies are consistent for both libraries.

# REPORT

This report details the Council's Library Membership and Access Policy. The Library Membership and Access Policy has been reviewed and updated. The charging of overdue fines for the late return of library items have been discontinued. The policy is for adoption by Council.

# **POLICY IMPACT**

This is a review of an existing Council policy.

# **OPTIONS**

Nil

# FINANCIAL IMPACT OF RECOMMENDATIONS

Minor and immaterial impact on revenue, \$324.15 total fines income for 2019/2020.

# **RECOMMENDATION** That -

1. Council adopts the reviewed Library Membership and Access Policy.

# ATTACHMENTS

1. <u>↓</u>	Library Membership and Access Policy - Date Adopted 17	Attachment
	October 2019 - Resolution 289-19 - Review 2022	

POLICY:-	
Policy Title:	Library Membership and Access Policy
File reference:	F10/618-05
Date Policy was adopted by Council initially:	17 October 219
Resolution Number:	289/19
Other Review Dates:	15 October 2020
Resolution Number:	XX/20
Current Policy adopted by Council:	15 October 2020
Resolution Number:	XX/20
Next Policy Review Date:	2023

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

RESPONSIBILITY:-	
Draft Policy Developed by:	Director of Finance and Administration
Committee/s (if any) consulted in the development of this policy:	N/A
Responsibility for implementation:	Director of Finance and Administration
Responsibility for review of Policy:	Library Manager

Item:	Attachment 1.: Library Membership and Access Policy - Date Adopted 17 October 2019
13.3	- Resolution 289-19 - Review 2022

# POLICY OBJECTIVE

This policy outlines the rights and responsibilities of members of Goulburn Mulwaree Library, and the rules governing provision of Library services to Library members. All registered Library members are entitled to access Library services under this policy at Goulburn Mulwaree Library and any library in a current library service level agreement with Goulburn Mulwaree Council.

# LEGISLATIVE PROVISIONS

NSW Library Act 1939 NSW Library Regulation 2010 Privacy and Personal Information Protection Act 1998 Classification (Publications, Films and Computer Games) Enforcement Act 1995 Copyright Act 1968 Copyright Amendment (Digital Agenda) Act 2000 Copyright Amendment (Disability Access and Other Measures) Act 2017

# POLICY STATEMENT

#### Definitions

"Library" refers to Goulburn Mulwaree Library and Goulburn Mobile Library. "LSLA" refers to a current Library Service Level Agreement between Goulburn Mulwaree Council and any signatory Council to that agreement.

#### Membership

All members of the public may access Library buildings, use resources within the Library, and attend Library events.

Library membership entitles Library users to borrow collection materials, access Library computers and utilise subscription electronic resources. Library membership is free to all residents and ratepayers of the Goulburn Mulwaree areas under the following provisions:

- A Membership Application Form must be completed and signed by the applicant.
- Applications by persons under the age of 18 must be signed by a parent or legal guardian. If a person under the age of 18 produces evidence to satisfy the Library that they are living independently, then they will be treated as an adult.
- Applications must be accompanied by valid personal identification confirming residency within the applicable Council areas.
- By becoming a member, patrons must agree to comply with all Library policies and procedures.
- A valid Library card or other identification must be presented to Library staff upon request.
- Members agree to notify the Library if their details, address, email or phone numbers change.
- Membership is for a three year period, and can be renewed as required.

Item:	Attachment 1.: Library Membership and Access Policy - Date Adopted 17 October 2019
13.3	- Resolution 289-19 - Review 2022

# Membership for non-residents

The Library may provide other types of membership, including but not limited to:

- Reciprocal membership
  - Residents of other NSW and ACT areas may be entitled to join under the same provisions above.
  - Reciprocal members have the same rights as resident members.
- Temporary membership
  - Temporary membership is available to people normally residing outside NSW and the ACT, who are not eligible for resident or reciprocal membership.
  - Temporary membership is valid for a period of up to 3 months.
  - Temporary membership will incur a non-refundable administrative fee.
  - Borrowing is restricted to two items at a time. Items may not be renewed.

# Other types of membership

The Library may provide other types of membership, including but not limited to:

- Bulk loan membership
  - Available to teachers and staff of community groups or institutions for borrowing on behalf of their organisation. Bulk loan members have the same rights as resident members with the exclusion of some eResources.
- Book Group membership
  - Available to registered book groups and limited to borrowing Read & Connect Kits.
- Home Library membership
  - Available to people who, due to age, disability or illness, are unable to make their own selections at the Library. Library staff will select items as specified by the member's requirements, and items will be delivered to the member's home on a regular basis.

