



# BUSINESS PAPER

## ORDINARY MEETING

Thursday 20 June 2019  
6:00PM  
Council Chambers

### **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**

13 June 2019

**Councillors**

Dear Members

### **Ordinary Meeting of Council**

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 20 June 2019** in the **Council Chambers** commencing at **6:00PM**.

Your presence is requested.

Yours faithfully



Andrew Croke  
Acting General Manager  
**Upper Lachlan Shire Council**

## **AGENDA**

### **ACKNOWLEDGEMENT OF COUNTRY**

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

<b>1</b>	<b>NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING</b>	
<b>2</b>	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	
<b>3</b>	<b>CITIZENSHIP CEREMONY</b>	
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**UPPER LACHLAN SHIRE COUNCIL**

**LEAVE OF ABSENCE**

General Manager  
Upper Lachlan Shire Council  
Spring Street  
CROOKWELL NSW 2583

Dear Sir

I wish to apply for leave of absence from the Council Meeting to be held on

Date: .....

I will be absent for the following reason/s:

.....  
.....  
.....

Yours faithfully

.....  
(Councillor Signature)

## **ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST**

### **A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES**

#### **ETHICAL DECISION MAKING**

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Could your possible conflict of interest lead to private gain or loss at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

#### **CONFLICT OF INTEREST**

- A conflict of interest is a clash between private interest and public duty. There are two types of conflict:
  1. Pecuniary – regulated by the *Local Government Act* and Office of Local Government and,
  2. Non-pecuniary – regulated by Codes of Conduct and policy, ICAC, Ombudsman, Department of Local Government (advice only).

#### **THE TEST FOR CONFLICT OF INTEREST**

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

#### **IDENTIFYING PROBLEMS**

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

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

## AGENCY ADVICE

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

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

**UPPER LACHLAN SHIRE COUNCIL**  
**COUNCILLORS DISCLOSURE OF A**  
**PECUNIARY INTEREST**

**PURSUANT TO SECTION 451 OF THE NSW LOCAL GOVERNMENT ACT 1993  
(AS AMENDED)**

To the General Manager

I, \_\_\_\_\_

Declare a Conflict of Interest, being a PECUNIARY Interest.

**COUNCIL MEETING**

Name of Meeting \_\_\_\_\_

Date of Meeting \_\_\_\_\_

Page Number \_\_\_\_\_ Item Number \_\_\_\_\_

Subject \_\_\_\_\_

Reason for Interest \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OTHER THAN COUNCIL MEETINGS**

Reason for Interest \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**UPPER LACHLAN SHIRE COUNCIL**  
**COUNCILLORS DISCLOSURE OF A**  
**NON-PECUNIARY INTEREST**

**PURSUANT TO SECTION 451 OF THE NSW LOCAL GOVERNMENT ACT 1993  
(AS AMENDED)**

To the General Manager

I, \_\_\_\_\_

Declare a Conflict of Interest, being a NON-PECUNIARY Interest.

☐ Significant

☐ Non Significant

**COUNCIL MEETINGS**

Name of Meeting \_\_\_\_\_

Date of Meeting \_\_\_\_\_

Page Number \_\_\_\_\_ Item Number \_\_\_\_\_

Subject \_\_\_\_\_

Reason for Interest \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

As a result of my non-pecuniary interest, my involvement in the meeting will be as follows:

☐ **Option A** – Make a declaration, stay in the Chamber, participate in the debate, and vote.

☐ **Option B** – Make a declaration, stay in the Chamber, participate in the debate, but not vote.

☐ **Option C** – Make a declaration, stay in the Chamber, participate in the debate, but leave the Chamber for the vote.

☐ **Option D** – Make a declaration, stay in the Chamber, not participate in the debate, but vote.

☐ **Option E** – Make a declaration, stay in the Chamber, not participate in the debate and not vote.

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## **5            CONFIRMATION OF MINUTES**

The following minutes are submitted for confirmation -

5.1    Minutes of the Ordinary Meeting of Council of 16 May 2019 .....	12
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**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 16 MAY 2019**

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**PRESENT:** Mayor J Stafford (Chairperson), Clr P Culhane, Clr P Kensit, Clr R Opie, Clr D O'Brien, Clr R Cummins, Clr J Searl, Clr J Wheelwright, Mr A Croke (Acting General Manager), Mr D Cooper (Acting Director of Finance and Administration), Mr M Shah (Director of Infrastructure), Mrs T Dodson (Director of Environment & Planning), Ms D Crosbie (Media Officer), and Ms S Pearman (Executive Assistant).

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**THE MAYOR DECLARED THE MEETING OPEN AT 6.00PM**

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

An apology was received from Clr B McCormack.

**107/19**      **RESOLVED** by Clr Searl and Clr Kensit that the apology be received and the leave of absence granted.

- CARRIED

**Councillors who voted for:-**      Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**      Nil

**SECTION 2: CITIZENSHIP CEREMONY**

Nil

**SECTION 3: DECLARATIONS OF INTEREST**

Nil

**SECTION 4: CONFIRMATION OF MINUTES**

**108/19**      **RESOLVED** by Clr Searl and Clr O'Brien

That the minutes of the Ordinary Council Meeting held on 18 April 2019 be adopted.

- CARRIED



**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 16 MAY 2019**

---

**Councillors who voted for:-** Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**SECTION 5: MAYORAL MINUTES**

**ITEM 5.1 MAYORAL MINUTE**

**109/19**

**RESOLVED** by Mayor Stafford and Clr Searl

That Council receive and note the activities attended by the Mayor for April 2019 and May 2019.

- CARRIED

**Councillors who voted for:-** Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 5.2 MAYORAL MINUTE - EMERGENCY SERVICES LEVY INCREASE**

**110/19**

**RESOLVED** by Mayor Stafford and Clr Wheelwright

That Council

1. Council request the NSW Government to cover the additional \$19m increase to local government for the first year of the Emergency Services Levy.
2. The NSW Government work with all Councils to redesign the funding mechanism for the scheme to ensure fairness into the future.
3. The General Manager liaise with Local Government NSW to provide advocacy.

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
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**ON 16 MAY 2019**

---

4. Council Mayor write to the NSW Premier and NSW Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local and state member in relation to the impact on Council and the local community from the unexpected increase.

- CARRIED

**Councillors who voted for:-** Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

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

Nil

**SECTION 7: CORRESPONDENCE**

**ITEM 7.1 CORRESPONDENCE ITEMS FOR THE MONTH OF MAY 2019**

**111/19** **RESOLVED** by Clr Searl and Clr O'Brien

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

1. Gunning RSL Chapter C/- David Findlay - Letter of Thanks to Council for Assistance – 2019 ANZAC Day Gunning.
2. Crookwell RSL Sub Branch – Compliments to Council – On Work Carried out on Crookwell Memorial Park.
3. Crookwell RSL Sub Branch – Letter of Thanks for Attendance – ANZAC Day 2019 – Mayor John Stafford.
4. Southern Phone Company – Guidance on Forecasted Earnings for 2019 Financial Year.
5. Member for Goulburn, Wendy Tuckerman MP – Letter of Thanks for Support in Recent Election Win.

- CARRIED

**Councillors who voted for:-** Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
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**ON 16 MAY 2019**

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**SECTION 8: LATE CORRESPONDENCE**

Nil

**SECTION 9: INFORMATION ONLY**

**ITEM 9.2 DEVELOPMENT STATISTICS FOR THE MONTH OF APRIL 2019**

**112/19 RESOLVED by Clr Searl and Clr O'Brien**

1. Council receives and notes the report as information.

- CARRIED

**Councillors who voted for:-** Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEMS 9.1, 9.3 – INFORMATION ONLY REPORTS**  
**9.10**

**113/19 RESOLVED by Clr Searl and Clr Kensit**

1. Council receive items 9.1, 9.3 to 9.10 and note the report as information.

- CARRIED

**Councillors who voted for:-** Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
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**ON 16 MAY 2019**

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**REPORTS FROM STAFF AND STANDING COMMITTEES**

**SECTION 10: ENVIRONMENT AND PLANNING**

**ITEM 10.1 PROPOSED ROAD RENAMING OF GUNDAROO STREET, GUNNING**

**114/19** **RESOLVED** by Cllr Searl and Cllr Culhane

1. Council do not continue with the proposed road renaming of Gundaroo Street, Gunning (between Yass Street and Cullavin Street) to Collector Road.
2. Council write to the affected land owners advising that Council will not continue with the proposed road renaming of Gundaroo Street, Gunning (between Yass Street and Cullavin Street) to Collector Road.

- CARRIED

**Councillors who voted for:-** Cllrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
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**HELD IN THE COUNCIL CHAMBERS**  
**ON 16 MAY 2019**

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**SECTION 11:      INFRASTRUCTURE DEPARTMENT**

**ITEM 11.1              ROAD CLOSURE IN LAGGAN VILLAGE - WILLOWVALE ROAD**  
**115/19              RESOLVED by Clr Searl and Clr O'Brien**

1. Council authorise the General Manager and Mayor to sign under the Seal of Council the transfer documentation for road closure of Part Mill Road and Willowvale Road in Laggan, being Lot 1 DP 1173060.

- CARRIED

**Councillors who voted for:-**              Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**      Nil

**ITEM 11.2              ROAD CLOSURE APPLICATION UNDER THE ROADS ACT ON**  
**JUNCTION POINT ROAD, TUENA**  
**116/19              RESOLVED by Clr Searl and Clr Wheelwright**

1. Council authorise the closure of the disused section of Junction Point Road, Tuena as a public road pursuant to Division 3 – Closing of Council Roads by Council of the Roads Act 1993 and noting the road proposed for closure is identified as Lot 1 on the plan prepared by Land Team dated 11 December 2018.

- CARRIED

**Councillors who voted for:-**              Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**      Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
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**ON 16 MAY 2019**

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**ITEM 11.3            PROPOSED ROAD CLOSURE SECTION OF IRON MINE ROAD, CROOKWELL**

**Item Withdrawn with no resolution**

1. Council approves the closure of the disused sections of Iron Mine Road, Crookwell, as a public road pursuant to Division 3 – Closing of Council Public Roads by Council of the Roads Act and noting the roads are identified as Lot 2 to Lot 5 inclusive on the map prepared by Surveyor Flood dated 12 May 2015.

**ITEM 11.4            REPORT ON THE ALLOCATION OF ADDITIONAL ROADS TO RECOVERY FUNDS**

**117/19                RESOLVED by Clr Searl and Clr Culhane**

1. Council allocate in the 2019/2020 Operational Plan and future years Delivery Programs the additional \$240,609 each year of Roads to Recovery funding to unsealed local roads gravel re-sheeting program budget.

- CARRIED

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

**Councillors who voted against:-**        Clrs R Opie and R Cummins

A motion was moved by Clr Cummins and Clr Opie that:

1. The additional Roads to Recovery funds be spent on the provision of a roundabout at the intersection of Colyer Street and Goulburn Street Crookwell

On being put to the meeting the motion was lost.

**Councillors who voted for:-**                Clrs R Opie and R Cummins

**Councillors who voted against:-**        Clrs P Culhane, P Kensit, D O'Brien, J Searl, J Stafford and J Wheelwright

**UPPER LACHLAN SHIRE COUNCIL**  
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**ITEM 11.5                      REPAIR OF STRUCTURAL COMPONENTS OF BRIDGES ACROSS THE SHIRE**

**118/19                      RESOLVED by Cllr Searl and Cllr Wheelwright**

1. Council fund and undertake all urgency 1 bridge repairs as per the schedule from Pitt and Sherry using the allocated maintenance budget as a part of the 2018/2019 Operational Plan;
2. Council fund and undertake all urgency 2 bridge repairs as per the schedule from Pitt and Sherry using the allocated maintenance budget as a part of the 2018/2019 Operational Plan;
3. Council fund and undertake all urgency 3 bridge repairs as per the schedule from Pitt and Sherry using the allocated maintenance budget as a part of the 2018/2019 Operational Plan;
4. Council fund and undertake all urgency 4 bridge repairs as per the schedule from Pitt and Sherry using the allocated maintenance budget as a part of the 2018/2019 Operational Plan;
5. Council not to undertake routine maintenance on Crookwell River Bridge (Woodville Road), Diamond Creek Bridge (Kangaloolah Road) and Crookwell River Bridge (Julong Road) until upgraded as a part of the 2019/2020 Operational Plan.

- CARRIED

**Councillors who voted for:-**                      Cllrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**                      Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
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**ON 16 MAY 2019**

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**ITEM 11.6**

**COUNCIL'S CROOKWELL WORKS DEPOT**

**MOVED** by Clr Searl and Clr Culhane

1. Council allocate \$100,000 from the Building Reserve to fund the engineering design, cost estimation and planning of future WH&S and environmental compliance works required at the existing Crookwell Works Depot.
2. Council refers engineering design, cost estimation and planning report related to the existing Crookwell Works Depot to the Building Review Committee for consideration and provide future recommendations to Council.

An amendment was moved by Clr Cummins and Clr Kensit that:

1. This matter be deferred until an investigation into potential sources of contamination and the processes and procedures within the Crookwell Works Depot that could have adverse impacts on Kiamma Creek is submitted to Council.

On being put to the meeting the motion was carried

**119/19**

**RESOLVED** by Clr Cummins and Clr Kensit that:

1. This matter be deferred until an investigation into potential sources of contamination and the processes and procedures within the Crookwell Works Depot that could have adverse impacts on Kiamma Creek is submitted to Council.

- CARRIED

**Councillors who voted for:-**

Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil



**UPPER LACHLAN SHIRE COUNCIL**  
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**ON 16 MAY 2019**

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**SECTION 12: FINANCE AND ADMINISTRATION**

**ITEM 12.1 IMPLEMENTATION OF EQUAL EMPLOYMENT OPPORTUNITY AND ANTI-DISCRIMINATION POLICY**

**120/19** **RESOLVED** by Cllr Searl and Cllr Wheelwright

1. The report be received and information noted.

- CARRIED

**Councillors who voted for:-** Cllrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**ITEM 12.2 QUARTERLY BUDGET REVIEW STATEMENTS - 3RD QUARTER 2018/2019**

**121/19** **RESOLVED** by Cllr Searl and Cllr O'Brien

1. Council adopts the 3rd Quarter Budget Review Statements for 2018/2019 including revotes of income and expenditure to the Operational Plan; and
2. Council endorses the Operational Plan Performance Summary Report.

- CARRIED

**Councillors who voted for:-** Cllrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 16 MAY 2019**

---

**SECTION 13: GENERAL MANAGER**

**ITEM 13.1 MAYORAL AND COUNCILLORS' REMUNERATION - LOCAL GOVERNMENT REMUNERATION TRIBUNAL**

**122/19** **RESOLVED** by Clr Searl and Clr O'Brien

1. Council notes the determination of annual fees by the Local Government Remuneration Tribunal for Councillors and Mayors and resolves to set a fee structure for the period 2019/2020 being, Councillors Annual Fee of \$12,160.00 and a Mayoral Fee of \$26,530.00.

- CARRIED

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

**Councillors who voted against:-** Clrs R Opie and R Cummins

An amendment was moved by Clr Cummins and Clr Opie that:

1. Council note that due to Council's poor performance over the last 12 months that Councillors Opie and Cummins will be donating their Councillors Remuneration increase in the amount of \$300 to the Upper Lachlan Foundation and that Councillors Opie and Cummins request that all other Councillors consider making a similar donation.

On being put to the meeting the motion was lost

**Councillors who voted for:-** Clrs R Opie and R Cummins

**Councillors who voted against:-** Clrs P Culhane, P Kensit, D O'Brien, J Searl, J Stafford and J Wheelwright

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
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**ON 16 MAY 2019**

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**SECTION 14: LATE REPORTS**

**ITEM 14.1**                      **LATE REPORT - EMERGENCY SERVICES LEVY INCREASE**  
**123/19**                      **RESOLVED** by Clr Searl and Clr Wheelwright that

Council receive Item 14.1 Late Reports listed below:

1. Emergency Services Levy

- CARRIED

**Councillors who voted for:-**                      Clrs P Culhane, P Kensit, R  
Opie, D O'Brien, R Cummins, J  
Searl, J Stafford and J  
Wheelwright

**Councillors who voted against:-**              Nil

**124/19**                      **RESOLVED** by Clr Searl and Clr Wheelwright that

1. Council advises the NSW Government of their objection to any increase to the Emergency Services Levy above the ordinary rates rate peg limit and further advises the NSW Government of the concern that there was no consultation in advance of the increase, noting that Council's budget and integrated plans for 2019/2020 are finalised.
2. Council request that the NSW Government add the value of any increase in the Emergency Services Levy to a one-off increase in the ordinary rates rate peg limit.
3. Council request the NSW Government to defer the increase in the Emergency Services Levy until further consultation with Councils.
4. Council request Local Government NSW to advocate on behalf of all Councils to address the concerns related to the Emergency Services Levy increase.

- CARRIED

**D**  
**Councillors who voted for:-**                      Clrs P Culhane, P Kensit, R  
Opie, D O'Brien, R Cummins, J  
Searl, J Stafford and J  
Wheelwright

**Councillors who voted against:-**              Nil

**UPPER LACHLAN SHIRE COUNCIL**

**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS  
ON 16 MAY 2019**

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**SECTION 15:      REPORTS FROM OTHER COMMITTEES,      SECTION 355  
COMMITTEES AND DELEGATES**

**ITEM 15.1      LATE REPORTS FOR THE MONTH OF MAY 2019**  
**125/19      RESOLVED by Clr Searl and Clr O'Brien**

That Item 15.1 - [Minutes of Committee/Information] listed below be received:

1. Gunning Arts Festival s355 Committee – Minutes from Meeting held on 7 May 2019.
2. Pool Review Committee – Minutes from meeting held 17 April 2019.

- CARRIED

**Councillors who voted for:-**      Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**      Nil

1. Gunning Arts Festival s355 Committee – Minutes from Meeting held on 7 May 2019.

**126/19      RESOLVED by Clr Searl and Clr Kensit that:**

1. Council receive and note the Minutes of the Gunning Arts Festival Committee Meeting held 7 May 2019 and adopt the Gunning Arts Festival Committee office bearers as listed below:

Chairperson – Margarita Georgiadis  
Secretary – Michelle Storey  
Treasurer – Daryl Tonks  
Publicity Officer – Lyn Cram  
Schedule Officer – Margaret Hindley  
Council Representative – Clr P Kensit and Clr J Searl as alternate

- CARRIED

**Councillors who voted for:-**      Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 16 MAY 2019**

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Searl, J Stafford and J  
Wheelwright

**Councillors who voted against:-** Nil

2. Pool Review Committee – Minutes from meeting held 17 April 2019.

**127/19**

**RESOLVED** by Clr Culhane and Clr O'Brien that:

1. Council receive and note the Minutes of the Pool Review Committee and further Council adopts the Pool Review Committee sending briefing to Mr Pontin with a view to retaining RMP at a cost of circa \$4,500 for a full site visit and full report.

- CARRIED

**Councillors who voted for:-**

Clrs P Culhane, P Kensit, R  
Opie, D O'Brien, R Cummins, J  
Searl, J Stafford and J  
Wheelwright

**Councillors who voted against:-** Nil

**SECTION 16: NOTICES OF MOTION**

Nil

**SECTION 17: QUESTIONS WITH NOTICE**

Nil

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 16 MAY 2019**

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**CLOSED COUNCIL ITEMS**

*Mayor Stafford announced that the meeting would now be moving into Closed Session and read out the statement below*

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)(d)(i) and 2(c) of the Local Government 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:

**128/19**                      **RESOLVED** by Clr Searl and Clr Wheelwright

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

- CARRIED

Council closed its meeting at 7.41pm and the public, staff and press left the chambers.

**129/19**                      **RESOLVED** by Clr Searl and Clr O'Brien

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

- CARRIED

*Clr Wheelwright left the meeting at 7.49pm and did not return to the meeting.*

Open Council resumed at 7.50PM.

**Resolutions from the Closed Council Meeting**

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 16 MAY 2019**

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

**SECTION 18: CONFIDENTIAL SESSION**

**ITEM 19.1 QUOTATION FOR CONSTRUCTION OF SEPARABLE PORTION A FOR FOOTPATH AND BOARDWALK WITHIN PAT CULLEN RESERVE, CROOKWELL**

**130/19** **RESOLVED** by Clr Searl and Clr Wheelwright

1. Council allocate up to \$80,842 from Council's Section 94 Development Contributions fund to complete Pat Cullen Reserve Crookwell footpath and boardwalk construction of 'Separable Portion A' (Saleyards Road to the eastern end of the disabled ramp).
2. Council accept the quotation from JL Proudman Building to construct the footpath and boardwalk under the scope described in 'Separable Portion A' (Saleyards Road to the eastern end of the disabled ramp) for a quoted price of \$100,169.09 (GST exclusive).

- CARRIED

**Councillors who voted for:-**

Clrs P Culhane, P Kensit, R Opie, D O'Brien, R Cummins, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**THE MEETING CLOSED AT 7.51PM**

Minutes confirmed 20 JUNE 2019

.....  
Mayor





## **6 MAYORAL MINUTES**

The following item is submitted for consideration -

6.1	Mayoral Minute	30
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## Mayoral Minutes - 20 June 2019

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### ITEM 6.1                      Mayoral Minute

#### FILE REFERENCE    I19/351

#### MAY 2019

22 May	Outreach meeting in Collector
23 May	2GN Interview
23-24 May	Canberra Region Joint Organisation (CRJO) Board Meeting
25 May	Taralga AP & H Society Dinner
27 May	Taralga 200 Committee meeting
30 May	2GN Interview
31 May	Country Mayors Meeting in Sydney

#### JUNE 2019

3 June	Taralga Progress Association Meeting
4 June	Cullerin Range Wind Farm CEP Meeting in Gunning
6 June	2GN Interview
11 June	Wendy Tuckerman MP, Member for Goulburn, Meeting in Goulburn
11 June	Councillor Workshop - Crookwell landfill and waste management
11 June	Council Streetscape Committee meeting
13 June	2GN Interview
13 June	Photoshoot at Abercrombie River Bridge on MR256 with Wendy Tuckerman MP, Member for Goulburn
13 June	Taralga Co-operative meeting
14 June	Gunning Lions Club Changeover Dinner
18 June	Destination Southern NSW luncheon and tour with ULTA
19 June	Official Opening of the Crookwell Community Garden Fencing
19 June	Gullen Range Wind Farm CEP Meeting in Crookwell
20 June	Ordinary Council Meeting in Crookwell

## **8        CORRESPONDENCE**

The following item is submitted for consideration -

8.1	Correspondence items for the month of June 2019	32
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## Correspondence - 20 June 2019

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### ITEM 8.1

### Correspondence items for the month of June 2019

#### RECOMMENDATION:

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

1. Office of Local Government (OLG) – Emergency Services Levy – Changes to Laws Protecting Volunteer and Career Firefighters in NSW – 6 May 2019
2. NSW Legislative Council – Local Government and Funding for Changes to the Emergency Services Levy
3. Office of Local Government (OLG) – Council Circular 19-08 Consultation on revised IPC – Guideline 1 Returns of Interests
4. IPART – Media Release – NSW Valuer Generals final prices for valuation services to councils
5. NSW Government Transport Roads and Maritime Services (RMS) – Australian Government Black Spot Program – 2019/2020 Financial Year
6. Floyd Davies – Request to Present at June 2019 Council Meeting – Crookwell Goulburn Street Pedestrian Crossing
7. Hon Bridget McKenzie – Thank you letter to Mayor John Stafford – Regional Services, Sport, Local Government and Decentralisation
8. Crookwell AP & H Society – Request Council funding in advance of grant funds for Stronger Country Communities fund project
9. Crookwell Potato Festival – Letter of Thanks and Compliments for Council Support and Assistance with the Festival.

#### ATTACHMENTS

1. <a href="#">↓</a>	Office of Local Government ( OLG ) - Emergency Services Levy - Changes to Laws Protecting Volunteer & Career Firefighters in NSW - 6 May 2019	Attachment
2. <a href="#">↓</a>	NSW Legislative Council - Local Government & Funding for Changes to the Emergency Services Levy	Attachment
3. <a href="#">↓</a>	Office of Local Government ( OLG ) - Council Circular 19-08 Consultation on revised IPC -Guideline 1 Returns of Interests	Attachment
4. <a href="#">↓</a>	IPART - Media Release - NSW Valuer Generals final prices for valuation services to councils	Attachment
5. <a href="#">↓</a>	NSW Government Transport Roads & Maritime Services ( RMS ) - Australian Government Black Spot Program - 2019/2020 Financial Year	Attachment
6. <a href="#">↓</a>	Floyd Davies - Request to Present at June 2019 Council Meeting - Goulburn Street Pedestrian Crossing	Attachment
7. <a href="#">↓</a>	Hon Bridget McKenzie - Thank you Letter - Regional Services, Sport, Local Government and Decentralisation - For Mayor John Stafford	Attachment
8. <a href="#">↓</a>	Crookwell AP & H Society - Request for additional funds in advance of Grant Funds from Stronger Country Communities funds	Attachment
9. <a href="#">↓</a>	Crookwell Potato Festival - Letter of Thanks and Compliments - Support and Assistance with the Festival	Attachment



## Office of Local Government

5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A644248  
Your Reference:  
Contact: Policy  
Phone: (02) 4428 4100

Mr John Bell  
General Manager  
Upper Lachlan Shire Council  
PO Box 42  
GUNNING NSW 2581  
Email: council@upperlachlan.nsw.gov.au

6 May 2019

Dear Mr Bell

I am writing to advise you of important changes to the laws that protect volunteer and career firefighters in NSW, and to explain how communities throughout NSW can support these reforms.

Those in the Rural Fire Service and Fire and Rescue NSW play a vital role in protecting families, farms and homes in times of civic emergencies such as bushfire. Unfortunately, this service sometimes comes at a personal cost to the health and safety of our frontline emergency workers.

In November 2018, the NSW Government made legislative changes to reform workers' compensation entitlements for firefighters, recognising that those with extended service in this field may be more susceptible to certain types of cancers. The reforms make it easier for firefighters diagnosed with these cancers to receive immediate medical care, and vital support for their families. This is an important protection for those who have given service to our communities in the past, as well as for our present and future emergency services workers.

The cost of the workers' compensation reforms will be shared, as per the usual cost sharing arrangements. Under these arrangements, emergency services costs are divided between insurance providers, the NSW Government and local councils, with local councils providing 11.7% of the total funding. The additional costs associated with the compensation reforms will result in an increase in the annual emergency services levy for councils from 1 July 2019. The increase will vary, depending on the funding formula for each local government area and councils will shortly be advised of the amount by Revenue NSW.

This additional cost will present some challenges for councils, particularly those currently affected by the drought. However, state and local governments must acknowledge the importance of providing support for those workers who have given so much to protect communities.

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 44 913 630 046



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Should you have any queries about the new legislative provisions, please contact the State Insurance Regulatory Authority on 02 9289 1352. Information on the changes is also available on the [Revenue NSW website](#).

Yours sincerely



**Tim Hurst**  
**Chief Executive**  
**Office of Local Government**

From: [Peter Primrose](#)  
To: [Peter Primrose](#)  
Subject: Emergency Services Levy and local government  
Date: Wednesday, 29 May 2019 8:50:32 AM  
Attachments: [Emergency Services Levy.pdf](#)

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Hi

Last night I gave a short speech in the Legislative Council regarding local government and funding for changes to the Emergency Services Levy.

Everyone supports the improved workers compensation coverage for firefighters, but not the sneaky way the government is yet again shifting the cost on to local government without any consultation.

I thought you might find the information of interest:

<https://www.parliament.nsw.gov.au/permalink?id=HANSARD-1820781676-78704>

Kind Regards

Peter Primrose

**Peter Primrose MLC**  
NSW Legislative Council  
Shadow Minister for Local Government and Communities  
Shadow Minister for Regional Roads  
Ph. 92302686  
Fax 92303498  
Email: [peter.primrose@parliament.nsw.gov.au](mailto:peter.primrose@parliament.nsw.gov.au)  
Twitter: [@ptprimrose](#)  
Facebook: [facebook.com/PeterPrimroseMLC](https://facebook.com/PeterPrimroseMLC)

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### EMERGENCY SERVICES LEVY

**The Hon. PETER PRIMROSE (19:06):** Last November Parliament belatedly passed legislation with bipartisan support to provide better workers compensation coverage for firefighters diagnosed with specific work-related cancers. New South Wales Labor fully supports this expanded workers compensation scheme—that is why we voted for it—as did local councils across the State.

But of course, as with everything this Government touches, we have now found out that there is a sneaky twist in how this important scheme will be funded. How she responds will be the first real test of how serious the new Minister for Local Government is about supporting cash-strapped local councils, especially those in drought-ravaged areas.

Each year the Government collects payments from councils and insurers to fund emergency services agencies, with councils required to pay 11.7 per cent of the budget. These charges are embedded in council rates and the insurance premiums paid by policy holders. However, earlier this month, and without any consultation, local councils were sent invoices with a letter from Revenue NSW saying New South Wales council contributions will increase by \$19 million in 2019-20. The letter also foreshadowed increases in the following year but not the amount.

The Government failed to disclose this impost during debate on the bill and of course also failed to mention it during the State election campaign. The belated timing of this communication to councils about the increased levy makes it almost impossible for them to include this requirement in their budgets.

Councils are required to consult with their communities about their upcoming budgets and their operational plans before being adopted by the council for the coming financial year. Greater Hume Council, for example, has confirmed that its share of the Hume zone Emergency Services Levy contribution will be \$510,068 for 2019-20. This is \$97,689 more than last year's levy or an increase of \$88,780 more than the amount allocated in council's 2019-20 budget. I quote directly from the general manager, who said:

Allocations across all areas of Council's budget are stretched to the maximum and any unexpected impact in one area will have ramifications across all service areas. Should Council be required to meet the additional cost of the Emergency Services Levy, other activities will suffer. Less will be spent on rural roads, parks and gardens, local halls, libraries, public toilets—the list goes on.

The same impact is being felt by all councils. For instance, Cumberland Council has been hit by a hike of an additional \$83,590 or a 19.5 per cent increase. Oberon Council will be forced to pay \$65,495 more in this year's levy. Lachlan Shire Council will have to pay an increase of 24 per cent over the current year's levy or \$84,000. Upper Lachlan Shire Council is being hit with a 24.43 per cent increase or \$108,884. Temora Shire Council will be hit with a \$66,000 increase. Cessnock City Council is being hit by an increase of \$44,252 more than the current year.

The impact of this unplanned cost shifting by the NSW Liberals and Nationals will hurt all communities, especially those in drought-ravaged areas of the State who are already experiencing great hardship.

Everyone supports the better coverage for our firefighters. Local Government NSW and local councils are calling on the New South Wales Government to fund the cost of the first 12 months of this important scheme and to work with local government to ensure that the implementation of the funding mechanism is fairer into the future.

This is the first big test for the new Minister for Local Government. She has already allowed the Office of Local Government to be abolished without any protest. The Minister's choice on this issue is clear. Is she going to back local councils and local communities and stop this sneaky cash grab by her Government or, like her immediate predecessors, will she be a jelly back, like they were on every major issue that confronted local government in this State?



**From:** [Office of Local Government](#)  
**To:** [Upper Lachlan Shire Council](#)  
**Subject:** Council Circular 19-08 Consultation on revised IPC Guideline 1 Returns of Interests  
**Date:** Monday, 3 June 2019 3:09:08 PM



STRENGTHENING LOCAL GOVERNMENT

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## Council Circular

3 June 2019

## 19-08 Consultation on revised IPC Guideline 1 Returns of Interests

<b>Circular Details</b>	19-08 / 03 June 2019 / A648986
<b>Who should read this</b>	General Managers/public officers and other governance staff/ Councillors/designated persons
<b>Contact</b>	Council Governance / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> / (02) 4428 4100
<b>Action required</b>	Response to the Information and Privacy Commission (IPC)
<b>PDF Version of Circular</b>	<a href="#">19-08 Consultation on revised IPC Guideline 1 Returns of Interests</a>

### What's new or changing?

- The Information and Privacy Commission NSW (IPC) is seeking feedback from councils on a draft of its revised Guideline 1: For local councillors on the disclosure of information contained in returns of interest of councillors and designated persons under the Government Information (Public Access) Act 2009.
- Consultation on Guideline 1 will close on 14 June 2019.

### What this will mean for your council

- The draft revised Guideline provides that councillors' and designated persons' returns of interests must be made publicly available free of charge on a website maintained by councils, unless there is an overriding public interest against disclosure of the information.
- The Guideline provides guidance in relation to the public interest considerations for and against disclosure of the returns of interests.

#### Key points

- Section 6 of the Government Information (Public Access) Act 2009 (GIPA Act) provides for the mandatory proactive release by NSW public sector agencies (including councils) of open access information. The GIPA Act provides that open access information must be made publicly available free of charge on a website maintained by the agency.
- Councillors' and designated persons' returns of interests are prescribed under Schedule 1 to the Government Information (Public Access) Regulation 2018 as open access information for local government.
- The IPC has undertaken a review of Guideline 1 to ensure that the Guideline is consistent with the requirements of the GIPA Act.

#### Where to go for further information

- A full copy of the draft revised Guideline and further information on open access information requirements for local government is available on the IPC's website at [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au).
- Contact the IPC at 1800 472 679.
- The Office of Local Government's Council Governance Team on 02 4428 4100.

**Tim Hurst**  
Chief Executive

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## Media release

Tuesday, 28 May 2019

### NSW Valuer General's final prices for valuation services to councils

The Independent Pricing and Regulatory Tribunal (IPART) today released its final decision on the maximum prices that the Valuer General can charge NSW councils for land valuation services over the next six years.

Land valuations are supplied to councils to use in their calculation of rates.

Under the Determination, councils will be required to pay \$7.51, \$6.40, \$5.90 and \$12.21 per property valuation if they fall within the Country, Coastal, Metro and City of Sydney zones, respectively.

"We have accepted the Valuer General's proposal for zonal prices, as we consider this structure is more transparent and better reflects the costs of providing valuations, which can be driven by various factors, including the number and mix of property types, travel distance to conduct valuations, and the number of complex and high-risk properties in an area," IPART Chair, Dr Paul Paterson said.

The average annual revenue that the Valuer General collected from all councils across NSW in the last determination period was around \$16.9 million. Under our decision, this will increase marginally to \$17.1 million. Dr Paterson, said however, "the cost per valuation is decreasing as the number of valuations undertaken each year is increasing."

"We estimate that 99 of the 128 NSW councils will see their bills decrease from 1 July 2019. The prices we have set are in aggregate 4.5% lower than those proposed by the Valuer General," Dr Paterson said.

"But valuation costs will rise in some councils as a new 4-zone price structure is introduced to better reflect the costs of providing valuations in different areas." This price structure reflects the Valuer General's proposal, and is a move away from the current state-wide uniform prices to councils.

"We note that the Valuer General's proposal incorporated 2.0% operating cost savings, resulting from the recent mass valuation procurement process, which we took into account in setting our prices. The Valuer General's revenue will increase marginally over the determination period, but less than inflation, to reflect efficient costs."

IPART last set the maximum prices for the Valuer General's charges to councils in 2014. The Premier asked IPART to set the prices for these services to apply from 1 July 2019 for a 6-year period.

Information related to IPART's review of the Valuer General's prices from 1 July 2019 is available at [www.ipart.nsw.gov.au](http://www.ipart.nsw.gov.au).

**Media Contact:** Julie Sheather ☎ 02 9290 8403 📠 0409 514 643

More information is available at [ipart.nsw.gov.au](http://ipart.nsw.gov.au)

## Final Report – Review of prices for land valuation services provided by the Valuer General to councils



28 May 2019



### WHAT

IPART has completed its review of prices that the Valuer General can charge councils for land valuation services from 1 July 2019 to 30 June 2025.

The Valuer General may charge councils a fee for valuing land. Land valuations are the basis on which councils calculate rates and issue rates notices to ratepayers.

We have now released a Final Report and Determination.



### WHY

The Premier asked IPART to determine the maximum prices the Valuer General may charge councils for valuing land for a 6-year period, from 1 July 2019 to 30 June 2025.

IPART last set these prices in May 2014, for a 5-year period. The current determination expires on 30 June 2019.

The Final Report and Determination sets out our decisions for the next determination period.



### WHO

Our Final Determination regulates the prices that councils pay for the Valuer General's valuation services from 1 July 2019.



### HOW

In releasing our Final Report, we considered stakeholder comments on our Issues Paper, Draft Report and feedback at the Public Hearing.

Our Final Report sets out our decisions and rationale for these decisions. These include:

- ▼ Final prices that are around 2.5% lower than the 2014 determination and in aggregate 4.5% lower than those proposed by the Valuer General
- ▼ An allocation of 30.5% of the Valuer General's efficient costs to councils, which is lower than the 2014 determination allocation of 34.0%
- ▼ Changing from state-wide residential and non-residential prices, to pricing based on four geographical zones – Coastal, Country, Metro and City of Sydney – with a single and different price for each zone.



### WHEN

New prices will take effect on 1 July 2019 and will apply for a 6-year period to 30 June 2025.



### LEARN MORE

All materials relating to our review are available on our website, including our reports, determinations, stakeholder submissions and transcript from the public hearing.



## Final Report – Review of prices for land valuation services provided by the Valuer General to councils



### KEY DECISIONS IN OUR FINAL REPORT

Key elements of our final decisions are set out below.

#### Level of prices

We have made a decision for the 2019 determination to set prices as presented in Table 1, to more accurately reflect the underlying costs of providing valuations to councils and improve transparency. We estimate that the prices we have set over the 2019 determination period will be 2.5% lower than the 2014 determination period, based on the average annual price per valuation. While we increased the Valuer General's total notional revenue requirement (NRR) by 2.3% relative to the proposal, we reduced the share of total NRR allocated to councils. Our prices are therefore around 4.5% lower than those proposed by the Valuer General.

#### Allocation of costs to councils

We have reduced the share of the Valuer General's efficient costs allocated to councils from 34.0% in the 2014 Determination to 30.5% for the 2019 Determination. In the March 2019 submission, the Valuer General proposed that 32.6% of total costs be allocated to councils. The main reductions we made relative to the Valuer General's proposal were:

- ▼ An allocation of 31.8% of labour costs to councils rather than the 36.5% allocated by the Valuer General
- ▼ An allocation of 29.3% for indirect costs (eg, rent, corporate overheads, ICT operating costs) rather than the 33.0% allocated by the Valuer General.

#### Price structure

We have made a final decision to move away from the current 2-price structure (one for residential and one for non-residential properties), uniformly applied across all councils, to a zonal pricing structure with one price for each of four geographical zones, Country, Coastal, Metro and City of Sydney (see Table 1). This was based on the zonal pricing structure proposed by the Valuer General.

**Table 1** IPART's final decision on the Valuer General's maximum charges to councils (\$/valuation, \$2018-19)

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
<b>IPART's final decision</b>							
Country	5.87 for residential	7.51	7.51	7.51	7.51	7.51	7.51
Coastal	12.91 for non-residential	6.40	6.40	6.40	6.40	6.40	6.40
Metro	across all NSW councils	5.90	5.90	5.90	5.90	5.90	5.90
City of Sydney		12.21	12.21	12.21	12.21	12.21	12.21

**Source:** IPART, Review of prices for land valuation services provided by the Valuer General to councils, Final Determination May 2014, p 4; and IPART analysis.

## Final Report – Review of prices for land valuation services provided by the Valuer General to councils

## Summary of Final Decisions

Table 2 presents a summary of our final decisions compared to the 2014 determination and the proposal from the Valuer General in March 2019.

**Table 2 Comparison of IPART final decision with 2014 Determination and proposal from the Valuer General (\$2018-19)**

Issue	Current 2014 Determination	Proposed by Valuer General	IPART Final Decision
Determination period	Five year determination	Six year determination to capture two complete valuation cycles of three years each	Six year determination to capture two complete valuation cycles of three years each
Average annual NRR	\$49.7 million (allowed)	\$54.9 million	\$56.1 million
Average annual operating expenditure	\$46.8 million (allowed)	\$51.6 million	\$52.2 million
Average annual capital expenditure	\$1.9 million (allowed)	\$4.6 million	\$4.6 million <sup>a</sup>
Allocation of VG NRR to councils	34.0%	32.6%	30.5%
Council share of VG's NRR	\$16.9 million (allowed)	\$17.9 million	\$17.1 million
Price Structure	Uniform 2-price structure (residential/non-residential split) applied across all NSW councils	Single prices for each of 4-geographical zones (Country, Coastal, Metro and City of Sydney) with no residential/non-residential split	As per Valuer General's proposal, ie, single prices for each of 4-geographical zones (Country, Coastal, Metro and City of Sydney) with no residential/non-residential split
Prices (\$/valuation, \$2018-19)	\$5.87 for residential properties \$12.91 for non-residential properties	Country: \$7.87 Coastal: \$6.70 Metro: \$6.18 City of Sydney: \$12.79	Country: \$7.51 Coastal: \$6.40 Metro: \$5.90 City of Sydney: \$12.21

<sup>a</sup> The Valuer General's proposed average annual capital expenditure is \$4.64 million and IPART's final decision is \$4.57 million.

Source: NSW Government, *Revision of the Valuer General's pricing submission on 30 November 2018*; Submission to IPART by the Valuer General, 27 March 2019; IPART, *Review of Prices, for land valuation services provided by the Valuer-General to councils – From 1 July 2014 to 30 June 2019*, Final Report, May 2014; and IPART calculations.

**From :** [Vanessa Wilson](#)  
**To:** [John Bell](#)  
**Cc:** [Upper Lachlan Shire Council](#)  
**Subject:** 2019/20 Australian Government Black Spot Program funding  
**Date:** Thursday, 30 May 2019 9:36:23 AM  
**Attachments:** [image003.jpg](#)  
[Upper Lachlan - 2019-2020 - Australian Government Blackspots Funding Let...pdf](#)

---

Dear General Manager,

Please see the attached letter which contains details about funding your Council has been successful in gaining in the Australian Government Black Spot Program for the 2019/20 financial year.

It would be appreciated if you could send to the relevant council staff members.

Please complete the details as outlined in the letter and return signed copy to Roads and Maritime Services via email to myself ([Vanessa.Wilson2@rms.nsw.gov.au](mailto:Vanessa.Wilson2@rms.nsw.gov.au)) by **30 June 2019**.

Kind regards,

Vanessa Wilson  
Manager Local Government  
Southern Region | Regional & Freight  
T 02 4253 2618 M 0436 447 547  
[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)  
*Every journey matters*

**Roads and Maritime Services**  
Level 4 90 Crown St Wollongong NSW 2500

ally-network-signature



Logo



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28 May 2019

Mr John Bell  
General Manager  
Upper Lachlan Shire Council  
PO Box 42  
GUNNING NSW 2581

E: council@upperlachlan.nsw.gov.au

Dear Mr Bell

### 2019/20 Australian Government Black Spot Program

We are pleased to advise that your Council has been successful in gaining funding in the above program for the following project(s) for the 2019/20 financial year.

Program	Project Number	Project Description	2019/20 Funding Offered (\$)	Road Safety Audits Required
Australian Government Blackspot 2019/20	P.0042821	Grabben Gullen Road - Mark barrier line; Mark road edge line; Install curve alignment markers (CAMs); Improve sealed shoulder up to 2.5m on curve; Install 2-4m incremental traversable clearzone; Install wire rope barrier on roadside	\$389,450	Stage 4

Please note:

- Funds are allocated to specific projects and are not transferable at Council's discretion
- Funding does not imply that projects are automatically approved for construction
- Council must obtain all relevant approvals from Roads and Maritime Services (RMS) and other approval authorities.

This letter documents the procedures Council must follow if funding to Councils is to be maintained in accordance with RMS *Financial Arrangements with Councils for Road Management*.

(see [www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/index.html](http://www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/index.html) )

Projects must also comply with the requirements outlined within the Australian Government's 'Notes On Administration for Land Transport Infrastructure Projects' available at [https://investment.infrastructure.gov.au/about/resources/notes\\_on\\_administration.aspx](https://investment.infrastructure.gov.au/about/resources/notes_on_administration.aspx)





-2-

The key requirements that Council must adhere to as part of its acceptance are outlined below, with further details provided in Attachment A. Council must:

1. Provide written acceptance of funding (Attachment B)
2. Provide detailed design and cost estimate
3. Submit monthly status reports
4. Submit evidence of work completed
5. Complete all physical works by the end of May 2020
6. Council must discuss any variations to scope or cost and must be approved by RMS before starting construction of the project
7. Council accept ongoing maintenance of the completed asset.

Roads and Maritime look forward to working with Council to successfully delivering the Australian Government Black Spot program of works for the 2019/20 financial year.

Accordingly, please complete Attachment B and **return a signed copy to Roads and Maritime by 30 June 2019** advising of Council's acceptance of funding and the associated requirements attached to the funding as outlined in **Attachment A**.

via email: [vanessa.wilson2@rms.nsw.gov.au](mailto:vanessa.wilson2@rms.nsw.gov.au)

For any further enquiries about information in this letter please contact Roads and Maritime Services Vanessa Wilson, Manager Local Government.

Telephone: 02 4253 2618

Post: Attention: Vanessa Wilson  
Manager Local Government  
Roads and Maritime Services  
PO Box 477  
WOLLONGONG NSW 2520

Regards

A handwritten signature in blue ink that reads 'Sam Knight'.

Sam Knight  
Director Southern Region

#### Attachments

- A. Key requirements for acceptance of Australian Government funding
- B. Council acceptance of Australian Government funding
- C. Council initial financial forecast and Key Milestone Dates



## Attachment A – Key Requirements for Approval of Funding

### Key requirements for funding

There are several compliance phases throughout the life of a project that need to be adhered to if funding is to be offered and maintained. The performance of Council against these compliance phases will be monitored and reported on by Roads and Maritime.

#### 1. Council acceptance of funds and Council project / program plan

Council must notify Roads and Maritime that they will accept the funding offered by RMS by **30 June 2019**. If Council requires more time to process the funding approval they should advise Roads and Maritime before this date. Council is required to submit "*Council acceptance of Roads and Maritime funding*" form when accepting the funds offered by Roads and Maritime (Attachment B).

In addition to the acceptance, Council should also submit the financial forecast sheet (Attachment C) for the 2019/20 financial year. Council's commitment to the earliest possible delivery of projects within the financial year with completion by 31 May 2020 is appreciated.

In accepting an allocation for projects that are funded, Council has then confirmed that their commitment to these projects to be delivered under that basis.

#### 2. Progression of Works

Councils are expected to commence early and progress design and delivery of the works steadily throughout the financial year. It is expected that any construction tenders required will be accepted to ensure works are completed in time for the end of financial year.

Council is required to undertake public consultation and meet all WHS requirements for each project. Council must ensure that projects are constructed in accordance with the relevant Australian Standards, Austroads Guidelines and Roads and Maritime Supplements.

Council is to submit reviewed and verified design plans to the RMS project manager for comment and concurrence prior to construction works starting.

Council is responsible to undertake a Road Safety Audit under *Guidelines for Road Safety Audit Practices* for all funded infrastructure projects and address all corrective actions. Any audits must be undertaken by an accredited and independent audit team.

#### 3. Council monthly reporting

Every month through the 2019/20 financial year Council shall submit a report that includes all projects detailed in this letter and its attachments. In the event other projects are funded throughout the year then these must be added to the monthly report.



A report template will be provided to Council following their acceptance of the funds and return of **Attachments B and C**. The monthly report includes:

- The program and project numbers for each project along with a description / scope of each project in accordance with that funded proposal.
- Details of the progress of all works including submission of design and cost estimate to Roads and Maritime, and the start and completion dates of construction.
- Cost estimation, actuals and accruals as follows:
  - Actual costs for each month prior to the current reporting month.
  - An estimate of the value of works to be completed to the end of the reporting month (to be used by RMS for accrual purposes).
  - Forecast for each month after the reporting month to the end of the financial year.
  - Note the cost estimate represents the value of works completed, not when Council receives invoices.
- Risks, mitigations and comments on each project. Comments should be detailed enough to give an accurate view as to the current status of the project.
- Work Health Safety (WHS) occurrences (any events or conditions that resulted in or had the potential to result in a noteworthy amount of damage or injury including any notifiable incidents).

Monthly reports shall be provided by no later than the dates in the attached schedule. Reports are encouraged to be submitted earlier than this. A report is still required to be submitted even if there has been no change to the previous month – in this case it should be noted that there is no change.

Please email monthly reports to: [Vanessa.Wilson2@rms.nsw.gov.au](mailto:Vanessa.Wilson2@rms.nsw.gov.au)

RMS may require periodic meetings with Councils to discuss the progress of their projects.

#### 4. Funding Acknowledgement Australian Government

Australian Government Black Spot signs must be erected at all sites during construction, and where the allocation is greater than \$100,000, they must be left in place for a period of at least one year. A temporary sign is to be erected while construction work is in progress on projects of less than \$100,000.

For more information on funding acknowledgement for the Australia Government Blackspot Programme visit:

[http://investment.infrastructure.gov.au/files/investment\\_road\\_and\\_rail\\_programme/AUSTRALIAN\\_GOVERNMENT\\_SIGNAGE\\_GUIDELINES\\_V2.pdf](http://investment.infrastructure.gov.au/files/investment_road_and_rail_programme/AUSTRALIAN_GOVERNMENT_SIGNAGE_GUIDELINES_V2.pdf)

#### 5. Scope Changes/Variations

Any change of scope, time or cost, for projects **MUST** be discussed as soon as possible with the Roads and Maritime. Council must formally request and detail in writing, the proposed scope changes to [Vanessa.Wilson2@rms.nsw.gov.au](mailto:Vanessa.Wilson2@rms.nsw.gov.au).

- Formal approvals for variations in project scope and funding allocations must be sought before construction starts (where possible)
- A change in scope includes additional treatments, omission of approved treatments and changes to the original proposal
- Any request to vary the approved scope must be accompanied by sufficient explanation on the reasons for the requested scope variation
- Variations in funding allocations must be supported by a detailed cost estimate



- Where there is the potential for Council to submit multiple variation requests throughout the lifecycle of the project, it is recommended that Council manages the process and submits the variation requests on a limited basis, when final estimates are known
- It is requested Council use the monthly reporting process to flag early risks to funding/scope changes and RMS will work with Council's to address these risks and coordinate formal variation requests on a limited basis.

No works are to commence prior to receiving written approval for the change of scope from Roads and Maritime and a revised forecast is agreed to in writing. Note that a change of scope may result in a revised funding allocation and the merits of the project may be re-assessed against other priority projects.

#### **6. Invoicing**

Council must submit a claim for payment using the claim form provided by Roads and Maritime (not a RCTI). The claim must not include GST, as tax is not applicable on Council grants. All claim forms submitted must include a Council reference number recognisable to Council and unique to each claim made, our system does not accept duplicate reference numbers.

All claims must be accompanied by the appropriate supporting documentation including project completion report which must include before and after construction photos.

#### **7. Before and after Photo Requirements**

Roads and Maritime requires before and after photographs for all construction projects. Council is requested to take at least two before and after high resolution (2MB +) photographs at the same location/angle. Before and after photographs need to highlight the issues the project is addressing or has addressed. Photos are required to be submitted in their original file format (e.g. JPEG, PNG or TIF), not embedded in a document.

#### **8. Project Finalisation**

Council's commitment to the earliest possible delivery of projects within the financial year, with completion by 31 May 2020 is appreciated. The final request for payment and completion report is to be submitted as soon as practicable after completion. Roads and Maritime cannot guarantee the carry-over of any approved allocated funding not spent prior to end of financial year. RMS will only pay for actual and completed works at this date and is unable to pay for any incomplete project works not billed at end of financial year. On completion of the works the Roads and Maritime Program Manager will arrange for a site inspection of the works, prior to payment of the final claim.

