

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS GUNNING
ON 21 NOVEMBER 2019

PRESENT: Mayor Clr Stafford (Chairperson), Clr P Culhane, Clr R Cummins, Clr P Kensit, Clr R Opie, Clr J Searl, Clr J Wheelwright, Clr B McCormack, Mr A Croke (Acting General Manager), Mr M Shah (Director of Infrastructure), Mrs T Dodson (Director of Environment & Planning), Mr C Gordon (Media Officer) and Ms S Pearman (Executive Assistant).

THE MAYOR DECLARED THE MEETING OPEN AT 6.00PM.

SECTION 1: NOTICE OF AUDIO RECORDING OF MEETING

Mayor Stafford advised that the Council Meeting is being audio recorded in accordance with Council Code of Meeting Practice.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

An apology was received from Clr O'Brien.

308/19 **RESOLVED** by Clr Searl and Clr Kensit that the apology be received and a leave of absence granted.

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

SECTION 3: CITIZENSHIP CEREMONY

Nil

SECTION 4: DECLARATIONS OF INTEREST

Nil

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SECTION 5: CONFIRMATION OF MINUTES

309/19 **RESOLVED** by Clr Searl and Clr Wheelwright

That the minutes of the Ordinary Council Meeting held on 17 October 2019 be adopted.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

SECTION 6: MAYORAL MINUTES

ITEM 6.1 MAYORAL MINUTE

310/19 **RESOLVED** by Mayor Stafford and Clr Searl

That Council receive and note the activities attended by the Mayor for October 2019 and November 2019.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

ITEM 6.2 MAYORAL MINUTE

311/19 **RESOLVED** by Clr Stafford and Clr Searl

That Council investigate the cost associated with implementing facilities for webcasting and audio recording of council meetings at both Gunning and Taralga.

- CARRIED

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Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC

1. Gavin Douglas - Gunning District Association – Gunning Showground Playground Proposal.

312/19 **RESOLVED** by Clr Searl and Clr Kensit

1. That Council provide in principle support for placement of a BBQ area in Endeavour Park, Gunning Showground.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

2. Sanket Raje and Monique Grundling - Deloitte Touche Tohmatsu – Auditor's report on 2018/2019 Financial Statements.
3. Don Southwell - Crookwell Men's Shed – Establish a Crookwell Walk of Fame.
4. Barry Murphy - Kiamma Creek Landcare Group – Naming of Footbridge Dame Mary Gilmore in Pat Cullen Reserve.

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313/19 **RESOLVED** by Clr Cummins and Clr Kensit

1. Council bring forward items of business 17.1 and 17.2.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

SECTION 17: NOTICES OF MOTION

ITEM 17.1 NOTICE OF RESCISSION MOTION - 237/19

MOVED by Clr Kensit and Clr Opie

“We, Clr Kensit, Clr Opie and Clr Cummins move that

Resolution 237/19 is rescinded:

1. Council name the new footbridge in the Pat Cullen Reserve as the Dame Mary Gilmore Footbridge

If Resolution 237/19 – naming of the Pat Cullen Reserve Footbridge is rescinded, then it is proposed that:

1. Council reconsiders the report titled Public Submissions for naming the footbridge on Pat Cullen Reserve – Kiamma Creek Crookwell (File Ref 119/475) and make a determination on the submissions.

- LOST

Councillors who voted for:- Clrs R Cummins, P Kensit and R
Opie

Councillors who voted against:- Clrs P Culhane, B McCormack, J
Searl, J Stafford and J
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ITEM 17.2
314/19

NOTICE OF RESCISSION MOTION - 286/19

RESOLVED by Clr Cummins and Clr Opie
"We, Clr Cummins, Clr Opie and Clr Kensit move that

Council Resolution 286/19 is rescinded:

1. The Draft ULSC Infrastructure Naming Policy be withdrawn and the Council refer to the Geographical Names Board of NSW Policy on Place Naming for procedural guidance on the naming of Council infrastructure assets.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie and J Stafford

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

As Resolution 286/19 is rescinded then a new motion was put forward.

Moved by Clr Cummins and Clr Opie that

1. Council revise the draft Infrastructure Assets Naming Policy and when amended that a report be presented to Council prior to being placed on public exhibition for 28 days."

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

315/19

RESOLVED by Clr Cummins and Clr Opie

1. Council revise the draft Infrastructure Assets Naming Policy and when amended that a report be presented to Council prior to being placed on public exhibition for 28 days."

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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SECTION 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE ITEMS FOR THE MONTH OF NOVEMBER 2019

316/19 **RESOLVED** by Clr Searl and Clr Wheelwright

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

1. Hon. Scott Morrison, Prime Minister – Media Release – Drought budget support.
2. NSW Government – Local Government Ministerial Advisory Group.
3. Shelley Hancock – Local Government Expenditure Caps – Committee Accepted Recommendation.
4. NSW Government – Response to impact of expenditure caps on Local Government election campaigns.
5. Shelley Hancock – Minister for Local Government – New Intergovernmental Agreement – 15 October 2019.
6. NSW Government – Local Government Remuneration Tribunal 2020 Annual Determination.
7. Wendy Tuckerman – Fixing Local Roads Program Media Release.
8. Roads and Maritime Services – Fixing Local Roads – Applications now open.
9. NSW Transport – Fixing Local Road Program Fact Sheet.
10. NSW Government – National Redress Scheme.
11. Essential Energy – Bushfire and Electrical Safety Risk Management.
12. Stonequarry Cemetery Committee – Letter request for funding and maintenance.

317/19 **RESOLVED** by Clr McCormack and Clr Searl

1. Council congratulate the Stonequarry Cemetery Committee on the work they have achieved at the cemetery and Council will consider a submission in the 2020/2021 Operational Plan.

- CARRIED

Councillors who voted for:-

Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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13. Upper Lachlan Small Business Association – Letter of Thanks Council support.