#### Cancellation of membership

Library members may cancel their membership at any time. All outstanding loans must be returned and outstanding fines or fees paid before membership can be cancelled.

The Library may refuse or cancel a membership if the person is not eligible for membership as outlined above, after two years of inactivity, if the person is deceased, or if the person has failed to comply with all Library policies and procedures.

#### Privacy

Goulburn Mulwaree Library abides by the privacy policies of Goulburn Mulwaree Council and the Privacy and Personal Information Protection Act 1998.

Personal information will be securely kept and only be used within Goulburn Mulwaree Council and any Council participating in an LSLA, or if otherwise required by law. Members have the right to request access to and/or correct any personal information held by the Library.

#### Loan Periods and Renewals

Library members may borrow collection items from the Library's lending collection only. Materials not available for loan may be accessed within the Library building only. Lending materials may be borrowed under the following provisions:

Item:	Attachment 1.: Library Membership and Access Policy - Date Adopted 17 October 2019
13.3	- Resolution 289-19 - Review 2022

- Generally, members may borrow a maximum of thirty (30) items at any one time for a period of three (3) weeks, unless specified otherwise.
- Library members may borrow lending items from the collections of the Goulburn Mulwaree and Goulburn Mobile Libraries, and any Library part of a LSLA, and return items to any of these locations.
- Loans may be renewed twice unless specified otherwise or if reserved by another borrower.
- Items not renewed must be returned within 21 days of their final due date will be declared lost. A replacement fee will be charged for any items declared lost.
- Items must be returned in the same condition they were borrowed in. A replacement fee for will be charged for any items returned damaged.
- Members will not be permitted to borrow or renew items if they have fees for lost or damaged items.

#### Reservations

Reservations may be placed on any lending collection materials of the Library and any Library part of an LSLA. Members may specify their preferred collection location for reserves. Members may reserve up to thirty (30) items, comprising 15 book and 15 non-book items at any one time, unless specified otherwise.

Members will be notified when reserved items are ready for collection, and will have 10 days to collect reservations. Any reservations not collected within 10 days will be void.

#### Fees and Charges

The Library does not charge overdue fines for the late return of Library items.

Other fees may be charged to Library members, as per the applicable Council's Fees and Charges, including, but not limited to the following:

- Lost or damaged collection materials
- Replacement Library cards
- Interlibrary loans

Fee disputes or requests for a fee reduction or waiver will be assessed by the governing body of the Library on a case by case basis.

#### Loan of Audio Visual Media

The Library does not accept any responsibility for damage caused to a member's personal equipment as a result of using borrowed media such as eBooks, DVDs, CDs, and console games, or as a result of using Library computers or equipment.

#### Interlibrary Loans

Library members may request to borrow up to 15 items from other libraries in Australia through the National interlibrary loan system. Members requesting special needs materials (such as ESL or LOTE materials) may request up to 20 items.

Other libraries supplying items have the right to specify loan period or other conditions of loan. Any conditions or restrictions specified by the lending Library will be upheld. Fees may apply for interlibrary loans.

Item:	Attachment 1.: Library Membership and Access Policy - Date Adopted 17 October 2019
13.3	- Resolution 289-19 - Review 2022

#### Access to Classified Library Resources

The Library exercises no censorship or limitation on access to publications classified 'unrestricted' under the *Classification (Publications, Films and Computer Games) Act* 1995.

Material rated as 'MA15+' or above by the Office of Film & Literature Classification will not knowingly be made available for loan to members under the age of 15 years.

#### Children and Young People

Library staff are not responsible for the care, safety or supervision of children under 18 years of age. Children must be in the care of a responsible adult at all times. Unattended children may be reported to Family and Community Services.

Library staff do not monitor information available online or in published works, and cannot be held responsible for their content. Restricting or monitoring access to collection materials and the Internet by children under 18 years of age is the responsibility of the parent or guardian.

#### Code of Conduct

- Users must not, without the consent of the governing body of the Library, use the Library for any purpose other than reading, studying, researching or engaging in Library programs.
- Users must not disrupt or otherwise interfere with other people using the Library.
- Users must not bring objects into the Library that may create an unsafe environment.
- Users must meet acceptable standards of personal hygiene and dress.
- Users must safeguard their own personal belongings. The Library is not responsible for any theft, loss or damage of personal belongings.
- Users must not take any animal into the Library other than an assistance or companion animal as defined under Section 9 of the *Disability Discrimination Act* 1992, unless by prior arrangement with the governing body of the Library.
- Users must not write on or otherwise damage any Library material or equipment in any way.
- Users must comply with the *Copyright Act 1968* and any other legislation or specifications related to the access, duplication, retention and use of Library collection materials.