#### **9. Ongoing Maintenance**

Council will be responsible for the maintenance of all completed assets except for the following:

- Traffic signals.
- Any asset where Roads and Maritime has formally accepted ownership and maintenance liability in writing.

For Roads and Maritime to accept ownership/maintenance of an asset, the asset must be designed and constructed in accordance with all Roads and Maritime specifications / requirements.

#### **10. Media Communications**

Council must notify Roads and Maritime Services before making any public announcement regarding the above approved projects.



### 11. Work Health and Safety

Council shall comply with WHS Laws (Work Health and Safety Act 2011, Work Health and Safety Regulation 2011).

Council acknowledges that under WHS Laws, it has a primary duty of care to ensure, so far as is reasonably practicable:

- the health and safety of workers, and
- the health and safety of others is not put at risk from the works.

Council acknowledges and agrees to consult, cooperate and coordinate with other relevant persons about matters relating to shared risks and the health, safety and welfare of the workers.<sup>1</sup>

Council will have a system in place to manage work health and safety risks that is sufficiently resourced and implemented.

If a notifiable incident occurs, the Council must notify:

- SafeWork NSW (formerly WorkCover) immediately, and
- Roads and Maritime within 24 hours

Council will exercise due diligence in the selection of workers to carry out these works and impose the requirements set out above to the extent possible.

<sup>1</sup>For more information on duties and consultation please refer to the SafeWork NSW website at [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)



## Attachment B – Council acceptance of Australian Government Black Spot funding

2019/20 Financial Year

Upper Lachlan Shire Council hereby accepts Australian Government Black Spot funding for the following list of projects:

Program	Project Number	Project Name	Project Description	2019/20 Funding Offered	2019/20 Total Project Cost
Australian Government Black Spot Program	P.0042821	Grabben Gullen Road Safety Improvements	Grabben Gullen Road - Mark barrier line; Mark road edge line; Install curve alignment markers (CAMs); Improve sealed shoulder up to 2.5m on curve; Install 2-4m incremental traversable clearzone; Install wire rope barrier on roadside	\$389,450	\$389,450

Council confirms acceptance of Roads and Maritime funding on the terms and conditions outlined in the Roads and Maritime funding letter and attachments which detail the Roads and Maritime funding program requirements for 2019/20.

- Council will complete all necessary planning, design, road safety audit, public consultation, WHS considerations and environmental assessment for each of the projects.
- Council will construct the project in accordance with the submitted project plan and endeavour to meet all specified completion dates noted in the Roads and Maritime letter and attached notes.
- Council will submit a monthly financial and milestone report.
- **Council will endeavour to complete all physical works by 31 May 2020.** Roads and Maritime will only pay for actual and completed works and is unable to pay Council for any project works not completed by end of Financial Year. No funds will be rolled over to the next financial year. Note: If Council advise RMS that a project is being withdrawn, any costs relating to the withdrawn project will be the responsibility of Council.

General Manager Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Please retain a copy of this funding acceptance letter for Council records.



### Attachment C – Initial Financial Forecast and Key Milestone Dates

Please provide an initial financial forecast of the expected dollar value and key milestone dates in the tables below.

A monthly Project Status Report will also be required to be completed via a supplied spreadsheet which will be forwarded each month with the Monthly Claim for Payment and Forecast Sheet.

#### Financial Forecast

Please provide initial financial forecast of the expected dollar value of works to be completed for the year against each project in the table below.

Program	WBS	Project Name	Funding Offered 19/20	Jul 2019	Aug 2019	Sep 2019	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	Jun 2020
Australian Government Black Spot	P.0042821	Grabben Gullen Road Safety Improvements	\$389,450												

#### Milestone Dates

Please provide initial key milestone dates for each of council projects as outlined below. A monthly Project Status Report will be required to be completed via a supplied spreadsheet which will be forwarded each month with the Monthly Claim for Payment and Forecast Sheet.

Program	WBS	Project Name	Planning/Concept Design	Complete Detailed Design	Commence Construction	Completed Construction and Open for Use/ Implementation
Australian Government Black Spot	P.0042821	Grabben Gullen Road Safety Improvements				

"I have the authority to complete the monthly financial report on behalf of Council":

**Council Name:** Upper Lachlan Shire Council

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Contact Number:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

From: [Upper Lachlan Shire Council](#)  
To: [Upper Lachlan Shire Council](#)  
Subject: Pedestrian Crossing Goulburn St CROOKWELL  
Date: Monday, 3 June 2019 9:25:18 AM

---

**From:** Floyd Davies [mailto:floyd@daviesinvest.com]  
**Sent:** Sunday, 2 June 2019 10:11 PM  
**To:** Andrew Croke <ACroke@upperlachlan.nsw.gov.au>  
**Subject:** Pedestrian Crossing Goulburn St CROOKWELL

Dear Andrew

Re: Goulburn Street Pedestrian Crossing

I have sent the following email to the Mayor and all Councillors in regard to the above matter. Would it be possible that it could be presented to the next ULSC meeting in June 2019. I will be at the meeting on the night and more than happy to answer and questions etc in regard to it.

It has been 15 months since a major petition regarding the safety of the Goulburn Street Crookwell pedestrian crossing was carried out. If you recall 1500 people signed the petition in three days and it was presented to the ULS Council meeting on 19/4/2018. At that meeting it was unanimously agreed by all Councillors that it was a major issue and that action was required to "fix" the problem. My recollection of the meeting was that \$10,000 was allocated to carry out preliminary investigations with the intention of improving the safety of the crossing. I understand that discussions have been held with the RTA but we have not been formally notified of their response. I have however had discussions with Director of Works and Operations Mursaleen Shan and General Manager John Bell over the past 12 months and they have both stated that it is still on the agenda and that more time is required to get a resolution.

Since the petition was carried out we would have at least 20 weekly enquiries as to "What is going on with the Pedestrian Crossing?". Our response has been that ULS Staff are looking at it and we hope to have a resolution soon. That response has been well and truly worn out and now there is huge frustration in the community. It has been brought to our attention that there has been at least 10 near misses on the crossings and the elderly are still very hesitant in using the crossing.

I am asking if you could please put this back on the agenda for the next meeting in June. Below this email I have copied the letter that was attached to the original petition. Whilst we did not want to get into "How to fix the crossing" we did note the following.

***"Whilst it is not the purpose of this letter to be prescriptive about the nature of future upgrades, members of the public who signed the petition expressed a desire to see better lighting, signage and a wombat style raised crossing to make it more visible to both drivers and pedestrians alike."***

The Director of Works and Operations has mentioned to me that he has had previous experience in raising and modifying pedestrian crossings and he felt that he had a solution to the problem. I am hoping he may discuss this solution in the upcoming ULSC meeting.

Thank you for taking the time to read this email and I am hoping that you will be supportive in putting this back on the agenda and coming up with a solution to the Goulburn St Pedestrian crossing problem. We don't want to wait another 12 months for action to take place.

As yet, I have not had a written response on the progress of the petition and I am hoping that this will be rectified at the next meeting so that we can duly inform the community

Thanks Andrew

Warm regards

Floyd Davies



IGA Crookwell  
DaviesNews Crookwell

***Copy of letter attached to petition***

The petition to improve the pedestrian crossing across Goulburn St, adjacent to the IGA supermarket.

During the past year, both staff and management at Crookwell IGA have been made increasingly aware of the growing public concern regarding the safety of the pedestrian crossing which crosses Goulburn St, adjacent to the IGA entrance doors. Everyone, it seems has a near miss story, whether as a driver or a pedestrian and it is the feeling of the public, that it is only a matter of time before someone is seriously injured or killed as a result of the poor safety standards on this crossing.

Recently, staff at both Davies Newsagency and Crookwell IGA, asked customers and members of the public to voice and endorse their concerns by signing a petition, supporting their fears and grave concerns about the safety standards of the pedestrian crossing.

A total of 1500+ signatures in one weekend, were gathered on this petition and recorded in favour of a safety upgrade to the crossing. The response was overwhelming. It is fair to say that people, whether local or visitor, in Crookwell, are extremely concerned about public safety on and around this pedestrian crossing.

Everyone, it seems has a story of a near miss and this is certainly supported by the staff working the front checkouts in the IGA, who regularly witness either a pedestrian or a driver, involved in an almost catastrophic incident.

Many of the comments alluded to the issue that the pedestrian crossing is not obvious to visitors, who are obviously unfamiliar with the streetscape, and many do not even see the crossing in the process of looking for a car parking space in the main shopping area.

Whilst it is not the purpose of this letter to be prescriptive about the nature of future upgrades, members of the public who signed the petition expressed a desire to see better lighting, signage and a wombat style raised crossing to make it more visible to both drivers and pedestrians alike.

The petition was presented to Mayor Brian McCormack on Wednesday 28/3/2018 with the intentions of it being discussed at next council meeting Thursday 19/4/2018. Members of the public realise that this is not the first public petition regarding the pedestrian crossing safety issue that has been presented to ULSC but they are hoping the magnitude of the response this time will encourage all councillors to be very proactive and vocal in their actions to bring change and safety to the Crookwell pedestrian crossing. We realise that ULSC does not own the part of the road that the pedestrian crossing is on and that it is funded by NSW Dept Main Roads however ULSC under instructions from its Councillors can certainly make strong representations for change. As many members of the public made known, they do not want to be waiting years for this change because a serious accident or death is inevitable.

Regards

Floyd Davies / Julie White

IGA Crookwell

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**From:** [MPS](#)  
**To:** [Upper Lachlan Shire Council](#)  
**Cc:** [MPS](#)  
**Subject:** Correspondence from Senator the Hon Bridget McKenzie, Minister for Regional Services, Sport, Local Government and Decentralisation [SEC=UNOFFICIAL]  
**Date:** Wednesday, 5 June 2019 2:30:36 PM  
**Attachments:** [image001.jpg](#)  
[SAL6WM01C19060412412.pdf](#)

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Please see attached correspondence from Senator the Hon Bridget McKenzie, the then Minister for Regional Services, Sport, Local Government and Decentralisation.

Further information and contact details are available on the [Department's website](#).

The Senator's contact details are available on her [official website](#).

Please do not respond to this email.



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**Senator the Hon Bridget McKenzie**

Deputy Leader of The Nationals  
Minister for Regional Services  
Minister for Sport  
Minister for Local Government and Decentralisation  
Senator for Victoria

Cr John Stafford  
Mayor  
Upper Lachlan Shire Council  
council@upperlachlan.nsw.gov.au

Dear Mayor

Following the resounding election result on the weekend I wanted to take the opportunity to thank you for your advice, encouragement, and support during my time as Deputy Leader of the Nationals and as Minister for Regional Services, Local Government and Decentralisation.

The Liberal and Nationals Government has delivered record investments into community infrastructure and economic development through our regional programs. Our decentralisation agenda has relocated 1700 jobs from Canberra, central Sydney and central Melbourne since 2013. We've helped connect regional communities through four rounds of the Mobile Blackspots Program, and helped communities affected by drought through the Drought Communities Support Program.

I've been particularly proud of developing the Regional Deal model to help drive social and economic progress in our regions, and the Barkly Regional Deal which I launched in April.

I'm enormously proud of what's been achieved, but humbled to know that these achievements have only been possible through genuine partnership.

As part of the Morrison/McCormack Government I will continue to be a strong advocate for rural and regional Australia to build prosperous and sustainable communities for current and future generations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', with a large, stylized flourish at the end.

Bridget McKenzie

---

# Crookwell A P & H Society Inc. (Est. 1878)

ABN: 29 322 539 552

PO Box 13  
Crookwell NSW 2583  
Showground Ph/Fax: (02) 4832 1140

[www.crookwellshow.com.au](http://www.crookwellshow.com.au)



**President:** Paul Anderson

**Secretary:** Rosemarie Seary

Ph: (02) 4832 0016  
Mobile: 0427 110 637

[secretary@crookwellshow.com.au](mailto:secretary@crookwellshow.com.au)

---

8 June 2019

General Manager  
ULSC  
44 Spring Street  
CROOKWELL 2583

Dear Andrew

The show society is required to expend additional funds in advance of receiving the second and third tranche of grant funds from the stronger country communities state government being administered by ULSC. The cashflow of the society does not allow it to expend the amount of funds expected before receiving reimbursement. We request council assist with the smoothing the impact of the expenditure required for the second and third milestone payments by funding the latest expenditure which will then be fully reimbursed by the forth coming state grant funds. The show society will acknowledge the debt fully until reimbursed.

Your faithfully

Paul Anderson



Upper Lachlan  
the shire of villages

Upper Lachlan Tourist Association  
36 Goulburn St Crookwell NSW 2583  
Ph 02 4832 1988 Fax 02 4832 0119  
Email [info@visitupperlachlan.com.au](mailto:info@visitupperlachlan.com.au)  
[www.crookwellpotatofestival.com.au](http://www.crookwellpotatofestival.com.au)

30 May 2019

Re: Crookwell Potato Festival

Dear Mayor Stafford.

The Crookwell Potato Festival Committee would like to extend our thanks to the Upper Lachlan Shire Council for your support for the 2019 Potato Festival held on 11 May 2019.

We particularly would like to thank the staff from the Crookwell Information Centre and council staff who helped make the smooth running of the festival possible.

While cold winds and cloudy skies appeared on the day, this did not deter our nearly 3,000 attendees. Our visitors, sponsors and stall holders (our best numbers to date of around 90 stalls) came from not only our local district but also from as far away as the Central coast, Sydney, South coast and Canberra. Local businesses also reported good visitor numbers as did the exhibitions and events around town.

The Festival Committee are underway in planning next year's event which will include celebrations of the 200th year of Crookwell. The committee is also pleased to continue support the Upper Lachlan Foundation each year.

Again, we extend our thanks for supporting a successful festival this year.

Sincerely

Joyce Edwards  
Chair  
2019 Crookwell Potato Festival Committee

[www.crookwellpotatofestival.com.au](http://www.crookwellpotatofestival.com.au)



Proudly supported by



## **10 INFORMATION ONLY**

The following items are submitted for consideration -

10.1	Development Statistics for the Month of May 2019	60
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10.5	Investments for the month of May 2019	75
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## Information Only - 20 June 2019

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**ITEM 10.1**                      **Development Statistics for the Month of May 2019**

**FILE REFERENCE**    I19/349

**AUTHOR**                      **Economic Development Officer**

### **ISSUE**

Providing Council with a brief summary of the development control activities that have occurred in the month of May 2019.

**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 May 2019.

### **REPORT**

#### **Development Status Report**

The following table outlines the type and value of new development.

Statistics by Development Type								
Current Year					Last year			
DA Type	May 2019		Year to Date 1/7/2018 to 31/5/2019		May 2018		Year to date 1/7/2017 to 31/5/2018	
	Count	\$Value	Count	\$Value	Count	\$Value	Count	\$Value
Commercial	0	\$0	7	\$3,276,000	2	\$610,000	11	\$23,846,000
Residential	4	\$745,000	97	\$19,474,363	20	\$4,198,240	122	\$24,109,472
Industrial	0	\$0	0	\$0	0	\$0	0	\$0
Other	1	\$0	15	\$681,450	0	\$0	10	\$6,373,000
<b>Total</b>	<b>5</b>	<b>\$745,000</b>	<b>119</b>	<b>\$23,431,813</b>	<b>22</b>	<b>\$4,808,240</b>	<b>143</b>	<b>\$54,328,472</b>
Subdivision								
Type	Count	Lots	Count	Lots	Count	Lots	Count	Lots
Residential	0	0	2	51	0	0	3	17
Rural Residential	2	3	2	3	0	0	4	12

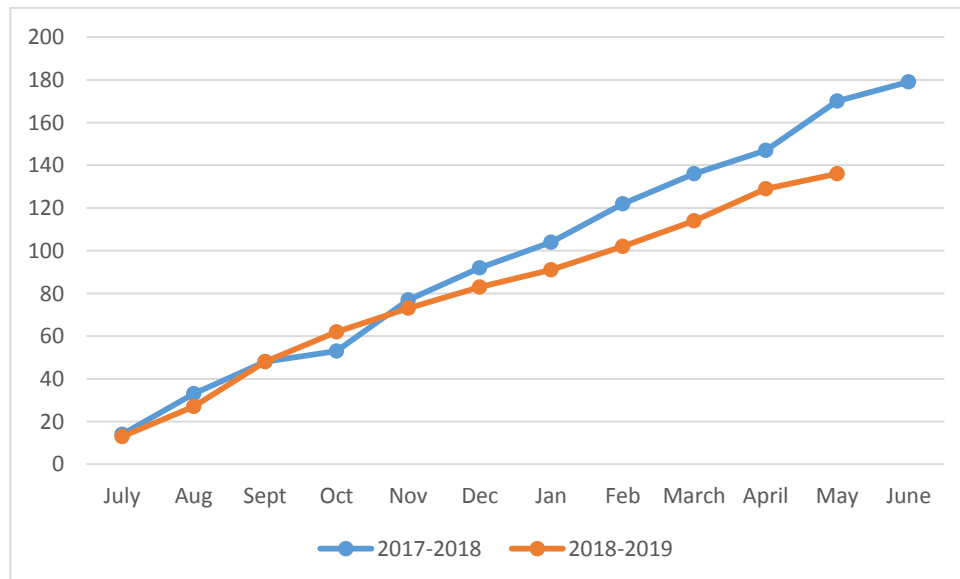


**Information Only****DEVELOPMENT STATISTICS FOR THE MONTH OF MAY 2019 cont'd**

Commercial	0	0	0	0	0	0	1	0
Industrial	0	0	0	0	0	0	0	0
Boundary Adjustment	0	0	1	0	0	0	4	3
Strata	0	0	0	0	0	0	0	0
Agricultural	0	0	8	19	0	0	9	17
Modification/Other	0	0	2	3	0	0	1	53
<b>Total</b>	<b>2</b>	<b>3</b>	<b>15</b>	<b>76</b>	<b>0</b>	<b>0</b>	<b>22</b>	<b>102</b>

**1. Development Applications**

The level of development applications received is detailed in the following graph.



The current level of development activity being assessed is summarised below:

<b>DAs under assessment</b>	<b>DA modifications under assessment</b>	<b>DAs received May 2019</b>	<b>DA modifications received May 2019</b>	<b>DAs determined May 2019</b>	<b>DA modifications determined May 2019</b>
27	0	7	0	13	4

The average determination processing time for the month of May 2019 was 78 days.

Determinations issued 1 May to 31 May 2019 are summarised in the following table:

<b>Determinations Issued between 1 May to 31 May 2019</b>		
<b>DA No.</b>	<b>Proposal</b>	<b>Property</b>
59/2014 (Mod)	Dwelling	72 Denison St, Crookwell Lot 1 DP 355192
26/2017 (Mod)	Dwelling	35 Redground Heights Rd, Laggan Lot 1 DP 1085367

**Information Only****DEVELOPMENT STATISTICS FOR THE MONTH OF MAY 2019 cont'd**

<b>Determinations Issued between 1 May to 31 May 2019</b>		
<b>DA No.</b>	<b>Proposal</b>	<b>Property</b>
8/2018 (Mod)	Garage/Shed	Blakney Creek North Rd, Blakney Creek Lot 225 DP 754125
10/2018 (Mod)	Dwelling	2203 Wombeyan Caves Rd, Wombeyan Caves Lot 11 DP 1069914
57/2018	Dog Breeding Facility	148 Bigga Rd, Crooked Corner Lot 4 DP 1052845
101/2018	Transportable Dwelling	998 Peelwood Rd, Laggan Lot 1 DP 1165506
122/2018	Dog Breeding Facility	213 Bigga Rd, Crooked Corner - Lot 2 DP 1052845
6/2019	Subdivision	1169 & 1107 Golspie Rd, Golspie Lot 131 & 132 DP 753063
7/2019	Subdivision	628 Mulgowrie Rd, Golspie Lot 71 DP 753045
12/2019	Home Industry	4 Murray St, Collector Lot 1 DP 1172469
16/2019	Garage/Shed	30 East St, Crookwell Lot 4 DP 524712
21/2019	Horse Stables/Shed	37 Chisholm St, Taralga Lot A DP 151233
23/2019	Dwelling	387 Bigga Rd, Crooked Corner Lot 12 & 30 DP 753038
24/2019	Garage/Shed	71A Kialla Rd, Crookwell Lot 55 DP 1075643
26/2019	Swimming Pool/Spa	495 Chapmans Lane, Chatsbury Lot 5 DP 1089684
27/2019	Dwelling	Montana Rd, Peelwood Lot 1 DP 862233
38/2019	Garage/Shed	20 North St, Crookwell Lot 16 Sec 3 DP 1809

The Development Applications outstanding as of 31 May 2019 are summarised in the following table:

<b>Development Applications Outstanding on 31 May 2019 (In order of date submitted to Council)</b>				
<b>DA No.</b>	<b>Date Rec</b>	<b>Proposal</b>	<b>Property</b>	<b>Reason</b>
23/2018	26/2/2018	Dwelling	Gundaroo Rd, Bellmount Forest - Lot 1 DP 754573, Lot 148 & 197 DP 754113	Deferred to Applicant
113/2018	26/09/2018	Subdivision	656 Kangalolah Rd, Binda Lot 2 DP 1159385 & Lot 2, 3, & 210 DP 753012	Awaiting RFS Comments

**Information Only****DEVELOPMENT STATISTICS FOR THE MONTH OF MAY 2019 cont'd**

		<b>Development Applications Outstanding on 31 May 2019</b> (In order of date submitted to Council)		
<b>DA No.</b>	<b>Date Rec</b>	<b>Proposal</b>	<b>Property</b>	<b>Reason</b>
2/2019	03/01/2019	Dwelling	Rossi St, Collector Lot 2, 3, 4 & 15 DP 1211033	Awaiting Additional Information
4/2019	17/01/2019	Alterations & Additions	Woodhouselee Rd, Laggan Lot 1, 2, 3, 4 & 5 Sec 9 DP 1698	Awaiting Additional Information
5/2019	17/01/2019	Alterations & Additions	55 Northcott St, Crookwell Lot 8 Sec 8 DP 2383	Awaiting Additional Information
13/2019	22/02/2019	Alterations & Additions	87 Wade St, Crookwell Lot 12 DP 236804	Deferred to Applicant
18/2019	4/3/2019	Dwelling	41 Kialla Rd, Crookwell Lot 2 DP 1012637	Under Assessment
20/2019	6/3/2019	Dwelling	191 Greenridge Rd, Curraweela Lot 3 DP 1221640	Deferred to Applicant
22/2019	20/3/2019	Amenities Building	Bourke St, Collector Lot 1 & 2 Sec 2 DP 758263	Under Assessment
28/2019	2/4/2019	Dwelling	9 George St, Collector Lot 8 DP720193	Under Assessment
29/2019	8/4/2019	Patio Roof	1678 Brayton Rd, Marulan Lot 102 DP 740019	Under Assessment
30/2019	8/4/2019	Fence/Wall	1678 Brayton Rd, Marulan Lot 102 DP 740019	Under Assessment
31/2019	8/4/2019	Dwelling	2362 Gurrundah Rd, Gurrundah Lot 9 DP 1214847	Under Assessment
32/2019	9/4/2019	Alterations & Additions	1093 Breadalbane Rd, Breadalbane Lot 230 DP 750031	Under Assessment
33/2019	9/4/2019	Alterations & Additions	44 Holloways Rd, Tarlo Lot 1 DP 804128	Under Assessment
34/2019	10/4/2019	Transportable Dwelling	806 Broadway Rd, Jerrawa Lot 2 DP 1076316	Awaiting Additional Information
35/2019	10/4/2019	Dwelling	9 Diamond Rd, Crookwell Lot 1 DP 579446	Referred to Engineering
36/2019	17/4/2019	Dwelling	4 Wombat St, Gunning Lot 2 DP 624979	Awaiting Additional Information
37/2019	26/4/2019	Dwelling	Cuddyong Rd, Peelwood Lot 1 DP 1175745	Under Assessment
39/2019	29/4/2019	Garage/Shed	2 Yass St, Gunning Lot 4 DP 878504	Awaiting Additional Information

**Information Only****DEVELOPMENT STATISTICS FOR THE MONTH OF MAY 2019 cont'd**

		<b>Development Applications Outstanding on 31 May 2019</b> (In order of date submitted to Council)			
<b>DA No.</b>	<b>Date Rec</b>	<b>Proposal</b>	<b>Property</b>	<b>Reason</b>	
40/2019	1/5/2019	Transportable Dwelling	147 Collector Rd, Gunning Lot 4 DP 1201138	Awaiting Additional Information	
41/2019	1/5/2019	Community Event	Copeland St, Gunning Lot 7009 DP 94454	Under Assessment	
42/2019	7/5/2019	Subdivision	56 McIntosh Rd, Crookwell Lot 6 DP 1108500	Referred to Engineering	
43/2019	7/5/2019	Subdivision	94 Bishop St, Binda Lot 149 DP 753012	Referred to Engineering	
44/2019	21/5/2019	Garage/Shed	77 Brooklands St, Crookwell Lot 3 DP 576559	Under Assessment	
45/2019	24/5/2019	Dwelling & Garage	6 Walsh St, Taralga Lot 1 DP 816409	Under Assessment	
46/2019	30/5/2019	Change of Use	385 Lost River Rd, Lost River Lot 6 DP 1145749	Under Assessment	

**2. Construction Certificates**

<b>Construction Certificates Issued between 1 May to 31 May 2019</b>		
<b>CC No.</b>	<b>Proposal</b>	<b>Property</b>
18/2019	Above Ground Petrol Tank	56 Yass St, Gunning Lot 1 DP 214923
20/2019	Garage/Shed	30 East St, Crookwell Lot 4 DP 524712
21/2019	Garage/Shed	10 Carrington St, Crookwell Lot 10 DP 586615
22/2019	Garage/Shed	20 North St, Crookwell Lot 16 Sec 3 DP 1809
23/2019	Garage/Shed	71A Kialla Rd, Crookwell Lot 55 DP 1075643

<b>Approved by Council</b>	
<b>May 2019</b>	<b>Year to date</b>
5	47

**3. Occupation Certificates**

<b>Occupation Certificates Issued between 1 May to 31 May 2019</b>		
<b>OC No.</b>	<b>Proposal</b>	<b>Property</b>
28/2019	Shed	8 Howard Rd, Dalton Lot 2 Sec 8 DP 758335
32/2019	Dwelling	116 Collector Rd, Gunning Lot 2 DP 1185667
33/2019	Commercial Use	204 Goulburn St, Crookwell Lot 361 DP 754108
34/2019	Dwelling	7 George St, Collector Lot 9 DP 720193
35/2019	Dwelling	169 Craigs Rd, Curraweela Lot 1 DP 1222109

<b>Approved by Council</b>	
<b>May 2019</b>	<b>Year to date</b>
12	38

**4. Subdivision Certificates**

<b>Subdivision Certificates Issued between 1 May to 31 May 2019</b>		
<b>SC No.</b>	<b>Proposal</b>	<b>Property</b>
27/2018	Subdivision	Laggan Rd, Crookwell Lot 1 DP 132388 & Lot 10 DP 1217974
30/2018	Subdivision	Boongarra Rd, Laggan Lot 3 DP 1163350
3/2019	Subdivision	Peelwood Rd, Laggan Lot 7 DP 1020135
5/2019	Road Widening	1595 Wombeyan Caves Rd, Wiaborough Lot 137 DP 757044

<b>Approved by Council</b>	
<b>May 2019</b>	<b>Year to date</b>
7	22

**5. Planning Certificates**

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

<b>Year</b>	<b>Number of Certificates Issued</b>
1 July 2008 to 30 June 2009	383
1 July 2009 to 30 June 2010	464
1 July 2010 to 31 June 2011	535
1 July 2011 to 30 June 2012	426
1 July 2012 to 30 June 2013	408
1 July 2013 to 30 June 2014	457
1 July 2014 to 30 June 2015	426
1 July 2015 to 30 June 2016	481
1 July 2016 to 30 June 2017	461
1 July 2017 to 30 June 2018	452
1 July 2018 to 30 June 2019	316

**POLICY IMPACT**

Nil

**OPTIONS**

Nil

**FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION** That -

1. Council receives and notes the report as information.

**ATTACHMENTS**

Nil

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## Information Only - 20 June 2019

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### ITEM 10.2 Monthly Weeds Activities Report

**FILE REFERENCE** I19/384

**AUTHOR** Manager of Regulatory and Biosecurity Services

#### ISSUE

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

**RECOMMENDATION** That -

1. Council receive and note the report as information.

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#### REPORT

Biosecurity staff continued to undertake routine property inspections throughout the Shire. Three (3) biosecurity directions were issued for continued non-compliance with the requirement to control designated weeds throughout private land.

Roadside weed control has been scaled back due to the change in weather and seasonal conditions with concentration being directed to the control of Blackberry and Serrated Tussock in addition to a request from Roads and Maritime Services to undertake weed control on a future works site.

#### Inspections

Weed	Parish	Road or Street	Date	Action	Degree
S/T	Eden Forest	Towrang Rd	1/05/19	Reinspection	3
S/T	Argyle	Arthursleigh Rd	1/05/19	Reinspection	2
S/T	Eden Forest	Longview Rd	1/05/19	Reinspection	2
S/T	Eden Forest	Longview Rd	1/05/19	Reinspection	2
S/T	Eden Forest	Towrang Rd	2/05/19	Reinspection	1
S/T	Eden Forest	Brayton Rd	2/05/19	Reinspection	2
S/T	Eden Forest	Old Macquarie Rd	2/05/19	Reinspection	1
S/T	Eden Forest	Towrang Rd	2/05/19	Reinspection	3
S/T	Eden Forest	Longview Rd	6/05/19	Reinspection	3
S/T	Eden Forest	Losbey Rd	6/05/19	Reinspection	2
S/T	Eden Forest	Losbey Rd	6/05/19	Reinspection	1
S/T	Eden Forest	Brayton Rd	6/05/19	Reinspection	1
S/T	Eden Forest	Longview Rd	7/05/19	Reinspection	2
S/T	Eden Forest	Losbey Rd	7/05/19	Notice	3
S/T	Eden Forest	Jeffreys Rd	7/05/19	Reinspection	2
S/T	Eden Forest	Brayton Rd	8/05/19	Routine	1
S/T	Eden Forest	Brayton Rd	8/05/19	Routine	1
S/T	Eden Forest	Brayton Rd	8/05/19	Routine	1

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

S/T	Eden Forest	Towrang Rd	8/05/19	Reinspection	2
S/T	Eden Forest	Arthursleigh Rd	9/05/19	Reinspection	2
S/T	Bannaby	Bannaby Rd	9/05/19	Reinspection	1
S/T	Eden Forest	Brayton Rd	9/05/19	Routine	1
S/T	Eden Forest	Brayton Rd	9/05/19	Routine	1
S/T	Wayo	Goulburn Rd	10/05/19	Reinspection	3
S/T-BB	Eden Forest	Gibraltar Rd	13/05/19	Notified	3/2
S/T	Eden Forest	Gibraltar Rd	13/05/19	Notified	2
S/T	Eden Forest	Towrang Rd	13/05/19	Routine	1
S/T	Eden Forest	Gibraltar Rd	14/05/19	Routine	1
S/T	Eden Forest	Gibraltar Rd	14/05/19	Routine	1
S/T	Eden Forest	Gibraltar Rd	14/05/19	Routine	1
S/T	Eden Forest	Gibraltar Rd	15/05/19	Routine	1
S/T	Eden Forest	Gibraltar Rd	15/05/19	Routine	1
S/T	Eden Forest	Brayton Rd	15/05/19	Reinspection	1
S/T	Eden Forest	Canyonleigh Rd	20/05/19	Routine	2
S/T	Eden Forest	Gibraltar Rd	20/05/19	Routine	1
S/T	Eden Forest	Gibraltar Rd	20/05/19	Routine	2
S/T	Eden Forest	Gibraltar Rd	20/05/19	Routine	1
S/T	Eden Forest	Gibraltar Rd	22/05/19	Routine	1
S/T	Eden Forest	Towrang Rd	27/05/19	Routine	1
S/T	Cookbundoon	Longswamp Rd	27/05/19	Routine	1
S/T	Cookbundoon	Longswamp Rd	27/05/19	Routine	1
S/T	Cookbundoon	Greenwich Meadows	28/05/19	Routine	1
S/T	Cookbundoon	Greenwich Meadows	28/05/19	Routine	1
S/T	Cookbundoon	Greenwich Meadows	28/05/19	Routine	1
S/T	Cookbundoon	Greenwich Meadows	29/05/19	Routine	1
S/T	Cookbundoon	Greenwich Meadows	29/05/19	Routine	1
S/T	Eden Forest	Losbey Rd	30/05/19	Reinspection	2
S/T	Eden Forest	Brayton Rd	30/05/19	Reinspection	2
S/T	Cookbundoon	Greenwich Meadows	30/05/19	Notified	3
S/T	Mundoonen	Elms	02/05/19	Notified	1,2
S/T, BB	Marulan	Canyonleigh	21/05/19	Notified	3,2
S/T	Gunning	Collector	28/05/19	Notified	2
S/T	Gunning	Collector	28/05/19	Notified	2
S/T	Gunning	Collector	28/05/19	Routine	1
S/T	Gunning	Collector	28/05/19	Routine	1
S/T	Gunning	Collector	28/05/19	Routine	1
S/T	Mundoonen	Ladevale Rd	01/05/19	Notified	2
S/T	Mundoonen	Ladevale Rd	01/05/19	Notified	2
S/T	Mundoonen	Ladevale Rd	01/05/19	Notified	1
S/T	Mundoonen	Ladevale Rd	02/05/19	Routine	2
S/T	Mundoonen	Ladevale Rd	02/05/19	Routine	1
S/T	Mundoonen	Ladevale Rd	02/05/19	Routine	1
S/T	Yalbraith	Wombeyan Caves Rd	07/05/19	Notified	2
S/T	Yalbraith	Wombeyan Caves Rd	07/05/19	Routine	1
S/T	Wiabrough	Wombeyan Caves Rd	07/05/19	Routine	1
S/T	Wiabrough	Wombeyan Caves Rd	07/05/19	Routine	1
-	Wiabrough	Wombeyan Caves Rd	08/05/19	Routine	-
-	Bouverie	Wombeyan Caves Rd	08/05/19	Routine	-



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

S/T	Bouverie	Wombeyan Caves Rd	08/05/19	Notified	2
-	Bouverie	Wombeyan Caves Rd	08/05/19	Routine	-
BB	Bouverie	Wombeyan Caves Rd	09/05/19	Routine	1
S/T, BB	Bouverie	Wombeyan Caves Rd	09/05/19	Routine	1
S/T	Bouverie	Wombeyan Caves Rd	09/05/19	Notified	2
S/T	Bouverie	Wombeyan Caves Rd	09/05/19	Routine	1
S/T	Bouverie	North Guinecor Rd	09/05/19	Routine	1
S/T, BB	Bouverie	North Guinecor Rd	14/05/19	Notified	2,2
S/T	Bouverie	North Guinecor Rd	14/05/19	Routine	1
-	Bouverie	North Guinecor Rd	14/05/19	Routine	1
S/t	Bouverie	North Guinecor Rd	15/05/19	Notified	2
S/t	Bouverie	North Guinecor Rd	15/05/19	Routine	1
S/T, BB	Bouverie	North Guinecor Rd	15/05/19	Routine	1
S/T	Bouverie	North Guinecor Rd	16/05/19	Routine	1
S/T	Bouverie	North Guinecor Rd	16/05/19	Routine	1
S/T	Bouverie	North Guinecor Rd	16/025/19	Routine	1
S/T, SJW	Bouverie	North Guinecor Rd	16/05/19	Routine	1
S/T	Pejar	Goulburn Rd	20/05/19	Reinspection	2,2
S/T	Bouverie	North Guinecor Rd	21/05/19	Routine	1
S/T	Bouverie	North Guinecor Rd	21/05/19	Notified	2
S/T	Bouverie	North Guinecor Rd	21/05/19	Routine	1
S/T	Bouverie	North Guinecor Rd	21/05/19	Routine	1
S/T	Markdale	Salisbury Rd	30/05/19	Routine	2

**Key for Weed Abbreviations**

*Weed ID Weed Identification*

*S/T Serrated Tussock*

*PC Paterson's Curse*

*EB English Broom*

*Go Gorse*

*BB Blackberry*

*Nth Nodding Thistle*

*FW Fireweed*

*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.

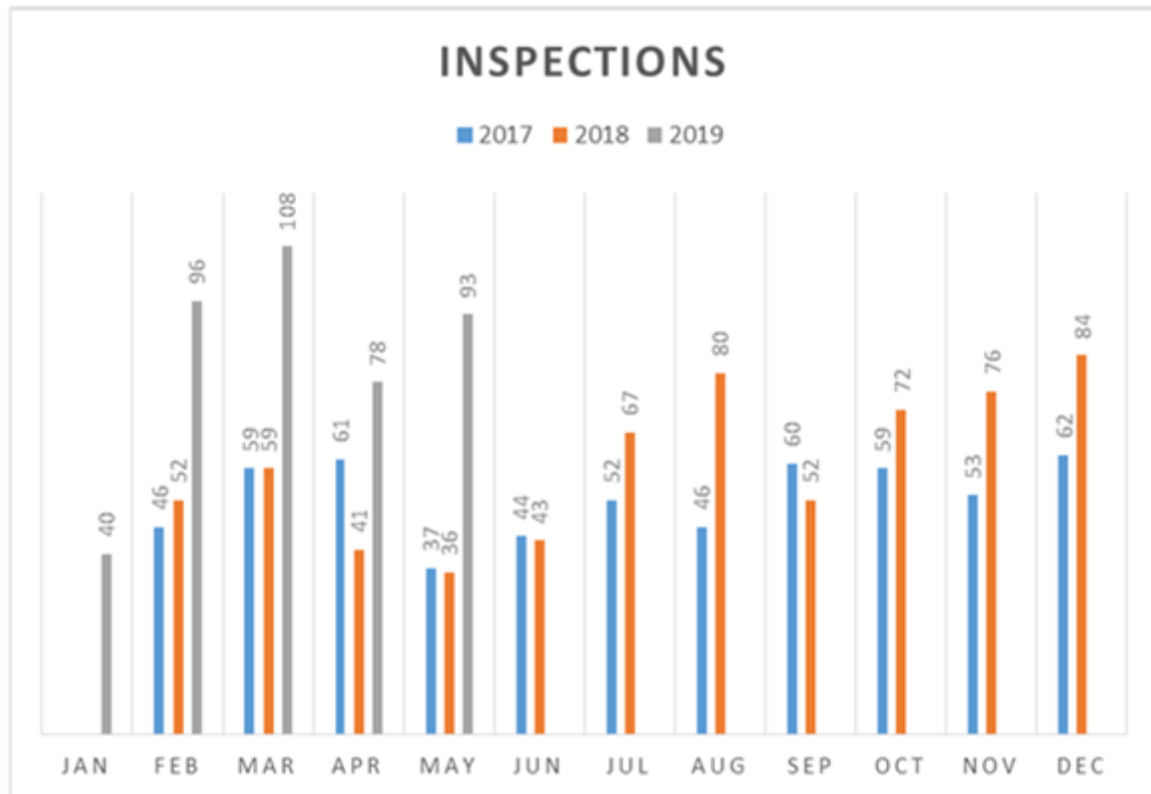
**Notified** – an inspection where landowners are notified either verbally or by letter that control work is required on specific weed infestations. These inspections generally will require a reinspection.

### Information Only

## MONTHLY WEEDS ACTIVITIES REPORT cont'd

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

### INSPECTION TOTAL



### POLICY IMPACT

Nil

### OPTIONS

Nil

### FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

### RECOMMENDATION That -

1. Council receive and note the report as information.

### ATTACHMENTS

Nil

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## Information Only - 20 June 2019

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**ITEM 10.3**                      **2018-2019 Swimming Pool Season**

**FILE REFERENCE**    **I19/303**

**AUTHOR**                      **Operations Engineering Assistant**

### **ISSUE**

This report advises Council on the activities at the Swimming Pool facilities in Crookwell and Gunning for the 2018/2019 financial year.

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

---

### **BACKGROUND**

Council provides a report detailing usage numbers and financial report in accordance with the Council Delivery Program and Operational Plan. This report is intended to address this requirement.

### **REPORT**

The 2018/2019 Swimming Pool season concluded on 30 March 2019. Attendance for both pools increased substantially from the previous season despite low patronage in November and March which both are historically low.

The pools were staffed by one permanent employee and three casuals. Casual staff availability was reliable this season and this allowed for the pool to remain open most days throughout the season. It was only inclement weather that occasionally caused the facilities to be closed.

The Crookwell Swimming Pool was fortunate to receive a generous donation of new pool blankets from the Crookwell Amateur Lifesaving and Swimming Club. These blankets proved invaluable, as it assisted in keeping the temperature suitable for increased patronage.

Operating expenses at the Gunning Swimming Pool were a little down this season. This lower cost allowed an air conditioner will be installed in the first aid room/office, prior to the end of this financial year to help improve staff facilities. The expenditure within Crookwell pool also is down. This money will be spent on chemicals for the next season. There were no major breakdowns or incidents this swimming season.

The Pool Season Passes are proving to be popular with the users. Passes encourage patrons to use the pool as often as they want without having the ongoing cost of entry. School bookings were again very popular. The Department of Education conducted their swim program for primary school children at both Gunning and Crookwell Pools.

**Information Only****2018-2019 SWIMMING POOL SEASON cont'd**

At the Crookwell Pool a "Swim and Survive" program was conducted by NSW Government Sport and Recreation for 2 weeks in January 2019 which, again, was very popular. Many families took advantage of this vital program. Once again, the \$1 entry for schools and lessons encouraged bookings and the pool being utilised.

		<b>2014/2015</b>	<b>2015/2016</b>	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019</b>
<b>CROOKWELL POOL</b>	<b>INCOME</b>	\$17,121.92	\$19,919.12	\$23,450.38	\$22,577.54	\$22,777.91
	<b>OPERATIONAL EXPENSES</b>	\$107,516.49	\$125,428.44	\$112,970.43	\$135,741.87	\$128,203.88
	<b>ATTENDANCE NO.</b>	9,647	10,303	12,907	11,275	12,590
	<b>POOL PASSES ISSUED</b>	43	40	38	53	61
<b>GUNNING POOL</b>	<b>INCOME</b>	\$9,670.92	\$8,960.91	\$9,981.82	\$9,176.39	\$11,370.05
	<b>OPERATIONAL EXPENSES</b>	\$42,162.78	\$54,643.64	\$59,047.01	\$66,454.87	\$60,397.43
	<b>ATTENDANCE NO.</b>	5,003	4,641	4,054	3,874	4,845
	<b>POOL PASSES ISSUED</b>	36	28	24	30	29

- Note the above financial report excludes depreciation expenses.

Concerns were raised this year regarding the waste water from the backwash process at Crookwell. It was identified that this water was being released into the stormwater system. Actions are now being taken to install a storage tank for the waste water and irrigation system to distribute within the pool complex and Coleman Park.

Capital works were carried out at the Crookwell Swimming Pool prior to the season. These included painting the facade, tiling the toddler pool and also installing tap timers to the showers.

Funding for the Gunning Swimming Pool steps remain in the budget and will be committed prior to the end of this financial year to instigate necessary works.

**POLICY IMPACT**

Nil

**OPTIONS**

Nil

**FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION** That -

1. Council receive and note the report as information.

**ATTACHMENTS**

Nil

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## Information Only - 20 June 2019

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**ITEM 10.4**                      **Report on the heavy vehicle enforcement action by Roads and Maritime Services**

**FILE REFERENCE**    I19/276

**AUTHOR**                      **Director of Infrastructure**

### **ISSUE**

This report address Council's resolution regarding heavy vehicle enforcement action.

**RECOMMENDATION**      That -

1. Council receives the report and notes the information.

---

### **BACKGROUND**

Council previously resolved (Minute Number 313/18) that stated as follows:-

"That a further report be provided to Council from the Director of Infrastructure detailing what assessments and actions have been taken in relation to the safety concerns raised by the community to the use of heavy vehicles on the Council's local roads, what responses have been issued and what was the outcome and findings of the enforcement action undertaken by the Roads and Maritime Services."

This report address the above Council Resolution 313/18.

### **REPORT**

Council assesses safety requests on a case by case basis however it does not provide enforcement of heavy vehicles on council local roads. Council have now recruited an additional resource to assess road safety concerns. Such road safety requests are now being assessed and recommendations are provided through appropriate channels such as the Local Traffic Committee where appropriate.

Over Size Over Mass (OSOM) requests are made through National Heavy Vehicle Regulator (NHVR). Council staff undertake a desktop and sometimes a field investigation before providing an outcome of the decision in accordance with National Heavy Vehicle Law (NHVL). Complaints associated with OSOM are considered in consultation with NHVR to ensure compliance with the conditions of approval under NHVL.

Council is also updating its asset register to better be able to provide this desktop assessment for OSOM. However, as noted in a Council report last year, Council generally runs out of local road maintenance funds prior to the end of the financial year. In order to address these maintenance issues, Council has included a specific amount for heavy vehicle access as a part of the 2019/2020 Operational Plan. This will help

***Information Only***

**REPORT ON THE HEAVY VEHICLE ENFORCEMENT ACTION BY ROADS AND MARITIME SERVICES cont'd**

reduce noncompliance by providing the required access to local businesses based on their operational needs.

It is hoped with better information, better technology and staff development, Council will be able to provide timely responses to such requests regarding safety in the future.

As an additional measure, Council has made requests for compliance action from the Roads and Maritime Services. Council has received reports that this action has been taken, however, Council is yet to receive the outcome of this compliance action. Council has raised this issue with RMS and Police as a part of Local Traffic Committee Meetings.

Council has made requests for statistics on these compliance actions and despite reminders, Council are yet to receive a formal response.

**POLICY IMPACT**

Nil

**OPTIONS**

Nil

**FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That -

1. Council receives the report and notes the information.

**ATTACHMENTS**

Nil

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## Information Only - 20 June 2019

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**ITEM 10.5**                      **Investments for the month of May 2019**

**FILE REFERENCE**    **I19/296**

**AUTHOR**                      **Manager of Finance and Administration**

### **ISSUE**

Council Investment Portfolio Register as at 31 May 2019.

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

---

### **BACKGROUND**

Provision of the schedule of the investment portfolio register as at 31 May 2019 for the information of Council.

### **REPORT**

#### **Investments to 31 May 2019**

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
CBA	Call	\$1,225,000	1.45%	N/A	31-05-19	\$1,484.76
Bank of Qld	TD	\$500,000	2.80%	204	03-07-19	\$7,824.66
Bank of Qld	TD	\$800,000	2.17%	105	04-09-19	\$4,993.97
Bank of Qld	TD	\$700,000	2.50%	182	16-10-19	\$8,726.02
Bank of Qld	TD	\$1,000,000	2.35%	175	06-11-19	\$11,267.12
Bank of Qld	TD	\$1,200,000	3.00%	735	19-08-20	\$72,493.15
Bank of Qld	TD	\$1,000,000	3.15%	1097	25-08-21	\$94,672.60
Bankwest	TD	\$1,500,000	2.70%	273	19-06-19	\$30,291.78
Bankwest	TD	\$1,000,000	2.50%	133	10-07-19	\$9,109.59
Bankwest	TD	\$1,000,000	2.70%	273	14-08-19	\$20,194.52
Bankwest	TD	\$500,000	2.15%	140	18-09-19	\$4,123.29
Bendigo Bank	TD	\$800,000	2.60%	112	05-06-19	\$6,382.47
Bendigo Bank	TD	\$1,200,000	2.75%	371	21-08-19	\$33,542.47
Bendigo Bank	TD	\$1,000,000	2.10%	119	25-09-19	\$6,846.58

**Information Only****INVESTMENTS FOR THE MONTH OF MAY 2019** cont'd

Bendigo Bank	TD	\$1,000,000	2.45%	182	23-10-19	\$12,216.44
CBA	TD	\$1,000,000	2.49%	133	17-07-19	\$9,073.15
CBA	TD	\$1,000,000	2.40%	126	24-07-19	\$8,284.93
CBA	TD	\$1,000,000	2.62%	105	07-08-19	\$7,536.99
CBA	TD	\$1,000,000	2.71%	363	28-08-19	\$26,951.51
IMB	TD	\$900,000	2.70%	364	12-06-19	\$24,233.42
IMB	TD	\$1,300,000	2.45%	126	31-07-19	\$10,994.79
IMB	TD	\$500,000	2.60%	147	04-09-19	\$5,235.62
IMB	TD	\$1,000,000	2.60%	203	02-10-19	\$14,460.27
IMB	TD	\$1,000,000	2.70%	364	19-02-20	\$26,926.03
NAB	TD	\$1,100,000	2.71%	217	26-06-19	\$17,722.66
NAB	TD	\$1,000,000	2.40%	90	06-08-19	\$5,917.81
NAB	TD	\$700,000	2.75%	362	11-09-19	\$19,091.78
		<b>\$25,925,000</b>				<b>\$500,598.38</b>

**COUNCIL INVESTMENT PERFORMANCE: -****BUDGET COMPARISON TO 31 MAY 2019**

Interest on Investments Received YTD	\$692,181
Annual budgeted amount for all funds	\$648,900
Percentage of Interest Received YTD	103.70%
Percentage of Year Elapsed	91.78%

**BBSW COMPARISON TO 31 MAY 2019**

Average market interest rate (90 day BBSW)	1.96%
Average return on all investments	2.66%

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



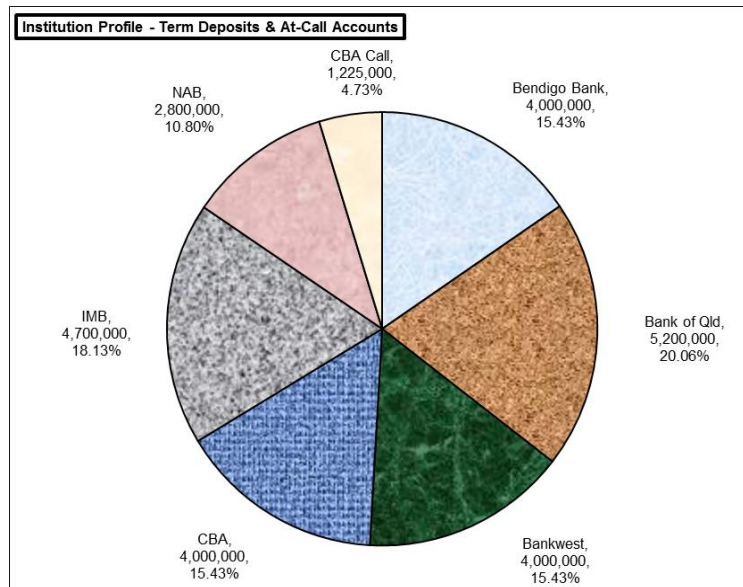
## Information Only

### INVESTMENTS FOR THE MONTH OF MAY 2019 cont'd

#### INVESTMENTS FINANCIAL INSTITUTION PROFILE AS AT 31 MAY 2019

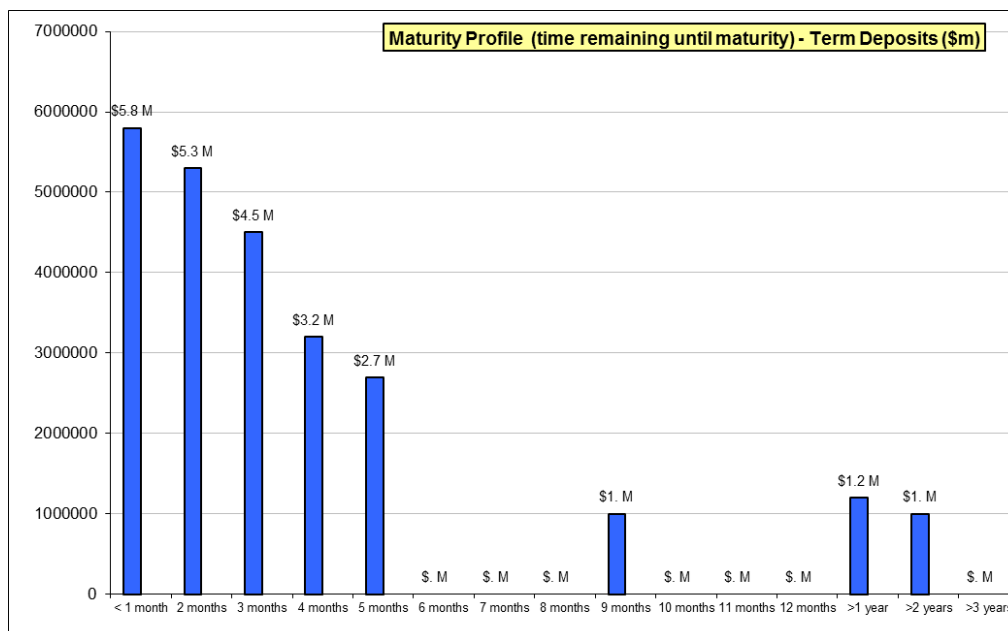
The following chart shows the current distribution of Council's investment portfolio between the authorised financial institutions used. The current distribution of funds between institutions complies with Council's Investment Policy which states:-

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



#### INVESTMENTS - MATURITY PROFILE AS AT 31 MAY 2019

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



***Information Only***

**INVESTMENTS FOR THE MONTH OF MAY 2019 cont'd**

**SUMMARY OF AVAILABLE CASH AT 31 MAY 2019**

**TOTAL INVESTMENTS: - \$ 25,925,000.00**

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

General Fund Reserves	\$ 16,398,481.04
Water Supply Fund Reserves	\$ 2,534,379.61
Sewerage Fund Reserves	\$ 4,674,826.52
Domestic Waste Management Fund Reserves	\$ 2,311,731.44
Trust Fund Reserves	\$ 5,581.39

**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

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## Information Only - 20 June 2019

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**ITEM 10.6**                      **Bank Balance and Reconciliation - 31 May 2019**

**FILE REFERENCE**    I19/297

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

### **ISSUE**

Statement of Bank Balance and Reconciliation.