318/19

RESOLVED by Cllr Opie and Cllr Cummins

1. Council send a letter of congratulations to the Upper Lachlan Small Business Association and vendors at the Business Expo.

- CARRIED

Councillors who voted for:- Cllrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

14. Bruce Barraclough – Congratulations to Council Staff.
15. Lynne Van Veen – Letter of Thanks – Mulch Donation to Crookwell Hospital.
16. Col and Anne Picker – Letter of Thanks – Greenmantle Road works.
17. Norelle Williams – Letter of Thanks – Julong Bridge Works.
18. Bob Love – Letter of Thanks - Julong Bridge Works.
19. John Culley – Letter of Recommendation – Bridge Load Limits.
20. Kathy Staples – Letter of Thanks – Sporting Donation.
21. Collector Road Action Group – Request to investigate safety and sealing of Collector Road.
22. Crookwell Neighbourhood Centre – Proposal for Relocation of Off Leash Dog Park.

319/19

RESOLVED by Cllr Cummins and Cllr Opie

1. That Council works in conjunction with Crookwell Neighbourhood Centre and provide a report to Council for a concept plan for an off leash dog park at Gordon Park in Crookwell to enable community consultation.

- CARRIED

Councillors who voted for:- Cllrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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23. Yvonne Hatch – Objection to Proposal for Short Term RV Park at Railway Park.
24. Dianne Layden – Objection to Council process taken in naming footbridge.
25. Kiamma Landcare Group – Petition regarding implementing naming of footbridge.
26. Yvonne Hatch – Letter of Objection naming of Kiamma Creek Footbridge.
27. Don Southwell on behalf of Crookwell Community Men's Shed – Proposal for Walk of Fame in Crookwell.

320/19

RESOLVED by Clr Cummins and Clr Kensit

1. That Council form a Committee to work in conjunction with the community to investigate the possibilities to develop a community walk in Crookwell.

- CARRIED

Councillors who voted for:-

Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

28. Marion Jordon – Objection to proposed Walk of Fame in Pat Cullen Reserve Crookwell.
29. Yvonne Hatch – Objection to dismissal of Walk of Fame proposal in Crookwell.

- CARRIED

Councillors who voted for:-

Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

SECTION 9: LATE CORRESPONDENCE

Nil

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SECTION 10: INFORMATION ONLY

**ITEM 10.1, 10.6 – INFORMATION ONLY ITEMS
10.9**

321/19 **RESOLVED** by Clr Searl and Clr McCormack

1. Items 10.1, 10.6 – 10.9 be received and noted as information.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack,
J Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

**ITEM 10.2 DEVELOPMENT STATISTICS FOR THE MONTH OF OCTOBER
2019**

322/19 **RESOLVED** by Clr Searl and Clr Wheelwright

1. Council receives and notes the report as information.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

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ITEM 10.3 REGIONAL DIGITAL CONNECTIVITY PROGRAM
323/19 RESOLVED by Clr Searl and Clr Wheelwright

1. The report be received and noted as information.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

ITEM 10.4 RMS ROAD MAINTENANCE COUNCIL CONTRACT (RMCC) -
324/19 CONTRACTOR PERFORMANCE REPORT QUARTER 3
RESOLVED by Clr Searl and Clr Opie

1. Council receive and note the report as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

ITEM 10.5 COMPLETION OF ABERCROMBIE RIVER BRIDGE
325/19 REPLACEMENT PROJECT
RESOLVED by Clr McCormack and Clr Opie

1. Council receive and note the report as information.
2. Council forwards a letter of congratulations to the Director of Infrastructure and his team and Oberon Council for taking over

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a very difficult project and under his management being able to achieve such a positive outcome.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

ITEM 10.10 COMPLETION OF CROOKWELL MEMORIAL OVAL COMMUNITY SPORTS CENTRE

326/19 RESOLVED by Clr Culhane and Clr Opie

1. Council receive and note the report as information.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

327/19 RESOLVED by Clr Opie and Clr Kensit

1. Council bring forward item of business 11.2.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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ITEM 11.2 DRAFT PLAN OF MANAGEMENT - CROOKWELL MEMORIAL OVAL COMPLEX

1. The Draft Plan of Management – Crookwell Memorial Oval Complex be placed on public exhibition for a minimum period of 28 days.

An Amendment was moved by Clr Opie and Clr Kensit

1. That Council defer the adoption of the Plan of Management for Crookwell Memorial Oval Complex and hold a Councillor workshop.

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

328/19 RESOLVED by Clr Opie and Clr Kensit

1. That Council defer the adoption of the Plan of Management for Crookwell Memorial Oval Complex and hold a Councillor workshop.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

- CARRIED

Clr McCormack left the meeting the time being 7.48pm

ITEM 10.11 GRANTS REPORT

329/19 RESOLVED by Clr Searl and Clr Cummins

1. Council receive and note the report as information.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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Clr McCormack returned to the meeting the time being 7.50pm

ITEM 10.12 ACTION SUMMARY - COUNCIL DECISIONS
330/19 RESOLVED by Clr Searl and Clr Culhane

1. Council receive and note the report as information.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

The meeting adjourned for a short break the time being 8.00pm.
The meeting resumed the time being 8.11pm

REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 COMMUNITY PARTICIPATION PLAN
331/19 RESOLVED by Clr Searl and Clr McCormack

1. The draft Council Community Participation Plan be placed on public exhibition for a minimum period of 28 days.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

ITEM 11.2 DRAFT PLAN OF MANAGEMENT - CROOKWELL MEMORIAL
OVAL COMPLEX

Item moved forward in the agenda and dealt with earlier in meeting.