#### Directing users to leave the Library

A Library staff member may direct any person to leave the Library under the following circumstances:

- At closing time
- In an emergency
- If the user is conducting criminal behaviour
- If the user has contravened any of the Library's policies and procedures

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	12/12/2017	2017/514	12/12/2017	12/12/2017
2	21/07/2020	15.13	2/09/2020	2/09/2020

DIRECTORATE:Corporate Community ServicesBUSINESS UNIT:Marketing, Events and Culture

# 14 GENERAL MANAGER

The following items are submitted for consideration -

14.1	Questions with Notice Summary	210
14.2	COVID-19 Report	213

# General Manager - 15 October 2020

ITEM 14.1 Questions with Notice Summary

FILE REFERENCE I20/399

AUTHOR General Manager

#### ISSUE

To provide Council with an update on the Questions on notice submitted by ex Councillor's Ron Cummins and Richard Opie.

**RECOMMENDATION** That Council -

1. Council receives and notes this report as information

#### BACKGROUND

At the August 2020 Ordinary Council meeting ex Councillors Ron Cummins and Richard Opie noted they both submitted Questions with Notice.

Twenty eight (28) questions were provided seeking answers from the General Manager. Due to the significant resources required to answer all twenty eight (28) questions only eight (8) were answered at the August 2020 Council Meeting and twelve (12) at the September 2020.

This decision is based on the Upper Lachlan Shire Councils Question With Notice Policy 3.1.4

"Should substantial resources be required to provide Council with an appropriately detailed report, the Question With Notice may not be responded to until a future Council Meeting"

Below are answers to the remaining 8 questions.

#### REPORT

#### **Crookwell Sewer Treatment Plant**

At a Council workshop held on the 23<sup>rd</sup> June, 2020 the General Manager advised Councillors that the Crookwell Sewer Treatment Plant needed substantial engineering works to be carried out to ensure that the facility complied with EPA requirements and was fit for purpose.

1. What are the engineering works that need to be carried out?

#### **GENERAL MANAGERS COMMENTS**

There is a long list of plant issues, as noted earlier these are not operator issues but rather a poor design and construction of 2 separate systems, one being 30 years old the other 60years old. Council is working with DoPIE & EPA to

#### General Manager QUESTIONS WITH NOTICE SUMMARY cont'd

consider a number of options. The options will determine what engineering works will be required.

2. What is the estimated cost of those works?

# GENERAL MANAGERS COMMENTS

A new STP is \$8-10 million and will require State government funding support.

3. What is the anticipated timeline and completion date for those works?

# **GENERAL MANAGERS COMMENTS**

Further feasibility studies need to be completed before a timeline is available.

4. What are the consequences to the community if those works are not completed in the near future?

# **GENERAL MANAGERS COMMENTS**

Council will continue to work with DoPIE and EPA and the STP will continue as it has for the last 2 decades, until agreement is reached on the best outcome for either repair or renewal of the Crookwell STP.

# Crookwell Landfill

At a Council workshop held on the 23<sup>rd</sup> June, 2020 the General Manager advised Councillors that the Crookwell Landfill needed substantial engineering works to be carried out to ensure that the facility complied with EPA requirements and was fit for purpose.

1. What are the engineering works that need to be carried out?

# **GENERAL MANAGERS COMMENTS**

The engineering works required include surface water diversion drains on the high side of the property and surface water retention drains on the low sides, land fill hill shaping, land fill hill capping, land fill gas management system, leachate evaporation pond expansion and leachate containment facilities to prevent water leaving the site.

2. What is the estimated cost of those works?

# **GENERAL MANAGERS COMMENTS**

There are still a number of options to be considered at which time final costing will be available. Budget has been allocated in 2021 and 2022 for works on this site. Noting Council had previously resolved that the landfill would close and works would be required for this to occur.

3. What is the anticipated timeline and completion date for those works?

# **GENERAL MANAGERS COMMENTS**

Capping is anticipated to be completed by the end of financial year. A timeline of works to contain water on the landfill site is still in the planning phase. However in extreme weather conditions the water is pumped and removed from site. We are working closely with all parties to reach agreement on a mutually preferred resolution to this issue.

#### General Manager QUESTIONS WITH NOTICE SUMMARY cont'd

4. What are the consequences to the community if those works are not completed in the near future?

# **GENERAL MANAGERS COMMENTS**

The water leaving the site has been tested and found to be stormwater. The landfill is on the higher side of the hill than the land behind it and water runs off Grabben Gullen road around the landfill onto the property on the lower side behind the landfill and in extreme weather conditions the water is pumped from the landfill site and removed from site.