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

---

### **BACKGROUND**

Nil

### **REPORT**

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

\$

General Ledger Balance brought forward 30 April 2019	1,807,430.34
Add: Receipts for May 2019	1,819,221.04
	<hr/>
	3,626,651.38
Deduct: Payments for May 2019	2,940,523.83
	<hr/>
<b>Balance as at 31 May 2019</b>	<b>686,127.55</b>
	<hr/>
Balance as per Bank Statement 31 May 2019	1,069,979.08
Add: Outstanding Deposits	26,063.44
	<hr/>
	1,096,042.52
Deduct: Unpresented Cheques / EFTs	409,914.97
	<hr/>
<b>Balance as at 31 May 2019</b>	<b>686,127.55</b>
	<hr/>

### **POLICY IMPACT**

Nil

### **OPTIONS**

Nil

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

### **ATTACHMENTS**

Nil

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## Information Only - 20 June 2019

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**ITEM 10.7**                      **Rates and Charges Outstanding for the month of May 2019**

**FILE REFERENCE**    I19/298

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

### **ISSUE**

Rates and Charges Outstanding Report to 31 May 2019.

**RECOMMENDATION**      That -

1. Council receive and note the report as information.

### **BACKGROUND**

Summary report of Rates and Charges outstanding at 31 May 2019 is detailed.

### **REPORT**

There is an attached report titled "Rate Collection Year 2019" for the 2018/2019 financial year. A comparison of the rates and charges outstanding percentage to previous financial years is highlighted in the below table:-

<b>Description</b>	<b>31/05/2019</b>	<b>31/05/2018</b>	<b>31/05/2017</b>
Total % Rates and Charges Outstanding	5.22%	6.14%	7.48%
Total \$ Amount Rates and Charges Outstanding	\$601,068	\$693,673	\$813,049

### **POLICY IMPACT**

Nil

### **OPTIONS**

Nil

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That -


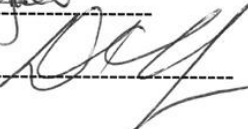
1. Council receive and note the report as information.

### **ATTACHMENTS**

1. <a href="#">↓</a>	Rate Collection Year - June 2019	Attachment
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**Rate Collection 2019 Year**

Rating Categories	Levy Raised to date	Rates Received to 4 June 2019	Rates Outstanding to 4 June 2019	% Rates Outstanding 4 June 2019
Farmland	4,928,709.82	4,703,768.44	224,941.38	4.56%
Residential	1,220,838.86	1,123,255.15	97,583.71	7.99%
Rural Residential	670,781.04	615,673.59	55,107.45	8.22%
Business	280,726.42	271,752.70	8,973.72	3.20%
Mining	1,893.00	1,893.00	-	0.00%
Water	872,874.00	809,905.68	62,968.32	7.21%
Sewerage	1,404,893.53	1,303,804.47	101,089.06	7.20%
Domestic & Comm Waste	1,139,750.41	1,057,407.39	82,343.02	7.22%
Rural Waste	617,872.23	573,924.70	43,947.53	7.11%
Storm Water	46,577.91	43,010.63	3,567.28	7.66%
**Arrears	333,221.86	266,771.14	66,450.72	19.94%
Credits		145,904.13	-145,904.13	
<b>Overall Total Rates</b>	<b>11,518,139.08</b>	<b>10,917,071.02</b>	<b>601,068.06</b>	<b>5.22%</b>

Prepared by   
 Authorised by 

Date 5/6/2019  
 Date 6/6/2019

I:\2018-2019\Rates\Recs\%outst\_May 31-2019

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## Information Only - 20 June 2019

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**ITEM 10.8**                      **Consultative Committee Meeting Minutes**

**FILE REFERENCE**    I19/343

**AUTHOR**                      **Acting General Manager**

### **ISSUE**

Minutes from the 3 June 2019 meeting of the Consultative Committee.

**RECOMMENDATION**      That –

1. Council receives and notes the Consultative Committee Meeting Minutes as information.

---

### **BACKGROUND**

Nil

### **REPORT**

Attached for Councillors information are the minutes from the Council Consultative Committee meeting that was held on 3 June 2019.

### **POLICY IMPACT**

Nil

### **OPTIONS**

Nil

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That –

1. Council receives and notes the Consultative Committee Meeting Minutes as information.

### **ATTACHMENTS**

1. <a href="#">↓</a>	Minutes from Consultative Committee held 3 June 2019	Attachment
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**PRESENT:** Mr D Scott (Chairperson), Mr A Croke (Acting General Manager), Mr M Shah (Director of Works and Operations), Mr K Kara, Mr R Stephenson, Mr B Smithers, Mr M Wilson, Mr C Wray, Mrs T Dodson (Director of Environment and Planning).

**NON-VOTING:** Miss E Harris (Administration Officer) Minute Secretary.

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**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 11:04am**

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

An apology was received from Ms S Pearman (Executive Assistant) and Mr B Johnston (Manager of Finance and Administration).

**RESOLVED** by. R Stephenson and T Dodson that the apology be received and leave of absence be granted.

- CARRIED

**SECTION 2: DECLARATIONS OF INTEREST**

Nil

**SECTION 3: CONFIRMATION OF MINUTES**

**ITEM 3.1** **RESOLVED** by Mr Wilson and Mr Smithers

That the minutes of the Consultative Committee Meeting held on 1 April 2019 be adopted.

- CARRIED

**SECTION 4: REPORTS**

**ITEM 4.1** **HUMAN RESOURCES COORDINATORS REPORT**

**RESOLVED** by Mr Kara and Mr Stephenson

1. The Human Resources activity report information is received and noted.

- CARRIED

**ITEM 4.2                    REVIEW OF THE ASSETS SURVEILLANCE OFFICER POSITION DESCRIPTION**

**RESOLVED** by Mr Stephenson and Mr Wilson

1. That the Consultative Committee defer the report and Extraordinary meeting be called on 12 June 2019.

- CARRIED

**SECTION 5:            ITEMS FOR DISCUSSION**

- Concern raised on lack of staff to Director of Infrastructure is being investigated with neighbouring councils relief water and sewer operators to cover periods of leave for existing Council staff.
- Asbestos Management Training to be investigated and arranged by the HR Coordinator.
- Organisation structure to be distributed to the Consultative Committee.

**THE MEETING CLOSED AT 11:50am**

Minutes confirmed 5 AUGUST 2019

.....  
Chairperson



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## Information Only - 20 June 2019

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**ITEM 10.9**                      **Grants Report**

**FILE REFERENCE**    I19/362

**AUTHOR**                      **Acting General Manager**

### **ISSUE**

Advising Council of grants available, grant applications in progress, submitted or unsuccessful 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. <a href="#">Download</a>	Grants Report for Council - 20 June 2019	Attachment
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### Grants Report to Council - 20 June 2019

Grant Applications in progress										
Grantee	Due or Submitted	Project	Council Contrib.	Other Contribution	Amount Requested	Subtotal	Project Cost	Comment		
Drought Relief Heavy Vehicle Access Program - Wheeo Road										
21.6.19	Wheeo Road	\$	-	\$	-	\$ 300,000	\$ 300,000	\$ 300,000	Working on application with Infrastructure	
My Community Project	15.5.19	Gunning Skate Park Lighting	\$	-	\$ 2,000	\$ 43,455	\$ 45,455	\$ 45,455	Voting in July, Word on Success in September	
My Community Project	15.5.19	Gunning Inclusive Play	\$	-	\$ 1,500	\$ 103,500	\$ 105,000	\$ 105,000	Voting in July, Word on Success in September	
Active Transport Walking and Cycling Program	14.12.18	Raised Zebra Crossing - Crookwell	\$	-	\$	-	\$ 750,000	\$ 750,000	\$ 750,000	Awaiting word on success
Grant Projects Funded										
Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment		
Bridges Renewal (Round 4)	05.02.19	Crookwell River Bridge - Woodville Road	\$ 294,861	\$	-	\$ 294,860	\$ 589,721	\$ 589,721	Deeds Returned	
		Diamond Creek Bridge - Kangaloolah Road	\$ 561,007	\$	-	\$ 560,000	\$ 1,121,007	\$ 1,121,007		
Building Better Regions Fund - Round 3	15.11.18	Wombeyan Caves Road Upgrade	\$ 100,000	\$	-	\$ 2,500,000	\$ 2,500,000	\$ 5,028,000	Deed arrived	
Growing Local Economies Fund	05.07.18			\$	-	\$ 2,428,000	\$ 2,428,000		Deed completed	

Grant Projects Funded									
Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment	
Local Sport Defibrillator Grant Program	05.09.18	Defibrillator for Memorial Oval Sports Centre	\$ 1,640	\$ -	\$ 1,300	\$ 2,940	\$ 2,940	Training 24th June to complete project	
Waste Less Recycle More	27.06.18	Bin Audit and Education	\$ -	\$ -	\$ 70,000	\$ 70,000	\$ 70,000	Project Progressing	
Growing Local Economies Fund	05.07.18	Grabine Road Upgrade	\$ 200,000	\$ -	\$ 3,300,000	\$ 3,500,000	\$ 3,500,000	Deed completed	
Stronger Country Communities Fund (Round 2)	01.05.18	Memorial Oval Fit Out	\$ -	\$ -	\$ 315,000	\$ 315,000	\$ 315,000	Variation of milestone 2 and 3 dates requested	
		Active Villages Project	\$ -	\$ -	\$ 300,000	\$ 300,000	\$ 300,000	Project Progressing - final quotes sought	
		Lights Football Action	\$ -	\$ -	\$ 150,000	\$ 150,000	\$ 150,000	Quotes being obtained	
		PAMP – 1 <sup>st</sup> priorities	\$ -	\$ -	\$ 356,772	\$ 356,772	\$ 356,772	Project not started	
		Breadalbane Hall Pergola	\$ -	\$ -	\$ 67,000	\$ 67,000	\$ 67,000	Project Progressing	
Club Grants Category 3	10.02.17	Crookwell Memorial Community Sports Centre	\$ 425,113	\$ 11,500	\$ 600,000	\$ 1,036,613	\$ 1,036,613	Project Progressing - extension of grant to 31 July 2019 - new extension required	
Country Passenger Transport Infrastructure Grant EOI	26.02.18	Taralga, Bigga and Binda Bus Stops	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	Project Progressing	
Community Building Partnership Fund	08.08.17	Goodhew Park Upgrade	\$ 192,000	\$ -	\$ 50,000	\$ 242,000	\$ 242,000	BBQ, sheltered benches, drainage, playground and toilet block completed	

Grant Projects Funded										
Grantee	Submitted	Project	Council Contrib.	Other Contribution	Amount Received	Subtotal	Project Cost	Comment		
Stronger Country Communities Fund (Round 1)	12.09.17	PAMP Priorities	\$ -	\$ -	\$ 344,487	\$ 344,487	\$ 344,487	Laggan design completed. Gunning variation - project plan lodged		
		Re-energising the Collector Community	\$ -	\$ -	\$ 220,000	\$ 220,000	\$ 220,000	Designs being completed. Milestone 31 October 2019		
		Pat Cullen Community Recreation area	\$ 81,000	\$ -	\$ 223,564	\$ 304,564	\$ 304,564	Bridge and Sections B and C of Walkway completed. Funding for A secured. Solar Lights installation TBA		
		Clifton Park Community Connection & Pathway	\$ -	\$ -	\$ 112,189	\$ 112,189	\$ 112,189	Awaiting installation of 6 solar powered lights for completion of project		
		Crookwell Showground Upgrade	\$ -	\$ -	\$ 275,141	\$ 275,141	\$ 275,141	Kiosk demolished, admin and toilet/shower building to be built		
Bridges Renewal (Round 3)	15.05.17	Kiamma Creek	\$ 81,260	\$ -	\$ 450,000	\$ 531,260	\$ 1,062,460	Project Progressing		
Fixing Country Roads 2015	02.05.16	Bridge Upgrade	\$ -	\$ -	\$ 531,230	\$ 531,230				
Bridges to Renewal (Round 1)	28.08.14	Replacement of Abercrombie River	\$ 75,000	\$ -	\$ 775,000	\$ 850,000	\$ 1,525,000	Project Progressing		
Fixing Country Roads 2014	01.11.14	Bridge	\$ -	\$ -	\$ 675,000	\$ 675,000				





Goodhew Park Shelterd Benches/BBQ and Toilet Block



Pat Cullen Reserve Section B pathway and bridge



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## Information Only - 20 June 2019

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**ITEM 10.10**                      **Action Summary - Council Decisions**

**FILE REFERENCE**    I19/311

**AUTHOR**                      **Acting General Manager**

### **ISSUE**

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

**RECOMMENDATION**        That -

1. Council receive and note the report as information.

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### **BACKGROUND**

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

### **REPORT**

Summary sheet from the:-

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

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

299/18	Council staff investigates the potential of an area of land west of the Heritage Rail site and north of the Men's Shed within the John Holland railway corridor as an RV Friendly Town overnight parking site and prepare a further report to Council.	DFA	Survey and design underway, project costings to be prepared, further investigations in progress.
313/18	That a further report be provided to Council from the Director of Works and Operations detailing what assessments and actions have been taken in relation to the safety concerns raised by the community to the use of heavy vehicles on the Council's local roads, what responses have been issued and what was the outcome and findings of the enforcement action undertaken by the Roads and Maritime Services.	DOI	Report to be provided to 20 June 2019 Council Meeting.

**Council Meeting: 21 March 2019**

45/19	The Director of Infrastructure provides a report outlining all the stages to enable the completion of the airport project and timeline.	DOI	Report to be provided to 18 July 2019 Council Meeting.
63/19	Council defers any further action on the Crookwell Depot until the Director of Infrastructure provides a report to Council that establishes estimates for WHS and Environmental Compliance works and a staged improvement of the works and advice as to what future course of action Council requires.	DOI	Report provided to 16 May 2019 Council Meeting and further report as per resolution 119/19 will be provided to a future Council Meeting.

**Council Meeting: 18 April 2019**

101/19	Council approves the purchase of the new irrigation system at an approximate cost of \$30,000 for the dispersal of pool water to irrigate the grounds within and around the Crookwell Swimming Pool.	DOI	Council staff will complete the project before commencement of the next Summer season.
103/19	Council adopts the strategy in principle to convert all of Council's Waste Disposal Centres into Waste Transfer Stations, on the proviso that a further report to be presented detailing operational costs that supports the transfer station strategy.	DOI	Report to be provided to 20 June 2019 Council Meeting – Closed Session.

**Council Meeting: 16 May 2019**

110/19	<ol style="list-style-type: none"><li>1. Council request the NSW Government to cover the additional \$19m increase to local government for the first year of the Emergency Services Levy.</li><li>2. The NSW Government work with all Councils to redesign the funding mechanism for the scheme to ensure fairness into the future.</li><li>3. The General Manager liaise with Local Government NSW to provide advocacy.</li><li>4. Council Mayor write to the NSW Premier and NSW Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local and state member in relation to the impact on Council and the local community from the unexpected increase.</li></ol>	GM	Correspondence forwarded on 22 May 2019.
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**Information Only****ACTION SUMMARY - COUNCIL DECISIONS** cont'd

114/19	1. Council do not continue with the proposed road renaming of Gundaroo Street, Gunning (between Yass Street and Cullavin Street) to Collector Road. 2. Council write to the affected land owners advising that Council will not continue with the proposed road renaming of Gundaroo Street, Gunning (between Yass Street and Cullavin Street) to Collector Road.	DEP	Correspondence forwarded on 30 May 2019.
115/19	Council authorise the General Manager and Mayor to sign under the Seal of Council the transfer documentation for road closure of Part Mill Road and Willowvale Road in Laggan, being Lot 1 DP 1173060.	GM	Documents signed under seal and correspondence returned on 21 May 2019.
116/19	Council authorise the closure of the disused section of Junction Point Road, Tuena as a public road pursuant to Division 3 - Closing of Council Roads by Council of the Roads Act 1993 and noting the road proposed for closure is identified as Lot 1 on the plan prepared by Land Team dated 11 December 2018.	DOI	Correspondence forwarded on 28 May 2019.
117/19	Council allocate in the 2019/2020 Operational Plan and future years Delivery Programs the additional \$240,609 each year of Roads to Recovery funding to unsealed local roads gravel re-sheeting program budget.	DOI/DFA	Operational Plan updated with Roads to Recovery Program. Council to adopt Operational Plan at 20 June 2019 meeting.

118/19	<p>1. Council fund and undertake all urgency 1 bridge repairs as per the schedule from Pitt and Sherry using the allocated maintenance budget as a part of the 2018/2019 Operational Plan;</p> <p>2. Council fund and undertake all urgency 2 bridge repairs as per the schedule from Pitt and Sherry using the allocated maintenance budget as a part of the 2018/2019 Operational Plan;</p> <p>3. Council fund and undertake all urgency 3 bridge repairs as per the schedule from Pitt and Sherry using the allocated maintenance budget as a part of the 2018/2019 Operational Plan;</p> <p>4. Council fund and undertake all urgency 4 bridge repairs as per the schedule from Pitt and Sherry using the allocated maintenance budget as a part of the 2018/2019 Operational Plan;</p> <p>5. Council not undertake routine maintenance on Crookwell River Bridge (Woodville Road), Diamond Creek Bridge (Kangaloolah Road) and Crookwell River Bridge (Julong Road) until upgraded as a part of the 2019/2020 Operational Plan.</p>	DOI	A prioritised works schedule to be prepared and operational works undertaken as soon as resources are available.
119/19	This matter be deferred until an investigation into potential sources of contamination and the processes and procedures within the Crookwell Works Depot that could have adverse impacts on Kiamma Creek is submitted to Council.	DOI	Council to engage a suitably qualified consultant. Report to be provided to a future Council Meeting.
121/19	<p>1. Council adopts the 3rd Quarter Budget Review Statements for the 2018/2019 including revotes of income and expenditure to the Operational Plan; and</p> <p>2. Council endorses the Operational Plan Performance Summary Report.</p>	DFA	All budget revotes updated in Civica Authority system on 23 May 2019.

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

122/19	Council notes the determination of annual fees by the Local Government Remuneration Tribunal for Councillors and Mayors and resolves to set the fee structure for the period 2019/2020 being; Councillors Annual Fee of \$12,160.00 and a Mayoral Fee of \$26,530.00	GM	Correspondence issued on 27 May 2019 to finance staff.
124/19	<p>1. Council advises the NSW Government of their objection to any increase to the Emergency Services Levy above the ordinary rates rate peg limit and further advises the NSW Government of the concern that there was no consultation in advance of the increase, noting that Council's budget and integrated plans for 2019/2020 are finalised.</p> <p>2. Council request that the NSW Government ass the value of any increase in the Emergency Levy to a one-off increase in the ordinary rates rate peg limit.</p> <p>3. Council request the NSW Government to defer the increase in the Emergency Services Levy until further consultation with Councils.</p> <p>4. Council request Local Government NSW advocate on behalf of all Councils to address the concerns related to the Emergency Services Levy increase.</p>	GM	Correspondence forwarded on 22 May 2019.
126/19	<p>Council receive and note the Minutes of the Gunning Arts Festival Committee Meeting held 7 May 2019 and adopt the Gunning Arts Festival Committee office bearers as listed below:</p> <p>Chairperson - Margarita Georgiadis Secretary - Michelle Storey Treasurer - Daryl Tonks Publicity Officer - Lyn Cram Schedule Officer - Margaret Hindley Council Representative - Clr P Kensit and Clr J Searl as alternate</p>	GM	Correspondence forwarded on 22 May 2019.

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

127/19	Council receive and note the Minutes of the Pool Review Committee and further Council adopts the Pool Review Committee sending briefing to Mr Pontin with a view to retaining RMP at a cost of circa \$4,500 for a full site visit and full report.	DOI	Pool Review Committee to engage a suitably qualified consultant.
130/19	<p>1. Council allocate up to \$80,842 from Councils Section 94 Development Contributions fund to complete Pat Cullen Reserve Crookwell footpath and boardwalk construction of 'Separable Portion A' (Saleyards Road to the eastern end of the disabled ramp).</p> <p>2. Council accept the quotation from JL Proudman Building to construct the footpath and boardwalk under the scope described in 'Separable Portion A' (Saleyards Road to the eastern end of the disabled ramp) for a quoted price of \$100,169.09 (GST exclusive).</p>	DOI	Correspondence forwarded on 22 May 2019.

**POLICY IMPACT**

Nil

**OPTIONS**

Nil

**FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION** That -

1. Council receive and note the report as information.

**ATTACHMENTS**

Nil

## **11 ENVIRONMENT AND PLANNING**

The following items are submitted for consideration -

11.1	LEP 2010 Land Use Table Review.	98
11.2	Upper Lachlan Development Controls Rural Subdivision	117
11.3	Review of Development Bonding Policy	123
11.4	Review of Food Premises Compliance and Enforcement Policy	127

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## Environment and Planning - 20 June 2019

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**ITEM 11.1**                      **LEP 2010 Land Use Table Review.**

**FILE REFERENCE**    **I19/284**

**AUTHOR**                      **Manager of Environment and Planning**

### **ISSUE**

A full review for the Upper Lachlan Local Environmental Plan is underway, however significant changes can be made through amendments to the zone table. Most of the table is constructed as an open table allowing applications for matters that are not prohibited. Reducing the list of prohibited items will facilitate applications for more activities and for dynamic change which might include some growth.

### **RECOMMENDATION**      That -

1. Council prepare a planning proposal under the Environmental Planning and Assessment Act 1979 for submission to the Department of Planning and Environment seeking a Gateway Determination to amend the Upper Lachlan Local Environmental Plan 2010 by removing various land uses from the Land Use Table Zones, and;
2. Council request the Department of Planning and Environment to authorise Council to exercise delegation of plan-making functions under the Environmental Planning and Assessment Act 1979; and
3. Delegate Council's General Manager to approve all required documentation concerning the Planning Proposal and the subsequent Upper Lachlan Local Environmental Plan 2010 amendment.

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### **BACKGROUND**

The recommendations in this report provide Council with an opportunity to create a more permissive planning framework for the Shire; support economic development and revise the plan, by making a minor amendment to the Upper Lachlan Local Environmental Plan 2010 (LEP).

The NSW Government requires Council to review and update environmental planning instruments as part of the Local Strategic Planning Statement (LSPS) framework.

Following a recent planning proposal to remove "storage premises" from the prohibited use items of IN2 a more comprehensive review of the prohibited land uses in all zones has been carried out by the Council's Environment and Planning strategic planners.

The review identified some attainable changes that will positively impact on the potential for change while other planning projects are underway. The positive gains achieved by this straight forward amendment will avoid delays that inevitably arise during the more detailed strategic planning process.

## **REPORT**

At a council briefing on the Housing Strategy, LSPS process and Local Environmental Plan update on 8 May 2019 Council staff proposed that an immediate improvement to the plans flexibility would result from reviewing the list of prohibited land uses. This work would remove impediments, provide greater flexibility and reposition the Upper Lachlan Local Environmental Plan 2010 as a planning framework supportive of the Regional strategic planning and economic development strategies of the Council and the NSW Government.

The initial planning proposal to remove 'storage premises' highlighted that there are inconsistencies between the Upper Lachlan Local Environmental Plan 2010 and other non-metropolitan Council Local Environmental Plans. These inconsistencies position the Shire's plan as a disincentive to development rather than encouraging economic activity and innovation that will be necessary to combat foreseeable and emerging challenges affecting the rural economy and the local community.

The *Environmental Planning and Assessment Act 1979* allows Council to structure zones as either open or closed. In open zones, anything not prohibited can seek approval. In Closed zones, only items listed as permissible can seek consent. Most zones in the Upper Lachlan Local Environmental Plan 2010 follow the principle of open zones. There are a small number of land uses that are prohibited by inclusion in the 'closed' zone approach in E2 Environment Conservation and E3 Environment Management. Some unlisted uses are potentially compatible with the zone objectives but are prohibited. The new land uses will be added to the E2 and E3 zones, permissible use column, as part of the prohibited land use review.

This report seeks a Council resolution to remove land uses that are currently prohibited in each zone and address unintended consequences from the mass prohibitions. To address the development application process Council will introduce tighter controls in the Development Control Plan.

The amendment to the Upper Lachlan Local Environmental Plan 2010 precedes and informs changes to the Development Control Plan. The changes are identified in the attached document.

## **POLICY IMPACT**

The Planning Proposal will result in an amendment to the Upper Lachlan Local Environmental Plan 2010 (LEP). It will move a large number of uses from the current prohibited list to permissible with consent. This change will require Council to assess potential land use proposals on a merit basis rather than assume that they are not wanted.

The changes are not policy neutral, they have a significant impact on the existing plan with a small change in the wording. Some industries such as the accommodation and transport, retail and recreation services will be permitted in zones that had prohibited them, like villages.

The proposal will be advertised and discussed with community groups prior to adoption.

## **OPTIONS**

The omnibus approach to restructuring the Prohibited uses in all zones of the Upper Lachlan Local Environmental Plan 2010 is an efficient use of resources both for Council and the local community reducing participation in extensive consultation processes that would follow. Addressing all the changes across the zones can be achieved smoothly and remove sequential processing delays of doing a zone by zone process that may extend the outcome over several years. Similarly, the omnibus approach removes risks of inconsistency between similar zones with similar objectives where the use is listed as prohibited in one and able to achieve approval in the other zone.

Alternatively, waiting for a comprehensive strategy delays the changes for several years. The LEP review can reverse issues that arise should Council change its mind about a particular land use provision made at this time.

The do nothing option leaves developers wanting to initiate businesses with little option but to look elsewhere. Many of these changes might be picked up in the main review process and be amended at a later date, but this process allows for some testing time to see if there are negative impacts. The impact of doing nothing inhibits the change to the local economy that is needed to replace closing and aging business and turns away people wanting to bring new business to the area.

The decision of Council will need to be worked up into a gateway application and submitted to the NSW Department of Planning and Environment for processing.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

This planning proposal will be undertaken using existing council resources. There are no additional budget impacts.

### **RECOMMENDATION** That -

1. Council prepare a planning proposal under the Environmental Planning and Assessment Act 1979 for submission to the Department of Planning and Environment seeking a Gateway Determination to amend the Upper Lachlan Local Environmental Plan 2010 by removing various land uses from the Land Use Table Zones, and;
2. Council request the Department of Planning and Environment to authorise Council to exercise delegation of plan-making functions under the Environmental Planning and Assessment Act 1979; and
3. Delegate Council's General Manager to approve all required documentation concerning the Planning Proposal and the subsequent Upper Lachlan Local Environmental Plan 2010 amendment.

## **ATTACHMENTS**

1. <a href="#">Download</a>	Proposed Prohibited Land Use Table	In Minutes Attachment
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### Prohibited land use table review

Nb 1: Prohibited use deductions only, it is not proposed to add uses to those zones from which deductions are made.

Nb 2: For the Environment Zone 3 and 4 applying the same rationale for prohibited uses requires those uses to be stated.

Zone	Existing prohibited Uses	Proposed to be Deleted	Prohibited uses table as amended	Reason for deletion
<b>RU1 Primary Production</b>	Amusement centres; Boat building and repair facilities; <del>Boat launching ramps;</del> <del>Boat sheds;</del> Camping grounds; <del>Car parks;</del> Caravan parks; Charter and tourism boating facilities; Centre-based child care facilities; Commercial premises; <del>Correctional centres;</del> Crematoria; <del>Eco-tourist facilities;</del> Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; <del>Function centres;</del> Health services facilities; Heavy industrial storage establishments; <del>Home occupations (sex services);</del> Industrial retail outlets; Industrial training facilities; Industries; <del>Jetties;</del> <del>Marinas;</del> <del>Mooring pens;</del> <del>Moorings;</del> Mortuaries; Passenger transport facilities; Public administration	<b>Boat launching ramps;</b> <b>Boat sheds;</b> <b>Carparks;</b> <b>Correctional Facilities;</b> <b>Eco-tourist facilities;</b> <b>Function centres</b> <b>Home occupations (sex services);</b> <b>Jetties;</b> <b>Marinas;</b> <b>Mooring pens;</b> <b>Moorings;</b> <b>Respite day care centres;</b> <b>Tourist and visitor accommodation;</b> <b>Water recreation structures;</b> <b>Wharf or boating facilities.</b>	Amusement centres; Boat building and repair facilities; Camping grounds; Caravan parks; Charter and tourism boating facilities; Centre-based child care facilities; Commercial premises; Crematoria; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Industrial retail outlets; Industrial training facilities; Industries; Mortuaries; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Registered clubs; Residential accommodation; Restricted premises; Service stations; Sex services premises; Storage premises; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or	<b>Open Zone</b>  There are no facilities of this nature or the facilities are compatible uses within the rural area or benefit from a rural setting.  Some uses would require State significant considerations or are State responsible uses and unlikely to occur without Ministerial direction.

	buildings; Recreation facilities (indoor); Registered clubs; Residential accommodation; <del>Respite day care centres</del> ; Restricted premises; Service stations; Sex services premises; Storage premises; <del>Tourist and visitor accommodation</del> ; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; <del>Water recreation structures</del> ; <del>Wharf or boating facilities</del> ; Wholesale supplies		distribution centres; Wholesale supplies	
<b>RU2 Rural Landscape</b>	Amusement centres; Boat building and repair facilities; <del>Boat launching ramps</del> ; <del>Boat sheds</del> ; <del>Camping grounds</del> ; <del>Car parks</del> ; <del>Caravan parks</del> ; <del>Charter and tourism boating facilities</del> ; <del>Centre-based child care facilities</del> ; <del>Commercial premises</del> ; <del>Crematoria</del> ; <del>Eco-tourist facilities</del> ; <del>Entertainment facilities</del> ; <del>Exhibition homes</del> ; <del>Exhibition villages</del> ; <del>Freight transport facilities</del> ; <del>Function centres</del> ; <del>Health services facilities</del> ; <del>Heavy industrial storage</del>	<b>Boat launching ramps</b> ; <b>Boat sheds</b> ; <b>Camping grounds</b> ; <b>Car parks</b> ; <b>Caravan parks</b> ; <b>Charter and tourism boating facilities</b> ; <b>Commercial premises</b> ; <b>Crematoria</b> ; <b>Eco-tourist facilities</b> ; <b>Entertainment facilities</b> ; <b>Exhibition homes</b> ; <b>Exhibition villages</b> ; <b>Freight transport facilities</b> ; <b>Function centres</b> ; <b>Health services facilities</b> ; <b>Heavy industrial storage establishments</b>	Amusement centres; Boat building and repair facilities; Industrial retail outlets; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential accommodation; Vehicle body repair workshops; Vehicle repair stations; Wholesale supplies	<b>Open Zone</b>  There are no facilities of this nature or the facilities are compatible uses within the rural area that encourage alternative and sympathetic use of land, or benefit from a rural location.  While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects.

	<del>establishments;</del> <del>Home occupations</del> <del>(sex services);</del> Industrial retail outlets; <del>Industrial training facilities;</del> Industries; <del>Jetties;</del> <del>Marinas;</del> <del>Mooring pens;</del> <del>Moorings;</del> <del>Mortuaries;</del> Passenger transport facilities; <del>Public administration buildings;</del> Recreation facilities (indoor); Registered clubs; Residential accommodation; <del>Respite day care centres;</del> <del>Restricted premises;</del> <del>Service stations;</del> <del>Sex services premises;</del> <del>Storage premises;</del> <del>Tourist and visitor accommodation;</del> <del>Truck depots;</del> Vehicle body repair workshops; Vehicle repair stations; <del>Warehouse or distribution centres;</del> <del>Water recreation structures;</del> <del>Wharf or boating facilities;</del> Wholesale supplies	Industrial training facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Public administration buildings; Respite day care centres; Restricted premises Sex services premises; Storage premises; Tourist and visitor accommodation; Truck depots Warehouse or distribution centres; Water recreation structures; Wharf or boating facilities		
RU3 Forestry	Any development not specified in item 2 or 3	No change		Closed zone
RU4 Primary Production Small Lots	<del>Air transport facilities;</del> <del>Airstrips;</del> Amusement centres; <del>Animal boarding or training establishments;</del> <del>Aquaculture;</del> Boat building and repair facilities; <del>Boat</del>	Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture Boat launching ramps; Boat sheds	Amusement centres; Boat building and repair facilities; Depots; Entertainment facilities; Freight transport facilities; Heavy industrial storage establishments; Highway service	<b>Open Zone</b> The primary use of the zone is for rural production small lots and in order to subdivide to create a lot a business plan for implementing the rural use is required. Any DA must meet the zone



<p>launching ramps;  <del>Boat sheds;</del>  <del>Camping grounds;</del>  <del>Car parks; Caravan parks;</del> Centre-based child care facilities;  <del>Commercial premises</del>  <del>Crematoria;</del>  Depots; <del>Eco-tourist facilities;</del>  Entertainment facilities; <del>Exhibition homes; Exhibition villages; Forestry;</del>  Freight transport facilities; <del>Function centres;</del> Heavy industrial storage establishments;  <del>Helipads;</del> Highway service centres;  <del>Home occupations (sex services);</del>  Industrial retail outlets; Industrial training facilities; Industries;  <del>Information and education facilities;</del>  <del>Intensive livestock agriculture; Jetties;</del>  <del>Marinas; Mooring pens; Moorings;</del>  <del>Mortuaries;</del>  <del>Passenger transport facilities;</del>  <del>Places of public worship; Public administration buildings;</del>  <del>Recreation areas; Recreation facilities (indoor);</del>  Recreation facilities (major); Recreation facilities (outdoor);  <del>Registered clubs;</del>  <del>Research stations;</del>  Residential</p>	<p>Camping grounds;  Car parks; Caravan parks; Centre-based child care facilities  Cemeteries;  Charter and tourism boating facilities  Commercial premises  Crematoria  Eco-tourist facilities  Exhibition homes;  Exhibition villages;  Forestry  Function centres;  Helipads;  Home occupations (sex services)  Information and education facilities;  Intensive livestock agriculture;  Jetties;  Marinas;  Mooring pens;  Moorings  Mortuaries;  Passenger transport facilities  Places of public worship;  Public administration buildings;  Recreation areas  Recreation facilities (indoor)  Registered clubs;  Research stations  Respite day care centres;  Restricted premises; Rural industries;  Sex services premises; Storage premises; Tourist</p>	<p>centres; Industrial retail outlets;  Industrial training facilities; Industries;  Recreation facilities (major); Recreation facilities (outdoor);  Residential accommodation;  Service stations;  Transport depots;  Truck depots; Vehicle body repair workshops; Vehicle repair stations;  Warehouse or distribution centres;  Waste or resource management facilities;  Wholesale supplies</p>	<p>objectives that would preclude many of the potential uses being able to be approved were an application to be made to change use.</p> <p>There are no facilities of this nature or the facilities are compatible uses within the rural area that encourage intensive use of land, benefit from a rural location.</p> <p>While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects.</p>
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	accommodation; <del>Respite day care centres; Restricted premises;</del> Rural industries; Service stations; <del>Sex services premises; Storage premises; Tourist and visitor accommodation;</del> Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; <del>Veterinary hospitals;</del> Warehouse or distribution centres; Waste or resource management facilities; <del>Water recreation structures; Wharf or boating facilities;</del> Wholesale supplies	and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities;		
<b>RU5 Village</b>	Agriculture; <del>Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Cellar door premises; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works;</del> Extractive	Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Cellar door premises; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Farm buildings;	Agriculture; Extractive industries; Forestry; Heavy industrial storage establishments; Open cut mining;	<b>Open Zone</b>  There are no facilities of this nature or the activity is unable to be contained within the lot size, location or is not known to occur.  The use are compatible uses within the rural economy and encourage diversity and investment opportunities within the villages and benefit from a rural location.  While some uses may generate potential land use conflicts the appropriate means to resolve any adverse

	<del>industries; Farm buildings; Forestry; Freight transport facilities; Funeral homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Roadside stalls; Rural industries; Sex services premises; Sewerage systems; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities</del>	Freight transport facilities; Funeral homes Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring; Mooring pens; Mortuaries; Passenger transport facilities; Pond-based aquaculture; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Roadside stalls; Rural industries; Sex services premises; Sewerage systems; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities		effects is through the DA process including public consultation and supporting assessment of effects.
R2	Agriculture; Air transport facilities;	Airstrips; Boat launching ramps;	Agriculture; Air transport facilities;	Open Zone



<p><b>Low Density Residential</b></p>	<p><del>Airstrips;</del> Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; <del>Boat launching ramps; Boat sheds;</del> <del>Car parks;</del> Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; <del>Jetties; Marinas;</del> <del>Mooring pens;</del> <del>Moorings;</del> Mortuaries; Open cut mining; Passenger transport facilities; <b>Public administration buildings;</b> Recreation facilities (indoor); Recreation facilities (major);</p>	<p><b>Boat sheds;</b> <b>Car parks</b> <b>Jetties;</b> <b>Marinas;</b> <b>Mooring pens;</b> <b>Moorings</b> <b>Public administration buildings;</b> <b>Registered clubs;</b> <b>Research stations;</b> <b>Residential accommodation</b> <b>Tourist and visitor accommodation</b> <b>Water recreation structures;</b> <b>Water supply systems;</b> <b>Wharf or boating facilities;</b></p>	<p>Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or</p>	<p>The uses are unable to or are not known or able to occur within the lot size and location.</p> <p>The facilities are compatible uses within the residential environs or supportive infrastructure for residential development.</p> <p>While some uses were they to be sought may generate potential land use conflicts the appropriate means to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects.</p>
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	Recreation facilities (outdoor); <del>Registered clubs;</del> <del>Research stations;</del> <del>Residential accommodation;</del> Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Storage premises; <del>Tourist and visitor accommodation;</del> Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; <del>Water recreation structures;</del> <del>Water supply systems;</del> <del>Wharf or boating facilities;</del> Wholesale supplies		distribution centres; Waste or resource management facilities; Wholesale supplies	
<b>R5 Large Lot Residential</b>	<del>Agriculture;</del> <del>Air transport facilities;</del> <del>Airstrips;</del> Amusement centres; <del>Animal boarding or training establishments;</del> <del>Boat building and repair facilities;</del> <del>Boat launching ramps;</del> <del>Boat sheds;</del> <del>Camping grounds;</del> <del>Car parks;</del> <del>Caravan parks;</del> <del>Cemeteries;</del> <del>Charter and tourism boating</del>	Agriculture; Airstrips; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries;	Amusement centres; Commercial premises; Extractive industries; Heavy industrial storage establishments; Industries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Restricted premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations;	<b>Open Zone</b>  There are uses that are appropriate to larger lots and are either of rural village or residential character or supportive of the rural economy.  There are no facilities of this nature.  The facilities uses are compatible uses that benefit from a peri-urban location.



<p>facilities; Commercial premises; <del>Correctional centres;</del> <del>Crematoria;</del> <del>Depots;</del> <del>Eco-tourist facilities;</del> <del>Electricity generating works;</del> <del>Entertainment facilities;</del> <del>Exhibition homes;</del> <del>Exhibition villages;</del> Extractive industries; <del>Farm buildings;</del> <del>Forestry;</del> <del>Freight transport facilities;</del> <del>Function centres;</del> Heavy industrial storage establishments; <del>Highway service centres;</del> <del>Helipads;</del> <del>Home occupations (sex services);</del> Industrial retail outlets; <del>Industrial training facilities;</del> Industries; <del>Information and education facilities;</del> <del>Jetties;</del> <del>Marinas;</del> <del>Mooring pens;</del> <del>Moorings;</del> <del>Mortuaries;</del> Open cut mining; <del>Passenger transport facilities;</del> <del>Places of public worship;</del> <del>Public administration buildings;</del> <del>Recreation facilities (indoor);</del> Recreation facilities (major); Recreation facilities (outdoor); <del>Registered clubs;</del> <del>Research stations;</del> <del>Residential accommodation;</del> Restricted</p>	<p>Charter and tourism boating facilities Correctional centres; Crematoria Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Function centres; Highway service centres; Helipads; Home occupations (sex services) Industrial training facilities Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Research stations; Residential accommodation Rural industries; Service stations; Sewerage systems; Sex services premises;</p>	<p>While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects</p>
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	premises; <del>Rural industries; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation;</del> Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; <del>Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies</del>	Storage premises; Tourist and visitor accommodation Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies		
<b>B2 Local Centre</b>	Agriculture; <del>Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks;</del> Cemeteries; <del>Charter and tourism boating facilities;</del> <del>Correctional centres;</del> <del>Crematoria;</del> <del>Depots; Eco-tourist facilities; Electricity generating works;</del>	Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities;	Agriculture; Cemeteries; Extractive industries; Open cut mining; Rural industries; Transport depots; Truck depots;	<b>Open Zone</b>  The uses are appropriate to the Commercial activity areas or would create supportive economic diversity or are commercial related activities or supportive infrastructure.  There are no facilities of this nature or the activity is unable to be contained within the lot size, location or is not known to occur.  While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse

	<del>Exhibition homes;</del> <del>Exhibition villages;</del> <del>Extractive industries;</del> <del>Farm buildings;</del> <del>Forestry;</del> <del>Freight transport facilities;</del> <del>Heavy industrial storage establishments;</del> <del>Helipads;</del> <del>Highway service centres;</del> <del>Home occupations (sex services);</del> <del>Industrial training facilities;</del> <del>Industries;</del> <del>Jetties;</del> <del>Marinas;</del> <del>Mooring pens;</del> <del>Moorings;</del> <del>Mortuaries;</del> <del>Open cut mining;</del> <del>Places of public worship;</del> <del>Pond-based aquaculture;</del> <del>Recreation areas;</del> <del>Recreation facilities (major);</del> <del>Recreation facilities (outdoor);</del> <del>Research stations;</del> <del>Residential accommodation;</del> <del>Restricted premises;</del> <del>Rural industries;</del> <del>Sewerage systems;</del> <del>Sex services premises;</del> <del>Storage premises;</del> <del>Transport depots;</del> <del>Truck depots;</del> <del>Veterinary hospitals;</del> <del>Warehouse or distribution centres;</del> <del>Waste or resource management facilities;</del> <del>Water recreation structures;</del> <del>Water supply systems;</del> <del>Wharf or boating</del>	Electricity generating works; Exhibition homes; Exhibition villages Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Restricted premises Rural industries; Sewerage systems; Sex services premises; Storage premises Transport depots; Truck depots; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems;		effects is through the DA process including public consultation and supporting assessment of effects
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	<del>facilities;</del> <del>Wholesale supplies</del>	Wharf or boating facilities; Wholesale supplies		
<b>B4 Mixed Use</b>	<del>Agriculture; Air transport facilities;</del> <del>Airstrips;</del> <del>Amusement centres;</del> Animal boarding or training establishments; <del>Boat building and repair facilities;</del> <del>Boat launching ramps;</del> <del>Boat sheds;</del> <del>Charter and tourism boating facilities;</del> <del>Crematoria;</del> <del>Depots; Eco-tourist facilities;</del> <del>Electricity generating works;</del> Exhibition homes; Exhibition villages; Extractive industries; <del>Farm buildings;</del> <del>Forestry;</del> Freight transport facilities; Heavy industrial storage establishments; <del>Helipads;</del> <del>Highway service centres;</del> Home occupations (sex services); <del>Industrial training facilities;</del> Industries; <del>Jetties;</del> <del>Marinas;</del> <del>Mooring;</del>	Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Charter and tourism boating facilities Crematoria; Depots; Eco-tourist facilities; Electricity generating works Farm buildings; Forestry Helipads; Highway service centres Industrial training facilities; Industries; Jetties; Marinas; Mooring; Mooring pens Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation;	Animal boarding or training establishments; Camping grounds; Caravan parks; Cemeteries; Exhibition homes; Exhibition villages; Extractive industries; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Open cut mining;	<b>Open Zone</b>  There are no facilities of this nature or the activity is unable to be contained within the lot size, location or is not known to occur.  While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects



	<del>Mooring pens;</del> <del>Open cut mining;</del> <del>Places of public worship;</del> <del>Pond-based aquaculture;</del> <del>Recreation areas;</del> <del>Recreation facilities (major);</del> <del>Recreation facilities (outdoor);</del> <del>Research stations;</del> <del>Residential accommodation;</del> <del>Restricted premises;</del> <del>Rural industries;</del> <del>Sewerage systems;</del> <del>Sex services premises;</del> <del>Storage premises;</del> <del>Tourist and visitor accommodation;</del> <del>Transport depots;</del> <del>Truck depots;</del> <del>Warehouse or distribution centres;</del> <del>Waste or resource management facilities;</del> <del>Water recreation structures;</del> <del>Water supply systems;</del> <del>Wharf or boating facilities;</del> <del>Wholesale supplies</del>	Restricted premises Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies		
IN2 Light Industrial	<del>Agriculture;</del> <del>Air transport facilities;</del> <del>Airstrips;</del> <del>Amusement centres;</del> <del>Animal boarding or training establishments;</del> <del>Boat launching ramps;</del> <del>Boat sheds;</del> Camping grounds; Caravan parks; Cemeteries; <del>Charter and tourism boating facilities;</del> <del>Centre-</del>	Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Cemeteries; Charter and tourism boating facilities;	Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Eco-tourist facilities; Home-based child care; Home occupations; Residential accommodation; Respite day care centres; Tourist and visitor accommodation.	<b>Open Zone</b>  Primarily this is the zone for Council to provide for uses that are intrinsically nonresidential in nature. Some uses are interchangeable within commercial or industrial or heavy rural activity. Or are generators of adverse effects and would benefit with colocation with other

	<p>based child care facilities;  <del>Commercial premises;</del>  <del>Community facilities;</del>  <del>Correctional centres;</del>  <del>Crematoria;</del> Eco-tourist facilities;  <del>Educational establishments;</del>  <del>Electricity generating works;</del>  <del>Entertainment facilities;</del> Exhibition homes; Exhibition villages; Farm buildings; Forestry;  <del>Freight transport facilities;</del> Function centres; Health services facilities;  <del>Heavy industrial storage establishments;</del>  <del>Highway service centres;</del> Home-based child care;  <del>Home businesses;</del> Home occupations;  <del>Home occupations (sex services);</del> Industries;  <del>Information and education facilities;</del> Jetties; Marinas;  <del>Mooring pens;</del> Moorings;  <del>Mortuaries;</del> Passenger transport facilities;  <del>Pond-based aquaculture;</del> Public administration buildings;  <del>Recreation areas;</del> Recreation facilities (major); Recreation facilities (outdoor);  <del>Registered clubs;</del></p>	<p>Commercial premises  Community facilities;  Correctional centres;  Crematoria;  Educational establishments;  Electricity generating works;  Entertainment facilities;  Exhibition homes;  Exhibition villages;  Farm buildings;  Forestry;  Freight transport facilities;  Function centres;  Health services facilities;  Heavy industrial storage establishments;  Highway service centres;  Home businesses  Home occupations (sex services);  Industries;  Information and education facilities;  Jetties;  Marinas;  Mooring pens;  Moorings;  Mortuaries;  Passenger transport facilities;  Pond-based aquaculture;  Public administration buildings;  Recreation areas;  Recreation facilities (major);  Recreation facilities (outdoor);  Registered clubs;</p>	<p>uses of a similar adverse generating impact.</p> <p>There are no facilities of this nature or the activity is unable to be contained within the lot size, location or is not known to occur.</p> <p>While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects  Child care centre locations are subject to a SEPP</p>
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	<del>Research stations;</del> Residential accommodation; Respite day care centres; Tourist and visitor accommodation; <del>Transport depots;</del> <del>Truck depots;</del> <del>Veterinary hospitals;</del> <del>Waste or resource management facilities;</del> <del>Water recreation structures;</del> <del>Water supply systems;</del> <del>Wharf or boating facilities;</del> <del>Wholesale supplies</del>	Research stations <b>Restricted premises;</b> <b>Rural industries;</b> <b>Service stations;</b> <b>Sewerage systems;</b> <b>Storage premises;</b> Transport depots; Truck depots; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies		
<b>RE1 Public Recreation</b>	Any development not specified in item 2 or 3	No change,  Add to <b>3 Permitted with consent:</b>  <b>Boat launching ramps;</b> <b>Boat sheds;</b> <b>Jetties;</b> <b>Marinas;</b> <b>Mooring;</b> <b>Mooring pens</b> <b>Recreation facilities (major);</b> <b>Recreation facilities (outdoor);</b> <b>Water recreation structures</b> <b>Wharf or boating facilities</b>	No change	<b>Closed zone</b>  These additional uses are recreational in nature and supportive of community recreation. PE land is Council owned and those recreation facilities on the land are likely owned and administered in the public good.  While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects
<b>E1 National Parks and Nature Reserves</b>	Any development not specified in item 2 or 3	No change	No change	<b>Closed zone</b>
<b>E2 Environmental Conservation</b>	Business premises; Hotel or motel accommodation;	<b>Tank-based aquaculture;</b>	No change	<b>Closed Zone</b>

	Industries; Multi dwelling housing; <del>Pond-based aquaculture</del> ; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; <del>Tank-based aquaculture</del> ; Warehouse or distribution centres; Any other development not specified in item 2 or 3	Add to 3 Permitted with consent :  <b>Community facilities;</b> <b>Farm building;</b> <b>Eco-tourist facilities;</b> <b>Educational establishments;</b> <b>Jetties;</b> <b>Marinas;</b> <b>Mooring pens;</b> <b>Moorings;</b> <b>Recreation facilities (outdoor);</b> <b>Tourist and visitor accommodation</b> <b>Water recreation structures</b> <b>Water supply systems</b>		While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects.  This addresses the inconsistency of farms having farms buildings being prohibited.
<b>E3 Environmental Management</b>	Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3	Add to 3 Permitted with consent :  <b>Farm building</b> <b>Community facilities</b> <b>Eco-tourist facilities;</b> <b>Educational establishments;</b> <b>Jetties;</b> <b>Marinas;</b> <b>Mooring pens;</b> <b>Moorings;</b> <b>Recreation facilities (outdoor);</b> <b>Tourist and visitor accommodation</b> <b>Water recreation structures</b> <b>Water supply systems</b>	No change	<b>Closed zone</b>  While some uses may generate potential land use conflicts the appropriate vehicle to resolve any adverse effects is through the DA process including public consultation and supporting assessment of effects.  This addresses the inconsistency of farms having farms buildings being prohibited.