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SECTION 12: INFRASTRUCTURE DEPARTMENT

ITEM 12.1 APPOINTMENT OF COUNCIL NATIVE TITLE MANAGER
332/19 RESOLVED by Clr Searl and Clr Kensit

1. The Design Engineer is appointed as the Native Title Manager for Upper Lachlan Shire Council.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

ITEM 12.2 PROPOSED ROAD CLOSURE AT 7272 OBERON ROAD - TARALGA
333/19 RESOLVED by Clr Searl and Clr McCormack

1. Council approve the closure of the disused section of Oberon Road in Taralga as a public road pursuant to Division 3 – Closing of Council Public Roads by Council under the Roads Act 1993 and noting the road identified highlighted yellow on a map prepared by CPC Land Development Consultants Pty Ltd dated 20 December 2017.
2. All costs associated with this road closure are at no cost to Council.
3. Council lodge an application with NSW State Government requesting closure of the road reserve highlighted in Attachment 1.
4. Council General Manager be authorised to sign the Agreement for Road Closure.

- CARRIED

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Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

ITEM 12.3
334/19

PRIVATE SEWER PUMP STATION POLICY

RESOLVED by Clr Searl and Clr Culhane

1. Council place the Private Sewer Pump Station Policy on public exhibition for 28 days.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
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Councillors who voted against:- Nil

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POLICY:-	
Policy Title:	Private Sewer Pump Station Policy
File reference:	F10/618-08
Date Policy was adopted by Council initially:	21 November 2019
Resolution Number:	XX/19
Other Review Dates:	N/A
Resolution Number:	N/A
Current Policy adopted by Council:	21 November 2019
Resolution Number:	XX/19
Next Policy Review Date:	2022

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

RESPONSIBILITY:-	
Draft Policy Developed by:	Coordinator Assets Planning & Programming
Committee/s (if any) consulted in the development of this policy::	NA
Responsibility for implementation:	Director of Infrastructure
Responsibility for review of Policy:	Manager Assets & Design

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1. OBJECTIVES:

This policy provides a framework for the provision of private sewer pumping systems within Upper Lachlan Shire where the use of such a system is justified. It details the circumstances where the Council may approve private sewers pump station. It also describes the responsibilities of Council, developers and individual property owners and the associated processes and procedures for planning, designs, construction, maintenance, operation and ownership of associated infrastructure.

2. POLICY STATEMENT:

A private sewer pump station is a sewerage pump system located on private land that discharges to a nominated discharge point into Council's sewerage system. The following is the Council's policy regarding private sewer pump stations:

- 2.1 Council will only permit private sewer pump stations to be installed and to discharge into Council sewerage system where:
 - a. All other opportunities to connect to Council sewer by gravity have been exhausted, and
 - b. A qualified designer demonstrates that a gravity connection is not possible, or
 - c. Where the pump station will have environmental or social benefits.
- 2.2 This Policy covers sewer pump stations, including all pipes and components required to operate the pump station and contained wholly within the premises that it serves up to the connection to the Council's public sewerage system. The connection point must be on the property or a council reserve immediately adjacent, and not on other private lands. Council may vary this clause where an easement favouring Council is created to service the system.
- 2.3 Where a Private Sewage Pump Station is required, the proponent or property owner shall bear the full cost of all works and administration of the Property Title and ongoing maintenance of the system.
- 2.4 An application shall be submitted before carrying out any work for approval under Section 68 of the Local Government Act and any other applicable legislation when the Council determines a pump station is required.

REQUIREMENTS AND STANDARDS

DESIGN:

- 3.1 The system must be designed compliant with the latest version of the (WSAA04 & WSAA07) Pressure Sewerage Code of Australia.
- 3.2 Council will only approve designs submitted by a qualified 'Designer' who is endorsed by the System/Technology Supplier.

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- 3.3 Pressure Sewerage System shall be designed to be consistent with the optimum design for the entire catchment area with any future extension of the system to be accommodated.
- 3.4 A Private sewer pump must contain a grinder to minimise blockages in the pipe systems.

CONSTRUCTION:

- 3.5 Developers or property owners are responsible for all costs and charges associated with the construction, installation, operation and maintenance of pumping station.
- 3.6 All cost related to the connection of a private sewer pump station to the Council's existing sewerage system shall be met by the property owner or developer.
- 3.7 The developer shall submit Survey accurate 'As Constructed' details specifying the location of the pressure to the Council.

TESTING & COMMISSIONING:

- 3.8 The final connection to the sewer main will only be made after the pumping unit has been tested as per the latest edition of the WSAA Pressure Sewer Code of Australia (WSAA 07 & WSAA 04) and found to be suitable for formal commissioning.

OPERATION AND MAINTENANCE:

- 3.9 The owner is solely responsible for the service, maintenance and repair of a private sewer pump station.
- 3.10 The pumping units operate automatically and do not require any specific input from the resident. The collection tank is to be sized to provide sufficient storage to cater for power outages as part of regular operation. The size of the pump could be stipulated to ensure overflows do not occur during a power outage. It is recommended to have 600 to 800 litre storage for onsite detention of sewer during a power outage to decrease the likelihood of overflow
- 3.11 Owners/occupiers are not permitted to interfere with the electricals of the pump station. Council requires the pump station to be wired into the domestic switchboard in such a manner so as not to interfere with the standard electrical operation of the property, nor be accessible by the residents.
- 3.12 The developer/landowner will supply a Home Owner's Manual to all owners of properties. The Manual will outline the operation and maintenance requirements of the pumping units. The Manual will include:
 - a) Details on the operation of private sewer pump stations including appropriate contact
 - b) Details for further enquires.
 - c) Emergency contact phone number of the service agent.
 - d) What to do if the alarm sounds or flashes.
 - e) What to do in the case of a power failure.

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- f) What to do if going on holidays.
- g) How to minimise wastewater production in the case of emergencies.
- h) What can be safely discharged into the sewerage system?

Maintaining the overflow relief gully:

- 3.13 The property sanitary drain shall be connected to a controlled overflow mechanism such as an overflow relief gully trap identified on the property plan.
- 3.14 Properties are not permitted, under any circumstances, to block any overflow relief gullies such that they are unable to perform their required operation.
- 3.15 In flood-prone areas special arrangements may be necessary for overflow relief gully traps to prevent the intrusion of floodwater and damage to the system.