# **POLICY IMPACT**

Nil

# OPTIONS

Nil

#### FINANCIAL IMPACT OF RECOMMENDATIONS Nil

# **RECOMMENDATION** That Council -

1. Council receives and notes this report as information

# ATTACHMENTS

Nil

# General Manager - 15 October 2020

ITEM 14.2 COVID-19 Report

FILE REFERENCE 120/427

AUTHOR General Manager

#### ISSUE

To provide Council with a status update on COVID-19.

#### **RECOMMENDATION** That -

1. Council receives and notes the report as information.

#### BACKGROUND

During the months of September/October Council received updates from NSW Government in relation to COVID-19.

Public health authorities both internationally and in Australia have been monitoring international outbreaks of COVID-19, also known as Novel Coronavirus 2019, there have been no new cases in Upper Lachlan Shire over this period.

#### REPORT

#### The last update to the Public Health Order was issued September 28 2020

Below are changes since the updated report in the 17 September 2020 Council meeting along with the latest updates from the Public Health Order are as follows:

#### **Recreation facilities (outdoor)**

From Saturday 26 September, interregional community sporting competitions could recommence without restricting these activities to regions or zones, where there is a COVID-19 Safety Plan for the school or community sporting activity in place.

The advice provided in August regarding limiting spectators to one parent per child, and inter-region sport and recreation activities was removed on 24 September 2020, however organisations must still ensure their activity is delivered in compliance with the Public Health Order and the COVID-19 Safety Plan requirements.

This includes the requirement to adhere to the 500-person limit for community sport activities (including participants, officials and spectators) and/or adhering to the one person per four square metre rule in indoor spaces.

#### General Manager COVID-19 REPORT cont'd

Organisations and spectators are to ensure that physical distancing of at least 1.5 metres is maintained between people that do not come from the same household. School and community sports organisations and participants should continue to avoid shared travel arrangements such as car-pooling, along with minimising social gatherings before and after the event.

# **Council Meetings and Public Forums**

Councillors have continued to attend meetings but it remains that members of the public are not permitted to attend meetings. The total number of people attending meetings (including councillors and staff) cannot exceed 12.

#### Action from Council

Meetings will continue with zoom available to our directors or councillors to join in for Council meetings, especially where the maximum 12 participants are in the room. Council meetings will continue to be live streamed for the public and no presentations, except by zoom, are able to occur due to the limited number of attendees allowed under COVID rules.

# COVID-19 Testing / Pop up clinics

Council have continued to be contacted by health professionals to set up drive thru testing clinic. While NSW Health is responsible for publicising these clinics, Council is also publicising them on our website.

# **Council Operations**

- All staff are practicing safe social distancing
- Service counters have safety shields installed
- Minimal 1-1 meetings with outsiders of Council taking place
- Council Chambers still only allowing maximum 12 persons in room
- Implementation of zoom/phone meetings wherever possible
- Segregation of departments still in action (three groups)
- Hand sanitizer, wipes and cleaning protocol in place
- Signage / restrictions across Council
- Masks are available for customer service team, staff and visitors
- A COVID-19 recovery plan has been adopted for all staff
- Customer service team are being heavily vigilant on visitors from outside of NSW and ensuring records kept to assist authorities if asked upon.

# **POLICY IMPACT**

Nil

# OPTIONS

Nil

#### FINANCIAL IMPACT OF RECOMMENDATIONS Nil

#### **RECOMMENDATION** That -

1. Council receives and notes the report as information.

# ATTACHMENTS

Nil

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

The following item is submitted for consideration -

16.1Reports from Committees for the month of October216

# Reports from Other Committees, Section 355 Committees and Delegates - 15 October 2020

# ITEM 16.1

# Reports from Committees for the month of October

# **RECOMMENDATION:**

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

- 1. Collector Oval Committee Minutes from meeting held 15 August 2020.
- 2. Collector Oval Committee Minutes from meeting held 27 February 2020.
- 3. Tuena Hall and Recreation Area Committee Meeting minutes 16 September 2020.
- 4. Gullen Range Wind Farm Community Fund S355 Committee Meeting Minutes 22 September 2020.
- 5. Taralga Wind Farm Community Fund S355 Committee Meeting Minutes 22 September 2020.

# ATTACHMENTS

1. <u>↓</u>	Collector Oval Committee - Minutes from meeting held 15	Attachment
	August 2020	
2. <u>↓</u>	Collector Oval Committee - Minutes from meeting held 27	Attachment
	February 2020	
3.	Tuena Hall and Recreation Area Committee - Meeting Minutes -	Attachment
	September 2020	
4.	Minutes of the Gullen Range Wind Farm Community Fund S355	Attachment
	Committee meeting held 22 September 2020	
5.	Minutes of the Taralga Wind Farm Community Fund S355	Attachment
	Committee meeting held 22 September 2020	

#### MINUTES OF GENERAL MEETING 15/08/20

Andrew Chiswell opened the meeting at 7:04 pm.