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## Environment and Planning - 20 June 2019

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**ITEM 11.2**                      **Upper Lachlan Development Controls Rural Subdivision**

**FILE REFERENCE**    **I19/374**

**AUTHOR**                      **Manager of Environment and Planning**

### **ISSUE**

Upper Lachlan Development Control Plan amendments; following deletion of the Rural Lands SEPP provisions the reliance on local planning instruments has increased particularly in the area of rural subdivision.

**RECOMMENDATION**      That -

1. Council adopt the draft amendments to the Upper Lachlan Development Control Plan 2010 (DCP).
2. Council place on public exhibition the amendment to the Upper Lachlan DCP for the minimum period of 28 days as required by the Environmental Planning and Assessment Act 1979; and
3. Council delegate to the General Manager the authority to amend the Upper Lachlan DCP following the public exhibition period.

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### **BACKGROUND**

Broadly the Upper Lachlan Local Environmental Plan (LEP) sets up two zones for the purpose of smaller lot rural opportunity with the Residential 5 large lot residential zone (RU5) providing opportunity for the rural lifestyle housing diversity close to existing villages without the need to show economic or rural production purposes while the RU4 seeks to establish small lot rural purpose lots.

Rural 4 primary production small lot zone (RU4) areas seek to retain high quality soils adjacent to rural settlements for productive purposes. They are under pressure of lifestyle choice subdivisions and the desire for dwelling entitlement that goes with these smaller rural holdings.

The objectives of the RU4 zone are (for clarity relevant text is highlighted):-

- To **enable sustainable primary industry** and other compatible land uses.
- To encourage and promote diversity and employment **opportunities in relation to primary industry enterprises, particularly those that require smaller lots** or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the soil and water quality in good condition in association with the more intensive residential development of land within this zone.

- *To protect and enhance the water quality of watercourses and groundwater systems and to reduce land degradation.*
- *To maintain areas of high conservation value vegetation.*

Currently the Upper Lachlan Development Control Plan (DCP) does not provide a strong framework for assessing the merit of rural subdivision Development Applications (DA) that are on RU4 zoned land or those planning proposals that seek to rezone land to RU4 small lots.

## **REPORT**

### **Existing DCP Provisions**

Section 2 of the Upper Lachlan DCP sets of the objectives and policy framework that addresses rural development. It states:-

*“Agriculture and primary production:*

- *Promote areas suitable for agricultural and primary production activities, ensuring that activities are not affected by potential land use conflict, **unnecessary fragmentation** or the alienation of existing land uses.*
- *Agricultural and **primary production must be undertaken** in a sustainable approach **which considers:***
  - *managing environmental values*
  - ***managing and conserving the productive characteristics and qualities of the land and soils***
  - *protecting the ecological values associated with waterways*
  - *minimising weed infestations”*

Section 3 of the current DCP (amended 23 November 2018) sets out the matters required for submitting a DA. Clause 3.2 notes the benefits of engaging professionals and lists architectural, trades, engineers. Heritage, survey landscape and planning professionals only. Clause 3.4 requires matters to be addressed in the SEE that must be submitted with all development applications. The details of section 3.4 relevant to rural development are set out below:-

### **3.4 Statement of Environmental Effects**

#### **Commercial, Industrial and Rural development**

In addition to the above information, the following is required:

- **type of business, nature of goods and services, volume of goods produced, handled and stored,**
- **hours and days of operation,**
- **plant, machinery and equipment used,**
- **number of employees,**
- **potential number of visitors including customers, deliveries, sales representatives,**

- proposed parking, access, manoeuvring and traffic generation, loading/unloading arrangements,
- waste disposal arrangements,
- impact on any residential development in the vicinity,
- anticipated noise levels beyond the
- site,
- availability of utility services, and
- anticipated future expansions, if any.

For the purpose of assessing a RU4 rural subdivision DA clause 4.1.2 of the DCP states:-

**4.1.2 Matters for consideration (Subdivision)**

- 1) Development consent must not be granted to the subdivision of land within Zones RU1, RU2, **RU4**, RU5, R2, R5, E2 and E3 unless the consent authority is satisfied that the following matters have been addressed.
  - (a) Whether the ratio of depth to frontage of each proposed allotment is adequate, having regard to:
    - ii) the purpose for which the allotment is intended to be used,
    - iii) minimising the creation of vehicular access points to main or arterial roads,
    - iv) the location of vehicular access points from the allotment in a safe position, and
  - (b) Whether the subdivision will create or increase potential for ribbon development along any road, particularly a main or arterial road, and
  - (c) The siting of roads in relation to topography, drainage and soil erodability (nb: spelling is erodability).
- (2) Development consent must not be granted to the subdivision of land to which this plan applies unless the consent authority is satisfied that **the applicant has made a submission addressing** all relevant information having regard to following matters:
  - (a) **the primary purpose for which each allotment to be created is intended to be used**, and
  - (b) whether any allotment to be created is intended to be used primarily for the purpose of a dwelling, and
  - (c) whether a dwelling is intended to be erected on any allotment to be created and the approximate location of any such dwelling.

**8.2 Subdivision**

Section 8.2 sets of the detail of subdivision controls for the assessment process particular to rural zones. The objectives of this section are:

- To control the density of development in order to limit population growth and **maintain the rural character** of the area;
- To promote **lots of sufficient size to conduct agriculture and other rural pursuits**; and

- To minimise the fragmentation of agricultural land

### **8.2.1 Agriculture / Primary Production Subdivision**

This section applies to RU1, RU2, RU3, **RU4, RU5** and lists information is to be provided in support / justification of proposals for subdivisions **below the minimum lot size** for agricultural / primary production purposes.

#### **Discussion**

It is noted that the Section 3 does not require expertise in specific economic or land capability assessment, financial viability or applicant competency details to be addressed. The framework allows land of productive value to be subdivided with only a statement of the intent, without a specific commitment to or justification of the purpose. This allows statements such as “growing icebergs in the desert” that can be entirely devoid of economic or scientific rationality.

Similarly, there is no requirement that those undertaking a rural subdivision of productive lands have accessed the requisite knowledge, skills, access to necessary funding or have engaged suitably qualified expertise to address these objectives.

This framework enables a general statement of purpose, without corroborating evidence of statements of expertise, to be made that consider the land capability or for intended use is able to be implemented. The consequence of this framework is that the intent of the zone objectives (refer above) cannot be adequately considered and ill-judged applications can be made that lead to fragmented land holdings created that are incapable of meeting either economically viable or sustainable land use practices that accord with the objectives of both the LEP and DCP that productive characteristics and qualities of the land and soils be protected. It also positions the assessor of such an application as required to be knowledgeable on every permutation of a future agricultural or horticultural enterprise.

Section 8.2 raises opportunity to improve the controls on rural subdivision. It is noted that in the land use tables “Agriculture” is a prohibited use in RU5 Village. The inclusion of RU5 subdivisions in this section is inconsistent with the objectives of 8.2 and should be removed.

Clause 8.2.1 sets out the information required to support and justify subdivision below the minimum lot size for agricultural and primary production purposes. Following the removal of the rural land SEPP Clause 4.6.6 still provides for subdivision below the minimum standards. The information should also be able to be sought on subdivisions that comply with the minimum lot sizes.

#### **PROPOSED DCP AMENDMENT**

This proposal seeks to rectify the DA submission documentation to bring more rigour to the process and assessment of small lot subdivisions and primary industry purpose.

The proposed changes to text in the DCP are highlighted below for clarity only. It proposes changes to DCP requirements in Sections 3.2, 3.4, 4.1.2 (2) and 8.2.1. Specifically, the changes are:-

### **3.2 The benefits of engaging professionals**

Add an additional bullet point to the services most likely to be required:

- **Agronomist, agricultural economist, rural stock and station agency:  
For land capability, livestock, horticultural and agricultural enterprise suitability, economic viability and sector expertise.”**

### **3.4 Statement of Environmental Effects**

#### **Commercial, Industrial and Rural development**

Add a new bullet point:

- **The proposed agricultural or primary production, land capability and DSE capacity, change in the primary production value, implementation costs and timeframes.**

### **4.1.2 Matters for consideration (Subdivision)**

Amend Clause 4.1.2 (2) to read as:

(2) Development consent must not be granted to the subdivision of land to which this plan applies unless the consent authority is satisfied that the applicant has made a submission, **with documented expertise appropriate to the proposed rural production**, addressing all relevant information having regard to following matters:

Fixing the spelling in 4.1.2 (c) to read:

“The siting of roads in relation to topography, drainage and soil **erodibility**.”

Add a new bullet point to clause 4.1.2 (2):

- (d) **The findings of an agronomist, agricultural economist and/or rural stock and station agency report to ascertain land capability and that the proposed livestock, horticultural or agricultural enterprise suitability and economic viability is able to be sustained on the lots created.”**

### **8.2.1 Agriculture / Primary Production Subdivision**

Amend the first paragraph to read as follows:

**The following agricultural / primary production purposes information with documented expertise appropriate to the proposed rural production is to be provided in support / justification of your proposal for development:**

### **POLICY IMPACT**

Until recently Council relied on the State Government State Environmental Planning Policy to guide these subdivision of rural land where the subdivision proposal was for a lot below the Upper Lachlan LEP 2010 minimum. This has been repealed and Council is operating in a policy vacuum. The proposal is consistent with other regional councils in NSW.

## **OPTIONS**

Council has three broad options; do nothing, adopt the policy as provided in the report, or wait to amend the LEP 2010 which will begin to be reviewed in detail in 2020.

To do nothing will inhibit local economic development and land restructuring for some purposes while the review is underway. The proposal opens the door for some considered changes that are supported by professional input and advice. Waiting for the LEP amendments leaves some land owners sort of change options in the short to medium term. These amendments will be reviewed during the process of the LEP review in any case.

The proposed option provides a way forward in the short to medium term that is equitable and open to investigation and consideration.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

The financial implications are within councils advertising and notification budget and there are no capital or additional financial costs.

## **RECOMMENDATION**      That -

1. Council adopt the draft amendments to the Upper Lachlan Development Control Plan 2010 (DCP).
2. Council place on public exhibition the amendment to the Upper Lachlan DCP for the minimum period of 28 days as required by the Environmental Planning and Assessment Act 1979; and
3. Council delegate to the General Manager the authority to amend the Upper Lachlan DCP following the public exhibition period.

## **ATTACHMENTS**

Nil

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## Environment and Planning - 20 June 2019

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**ITEM 11.3**                      **Review of Development Bonding Policy**

**FILE REFERENCE**    **I19/346**

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

### **ISSUE**

Review of Council's Development Bonding Policy.

**RECOMMENDATION**      That -

1. Council adopt the reviewed Development Bonding Policy.

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### **BACKGROUND**

The Development Bonding Policy was last reviewed 15 October 2015.

### **REPORT**

Changes to the reviewed Development Bonding Policy are categorised as follows:

- Yellow – proposed change or addition
- Red – proposed deletion.

### **POLICY IMPACT**

Development Bonding Policy – proposed amendments highlighted.

### **OPTIONS**

Nil


### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That -

1. Council adopt the reviewed Development Bonding Policy.

### **ATTACHMENTS**

1. <a href="#"></a>	Reviewed Development Bonding Policy	Attachment
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<b>POLICY:-</b>	
Policy Title:	Development Bonding Policy
File reference:	F10/618-04
Date Policy was adopted by Council initially:	15 September 2011
Resolution Number:	349/11
Other Review Dates:	20 February 2014 15 October 2015
Resolution Number:	08/14 281/15
Current Policy adopted by Council:	15 October 2015
Resolution Number:	XX/19
Next Policy Review Date:	2021

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

<b>RESPONSIBILITY:-</b>	
Draft Policy Developed by:	Director Environment and Planning and Director Infrastructure
Committee/s (if any) consulted in the development of this policy::	
Responsibility for implementation:	Director Environment and Planning and Director Infrastructure
Responsibility for review of Policy:	Director Environment and Planning and Director Infrastructure



## POLICY STATEMENT

This policy establishes guidelines for the levying of a monetary bond as a guarantee for the completion of **subdivision** development works.

The adoption of a policy addressing the levying of bonds for completion of development works will give certainty and consistency to Council's practice of being able to levy a bond to guarantee completion of works and the rectification of substandard works (on a case by case basis).

This policy shall apply to all applications issued by Council in accordance with the *Environmental Planning and Assessment Act, 1979*.

This policy shall apply to all applications to Council to finalise a development where the applicant agrees to pay a bond for outstanding works as required on the original development consent.

## POLICY:

- 1.1 A bond amount can be requested by the applicant after providing Council with a minimum of two quotations for the outstanding or uncompleted works.

A bond is to be lodged by the developer to cover all outstanding or uncompleted works.

- 1.2 Council will include a 50% surcharge on top of the highest quotation figure provided above.

Council will include a 50% surcharge on top of the bond figure provided above.

- 1.3 The **total** bond **amount** shall be determined by Council and provided to the applicant **for payment**. **required Bond Processing Fee has been received.**

- 1.4 The bond is to be held for a maximum of (12) twelve months after the release or issuance of the relevant certificates by Council. Any outstanding or substandard works not completed by the developer within this time are to be completed by Council and the balance of the Bond, if any, refunded to the developer.

- 1.5 A bond **can may** be required for a maintenance period following the release or issuance of the relevant certificates by Council. Such a maintenance bond is to be 5% of the construction costs of the works.

- 1.6 Prior to maintenance works being undertaken during the maintenance period a "show cause" request is to be delivered to the developer by Council with Council carrying out the outstanding work should the developer not comply with the request.

## **RELEVANT LEGISLATION AND COUNCIL POLICIES**

The following legislation and Council policies that are relevant to this Policy include:

- Local Government Act 1993
- Local Government (General) Regulations 2005
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulations 2000
- Roads Act 1993
- GIPA Act 2009
- Privacy and Personal Protection Information Act 1998
- Conveyancing Act 1919
- Real Property Act 1900
- Release of Subdivision Certificates Policy

## **VARIATION:**

Council reserves the right to vary or revoke this policy.

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## Environment and Planning - 20 June 2019

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**ITEM 11.4**                      **Review of Food Premises Compliance and Enforcement Policy**

**FILE REFERENCE**    I19/348

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

### **ISSUE**

Review of Council's Food Premises Compliance and Enforcement Policy.

**RECOMMENDATION**      That -

1. Council adopt the reviewed Food Premises Compliance and Enforcement Policy.

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### **BACKGROUND**

The Food Premises Compliance and Enforcement Policy was last reviewed 21 May 2015.

### **REPORT**

Changes to the reviewed Food Premises Compliance and Enforcement Policy are categorised as follows:

- Yellow – proposed change or addition.
- Red – proposed deletion.

### **POLICY IMPACT**

Food Premises Compliance and Enforcement Policy – proposed amendments highlighted.

### **OPTIONS**

Nil

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That -

1. Council adopt the reviewed Food Premises Compliance and Enforcement Policy.

### **ATTACHMENTS**

1. <a href="#">↓</a>	Reviewed Food Premises Compliance and Enforcement Policy	Attachment
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<b>POLICY:-</b>	
Policy Title:	Food Premises Compliance and Enforcement Policy
File reference:	F10/618-05
Date Policy was adopted by Council initially:	21 October 2004
Resolution Number:	262/04
Other Review Dates:	15 January 2009, 20 December 2012, 21 May 2015
Resolution Number:	11/09, 415/12, 106/15
Current Policy adopted by Council:	20 June 2019
Resolution Number:	XX/XX
Next Policy Review Date:	2021

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

<b>RESPONSIBILITY:-</b>	
Draft Policy Developed by:	Director Environment and Planning
Committee/s (if any) consulted in the development of this policy:	N/A
Responsibility for implementation:	Director Environment and Planning
Responsibility for review of Policy:	Director Environment and Planning

## 1. SCOPE AND OBJECTIVES

### 1.1. Scope

The NSW Food Authority administers the NSW Food Act 2003. The Upper Lachlan Shire Council has entered into a Partnership Agreement with the NSW Food Authority and the Authority has appointed the Council to undertake those obligations set out in Category “B” in respect to its food regulation role as an enforcement agency under the *NSW Food Act 2003, as amended*.

Categories are not mentioned in the legislation and food enforcement activities are categorised by the NSW Food Authority merely to identify the various responsibility levels that Councils may elect to undertake. *Category “B”* in respect to the Upper Lachlan Shire Council’s regulation and responsibility role includes the intended standards food regulation responsibility and:

- (a) urgent food safety matters;
- (b) urgent food recall investigations;
- (c) six-monthly reporting on food regulation activities;
- (d) routine inspection and enforcement of the retail and food service sector;
- (e) medium and low risk food complaint investigations;
- (f) collaboration on single-case foodborne illness investigations

Mandatory protocols providing detail around these Council responsibilities have been formulated.

The objectives of the Food Act 2003 as defined in Section 3 of the Act include the following:

- (a) to ensure food for sale is both safe and suitable for human consumption,
- (b) to prevent misleading conduct in connection with the sale of food,
- (c) to provide for the application in this State of the Food Standards Code.

The *Food Standards Code* means the *Australia New Zealand Food Standards Code* as defined in the Food Standards Australia New Zealand Act, 1991 of the Commonwealth of Australia.

Enforcement of the Food Act is essential for the effective management of food safety risks and the prevention of misleading conduct in connection with the sale of food. Accordingly Council is committed to ensuring there is a high level of compliance with the Food Act and Regulations.

This policy sets Council direction on compliance and enforcement that will facilitate the effective achievement of the regulatory goals of the Food Act in a manner that is:

- authorised by the law;
- procedurally fair;
- accountable and transparent;
- consistent; and
- proportionate.

The policy recognises that most food businesses want to comply with the law and produce food that is safe; correctly described; labelled and advertised.

The compliance and enforcement role of Council is to protect consumers from the minority, who flout the law or act irresponsibly, endangering or defrauding consumers and imposing unfair competition on compliant food businesses.

It is anticipated that as a consequence of this policy food businesses will consider that compliance is an everyday part of business activity. Australian Standard AS3806-2006 *Compliance programs* provides principles for the development, implementation and maintenance of effective compliance programs.

This policy describes the options that are available and provides details of the matters that will be considered in their application toward achieving the objects of the Food Act, 2003.

The policy also sets out the principles the Council will apply in its compliance and enforcement activities.

## 1.2. Objectives

The objectives of this policy are:

- to provide transparency to consumers and industry on how the Council will make decisions on enforcement action;
- to guide decision making and action by our staff in the use of enforcement options;
- to use regulatory implements in such a way as to best achieve our organisational objectives.

The Upper Lachlan Shire Council administers the provisions of the NSW Food Act 2003 as it applies to the retail sector in the Shire under a Partnership Agreement with the NSW Food Authority. **The objectives of the Food Act 2003 as defined in Section 3 of the Act include the following:**

- to ensure food for sale is both safe and suitable for human consumption,
- to prevent misleading conduct in connection with the sale of food,
- to provide for the application in this State of the Food Standards Code.

## **2. COMPLIANCE & ENFORCEMENT PRINCIPLES**

As regulators we will endeavour to:

- act in the public interest;
- act consistently, impartially and fairly according to law;
- promote consistency through effective liaison with field staff and the adherence to policies and procedures;
- ensure we do not discriminate on the basis of race, religion, sex, national origin or political association;
- ensure that enforcement action is taken against the right person for the right offence;
- ensure that all relevant evidence is placed before courts or appeal tribunals;
- make food businesses aware of their legal obligations through the widest possible dissemination of information;
- explain the benefits of compliance to food businesses and discuss specific compliance failures or problems;
- we will provide advice on mechanisms that can be used by food businesses to improve compliance;
- we will confirm our advice in writing when requested and provide written advice in a clear and simple manner, explaining what and why remedial work is to be undertaken, over what time scale and ensuring legal requirements are explained;
- we will advise those we regulate of their right of appeal where provided by law;
- we will provide alleged offenders with an opportunity to discuss the circumstances of their case;

## **3. DECISION MAKING CRITERIA**

Each case will be considered individually and the appropriate enforcement action to be taken determined on the particular circumstances of the case.

The following issues need to be considered and balanced in making a decision as to the type of enforcement action, if any, that is applied:

- the knowledge of the alleged offender as to the consequences of their actions;
- the degree of care taken by the alleged offender to ensure they did not commit an offence;
- the age, maturity, intelligence, physical health, mental health or special disability or infirmity of the alleged offender;
- the alleged offender's antecedents and background, including culture and language ability;

- the openness, honesty and cooperation demonstrated by the alleged offender;
- the contrition demonstrated by the alleged offender;
- any mitigating or aggravating circumstances;
- the antecedents of the alleged offender;
- the culpability of the alleged offender and role played by other parties that may have contributed to the offence;
- the staleness, duration and magnitude of the offence;
- the totality of offences that may have been committed;
- the proportionality of the selected enforcement option so that the action will not be unduly harsh or oppressive;
- the difficulty and resources expended by Council in investigating and proving the elements of the particular offence or the type of offence;
- the efficiency and cost to the Council of the compliance and enforcement option that is used;
- is the enforcement action required to achieve the objectives of the Act;
- whether or not the enforcement action would be perceived as counterproductive for example, by bringing the law into disrepute;
- whether or not the alleged offence is of considerable general public concern;
- the necessity to maintain public confidence in the enforcement of the Food Act;
- the existence of any risk to public health and the nature and extent of that risk;
- the extent to which consumers have been defrauded;
- the need to protect consumers.

The overriding consideration in taking enforcement action will always be the public interest.

#### **4. PRIVACY**

Council must observe the Information Protection Principles set out in the *Privacy and Personal Information Protection Act*, 1998.

This legislation does provide in certain circumstances for information to be shared with other public sector agencies for law enforcement purposes and accordingly the Council will share such information where appropriate.

Reasons for decisions regarding compliance and enforcement action will generally be made available where consistent with the *Privacy and Personal Information Protection Act*, 1998. Reasons will not be given in any case where the information may cause harm to an informant, witness, or the alleged offender, nor in circumstances which would significantly prejudice the administration of justice.



## 5. APPLICATION OF COMPLIANCE AND ENFORCEMENT OPTIONS

A range of compliance and enforcement options are available to Authorised Officers. This section gives guidance on when these options may be applied. The decision making criteria outlined in **Section Part 3 and 4** will be considered in deciding which, if any, enforcement action is appropriate in each case.

### 5.1 Types of Compliance and Enforcement Action

The compliance and enforcement options available to Authorised Officers include:

- verbal advice;
- warning letters;
- the issue of a statutory Improvement Notice which requires cleaning, repair, replacement, revision of a food safety program, implementation of a food safety program or implementation of the Food Safety Standards;
- the issue of a prohibition order which controls certain activities where there is failure to comply with an Improvement Notice or to prevent or mitigate a serious danger to public health;
- the seizure of food, vehicles, equipment, and labelling or advertising materials which do not comply with a provision of the Act or Regulations;
- the issue of a penalty notice;
- the institution of proceedings in the Local Court;
- publication of the names of offenders immediately after conviction;

#### 5.1.1. Verbal Advice and Warnings

Authorised Officers will routinely give advice on compliance to food businesses. This advice will relate to principles of food safety and which explain the benefits of compliance or the purpose of the law. Verbal warnings should normally only be given for extremely trivial offences, where the offence is only of a technical nature or where there is insufficient evidence to justify a warning letter.

#### 5.1.2. Written warnings

Where there is evidence that minor breaches of the Food Act have occurred warning letters may be issued at the discretion of the Authorised Officer.

Warnings letters may be inappropriate where there are a large number of minor offences on one occasion within one food business. Similarly warnings letters will not normally be issued for a series of offences within a relatively short period of time. The totality of the offences should be considered in deciding the appropriate course of action. Where significant non-compliance is evident more significant enforcement action may be appropriate.

Warnings letters will detail the exact nature of the offence, required remedial action, cite relevant clauses of the legislation, specify the maximum penalty for the offence and the intention of the agency to enforce the legislation.

Appeals concerning warning letters will be considered by the Manager Environment and Planning. Warning letters will be followed-up within 3 months to ensure the required actions have been undertaken.

Further written warnings will not be issued for a subsequent similar offence except in exceptional circumstances.

### **5.1.3. Improvement Notices**

Authorised Officers may serve Improvement Notices under Section 57 of the Food Act. An Improvement Notice is an order that may require, in relation to premises, food transport vehicles or equipment, cleaning, repair, replacement, and relating to the handling of food. The orders may also require food be handled in a specified way or for a specified purpose.

Improvement Notices should be issued with the same considerations as for warning letters but should only be used where there is intention to proceed to a Prohibition Order following non-compliance. In other circumstances a warning letter or other enforcement option should be considered.

An Improvement Notice must specify the specific legislative provision to which it relates and may specify the particular action to be taken by a person. The Improvement Notice must specify the date by which compliance must be achieved. While extension of the date of compliance is at the discretion of the Authorised Officers, extensions will not be granted for matters related to cleaning or food handling without the prior approval of the Director / Manager Environment and Planning or General Manager.

Appeals concerning Improvement Notices will be considered by the Manager Environment and Planning.

Improvement Notices must be served on the proprietor of the food business. The person on whom an Improvement Notice has been served must be provided a copy of the Improvement Notice upon request. The proprietor of the food business should seek an extension of the compliance date in writing before the date of compliance.

Improvement Notices are differentiated from warning letters in that they are a statutory notice that may lead to the issue of Prohibition Order under Section 60 of the Food Act.

The issue of an Improvement Notice does not preclude the issue of a Penalty Infringement Notice in circumstances where these types of actions may be warranted (see Section 5.1.6).

### **5.1.4. Prohibition Orders**

Prohibition Orders may be issued where an Improvement Notice has been issued and there has been a failure to comply with the Improvement Notice by the date of completion or where the issue of a Prohibition Order is necessary to prevent or mitigate a serious danger to public health.

A Prohibition Order will take a form that prohibits the handling of food on specified food premises, vehicle or equipment, or that food is not to be handled in a specified way or for a specified purpose. It should be noted that **Section Part 4** of the Food Act defines food handling very broadly, including activities such as collection, transporting, storing or displaying food. Breach of a Prohibition Order will normally result in prosecution.

A Prohibition Order will remain in place until certificate of clearance is issued following a written request for an inspection. An inspection will be undertaken within 48 hours of a written request being made by the proprietor of the food business to the Food Authority or the person who made the order. If an inspection is not **made booked** within 48 hours of the receipt of the written request for an inspection a certificate of clearance is deemed to have been granted.

Section 65 of the Food Act provides for appeal to the Administrative Decisions Tribunal (ADT) if there is a refusal to issue a Certificate of Clearance. Section 66 of the Act provides for compensation to be paid if there were no grounds for the making of the Prohibition Order.

Prohibition Orders may only be issued by the Upper Lachlan Shire Council's Manager Environment & Planning being a duly authorised delegate under Section 109E of the Food Act. A brief of evidence sufficient to prove all elements of a prosecution will be the normal standard required prior to the issue of a Prohibition Order.

#### **5.1.5. Seizure Powers**

Authorised Officers have power under Section 38 of the Food Act to seize food, vehicles, equipment, and labelling or advertising materials which the Authorised Officer reasonably believes do not comply with a provision of the Act or Regulations or which is evidence that an offence has been committed.

While seizures are undertaken to collect evidence or to prevent further offences being committed they effectively impose a penalty upon the person from whom the food, vehicle, equipment and labelling or advertising material is seized. The impact of a seizure should be considered in the application of any other enforcement action.

Persons from whom items are seized must be provided with a statement that describes the items seized, states the reasons for the seizure and the address at which the items will be held.

Where it becomes evident that there has been no contravention of the Food Act or Regulations in relation to items which have been seized they should be returned as soon as possible to the person from whom the items were seized.

The person from whom items have been seized must also be informed of their right under Section 52 to appeal within 10 days of the seizure to a Local Court for an order disallowing the seizure. Compensation may be paid if there has been no application to a Local Court and no contravention of the Act or Regulations had occurred in relation to the seized items.

### 5.1.6. Penalty Notices

A penalty notice is a notice referred to in Part 3 of the Fines Act 1996 to the effect that the person to whom it is directed has committed a specified offence and that, if the person does not wish to have the matter dealt with by a court, the person may pay the specified amount for the offence within a specified time.

A penalty notice is issued under Section 120 of the Food Act. The notice requires payment of a specified monetary penalty, unless the person alleged to have committed the offence elects to have the matter dealt with by a court.

Prior to a penalty notice being issued Authorised Officers must prepare briefs of evidence which prove each element of the alleged offence to the standard required for prosecution. Further than establishing a prima facie case there must also be a reasonable prospect of a conviction being secured if the alleged offender chooses to have the matter heard in a court.

The decision making criteria outlined in **Section Part 3** will be considered in the issue of a penalty notice. Penalty notices provide a cost effective and efficient method of dealing with offences and will generally be sufficient response to breaches of the Food Act.

Penalty notices should not be used where the penalty is considered totally inadequate for the offence or where the penalty is likely to have no impact on the proprietor of the food business. Penalty notices are not available for the serious offences contained in Part 2, Division 1 of the Food Act.

Other serious breaches such as assault of an Authorised Officer, breach of a Prohibition Order, interference with seized items or numerous simultaneous offences should generally proceed by way of prosecution.

If payment of the amount specified in the penalty notice is not made and the person does not elect to have the matter dealt with by a court, a penalty notice enforcement order may be made against the person by the Office of State Revenue (OSR). If the person does not pay the amount (including enforcement costs) within 21 days, enforcement action authorised by the Fines Act may be taken in the same way as action may be taken for the enforcement of a fine imposed on a person after a court hearing for the offence.

Representations may be made to the State Debt Recovery Office immediately upon receipt of a penalty notice detailing any mitigating circumstances. The Director of the Fines Division of OSR should be notified of such representations being made. A penalty notice enforcement order may be withdrawn if an error has been made.

A penalty notice enforcement order may, on application, be annulled by the State Debt Recovery Office or, if the Office refuses the application, by a Local Court. If the order is annulled, the alleged offence is to be heard and determined by the Local Court.

A payment of a penalty notice is not an admission of liability and the person is not liable to any further proceedings for the alleged offence. It should be noted the fines

collected by penalty notices are forwarded to consolidated revenue and are not available to the Council.

Penalty notices will be served by post. Penalty notices must be approved by the Director Environment and Planning prior to posting.

Penalty notices issued since 3 May 2008 may be eligible for publication on the NSW Food Authority's internet website. It should be noted that the decision as to whether the particulars of a business being the subject of a penalty notice are to be published on that list rests entirely with the NSW Food Authority. The particulars that are included in the published list include name of the place of the business, the name of the person on whom the notice was served, the suburb, the Council area where the alleged offence occurred, the penalty notice number, the details of the alleged offence, and the date of the offence. These details remain on that website for a period of twelve months. Those eligible for publication on this site are added progressively each week. People listed in the register on this website or with an interest in a business listed can apply to the NSW Food Authority to add, correct or remove information if a business has been sold or disposed of after an alleged offence, or a correction needs to be made. The NSW Food Authority has a *Penalty notice publication protocol* that can be accessed on its website.

#### **5.1.7 Prosecution**

Similarly to the criteria for the issue of a penalty notice being issued Authorised Officers must prepare briefs of evidence which prove each element of the alleged offence it is intended to prosecute. Similarly the prosecution case must also provide a reasonable prospect of a conviction being secured. The resources available for prosecuting are finite and should not be expended pursuing inappropriate cases. The decision making criteria outlined in Section 3 will be considered in making a decision to prosecute.

Prosecution will normally be reserved for the more serious breaches. Matters heard in the Local Courts cannot attract the full penalties provided by the Food Act. Where offences are knowingly committed with intent to defraud or risk injury to consumers, consideration will be given to having matters heard before the Supreme Court.

While the Food Act provides that proceedings must be commenced within 6 months for matters relating to food samples and 12 months for other matters, all matters should be prepared for hearing as quickly as possible.

The Food Act extends liability to a wide range of persons who may be involved in some way with contraventions of the Act or Regulations, including employees, proprietors, and individual directors of companies. Where the Council has selected prosecution as the appropriate option, the Council will not necessarily proceed against all those who may be potentially liable under the legislation.

Prosecutions are eligible for publication on the NSW Food Authority's internet website. The particulars that are included in the published list include trade name of the place of the business, the name of the convicted, the suburb, the Council area where the

alleged offence occurred, the date of the offence, and the decision of the Court. These details remain on that website for a period of two years.

## **6. CONCLUSION**

This policy has no legal status and is not legally binding on the Council. The policy cannot be used to limit the discretion of Council to take any enforcement action.

The policy is only to be interpreted as general guidance on how the Council will undertake enforcement action.

## **RELEVANT LEGISLATION AND COUNCIL POLICIES**

The following legislation and Council policies that are relevant to this Policy include:

- Food Act 2003
- Food Regulation 2010 2015
- Australia New Zealand Food Standards Code
- Australian Standard AS3806-2006 Compliance programs
- Privacy and Personal Information Protection Act, 1998.
- Fines Act 1996

## **VARIATION**

Council reserves the right to vary or revoke this policy.

## **12       INFRASTRUCTURE DEPARTMENT**

The following items are submitted for consideration -

12.1	Council Depot Land Acquisition - Further Report	140
12.2	Proposed road closure section of Iron Mine Road, Crookwell	150
12.3	Recommendation to place the request of suggested name for Footbridge in Pat Cullen Reserve - Kiamma Creek on public exhibition	162

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## Infrastructure Department - 20 June 2019

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**ITEM 12.1**                      **Council Depot Land Acquisition - Further Report**

**FILE REFERENCE**    **I19/382**

**AUTHOR**                      **Design Engineer**

### **ISSUE**

This report relates to correspondence from Council solicitors Robert J McCarthy and Co in relation to a proposed land acquisition at the Council Works Depot in Spring Street, Crookwell.

**RECOMMENDATION**      That -

1. Council proceed with the compulsory acquisition of the land described as Lot 101 and Lot 102 DP 1242155 for the purpose of use as a Council Works Depot in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. Council make an application to the Minister and the Governor for approval to acquire Lot 101 and Lot 102 DP 1242155 by compulsory process under Section 186(1) of the Local Government Act 1993.
3. That the land Lot 101 and Lot 102 DP 1242155, in Spring Street, Crookwell, designated for the purpose of a Council Works Depot, is to be classified as Operational Land in accordance with the Local Government Act 1993.
4. Council proceed with the compulsory acquisition of the land described as Lot 100 DP 1242155 for the purposes of roads in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;
5. Council make an application to the Minister and the Governor for approval to acquire Lot 100 DP 1242155 by compulsory process under Section 177(1) of the Roads Act 1993.

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### **BACKGROUND**

Previously Council resolved at 20 December 2018 Ordinary Council Meeting (Council Resolution No. 365/18.) it stated that:-

1. Council considers the location of the depot at a future Council meeting;
2. Council compulsory acquire Lot 101 DP 1242155 being part of the land in Lot 7009 DP 1027045 and Lot 102 DP 1242155 being part of the land currently in Lot 7006 DP 1027032.
3. Council authorise the Mayor and the General Manager to sign and seal the proposed acquisition and make an application to the Minister for the Compulsory Acquisition of Lot 101 and Lot 102 DP 1242155, subject to the statutory requirements being complied with under the appropriate Legislation;
4. Council proceed to acquire Lot 100 for widening of road in Spring Street Crookwell.



Correspondence from Robert J McCarthy and Co is an attachment to this report and advises that the Office of Local Government requires additional resolutions to deal with the acquisitions under the *Local Government Act 1993* and the accompanying acquisition under the *Roads Act 1993*.

## **REPORT**

The Office of Local Government recommends additional resolutions in relation to the Compulsory Acquisition of land at Councils Works Depot as outlined in attached correspondence and Deposited Plan 1242155 from Robert J McCarthy and Co.

### **Resolutions under the Local Government Act**

- Council proceed with the compulsory acquisition of the land described as Lot 101 and 102 DP 1242155 for the purpose of use as a Council Works Depot in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
- Council make an application to the Minister and the Governor for approval to acquire Lot 101 and 102 DP 1242155 by compulsory process under Section 186(1) of the Local Government Act 1993.
- That the land is to be classified as operational land.

### **Resolutions under the Roads Act**

- Council proceed with the compulsory acquisition of the land described as Lot 100 DP 1242155 for the purposes of the roads in accordance with the requirements of the Land Acquisition (Just Terms Compensation ) Act 1991;
- Council make an application to the Minister and the Governor for approval to acquire Lot 100 DP 1242155 by compulsory process under Section 177(1) of the Roads Act 1993.

## **POLICY IMPACT**

Council must proceed with the Compulsory acquisitions to gain ownership of the fenced land on Crown land at the Council Works Depot in Spring Street, Crookwell.

## **OPTIONS**

It is strongly recommended that Council proceed with the acquisition given there is a timeline limit on it.

**FINANCIAL IMPACT OF RECOMMENDATIONS**

The cost of survey and legal costs are estimated at \$10,000 and will be utilised from unrestricted cash in 2019/2020.

**RECOMMENDATION**      That -

1. Council proceed with the compulsory acquisition of the land described as Lot 101 and Lot 102 DP 1242155 for the purpose of use as a Council Works Depot in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. Council make an application to the Minister and the Governor for approval to acquire Lot 101 and Lot 102 DP 1242155 by compulsory process under Section 186(1) of the Local Government Act 1993.
3. That the land Lot 101 and Lot 102 DP 1242155, in Spring Street, Crookwell, designated for the purpose of a Council Works Depot, is to be classified as Operational Land in accordance with the Local Government Act 1993.
4. Council proceed with the compulsory acquisition of the land described as Lot 100 DP 1242155 for the purposes of roads in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;
5. Council make an application to the Minister and the Governor for approval to acquire Lot 100 DP 1242155 by compulsory process under Section 177(1) of the Roads Act 1993.

**ATTACHMENTS**

1. <a href="#">↓</a>	Correspondence from Robert J McCarthy and Co	Attachment
2. <a href="#">↓</a>	Deposited Plan DP 1242155	Attachment
3. <a href="#">↓</a>	Plan View of Proposed Compulsory Acquisition of Crown Land in the Vicinity of Crookwell Depot - 22 June 2017	Attachment

# Robert J McCarthy & Co.

Solicitors

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PRINCIPAL  
Tim McCarthy B Com LLB

ASSOCIATE  
Dominic McCarthy LLB

Our Ref: TM:SM:11333

Your Ref:  
28 May 2019

General Manager  
Upper Lachlan Shire Council  
PO Box 42  
GUNNING NSW 2581

Dear Sir

**RE: - Acquisition Council Depot - NSW Department of Primary Industries- Lands**  
**Property: Spring St, Crookwell**

We refer to prior correspondence concerning this matter and advise that a requisition has issued from the Office of Local Government in connection with the statutory requirements for the resolution of Council which must be submitted with the application.


We further note that Lot 100 in the proposed plan will be acquired pursuant to the provisions of the Roads Act whereas Lots 101 and 102 will be acquired pursuant to the provisions of the Local Government Act. The Office of Local Government has recommended that there be two resolutions dealing with both an acquisition under the Local Government Act and the accompanying acquisition under the Roads Act.

Accordingly, we provide the recommended wording for both the resolutions under the Local Government Act and the Roads Act.

We note that both amendments and the report of the Council meeting should contain a provision authorising the making of an application to the Governor.

Finally, we note that the Office of Local Government has requested that we provide written consent from the Reserve Trust Manager – Crown Land Manager to the Acquisition. It is the writer's understanding that the Reserve Trust Manager for this land is in fact Upper Lachlan Shire Council and we would be pleased if you would kindly confirm such fact, and if so, provide the written consent from Council as the Reserve Trust Manager.

Yours faithfully  
**ROBERT J MCCARTHY & CO**

  
Timothy McCarthy

UPPER LACHLAN SHIRE COUNCIL
CROOKWELL OFFICE
29 MAY 2019
File No:

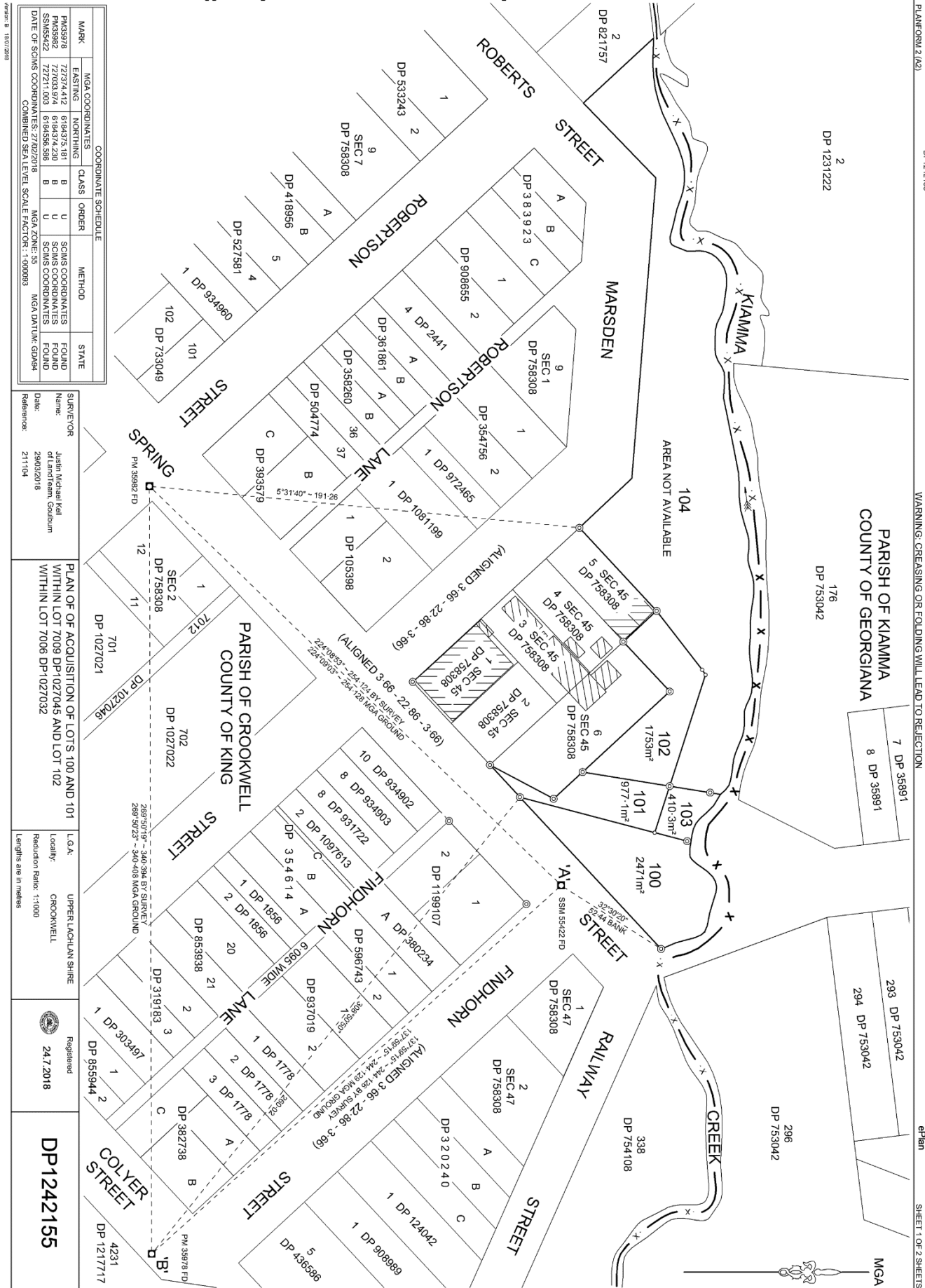
Liability limited by a scheme approved under Professional Standards Legislation. Legal practitioners employed by McCarthy Lawyers Pty Ltd are members of the scheme

**Model Resolution under the Local Government Act****Recommended that/ Resolved that**

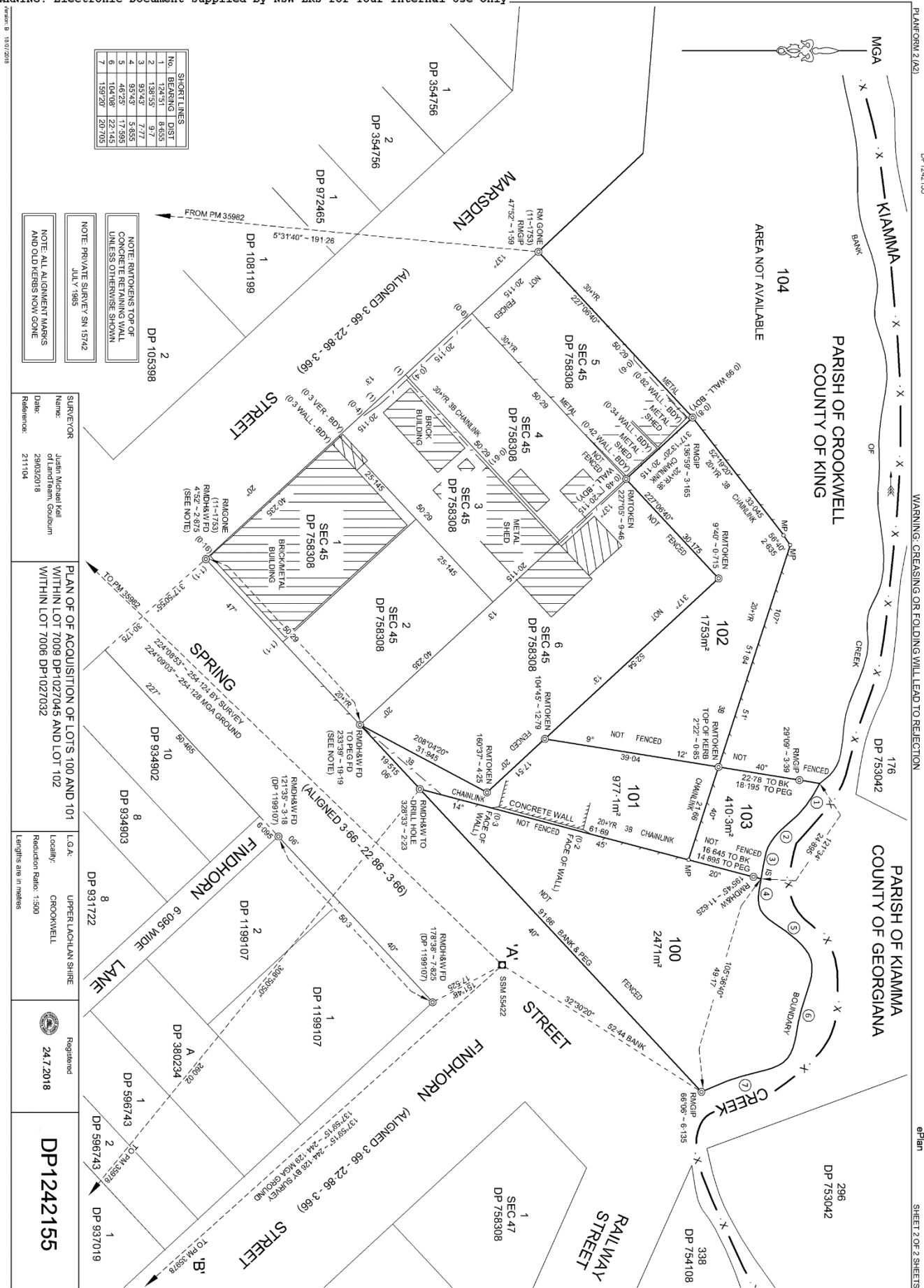
1. Council proceed with the compulsory acquisition of the land described as Lot 101 and 102 DP1242155 for the purpose of use as a Council Works Depot in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Council make an application to the Minister and the Governor for approval to acquire Lot 101 and 102 DP1242155 by compulsory process under Section 186(1) of the *Local Government Act*.
3. That the land is to be classified as operational land.



**Model Resolution under the Roads Act****Recommended that/ Resolved that**

1. Council proceed with the compulsory acquisition of the land described as Lot 100 DP1242155 for the purposes of roads in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Council make an application to the Minister and the Governor for approval to acquire Lot 100 DP1242155 by compulsory process under Section 177(1) of the *Roads Act*.