RELATED LEGISLATION AND GUIDELINES:

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Water Management Act 2000
- Environmental Planning and Assessment Act 1979
- Protection of the Environment Operations Act 2005
- Work Health and Safety Act 2011
- Sewage Pumping Station Code of Practice (WSSA04)
- Pressure Sewerage Code of Australia (WSAA07)
- Building Code of Australia
- AS/NZ 3500.2- Plumbing and Drainage Code of Australia

ITEM 12.4
335/19

ROADS AND MARITIME SERVICES RMCC CONTRACT RENEWAL

RESOLVED by Cllr McCormack and Cllr Searl

1. Council request an extension of time from Roads and Maritime Services to respond to the contract execution date.
2. Council accept the revised contract subject to favourable legal and professional assessment of the contract terms, prior to 29 February 2020.
3. Council delegate authority for the General Manager and Director of Infrastructure to negotiate contractual terms on Council's behalf in order to establish a viable Routine Maintenance Council Contract for Council's endorsement based on social, economic and community benefits prior to the contract termination date 29 February 2020.

- CARRIED

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Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

ITEM 12.5
336/19

SWIMMING POOL REVIEW COMMITTEE

RESOLVED by Clr Culhane and Clr Kensit

1. Council approve in principle the proposed concept for the unheated outdoor Crookwell swimming pool (25 metre x 10 metre) upgrade of the existing swimming pool;
2. Council approve in principle the proposed concept of a (15 metre by 6 metre) new heated indoor pool in Crookwell with the preferred location to be based on technical consideration;
3. Council endorse the demolition of the existing unused Crookwell swimming pool change rooms and minor refunctioning of used changed rooms;
4. Council allocate \$40,000 from unrestricted cash reserves to fund architectural plans, engineering plans and associated costing for the potential Crookwell upgrade of the existing outdoor swimming pool, costings for a proposed heated indoor pool and change rooms and a design that is sympathetic to the possible future inclusion of a hydrotherapy pool.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 PRESENTATION OF THE 2018/2019 FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT

337/19 **RESOLVED** by Clr Searl and Clr McCormack

1. Council endorses the Audit Office of NSW external Independent Auditor's Reports for the 2018/2019 Financial Statements.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

ITEM 13.2 PRESENTATION OF THE 2018/2019 ANNUAL REPORT

338/19 **RESOLVED** by Clr Searl and Clr McCormack

1. Council resolves to adopt the Upper Lachlan Shire Council Annual Report for 2018/2019 in accordance with Section 428, of the Local Government Act 1993, Part 9, Division 7, of the Local Government (General) Regulation 2005 and other applicable legislation.
2. Council notify the Office of Local Government by providing a URL link to Council website.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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ITEM 13.3 QUARTERLY BUDGET REVIEW STATEMENTS - 1ST QUARTER 2019/2020

339/19 RESOLVED by Clr Searl and Clr Wheelwright

1. Council adopts the 1st Quarter Budget Review Statements for 2019/2020 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:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

SECTION 14: GENERAL MANAGER

ITEM 14.1 RENEW OUR LIBRARIES PHASE 2 - NSW PUBLIC LIBRARIES ASSOCIATION

340/19 RESOLVED by Clr Searl and Clr Culhane

1. Council make written representation to Wendy Tuckerman MP, Member for Goulburn, in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
2. Council make written representation to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019/2020 to 2022/2023 NSW state funding model.
3. Council endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries.

- CARRIED

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Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

ITEM 14.2 SOUTHERN PHONE COMPANY - PROPOSED ACQUISITION BY AGL ENERGY OF ALL SHARES

341/19 **RESOLVED** by Clr Searl and Clr Wheelwright

1. The report be received and noted as information.
2. Council notifies Southern Phone Company that it supports their Director's recommendation for the sale of shares held by Upper Lachlan Shire Council of Southern Phone Company with acquisition by AGL Energy Limited.
3. Council delegates the Mayor and General Manager the authority to execute the Share Sale Agreement contract and supporting legal documentation and affix the Common Seal of Council.
4. Council appoints Southern Phone Company Chairperson, Bill Hilzinger and Mr Deputy Chairperson, Andrew Riley as agent and representative for Upper Lachlan Shire Council to sign and lodge a proxy vote in favour of the sale of shares held in Southern Phone Company to AGL Energy limited.
5. Council authorise the proceeds from the sale of the Southern Phone Company to be held as unrestricted cash.

- CARRIED

Councillors who voted for:- Clrs P Culhane, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Clrs R Cummins, P Kensit and R Opie

An Amendment was moved by Clr Cummins and Clr Opie

1. Council authorise the proceeds from the sale of the Southern Phone Company to be placed in the Council internally

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restricted reserve fund for the Crookwell Swimming Pool project.

On being put to the meeting the Amendment was lost.

1. Council authorise the proceeds from the sale of the Southern Phone Company to be placed in the Council internally restricted reserve fund for the Crookwell Swimming Pool project.

- LOST

Councillors who voted for:- Clrs R Cummins, P Kensit and R Opie

Councillors who voted against:- Clrs P Culhane, B McCormack, J Searl, J Stafford and J Wheelwright

ITEM 14.3
342/19

WORK, HEALTH AND SAFETY COMMITTEE MEETING MINUTES

RESOLVED by Clr Searl and Clr McCormack

1. Council adopt the recommendations 4.1 to 4.9 of the Work Health and Safety Committee Meeting Minutes from 28 October 2019.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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POLICY:-	
Policy Title:	Chain of Responsibility
File reference:	
Date Policy was adopted by Council initially:	
Resolution Number:	
Other Review Dates:	
Resolution Number:	
Current Policy adopted by Council:	2019
Resolution Number:	
Next Policy Review Date:	2022

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

RESPONSIBILITY:-	
Draft Policy Developed by:	WHS Coordinator
Committee/s (if any) consulted in the development of this policy::	WHS Committee
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	General Manager

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Aim

The aim of Chain of Responsibility (CoR) is to make sure everyone in the supply chain share equal responsibility for ensuring breaches of the Heavy Vehicle National Law (HVNL) do not occur. Under COR laws if you exercise (or have the capability of exercising) control or influence over any transport task, you are part of the supply chain and therefore have a responsibility to ensure the HVNL is complied with.