**Note:** Covert 19 protocols were adhered to with contact details recorded, social distancing and hand sanitizer available.

Attendance: Andrew Chiswell, Bob Carter, John Searl, Terry Lovelock, John Gorman, John Hoskins.

Apologies: Gary Poile, Kristy Quigg,

#### Previous GM Minutes:

Carried with amendments

- Council did not agree to fund the replacement of the flood lights at the oval. Ratch provided the funding for this project.
- Council did not regulate the amount of water a resident could take from the oval bore.
   Bob Carter/Terry Lovelock Carried

#### **Business Arising from Minutes:**

- John Gorman asked about residents using water from the oval bore.
  - Andrew Chiswell spoke to the issue and noted that Council had not objected to water being used by locals for gardens or stock, and had indeed been performing an audit of bores across the shire for use by locals during the drought.
- The Rabbit Proof fence has been delayed because of Covid 19. Further to this, there may be an opportunity to fence the actual precinct in the near future if fence lines can be cleared.

#### **Correspondence:**

- ULSC
  - o Mursaleen Shah
    - Re. Fence project
    - Re. Courtesy letter thanking COC for a good year. COC replied in kind.
- Landcare
  - Ruth Aveyard
    - Re. Landcare sponsorship in the Revegetation Project
- Ratch
  - o lan Lawrence
    - Re. funding of Lighting Project
    - Re. Funding of Revegetation Project

President Report: Attached

Treasurers Report: Attached

General Business:

• Use of the old bridge timbers lining the northern edge of the oval.

Item:	Attachment 1.: Collector Oval Committee - Minutes from meeting held 15 August 2020
16.1	

- Concern was raised about the deterioration of the old bridge timbers from lying on the wet ground.
- $\circ~$  John Hoskins talked to the history of retaining the old timbers in the village when the bridge was replaced.
- $\circ$   $\,$  Raising the timbers off the ground was suggested as a way of preserving the timbers.
  - Use of the timbers was foreshadowed to the October General Meeting for consideration.
- Revegetation Project
  - Andrew Chiswell spoke to the need to prepare the site well for planting to ensure the greatest chance of successful growth, community consultation, rabbit infestation from old timber piles, re-establishment of precinct fence lines and the levels around the oval to ensure best possible drainage during flooding.
  - John Hoskins cautioned against the possible long term loss of screening and the need to drain water from the site, prepare well and choose appropriate plants for the area.
    - Motion The COC recommends the Revegetation Project to Council and subject to funding seeks approval to commencement the program.
      - Andrew Chiswell/Bob Carter Carried (Unanimous)
- Weed Spraying
  - $\circ$   $\;$  The urgent need for cape weed to be dealt with on the oval was identified.
  - Andrew Chiswell noted Council had been approached over the previous couple of months but that so far they had not addressed the issue.
    - Motion That COC engage a contractor to spray for cape weed on the oval and that the account be forwarded to Council. Further COC recommends to Council that Collector Oval be included in a weed maintenance program in the future.
      - Bob Carter/Terry Lovelock Carried (Unanimous)
- Soil Storage at Oval
  - The meeting noted that a local contractor had a large amount of soil available from local Council programs.
  - The meeting recognised that the soil could be used in the site preparation for the Revegetation Project.
    - Motion The COC recommends to Council that clean fill be stored at the oval for future use from excavations in the area by a local contractor.
      - Bob Carter/Terry Lovelock Carried (Unanimous)

Next Meeting: AGM 15<sup>th</sup> October 2020, 19:00 Closed: 20:41

#### MINUTES OF GENERAL MEETING 27/02/20

Andrew Chiswell opened the meeting at 7:04 pm.

- <u>Attendance:</u> Andrew Chiswell, Gary Poile, Bob Carter, Cr John Searl, Andrew Harris, Graham Petiech, Gary Daw, Julie Daw, Gavin Douglas, John Hoskins, Terry Lovelock, Serenity Warby, John Gorman.
- <u>Apologies:</u> Dan Cram, Michael Duck, Kristy Quig.
- <u>Minutes:</u> Of Ordinary Meeting held 19/11/19 were read and accepted as true and accurate on a motion moved by Andrew Chiswell and sec. Terry Lovelock. Carried.

#### **Business Arising from Minutes:**

Council have supplied most of the material for the proposed rabbit proof fence to be erected around the oval perimeter. Andrew Harris kindly offered to coordinate the construction of the fence.