PLAN FORM 6 (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 2 Sheet(s)
Registered:  24.7.2018 Title System: TORRENS	Office Use Only <div style="text-align: center; font-size: 2em; font-weight: bold;">DP1242155</div>	
PLAN OF OF ACQUISITION OF LOTS 100 AND 101 WITHIN LOT 7009 DP1027045 AND LOT 102 WITHIN LOT 7006 DP1027032	LGA: UPPER LACHLAN SHIRE Locality: CROOKWELL Parish: CROOKWELL County: KING	
<div style="text-align: center;">Survey Certificate</div> I, Justin Michael Kell of LandTeam, 36 Montague Street, Goulburn NSW 2580 Ph: (02) 4821 1033 Email: goulburn@landteam.com.au a surveyor registered under the Surveying and Spatial Information Act 2002, certify that: <del>*(a) The land shown in the plan was surveyed in</del> <del>accordance with the Surveying and Spatial Information</del> <del>Regulation 2017, is accurate and the survey was</del> <del>completed on: .....</del> , or *(b) The part of the land shown in the plan (*being / *excluding ** LOTS 100 - 103 .....) was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, the part surveyed is accurate and the survey was completed on, 29/03/2018. the part not surveyed was compiled in accordance with that Regulation, or <del>*(c) The land shown in this plan was compiled in</del> <del>accordance with the Surveying and Spatial Information</del> <del>Regulation 2017.</del> Datum Line: SSM55422 "A" ~ PM35978 "B" Type: *Urban/*Rural The terrain is: *Level-Undulating / *Steep Mountainous- Signature:  Dated: 10/04/2018 Surveyor Identification No: 108 Surveyor registered under the Surveying and Spatial Information Act 2002 * Strike through if inapplicable. **Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.	<div style="text-align: center;">Crown Lands NSW/Western Lands Office Approval</div> I, ..... (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature: ..... Date: ..... File Number: ..... Office: ..... <div style="text-align: center;">Subdivision Certificate</div> I, ..... *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature: ..... Accreditation Number: ..... Consent Authority: ..... Date of Endorsement: ..... Subdivision Certificate Number: ..... File Number: ..... * Strike through if inapplicable	
Plans used in the preparation of survey/compilation- 1.2581 11.1753 DP 855944 DP 119107 DP 1027032 DP 1027045. PRIVATE SURVEY SN 15742	Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. IT IS INTENDED TO ACQUIRE LOTS 100, 101 AND 102	
Surveyor's Reference: 211104	Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A	

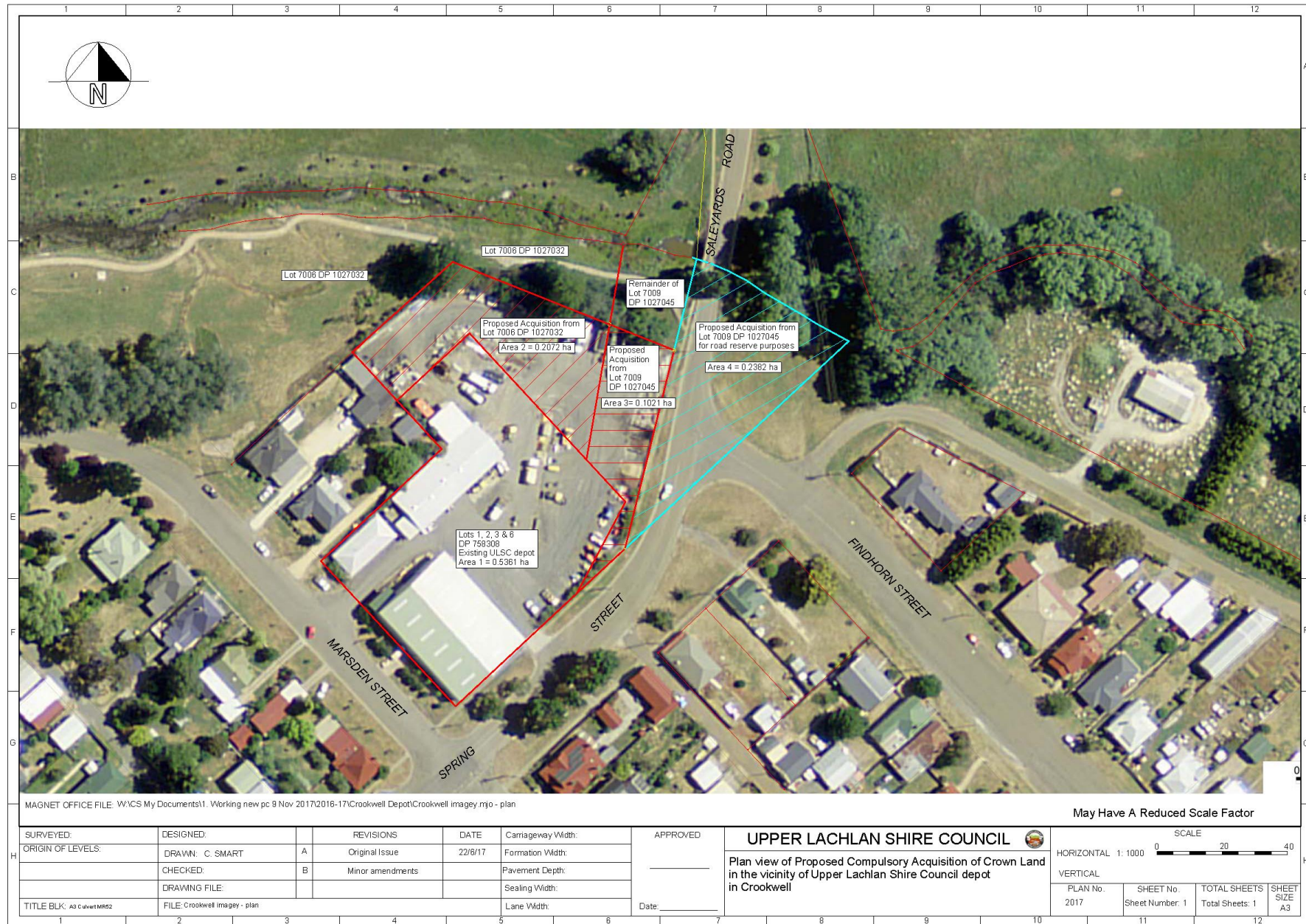
Version: A 10/04/2018

Box:e-DeX /Doc:DP 1242155 P /Rev:24-Jul-2018 /Sts:OK.OK /Pgs:ALL /Prt:25-Jul-2018 01:41 /Seq:4 of 4  
 WARNING: Electronic Document Supplied by NSW LRS for Your Internal Use Only **erian**

<b>PLAN FORM 6 (2017)</b>	<b>DEPOSITED PLAN ADMINISTRATION SHEET</b>	Sheet 2 of 2 Sheet(s)
Registered:  <b>24.7.2018</b> PLAN OF OF ACQUISITION OF LOTS 100 AND 101 WITHIN LOT 7009 DP1027045 AND LOT 102 WITHIN LOT 7006 DP1027032 Subdivision Certificate No: ..... Date of Endorsement: .....	Office Use Only  <div style="font-size: 2em; font-weight: bold; margin: 20px 0;">DP1242155</div> <p style="font-size: 0.8em;">This sheet is for the provision of the following information as required:</p> <ul style="list-style-type: none"> <li>A schedule of lots and addresses - See 60(c) SSI Regulation 2017</li> <li>Statements of intention to create and release affecting interests in accordance with section 88B Conveyancing Act 1919</li> <li>Signatures and seals - see 195D Conveyancing Act 1919</li> <li>Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.</li> </ul>	Office Use Only
<div style="border: 1px solid black; padding: 10px; margin: 0 auto; width: 80%;"> <p style="margin: 0;">STREET ADDRESS SCHEDULE</p> <p style="margin: 0;">NOTE: STREET ADDRESSES OF ALL LOTS ARE NOT AVAILABLE</p> </div> <p style="margin-top: 10px;">If space is insufficient use additional annexure sheet</p>		
Surveyor's Reference: 211104		

Version: A 10/04/2018





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## Infrastructure Department - 20 June 2019

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**ITEM 12.2**                      **Proposed road closure section of Iron Mine Road, Crookwell**

**FILE REFERENCE**    **I19/342**

**AUTHOR**                      **Design Engineer**

### **ISSUE**

As part of the Iron Mine Road, Crookwell improvements a section of the old road alignment is proposed to be closed as a public road. Council requested further information at the 16 May 2019 Ordinary Council Meeting.

**RECOMMENDATION**      That -

1. Council approves the closure of the disused sections of Iron Mine Road, Crookwell, as a public road pursuant to Division 3 – Closing of Council Public Roads by Council of the Roads Act 1993 and noting the roads are identified as Lot 2 to Lot 5 inclusive on the map prepared by Surveyor Flood dated 12 May 2015.

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### **BACKGROUND**

As part of the Iron Mine Road improvements some years ago, disused sections of the Iron Mine Road is excess to Council needs and required to be closed. As the road has been constructed, upon closure the road will remain vested in Council pursuant to Section 38E (2) of the *Roads Act 1993*. The disused section of road is not required for public use and is not required to provide continuity for the existing road network.

Previously Council deferred the decision requesting what will happen to the disused part of the road. The disused sections of road shown as Lots 1 to 5 inclusive on the plan will be offered to Glen McDonald and Amanda Kadwell as compensation to adjacent landowners. Lot 4 will be offered to Glen McDonald and Lots 1, 2, 3 and 5 to Amanda Kadwell. The closure of these roads will be subject to a separate application.

### **REPORT**

Council has received correspondence from Robert J McCarthy and Co relating to this road closure application. As the Road Authority Council can authorise the closure of the sections of the road pursuant to Division 3 – Closing of Council Public Roads by Council of the *Roads Act 1993*.

### **POLICY IMPACT**

The recommendations are consistent with Council's Land Acquisition Policy.

## **OPTIONS**

Council can close a public road or accept the risk of retaining the land as public road.



## **FINANCIAL IMPACT OF RECOMMENDATIONS**

Compensation has been paid to the affected landowners in accordance with Council's policy. There is no need to make any additional allocation, should Council adopt the recommendation.

## **RECOMMENDATION**      That -

1. Council approves the closure of the disused sections of Iron Mine Road, Crookwell, as a public road pursuant to Division 3 – Closing of Council Public Roads by Council of the Roads Act 1993 and noting the roads are identified as Lot 2 to Lot 5 inclusive on the map prepared by Surveyor Flood dated 12 May 2015.

## **ATTACHMENTS**

1. <a href="#"></a>	Correspondence from Robert J McCarthy & Co - Iron Mine Road	Attachment
2. <a href="#"></a>	Correspondence from R J Mccathy & Co - disused sections of road	Attachment

# Robert J McCarthy & Co.

Solicitors

McCarthy Lawyers Pty Ltd  
ABN: 52 612 991 821

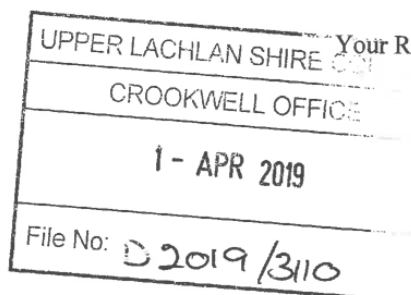
88-90 Goulburn Street, Crookwell  
PO Box 6 Crookwell NSW 2583

Telephone : (02) 48321055  
Fax : (02) 48322194  
Email: [mail@rjmac.com.au](mailto:mail@rjmac.com.au)

PRINCIPAL  
Tim McCarthy B Com LLB

ASSOCIATE  
Dominic McCarthy LLB

General Manager  
Upper Lachlan Shire Council  
PO Box 42  
GUNNING NSW 2581



Our Ref: TM:EH:10654  
Your Ref: F13/252-06 & SC25/2015  
28 March 2019

Dear Sir

**RE: Upper Lachlan Shire Council Purchase from Christopher Aaron Tetley, Glen Arthur McDonald and Amanda Jane Kadwell**  
**Property: Iron Mine RD, Crookwell**

We refer to prior correspondence concerning the above matter (and in particular our email to you of 18 December, 2018) in connection with the proposed Road Closure of part of the Iron Mine Road at Crookwell.

We have now received a Status Report from the Department of Industry and a copy of such Status Report is enclosed. The Status Report confirmed *"the roads as Council public roads by ministerial approval and without the need for gazettal. The subject roads are now under the control of Upper Lachlan Shire Council"*.

The confirmation of the status of the Iron Mine Road enables Council to proceed with the road closing.

We note that Section 38A of the *Roads Act 1993* provide as follows:-

## 38A When council may close council public road

A council may propose the closure of a council public road for which it is the roads authority if:

- (a) the road is not reasonably required as a road for public use (whether for present or future needs), and
- (b) the road is not required to provide continuity for an existing road network, and
- (c) if the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

It is our understanding that the sections of the Iron Mine Road proposed for closure are not "reasonably required as a road for public use" nor is the road required to provide continuity for an existing road network.

As the road has been constructed, upon closure the road will remain vested in Council pursuant to Section 38E(2)(a) of the *Roads Act*. Accordingly, we ask that Council kindly provide the following:-

Liability limited by a scheme approved under Professional Standards Legislation. Legal practitioners employed by McCarthy Lawyers Pty Ltd are members of the scheme



### 1. Evidence of construction of the road

The Frequently Asked Questions Fact Sheet from the Department of Lands contains guidance as to what constitute a “constructed” road. We repeat such particulars as follows:-

*The dictionary of the Roads Act 1993 does not define ‘construction’ in terms of section 38E(2) of the Act. The Acts definition for ‘road work’ includes any kind of work on or in the vicinity to facilitate use of the road as a road. The term construction is also used in the Act in reference to construction of conduits on public roads for utility services.*

Examples of current or historical construction within road corridors to facilitate a passage of access as a road may include:

- Bitumen-sealed road formations
- Surface works – gravel or other road-base material; filling pot holes
- Formed footpaths and/or kerb and guttering
- Slashing or clearing of vegetation
- Mowing

The department will accept a written declaration of road construction from councils. Council’s construction declaration will form the basis of the department’s response.

We ask that Council kindly provide us with a written declaration that the appropriate sections of the Iron Mine Road have been constructed.

### 2. Council Resolution authorising the Closure

We would be pleased if you could kindly arrange for the passing of a Resolution authorising the closure of sections of the Iron Mine Road, Crookwell as a public road pursuant to **Division 3 – Closing of Council Public Roads by Council** of the *Roads Act* and noting the roads are identified as Lots 2 to 5 inclusive on the map prepared by Surveyor Flood dated 12 May 2015.

Council may have previously carried the required Resolution.

Upon provision of the above requirements, we will prepare the necessary Notices for publication in the Crookwell Gazette, and for service on Notifiable Authorities and adjacent landowners.

We await your reply.

Yours faithfully

**ROBERT J McCARTHY & CO**

Timothy McCarthy

Enc





Department  
of Industry

## Status Report

TO	Tim McCarthy – Robert J McCarthy & Co
FROM	Bret Davis
DATE	25 March 2019
SUBJECT	Service Request 116543 - Status of part of Iron Mine Road at Crookwell, Parish Kiamma, County Georgiana

Hi Tim,

According to the records available to Status Branch, the status of the land has been determined as follows.

### Description of Land

The land is defined as the part of Iron Mine Road at Crookwell in the Parish of Kiamma, County of Georgiana, as indicated by orange colour in the extract of DP12411441 in [APPENDIX A](#).

### Current Search

The subject land formed part of the roads which were transferred to the control of Crookwell Shire under the provisions of the Local Government (Amending) Act 1908. This is evidenced in the approval minute within Roads File 1909-724 ([APPENDIX B](#)).

The associated lithograph is in very poor condition but the representation of the map was transferred to the Roads Branch charting map (extract in [APPENDIX C](#)) which confirms the inclusion of the subject roads within the approval process.

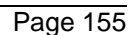
The above process confirmed the roads as council public roads by ministerial approval and without the need for gazettal. The subject roads are now under the control of Upper Lachlan Shire Council.

***This report does not constitute legal advice.***

Regards,

Bret Davis

Ph. 4920 5082





APPENDIX B -  
Sheet 1

OFFICE MEMORANDUM.

CROOKWELL SHIRE

Local Land Board Office, Orange.

Application by Crookwell Shire Council to have control of roads  
handed over.

A schedule is attached hereto showing particulars of the roads indicated in red on the Shire Council's lithograph and giving details of reserves and tenures as required by the Local Secretary's minute of 11<sup>th</sup> February 1910, in regard to those roads within the Land Board District of Orange. The papers, Rds 09 724 are returned herewith.

There is no apparent objection to handing the control of the subject roads to the Shire Council as desired.

I am of opinion that where the roads are undefined by survey, passing through Reserves or other Crown Land, a width of 150 links should be preserved to meet the requirements of traffic.

William M. Thomas  
Acting District Surveyor,  
16<sup>th</sup> August 1910.

J. W. Paton  
20/8/10

The District Surveyor,  
Goallburn.

In view of the District Surveyors' reports, it is recommended that approval be given to the control of the roads shown by red bands on



Rds 09. 724 N-217  
6

APPENDIX B -  
Sheet 2

Control of roads by "Crookwell" Shire Council  
Section 8 Subsection 3 paragraph 2 Local Govern-  
ment (Amending) Act 1908.  
Authority is also required to withdraw from  
lease any areas necessary to provide roads  
one chain wide in each case.

C. J. Iester  
Roads Branch  
14-7-10

For approval

A. H. Aue  
For the Under Secretary.  
15-7-10

APPROVED

J. H.

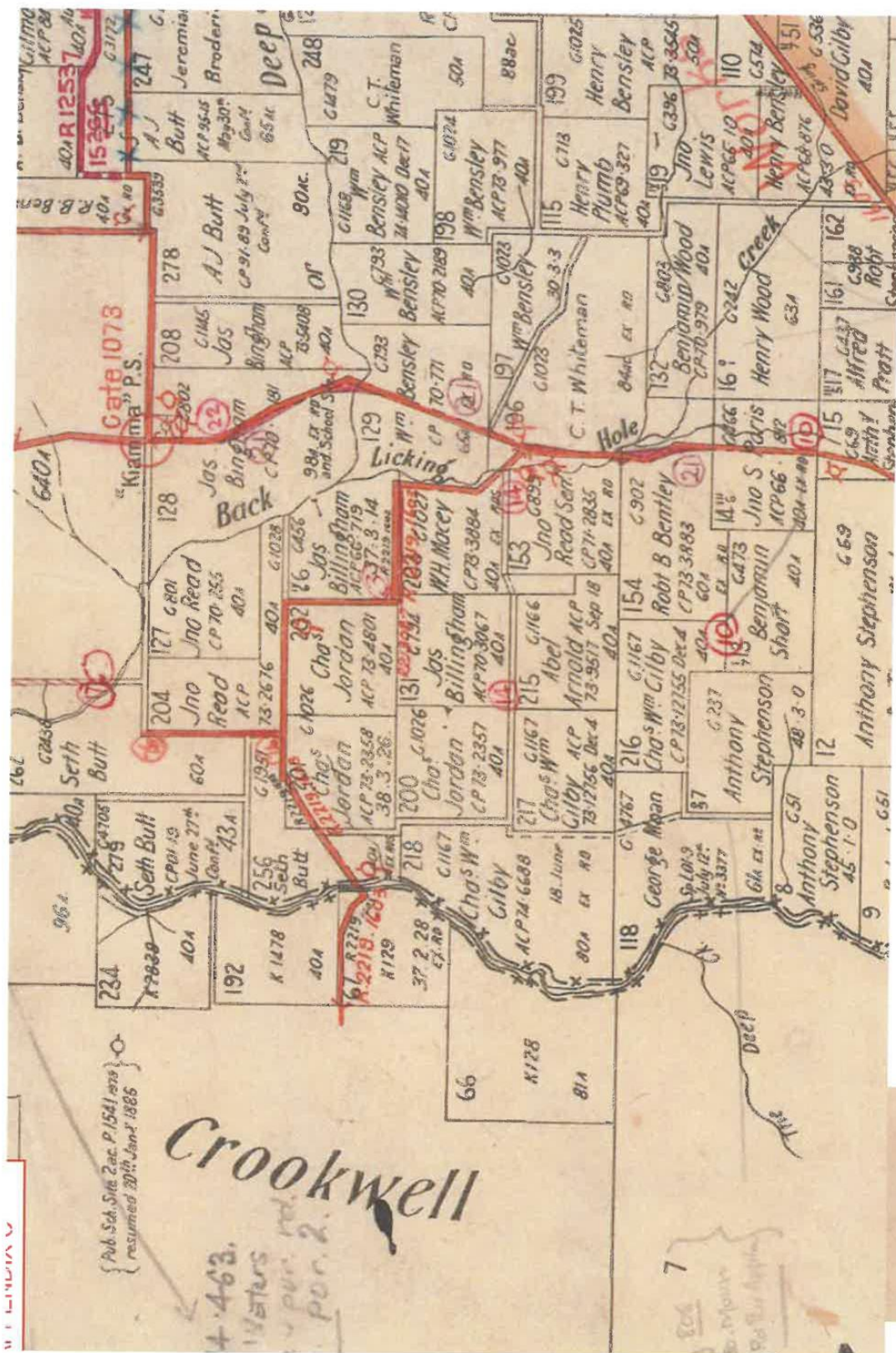
MINISTER FOR LANDS  
SEP 16 1910

See 10210  
re Queen St. Bonds  
("Public Road" (main R

In letter please  
to Mr. Iester

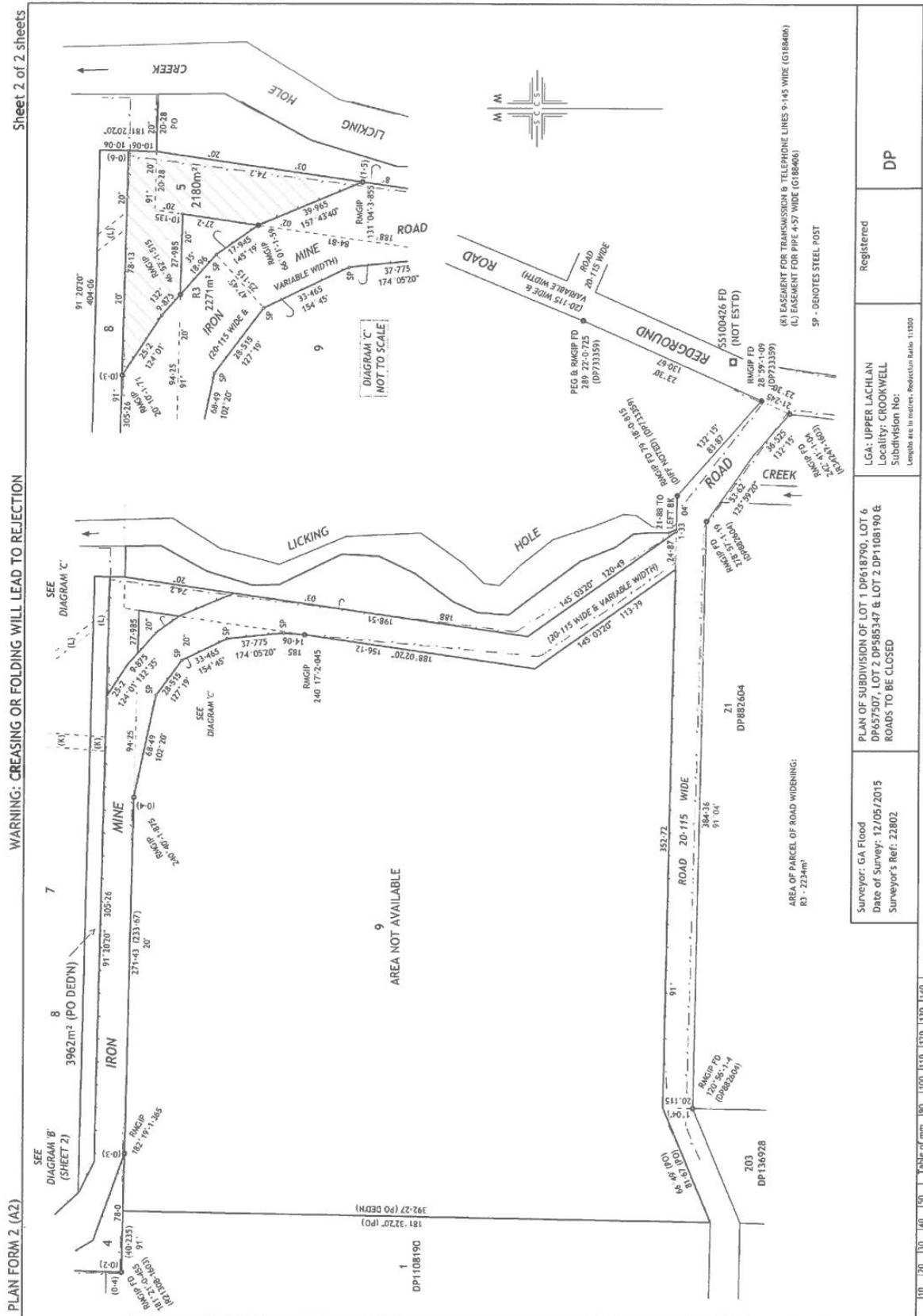
Public Roads noted on Office  
and Reference Maps, and  
Lithograph prepared for Shire  
E. J. B. 1742 Bwd  
9.2.11

Have to be careful  
to draft them  
in compliance









# Robert J McCarthy & Co.

Solicitors & Tax Agents

Tim McCarthy B Com LLB

Andrew Gadd Dip Law, BEc (Hons).

88-90 Goulburn Street, Crookwell

PO Box 6 Crookwell NSW 2583

ABN: 21 170 609 404

Telephone : (02) 48321055

Fax : (02) 48322194

Email: [mail@rjmac.com.au](mailto:mail@rjmac.com.au)

Our Ref: TM:EH:10654

Your Ref: F13/252-06 & SC25/2015

20 May 2016

General Manager  
Upper Lachlan Shire Council  
PO Box 42  
GUNNING NSW 2581

Attention: Phil Newham

Dear Phil

**RE: Your Purchase from Christopher Aaron Tetley, Glen Arthur McDonald and Amanda Jane Kadwell**

**Property: Iron Mine RD, Crookwell**

We refer to your letter of the 4<sup>th</sup> May, 2016 concerning the above matter and thank you for your instructions herein.

We note that compensation has been paid to all 3 landowners (Amanda Kadwell, Christopher Tetley and Glen McDonald) and no further compensation will be payable to the landowners if there should be a discrepancy between the initial area estimated by Council and the area as subsequently determined by survey.

It is also noted that the disused sections of road shown as Lots 1 to 5 inclusive on the Plan will be offered in compensation to Glen McDonald and Amanda Kadwell. Lot 4 will be offered to Glen McDonald and Lots 1, 2, 3 and 5 to Amanda Kadwell. The closure of these roads will be subject to a separate Road Closure Application which can be processed either concurrently with the registration of the Plan of Subdivision or after such Plan has been registered.

In due course, we will forward further correspondence to Council in connection with the Road Closure Procedures.

We note that as there are 3 landowners affected by the Road Closure proposals, and there may be a period of time to have all Consents obtained from the respective landowners, we will defer the obtaining of Plan Registration Fees from Council until the Consents are to hand. It is noted that the land owned by Glen Arthur McDonald is subject to a mortgage to the Rural Bank and there may be delays in obtaining the Consent to the registration of the Plan of Subdivision.

We will keep you informed as to the progress herein.

Yours faithfully

**ROBERT J MCCARTHY & CO**

Tim McCarthy

50301

Liability limited by a scheme approved under Professional Standards Legislation

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## Infrastructure Department - 20 June 2019

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**ITEM 12.3**                      **Recommendation to place the request of suggested name for Footbridge in Pat Cullen Reserve - Kiamma Creek on public exhibition**

**FILE REFERENCE**    **I19/308**

**AUTHOR**                      **Manager Assets and Design**

### **ISSUE**

This report recommends Council to place the suggested bridge name on public exhibition for the community consultation for the possible naming of the footbridge over Kiamma Creek in Pat Cullen Reserve, Crookwell.

### **RECOMMENDATION**        That -

1. Council endorse the public exhibition for the newly constructed footbridge over Kiamma Creek in Pat Cullen Reserve to be named as Dame Mary Gilmore Bridge.
2. If no public submissions are received Council proceed with the installation of the associated signage with the proposed name at the bridge approaches.

---

### **BACKGROUND**

The new footbridge is located over Kiamma Creek within Pat Cullen Reserve. The old timber footbridge was replaced by a new steel-concrete bridge and currently at final construction stage. The pedestrian footbridge is used by local school students and residents as well as visitors coming to Crookwell.

As part of the footbridge replacement work, Council provided permanent and solar-lit waterside walkway. This recreational pathway will comply with DDA and provide access to ambulant aged care residents in the nearby independent housing and Crookwell Taralga Aged Care facility. Providing the opportunity for community members to gather together, exercise and enjoy the natural ecosystem of Kiamma Creek will help to build a stronger community.

### **REPORT**

Council received a request from Upper Lachlan Dame Mary Gilmore Society on 15 May 2019, with a suggestion to name the newly constructed footbridge in Pat Cullen Reserve as "Dame Mary Gilmore Bridge", request letter is an attachment to this report. The suggested name would be in recognition of the Shire's most famous daughter's childhood origins.

In the absence of alternative, it is wise to place this name for public consideration and community consultation. It is recommended that Council place the suggested name on public display for 28 days to obtain local community feedback on this suggested name or other names that may raise.

***Infrastructure Department***

**RECOMMENDATION TO PLACE THE REQUEST OF SUGGESTED NAME FOR FOOTBRIDGE IN PAT CULLEN RESERVE - KIAMMA CREEK ON PUBLIC EXHIBITION** cont'd

**POLICY IMPACT**

It is recommended that Council ensure road names conform to the road naming principles outlined in NSW Addressing User Manual. The suggested name shall comply with Council's Street and Road Naming Policy (Resolution Number 77/19, adopted version 18 April 2019).

**OPTIONS**

Council may wish to recommend approval, refusal or suggest other names for the replaced new footbridge.


**FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION** That -

1. Council endorse the public exhibition for the newly constructed footbridge over Kiamma Creek in Pat Cullen Reserve to be named as Dame Mary Gilmore Bridge.
2. If no public submissions are received Council proceed with the installation of the associated signage with the proposed name at the bridge approaches.

**ATTACHMENTS**

1. <a href="#"></a>	Dame Mary Gilmore Society - Customer Service Request - Name Request for Kiamma Creek Pat Cullen Reserve Footbridge	Attachment
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Upper Lachlan Dame Mary Gilmore Society

PO Box 163

CROOKWELL NSW 2583

15<sup>th</sup> May 2019

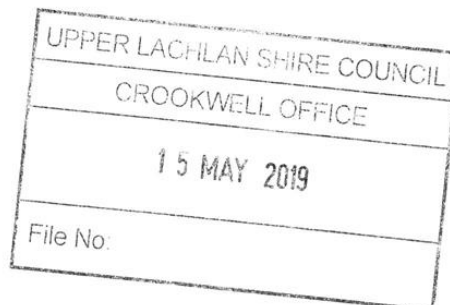
General Manager

Upper Lachlan Shire Council

Spring Street

CROOKWELL NSW 2583

For Attention of the Council



Dear Andrew,

Upper Lachlan Dame Mary Gilmore Society members suggest to Council that the impressive new footbridge across Kiamma Creek in the Pat Cullen Reserve, be named the Dame Mary Gilmore Bridge. Appropriate signage near the bridge would be in recognition of undoubtedly, our Shire's most famous daughter's childhood origins. The signage will have educational value for both locals and visitors to the Reserve.

Dame Mary received her Damehood for both her work on many social issues and her literary contributions. We feel this naming of the bridge would be a fitting tribute to a nationally recognised outstanding individual.

Thank you for your consideration and we eagerly await your decision.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Trevene Mattox'.

Trevene Mattox

President

A handwritten signature in black ink, appearing to read 'Elaine Delaney'.

Elaine Delaney

Secretary



## **13      FINANCE AND ADMINISTRATION**

The following item is submitted for consideration -

13.1	Integrated Planning and Reporting - Adoption of 2019/2020 Council Plans	166
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## Finance and Administration - 20 June 2019

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**ITEM 13.1**                      **Integrated Planning and Reporting - Adoption of 2019/2020 Council Plans**

**FILE REFERENCE**    **I19/314**

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

### **ISSUE**

Adoption of Upper Lachlan Shire Council's 2019/2020 Strategic Plans, Revenue Policy and making of rates and charges in accordance with the *Local Government Act 1993* and the integrated planning and reporting legislation.

### **RECOMMENDATION**      That -

1. Council, in accordance with Sections 8A-8C and Sections 403-406, of the Local Government Act 1993 and requirements of the Local Government Amendment (Governance and Planning) Act 2016 resolve to adopt the following Strategic Plans:-
  1. Operational Plan 2019/2020;
  2. Delivery Program 2019/2020 – 2022/2023;
  3. Long Term Financial Plan 2019-2028;
  4. Infrastructure Plan 2019-2028; and
  5. Workforce Plan 2019/2020 – 2022/2023.
2. Council approves expenditure and votes money according to the integrated financial budget contained within Council's 2019/2020 Operational Plan.
3. Council make the Revenue Policy, including Fees and Charges, and operational and capital budget as outlined in the 2019/2020 Operational Plan. The net consolidated operating result is a budget surplus, before capital grants and contributions, totalling \$698,588.
4. Council in accordance with Section 506, of the Local Government Act 1993, and the Office of Local Government advice, and in accordance with the Independent Pricing and Regulatory Tribunal of NSW determination, hereby adopt a 2.70% permissible Ordinary (General) Rates Increase for 2019/2020.
5. Council in accordance with Section 566 (3), of the Local Government Act 1993, hereby resolves that the Interest Rate to apply for 2019/2020 to all overdue Rates and Charges be calculated at the maximum permissible Interest Rate of 7.50%, calculated on a daily basis, as determined by the Office of Local Government.
6. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0030930 for Farmland Rating Category inclusive of a Base Amount of \$370.00 per Assessment being 20% of the total amount payable for land categorised as Farmland, for the year 2019/2020.

7. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0038132 for the Residential Rating Category inclusive of a Base Amount of \$240.00 per Assessment being 41% of the total amount payable for land categorised as Residential, for the year 2019/2020.
8. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0034000 for the Residential – Non Urban Rating Category inclusive of a Base Amount of \$240.00 per Assessment being 34% of the total amount payable for land categorised as Residential – Non Urban, for the year 2019/2020.
9. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0098728 for the Business – Crookwell Rating Category inclusive of a Base Amount of \$240.00 per Assessment being 26% of the total amount payable for land categorised as Business - Crookwell, for the year 2019/2020.
10. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0068500 for the Business – Gunning Rating Category inclusive of the Base Amount of \$240.00 per Assessment being 35% of the total amount payable for land categorised as Business – Gunning for the year 2019/2020.
11. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0068500 for the Business – Taralga Rating Category inclusive of the Base Amount of \$240.00 per Assessment being 35% of the total amount payable for land categorised as Business – Taralga for the year 2019/2020.
12. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0276730 for the Business – General Rating Category inclusive of the Base Amount of \$240.00 per Assessment being 7% of the total amount payable for land categorised as Business – General for the year 2019/2020.
13. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0089690 for the Mining Rating Category inclusive of the Base Amount of \$240.00 per Assessment being 12% of the total amount payable for land categorised as Mining for the year 2019/2020.
14. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Water Supply Annual Charge subject to a Water Access Fee of \$447.00 and a Water Availability Charge of \$447.00, for the year 2019/2020.
15. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Water Supply Annual Charge subject to a Water Access Fee of \$447.00 and a Water Availability Charge of \$447.00, for the year 2019/2020.

16. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Dalton Water Supply Annual Charge subject to a Water Access Fee of \$447.00 and a Water Availability Charge of \$447.00, for the year 2019/2020.
17. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Water Supply Annual Charge subject to a Water Access Fee of \$447.00 and a Water Availability Charge of \$447.00, for the year 2019/2020.
18. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewerage Supply Access Charge of \$803.00 per Assessment categorised as Residential Occupied and an Access Charge of \$527.00 for Residential Unoccupied, for the year 2019/2020.
19. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$803.00, a Sewerage Discharge Factor of 0.77 and a Usage Charge of \$3.10, for the year 2019/2020.
20. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$803.00, a Sewerage Discharge Factor of 0.50 and a Usage Charge \$3.10, for the year 2019/2020.
21. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$803.00, a Sewerage Discharge Factor of 0.60 and a Usage Charge of \$3.10, for the year 2019/2020.
22. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewerage Supply Access Charge of \$803.00 per Assessment categorised as Residential Occupied and an Access Charge of \$527.00 for Residential Unoccupied, for the year 2019/2020.
23. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$803.00, a Sewerage Discharge Factor of 0.60 and a Usage Charge of \$3.10, for the year 2019/2020.
24. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$803.00, a Sewerage Discharge Factor of 0.77 and a Usage Charge of \$3.10, for the year 2019/2020.
25. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Crookwell Sewerage Supply Best Practice Pricing

Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$803.00, a Sewerage Discharge Factor of 0.50 and a Usage Charge of \$3.10, for the year 2019/2020.

26. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewerage Supply Access Charge of \$803.00 per Assessment categorised as Residential Occupied and an Access Charge of \$527.00 for Residential Unoccupied, for the year 2019/2020.
27. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$803.00, a Sewerage Discharge Factor of 0.77 and a Usage Charge of \$3.10, for the year 2019/2020.
28. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$803.00, a Sewerage Discharge Factor of 0.60 and a Usage Charge of \$3.10, for the year 2019/2020.
29. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Taralga Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$803.00, a Sewerage Discharge Factor of 0.50 and a Usage Charge of \$3.10, for the year 2019/2020.
30. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Service Charge of \$466.00 per service for the year 2019/2020.
31. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Availability Charge of \$183.00 per Rateable Assessment. This annual charge is for each vacant property that is categorised as Residential and is in the pickup service area, for the year 2019/2020.
32. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 501, Council make a Commercial Waste Service Charge of \$552.00 per service for each rateable Assessment categorised as Business – Gunning, Business – Taralga and Business – Crookwell, for the year 2019/2020.
33. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Commercial Waste Availability Charge of \$183.00 per Assessment for Rateable Assessments categorised as Business – Gunning, Business – Taralga and Business – Crookwell, for the year 2019/2020.
34. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Rural Waste Annual Charge of \$201.30 per Rateable Assessment categorised as Farmland, Residential – Non Urban, and Residential, for properties that do not have a Domestic Waste Management Charge and do

not have a Domestic Waste Management Availability Charge for the year 2019/2020.

35. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning and Collector of \$25.00 per Rateable Assessment categorised as Residential, for the year 2019/2020.
36. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning, and Collector of \$50.00 per Rateable Assessment categorised as Business – Gunning, Business – Taralga, and Business – Crookwell, for the year 2019/2020.
37. Under the Local Government Act 1993, pursuant to Section 502, Council make a Water Supply User Pay Consumption Charge for the towns of Taralga, Crookwell, Gunning and Dalton. The charge Tariff 1 - \$3.10 per kilolitre consumed up to a maximum of 200 kilolitres and charge for Tariff 2 - \$4.11 per kilolitre consumed above 200 kilolitres, for the year 2019/2020.

## **BACKGROUND**

In adopting the strategic plans Council give consideration to public submissions received from the community following the period of public exhibition.

Note: The Tablelands Regional Community Strategic Plan 2016-2036 has been adopted by Upper Lachlan Shire Council in accordance with Section 402, of the Local Government Act 1993, and came into effect on 1 July 2017.

## **REPORT**

In accordance with NSW Government's Integrated Planning and Reporting requirements, provisions in Section 403 to 406, of the Local Government Act 1993, Council has prepared the 2019/2020 suite of strategic plans.

The following Plans have been prepared and were placed on public exhibition in accordance with the requirements of the Local Government Act 1993 (as amended):-

1. **Resource Strategy** in accordance with Section 403, of the Local Government Act 1993, contains the following:-
  - Long Term Financial Plan 2019-2028;
  - Infrastructure Plan 2019-2028; and
  - Workforce Plan 2019/2020 – 2022/2023.
2. **Delivery Program 2019/2020 – 2022/2023** (four year program and budget) – Section 404, of the Local Government Act 1993; and
3. **Operational Plan 2019/2020** (one year plan and budget contains the Fees and Charges and Revenue Policy) – Section 405, of the Local Government Act 1993.

## ***Finance and Administration***

### **INTEGRATED PLANNING AND REPORTING - ADOPTION OF 2019/2020 COUNCIL PLANS cont'd**

The Integrated Plans were placed on public exhibition for a five week period. There were public notices in the Crookwell Gazette and Goulburn Post newspapers, media releases in The Voice, Gunning Lions Club and Taralga newsletters and were available at three Shire offices, two libraries and available on Council's website.

#### **Community Outreach Meetings**

Council facilitated Community Outreach Meetings and there were 70 people who participated at those meetings. Notes and questions from these meetings were minuted and operational matters handled directly by senior management.

<b>Locality</b>	<b>Meeting Date</b>	<b>Meeting Venue</b>	<b>Attendance</b>
Taralga	1 May 2019	Taralga Masonic Hall	13
Gunning	8 May 2019	Gunning Council Chambers	13
Crookwell	15 May 2019	Crookwell Council Chambers	17
Collector	22 May 2019	Collector Memorial Hall	27

#### **Public Submissions**

There is zero public submissions received with respect to Council's integrated strategic plans. Council has already considered 152 pre-plan budget submissions lodged prior to advertising the draft strategic plans at the Councillor Budget Workshop held on 27 March 2019.

#### **Changes made to draft Operational Plan 2019/2020**

Amendments made to the advertised draft strategic plans since the public exhibition period concluded on 28 May 2019 are included as follows:-

##### **Operating Income and Expenditure in 2019/2020**

1. Debt servicing costs (interest on borrowings) reduced by \$15,600;
2. Roads to Recovery operating grant increased by \$240,609.

##### **Capital Income and Expenditure in 2019/2020**

1. Roads to Recovery (unsealed local roads gravel re-sheeting program) capital expenditure increased by \$240,609 (funded by increase in operating grant);
2. Stonequarry Cemetery Columbarium - \$10,000 increase in capital expenditure (funded by s94 income);
3. Bridges Renewal Program (Crookwell River and Diamond Creek) capital grants increased by \$854,860 offset by reduction of \$854,860 in borrowings.
4. In Delivery Program; the streetscape program is expanded as capital expenditure of \$150,000 for each year in the 4 year period.

**2019/2020 Operational Plan Summary**

The Operational Plan outlines the key performance indicators, principal activities and major capital works projects. An outline of the Revenue Policy is as follows:-

- General (Ordinary) Rates will increase by 2.70%, however the dollar value increases will vary within each individual rating category;
- Water Supply Access Charge and Water Availability Charge will increase by 5% or \$21 per service;
- Water usage (consumption) charge will increase by 5%, dollar value increases will vary for each individual service dependent upon water consumption;
- Sewerage Best Practice Pricing Access Charges will increase by 5% or \$39 per service;
- Domestic Waste Management Annual Charge will increase by 5% or \$22 per service;
- Commercial Waste Annual Charge will increase by 5%, or \$27 per service; and
- Rural Waste Annual Charge and Domestic Waste Management Availability Charge will increase by 5%, or \$9.90 and \$9.00 per Assessment respectively.
- Stormwater Annual Charges will have a zero increase.

**POLICY IMPACT**

Nil

**OPTIONS**

Nil

**FINANCIAL IMPACT OF RECOMMENDATIONS**

The 2019/2020 Operational Plan projects a consolidated net operating result budget surplus, before capital grants and contributions, totalling \$698,588. There is a total consolidated cash flow surplus projected of \$334,009.

**RECOMMENDATION** That -

1. Council, in accordance with Sections 8A-8C and Sections 403-406, of the Local Government Act 1993 and requirements of the Local Government Amendment (Governance and Planning) Act 2016 resolve to adopt the following Strategic Plans:-
  1. Operational Plan 2019/2020;
  2. Delivery Program 2019/2020 – 2022/2023;
  3. Long Term Financial Plan 2019-2028;
  4. Infrastructure Plan 2019-2028; and
  5. Workforce Plan 2019/2020 – 2022/2023.



2. Council approves expenditure and votes money according to the integrated financial budget contained within Council's 2019/2020 Operational Plan.
3. Council make the Revenue Policy, including Fees and Charges, and operational and capital budget as outlined in the 2019/2020 Operational Plan. The net consolidated operating result is a budget surplus, before capital grants and contributions, totalling \$698,588.
4. Council in accordance with Section 506, of the Local Government Act 1993, and the Office of Local Government advice, and in accordance with the Independent Pricing and Regulatory Tribunal of NSW determination, hereby adopt a 2.70% permissible Ordinary (General) Rates Increase for 2019/2020.
5. Council in accordance with Section 566 (3), of the Local Government Act 1993, hereby resolves that the Interest Rate to apply for 2019/2020 to all overdue Rates and Charges be calculated at the maximum permissible Interest Rate of 7.50%, calculated on a daily basis, as determined by the Office of Local Government.
6. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0030930 for Farmland Rating Category inclusive of a Base Amount of \$370.00 per Assessment being 20% of the total amount payable for land categorised as Farmland, for the year 2019/2020.
7. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0038132 for the Residential Rating Category inclusive of a Base Amount of \$240.00 per Assessment being 41% of the total amount payable for land categorised as Residential, for the year 2019/2020.
8. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0034000 for the Residential – Non Urban Rating Category inclusive of a Base Amount of \$240.00 per Assessment being 34% of the total amount payable for land categorised as Residential – Non Urban, for the year 2019/2020.
9. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0098728 for the Business – Crookwell Rating Category inclusive of a Base Amount of \$240.00 per Assessment being 26% of the total amount payable for land categorised as Business - Crookwell, for the year 2019/2020.
10. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0068500 for the Business – Gunning Rating Category inclusive of the Base Amount of \$240.00 per Assessment being 35% of the total amount payable for land categorised as Business – Gunning for the year 2019/2020.
11. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0068500 for the Business – Taralga Rating Category inclusive of the Base Amount of \$240.00 per

Assessment being 35% of the total amount payable for land categorised as Business – Taralga for the year 2019/2020.

12. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0276730 for the Business – General Rating Category inclusive of the Base Amount of \$240.00 per Assessment being 7% of the total amount payable for land categorised as Business – General for the year 2019/2020.
13. Under the Local Government Act 1993, pursuant to Sections 535, 537 and 543 (1), Council make a general ordinary rate Ad-Valorem of 0.0089690 for the Mining Rating Category inclusive of the Base Amount of \$240.00 per Assessment being 12% of the total amount payable for land categorised as Mining for the year 2019/2020.
14. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Water Supply Annual Charge subject to a Water Access Fee of \$447.00 and a Water Availability Charge of \$447.00, for the year 2019/2020.
15. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Water Supply Annual Charge subject to a Water Access Fee of \$447.00 and a Water Availability Charge of \$447.00, for the year 2019/2020.
16. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Dalton Water Supply Annual Charge subject to a Water Access Fee of \$447.00 and a Water Availability Charge of \$447.00, for the year 2019/2020.
17. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Water Supply Annual Charge subject to a Water Access Fee of \$447.00 and a Water Availability Charge of \$447.00, for the year 2019/2020.
18. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewerage Supply Access Charge of \$803.00 per Assessment categorised as Residential Occupied and an Access Charge of \$527.00 for Residential Unoccupied, for the year 2019/2020.
19. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$803.00, a Sewerage Discharge Factor of 0.77 and a Usage Charge of \$3.10, for the year 2019/2020.
20. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$803.00, a Sewerage Discharge Factor of 0.50 and a Usage Charge \$3.10, for the year 2019/2020.

21. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Gunning Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$803.00, a Sewerage Discharge Factor of 0.60 and a Usage Charge of \$3.10, for the year 2019/2020.
22. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewerage Supply Access Charge of \$803.00 per Assessment categorised as Residential Occupied and an Access Charge of \$527.00 for Residential Unoccupied, for the year 2019/2020.
23. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$803.00, a Sewerage Discharge Factor of 0.60 and a Usage Charge of \$3.10, for the year 2019/2020.
24. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Crookwell Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$803.00, a Sewerage Discharge Factor of 0.77 and a Usage Charge of \$3.10, for the year 2019/2020.
25. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Crookwell Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$803.00, a Sewerage Discharge Factor of 0.50 and a Usage Charge of \$3.10, for the year 2019/2020.
26. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewerage Supply Access Charge of \$803.00 per Assessment categorised as Residential Occupied and an Access Charge of \$527.00 for Residential Unoccupied, for the year 2019/2020.
27. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Non-Residential and Business of \$803.00, a Sewerage Discharge Factor of 0.77 and a Usage Charge of \$3.10, for the year 2019/2020.
28. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1), 501 and 552, Council make a Taralga Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Commercial of \$803.00, a Sewerage Discharge Factor of 0.60 and a Usage Charge of \$3.10, for the year 2019/2020.
29. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), 501 and 552, Council make a Taralga Sewerage Supply Best Practice Pricing Access Charge per Assessment categorised as Churches / Schools / Hospitals / Nursing Homes and Parks of \$803.00, a Sewerage Discharge Factor of 0.50 and a Usage Charge of \$3.10, for the year 2019/2020.

## ***Finance and Administration***

### **INTEGRATED PLANNING AND REPORTING - ADOPTION OF 2019/2020 COUNCIL PLANS** cont'd

30. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Service Charge of \$466.00 per service for the year 2019/2020.
31. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496, Council make a shire wide Domestic Waste Management Availability Charge of \$183.00 per Rateable Assessment. This annual charge is for each vacant property that is categorised as Residential and is in the pickup service area, for the year 2019/2020.
32. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 501, Council make a Commercial Waste Service Charge of \$552.00 per service for each rateable Assessment categorised as Business – Gunning, Business – Taralga and Business – Crookwell, for the year 2019/2020.
33. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Commercial Waste Availability Charge of \$183.00 per Assessment for Rateable Assessments categorised as Business – Gunning, Business – Taralga and Business – Crookwell, for the year 2019/2020.
34. Under the Local Government Act 1993, pursuant to Sections 535, 543 (1) and 501, Council make a Rural Waste Annual Charge of \$201.30 per Rateable Assessment categorised as Farmland, Residential – Non Urban, and Residential, for properties that do not have a Domestic Waste Management Charge and do not have a Domestic Waste Management Availability Charge for the year 2019/2020.
35. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning and Collector of \$25.00 per Rateable Assessment categorised as Residential, for the year 2019/2020.
36. Under the Local Government Act 1993, pursuant to Sections, 535, 543 (1), and 496A, Council make a Stormwater Management Annual Charge for the towns of Taralga, Crookwell, Gunning, and Collector of \$50.00 per Rateable Assessment categorised as Business – Gunning, Business – Taralga, and Business – Crookwell, for the year 2019/2020.
37. Under the Local Government Act 1993, pursuant to Section 502, Council make a Water Supply User Pay Consumption Charge for the towns of Taralga, Crookwell, Gunning and Dalton. The charge Tariff 1 - \$3.10 per kilolitre consumed up to a maximum of 200 kilolitres and charge for Tariff 2 - \$4.11 per kilolitre consumed above 200 kilolitres, for the year 2019/2020.

### **ATTACHMENTS**

1. ➡	Operational Plan 2019-2020	Appendix
2. ➡	Long Term Financial Plan 2019-2028	Appendix
3. ➡	Workforce Plan 2019-2020 - 2022-2023	Appendix
4. ➡	Delivery Program 2019-2020 - 2022-2023	Appendix
5. ➡	Infrastructure Plan 2019-2028	Appendix

## **14        GENERAL MANAGER**

The following items are submitted for consideration -

14.1	Work, Health and Safety Committee Meeting Minutes	178
14.2	Extraordinary Consultative Committee Meeting Minutes	215

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## General Manager - 20 June 2019

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**ITEM 14.1**                      **Work, Health and Safety Committee Meeting Minutes**

**FILE REFERENCE**    **I19/344**

**AUTHOR**                      **Acting General Manager**

### **ISSUE**

Providing the minutes from the Work, Health and Safety Committee (WH&S) Committee Meeting held on 3 June 2019.

**RECOMMENDATION**      That -

1. Council receives and notes the Work, Health and Safety Committee Meeting Minutes.
2. Council adopts the Return to Work Plan as attached and advises StateCover Mutual Limited.

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### **BACKGROUND**

Nil

### **REPORT**

The minutes from the WH&S Committee Meeting that was held on 3 June 2019 are attached including any recommendations that have been put forward by the Committee, to Council, for adoption.

### **POLICY IMPACT**

Nil

### **OPTIONS**

Nil

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That -

1. Council receives and notes the Work, Health and Safety Committee Meeting Minutes.
2. Council adopts the Return to Work Plan as attached and advises StateCover Mutual Limited.

### **ATTACHMENTS**

1. <a href="#">Download</a>	Work Health and Safety Committee - 3 June 2019 - Minutes - Attachments	Attachment
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**PRESENT:** Mr M Wilson (Chairperson), Mr P Cramp (Deputy Chair), Mrs S Hassett, Mr S Roberts, Mr B Churchill, Mr A Croke (Acting General Manager), Mr K Kara, Ms E McGeechan, Mr S Bill, Mrs K Anderson and Miss N Corcoran.

**NON-VOTING:** Miss E Harris (Administration Officer) Minute Secretary.

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**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 9:00AM**

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

An apology was received from Mr S Poidevin, Mr J Croke and Mr M Shah.