Note: Under the Heavy Vehicle Law (HVNL) a heavy vehicle is a vehicle that has a gross Vehicle Mass (GVM) or Aggregate Trailer Mass (ATM) of more than 4.5 tonnes and a combination that includes a vehicle with a GVM or ATM of more than 4.5 tonnes

Introduction and Purpose

The CoR is a nationally legislated program of compliance and enforcement that aims to improve safety and reduce accidents across the road transport industry. CoR aims to ensure that any off-road party in a position to control, influence or encourage particular on-road behaviour is identified and held appropriately accountable.

The Chain of Responsibility extends legal liability for certain road law offences to all parties who by their actions, inactions or demands exercise control or influence over the entire transport chain. All persons involved in consigning, packing, loading, driving, operating and receiving are covered by this legislation.

Scope

This policy applies to all premise owners, employees, contractors and visitors within Council that have responsibility for or involvement in activities that fall within the scope of the road transport laws.

This may include (but not be limited to) roles within logistics, supply chain and support roles. This includes, full time, part time and casual employees as well as contractors or subcontractors working for or on the behalf of Council. It also extends to suppliers and visitors where appropriate

Policy

Chain of Responsibility is relevant for all areas of Council, that deal with heavy vehicles, i.e., gravel trucks, water tankers, low loaders, and intermediate plant trailers and the receipt of goods from external agencies and companies.

The main elements of the CoR are mass and dimension, load restraint, driver fatigue, speed and maintenance.

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- **Mass and dimension** – ensuring trucks leave sites within the mass carrying constraints and that the mass is distributed across the truck axles, and ensuring dimension limits are adhered to.
- **Load Restraint** – ensuring that when trucks are loaded that the load is adequately secured to the vehicle.
- **Driver Fatigue** – ensuring that drivers are well rested and are given adequate time to take their scheduled rest breaks, and taking into consideration the amount of hours worked.
- **Speed** – ensuring that the driver's routes are realistic and safe and that demands are not imposed on the driver that may result in a driver putting themselves or others at risk. Schedules need to take into account the distance that needs to be covered, traffic conditions and delays at receiving sites.
- **Maintenance** – ensuring that trucks are free of defects, mechanically safe and in proper working order before a vehicle enters the road network.

The CoR extends legal liability to all parties who by their actions, inactions or demands exercise control or influence over the transport chain. All persons involved in consigning, packing, loading, driving, operating and receiving are covered by this legislation.

Breaching the policy

Breaches of this Policy may result in disciplinary action being taken in accordance with council's disciplinary policy.

Related Policies, Procedures and Additional Information

- Chain of Responsibility Procedure
- Work Health and Safety Policy
- Drug and Alcohol Policy
- RMS Heavy Vehicle Drivers Handbook
- Heavy Vehicle National Law
<https://www.rms.nsw.gov.au/documents/roads/licence/heavy-vehicle-driver-handbook.pdf>
- National Heavy Vehicle Regulator Load restraint Guide
[https://www.ntc.gov.au/Media/Reports/\(9E12B22A-6156-41B0-F382-136A34520AF8\).pdf](https://www.ntc.gov.au/Media/Reports/(9E12B22A-6156-41B0-F382-136A34520AF8).pdf)
- National Heavy Vehicle Regulator <https://www.nhvr.gov.au/safety-accreditation-compliance/chain-of-responsibility/about> &
- National Heavy Vehicle Regulator Local Government and Heavy Vehicle National Law
<https://www.nhvr.gov.au/files/201802-0767-cor-local-government.pdf>

Variation

Council reserves the right to vary or revoke this policy

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POLICY:-	
Policy Title:	Smoking in the Workplace
File reference:	F10/618-06
Date Policy was adopted by Council initially:	28 July 2005
Resolution Number:	212/05
Other Review Dates:	24 August 2006, 16 April 2009 and 20 May 2010
Resolution Number:	238/06, 138/09, 199/10
Current Policy adopted by Council:	21 November 2019
Resolution Number:	XX/19
Next Policy Review Date:	2022

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

RESPONSIBILITY:-	
Draft Policy Developed by:	General Manager
Committee/s (if any) consulted in the development of this policy::	WHS Committee
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	General Manager

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SCOPE

This policy covers all elected representative of the public, council staff, council committees, contractors working for or on behalf of council and members of public using or visiting council sites.

OBJECTIVES:

1. Upper Lachlan Shire Council is committed to ensuring staff are provided with a safe and healthy environment that is free from the potential effect of tobacco smoke. This includes environmental tobacco smoke (passive smoking).
2. To encourage the reduction of active smoking.
3. To promote a safe and healthy working environment for all Upper Lachlan Shire Council employees.

POLICY:

1. Smoking is prohibited in all Council buildings, structures and vehicles; this includes:
 - All enclosed areas in general use;
 - All lobbies, foyers and corridors;
 - All offices (including office carpark at Crookwell), depot buildings and workshops;
 - Common rooms, tea rooms, site caravans and staff rooms;
 - All vehicles, plant etc;
 - Amenities buildings and toilets;
 - Both the Crookwell and Gunning swimming pool buildings and enclosures;
 - Within 10m of air intakes, external doors in regular use and windows regularly opened;
 - Within 10 metres of Council buildings, places of work and areas adjacent to buildings where cigarette smoke will accumulate or drift back into the building;
 - Areas that may be frequented by members of the general public;
 - Staff working in areas where they are likely to affect others who come into the area;
 - At all grounds within and around Council depots and administration buildings. (With the exception of sites that have designated smoking areas)
2. Upper Lachlan Shire Council is under no legal requirements to provide smoking breaks during work hours for its staff members. Staff members wishing to have smoke breaks must make arrangements with their supervisors. Smoking arrangements can be revoked at any time by supervisors, appropriate managers and / or the appropriate director.