Youth Day was postponed and will now be held on Saturday 14 March. A Community Market Day will be held in conjunction with this event and funds raised will benefit the Oval Committee. Gary Poile will coordinate the Market Day while Gavin Douglas will coordinate the Youth Day.

Electrical work: Council have agreed to fund the additional work including replacement of flood lights with LED lights when time and equipment is available. Andrew Chiswell undertook to keep Council staff (Mursaleen) informed of progress.

Some discussion relating to the use of the oval by RV's. The meeting felt that the broader issue of the village seeking status of an "RV Friendly Village

Gym, footpaths and picnic shelters have all now been installed / completed.

#### Correspondence:

• Numerous emails back and forth between Andrew and Council regarding maintenance and the fence, etc.

#### **Reports:**

**Presidents Report**: Andrew reiterated that he felt it was important to keep council informed on all decisions and to collaborate as much as possible with council staff on all aspects of managing the oval.

As President, he would aim to call four general meetings each year and meet with the executive as often as required to deal with day-to-day issues.

Andrew flagged that his two priorities for the coming year were:

1. to clear away the thick growth from behind the levee bank on the south side of the oval and commence a revegetation project and,

Item:	Attachment 2.: Collector Oval Committee - Minutes from meeting held 27 February
16.1	2020

2. To fix up the front entrance by creating a new car park and planting a row of ornamental trees along the front.

Secretary: Minutes as tabled.

**Treasurer:** No change from last meeting.

Cheque account balance	\$5589.50
Grant Account	\$3.52
Petty cash	Nil

#### **General Business**

Requested from the floor that a garbage bin be provided at the Gym /picnic tables and that provision of solar lighting be investigated.

GDCA is applying for funds to engage Kristy Quig to run a community program over a ten week period that will show local residents how to use the gym equipment for safe and beneficial outcomes. Secretary to send a letter of support to GDCA.

Andrew Chiswell to review the number of sets of keys and who has them. Might need another set for secretary?

Bob Carter mentioned that he had seen several residents filling water tanks from the oval tap and enquired if this was OK. Andrew Chiswell informed the meeting that council policy was to allow residents to get up to 1000 litres per day.

#### MEETING CLOSED: 8:45pm.

## **Tuena Hall & Recreation Area Committee**

Bathurst Street, Tuena NSW 2583 PH. 48345267 A section 355 committee of Upper Lachlan Shire Council

### Minutes of the General Meeting

16<sup>th</sup> September 2020

#### Present:

Vince Lonergan, June Lonergan, Robyn Hall, Lesley Hall, Jill Cowey, Gabrielle Saville, Jenelle Parsons, Dave McTaggart, Dennis Laing, Robyn Cartwright, Cheryl Gilbert, Barb Blankezee **Apologies:** 

Bev Hall, Joy Collins **Meeting Opened:** 2.00pm.

#### Minutes from the previous General Meeting were tabled.

Resolved: Dave McTaggart, Barb Blankenzee ......Unanimously accepted.

#### Treasures Report was tabled:

Resolved: Barb Blankenzee, Robyn Hall..... Unanimously accepted.

#### Correspondence:

\*Email to ULSC re Easter Market, dated 1<sup>st</sup> March 2020.
NO RESPONSE FROM COUNCIL
\*Email to ULSC re Pedestrian Mobility Plan, dated 1<sup>st</sup> March 2020
Response from Linus Nesbitt-Hawes
\*Email to ULSC re Work Request, dated 1<sup>st</sup> March 2020.
Response from Council with work request number.
\*Email of thanks sent to Council, dated 19<sup>th</sup> March 2020.
\*Email to ULSC re New ride on Mower, dated 1<sup>st</sup> March 2020.
Request denied but Council did facilitate the purchase of a new mower with the Grant money and we were able to purchase a hardier mower as we were not required to pay GST.
\*Email to ULSC General Manager, re Ron's Road, dated 1<sup>st</sup> March 2020.
\*Email to ULSC re Change to the Tuena Transfer Station (tip), dated 14<sup>th</sup> April 2020.
NO RESPONSE FROM COUNCIL
\*Email to ULSC re Crown Lands Improvement Grant, dated 16<sup>th</sup> June 2020.

Response from Linus Nesbitt-Hawes informing us that Stage II of the Plumbing upgrade was not fully scoped nor was it planned for 2020/21.

\*Application to the Crown lands Improvement Fund for a grant of \$25,520 to have road work upgraded in the Recreation Area. (Quote from Andrew Parsons)

\*Email from Crown Lands Improvement fund asking for approval Letter form Council.

\*Email to Council requesting Approval Letter.