**RESOLVED** by Mr Roberts and Mr Cramp that the apology be received and a leave of absence be granted.

- CARRIED

**SECTION 2: DECLARATIONS OF INTEREST**

Nil

**SECTION 3: CONFIRMATION OF MINUTES**

**ITEM 3.1** **RESOLVED** by Mr Bill and Mr Roberts

That the minutes of the Work Health and Safety Committee Meeting held on 1 April 2019 be adopted.

- CARRIED

**SECTION 4: REPORTS****ITEM 4.1 UPDATE ON INCIDENT REPORTS**

**RESOLVED** by Mr Churchill and Ms McGeechan

1. The WH&S and Environment Officer monitors the incident investigation progress and provides appropriate reports to management;
2. Committee members discuss and review current work practices within their work group(s) to ensure that reasonable, practicable controls are in place to prevent or minimise the risk of these incidents from re-occurring;
3. All incidents to remain open until controls have been put in place.

- CARRIED

**ITEM 4.2 CORRESPONDANCE**

**RESOLVED** by Mr Churchill and Mr Bill

1. The correspondence be received and noted;
2. The correspondence be disseminated to Council staff.

- CARRIED

**ITEM 4.3 WHS ISSUES RAISED**

**RESOLVED** by Mr Cramp and Mr Roberts

1. A further report in relation to the fitting of dash cams in fleet vehicles be provided to the Council senior management by the Plant Fleet Coordinator in conjunction with the WHS Coordinator;
2. A further report in relation to provision of prescription safety glasses be provided to Council senior management
3. The Committee reply to workers regarding action taken in response to their concerns and suggestions.

- CARRIED



**ITEM 4.4 WH&S WORKPLACE INSPECTION PROCEDURE**

**RESOLVED** by Ms McGeechan and Mrs Anderson

1. Committee endorse the procedure and forwarded it to management for adoption;
2. The WH&S and Environment Officer prepare the schedule of inspection after the approval from management.

- CARRIED

**ITEM 4.5 RETURN TO WORK PLAN**

**RESOLVED** by Mr Kara and Mr Cramp

1. The Work Health and Safety Committee recommend that Council adopt the Return to Work Plan attached at back of Minutes.

- CARRIED

**ITEM 4.6 ACTION LIST**

**RESOLVED** by Ms McGeechan and Mr Roberts

1. The Committee receive and note the report as information.
2. A further report to Council senior management from the WHS Coordinator in relation to after hours and remote communications.

- CARRIED

**SECTION 5: ITEMS FOR DISCUSSION**

- StateCover Mutual Ltd and WorkCover Report to be presented at the next WHS Meeting.
- If sign posted with mandatory signs, correct PPE must be worn on sites.
- Follow up on draft workshop risk assessment with Director of Infrastructure.

- Concern raised on lack of staff to Director of Infrastructure is being investigated with neighbouring councils relief water and sewer operators to cover periods of leave for existing Council staff.
- Raised concern about Council's onsite caravans without suitable reverse cycle air conditioning.
- Raised concern outdated electricity meter boxes and switchboards at various Council owned sites. Maintenance scheduled to be investigated.
- Incident Report and Investigation Form to be reviewed at future WHS Meeting.

**THE MEETING CLOSED AT 10:49am**

Minutes confirmed 5 AUGUST 2019

.....  
Chairperson



Prepared by: Upper Lachlan Shire Council  
Version: May 2019



Upper Lachlan Shire Council is committed to preventing work-related injury and illness by providing a safe and healthy working environment for all workers and meeting its moral and legislative obligations when an injury or illness occurs.

Upper Lachlan Shire Council takes an active approach to reducing risk and the potential of work-related injuries and illnesses. The workplace Return to Work Program supports the reporting, notification and investigation of incidents in line with work health and safety requirements so preventative actions can be implemented and safe procedures developed and maintained.

The Return to Work Program has been developed by Upper Lachlan Shire Council to assist all workers to understand the actions to be undertaken in the event of a work-related injury or illness. It describes the policies and procedures necessary to enable early intervention, effective injury management and to promote recovery at work.

Workers are made aware of the procedures comprising Council's Return to Work Program, and kept informed of their rights and responsibilities through:

- New staff inductions;
- Toolbox talks;
- Notice boards;
- Staff newsletters;
- Work health and safety committee meetings;
- Council website;
- Ongoing training and development; and
- Prominently displaying a summary of the Program at each place of work and/or through means of computer programs, smartphones and mobile devices.

This Program is a requirement under the *Workplace Injury Management and Workers Compensation Act 1998*. It has been developed to be consistent with StateCover Mutual Limited's Injury Management Program, and to meet the requirements of a Workplace Return to Work Program as detailed in SIRA's published, *Guidelines for workplace return to work programs*.

Development of this Program has been done in consultation with workers representing the different departments/areas of Council and the industrial unions representing Council workers (Appendix 1). The program has been endorsed by Senior Management and will be in effect for 3 years.

This Return to Work Program will be reviewed in June 2022.

Injury Management Consultant  
(IMC)

A facilitator who assists insurers, employers, workers and Nominated Treating Doctors in overcoming barriers to complex return to and recovery at work situations.

An Injury Management Consultant is a registered medical practitioner, approved by the State Insurance Regulatory Authority and experienced in occupational injury and workplace-based rehabilitation.

Injury Management Program

An insurer-developed strategy for managing all aspects of work related injuries and illnesses.

Injury Management Plan  
(IMP)

A coordinated and managed plan that integrates all aspects of an injured workers' recovery from a work-related injury including treatment, rehabilitation and retraining to achieve a timely, safe and durable return to work.

The Injury Management Plan is developed by StateCover for the injured worker in consultation with the injured worker, Return to Work Coordinator, Nominated Treating Doctor and any other involved parties.

Nominated Treating Doctor  
(NTD)

The medical practitioner nominated by the injured worker who is willing to participate in the worker's recovery from a work-related injury and for the purposes of the Injury Management Plan.

Notifiable incident

Arising out of the conduct of a business or undertaking at a workplace is defined by the *Work Health and Safety Act*, as the:

- Death of a person;
- Serious injury or illness; or
- Dangerous incident.

Pre-injury average weekly earnings (PIAWE)	The average weekly earnings for the 52 weeks prior to the injury (if the worker has been with the same employer) or the average weekly earnings for the period of employment (if the worker has been with the employer less than 12 months). This comprises ordinary earnings, overtime and shift allowances.
Return to Work Coordinator (RTWC)	<p>A key person involved in coordinating the return to and recovery at work for injured workers' and developing Recover at Work Plans in consultation with the injured worker, the worker's manager, Nominated Treating Doctor, StateCover and other key parties.</p> <p>A suitable Return to Work Coordinator must be appointed by Council.</p>
Return to Work Program	A summary of the system Council will use to manage workers with work related injuries or illnesses.
Recover at work	Means staying at work in some way following an injury, using work to build and improve the worker's capacity for work.
Recover at Work Plan (RAW Plan)	<p>A documented plan that details specific tasks to be performed by the injured worker as they recover at work.</p> <p>The Recover at Work Plan is developed by the Return to Work Coordinator for the injured worker in consultation, and in agreement with the worker and their manager and endorsed by the Nominated Treating Doctor.</p>
State Insurance Regulatory Authority (SIRA)	The New South Wales workers' compensation regulator.
StateCover Mutual Limited (StateCover)	Licensed specialised insurer providing workers' compensation insurance and work health and safety support to New South Wales local government.



### Suitable work

Work tasks the injured worker is suited to perform based on their certified capacity for work.

Terms often used interchangeably to describe suitable work include suitable duties, alternative duties, restricted duties, modified duties, light duties, reduced capacity, suitable employment, etc.

Suitable work may include modified or different work tasks, altered hours of work, work at a different site, retraining or a combination of these.

### Significant injury

A workplace injury that is likely to result in the worker being incapacitated for work for a continuous period of more than 7 days, whether or not any of those days are work days and whether or not the incapacity is total or partial or a combination of both.

### Workers Compensation Independent Review Office (WIRO)

Deals with enquiries about the workers' compensation system from injured workers and employers having difficulty navigating the system and provides injured workers with assistance in having their complaints resolved quickly and fairly.

### Work health and safety (WHS)

The provision of a safe and healthy work environment for all workers while they perform their work duties.

The focus is on the minimisation of harm and elimination of risks to prevent workplace incidents that may result in injury.

### Workplace Rehabilitation Provider

Offer specialised workplace and vocational rehabilitation services to assist injured workers to return to and recover at work.

Workplace rehabilitation providers are allied health care professionals, approved by the State Insurance Regulatory Authority to be able to provide rehabilitation services in New South Wales.



Work-related injury; or Workplace injury	A personal injury arising out of or in the course of employment where work with Upper Lachlan Shire Council was the main contributing factor to the injury, entitling the worker to workers' compensation benefits.
Work trial	Places an injured worker with an alternative employer for a short period of time, when the pre-injury employer is unable to provide suitable work.



Upper Lachlan Shire Council is committed to the minimisation of risk and elimination of harm in the workplace. It has an established work health and safety management system to provide a safe and healthy work environment for all workers and any other person that may be involved with or affected by works undertaken by Council.

Council is committed to injury prevention by:

- Developing and implementing health and safety standards and procedures that exceed the minimum legislative requirements;
- Adopting a risk management approach to ensure the health and safety of workers and to achieve compliance with all New South Wales work health and safety related legislation;
- Ensuring that plant, equipment and substances are safe and without risk to the health and safety of personnel;
- Investigating all incidents and implementing effective control measures to prevent recurrence;
- Communicating work health and safety requirements through instruction, training and supervision to improve workers' understanding of workplace hazards, including safe work practices and emergency procedures;
- Consulting with workers on work health and safety issues;
- Ensuring that workers comply with appropriate work health and safety standards, codes of conduct and workplace directions to ensure their own, and others health and safety at work; and
- Monitoring trends in incident notifications and injuries to continuously improve policies and procedures.

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Senior Management are committed to providing for the welfare of Council workers and ensuring they are supported through the injury management and recovery at work process if an injury occurs.

Senior Management are responsible for:

- The safety and wellbeing of workers by effectively managing workplace health and safety hazards and risks;
- The provision of adequate resources and training, e.g. staff, time, equipment, funds, etc. for workers to be able to undertake the requirements of their role safely;
- The development and promotion of the Return to Work Program supporting injured workers as they recover at work, and its review every 2 years;
- For displaying a summarised version of the Return to Work Program and SIRA's *If you get injured at work* poster prominently in each workplace;
- Appointing a Return to Work Coordinator with the relevant training, skills and experience to perform the role;
- Regularly monitoring and analysing the frequency of workplace incidents and injuries to improve systems of work; and
- Ensuring Upper Lachlan Shire Council comply with the legislative requirements for work health and safety and workers' compensation.

Managers are to promote and support recovery at work. They need to make sure workers are aware of the procedures, obligations and rights associated with recovering at work.

The workers' manager is responsible for:

- Ensuring work health and safety policies and procedures are in place to identify, assess and control hazards and risks in the workplace;
- Assisting workers to complete an Incident and Investigation Report and record the injury in the Register of Injuries before the end of the workday / shift in which the injury occurred;
- Conducting an incident investigation as soon as it is practical to do so;
- Ensuring injured workers are provided with the necessary first aid and/or medical treatment as soon as possible and without delay;

- Reporting all injuries immediately to the Return to Work Coordinator, to ensure legislative reporting requirements for workers' compensation are met and to enable injury management and recovery at work to commence;
- Accompanying injured workers to medical appointments with the Nominated Treating Doctor to discuss and offer of suitable employment;
- Facilitate safe access to the worksite for the Return to Work Coordinator and/or workplace rehabilitation provider to aid with identifying suitable employment and upgrades to capacity;
- Assisting the Return to Work Coordinator and/or workplace rehabilitation provider to identify and offer suitable work via the Recover at Work Plan;
- Ensuring injured workers' have a current Certificate of Capacity and Recover at Work Plan at all times;
- Monitoring the injured workers' adherence to, and progress with the Recover at Work Plan in conjunction with the Return to Work Coordinator and/or workplace rehabilitation provider;
- In consultation with StateCover, the worker and the Nominated Treating Doctor ensure the development of the injured worker's Injury Management Plan takes place, and ensure managers comply with their obligations under the Plan;
- Ensuring any provisions e.g. training, workplace modifications, agreed to as part of the injured workers' Recover at Work Plan and/or Injury Management Plan are adhered to;
- Providing all injury related and workers' compensation documentation to the Return to Work Coordinator within 24 hours of receipt, and maintain confidentiality of all information held at the workplace;
- Review any requests for personal leave by the injured worker in consultation with the Return to Work Coordinator, as there may be implications for recovery and entitlement to benefits; and
- Assisting Upper Lachlan Shire Council to comply with the legislative requirements for work health and safety and workers' compensation.

The Return to Work Coordinator is appointed by Council to assist and support workers with understanding the recovery at work procedures and providing suitable work. The Return to Work Coordinator is to provide ongoing positive communication to the injured worker and their support team. The Return to Work Coordinator must have the relevant training, skills and experience to perform the role.

Council's Return to Work Coordinator is:

Sandra Francis	Crookwell Office	P 48 301 000 F 48 322 066
Natalie Pye	Gunning Office	P 48 451 104 F 48 451 426

The responsibilities of the Return to Work Coordinator include:

- Notifying StateCover within 48 hours of a work-related incident or injury being reported to Upper Lachlan Shire Council;
- Making contact with the injured worker to provide information regarding Council's recovery at work procedures, their rights and obligations and associated workers' compensation benefits;
- Facilitate injured workers to receive the necessary first aid and/or medical treatment without delay;
- Obtaining the injured workers' signed information consent to be able to effectively communicate and liaise with the workers' Nominated Treating Doctor, treating providers and other involved parties to effectively facilitate recovery at work;
- Ensure workers are aware they can access communication assistance for interpretation of language, hearing/sight impairment or speech impairment/impediment;
- Providing PIAWE information to StateCover;
- Identifying suitable work in consultation with the injured worker and their manager in accordance with their capacity for work;
- Develop a Recover at Work Plan, to be agreed to by all parties and endorsed by the Nominated Treating Doctor;
- Monitor, review and upgrade the injured workers' progress with the Recover at Work Plan, in consultation with the injury worker, their manager / supervisor / team leader and Nominated Treating Doctor;
- Ensure all dealings with persons and documentation involved in an injured workers' recovery at work is handled in a respectful and confidential manner;
- Provide all documentation received e.g. Certificate of Capacity, reimbursements, claim forms to StateCover within 24 hours of receipt;
- Participate in the development of the injured workers' Injury Management Plan with StateCover, and ensure Council complies with their obligations under the Plan;



- Liaise with involved parties to monitor the injured workers' recovery from injury, coordinate services and ensure the needs of the workers are being met;
- Implement Upper Lachlan Shire Council's procedures to comply with the legislative reporting requirements of the workers' compensation and work health and safety legislation;
- Regularly monitor and review the frequency and type of incidents and injuries with the work health and safety committee and senior management;
- Ensure a summary of the Return to Work Program and SIRA's *If you get injured at work* poster are displayed in all Council work areas; and
- Review all policies and procedures associated with workers' compensation and recovery at work in accordance with legislative requirements and internal controls.

Council workers must take reasonable care at all times and comply with Upper Lachlan Shire Council's work health and safety policies and procedures so as to prevent work-related injuries to self and others. In this regard Council workers have responsibilities to:

- Cooperate with Council policies and procedures to enable it to meet its work health and safety and workers' compensation obligations;
- Participate in on-going training and professional development;
- Report all hazards, incidents and injuries immediately to the manager;
- Where an incident occurs, ensure an Incident and Investigation Report form is completed before the end of the workday / shift;
- Be familiar with Council's Return to Work Program, and its procedures;
- Cooperate with workplace changes designed to assist the recovery at work of fellow workers; and
- Be honest and truthful in the provision of information in respect of any workplace incident, injury or illness.

If a worker sustains a work-related injury or illness, the obligations and rights of the injured worker are to:

- Notify the manager immediately of a work-related incident, injury or illness;
- Seek first aid and/or medical treatment as needed and as soon as possible, after sustaining a work-related injury or illness. Refer to Council's First Aid Policy & Procedure on Council's Web-site.

- Complete an Incident and Investigation Report, with assistance if necessary, before the completion of the workday / shift in which the incident occurred, or as soon as practicable thereafter;
- Nominate a treating doctor who is willing to participate in the on-going management of the workers' injury and recovery at work for the purposes of the Injury Management Plan;
- Give consent for the Nominated Treating Doctor to provide information to the Return to Work Coordinator, StateCover and/or workplace rehabilitation provider;
- Request the Nominated Treating Doctor provide a Certificate of Capacity, and regularly review progress towards recovery with the Nominated Treating Doctor by providing up-to-date Certificates of Capacity, until cleared for pre-injury employment;
- Submit all documentation relating to the injury or illness to the Return to Work Coordinator within 24 hours of incurring the expense or receiving the document to enable proactive management and timely facilitation of services;
- Seek approval from StateCover for investigations, treatment and aids as referred or recommended by the Nominated Treating Doctor and/or other treatment provider(s);
- Schedule medical and treatment appointments outside of working hours, where ever possible;
- Undertake suitable work offered by Council, adhering to your capacity for work and Recover at Work Plan, reporting any difficulties performing suitable work to the Return to Work Coordinator and manager as soon as possible;
- Participate and cooperate in the development of the Recover at Work Plans and Injury Management Plans, and comply with the activities and obligations detailed in the Plans;
- Attend medical assessments as arranged and advised by StateCover;
- Be honest and truthful in the provision of all information about the incident, injury or and/or illness;
- Have access to communication assistance for literacy, hearing impairment, sight impairment or speech impairment/impediment;
- Ability to select a workplace rehabilitation provider, in discussion with the Return to Work Coordinator and with the consent of StateCover;
- Ability to change Nominated Treating Doctor in discussion with the Return to Work Coordinator, and with the consent of StateCover;
- Contact SIRA or WRO for advice about the workers' compensation process, or to seek assistance resolving disputes about claim decisions;
- Can seek advice from a union representative or legal practitioner at any time; and

- Involve a support person for assistance at any time. This will require the injured worker's written authority due to privacy and confidentiality.


If an injured worker unreasonably refuses to comply with an offer of suitable work or the obligations of their Injury Management Plan, it may be considered non-compliance under workers' compensation and jeopardise the workers' entitlement to weekly benefits.

The workers' compensation insurer for Upper Lachlan Shire Council is StateCover Mutual Limited. StateCover work closely with Council providing services, assistance and support in work health and safety and workers' compensation with the following responsibilities:

- Make StateCover's Injury Management Program available to Council;
- Make Council aware of their legislative obligations in relation to work health and safety, workers' compensation and recovery at work;
- Contact Council, the injured worker and Nominated Treating Doctor (if necessary) within 3 working days of being notified the worker has sustained a significant workplace injury;
- Make claims liability decisions based on all the available medical and factual information provided within legislated timeframes, advising the injured worker and Council of the decision in writing, including their compensation entitlements and how these may change over time;
- In consultation with Council, the worker and the Nominated Treating Doctor develop and manage the injured worker's Injury Management Plan, and make all parties aware of their obligations under the Plan;
- Inform the injured worker that their entitlement to weekly benefits may be suspended if they do not reasonably comply with their Injury Management Plan and what they must do to prevent suspension;
- Review medical referrals and treatment approvals made by the Nominated Treating Doctor and/or treatment providers under the provision of reasonably necessary;
- Reimburse incurred expenses and pay provider invoices within legislated time frames;
- Consult with key parties when considering referral to a workplace rehabilitation provider. Advise the injured worker they can select their rehabilitation provider;
- Ensure vocational assistance and/or retraining for the injured worker facilitates real opportunities for suitable employment, at Council or with an alternative employer; and



- Provide consistently sound advice to Council and injured workers to facilitate recovery at work.

	PO Box R1865	PO Box 42
	Royal Exchange NSW 1225	GUNNING NSW 2581
	P: (02) 8235 2800	P: (02) 48 301 000
	F: (02) 8004 8253	F: (02) 48 32 2066
	E: <a href="mailto:claims@statecover.net.au">claims@statecover.net.au</a>	E: <a href="mailto:sfrancis@upperlachlan.nsw.gov.au">sfrancis@upperlachlan.nsw.gov.au</a>

[www.statecover.com.au](http://www.statecover.com.au)



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The worker is to cease the task immediately and report the injury / symptoms to their manager as soon as possible, so injury management can be commenced.

The injured worker is to seek first aid and/or medical attention from a first aid officer, doctor, medical clinic or local hospital without delay. When consulting with a medical practitioner, the injured worker is to request a Certificate of Capacity detailing their capacity for work.

Council's Return to Work Coordinator will be in contact with the injured worker to brief them on the workers' compensation procedures and necessary documentation. This will include information about Council's ability to offer suitable work and support recovery at work, development of a Recover at Work Plan and for Council to obtain signed Information Consent (Appendix 2) from the injured worker.

With the injured workers' Certificate of Capacity, the Return to Work Coordinator will commence identifying suitable work options to establish the Recover at Work Plan.

An Incident and Investigation Report (WHS001) is to be completed by the worker, with the assistance of their manager if needed, before the end of the workday / shift in which the worker was injured. The Return to Work Coordinator is to be immediately notified by the workers' manager.

The injury will be recorded in Upper Lachlan Shire Council's Register of Injuries; File F12/81-05 PERSONNEL ( HUMAN RESOURCES ) - OCCUPATIONAL ( WORKPLACE ) HEALTH SAFETY ( WHS ) - Incident / Injury / Accident Reports – 2019.

The Return to Work Coordinator must notify StateCover within 48 hours of Council becoming aware that a work-related injury has occurred and a claim for workers' compensation may be made. Notification to StateCover usually involves the lodgement of the Incident and Investigation Report, Certificate of Capacity and can also include completed claim forms.

If the injury is a notifiable incident, in accordance with the WHS Act, then it must also be immediately reported to SafeWork NSW on 13 10 50 D2018/9112 Incident Report and Investigation Procedure.

Upon being notified of a work-related injury or illness StateCover will contact Upper Lachlan Shire Council's Return to Work Coordinator to assist with triage.

If it is considered possible that the worker will be incapacitated for work for more than 7 days, StateCover will contact the injured worker to discuss the circumstances of the injury or illness, treatment plan, injury management and recovery at work. StateCover may also contact the Nominated Treating Doctor, if they need further information about the workers' injury and to determine how best to support the worker's recovery.

If the injury is determined to be significant, StateCover will develop an Injury Management Plan for the injured worker in consultation with the injured worker, Return to Work Coordinator and Nominated Treating Doctor.

StateCover is responsible for determining liability for the workers' compensation claim based on the available factual and medical information. Usually StateCover will make a decision on provisional liability within 7 days of being notified of a work-related injury. The injured worker and Council will be advised in writing of the liability decision.

The Return to Work Coordinator will forward all documentation, invoices and receipts received from the injured worker, and in relation to the work-related injury to StateCover within 24 hours. StateCover will determine if the referrals for services, investigations and treatment are reasonably necessary for the work-related injury or illness and advise the injured workers and providers accordingly.

Payment of invoices and reimbursements will be processed by StateCover within 10 working days of receipt.

If a worker is absent from work as a result of the work-related injury or illness, and covered by a workers' compensation Certificate of Capacity, then the worker may be entitled to weekly compensation. This entitlement is calculated by Council in reference to the worker's pre-injury average weekly earnings (PIAWE).

The Return to Work Coordinator will provide StateCover with the worker's PIAWE at the time the injury is notified. StateCover will advise Council and the worker, in writing at the time of the liability decision, if the worker is entitled to weekly benefits and the rate at which the worker is to be paid by Council.

Council are to commence paying the worker at the rate advised by StateCover as soon as practicable which is usually as part of the workers normal pay cycle.

Recovery at work encompasses all activities designed to facilitate and promote a return to work, and to increase the workers' capacity for work as they recover. At Upper Lachlan Shire Council this can include:

- Offering suitable alternative work to workers so as to provide them with the opportunity to return to work following a workplace injury;
- Proposing suitable work for the Nominated Treating Doctor to consider when reviewing a workers' capacity for work;
- Proposing suitable work to enable workers to upgrade their capacity for work as they recover;
- Liaison between the Return to Work Coordinator, Nominated Treating Doctor, worker, worker's manager and StateCover to establish the Recover at Work Plan and Injury Management Plan;
- Encouraging and supporting the worker to participate in workplace rehabilitation; and
- Fostering good open communication between all parties to be able to identify and address any barriers to recovery at work, if and when they arise.

Suitable work means work for which the injured worker is currently suited, to support recovery after a work-related injury or illness.

Upper Lachlan Shire Council are committed to offering suitable employment to enable injured workers to recover at work. Suitable employment may be provided in various ways, being for example:

- Parts of the pre-injury role that can still be performed safely;
- The same role with different hours;
- Task modification;
- Workplace modification;
- Different duties in the same department/area;
- Different duties in a different department/area;
- Outdoor versus indoor or office work;
- Ability to work from an alternative location or at home;
- Special projects, as identified; and/or
- A combination of the above.

The Return to Work Coordinator in consultation with the injured worker, their manager and/or workplace rehabilitation provider will identify the availability of suitable work based on the:

- Worker's capacity for work;
- Demands and nature of the work tasks;
- Work tasks being the most direct path back to suitable employment;
- Availability of the tasks being reasonably practicable;
- Travel times and mode of transport to the workplace;
- Workloads of others in the work department/area; and
- Goal of ultimately returning injured workers to their pre-injury duties.

Council shall make all offers for suitable work to the injured worker in writing via the Recover at Work Plan. Council's offer of suitable work to injured workers is for a temporary period only, designed to facilitate recovery at work. The provision of suitable work does not constitute a permanent change in the conditions of the workers' employment.

If suitable work cannot be identified at Upper Lachlan Shire Council, then consideration may be given to a work trial to access suitable work with an alternative / host employer. This would be undertaken with the assistance of a workplace rehabilitation provider and in consultation with all involved parties.

The Recover at Work Plan is an individual plan for coordinating and managing the return to work of an injured worker undertaking suitable work.

The Recover at Work Plan is prepared by Council's Return to Work Coordinator or workplace rehabilitation provider, if involved. It is a written offer of suitable work by Council to the injured worker detailing the:

- Worker's pre-injury role;
- Goal for recovery at work;
- Medical restrictions as detailed on the Certificate of Capacity;
- Suitable work and tasks to be performed;
- Location of the workplace;
- Hours and days of work, including start and finish times;
- Supervision arrangements;
- Treatment times and medical appointments; and
- Date for review.

The Plan is developed in consultation with the injured worker, the worker's manager and any other involved parties. If a graded Recover at Work Plan is provided to the



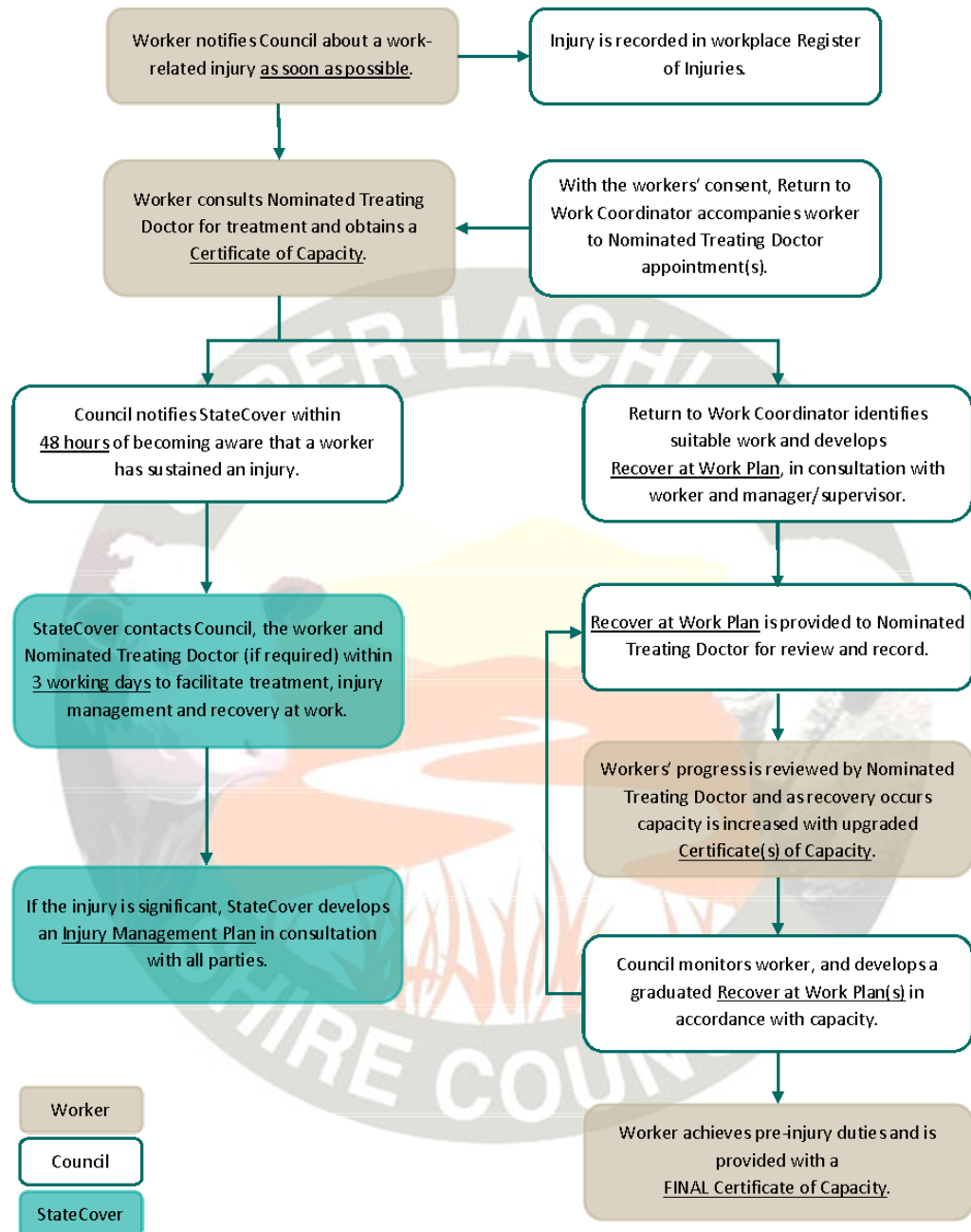
Nominated Treating Doctor to review the appropriateness of the suitable work offered, and to endorse the Plan.

The Recover at Work Plan is regularly reviewed and gradually upgraded in accordance with the worker's capacity for work, to facilitate returning workers to their pre-injury employment.

If the injured worker does not make a reasonable effort to return to suitable work, this may be considered non-compliance. The Return to Work Coordinator will need to alert StateCover and discuss the possible implications with the involved parties.



Figure – Flowchart outlining the main steps in injury management and recovery at work.



The injured worker is to schedule medical treatment and appointments outside of working hours wherever reasonably practicable. This is so as not to disrupt recovery at work, fellow workers or workplace routines.

If it is not possible to schedule an appointment outside work hours e.g. diagnostic imaging or specialist appointment, then the injured worker must liaise with their manager (with plenty of notice) so arrangements can be made to accommodate job requirements and work times.

The Nominated Treating Doctor (NTD) is the treating medical practitioner nominated by the worker for the purposes of participating in the worker's recovery and return to health following a work-related injury or illness. If the worker does not have a regular doctor, Council can assist by nominating a doctor for the purposes of managing the worker's recovery.

The role of the Nominated Treating Doctor is to be an advocate for the injured workers' recovery, which includes:

- Completing Certificates of Capacity;
- Specifying the workers' capacity for work and medical restrictions if any;
- To refer and review outcomes of diagnostic investigations;
- Implementing an evidence-based treatment plan for the worker;
- Coordinating the medical management of the workers' injury;
- Advising on the suitability of employment offered by Council and endorsing Recover at Work Plans for the worker;
- Promoting an early and safe return to work for the worker;
- Providing information to Council and StateCover in relation to the worker's Injury Management Plan and Recover at Work Plan;
- Liaising with Council and StateCover to assist in the recovery at work process;
- Regular reviews of the worker's progress towards recovery and revision of the workers' medical management as needed;
- Recommending referral to an approved workplace rehabilitation provider, if indicated and not initiated by Council or StateCover; and
- Being suitably available to participate in case conferences to discuss the worker's recovery at work and any barriers to achieving pre-injury duties - with Council, StateCover and/or workplace rehabilitation provider.



A workplace rehabilitation provider may be engaged to undertake vocational assessments, to provide assistance with injury management and/or facilitate recovery at work. Workplace rehabilitation providers are allied health professionals specialising in returning injured workers to suitable work. Workplace rehabilitation providers need to be accredited by State Insurance Regulatory Authority (SIRA).

Referrals for workplace rehabilitation assistance should be considered as soon as it is identified that assistance is indicated. For example:

- Workplace assessment or job demands analysis is required;
- If the nature of the injury is complex;
- There is difficulty engaging with the Nominated Treating Doctor;
- Difficulties identifying suitable work;
- Conflicting expectations of the parties involved; or
- Workplace or interpersonal conflict that may hinder the recovery at work process, etc.

A referral for workplace rehabilitation services can be made by StateCover, Council or at the recommendation of the Nominated Treating Doctor. Injured workers have the right to select their workplace rehabilitation provider, in discussion with the Return to Work Coordinator and StateCover.

Council's agreed workplace rehabilitation provider is:

<b>Joanne Miller</b> Rehabilitation Consultant Workplace Rehabilitation Management		M 0407 892 511 F 02 9891 1771 E

Workplace rehabilitation providers are to:

- Promote an early and safe return to and recovery at work;
- Ensure the needs of the worker and Council are identified by means of adequate and appropriate assessment(s);
- Identify barriers to the worker's recovery and develop strategies to address these;
- Assist Council to identify, modify and/or implement suitable work for injured workers to perform;
- Consider workplace industrial relations and human resource matters that may affect the worker's recovery at work;

- Focus on returning the worker to their pre-injury role, or if that is not possible, to suitable alternative work;
- Arrange appropriate retraining and placement in alternative employment when the worker is unable to return to pre-injury duties; and
- Communicate with relevant parties throughout the provision of services to ensure progress towards the recovery at work goal.

In some cases, an injured worker may not be able to return to their pre-injury employment due to on-going or permanent restrictions, which Council are not able to accommodate in the long-term.

Where it is not possible to rehabilitate the injured worker to return to their pre-injury employment, Upper Lachlan Shire Council will support vocational rehabilitation with the assistance of a workplace rehabilitation provider. This will involve vocational assessments to gather information about the injured workers' education, experience and transferrable skills so potential job options and retraining needs can be identified.

The workplace rehabilitation provider will also provide job seeking assistance, including resume development, job searching, job applications and interview preparation.

Injured workers are encouraged to apply for other positions at Upper Lachlan Shire Council for which they are experienced and skilled to perform, that are within their functional capacity.

If a worker requires assistance understanding the workers' compensation and/or recovery at work process due to hearing/sight impairment, struggles with literacy or being from a non-English speaking background, Upper Lachlan Shire Council will provide the appropriate resource and/or interpreter to assist these workers. Further assistance can also be sought from StateCover or the Workers Compensation Independent Review Office (WIRO).

If the worker is not yet in receipt of income support via workers' compensation, Council permits its workers access their personal leave in accordance with award arrangements and supporting Certificates of Capacity. If the absence from work is later accepted as a compensable workplace injury, the worker's leave entitlements will be reinstated, and compensation benefits will be passed onto the worker as soon as practicable.

Upper Lachlan Shire Council is committed to assisting injured workers to recover and will offer suitable employment to facilitate recovery at work and return to health.

The Return to Work Coordinator will forward all documentation, invoices and receipts received from the injured worker to StateCover within 24 hours, to enable the timely approval of services, treatment and reimbursement by StateCover.

Injured workers are engaged by Upper Lachlan Shire Council to participate in the development of their Recover at Work Plan with the Return to Work Coordinator, their manager and Nominated Treating Doctor. Workers' also have the ability to:

- Nominate their own treating doctor;
- Change their Nominated Treating Doctor;
- Select their workplace rehabilitation provider; and
- Involve a support person, e.g. union representative, partner.

Upper Lachlan Shire Council will not dismiss an injured worker within 6 months of the injured worker becoming incapacitated for work as a result of a work-related injury or illness.

However, if a worker is dismissed by Upper Lachlan Shire Council because of a work-related injury and while incapacitated for pre-injury employment, the worker may apply to Council to be reinstated on presentation of a medical certificate stating they are now fit for employment. If Council replaces the worker within two years of dismissing them, the replacement worker must be informed by Council that the dismissed worker may be entitled to be reinstated to their role.

Council recognises that for the injured workers' recovery to be successful, communication and cooperation between the involved parties is paramount. Thus, Upper Lachlan Shire Council will make all reasonable efforts to quickly and effectively resolve any dispute or conflict relating to a worker.

The Return to Work Coordinator is to be immediately made aware of any (potential or actual) issue or conflict in the workplace relating to the injured workers' recovery at work. The Return to Work Coordinator will consult each party involved to determine the cause of the issue or conflict and seek a resolution. This may include informal discussions and clarification, modifications to the Recover at Work Plan or workplace, case conferencing, mediation and/or identifying the need to refer to a workplace rehabilitation provider.

If a dispute arises involving the injured worker's capacity for work and/or offer of suitable work, referral to an Injury Management Consultant may be discussed with and organised through StateCover.

Where the worker is questioning their entitlements to compensation benefits, StateCover can assist in providing explanations about legislative entitlements to the injured workers and Return to Work Coordinator.

If the workers' compensation claim, or any aspect of the claim is disputed by StateCover the injured worker has the opportunity and right to request a review of the decision. Information on how to request a review will be included in StateCover's written notice of the decision to the injured worker.

If a resolution regarding the dispute is unsuccessful, a formal Application to Resolve a Dispute (ARD) can be made to the Workers Compensation Commission (WCC) where the matter will be arbitrated. By this stage, parties are usually legally represented.

If the injured worker is not satisfied with the explanations provided or the outcome of discussions, further information and assistance can be sought from SIRA or WIRO.

State Insurance Regulatory Authority (SIRA)	P 13 10 50 E <a href="mailto:contact@sira.nsw.gov.au">contact@sira.nsw.gov.au</a>
Workers Compensation Independent Review Office (WIRO)	P 13 94 76 E <a href="mailto:contact@workcover.nsw.gov.au">contact@workcover.nsw.gov.au</a>

Upper Lachlan Shire Council recognises that all information relating to injured workers and their work-related injury is confidential and should not be discussed with, shown to or read by anyone who is not directly involved in the injured worker's recovery.

Council is bound by the *Privacy and Personal Information Protection Act 1998 / Health Records and Information Privacy Act 2002* and *Australian Privacy Principles* in the collection, storage, use and disclosure of health information about its injured workers'.

The Return to Work Coordinator maintains secure injured worker files, on all workers who require assistance returning to work. The injured worker file is the record of Upper Lachlan Shire Council's management of the injured worker throughout the injury management and recovery at work process.

All injured worker files are kept separate from personnel files, with access limited to those who have direct responsibility for coordinating, monitoring or providing recovery at work services to the injured worker, and those involved in providing administrative support.

The Certificate of Capacity is signed by the injured worker to consent for treating medical practitioners, Council, StateCover, treatment providers, workplace rehabilitation providers and the regulator to exchange information for the purpose of managing the workers' injury and workers' compensation claim. Council may release and discuss information with involved parties as specified on the Certificate of Capacity by having the worker sign an Information Consent (Appendix 2).

Injured workers' need to be aware that failure to provide consent may delay processing of their workers' compensation claim and effective facilitation of their recovery at work. Also, the injured worker may withdraw their consent at any time, however doing so may affect their entitlement to compensation benefits and hinder recovery.



The following Legislation affects the operation of this policy:-

- Local Government Act 1993;
- Local Government (General) Regulations 2005;
- Local Government (State) Award 2017;
- Work Health and Safety Act 2011 and Regulations;
- Anti Discrimination Act 1977;
- Industrial Relations Act 1996;
- Independent Commission against Corruption Act 1988;
- Workplace Relations Act 2008;
- Fair Work Act 2009;
- Equal Employment Opportunity Act 1987;
- Election Funding, Expenditure and Disclosure Act 1981;
- Government Information (Public Access) Act 2009;
- Privacy and Personal Information Protection Act 1998;
- Civil Liabilities Act 2002;
- Environmental Planning and Assessment Act 1979;
- NSW State Records Act 1998;
- Trade Practices Act 1974;
- Protected Interest Disclosures Act 1994; and
- Crimes Act 1900.
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The following Council Policies and documents that are relevant to this Policy include:-

- Council's Code of Meeting Practice;
- Upper Lachlan Shire Council Community Strategic Plan
- Upper Lachlan Shire Council Resourcing Strategy documentation;
- Upper Lachlan Shire Council Delivery Program and Operational Plan;
- Equal Employment Opportunity (EEO) Management Plan;
- Public Interest Disclosures Policy;
- Complaints Management Policy;
- Grievance Policy;
- Disciplinary Policy;
- Secondary Employment Policy;
- Interaction between Councillors' and Staff Policy;
- Bribes, Gifts and Benefits Policy;
- Fraud and Corruption Prevention Control Policy;
- Purchasing and Acquisition of Goods Policy and Procedures;
- Drug and Alcohol Policy;
- Alcohol and Other Drugs Procedure;
- Rehabilitation Procedure and Practice Policy;
- Time in Lieu of Overtime Policy;
- Manual Handling Policy;
- Trauma Management Policy;
- Employment and Retention Policy;

- Higher Grade Pay Policy;
- First Aid Policy;
- Work, Health and Safety Policy;
- Injury Incident and Return to Work Policy and Procedures;
- Protective Clothing and Equipment Policy;
- Smoking in the Workplace Policy;
- Sun Protection – Council Employees Policy;
- Volunteers Policy;
- Performance and Misconduct Policy;
- Call Back Policy;
- Civil Emergency and Defence Force Policy;
- Designated Persons Disclosing Interests – Returns;
- Disclosure of Interests at Meetings Procedure;
- Enforcement Policy;
- GIPA Policy;
- Internal Controls and Procedures Manual;
- Leave Policy;
- Legal Proceedings Reporting Policy;
- Loss of Drivers Licence Policy;
- Media Policy & Procedures;
- New Employees Pre Placement Health Assessment Policy;
- Internal Reporting – Protected Disclosures Policy;
- Public Access Policy;
- Internet and Email Policy;
- Delegations of Authority Procedure;
- Code of Business Practice;
- Statement of Ethical Principles;
- Private Works (Projects and Plant Hire) Policy.
- Health Records and Information Privacy Act 2002
- Privacy and Personal Information Protection Act 1998
- Workers Compensation Act 1987
- Workers Compensation Regulation 2016
- Work Health and Safety Act 2011
- Workplace Injury Management and Workers Compensation Act 1998

Upper Lachlan Shire Council acknowledges its responsibilities in promoting a safe work place and effective implementation of the Return to Work Program.

The review of Upper Lachlan Shire Council's Return to Work Program has been completed in line with the 2017 guidelines in consultation arrangements with the following delegates.

This Return to Work Program will be in effect for 2 years, from June 2019 and be reviewed by May 2022

Senior Management Team		
Return to Work Coordinator		
Workers' Representative		
Union Representative		



I have discussed this consent form with my employer, Upper Lachlan Shire Council. I understand that any information collected will be kept in a confidentially, with access restricted to those who are directly responsible for coordinating and monitoring my recovery at work.

I understand that Upper Lachlan Shire Council will:

- Only collect health information that is relevant and necessary to manage my recovery at work and coordinate the workers compensation claim;
- Only use and disclose information for the purpose for which it was collected;
- Keep any information collected separate from my other personnel records;
- Take reasonable steps to protect my information by ensuring it is stored securely, kept no longer than necessary and disposed of appropriately; and
- Allow me to access my information without unreasonable delay, unless providing access would be unlawful or pose a serious threat to another person's life or health.

Considering the above, I authorise and consent to the collection, use and disclosure of personal and health information relevant to managing my injury and workers compensation claim.

Worker		
Upper Lachlan Shire Council		
Interpreter		



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***This form should be completed and handed to your supervisor on the day of the incident.***

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## General Manager - 20 June 2019

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**ITEM 14.2**                      **Consultative Committee Extraordinary Meeting Minutes**

**FILE REFERENCE**    I19/383

**AUTHOR**                      **Acting General Manager**

### **ISSUE**

Providing the minutes from the 12 June 2019 Extraordinary Meeting of the Consultative Committee.

**RECOMMENDATION**      That –

1. Council adopt the recommendations of the Consultative Committee Extraordinary Meeting Minutes from 12 June 2019.

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### **BACKGROUND**

Nil

### **REPORT**

Attached for Councillors information are the minutes from the Council Consultative Committee Extraordinary Meeting that was held on 12 June 2019.

### **POLICY IMPACT**

Nil

### **OPTIONS**

Nil

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

Nil

**RECOMMENDATION**      That –

1. Council adopt the recommendations of the Consultative Committee Meeting Minutes.

### **ATTACHMENTS**

1. <a href="#">↓</a>	Minutes from Consultative Committee held 12 June 2019	Attachment
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**PRESENT:** Mr D Scott, Mr A Croke (Acting General Manager), Mrs T Dodson (Director of Environment & Planning), Mr M Shah (Director of Infrastructure), Mr B Johnston (Manager of Finance and Administration), Mr K Kara (Human Resources Co-ordinator), Mr R Stephenson, Mr B Smithers, Ms S Pearman, Mr M Wilson, Mr C Wray,

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**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 9.05AM**

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

Apologies were received from Mrs T Dodson (Director of Environment and Planning) and Mr B Johnston (Manager of Finance and Administration).

**RESOLVED** by Ms S Pearman and Mr R Stephenson that the apologies be received and a leave of absence granted.

- CARRIED

**SECTION 2: DECLARATIONS OF INTEREST**

Nil

**SECTION 3: CONFIRMATION OF MINUTES**

Nil

**SECTION 4: REPORTS****ITEM 4.1 REVIEW OF THE ASSETS SURVEILLANCE OFFICER POSITION DESCRIPTION**

**RESOLVED** by Mr Kara and Mr Croke

1. That the Consultative Committee notes the changes to the Assets Surveillance Officer position description and Council commence external recruitment for this position.

- CARRIED

Mr Smithers and Mr Scott requested their name be recorded as being against the recommendation

**ITEM 4.2 CUSTOMER SERVICES AND BUSINESS SUPPORT OFFICER POSITION DESCRIPTION**

**RESOLVED** by Mr Kara and Mr Smithers

1. That the Consultative Committee notes the changes to the Customer Services and Business Support Officer position description and Council commence external recruitment for this position.

- CARRIED

**ITEM 4.3 COUNCIL ORGANISATION STRUCTURE**

**RESOLVED** by Ms Pearman and Mr Wray

1. The report is received with amendments as discussed at the meeting.

- CARRIED

**THE MEETING CLOSED AT 10.00AM**

Minutes confirmed 5 AUGUST 2019

.....  
Chairperson



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

The following item is submitted for consideration -

16.1	Reports for the month of June 2019	220
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## Reports from Other Committees, Section 355 Committees and Delegates - 20 June 2019

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### ITEM 16.1

### Reports for the month of June 2019

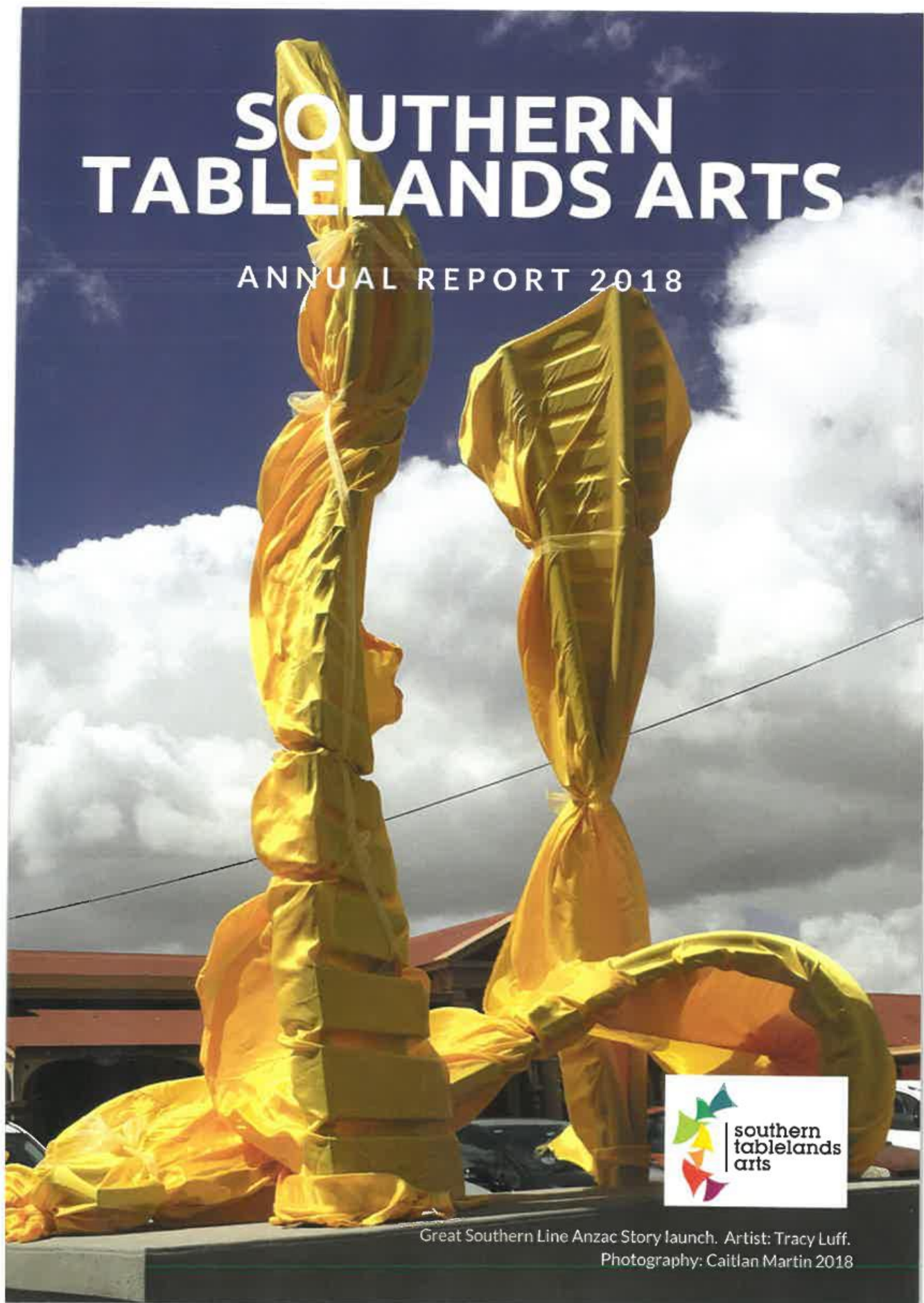
#### RECOMMENDATION:

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

1. Southern Tablelands Arts (STARTS) – Annual Report 2018
2. Economic Development Task Force (EDTF) – Minutes from Meeting held 6 May 2019
3. Economic Development Task Force (EDTF) – Minutes from Meeting held 3 June 2019
4. Crookwell Memorial Hall Management Committee – Minutes from Meeting held 30 May 2019
5. Cullerin Range Wind Farm S355 Committee – Minutes from Meeting held 4 June 2019
6. Country Mayors Association of NSW – Minutes from Meeting held 31 May 2019
7. Access Committee – Minutes from Meeting held 7 June 2019
8. Local Traffic Committee – Minutes from Meeting held 6 June 2019
9. Streetscape Committee – Minutes from Meeting held 11 June 2019
10. Upper Lachlan Tourist Association – Minutes from Meeting held 4 June 2019
11. Canberra Region Joint Organisation – Minutes from Board Meeting held 24 May 2019

#### ATTACHMENTS

1. <a href="#">↓</a>	Southern Tablelands Arts ( STARTS ) - Annual Report 2018	Attachment
2. <a href="#">↓</a>	Economic Development Task Force ( EDTF ) - Meeting Minutes - 6 May 2019	Attachment
3. <a href="#">↓</a>	Economic Development Task Force ( EDFT ) - Meeting Minutes - 3 June 2019	Attachment
4. <a href="#">↓</a>	Crookwell Memorial Hall Management Committee - Meeting Minutes - 30 May 2019	Attachment
5. <a href="#">↓</a>	Cullerin Range Wind Farm S355 Committee - Meeting Minutes - 4 June 2019	Attachment
6. <a href="#">↓</a>	Country Mayors Association of NSW - Meeting Minutes - 31 May 2019	Attachment
7. <a href="#">↓</a>	Access Committee - Meeting Minutes - 7 June 2019	Attachment
8. <a href="#">↓</a>	Traffic Committee - Meeting Minutes - 6 June 2019	Attachment
9. <a href="#">↓</a>	Streetscape Committee - Meeting Minutes - 11 June 2019 Attachments	Attachment
10. <a href="#">↓</a>	Upper Lachlan Tourist Association - Meeting Minutes - 4 June 2019	Attachment
11. <a href="#">↓</a>	CRJO Board Meeting - Minutes from meeting held 24 May 2019	Attachment



# SOUTHERN TABLELANDS ARTS

## STRATEGIC GOALS

### INCREASE COMMUNITY ENGAGEMENT IN ARTS AND CULTURAL ACTIVITIES

Through key program initiatives in arts and health, creative ageing and arts and environment.