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When granting approval for employee smoke breaks supervisors will keep in mind how these regular smoke breaks will affect the moral of the non smoking staff not receiving the regular breaks.

- 3 Recruitment processes for all staff will include reference to the policy on smoking. However, the smoking behaviour of applicants for employment or promotion is not a factor in selection processes.
4. Where possible, Council will provide designated Smoking areas for its Depots and Buildings that meet the above mentioned criteria. All new staff will be shown the location of designated smoking areas.
5. Where ever possible, workers when smoking should do so out of the view of the public

Note: (Smokers are not entitled to smoke in unapproved areas even if all staff in that particular area wish to smoke.)

Quit Smoking Awareness Programme

Council supports a quit smoking awareness programme designed to inform employees of the dangers and consequences of smoking in the workplace.

Council will support staff who seek assistance with counselling in relation to quit smoking.

Council will provide staff with four (4) hours special leave to be taken as determined to arrange/attend counselling during normal working hours on a one off basis. Additional time off will necessitate the employee utilising accrued leave entitlements.

For information about giving up smoking:

The QUIT Line

Telephone: 137 848

NSW Cancer Institute NSW
(I Can Quit)

www.icanquit.com.au

Cancer Council New South Wales
www.cancercouncil.com.au

Members of Public

This policy is to be extended to the general public entering any Council property that meets the definition of this policy. Council staff can refuse service to any member of the public whilst they are smoking. Members of public who wish to smoke in areas other than

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designated smoking areas outlined in this policy will be asked politely to leave or to put the cigarette out.

Council may revoke any usage arrangements or terminate lease agreements if committees and public groups refuse to follow this policy

Breaches of Policy

Staff

It is unacceptable behaviour to smoke in any of the areas other than designated smoking areas outlined in this policy and any complaints arising from staff smoking in non-smoking areas will be directed to Supervisor, Managers and/or the appropriate Director.

Staff members who fail to comply with the policy will be counselled and warned appropriately and disciplinary action will be implemented in accordance with Award provisions.

Upper Lachlan Shire Council staff cannot be disciplined whilst they are smoking away from the workplace during their own time.

Variation

Council reserves the right to vary or revoke this policy.

RELEVANT LEGISLATION AND COUNCIL POLICIES

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

- WHS Act 2011
- WHS Regulation 2017
- WHS Policy
- Smoke Free – Playgrounds, Playing Fields and Sporting Grounds Policy

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POLICY:-	
Policy Title:	Work Health and Safety Policy
File reference:	F10/618-05
Date Policy was adopted by Council initially:	22 September 2005
Resolution Number:	30/05
Other Review Dates:	22 September 2005, 24 August 2006, 28 June 2007, 28 August 2008, 20 May 2010, 16 February 2012, 17 December 2015
Resolution Number:	288/05, 237/06, 194/07, 262/08, 199/10, 44/12, 375/15
Current Policy adopted by Council:	17 August 2017
Resolution Number:	257/17
Next Policy Review Date:	2020

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

RESPONSIBILITY:-	
Draft Policy Developed by:	WHS Committee
Committee/s (if any) consulted in the development of this policy::	WHS Committee
Responsibility for implementation:	General Manager and WHS Coordinator
Responsibility for review of Policy:	General Manager and WHS Coordinator

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Objective:

Upper Lachlan Shire Council is committed to providing and maintaining the best possible standard of workplace health and safety for everyone at Upper Lachlan Shire Council's places of work, including employees, contractors, volunteers, visitors and members of the public.

In realising its commitment, Upper Lachlan Shire Council will comply with all relevant Workplace Health and Safety legislation.

Policy

Upper Lachlan Shire Council recognises that the best way to manage workplace health and safety is through management and workers consulting to identify and solve workplace health and safety issues. Upper Lachlan Shire Council is committed to regular consultation with staff, contractors and suppliers of equipment and services to make sure workplace health and safety is being effectively managed.

RESPONSIBILITIES

Councillors have;

- An obligation to properly assess and consider funding applications for health, safety issues, where the health, safety or welfare of Council employees or volunteers working on behalf of Council has been identified by Council officers as being at risk.
- An obligation to comply with all reasonable direction given to them by the General manager including the wearing of any personal protective equipment (PPE) deemed necessary to protect them from harm while in attendance at a designated Council work site.
- An obligation to wear any personal protective equipment (PPE) deemed necessary to protect them from harm whilst undertaking inspections or following up issues with members of the public on non-designated Council worksites.

Management

Senior management within Upper Lachlan Shire Council acknowledges that all those in management and supervisory positions have a primary legal responsibility to for the health and safety of the people who work under their direction. Senior management will make sure that workplace health and safety responsibilities are appropriately defined and delegated, and that Directors, Managers and Supervisors receive necessary training and resources to carry out their workplace health and safety responsibilities.

All Directors, Managers and Supervisors have a duty to provide and maintain, as far as reasonably practicable, a working environment that is safe and without risk to health.