\*Email from Council. Advising Approval Letter had been sent.

#### Correspondence was tabled

Resolved: Lesley Hall, Dave McTaggart.....Unanimously Accepted.

#### **Business Arising for Previous Minutes:**

- 1. Easter Market was cancelled due to Covid19, we will approach ULSC again prior to Easter 2021 to have this advertised on all Council platforms.
- 2. Mobility Plan- we will be advised by ULSC when new funding is available and this is still a priority.
- 3. Removal of the trees in the Camping area was carried out by ULSC.
- 4. Store rooms have been refurbished. We had accepted a quote for this work from Mr Robert Pick but he was unable to complete this job due to constraints from Covid 19 so Mr Dave McTaggart and Gabrielle Saville at a cost of approx. \$1000 completed this work. The Committee thanks Mr McTaggart for his work.
- 5. The doors to the toilets located in the Hall were adjusted by Adam Moody from ULSC and are now user friendly to all including the disabled.
- 6. The Resolution appearing is the previous minutes asking Council to reallocate funds for the purchase a new whipper snipper for the Village was NOT ACTED UPON and remains an issue, despite having the minutes tabled at a Council meeting.
- 7. Streetscape have installed the allocated signage portal and the new bench seat in the Village.

#### Agenda Items:

#### 1. Grants Pending.

We have 2 grants pending.

- a) For \$1000 from Veolia Trust for \$1000 for the purchase of Gardening Equipment for the Village.
- b) For \$25,520 from the Crown land Improvement Fund for the upgrading of the roads in the camping area. November notification.

**ULSC has assumed responsibility for the project**...(we had been previously advised by ULSC that these roads we NOT their responsibility.. refer emails on file.)

#### 2. Garden Shed.

#### **Resolution:**

We accept a quote for \$1100 from Stuart Parsons to lay a concrete slab and to erect a garden shed behind the Community Hall. We purchase the shed from Bunnings for the cost of \$494.

Resolved: Vince Lonergan, Dave McTaggart......Unanimously accepted.

#### 3. Tuena Transfer Station...the tip.

Dennis Laing addressed the meeting expressing his concern and issue with the current arrangements. Mr Laing owns 4 blocks in the Village for which he accrues rates which include waste management. He has contacted council directly and his concerns have not been addressed. His concern and issues were duplicated with several others at the meeting and much discussion ensued.

#### **Resolution:**

A letter be sent to ULSC addressing this issue.

Resolved: Barb Blankenzee, June Lonergan ......Unanimously accepted.

4. Ron's Road.

There has been no development since February 2020.

**Resolution:** 

A letter be sent to the General Manager reaffirming our concern and asking for an update on any developments and or progress in this matter.

Resolved: Robyn Hall, Barb Blankenzee ......Unanimously accepted.

Meeting Closed 3.10pm.

Item:	Attachment 4.: Minutes of the Gullen Range Wind Farm Community Fund S355
16.1	Committee meeting held 22 September 2020

- **PRESENT:** Clr John Stafford (Upper Lachlan Shire Council), Ms Christine McLean (Community Representative), Ms Colleen Worthy (General Manager - Upper Lachlan Shire Council) and Mr Derek Powell (New Gullen Range Wind Farm).
- **NON VOTING**: Mrs Tina Dodson (Director of Environment and Planning)

#### 1. WELCOME

The Mayor opened the meeting the time being 1.30pm and welcomed those present.

#### 2. APOLOGIES

Scott Martin – Goulburn Mulwaree Council

Moved: John Stafford Seconded: Derek Powell

#### 3. DECLARATIONS OF INTEREST

Derek Powell – Pecuniary Interest (financial sponsor) of the Crookwell Men's Bowling Club and the wind farm gifted the Bannister Hall to the Bannister Hall Association.

Moved: John Stafford Seconded: Derek Powell

#### 4. LATE CORRESPONDENCE

Floyd Davies – Resignation letter

**RECOMMENDED:** The resignation letter of Floyd Davies be accepted.

Moved: John Stafford Seconded: Christine McLean

Crookwell Barbell Club – 2019/2020 Acquittal date extension request.

**RECOMMENDED:** The Crookwell Barbell Club Inc request for a 3 month extension (22 December 2020) to the 2019/2020 acquittal be endorsed.