### STRENGTHEN ACCESS TO FUNDING, EMPLOYMENT AND PROFESSIONAL DEVELOPMENT

Through creative industry programs, funding workshops and programming focused on local creatives.

### DEVELOPING STRONG PARTNERSHIPS

Working with contributing councils, arts and cultural organisations.

### OPPORTUNITIES FOR COMMUNITIES AND YOUNG PEOPLE

Engagement with schools and youth focused organisations to create stronger opportunities for communities and young people in arts and cultural events.



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## FROM THE EXECUTIVE DIRECTOR

2018 was a year of change and continuing development of the organisation particularly with regard to governance, whilst we continued to roll out projects, professional development and engagement with Councils, creatives, cultural organisations and the communities which make up the mosaic of this region.



We were delighted to host Create NSW into the region as part of this year's professional development (PD) program. With visits to Yass and Moss Vale, Create NSW was joined by representatives from the Regional Cultural Fund, Museums and Galleries NSW and Music NSW to talk about grants, arts projects, cultural infrastructure, museums and galleries and music opportunities. Southern Tablelands Arts was funded to establish a Mobile Tech Hub to offer opportunities for creatives to get web connected and build skills and capability to be able to support their profile on line which was used as part of the PD program.

Other PD offerings included delivering grant writing workshops, web development for creatives as well as hosting Creative Plus Business in the region with presentations in Crookwell and Yass as well as the Museum of Applied Arts and Sciences (MAAS/Powerhouse Museum) for PD events in Goulburn and Yass. It was fantastic to work with Gina Mobayed (Goulburn Regional Art Gallery) to offer a PD program for the region's visual arts community to strengthen exhibition opportunities for artists.

2018 was the year for completion of the Great Southern Line Anzac Story, a four year project to create commemorative artworks at three railway stations, Goulburn, Moss Vale and Picton. Moss Vale was launched in February with Goulburn and Picton in November. Goulburn artist Tracy Luff has created three beautiful commemorative works that resonate with the history and memorabilia captured from stories with families and others. We offer heartfelt thanks to the families, ANZAC and railway history buffs who contributed so generously to the program. We could not have done this project without you and with the support of Sydney Trains and Transport NSW.

Maisie's Choir (Yass) and Dance for Well-being (Goulburn) were our two on-going arts and health programs in 2018. Maisie's Choir is now self-funded and we were able to secure small sponsorships to enable us to kick start Dance for Well-being with Goulburn dance teacher Liz Barling who undertook the study program with Dancing With Parkinsons Australia. Wine Press, our regional authors event held at Eden Road Wines, Murrumbateman. This year we hosted author/artist Kim Mahood and poet/artist Sarah Rice.

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## FROM THE EXECUTIVE DIRECTOR

Their presentations were profoundly moving and chartered the diverse challenges of creatives working in two different mediums. Illuminate Wollondilly provided the platform for the arts and environment program with a beautiful diorama program on the theme of saving koala habitat which was presented at the festival.

Part of the change I mentioned at the beginning included bidding farewell to our external bookkeeper Lesley Porroj and Lillie Brown the Arts Admin Trainee and I thank them for their contributions. We welcomed Caitlan Martin to the position of Admin Officer who has been a great asset as we moved from MYOB to XERO.

The Board undertook a root and branch review of governance and policies. You can find the very up to date suite of policies on our website.

Finally, I extend a deeply felt thank you to all those who engaged with us during 2018. Thank you to Steve Chapman and Josephine Dorman who as volunteers manage the successful Goulburn Film Group. Thank you to the contributing Councils and their delegates who continue to work with us the change and develop the arts and cultural profile of the region. I particularly thank the wonderful Board of Southern Tablelands Arts, and the staff Giselle Newbury and Caitlan Martin. Southern Tablelands Arts couldn't achieve what it does without each of you and the contributions you make to the organisation.

**Susan Conroy**

EXECUTIVE DIRECTOR



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## FROM THE PRESIDENT



On behalf of the Board of Directors it gives me pleasure to present the Annual Report for the year 2017-2018. In its 22nd year STA has moved forward in many key areas.

Careful financial management has produced a pleasing result and another contribution to financial reserves building the organization's resilience. Securing creative project funding from a wide array of sources ensured a diverse offering of projects through 2018.

The year has seen the Board's main focus on improving governance, reviewing financial and operational processes and developing additional guidelines where required.

2019 will see the Board move back to a broader strategic focus, a Constitution review and a consideration of additional funding possibilities. I take this opportunity to thank the Board, all busy professionals volunteering their time and expertise, for their dedication and significant time input. It is invigorating working closely with Board colleagues who share commitment to and respect for STA, its guiding principles, its objectives and its people. Board members live and work in our region and are acutely aware of the importance of arts and culture to the experience of living in Regional NSW.

I congratulate the STA staff for their achievements in the year past. Susan Conroy, Executive Director, continues to provide inspiring leadership to her team. She has diligently worked with the Board in implementing improved operational processes and ensuring compliance with the governance framework.

One of my great pleasures as President was to sit on the assessment panel of the Country Arts Support Program (CASP). A Create NSW initiative, it is an annual small grants program, accessible to not-for-profits, local government authorities and collectives in regional NSW, administered by Regional Arts NSW and the Regional Arts Development Organisations. We received 16 applications and 5 projects were funded to be delivered in 2018 with the total grant pool of \$17,458. We hope that CASP will receive increased funding in the future.

We are proud that STA will be providing financial administration/auspicing services to Southern Highlands Gallery at Retford Park Limited, the recipient of \$2.49 million from the NSW Government Regional Cultural Fund. The Old Dairy Stable at the National Trust Retford Park Estate in Bowral, the former residence of James Fairfax AC, will undergo adaptive reuse construction into a gallery, back of house area and adjacent cafe. The project is the passion of artist Ben Quilty and his colleague Milena Stojanovska. Planning and fundraising are well underway and it is anticipated that the new Regional Gallery will open in 2020.

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## FROM THE PRESIDENT

Executive Director, Susan Conroy suffered a debilitating accident while on leave in May which meant that she was absent from the helm for some time. She made a good recovery and somehow, even during a tough rehabilitation program, her leadership continued.

Giselle Newbury and Caitlan Martin were outstanding in their determination to ensure that the work of STA continued without interruption. The Board joins me in acknowledging the excellent work of Susan, Giselle and Caitlan in extreme circumstances. We are pleased to see Susan continue her recovery and gain physical strength each month since.

Thank you to my Board colleagues who continue to be energetic, engaged and involved. They are an exceptional group. I benefit from their experience, wisdom and dedication and I enjoy their pragmatism and humour.

**Susan Brindle**

PRESIDENT

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## FROM THE TREASURER



It was with much pleasure that I served as Treasurer on the Southern Tablelands Arts Board once again this year. Financially we had a successful year, continuing to manage our budget, continuing to provide some amazing programs to our communities and continuing to provide a fabulous service for our Creatives in regional NSW.

This year we moved to a new accounting system Xero, and bought the accounting function in-house after the resignation of our bookkeeper Lesley Porroj during the year. We thank Lesley for her assistance with the accounts over the years. Bringing the accounting function in-house and online has allowed greater ability and flexibility in our board reports. This has helped us to make informed decisions during the year.

I would like to thank the staff of Southern Tablelands Arts, Susan, Giselle and Caitlan for their assistance with the changes to the accounting system, and for the amazing job they do to provide our services to our communities. The dedication you show to your job is second to none. I would also like to thank my fellow board members. Together we have made great improvements to the way the Board operates, and the governance we provide.

As a non-creative on an Arts Board I find it fascinating to see what arts can do for a community. It has broadened my mind in so many ways. In my pre - Southern Tablelands Arts days I considered art in a very limited way, something that you go to a gallery to view. I had not considered how art is used to enhance the diversity and participation in a community.

I believe everyone in our communities can find a way to incorporate art into their lives to make it better. I believe art enhances and celebrates our diverse cultures. It helps us to find joy and to share our sadness and challenges. It represents history, culture, environment, youth, the aged, the disabled, the rich and the poor. Southern Tablelands Arts helps Creatives make a business out of their passion. As someone who looks at numbers day in, day out, this is a refreshing way to understand that not everyone is like me and we should be celebrating that.

As we approach two elections and a diverse set of Local Government Areas with different views on art policy, I hope our political leaders can see the value in art, the value in what we do and the value of regional Australia. Thank you, Southern Tablelands Arts, for opening my eyes to a much more interesting and colourful world.

**Joanne McCauley**  
TREASURER

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## GOULBURN FILM GROUP

From a 2005 audience average of 23 per session to 89 in 2019 the Goulburn Film Group has experienced continued growth. It is a well respected entity hosted by STA with a positive community presence. Movies are screened on the last Sunday of each month except during the school holidays.

There are no membership fees; everyone is welcome. All that is required is for people to come to the Lilac City Cinema and enjoy the Film Group's movie. It draws people from Goulburn and the surrounding district. The quality of the film offering has generated a high degree of 'customer loyalty' and the Sunday afternoon screenings have become a regular event for many people. Our primary demographic is the 45 plus age group both male and female but we hope to attract younger people.

The movies selected for screening come from independent film distributors and are predominantly story driven focusing on a wide range of social, economic, political and personal themes. The movies cover a range of genres including drama, comedy, documentary and the occasional musical.

World movies feature regularly and include delights such as the highly-acclaimed witty and charming French film *Aurore*; the quintessentially theatrical, fluid and faithful Anton Chekhov adaptation *The Seagull*; and the sumptuous, gently provocative but heart-warming movie *The Bookshop*.

The most popular movies over the past ten years - some requiring a second screening - are *The Weeping Camel* (Mongolia); *Africa United* (South Africa/Rwanda); *A Separation* (Iran); *Pan's Labyrinth* (Spain); *Testament of Youth* (UK); *Force Majeure* (Sweden); *Mr Turner* (UK); *Wadja* (Saudi Arabia); *About Elly* (Iran); *Hunt for the Wilderpeople* (NZ); *Denial* (USA); *The Light Between Oceans* (NZ/UK); *Rosalie Blum* (France); *Alis Wedding* (Aust.); *Churchill* (UK); *The Measure of a Man* (France); and *Madame Bovary* (UK), *The Bookshop* (UK); *The Seagull* (USA) and *Summer '93* (Spain).

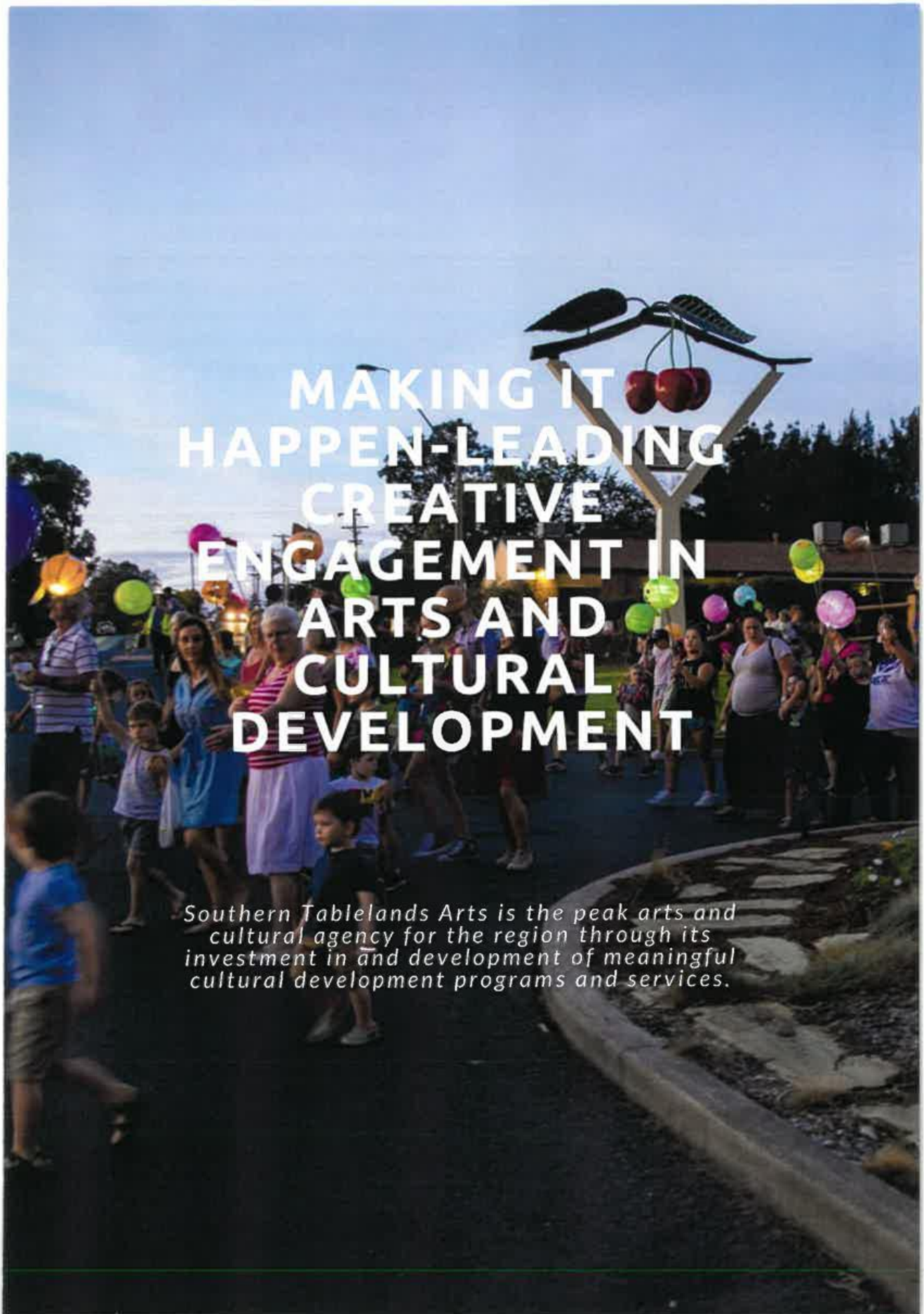
Steve and Josephine greatly appreciate the support of Mandy and Andrew Moore, the proprietors of the Lilac City Cinema without whose generous assistance the Film Group could not operate. As well, cinema staff members Karen Bourke, Stacey Collins, Robert Ings, Cameron Kenny and Jerrod Murdoch always offer invaluable assistance.

During 2018 we also greatly valued the administrative abilities and support of Caitlin Martin, Giselle Newbury and Susan Conroy of the STA team.

The Goulburn Film Group's wishes to publicly acknowledge and thank these three highly professional and competent people. The Goulburn Film Group has currently 304 people registered on its email newsletter.

**Steve Chapman &  
Josephine Dorman**

WE LOOK FORWARD TO SEEING  
YOU 'AT THE MOVIES'.







## ILLUMINATE WOLLONDILLY

Illuminate Wollondilly is the defining arts festival of the region and is a multi arts showcase of visual arts, multimedia, craft, music and performance. The festival took on a re-branding in 2018 and has continued to be hugely successful surpassing all expectations for visitor numbers.

Illuminate Wollondilly engages respected artists to create with students digital imagery for projection onto local heritage landmark buildings and the streets are filled with artisans, music and entertainment. The festival provides a quality and unique arts experience for artists, participants and visitors. Illuminate Wollondilly also includes a 3 day art exhibition for professional and emerging artists.

Illuminate Wollondilly showcases the lively and creative life in the Wollondilly. Illuminate celebrates what is unique about our place and our community and fires the imagination of all - the artists and creators, participants, audiences, Council and local business. This year there was a focus on the environment and the important Koala colony living in the region.

Illuminate proudly boasts and celebrates the creatives of Wollondilly and the Southern Tablelands Arts region and demonstrates that engaging contemporary art practitioners with participants and audiences is a great way to celebrate the resilience and good will in our community. This event is supported by fully funded by Wollondilly Council with support from Southern Tablelands Arts.

## SCIENCE HUB

The Southern Tablelands Science Hub was established in 2017 using funding received from an Inspiring Australia Grant. The science hub ran a cultural astronomy evening in 2018 in three LGA's with visiting presenters Dr Sam Bowker (Lecturer in art history and medieval sciences), Khaled Sabsabi (artist) Kirsten Bank (astro physicist) and Peter Swain (artist). Linking art and science through the cross over of Islamic and Aboriginal traditions and sciences.

## LIVE AND GLOBAL

Oasis delighted Wollondilly locals in a picnic atmosphere with a cultural afternoon in the park with music from the Balkans, Middle East and Asia Minor. Funded through the Live and Local and Wollondilly arts and cultural grants this sunny afternoon in the Picton Botanic Gardens was a cultural treat. This project was funded through Wollondilly community grants and Southern Tablelands Arts.

## IRISH AND CELTIC MUSIC FESTIVAL

The Irish and Celtic Music Festival began its first year in Yass in September. Southern Tablelands Arts was very proud to assist the committee in creating their event. Over 100 performers delighted the crowds for the three day weekend. With workshops, ceilis and concerts it was a wonderful showcase of both local and regional talent. The Irish and Celtic Festival is held in Yass on the 2nd Weekend in September annually. This event was supported by Yass Valley Council community grants.



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## LAMBING FLAT CHINESE FESTIVAL

Over 1500 lanterns in 5 days across the whole Hilltops region. People travelled from all over the state to attend the celebration. Southern Tablelands Arts was delighted to support the Lambing Flat Chinese Festival in Young for a celebration of the important contribution Chinese people have made to the community.



## MOBILE TECH HUB

Southern Tablelands Arts received the FRRR Seeds of Renewal Grant to establish a mobile tech hub, a bank of 11 computers and wifi hub to take professional development training across the region. Over the Year we teamed up with LNS Computers and delivered three website development courses creating over 60 new websites for creatives in the region. The mobile tech hub is a hire-able resource for councils and community groups for more information



## PERIPHERY

A unique opportunity for theatre practitioners and the community to talk about Theatre and Social Change. The Lieder Theatre hosted Teatr Brama from Poland for a week long collaborative and community driven theatre festival. The festival began an important conversation about how regional communities can work together to bring about social change through theatre. Periphery won the Goulburn event of the Year award.

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## SAVE OUR SPECIES

Southern Tablelands Arts teamed up with the Office of Environment and Heritage and Landcare to create and opportunity to highlight the local save our species focus of Glossy Black Cockatoos and the Superb Parrot. We made kites with children from right across the region and taught them how to spot the habitats of these amazing birds. Kites were made at both the Harden and Marulan Kite festivals.



## KREATIVE KOALAS

Teaming up with Landcare and the Kreative Koala program Southern Tablelands Arts assisted the pilot program to develop encourage children through schools to learn about the UN Sustainable development goals. Young people worked at school researching the sustainable goals they had identified and conducted waste audits, flora and fauna counts and more. They then decorated giant koalas to communicate what they had learned.



## DANCE FOR WELLBEING

Southern Tablelands Arts recieved funding from the Lions Club, Masonic Village, the Rotary Club and Dancing for Parkinsons Australia to deliver 3 full terms of Dancing for Wellbeing classes. Almost 40 participants participated in the weekly program with feedback overwhelmingly positive from participants, carers and service providers. Visit our Youtube page to see our dance for wellbeing videos.







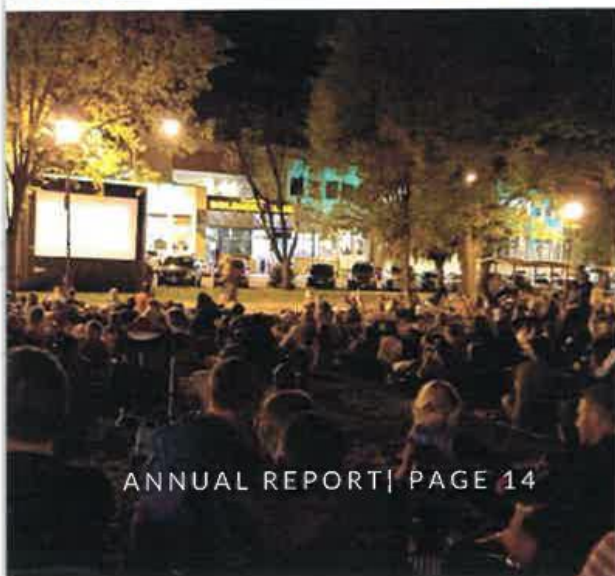
## WINEPRESS

WinePress in its 4th year focussed on artists as writers. Over 40 people joined in on an exciting discussion lead by Evol McLeod with acclaimed artists and authors Sarah Rice and Kim Mahood about writing process, discovery and unique approaches combining writing and art. WinePress was held at Murrumbateman winery Eden Road Wines.



## MAISIE'S CHOIR

Maisie's Choir continues long after the initial creative ageing funding was spent. The choir performs regularly at local events. The Spring Fling Concert brought together Maisie's with the Dante Musica Viva choir, the Canberra Community Voices Choir, The Good Vibes Choir and the Bridge to Sing all abilities choir from Goulburn in our largest concert yet with over 100 singers and more than 200 delighted audience. Maisie's Choir continues to meet each Tuesday morning at the Yass Soldiers Club. Visit our Youtube page to view our Maisie's Choir videos.



## FILM SCREENING

Southern Tablelands Arts continues to bring film into our region with the use and hiring of the inflatable film screen equipment. 2018 saw screenings right across the region, bringing families to the local green spaces and libraries for film evenings. To hire the 4.5m high inflatable screen for your community event, please contact 4823 4407.

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## CASP HIGHLIGHTS

### VESSELS OF CHANGE

Wingecarribbe Council and Southern Highlands Botanic Gardens partnered to present a public art work, children's lantern workshops and an Earth Hour event. Artists Heidi McGeoch and Sam Larwill installed their solar lit work Vessels of Change at the Gardens in March 2018.



## WOLLONDILLY LIVE ART

Wollondilly Live Art was a project targeting young people and interested community members to create murals in the lead up to and "live" at the IlluminARTE Wollondilly Festival with lead Artist Joe Quilter. The completed murals were mounted throughout the township in key locations and renewed bi-annually.

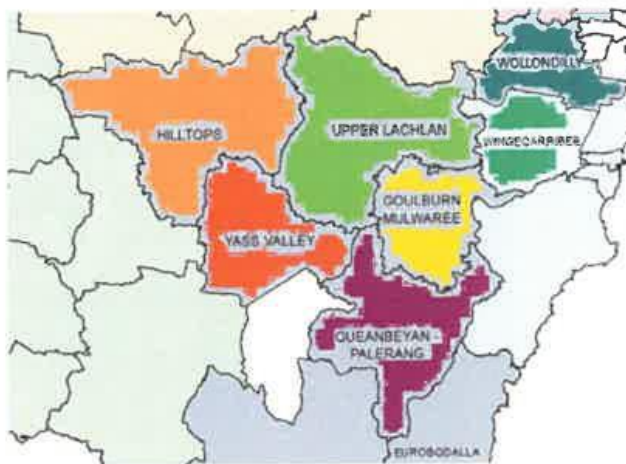


## NEGOTIATING WITH EMOTIONAL INTELLIGENCE

For the first time in this region CASP funded a professional development opportunity for artists and organisations. Negotiating with Emotional Intelligence aimed to strengthen the management and negotiation skills of community arts organisations in our region. Yass facilitator Rhian Williams conducted two full day workshops in Goulburn and Yass. Participants explored new ways to minimise conflict and new strategies for working in harmonious environments.





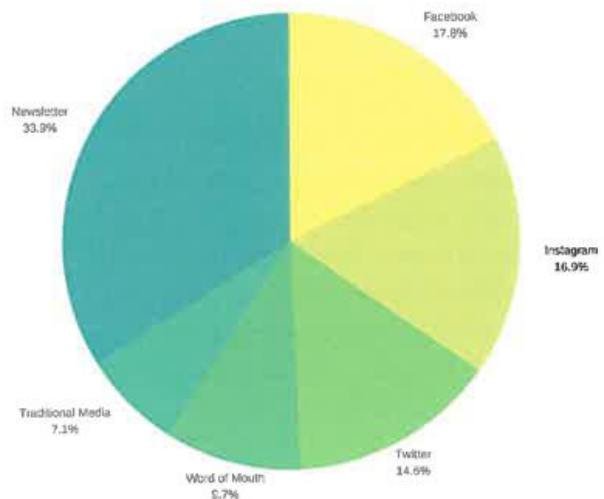


## SOUTHERN TABLELANDS ARTS REGION



### COMMUNICATIONS

We have an active and engaged online community but find that 30% of participants are still finding us through word of mouth and through traditional media.



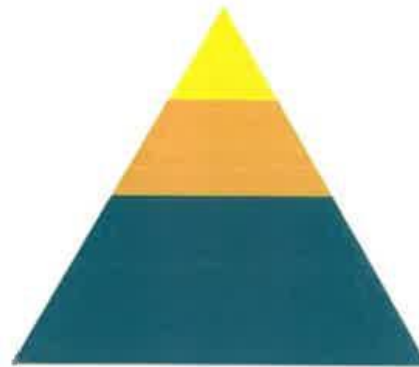
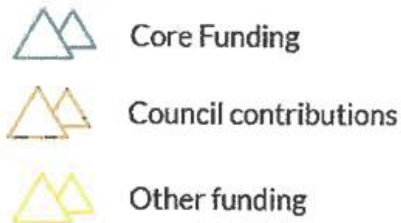
Over 40,000 people attended over 180 events across the Southern Tablelands Arts region.

40 projects in partnership with 45 organisations involving over 200 creatives

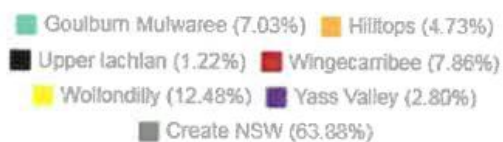
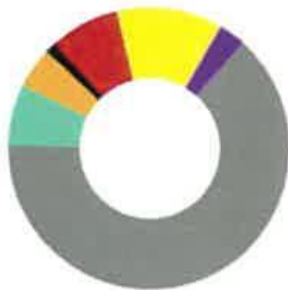
## 2018 AT A GLANCE

### Funding Sources

Southern Tablelands Arts is supported by the NSW Government through Arts NSW.



### Organisation Funding Partners



### Population



This document is available for download from our website  
[www.southerntablelandsarts.com.au](http://www.southerntablelandsarts.com.au)

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# SOUTHERN TABLELANDS ARTS

## STAFF



Susan Conroy | Executive Director  
Giselle Newbury | Projects & Communications  
Caitlan Martin | Administration Officer

## BOARD OF DIRECTORS

President | Susan Brindle *Wingecarribee*  
Vice President | Rob Moran *Wollondilly*  
Treasurer | Joanne McCauley *Goulburn*  
Secretary | Ann Frederick *Wingecarribee*  
Director | Mark Bradbury *Goulburn*  
Director | Evol McLeod *Yass*  
Director | Maisy Stapleton *Wingecarribee*



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## 2018 CONTRIBUTING COUNCILS



SOUTHERN TABLELANDS ARTS IS  
SUPPORTED BY THE NSW  
GOVERNMENT THROUGH  
CREATE NSW



REGIONAL ARTS  
NSW

Lvl 1 56 Clinton St  
Goulburn NSW 2580  
PO Box 1323, Goulburn, NSW 2580  
02 4823 4407  
ao@southerntablelandsarts.com.au  
www.southerntablelandsarts.com.au



@tablelandsarts

@southerntablelandsarts

Southern Tablelands Arts

**MINUTES OF THE UPPER LACHLAN SHIRE COUNCIL EDTF COMMITTEE  
HELD  
MONDAY 6 MAY 2019 AT CROOKWELL**

---

**Present:** Clr. Richard Opie, Susan Reynolds, Terry Lovelock, Catherine Duff, Clr. John Searl, Andrew Haskins (BEC) & Andrew Lindner.

**Staff:** Brenda Proudman (Economic Development Officer)  
(Non Voting)

**Apologies:** Daryl Smith & Tina Dodson (Director of Environment & Planning)

Meeting commenced at 4.00pm.

**Declaration of Interest:** Nil.

**Confirmation of Minutes:**

**Agenda Item 3.1**

Minutes from the 1 April 2019 were adopted as a true and correct record.

Moved – Susan Reynolds & Seconded by Terry Lovelock.

CARRIED

**Correspondence:** Nil.

**Guest Speaker** – Andrew Haskins (Business Enterprise Centre) – Andrew is new in this position and is keen to help our Shire. He intends to set up a Hot Desk once a week and is happy to move around the towns and villages. He is also keen to offer some workshops and will discuss these with Brenda. Tourism is the big catch cry with NSW Govt. at the moment and the Govt. is also keen to push ahead the Business Connect program.

**Guest Speaker** – Terry Lovelock from Collector (See Terry's report attached)

**Agenda Item 5.1 – Economic Growth & Development Plan**

We received the draft today and it has now been passed to Viv Straw for comment before the final copy will be made available. The draft highlights the opportunities to move ahead and the various groups can approach the EDTF for letters of support etc.

**Agenda Item 5.2 – Community Open Day – 2019/2020 Financial Year**

Brenda distributed the proposed funding application form for comment.

Changes to be made are:

- Disclaimer noting applications will be considered on merit and at EDTF's discretion.
- Call this application an Expression of Interest and Trial Community Welcome Day.
- Contact details in case they have questions.

Brenda will make these changes and send out with the minutes.

**Agenda Item 5.3 – Educating the public about Economic Development.**

Daryl Smith (RDA) suggested in the last EDTF meeting that we educate the public about ED. Brenda spoke to Danielle Crosbie (Media Officer) and she will make a space available in each edition of "The Voice" for Brenda to write about or provide ED facts and statistics etc. in the hopes that we can educate the community about ED and what it is worth to the Shire.

**Agenda Item 6 – General Business**

- Richard has formed a committee for the 2020 Celebrations and they are meeting on 6<sup>th</sup> June at 4pm in the VIC.

- Cllr Richard Opie asked if Brenda can check with the Acting GM if we could send someone to attend the Farm to Plate Exchange in Tweed Heads on the 14<sup>th</sup> & 15<sup>th</sup> May.
- Speaker at our next meeting is Viv Straw – Manager of Environment & Planning

**Next Meeting** of the EDTF Committee Monday 3<sup>rd</sup> June, 2019 at 4.00pm.  
There being no further business, meeting closed at 6.15pm.



## Collector Community Association Inc.

*“The collective voice for Collector.”*

The CCA has facilitated a working group to promote a Sustainable Village Project for Collector. This project has the long term goal of transitioning the Village to a carbon neutral community with a high uptake of renewable energy. Short term goals include developing community infrastructure to promote healthier and more active life styles with the construction of outdoor fitness gym, recreational facilities and a network of shared cycleway and pedestrian paths throughout the village.

Longer term goals might see the development of a **Renewable Energy Hub and Tourist Facility**. This project could showcase the role that the Upper Lachlan Shire is playing in respect to the phasing in of renewable energy in NSW and could feature a model landscape of the shire depicting the location of wind and solar farms with real-time displays of renewable energy being generated and fed into the grid. One of the target audiences would be the many groups of children that visit Canberra each year on school excursions.

Already, the *Sustainable Collector* project is in the process of delivering a variety of large and small projects ranging from *The Little Street Library* to a *Bulk-buy Solar Panel* project. It is seen by our organisation as a key driving force for our future and when fully implemented will set the village up as a show case community and an example of what can be achieved when a community sets clear goals and commits to achieving them.

### 5) Export Ready Activities

Another area of potential growth in tourism is the creation of what is known as “Export Ready Activities”. These are typically short and focused on farm activities such as sheep shearing demonstrations, grape picking/wine experience, olive oil production, honey harvest experience and may even extend to windfarm tours in time. These farm tour style activities need to be professionally ran with online booking facilities. Providing support and guidance to local entrepreneurs to help set up and market these activities would have immediate spin-offs for the wider tourism industry and is seen as one of the “low hanging fruit” projects that could be easily facilitated by existing tourism support services.

### 6) Events.

The Collector Village Pumpkin Festival is a good example of an annual community event that brings thousands of visitors to the area and provides a significant boost to the local economy. Other events and community market days should be vigorously encouraged with a seasonal focus on local produce and activities. As a matter of high priority the existing DA process for “Temporary Events” needs to be overhauled as they are complex, confusing, slow and lack a single point of contact within Council. Greater use of online application process and a focus on “assisting” as opposed to “policing” community events would be greatly appreciated. An immediate and complete review of the DA process for community events in the ULS that involves a public consultation process is highly recommended by the CCA.

### 7) Town Planning

Working closely with town planning objectives and the review of the LEP / DCP to ensure that the village of Collector maintains a village atmosphere and continues to grow “organically”. Key to this will be maintaining the balance between not being too restrictive on local development initiatives while discouraging large scale commercialisation.



## Collector Community Association Inc.

*“The collective voice for Collector.”*

A widely held view is that existing block sizes should be maintained in the village and that any future residential subdivision should be created a small distance from the village, separated maybe by a green space or natural bushland area to allow the old village identity to remain while providing a “relief valve” for increasing demand for residential land in the area.

A larger footprint for development could involve the creation of a Gunning/Collector Growth Corridor. This would involve upgrading/sealing the Collector Gunning Road and a focus on some serious planning based along the concept of providing access to “lifestyle living” to meet the demand for hobby farms and “tree changers”. Previous studies into upgrading the Collector Road appear to have only focused on savings to motorists and not taken into consideration the flow on effects of allowing for small area subdivision along this corridor within easy commute distance to the ACT.

### **Conclusion.**

Playing to our strengths will be the guiding principle.

### **Sustainable development that embraces**

- A low carbon footprint,
- Encourages partnerships between Community, Business and Council and
- Recognises the value of a rural village atmosphere will be important.

**Tourism and Hospitality** will be key drivers but will need close partnerships with local producers and farming business that are prepared to develop value added tours and experiences.

**Marketing priorities** will need to be shared between targeting “drop-in” visitors from the Federal Highway and more focused campaigns aimed at specific demographics such as cyclists and school excursion groups.

**Events and festivals** will continue to play an important role in promoting the district and reinforcing the vibrant and family focused culture and rural atmosphere of our community.

**MINUTES OF THE UPPER LACHLAN SHIRE COUNCIL EDTF COMMITTEE HELD  
MONDAY 3 JUNE 2019 AT CROOKWELL**

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**Present:** Clr. Richard Opie, Susan Reynolds, Terry Lovelock, Catherine Duff, Viv Straw & Andrew Lindner.

**Staff:** Brenda Proudman (Economic Development Officer)  
(Non Voting)

**Apologies:** Clr John Searl & Tina Dodson (Director of Environment & Planning)

Meeting commenced at 4.00pm.

**Declaration of Interest:** Nil.

**Confirmation of Minutes:**

**Agenda Item 3.1**

Minutes from the 6 May 2019 were adopted as a true and correct record.

Moved – Catherine Duff & Seconded by Susan Reynolds.

CARRIED

**Correspondence:** Nil.

**Guest Speaker – Viv Straw** (Manager of Environment & Planning). Viv discussed how we can encourage passing traffic to stop in Upper Lachlan by being an innovative locality. He talked about energy innovation and making Upper Lachlan Shire financially sustainable by using solar panelled lighting and how Council could possibly deal with their waste. The following recommendation was moved by Andrew Lindner & seconded by Susan Reynolds.

**RECOMMENDATION:**

The EDTF recommends with the objective of moving Council from a net energy user to a net energy exporter that the Dept. of Infrastructure and Environment & Planning prepare a business case for street lighting, all waste management & energy generation.

CARRIED

The following recommendation was moved by Terry Lovelock & seconded Catherine Duff.

**RECOMMENDATION:**

The EDTF recommends the Dept. of Infrastructure and Environment & Planning prepare a recommendation detailing urban sustainability initiatives for on-site sewer systems in small villages and provide alternatives to septic tank disposal.

CARRIED

**Agenda Item 5.1 – Economic Growth & Development Planning Report**

The report was distributed to the committee and after much discussion it was decided to make some minor changes to the report and distribute for discussion at the next meeting.

**Agenda Item 5.2 – Community Open Day – 2019/2020 Financial Year**

Clr Richard Opie tabled some changes to the report. Brenda will make these changes and distribute to the committee for next meeting.

**Agenda Item 5.3 – The need for Business Chambers in our main centres.**

Brenda and Susan discussed the SBFC Conference that they attended in Sydney on 16<sup>th</sup> & 17<sup>th</sup> May. It was very clear that ULS is lacking a business voice. After much discussion it was decided to try and invite some Crookwell businesses together for a coffee on Sunday 23<sup>rd</sup> June at Café Zest to discuss the possibility of forming a business group. Small Business Month (October) as then discussed and Brenda will investigate the possibility of holding a Small Business Expo and inviting the other towns/villages to participate. The committee thought the attraction of forming an online business portal for the shire could possibly be launched at the same time. Brenda & Susan will investigate this also.

**Agenda Item 5.4 – The need for Self-Contained Cabins in Crookwell**

There was much discussion about the lack of accommodation available in Crookwell. The following recommendation was moved by Catherine Duff & seconded by Susan Reynolds.

**RECOMMENDATION:**

The EDTF recommends the Dept. of Infrastructure and Environment & Planning investigate the opportunity for solar powered cabins at the existing caravan park or alternate locations in Crookwell.

CARRIED

**Agenda Item 6 – General Business**

Susan Reynolds updated the committee about the Innovation Hub. Susan & Doug McIntyre are meeting with Daryl Smith from RDA next week. The Heated Pool proposal is also progressing. Sustainable Councils & Communities program have agreed to organise Steenson Varming to put together modelling for the project.

**Next Meeting** of the EDTF Committee Monday 8<sup>th</sup> July, 2019 at 4.00pm.  
There being no further business, meeting closed at 6.25pm.

**Minutes of the Crookwell Memorial Hall Management Committee  
General Meeting held on Thursday 30<sup>th</sup> May 2019**

**Present:** R. Bill, M. Wheelwright, M. Wonson, B. Proudman R. Huskinson and M. Willis

**Apologies:** M. Olde & J. Proudman

President Robert welcomed Marg Wonson as the Arts Council representative.

**Minutes** of the previous General Meeting held on Thursday 28<sup>th</sup> February 2019 were tabled. It was moved by M. Wheelwright and seconded by B. Proudman that the Minutes be accepted.

**BUSINESS ARISING**

- **Kitchen** - R. Bill spoke about the new Soccer Club stainless steel kitchen which was produced by Goulburn Engineering. Robert will discuss the requirements necessary with Adam Moorby and report back.
- **Heating** - the Hall heating has been fixed with new outlets being placed in the ceiling. Heaters have been purchased for the dressing rooms and are working well.
- **Lights** - repairs and installation of new lights have been completed.
- **Chair cleaning** - after discussion it was decided to enquire about Chem-Dry cleaning equipment and if possible hire a unit to do the job. After completion we will Scotch Guard the chairs
- **Cash Card** - nothing to report
- **Police Display Cabinet** - Margaret made contact with the Police in Crookwell regarding removal of the cabinet but nothing has been done to date. The Historical Society have moved the cabinet onto the verandah at the back of the library. Margaret will follow this matter up.
- **Painting** - Robert reported to the meeting regarding the difficulty working with the Council compliance on the issue of the hall exterior painting. After considerable discussion the Committee felt that as volunteers we should not have to battle with Council to maintain their building.
- **Refrigerator** - The large refrigerator in the hall is beyond repair and needs replacing. Robert will look around for a new one and report back. We will look at going halves with CADS.
- **Grounds** - Robert reported cleaning up of the grounds around the hall has been attended to.

**REPORTS:**

**President:** Robert reported CADS rehearsals have started and there is a party booking.

**Treasurer:** There was no Treasurer's report tabled due to the Treasurer's absence.

**CORRESPONDENCE:** There was no correspondence

**NEXT MEETING:** Thursday 22<sup>nd</sup> August. This is our AGM please bring nibbles and drink.

Meeting closed 6.20pm



**PRESENT:** Cllr John Stafford (Upper Lachlan Shire Council Representative), Mr Michael Coley (Community Representative), Mrs Rachael Foley (EDL Representative) and Mr Andrew Croke (Upper Lachlan Shire Council)

**NON-VOTING:** Ms Katrina Nelson (EDL) and Mrs Tina Dodson (Upper Lachlan Shire Council).

**1. Welcome**

Meeting Opened 1.12pm

**2. Apologies**

Mrs Jo Boyce

**Moved:** Rachel Foley and Michael Coley

**3. Declarations of Interest**

Mr Michael Coley advised he holds a position on the Gunning District Association, he will not participate in debate and will not vote.

**4. Minutes of the meeting held 22 May 2018**

**4.1 RECOMMENDED** that the minutes of the meeting held 22 May 2018 be adopted with an amendment to Part 5 – No 4 which should state Gunning District Community and Health Service.

**Moved:** Michael Coley and Rachel Foley

**5. Prioritisation of Project Submissions Received for 2019/2020**

**5.1 RECOMMENDED** that the Projects and amounts listed below be granted funding in the 2019/20 round of grant funding totalling \$17,884.00 (GST inc) on the basis that the projects will be completed and fully acquitted by 30 June 2020.

NO	ORGANISATION	AMOUNT
1.	Gunning District Association – Supply and installation of 2 double tap water fountains with antifreeze valves, supply and installation of 1 cycle rack.	\$9,820.00
2.	Gunning District Landcare – Purchase of a gazebo, logoed plastic tablecloth, hanging banner and a pull up banner.	\$975.00
3.	Gunning Pony Club – Upgrade of 10 show jumps.	\$2,898.00
4.	Dalton Public Hall – Minor roof refurbishment.	\$4,191.00
	<b>TOTAL (GST inc)</b>	<b>\$17,884.00</b>

**Moved:** Rachel Foley and John Stafford.

**6. General Business**

**Gunning Pony Club**

If a community group should cease then the property ownership (infrastructure upgrades 10 show jumps) are to remain the property of the Gunning showground.

**Moved:** Andrew Croke and Rachel Foley

**Gunning Golf Club**

Rachel Foley, Michael Coley and Tina Dodson to undertake an inspection of the works at the Gunning Golf Club to provide a status update on the project.

**Moved:** Rachel Foley and Andrew Croke

**Future Funding Rounds**

Council to ensure that future funding rounds are open for a minimum of 3 months.

**Moved:** Rachel Foley and Michael Coley

Meeting closed 2.31pm.



# Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Katrina Humphries  
PO Box 420 Moree NSW 2400  
02 6757 3222  
ABN 92 803 490 533

## MINUTES

### GENERAL MEETING

FRIDAY, 31 MAY 2019 THEATRETTE, PARLIAMENT HOUSE, SYDNEY

The meeting opened at 9.00 a.m.

#### 1. ATTENDANCE:

Armidale Regional Council, Cr Simon Murray, Mayor  
Bega Valley Shire Council, Cr Kristy McBain, Mayor  
Bellingen Shire Council, Cr Dominic King, Mayor  
Bland Shire Council, Cr Brian Monaghan, Mayor  
Bland Shire Council, Mr Ray Smith, General Manager  
Blayney Shire Council, Cr Scott Ferguson, Mayor  
Blayney Shire Council, Ms Rebecca Ryan, General Manager  
Bourke Shire Council, Cr Barry Hollman, Mayor  
Broken Hill City Council, Cr Darriea Turley, Mayor  
Broken Hill city Council, Mr James Roncon, General Manager  
Cabonne Shire Council, Cr Kevin Beatty, Mayor  
Cabonne Shire Council, Ms Heather Nicholls, Acting General Manager  
Carrathool Shire Council, Cr Peter Laird, Mayor  
Carrathool Shire Council, Mr, Rick Warren General Manager  
Coffs Harbour City Council, Mr Stephen McGrath, General Manager  
Coolamon Shire Council, Cr John Seymour, Mayor  
Cootamundra-Gundagai Regional Council, Cr Abb McAlister  
Cootamundra-Gundagai Regional Council, Cr Dennis Palmer, Deputy Mayor  
Cootamundra-Gundagai Regional Council, Mr Phil McMurray, Acting General Manager  
Cowra Shire Council, Cr Bill West, Mayor  
Dubbo Regional Council, Cr Ben Shields. Mayor  
Dubbo Regional Council, Mr Michael McMahon, CEO  
Dungog Shire Council, Cr Tracy Norman, Mayor  
Dungog Shire Council, Ms Coralie Nichols, General Manager  
Eurobodalla Shire Council, Cr Liz Innes, Mayor  
Federation Council, Cr Patrick Bourke, Mayor  
Forbes Shire Council, Cr Phyllis Miller, Mayor  
Forbes Shire Council, Mr Steve Loane, General Manager

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Gilgandra Shire Council, Cr Ash Walker, Deputy Mayor  
Goulburn Mulwaree Council, Cr Bob Kirk, Mayor  
Goulburn Mulwaree Council, Cr Peter Walker, Deputy Mayor  
Goulburn Mulwaree Council, Mr Warrick Bennett, General Manager  
Griffith City Council, Cr John Dal Broi, Mayor  
Griffith City Council, Mr Brett Stonestreet, General Manager  
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor  
Gunnedah Shire Council, Mr Eric Growth, General Manager  
Gwydir Shire Council, Cr John Coulton, Mayor  
Gwydir Shire Council, Mr Max Eastcott, General Manager  
Inverell Shire Council, Cr Paul Harmon, Mayor  
Kempsey Shire Council, Cr Liz Campbell, Mayor  
Kempsey Shire Council, Mr Craig Milburn, General Manager  
Kiama Municipal Council, Cr Mark Honey, Mayor  
Kyogle Council, Cr Danielle Mulholland, Mayor  
Leeton Shire Council, Cr Paul Maytom, Mayor  
Leeton Shire Council, Ms Jackie Kruger, General Manager  
Lithgow City Council, Cr Ray Thompson, Mayor  
Lithgow City Council, Mr Graeme Faulkner, General Manager  
Liverpool Plains Shire Council, Cr Andrew Hope, Mayor  
Lockhart Shire Council, Cr Roger Schirmer, Mayor  
Lockhart Shire Council, Mr Peter Veneris, General Manager  
Mid-Western/Mudgee Regional Council, Cr Des Kennedy, Mayor  
Mid-Western/Mudgee Regional Council, Mr Brad Cam, General Manager  
Moree Plains Shire Council, Cr Katrina Humphries, Mayor  
Moree Plains Shire Council, Mr Lester Rogers, General Manager  
Murray River Council, Cr Christopher Bilkey, Mayor  
Murray River Council, Mr Des Bilske, General Manager  
Murrumbidgee Council, Mr John Scarce, General Manager  
Narrabri Shire Council, Cr Catherine Redding, Mayor  
Narrabri Shire Council, Mr Stewart Todd, General Manager  
Narrandera Shire Council, Cr Neville Schenka, Mayor  
Narrandera Shire Council, Mr George Cowan, General Manager  
Narromine Shire Council, Cr Craig Davies, Mayor  
Oberon Shire Council, Cr Kathy Sajowitz, Mayor  
Oberon Shire Council, Ms Lynette Safranek, Director Corporate Services  
Parkes Shire Council, Cr Ken Keith, Mayor  
Parkes Shire Council, Cr Barbara Newton, Deputy Mayor  
Parkes Shire Council, Cr Alan Ward  
Port Stephens Council, Cr Ryan Palmer, Mayor  
Port Stephens Council, Tim Crosdale, Group Manager Development Services  
Shoalhaven City Council, Cr Amanda Findley, Mayor  
Shoalhaven City Council, Mr Stephen Dunshea, Acting General Manager  
Singleton Council, Cr Sue Moore, Mayor  
Temora Shire Council, Cr Rick Firman, Mayor  
Temora Shire Council, Mr Gary Lavelle, General Manager  
Tenterfield Shire Council, Cr Peter Petty, Mayor  
Tenterfield Shire Council, Mr Terry Dodds, General Manager  
Upper Lachlan Shire Council, Cr John Stafford, Mayor  
Uralla Shire Council, Cr Michael Pearce, Mayor  
Wagga Wagga City Council, Cr Greg Conkey, Mayor  
Walcha Council, Cr Eric Noakes, Mayor

Walcha Council, Mr Jack O'Hara, General Manager  
 Warren Shire Council, Cr Katrina Walker  
 Warren Shire Council, Mr Glen Wilcox, General Manager  
 Warrumbungle Shire Council, Cr Denis Todd, Mayor  
 Warrumbungle Shire Council, Mr Roger Bailey, General Manager  
 Wentworth Shire Council, Cr Melisa Hendrics, Mayor  
 Yass Valley Council, Cr Rowena Abbey, Mayor  
 Yass Valley Council, Ms Sharon Hutch, General Manager  
 Orana Joint Organisation, Ms Berlinda Barlow, Interim Executive Officer  
 Cr Linda Scott, President, LGNSW

**APOLOGIES:**

As submitted

**SPECIAL GUESTS:**

Hon Shelley Hancock, MP, Minister for Local Government  
 Gordon Hinds, Managing Director, Better Energy Technology  
 Hon Brad Hazzard, MP, Minister for Health and Medical Research  
 Andrew Roberts, CEO, Field Solutions Group  
 Cr Bruce Miller, Chairman, LGSuper

**2. ADOPTION OF MINUTES OF PREVIOUS MEETING:**

RESOLVED that the minutes of the General Meeting held on 8 March 2019 be accepted as a true and accurate record (Singleton Council / Oberon Shire Council).