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To carry out this responsibility Directors, Managers and Supervisors must:

- Make sure that Upper Lachlan Shire Council's workplace health and safety policy and procedures are effectively implemented.
- Make sure workplace health and safety duties are identified and assigned to appropriate workers.
- Make sure that regular discussion takes place on workplace health and safety between management and workers.
- Make sure that all procedures that relate to workplace health and safety, such as purchasing, training, hazard management, first aid, emergency action and evacuation, are regularly revised and continue to meet Upper Lachlan Shire Council's workplace health and safety needs and responsibilities.
- Provide necessary information, training and appropriate supervision to all Upper Lachlan Shire Council workers to enable them to understand and follow safe working procedures.
- Investigate and report on all workplace health and safety incidents, accidents and near misses so that weaknesses in the Council's workplace health and safety system can be identified and corrected.
- Keep up to date with developments in workplace health and safety legislation and standards that impact on their work area.
- Make sure that all workers who carry out work for Council understand the safety standards expected of them and that the equipment meets appropriate standards and legislative requirements.
- Monitor current workplace health and safety performance and try to achieve a steadily improving standard of workplace health and safety performance.

Employees

Workers of the Upper Lachlan Shire Council have a legal responsibility to actively contribute towards maintaining a healthy and safe workplace.

To do this workers must:

- Work safely at all times to protect their own health and safety, and the health and safety of everyone with whom they work, and any other person who is at the worksite.
- Report to their supervisor any hazards they encounter in their working day.
- Cooperate with all safety programs being implemented by the Upper Lachlan Shire Council and follow specified safe systems of work.
- Participate in workplace health and safety consultation and training initiatives,
- Use personal protective equipment and clothing that is specified for their work and supplied by the Upper Lachlan Shire Council.
- Workers are required to comply fully with management on any reasonable workplace health and safety matter.
- A worker must not to interfere with or misuse anything provided in the interest of Workplace Health and Safety.

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- A worker must cooperate with any reasonable policy and procedure.

Upper Lachlan Shire Council seeks the cooperation of all its workers in realising our workplace health and safety objectives and in creating a healthy and safe working environment.

This Workplace Health and Safety Policy will be reviewed annually.

LEGISLATION

Variation

Council reserves the right to vary or revoke this policy

ITEM 14.4 **343/19**

CONSULTATIVE COMMITTEE MEETING MINUTES

RESOLVED by Clr Searl and Clr McCormack

1. Council adopt the recommendations 4.1 to 4.10 of the Consultative Committee Meeting Minutes held on 28 October 2019.

- CARRIED

Councillors who voted for:-

Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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POLICY:-	
Policy Title:	Leave Policy
File reference:	F10/618-06
Date Policy was adopted by Council initially:	16 June 2011
Resolution Number:	230/11
Other Review Dates:	16 June 2011; 19 June 2014, 16 June 2016
Resolution Number:	230/11; 180/14, 170/16
Current Policy adopted by Council:	21 November 2019
Resolution Number:	XX/19
Next Policy Review Date:	2022

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

RESPONSIBILITY:-	
Draft Policy Developed by:	General Manager
Committee/s (if any) consulted in the development of this policy:	Consultative Committee
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	Human Resource Coordinator

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POLICY

Council will comply with leave provisions of the Upper Lachlan Shire Council preserving the Local Government (State) Award 2017.

Except in special circumstances, all leave is to be applied for and approved by the relevant staff supervisor, manager or director prior to the leave being taken.

PRO RATA ENTITLEMENT FOR PART TIME EMPLOYEES

Part time employees shall receive all conditions prescribed by the Local Government (State) Award 2017 on a pro rata basis of the regular hours worked.

GENERAL PROVISIONS RELATING TO APPLICATIONS FOR LEAVE

All leave applications must be in writing on the appropriate form. Leave cannot be paid until the Human Resource Section receives an authorised leave request.

Where possible, a minimum of four weeks' notice is requested for all leave excluding sick leave, carer's leave and bereavement leave.

Council is required to submit an acknowledgement of outcome within two weeks of receiving the employees leave application, when leave has been applied for within four weeks. When an application is received more than two months in advance Council is required to reply within four weeks of receiving the application.

SALARY IMPLICATION – LEAVE WITHOUT PAY AND LEAVE ON HALF PAY

All staff should be aware that absences on leave without pay and leave on half pay will have impact on accruing hours entitlement, superannuation contributions, authorised deductions and authorised allowances. The leave without payment shall not be regarded as service for the purpose of computing long service leave, sick leave or annual leave. Such periods of leave without pay shall not however, constitute a break in the employee's continuity of service. An employee shall not be entitled to any payment for public holidays during an absence on approved leave without pay.

ANNUAL LEAVE

Annual leave of absence consisting of four (4) weeks at the ordinary rate of pay, exclusive of public holidays observed on working days shall be granted to an employee, after each 12 months service Annual Leave shall be taken on its due date or as soon as is mutually convenient thereafter to Council and the employee.

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An employee may use accrued pro rata annual leave if the employee does not have any yearly accrued annual leave hours available. Leave that is yet to be accrued either pro rata or annual leave balance, cannot be taken in advance as Council do not allow the net leave account to go into negative.

Leave in lieu hours shall be exhausted before Annual Leave is taken.

Subject to provisions detailed within Local Government (State) Award 2017, Council may direct an employee to take annual leave by giving at least four weeks prior notification in the following circumstances:

- Where the employee has accumulated in excess of eight weeks annual leave.
- A period of annual close-down of up to and including four weeks.

LONG SERVICE LEAVE

An employee of Council shall be entitled to Long Service Leave at the ordinary rate of pay as follows:

After 5 years service	6.5 weeks	
After 10 years service	(additional 6.5 weeks)	13 weeks
After 15 years service	(additional 6.5 weeks)	19.5 weeks
After 20 years service	(additional 11 weeks)	30.5 weeks

For every completed period of 5 years' service thereafter 11 weeks

Notwithstanding the above, employees with 5 years service have access to long service leave in accordance with Local Government (State) Award 2017 provisions and provisions of the NSW Long Service Leave Act.

Long service leave shall be taken at a time mutually convenient to Council and employee in a minimum periods of one week (leave in lieu hours shall be exhausted before any Long Service Leave is taken).

Payment to an employee proceeding on long service leave shall be made by Council at the employee's ordinary rate of pay at the time the employee enters upon the leave.