Moved: Colleen Worthy Seconded: Christine McLean

#### 5. CONFIRMATION OF MINUTES OF THE MEETING HELD ON 19 JUNE 2019

**RECOMMENDED:** The minutes of the meeting held 19 June 2019 be adopted.

Moved: John Stafford Seconded: Derek Powell

## 6. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2020/2021 – FUNDING \$65,107.06

**RECOMMENDED** that the projects listed below be awarded funds as follows

Moved: Christine McLean Seconded: Derek Powell

	PROJECT	AMOUNT
1	Kiamma Creek Landcare – Pat Cullen Reserve	\$8,600.00
2	Crookwell Services Men's Bowling Club	\$6,699.00
3	Crookwell / Taralga Aged Care	\$8,607.40
4	Crookwell Potato Festival	\$3,000.00
5	Bannister District Hall Association	\$38,137.50
	TOTAL	\$65,043.90

#### ACTION:

Council's media officer to follow up with recipients on photo opportunities for grant projects. New Gullen Range Wind Farm would prefer if opportunities could be spread across the year as projects reach key stages (not necessarily completion). Recipients to be encouraged to contact Council at key project stages.

#### 6. GENERAL BUSINESS

Nil

Meeting closed the time being 2.50 pm.

**PRESENT:** Mayor John Stafford (Upper Lachlan Shire Council), Mr Craig Croker (Community Representative), Mr Brian Moloney (Community Representative), Ms Colleen Worthy (General Manager - Upper Lachlan Shire Council) and Ms Bernadette Holland (Pacific Hydro – Taralga Wind Farm).

**NON VOTING**: Mrs Tina Dodson (Director of Environment and Planning)

#### 1. WELCOME

The Mayor opened the meeting the time being 9.05am and welcomed those present.

#### 2. APOLOGIES

Nil

#### 3. DECLARATIONS OF INTEREST

Nil

#### 4. CONFIRMATION OF MINUTES OF THE MEETING HELD ON 2 JULY 2019

**RECOMMENDED:** The minutes of the meeting held 2 July 2019 be adopted.

Moved: John Safford Seconded: Craig Croker

#### 5. LATE CORRESPONDENCE – TARALGA HISTORICAL SOCIETY

**RECOMMENDED:** The Taralga Historical Society request for an extension to 2019/2020 acquittal date of the 22 November 2020 be endorsed.

**Moved:** Craig Croker **Seconded:** Brian Maloney

# 6. PRIORITISATION OF PROJECT SUBMISSIONS FOR 2020/2021 – FUNDING \$126,095.46

**RECOMMENDED** that the projects listed below be awarded funds as follows:

	PROJECT	AMOUNT
1	Taralga Community Medical Association	\$12,000.00
2	Taralga AP&H Association	\$6,150.00

3	Taralga Sports Club	\$8,138.47
4	Taralga Australia Day Rodeo Committee	\$29,510.00
5	Taralga Australia Day Rodeo Committee	\$3,800.00
6	Crookwell Mobile Children's Service	\$3,000.00
7	Crookwell Mobile Children's Service	\$4,789.57
8	Crookwell / Taralga Aged Care – Sunset Lodge	\$15,341.00
9	Taralga Historical Society	\$3,825.99
10	Stonequarry Cemetery 355 Committee	\$11,495.00
11	Taralga Playgroup	\$3,080.00
12	Taralga RFS	\$24,949.10
	TOTAL	\$126,079.13

**ACTION:** Funding agreement for the Taralga Australia Day Rodeo Committee (Taralga Showground fencing project) not be provided until such time as a second quote for the fencing project is submitted (to ensure appropriate procurement processes are adhered to).

**ACTION**: Committee to investigate options and processes available for large projects that may involve community consultation.

**ACTION**: The Taralga Wind Farm Community Fund Guidelines be amended to expressly require the submission of 2 quotations for projects over \$15K.

Moved: Bernadette Holland Seconded: Craig Croker

#### 6. **GENERAL BUSINESS**

Brian Moloney tendered his resignation to the committee. Brian thanked the committee and Pacific Hydro for their valuable contribution to the Taralga Community.

Brian Moloney was also thanked by the Committee and Pacific Hydro for his valued community service contribution to the committee and community at large.

Due to the finalisation of the 4 year term of the Community Representatives, Council call for EOI's for two community representatives for the Taralga Wind Farm Community Fund S355 Committee.

Meeting closed the time being 10.05am.

## 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.

# General Manager's Statement Confidentiality

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

## CONFIDENTIAL SESSION

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

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

#### RECOMMENDATION

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 19.1, 19.2 and 19.3 in confidential session for the reasons indicated:

Item 19.1 Procurement of two new water trucks

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

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

#### Item 19.2 Staffing Matters

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

#### Item 19.3 General Manager - KPI's Update

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

## **19 CONFIDENTIAL SESSION**

The following items are submitted for consideration -

- 19.1 Procurement of two new water trucks
- 19.2 Staffing Matters
- 19.3 General Manager KPI's Update