**3. Matters Arising from the Minutes**  
 NIL

**4. CORRESPONDENCE**

Outward

- (a) Cr Linda Scott, President, Local government NSW, regarding Defined Benefits Scheme Contributions
- (b) Cr Ryan Palmer, Mayor, Port Stephens Council, advising that Port Stephens Council was admitted as a member of the Association on 8 March 2019
- (c) Mr Richard Colbran, Chief Executive Officer, NSW Rural doctors Network thanking him for his presentation to the 8 March 2019 meeting
- (d) Cr Melissa Hederics, Mayor, Wentworth Shire Council, advising that Wentworth Shire Council was admitted as a member of the Association on 8 March 2019

Inward

- (a) Cr Linda Scott, President, Local Government NSW. forwarding letters to LGSuper regarding the Defined Benefits Scheme (Copy Attached)
- (b) Institute Public Works Engineering Australia (NSW Division) advising that the Local Roads Congress will be held in Sydney on 3 June 2019

NOTED

**5. Financial Report**

RESOLVED That the financial reports for the last quarter were tabled and accepted (Temora Shire Council / Shoalhaven City Council)

**6. Royalties for Regions Program**

RESOLVED That Country Mayors calls upon the NSW Government to implement a "Royalties for Regions" program based upon a set percentage of royalties being returned to Local Government Areas from where they originate and/or that are directly affected.

That LGA representatives from the identified affected areas be invited to participate in the redesign of the new "Royalties for Regions program" (Gunnedah Shire Council / Singleton Council)

**7. Increased Fire Management Activities**

RESOLVED That the Country Mayors Association write to the appropriate Federal and State Ministers requesting that NSW National Parks and Wildlife Service, NSW Forestry Corporation and NSW Local Land Services, as a duty of care undertake an increased level of park and forest fire management activities, including increased hazard reduction burns and increased numbers of dams and water infrastructure points for firefighting purposes into the future (Tenterfield Shire Council / Kyogle Shire Council)

**8. RFS Contribution Increase 2019/10**

RESOLVED (a) That the Country Mayors Association supports the LGNSW campaign strongly and the State Government be requested to defer any RFS contribution increases for at least 12 months to allow for consultation and any future increases be shown on a separate line on the rate notice and not be included in the rate pegging formula

(b) That the Association write to the Premier requesting that the Department of Premier and Cabinet and the Independent Pricing and Regulatory Tribunal be directed to investigate the current Emergency Services arrangements in NSW including the efficiencies and effectiveness to be gained by such an investigation (Kempsey Shire Council / Yass valley Council)

**9. HON SHELLEY HANCOCK, MP, MINISTER FOR LOCAL GOVERNMENT**

The Minister started her career in Sydney as a teacher and then settled in Ulladulla where she also taught. She was elected to Shoalhaven City Council in 1987 and served four terms. She ran for State Parliament was elected and became Speaker of Parliament in 2011 and Minister for Local Government in 2019

The increased RFS contributions are mostly going towards the funded Compensation Scheme. The Minister lobbied on behalf of Local Government to have the increase adsorbed by the State Government but sadly that is not the case as it was overturned by Treasury. The Minister is anxious to have improved relations with Joint Organisations and a meeting with the Joint Organisations was held on Thursday 30

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May to discuss issues. Seed funding of \$300,000 will soon come to an end. The Office of Local Government is looking at ways Joint Organisations can be self funded and is looking at issues raised at yesterdays meeting. The Office of Local Government has not been disbanded contrary to rumours.

**10. Gordon Hinds, Managing Director, Better Energy Technology**

The energy market in Australia is undergoing a revolution as we migrate from centralised large-scale coal generation to distributed renewable energy. The role of towns throughout NSW in this revolution is not clear and to date there have not been many benefits that flowed through to them beyond the initial construction.

Basically renewable energy plants are highly automated and don't employ people, certainly not in the local communities other than occasional maintenance. Developers mostly by-pass section 94 contributions as they are classified as 'state significant' developments. The energy they produce goes into the grid and is bought by large scale users or retailers and then sold back to communities through the existing channels. Rural towns are being ripped off and bypassed.

There is another way and that is what Better Energy Technology is trying to do at Lockhart, with the support of the Deputy Prime Minister and Minister for Regional Development, Michael McCormack.

The Lockhart demonstration will supply power to the town of Lockhart, insulate it from blackouts, provide long-term stable energy pricing and have the potential for a dividend if the Council takes an equity position in the project. It is an Australian first and follows a design that has been in Germany for nearly 20 years - an 'export' model where 80% of the power produced is exported into the grid. It has a 10MW solar farm a large battery, the fixed power tariff is to be 28 cents a kilowatt, with long term income to council of possibly \$500,000 PA. The project cost is \$30 Million.

There are barriers to this being rolled out in NSW and the key one is access to the grid via the local substation. Most of the applications to connect to the grid through the substations are already in the hands of developers, mostly foreign owned or backed. None of these applications have community benefit at the heart of their plan, nor localised generation for local consumption. This can change.

The Minister for Energy has the power to direct the grid owners (Essential Energy in most cases) to give priority to projects that have a direct benefit in energy supply to local communities. He can do this in the simple form of a letter. With the political landscape now secure at both the Federal and State Level, now is the time for Country Mayors to step up to ensure their communities are part of this revolution and beneficiaries beyond construction. There is a need to push for long-term energy supply directly to communities such as what is planned at Lockhart.

It is possible, but it will require strong lobbying to ensure the Ministers act in the interests of communities

RESOLVED That the Country Mayors' Association make representations to the NSW Energy Minister and the Federal Energy Ministers seeking their support for the prioritisation of electricity grid connections at substations that are relevant to rural and regional towns, with priority to be given to applications that have an ongoing community benefit beyond construction of new energy developments that connect to those substations (Lockhart Shire Council / Bland Shire Council)

**11. Hon Brad Hazzard, MP, Minister for Health and Medical Research**

The Minister has tried to get around the regions as much as possible. There is a huge commitment by the State Government for the regions to get a fair go. One third of the State budget \$25billion is allocated to health. 25% of health infrastructure is to go to the regions. As part of the regional commitment the Regional Ambulance Update program has been allocated \$122million and many hospitals are being upgraded. The Government is trying to get medical students to do their training in the regions as this has proven to have higher success in keeping graduates in rural areas. Training facilities are situated in Wagga Wagga, Dubbo and Orange. Tele Health Stroke services are being introduced.

**12. Andrew Roberts, CEO, Field Solutions Group**

Field Solutions Vision is to be Australia's Leading Rural, Remote and Regional Telecommunications Provider through carrier services, retail services provision and Cloud services. Their brands are Just ISP and Ant Communications. Field Solutions provide township base networks built to the populations and multisite on farm networks. They strive to greatly reduce council spend, to provide connectivity to council premises, a business grade symmetric network with additional Cloud services and true broadband deep into communities that is cost effective with unlimited data. They provide coverage throughout NSW in three corridors, Northern, Central and Southern with local bases, hiring local staff, using local businesses, and providing on going support and maintenance. \$100 million has been pledged by the Nationals. The assistance needed is Regional Digital Connectivity, growing local communities, Community/FSG funded and Council/ FSG funded

RESOLVED That the Association write to the Deputy Premier advising that it supports Rural Regional Internet Connectivity through Field Solutions and requests urgent attention to this matter (Narromine Shire Council / Shoalhaven City Council)

**13. Cr Bruce Miller, Chairman, LGSuper**

LGSuper originated from State Super 23 years ago. A Trust Deed and Constitution were prepared. The Defined Benefits Scheme was funded prior to the financial crisis at a surplus, and councils took the opportunity to receive a holiday from contributions but to put the saved funding aside. The financial crisis resulted in the fund going into deficit. The fund is examined each year to assess its position. Regulated funds need to be fully funded each and every day of the year. LGSuper looked at options

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to be 100% funded. Investments are currently 80% growth 20% conservative but the objective is 70% growth 30% conservative. The Board has reviewed the two LGNSW resolutions. The current investment strategy is subject to stringent reviews and a further review as suggested is not necessary. In respect of Past Service Contributions after considering advice of actuary and legal opinions LGSuper will look at the level of contributions. LGNSW cannot instruct LGSuper. Irrespective of where Directors come from their responsibility is to the entity and its members. Shares in LGSuper have zero value but shareholders have a right to appoint Directors. Under new legislation the Regulator has power to do whatever. The Board will increase from 8 Directors to 9 Directors one independent to be the Chair with 3 independents, 3 employee and 3 employer representation.

**14. Meeting with Local Government Super**

NOTED

**15 Local Government Superannuation Report by Goulburn/Mulwaree**

NOTED

**16. Waste Levy Taskforce**

RESOLVED1. The NSW Country Mayors recognise that:

- a) The NSW Government still has no clear plan to manage waste in light of the China Sword and other international changes to recycling.
  - b) That land fill sites are processing higher amounts of waste and therefore shortening the lifecycle of these sites.
  - c) That the increase in waste going to landfill also increases the governments revenue and has impacts on the wider environment.
  - d) That NSW are falling behind other States such as Victoria and SA in terms of management of waste
  - e) That Local Government Areas (LGAs) should receive a higher amount of the waste Levy to deal with increase in cost to manage waste.
  - f) That Councils are the best placed government bodies to develop new strategies and industries to better manage waste for their communities.
2. That NSW Country Mayors urge the Minister for Local Government take action by
- a) Establishing a Waste Levy Task Force consisting of EPA, Mayors and LGNSW to begin immediate action to address the waste concerns of LGAs
  - b) Returning the full amount of the waste Levy to LGA's till there is an acceptable outcome agreed to by all parties.
3. That NSW Country Mayor's Association take their own action by:
- a) establish a working group of Country Mayors to:
    - i) identify the total amount of waste levies collected by the NSW Government from regional Councils
    - ii) identify the amount spent by the NSW government on waste reduction strategies in regional areas
    - iii) identify strategies for regional councils to withhold payment of the waste levy might be implemented if the NSW Government does not agree to form the task force recommended in (2) above

iv) bring a report back to the next meeting of the Country Mayors outlining options available to Country Mayors to get action on the Waste Levy, including consideration of the withholding of payment of the levy.

v) the working group comprise Michael Pearce (Uralla Shire Council), Peter Petty (Tenterfield Shire Council), Amanda Findley (Shoalhaven City Council) Tracey Norman (Dungog Shire Council) and Dominic King (Bellingen Shire Council)

4. That LGNSW be advised of Country Mayors position  
(Bellingen shire Council / Shoalhaven City Council)

<https://www.epa.nsw.gov.au/your-environment/waste/waste-levy/scheduled-waste>

<https://www.smh.com.au/environment/sustainability/nsw-waste-crisis-landfill-levy-gains-20190104-p50pp3.html>

<https://www.lgnsw.org.au/news/publication/save-our-recycling>

#### **17. Rural Fire Act 1997 - Grasslands**

RESOLVED that Country Mayors ask the RFS Commissioner to have a stay on implementation of the requirements under the Rural Fire Act 1997 to cover grasslands and an invitation be issued to the Commissioner to attend a future meeting (Gwydir Shire Council / Lockhart Shire Council)

There being no further business the meeting closed at 12.40pm.

Cr Katrina Humphries

Chair – Country Mayor's Association of NSW

**PRESENT:** Ms K Schaefer (Chairperson), Cllr J Searl, Mrs M Lannan, Mr G Kitchen and Mrs E Egan,

**NON-VOTING:** Mrs T Dodson (Director of Environment and Planning), Mr M Shah (Director of Infrastructure) and Ms S Knight (Minutes Secretary).

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**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 3:08PM**

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

Apology be received from Mr G Croker

**RESOLVED** by Cllr Searl and Mrs E Egan that the apology be received and a leave of absence granted.

-CARRIED

**SECTION 2: DECLARATIONS OF INTEREST**

Nil

**SECTION 3: CONFIRMATION OF MINUTES**

**ITEM 3.1** **RESOLVED** by Cllr Searl and Ms Schaefer

That the minutes of the Access Committee Meeting held on 5 April 2019 be adopted.

- CARRIED

**SECTION 4: REPORTS****ITEM 4.1 ASSESSMENT OF DISABLED ACCESS TO HEALTH CARE CENTRE, CROOKWELL**

**RESOLVED** by Ms Schaefer and Cllr Searl

1. Council consider road pavement and kerb & gutter upgrade works as a part of the future Operational and Delivery Plan;
2. A CRM 4070/2019 customer request is created for Council staff to fix the footpath edge drop off with topsoil in Action List dot point 3 from the 5 April Meeting.

- CARRIED

**ITEM 4.2 CORRESPONDENCE FOR THE MONTH OF JUNE 2019**

**RESOLVED** by Mrs Egan and Ms Schaefer

That Item 4.2 - Correspondence/Information listed below be received:

1. Disclosure of Interests at Meetings Policy and Procedure

- CARRIED

**SECTION 5: ITEMS FOR DISCUSSION****ITEM 5.1 PREVIOUS ITEMS ACTION LIST  
PROPOSED CONCLUSION:**

That Access Committee members note the progression of the previous action items and the due dates.

- Correspondence has been received from Jo Boyce regarding the 3pm meeting time on a Friday. Letter reply to Jo that it has been raised at the meeting today, asking for a suggestion to another suitable time to keep with other meeting schedules within the Council. General consensus was Friday 3pm suited most committee members at this point in time.
- Disabled Toilet Access sign and map of other disabled toilets in area. CRM to be raised for replacement of current sign that has faded. Would prefer sign to be bigger for vision impaired.



- Karin Schaefer has handed Council her resignation from Chairperson and Committee Position in the Access Committee. Letter has been received and noted today and Karin has requested for a copy of her letter to be included when sending out the minutes.
- Elizabeth Egan has informed the meeting today that she also has intention to resign from her Committee Members position. Email will be sent in next week to Council to officially confirm.

**RESOLVED** by Ms Schaefer and Cllr Searl

That the Committee move into Committee of the Whole in accordance with Section 10A(2)a of the Local Government Amendment (Open Meetings) Act, 1997 the time being 3.25PM

## **SECTION 7: CLOSED COMMITTEE REPORT**

### **ITEM 7.1 ASSESSMENT OF DISABLED ACCESS TO THE HEALTH CARE CENTRE, CROOKWELL**

**RESOLVED** by Cllr Searl and Mrs Lannan

1. The Committee receive and note the report as information.
2. That Council acknowledge the priority need for seeking appropriate funding to upgrade the access to current DDA standards.

- CARRIED

**RESOLVED** by Ms Schaefer and Cllr Searl

That the Committee move out of Committee of the Whole and that the Recommendations in Report Item 7.1 be adopted, the time being 3:40PM.

**THE MEETING CLOSED AT 4:06PM**

Minutes confirmed 2 AUGUST 2019

.....  
Chairperson

7/6/2019

To whom it may concern.

This letter is to notify the council of my resignation from the position as chair of the Upper Lachlan Shire Access Committee and from the committee also.

I became a member of the committee close to a decade ago because I believed it to be a means of facilitating improved access for community members with access issues.

While it has been my experience that the committee does provide a means for community members to raise access issues, in my time on the committee, I have not little real progress beyond the superficial and remedial, with regards to making our towns truly access friendly.

Sadly, I believe that this is largely due to a lack of will and leadership from the council.

The problems of equitable access are challenging to everyone, not the least to the person who is restricted by the physical barriers of poor paths, steps and lack of ramps. However, much more challenging, I have found, are the barriers that exist in peoples minds and hearts and sadly, with regards to the Upper Lachlan Shire, I believe these first and foremost, are the reasons why our villages are still not, despite its plans and policies, access friendly.

Nevertheless, I am hopeful that someone with the ability to make a shift in the attitudes I believe are preventing a true commitment to equity and fairness of access in the shire will come along to take my place.

I would like to thank the advocates I have had the pleasure to work with over the years for the integrity of their vision and commitment.

This letter is for the public record and I request as outgoing chair that it be included as correspondence in the minutes of the Upper Lachlan Shire Access Committee Meeting, 7/6/2019.

Yours sincerely,

Karin Petersen-Schaefer.

Corella Valley  
1216 Binda Road, Crookwell NSW 2583

Councillors of the Upper Lachlan Shire  
and  
The (Acting) General Manager  
Upper Lachlan Shire  
PO Box 42 Gunning NSW 2581

11 June 2019

Dear Councillors and Mr Croker

**Access Committee of the Upper Lachlan Shire – Resignation of membership**

Please accept my resignation from the above committee, effective from the date of this letter. I have been a member since 2017 and, together with other community members, have endeavoured to contribute to the improvement of access and facilities for residents and visitors with disabilities. The reason for my resignation is that progress in such matters has been absurdly and frustratingly slow. I am familiar with protocols, administrative procedure and budgetary restraints but these considerations appear frequently to be used as reasons why actions of benefit to the disability community cannot be pursued.

I draw your attention to the ULS Mission Statement which is:

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

and to part of the Council's vision statement, which reads:

***To build and maintain sustainable communities . . .***

The council's Disability Inclusion Action Plan 2017-2020 lays out strategies and actions to achieve these goals for people with disabilities.

I was the Disability Services Officer at The University of Sydney for approximately eight years and at Port Stephens Council for six years. I created, oversaw and implemented many significant new services for people with disabilities in both locations. While nothing was achieved outside of standard procedures, the difference between those locations and the Upper Lachlan Shire is that there was **leadership and commitment to the process at the upper levels, qualities which appear to be totally absent in the present administration of this shire.**

My understanding of the role of 355B committees, in very general terms, is that they work under the auspices of, and in co-operation with council to further the well-being of the community. Apart from councillor members and council staff representatives, the members are private citizens willing to give time and effort to further the well-being of all. Sadly, as a committee member I feel our generous intentions are countered by obstinance and obfuscation. I am no longer willing to persevere through protracted discussions for the occasional inadequate outcome.

Appreciation of the new Minutes Secretary, Shelley Knight, must be expressed as she has provided, in the view of this ex-committee member, excellent committee support and useful, comprehensive minutes.

In my opinion the ULS Council is depriving itself, and therefore the ULS community, of the benefit of energetic committees keen to work with council and contribute to achieving their mission. We are part of the same entity. When there is evidence of genuine intent by council to meet their mission statement, I will consider reapplying to join a 355B committee.

Yours sincerely, Elizabeth Egan

**PRESENT:** Cllr R Cummins (Chairperson), Mrs J Marsh (RMS) and Mr C Upton (NSW Police)

**NON-VOTING:** Mr M Shah (Director of Infrastructure), Mr C Xiong (Road, Safety, Traffic and Assets Officer), Mr A Al-Saoudi (Manager of Asset and Design) and Ms S Knight (Minutes Secretary)

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**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 10.07AM**

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

There were no apologies.

**SECTION 2: DECLARATIONS OF INTEREST**

Nil

**SECTION 3: CONFIRMATION OF MINUTES**

**ITEM 4.1** **RESOLVED** as Unanimously supported by Committee

That the minutes of the Traffic Committee Meeting held on 7 March 2019 be adopted.

- CARRIED

**SECTION 4: REPORTS**

**ITEM 4.1** **ST. MARY'S PRIMARY SCHOOL, CROOKWELL - PROPOSAL OF PEDESTRIAN CROSSING IN WADE STREET.**

**RESOLVED** as Unanimously supported by Committee

1. This matter be deferred until a concept design is provided for the consideration of the Local Traffic Committee.

- CARRIED

**ITEM 4.2****EVENT PARKING NEAR LAGGAN HALL LAGGAN NSW 2583**

**RESOLVED** as Unanimously supported by Committee

1. Council writes to the event organiser that the proposed location is not suitable for vehicles parking,
2. Traffic Management Plan (TMP) for the event to be provided to Council, and
3. The event organisers are responsible for event parking during the event day

- CARRIED

**ITEM 4.3****REQUEST FOR NEW DRIVEWAY AHEAD SIGNAGE FOR 607 BANNABY ROAD, TARALGA**

**RESOLVED** as Unanimously supported by Committee

1. Council install signs associated with a concealed driveway on the west approach to the driveway and
2. Council to trim the marked trees on the road reserve to improve the sight distance for the east approach (see photos).

- CARRIED

**ITEM 4.4****PARK STREET AND ROBERTSON STREET, CROOKWELL, NSW**

**RESOLVED** as Unanimously supported by Committee

1. Give Way Sign, hold line and other associated Road markings to be installed at this intersection to guide drivers as per the attached design including any bitumen widening required.

- CARRIED

**ITEM 4.5****PARKING ON YASS STREET, GUNNING, NSW 2581**

**RESOLVED** as Unanimously supported by Committee

1. Council not to accept the request for installing angle parking bays from Waratah Street to Nelanglo Street in Yass Street;
2. Council to mark a traffic lane of 3.5 metre in each direction in this segment as shown in the attached design (Diagram 6);
3. New no parking zone signs to be installed north and south of the school crossing (see Diagram 6, School Zone Drop Off/Pick Up area red lines).

- CARRIED

**ITEM 4.6****SCHOOL BUS STOP LOCATION ON RYE PARK ROAD NEAR BLAKNEY CREEK NORTH ROAD, BLAKNEY CREEK, NSW 2581**

**RESOLVED** as Unanimously supported by Committee

1. The Committee recommends for Council to approve the request of installing a school bus stop on the clear roadside area in Rye Park Road (west of the intersection).
2. The Committee recommends for Council to fund and undertake the work of the school bus installation.

- CARRIED

**ITEM 4.7****PROPOSED SCHOOL BUS STOPS AT BRAYTON ROAD AND GIBRALTAR ROAD, BRAYTON, NSW 2579**

**RESOLVED** as Unanimously supported by Committee

1. Council install a southbound bus stop and a northbound bus stop on Brayton Road, at 10 meters north of the Gibraltar Road intersection.
2. The Committee recommends to Council to fund and undertake the works for these two school bus installations.

- CARRIED



**ITEM 4.8                    JERRAWA ROAD & COOLALIE ROAD INTERSECTION CHANGES**

**RESOLVED** as Unanimously supported by Committee

1. This matter be deferred for further consideration of the Local Traffic Committee.

- CARRIED

**ITEM 4.9                    ITEMS FOR DISCUSSION  
RECOMMENDATION**

That Committee discuss the following items and further reports will be provided in due course.

1. Binda, Bigga, Taralga & Crookwell Hospital Bus Shelters;
2. Gunning Fireworks September 2019;
3. Taralga 200 Celebrations October 2019;
4. Gunning Solar Farm;

**ITEM 4.10                    CORRESPONDENCE FOR THE MONTH OF JUNE 2019  
RECOMMENDATION:**

That Item 4.10 - Correspondence/Information listed below be received:

1. RMS Fatality Update – Southern Region – September 2018

**SECTION 5: ITEMS FOR DISCUSSION****ITEM 5.1 PREVIOUS ITEMS ACTION LIST  
PROPOSED CONCLUSION:**

That Traffic Committee members note the progression of the previous action items and the due dates.

**THE MEETING CLOSED AT 11:57AM**

Minutes confirmed 1 AUGUST 2019

.....  
Chairperson

**PRESENT:** Mayor J Stafford (Chairperson), Cllr J Searl, Cllr R Cummins, Mr G Douglas (Community Representative) and Mrs M Skelly (Community Representative)

**NON-VOTING:** Mr A Faisal (Project Delivery Engineer), Mr M Shah (Director of Infrastructure) and Ms S Knight (Minutes Secretary)

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**THE MAYOR DECLARED THE MEETING OPEN AT 5:41PM**

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

An apology was received from Mr D McKay (Community Representative)

**RESOLVED** by Cllr Searl and Mrs M Skelly that the apology be received and a leave of absence granted.

- CARRIED

**SECTION 2: DECLARATIONS OF INTEREST**

Nil

**SECTION 3: CONFIRMATION OF MINUTES**

**ITEM 4.1** **RESOLVED** by Cllr Searl and Mr Douglas

That the minutes of the Streetscape Committee Meeting held on 9 April 2019 be adopted.

- CARRIED

**SECTION 4: REPORTS****ITEM 4.1 DETAILED ENGINEERING DESIGN, COST ESTIMATE, AND PROCUREMENT & INSTALLATION OF STREETSCAPE ITEMS (BIN ENCLOSURES, SEATS AND NOTICEBOARDS)**

**RESOLVED** by Cllr Searl and Cllr Cummins

1. That the Streetscape Committee recommends to Council to purchase the models or types of seats (CPS18-TI-AR), bins (ABEH240-T1) and noticeboards (2PUNI22-SM-NB) so that detailed engineering design can be completed and installation progress without further delay.
2. That the Streetscape Committee recommends to Council to fund \$30,000 worth of bus shelters works as a part of the Streetscape project.

- CARRIED

**ITEM 4.2 CORRESPONDENCE FOR THE MONTH OF JUNE 2019**

**RESOLVED** by Cllr Searl and Mr Douglas

That Item 4.2 - Correspondence/Information listed below be received:

1. Disclosure of Interests at Meetings Policy and Procedure

- CARRIED

**SECTION 5: ITEMS FOR DISCUSSION**

Nil

**THE MEETING CLOSED AT 6:31PM**

Minutes confirmed 9 JULY 2019

.....  
Mayor

## **Upper Lachlan Shire Council**

### **MINUTES OF THE UPPER LACHLAN TOURIST ASSOCIATION MEETING HELD ON TUESDAY, 4TH JUNE 2019, AT CROOKWELL VISITOR INFORMATION CENTRE.**

**Meeting commenced at 2.00 pm**

**Present:** Clr Richard Opie, Clr John Searl, Leslie Bush, Margaret McPherson, Daniel Cooper, Cristy O'Sullivan, Wentworth Hill, Andrew Warren

**1. WELCOME** – Clr J.Searl declared the meeting open.

#### **2. APOLOGIES**

Apologies were received from Jan Pont, Judith Basile and Lucy Lindner.

*Moved: J.Basile, L.Bush*

#### **3. DECLARATIONS OF INTEREST**

Nil

#### **4. MINUTES OF PREVIOUS MEETING**

Committee confirmed minutes as accurate without correction.

*Moved: C.O'Sullivan, M.McPherson*

#### **5. BUSINESS ARISING**

- **Taralga Dump Point** – ULSC made application to the CMCA for a supported dump point in Martyn St Taralga outside the Water Treatment Plant. The application has been accepted and the point is planned to be installed before the end of June.

#### **6. CORRESPONDENCE**

Correspondence Items (a)

*Moved: L.Bush, M.McPherson*

- a. DSNSW – Newsletter
  - i. TASK – AW to invite Sean Haylan to the next ULTA normal meeting on August 6.

#### **7. FINANCE REPORT**

The Upper Lachlan Tourist Association receives the report and notes the information.

*Moved: M.McPherson, L.Bush*

#### **8. TOURISM ACTIVITY REPORT**

The Upper Lachlan Tourist Association receives the report and notes the information.

**TASK** - The ULTA resolves to present a report to ULSC outlining the opportunity for eco-friendly cabins as part of an overall project regarding the future of the Crookwell Caravan Park given current limitations. *Moved R.Opie, L.Bush*

*Moved: M.McPherson, L.Bush*

## **9. CYCLING PROJECT UPDATE**

The Upper Lachlan Tourist Association receives the report and notes the information.

*Moved: C.O'Sullivan, M.McPherson*

## **10. STRATEGIC PLAN REVIEW**

Committee members to review the drafts with the objective of recommending their adoption at the August meeting.

## **11. INDUSTRY SUPPORT PROGRAM**

The Upper Lachlan Tourist Association endorses the new Industry Support Program for implementation from July 1, 2019.

*Moved: L.Bush, C.O'Sullivan*

## **12. CULTURAL GRANT ROUND**

**RECOMMENDATION:** The Upper Lachlan Tourist Association recommends to the Upper Lachlan Shire Council that the applications from the Taralga District Progress Association and Upper Lachlan Dame Mary Gilmore Society be funded as requested.

*Moved: L.Bush, C.O'Sullivan*

## **13. TARALGA LEVEL 3 AGREEMENT**

The Upper Lachlan Tourist Association offers a new agreement to Taralga Gifts and Goodies until such time as Destination NSW removes support for Level 3 accreditations.

*Moved: W.Hill, L.Bush*

## **14. WIND FARM TOURS**

The Upper Lachlan Tourist Association receives the report and notes the information.

*Moved: C.O'Sullivan, M.McPherson*

## **15. INDUSTRY NETWORKING**

Tourism staff to issue an invitation for an Upper Lachlan Networking Event on July 1<sup>st</sup>.

## **16. GENERAL BUSINESS**

**A.Warren** – advised the following

- Liz Gorman has resigned her position from Council effective June 7<sup>th</sup>. Council will advertise for a replacement as soon as possible.



- The Gunning Paper Shop is closing effective June 30<sup>th</sup> hence our official outlet for information will no longer be available. The ULTA will need to consider alternatives.
- The DSNSW Board will be visiting Taralga on Tuesday June 18<sup>th</sup>. Invitations to industry for a working lunch will be issued by tourism staff.

**C.O’Sullivan** – Outlined the progress on the Taralga 200 “Taste of Taralga” event highlighting difficulties they have had regarding their Traffic Management Plan, delays in communication and the requirements of a new Application Kit – Festivals and Events.

**MOTION:** The Upper Lachlan Tourist Association asks the Upper Lachlan Shire Council to please advise on the progress and processes in place to streamline event approvals.  
**Moved: L.Bush, R.Opie**

**L.Bush** – wanted to highlight that Gunning would like to see more photos of Gunning in the Discover History section of the Destination Guide.

Meeting closed 3.56pm

**Next meeting will be on Tuesday 6th August 2019 at 2pm at Crookwell Visitor Information Centre.**

## Agenda of Ordinary Meeting of Council - 20 June 2019

### Meeting Opened: 8.40am

### 1. Welcome and Introductions

#### Member Councils

Bega Valley Shire Council	Cr Mitchell Nadin Leanne Barnes
Eurobodalla Shire Council	Cr Liz Innes Dr Catherine Dale
Goulburn Mulwaree Council	Cr Bob Kirk Warwick Bennett
Hilltops Council	Dr Edwina Marks
Queanbeyan-Palerang Regional Council	Cr Tim Overall Peter Tegart
Snowy Valleys Council	Cr James Hayes OAM Matt Hyde
Snowy Monaro Regional Council	Cr John Rooney Peter Bascomb
Upper Lachlan Shire Council	Cr John Stafford Andrew Croke
Wingecarribee Shire Council	Cr Duncan Gair Ann Prendergast
Yass Valley Council	Cr Rowena Abbey (Chair) Sharon Hutch

#### Associate Members

ACT Government	Sam Engele
Wagga Wagga City Council	Cr Greg Conkey OAM
East Gippsland Shire Council	Cr Natalie O'Connell Andrew Basford

#### Also Present

CRJO	David Rowe Gabrielle Cusack
NSW Government	Laura Hartley

## 1. Opening Meeting: 8.40am

## 2. Apologies

### RESOLUTION 74/2018

*That apologies be accepted from Cr Kristy McBain, Cr Brian Ingram, John Bell, Peter Thompson, Noel McCann, David Clapham, Heidi Stratford and Elizabeth Dixon*

For: Unanimous

D.Gair/L.Innes

Against: Nil

## 3. Disclosure of Interest

*Nil*

## 4. Urgent Items – Late Business

### RESOLUTION 75/2018

*That a discussion be held regarding Regional Priorities for Snowy Hydro Legacy Funding*

For: Unanimous

B.Kirk/J.Stafford

Against: Nil

## 5. Confirmation of Minutes – 15 February 2019

### RESOLUTION 76/2018

*That the minutes from the CRJO Board meeting #4/18 of 15 February 2019 be confirmed.*

For: Unanimous

D.Gair/J.Stafford

Against: Nil

## 6. CRJO Chairs Report

### RESOLUTION 77/2018

- 1. That the report be noted.*
- 2. That a report be brought back to CRJO Board meeting in September regarding the possible establishment of a relationship between the CRJO and Wellington Region (NZ).*

For: Unanimous

T.Overall/M.Nadin

Against: Nil

## 7. CRJO Board Meetings

### RESOLUTION 78/2018

- 1. That an Extraordinary meeting be held on Thursday morning 11 July 2019 from 9.00am until 11.00am to consider the financial sustainability of the CRJO and the Revenue Policy which includes membership fees and the 2019/2020 budget*

For: Unanimous

T.Overall/L.Innes

Against: Nil

- 2. That a Board meeting be held in Sydney on the Thursday 17 October 2019 including a regional tour of Western Sydney on the 18 October 2019**
- 3. That a Board meeting be held in Tumut on Friday 6 December 2019 with a regional tour of VISY Industries and Snowy Hydro to take place on Thursday 5 December 2019**
- 4. That the offer of East Gippsland Shire Council to host a CRJO Board meeting in 2020 be accepted and coordinated with East Gippsland Staff.**

For: Unanimous

M.Nadin/J.Hayes OAM

Against: Nil

## 8.Vision and Purpose

### RESOLUTION 79/2018

- 1. That the Vision for the CRJO be adopted as:**

**“Our Region.....Dynamic, Innovative, Connected .....Compelling!”**

For: Unanimous

R.Abbey/J.Stafford

Against: Nil

- 5. 2. That the purpose of the CRJO be confirmed as:**

**“Working together to deliver better outcomes for our communities and the region”**

For: Unanimous

L.Innes/T.Overall

Against: Nil

## 9. NSW Machinery of Government

### RESOLUTION 80/2018

**That the NSW Machinery of Government changes be noted, and the Environment Planning and Industry Cluster is being known as EPIC.**

For: Unanimous

T.Overall/L.Innes

Against: Nil

## 10. Advocacy Report

### RESOLUTION 81/2018

- 1. That the Advocacy Report be noted**
- 2. That to the CRJO seek to obtain from the NSW Government its regional roads priorities in the Canberra**
- 3. Region to enable discussion by the relevant Councils**
- 4. That GMAC prepare a report on establishing a for Fee for Service framework for Advocacy Services provided by the CRJO.**

For: Unanimous

D.Gair/B.Kirk

Against: Nil

## 11. Emergency Services Levy

### RESOLUTION 82/2018

- 6. That the CRJO advocate to the NSW Government:**
  - a. A strong objection to any increase to the Emergency Services Levy (ESL) above rate peg, and that no consultation was conducted with the sector in advance of the increase (noting that all Council budgets and integrated plans are on exhibition or finalised).**
  - b. The value of any increase of the ESL in future years be added to the rate peg**
  - c. The ESL be considered as a separate rate collected by Local Government on behalf of NSW Government**
  - d. The increase by deferred to 2021**
- 7. That each Council consider the draft mayoral minute prepared by LGNSW**

For: Unanimous

L.Innes/T.Overall

Against: Nil

## 12. Local Government Superannuation

### RESOLUTION 83/2018

***That Canberra Region Joint Organisation write a letter of support to the Country Mayors meeting to be held on the 31<sup>st</sup> May 2019 on the Goulburn Mulwaree Council's recommendations in regard to the additional contributions which will state as follows: -***

***That Country Mayors take the following actions in regard to the Local Government Super – Additional Contribution***

- a. Write to Local Government Super expressing Country Mayors concern that they have disregarded two unanimous resolutions – one from Local Government NSW 2018 conference and the other of Country Mayors to cease additional contributions once total assets exceeded total liabilities in the defined benefit plan and that their continued demand for additional contributions is unreasonable and unacceptable***
- b. Country Mayors allocate \$20,000 from the unallocated accumulated funds to seek an independent review of the defined benefit plan of Local Government Super to determine if the fund should be self-funded. Such a report to review methodology, assumptions and sensitivity analysis used by Local Government Super to justify the additional contributions continuing. The report also to seek information on investment strategies used by Local Government Super and are those strategies appropriate for a contemporary superannuation fund when compared with industry benchmarks***
- c. Country Mayors write to the Minister of Finance (State Government) and IPART seeking their intervention, assistance or any advice in this matter they may be able to provide***
- d. Country Mayors seek a one off \$300 increase in annual subscription from members in 2019/20 to fund the unbudgeted use of the accumulated reserve funds.***

- e. Country Mayors send a copy of this resolution to Local Government NSW and seek that organisation as 50% shareholder to appoint Directors who will implement the policy of LGNSW as determined by unanimous resolution of members at the 2018 conference.*

For: Unanimous

B.Kirk/D.Gair

Against: Nil

## 13 Code of Meeting Practice

### RESOLUTION 84/2018

- 8. That the draft code of meeting practice be adopted and implementation in its draft format as amended by deleting the following sentence from clause 14.9 "The Canberra Region Joint Organisation encourages community members to first raise their topic of interest with their local council."*
- 9. That the draft code of meeting practice be placed on public exhibition for 42 days then be brought back to the Board for final adoption with any public submissions.*

For: Unanimous

J.Hayes OAM/L.Innes

Against: Nil

## 14. Code of Conduct Panel Reviewers

### RESOLUTIONS 85/2018

- 10. That the CRJO establish a "CRJO Panel of Conduct Reviewers" to operate from 1 June 2019 to 30 June 2022*
- 11. That the following 12 consultants/entities be appointed to the "CRJO Panel of Conduct Reviewers"*
  - 1. Echidna Associates*
  - 2. Meehan and Meehan*
  - 3. Applied Integrity Solutions*
  - 4. Train Reaction*
  - 5. Sinc Solutions*
  - 6. Centium*
  - 7. O'Connor Marsden*
  - 8. Aust Workplace Training*
  - 9. Weir Consulting*
  - 10. Mediate Today*
  - 11. Nemesis Consultancy Group*
  - 12. Redenbach lee Lawyers*

- 3. That it be noted by member councils that to utilise the CRJO Panel, councils will need to resolve to establish its own panel of conduct reviewers as the "CRJO Panel of Conduct Reviewers"*

For: L.Innes, B.Kirk, J.Hayes OAM, J.Rooney, R.Abbey, T.Overall, D.Gair, J.Stafford

Against: M.Nadin

L Innes/B Kirk



## 15. LG State Award Renegotiation

### RESOLUTION 86/2018

*That representations be made to LGNSW to create a working party to review the process for future Award negotiations where:*

- 1. General Managers are the predominate representatives negotiating Award changes on behalf of Councils*
- 2. There is transparency in decision making by the Board around the Award agreement*

For: Unanimous

B.Kirk/M.Nadin

Against: Nil

## 16. Crown Lands

### RESOLUTION 87/2018

- 1. That by June 6, 2019 all Councils provide estimates to the CRJO CEO, of costs to complete Plans of Management (POM) for Crown Lands vested to councils.*
- 2. That the NSW Government be strongly urged to provide additional funding based on the estimated costings for POM for Crown Lands.*
- 3. That the Crown Lands Department assess whether they have sufficient resources to process the POM within reasonable timeframes on top of their current commitments to Councils, noting that some Councils have a three-year backlog of requests with the Department.*
- 4. That the NSW Government confirm that Local Government will not be liable for any potential compensation or personal liability in relation to Native Title Claims.*

For: Unanimous

J.Rooney/D.Gair

Against: Nil

## 17. Wingecarribee Shire Council - Waste Levy

### RESOLUTION 88/2018

- 1. That the Board notes that the CRJO will be making representations to the NSW Deputy Premier, Minister for Local Government and NSW Government Coordinator General for the Department of Planning, Industry and Environment on Monday 27 May 2019, seeking their support for an urgent review to reclassify Wingecarribee Shire Council (WSC) from the Metropolitan Waste Levy Area to the Regional Levy area for the purpose of the NSW Waste Levy effective from 1 July 2019.*
- 2. That following those meetings, advice be provided to the Mayor and General Manager of WSC of the outcome.*
- 3. That the next step is to advocate to the NSW Premier and Treasurer for a face to face meeting to resolve the issue of the re-classification of WSC from the Metropolitan Waste Levy Area to the Regional Levy area for the purpose of the NSW Waste Levy.*

For: Unanimous

D.Gair/B.Kirk

Against: Nil

## 18. LG Remuneration Tribunal (LGRT) Joint Organisations

### RESOLUTION 89/2018

*That the report be noted with no further action to be taken.*

For: Unanimous

L.Innes/J.Rooney

Against: Nil

## 19. Council Membership of SEATS & LGNSW

### RESOLUTION 90/2018

- 1. That the CRJO Board request the CEO to discuss the option for one representative membership at SEATS to cover the CRJO members, associate members and affiliate members.*
- 2. That a suitable membership fee be negotiated.*
- 3. That the CRJO be represented at SEATS meetings by a member and a representative of the Infrastructure Working Group and that they be requested to present all priority transport related issues from the CRJO.*
- 4. All CRJO Councils be contacted to determine whether they would remain a member of SEATS if the CRJO became a member.*

For: Unanimous

M.Nadin/T.Overall

Against: Nil

- 5. That membership of LGNSW be considered by the CRJO Board and that a meeting between the two organisations be held to look at options.*

For: Unanimous

M.Nadin/J.Stafford

Against: Nil

## 20. Affiliate Membership

### RESOLUTION 91/2018

- 1. That the terms of an Affiliate membership:*

- a. Be offered as a non-voting membership to a person(s) or entity including corporate and not-for-profit organisations subject to a resolution of the Board.*
- b. Be considered by the Board on a case by case basis where there is a benefit that is aligned to CRJO Strategic Priorities.*
- c. Be reviewed annually by the Board and the Affiliate as to whether continued membership remains applicable.*
- d. Attract a membership fee as determined by the annual membership fees or include in-kind support equivalent to a similar value.*

- 2. That the initial membership fee for Affiliates be set at \$20,000.*

For: Unanimous

M.Nadin/J.Hayes OAM

Against: Nil

## 21. CBRJO Windup

### RESOLUTION 92/2018

- 12. That all assets and liabilities from the CBRJO are recognised to have been transferred to and accepted by the CRJO with the transfer of the agreed funding of \$1,060,000 at 30 June 2018 from Queanbeyan-Palerang Regional Council.***
- 13. That it is acknowledged that this transfer of funds relieves Queanbeyan-Palerang Regional Council (QPRC) of any contingent and intangible liability associated with the operation of the CBRJO through the QPRC and Palerang Council.***

For: Unanimous

D.Gair/J.Rooney

Against: Nil

## 22. South East Sports Academy (SESA)

### RESOLUTION 93/2018

- 1. That the two representatives on South East and Tablelands Sport and Active Recreation Plan steering committee be the Director of Assets and Operations from Bega Valley Shire Council (Anthony McMahon) and General Manager of Snowy Monaro Regional Council (Peter Bascomb).***
- 2. That the CRJO representatives to the steering committee investigate how the implementation of the Regional Sport and Active Recreation Plan will be managed and what will be the financial and other commitments requested from each Council.***
- 3. That the CRJO advocate that SESA continue to be operated by the Office of Sport, based at Jindabyne, noting the Government investments in Jindabyne and the regional sport (hub and spoke) campuses.***

For: Unanimous

M.Nadin/J.Stafford

Against: Nil

## 23. Working Groups

### RESOLUTION 94/2018

- 14. That the information be received and noted.***
- 15. That GMAC review its terms of reference and report back to the Board***

For: Unanimous

B.Kirk/T.Overall

Against: Nil

## Next Meeting:

***11 July 2019 @ 9am, with the option via video conference***

**Meeting Closed: 11.40am**



## **17       NOTICES OF MOTION**

A Notice of Motion is included in the Confidential Session.





## **18 QUESTIONS WITH NOTICE**

The following items are submitted for consideration -

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## Questions With Notice - 20 June 2019

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**ITEM 18.1                      Allocation of Additional Roads to Recovery Funds**  
**AUTHOR                      Councillor Ron Cummins**

At the May Council meeting Councillors passed a resolution to spend \$1,203,048 of additional R2R Funds on the gravel re-sheeting of unsealed local roads.

In the 2019/2020 Operational Plan Council proposes to spend \$240,609 of that funding.

What unsealed local roads will this additional funding be spent on, how many kilometres of gravel re-sheeting will be achieved and over what time period will these works be carried out?

### **ACTING GENERAL MANAGER'S COMMENTS**

A list of unsealed local roads to be funded by the Federal Government Roads to Recovery funding has been prepared for 2019/2020 and is included in the 2019/2020 Council Operational Plan. Approximately 10 kilometres of gravel re-sheeting will be achieved from the additional \$240,609 funding. The works will be completed by 30 June 2020.

<b>Road Name</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Variance</b>
Brayton Road	26,500	27,000	500
Castle Hill Road	27,000	27,000	
Fish River Road*	15,301	15,301	
Fullerton Road	26,500	27,000	500
Glenerin Road*	29,359	29,359	
Gorham Lane	26,500	29,531	3,031
Jerrong Road*	1,353	1,499	146
Julong Road	26,500	27,000	500
Lost River Road	26,500	27,000	500
Mt Rae Road	26,500	27,000	500
Oolong Road	40,500	40,500	
Pejar Road	26,500	27,000	500
Redground Heights*	14,555	14,555	
Redground Road	26,500	27,000	500
Rhyanna Road	27,000	27,000	
Rugby Road*	17,779	17,779	
Rugby Road	27,000	27,000	
Sapphire Road*	27,590	27,590	
Tyrl Tyrl Road	26,500	27,000	500
Walkoms Lane	26,500	27,000	500
<b>Additional Roads:</b>			

**Questions With Notice****ALLOCATION OF ADDITIONAL ROADS TO RECOVERY FUNDS cont'd**

Wheeo Road		27,000	27,000
Clarevale Road*		13,500	13,500
Maryvale Road		54,000	54,000
Pudman Creek Road		27,000	27,000
Rugby Road*		3,432	3,432
Towrang Road		27,000	27,000
Sapphire Road		27,000	27,000
Greenmantle Road		27,000	27,000
Julong Road		27,000	27,000
<b>Totals</b>	<b>492,437</b>	<b>733,046</b>	<b>240,609</b>

\*denotes: Roads that are partially funded by Section 94 (Roads) Development Contributions.

**ATTACHMENTS**

Nil

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## Questions With Notice - 20 June 2019

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**ITEM 18.2**                      **Mowing on Council verges**  
**AUTHOR**                      **Councillor Richard Opie**

Can the Acting General Manager please provide Councils policy in relation to mowing roadside verges in front of residential homes in the towns and villages of the shire?

### **ACTING GENERAL MANAGER'S COMMENTS**

Council does not have a formal policy in relation to mowing on roadside verges in front of residential homes in the towns and villages. Council follows industry practice where these roadside verges are maintained by the individual property owners without the assistance or approval of the relevant road authority or Council.

### **ATTACHMENTS**

Nil

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## Questions With Notice - 20 June 2019

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**ITEM 18.3**                      **Customer Request Management - response timeframes**  
**AUTHOR**                      **Councillor Richard Opie**

Can the Acting General Manager please provide Councils policy with regard to the CRM and the time frame for responses and direction if not met?

### **ACTING GENERAL MANAGER'S COMMENTS**

Council has a Service Delivery Policy which details customer service standards. The response times are outlined in the Service Delivery Policy (15 working days) and are subject to organisational constraints such as available resources and current priorities and works schedules. Not all CRMs are finalised within the 15 working day response timeframe for the reasons outlined above.

Council's senior management monitor and review outstanding service requests for CRMs on a monthly basis to ensure escalation of outstanding service requests.

Automated acknowledgements are sent by Council to the customer's request received by email.

### **ATTACHMENTS**

Nil

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## Questions With Notice - 20 June 2019

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**ITEM 18.4**                      **Council policy and process - email delivery**  
**AUTHOR**                      **Councillor Richard Opie**

Can the Acting General Manager detail the process and policy involved dealing with an email once it has arrived addressed to Council and the time it takes to be delivered to its appropriate recipient?

### **ACTING GENERAL MANAGER'S COMMENTS**

Council has a Records Management Policy concerning all activities related to the records functions and incoming mail, both hardcopy and electronic mail.

Council receives electronic mail at the corporate email address [council@upperlachlan.nsw.gov.au](mailto:council@upperlachlan.nsw.gov.au). The Senior Records Officer role each day is to collect and open mail and then register, date stamp, scan, sort incoming correspondence into the electronic document management system, HP Content Manager. The Senior Records Officer role is to assign registered correspondence in HP Content Manager to the General Manager. The General Manager then reads, reviews and assigns all registered correspondence to the relevant Council officer for appropriate action.

Council corporate email address is reviewed, cleared and mail is sorted and registered at minimum twice daily. The Council PO Box is cleared and mail sorted and registered on a daily basis.

The Senior Records Officer undertakes various records and administrative duties in addition to registering incoming correspondence, this involves determining what legitimate correspondence is registered and junk mail is removed.

The timeline for delivery to the appropriate Council officer varies each day due to numerous factors; including staff availability, appointments and meetings. However, Council has an automated acknowledgement to incoming correspondence which is in accordance with Council's Service Delivery Policy with the following response:-

"Dear Customer,  
Thank you for contacting Upper Lachlan Shire Council. Your correspondence has been received and forwarded to the relevant Council Department for action. Assisting you to resolve your customer service request is a high priority. A Council officer will respond as soon as possible, a reply to your request will be provided within 15 working days."

### **ATTACHMENTS**

Nil



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## Questions With Notice - 20 June 2019

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**ITEM 18.5**                      **Correspondence from EPA**  
**AUTHOR**                      **Councillor Richard Opie**

Can the Acting General Manager please advise why Councillor's cannot be given a copy of any correspondence raising matters of direction, concern or time frames from the EPA upon receipt?

### **ACTING GENERAL MANAGER'S COMMENTS**

The correspondence from the Environment Protection Authority (EPA) is considered by the Acting General Manager to be operational in nature and consequently is to be actioned by a responsible Council staff officer with delegation of authority to address the issues raised within the correspondence. The Director of Infrastructure is the responsible Council officer.

Correspondence received by Upper Lachlan Shire Council from the Environment Protection Authority (EPA) may be provided to Councillors for their information upon request to the General Manager and this information has been provided to all Councillors under separate cover along with the Council response to the EPA correspondence.

### **ATTACHMENTS**

Nil

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## Questions With Notice - 20 June 2019

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**ITEM 18.6**                      **General Manager's contract**  
**AUTHOR**                      **Councillor Richard Opie**

Can the Acting General Manager please explain why Councillors cannot be provided with a copy of the General Managers Contract and if not under what policy is this restricted?

### **ACTING GENERAL MANAGER'S COMMENTS**

The Upper Lachlan Shire Council General Manager, John Bell, contract of employment is available to all Councillors and has been provided as an attachment to a Closed Session Mayoral Minute at this meeting by the Mayor Councillor John Stafford.

Please note that the General Manager's contract of employment is for the information of Councillors only and is not available for public dissemination.

### **ATTACHMENTS**

Nil

# **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 Item 19.1 19.2 19.3 19.4 19.5 in confidential session for the reasons indicated:

#### Item 19.1 Review of the Waste Management Strategy for Upper Lachlan

*This report is considered to be confidential in accordance with Section 10A(2c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

#### Item 19.2 Tender for the Supply and Delivery of Bulk Fuel

*This report is considered to be confidential in accordance with Section 10A(2c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*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.*

#### Item 19.3 Potential sale of former Saleyards Site, Lot 3 DP 1112816 Laggan Road, Crookwell

*This report is considered to be confidential in accordance with Section 10A(2c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Item 19.4 Notice of Motion - General Manager's Contract and Review

*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 (other than Councillors).*

Item 19.5 Mayoral Minute - General Manager's Contract of Employment

*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 (other than Councillors).*



## **19      CONFIDENTIAL SESSION**

The following items are submitted for consideration -

- 19.1      Review of the Waste Management Strategy for Upper Lachlan
- 19.2      Tender for the Supply and Delivery of Bulk Fuel
- 19.3      Potential sale of former Saleyards Site, Lot 3 DP 1112816  
Laggan Road, Crookwell
- 19.4      Notice of Motion - General Manager's Contract and Review
- 19.5      Mayoral Minute - General Manager's Contract of Employment