An employee who has become entitled to a period of leave and the employee's employment is terminated by resignation, death or dismissal for any cause shall be deemed to have entered upon leave at the date of termination of the employment and shall be entitled to payment accordingly.

For the purpose of calculating long service leave entitlement all prior continuous service with any other Council within NSW shall be deemed to be service with Council.

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Continuity of service shall be deemed not to be broken by transfer or change of employment from one Council to another NSW Council provided the period between cessation of service with one NSW Council and appointment to the service of another NSW Council does not exceed three months and such period is covered by accrued annual and long service leave standing to the credit of the employee at the time of the transfer, provided further that the employee concerned does not engage in work of any kind during the period of paid leave between the cessation of service with one Council and appointment to the service of another Council.

For further information regarding long service leave refer to the relevant provisions of Local Government (State) Award 2017.

SICK LEAVE

Employees who are unable to attend work due to sickness during each year of service have access to sick leave of 3 weeks at the ordinary rate of pay subject to the following conditions:

- Council shall be satisfied that the sickness is such that it justifies the time off; and
- That the illness or injury does not arise from engaging in other employment; and
- That the proof of illness to justify payment shall be required after 2 days absence or after 3 separate periods in each service year; and
- When requested, proof of illness shall indicate the employee's inability to undertake their normal duties.
- Where a person is employed on a fixed-term or temporary basis of less than twelve (12) months duration the employee shall be entitled to one (1) weeks sick leave on commencement. The employee shall be entitled to a further one (1) weeks sick leave after each four (4) months of service.

Proof of illness may include certification from a qualified medical/health practitioner, registered with the appropriate government authority.

NOTE: Sick leave is provided to cover the time when you are sick. Any allegations of abuse of sick leave shall be investigated and may lead to disciplinary action.

Council may require employees to attend a doctor nominated by Council at Council's cost.

Sick leave shall accumulate from year to year so that any balance of leave not taken in any one year may be taken in a subsequent year or years.

Where an employee has had 10 years' service with Council and the sick leave as prescribed has been exhausted, Council may grant such additional sick leave as, in its opinion, the circumstances may warrant.

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Accumulated sick leave shall be transferable on change of employment from Council to Council within NSW up to 13 weeks, provided that an employee shall only be entitled to transfer sick leave accumulated since the employee's last anniversary date on a pro-rata basis.

Such accumulated sick leave shall only be transferable if the period of cessation of service with the Council and appointment to the service of another Council does not exceed three months.

The sick leave entitlement transferred shall not exceed the maximum amount transferable as prescribed by the appropriate Local Government (State) Award 2017 at the time of transfer.

Section 50 of the Workers Compensation Act 1987 dealing with the relationship between sick leave and workers compensation applies.

Where an employee had an entitlement under awards rescinded and replaced by this award for the payment of unused sick leave arising out of the termination of employment due to ill-health or death and where such entitlement existed as at 15 February 1993 the following provisions shall apply:-

- (a) In the event of the termination of service of an employee on account of ill health and the Council is satisfied that such ill-health renders the employee unable in the future to perform the duties of such appointed classification, the termination shall not be effected earlier than the date on which the employee's credit of leave at full pay shall be exhausted unless the employee is paid any accrued sick leave at full pay to which such employee would be entitled under this clause.
- (b) When the service of an employee is terminated by death, the Council shall pay to the employee's estate, the monetary equivalent of any untaken sick leave standing to the employee's credit at the time of death.
- (c) Payment under this clause is limited to sick leave calculated to retirement age in accordance with relevant legislation and shall not be payable if the injury or illness arises out of or in the course of employment such that it is compensable under the Workers Compensation Act, 1987.
- (d) For the purposes of this subclause such entitlement to payment of untaken sick leave shall be paid in accordance with Clause 14 of Schedule 4 of the Industrial Relations Act (NSW) 1996.

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INABILITY TO REPORT FOR DUTY

Where an employee is unable to report for duty they are required to advise their immediate supervisor of that inability, and the reason, no later than 30 minutes after their usual starting time. Separate advice is required for each day of absence unless otherwise agreed.

CARER'S LEAVE

An employee, other than a casual employee, with responsibilities in relation to a class of person set out below, who needs the employee's care and support shall be entitled to use, in accordance with this policy, any current or accrued sick leave entitlement, provided for under provisions of Local Government (State) Award 2017, for absences to provide care and support for such persons when they are ill or who require care due to an unexpected emergency. Such leave may be taken for part of a single day.

Carer's leave is not intended to be used for long term, ongoing care. In such cases, the employee is obligated to investigate appropriate care arrangements where these are reasonably available.

Where more than ten days sick leave in any year is to be used for caring purposes the council and employee shall discuss appropriate arrangements which, as far as practicable, take account of the council's and employee's requirements as per the NSW Local Government (State) Award 2017.

Council may require the employee to provide proof of the need for carer's leave as follows:

- Less than 10 days – Where less than ten days' sick leave in any year of service is sought to be used for caring purposes Council may require the employee to establish either by production of a medical certificate or statutory declaration, the illness of the person concerned and that the illness is such as to require care by another person; or
- More than 10 days – Where more than ten days' sick leave in any year of service is sought to be used for caring purposes Council may require the employee to produce a medical certificate from a qualified medical/health practitioner showing the nature of illness of the person concerned and such other information as may be reasonably necessary to demonstrate that the illness is such as to require care by the employee and that no other appropriate care arrangements are reasonably available, or
- Establish by production of documentation acceptable to Council or a statutory declaration, the nature of the emergency and that such emergency resulted in the person concerned requiring care by the employee.

In normal circumstances, an employee will not be approved to proceed on carer's leave where another person has taken leave to care for the same person.

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The entitlement to use sick leave in accordance with this policy is subject to:

- a) The employee being responsible for the care of the person concerned; and
- b) The person concerned being:
 - i. A spouse of the employee; or a defacto spouse, who, in relation to a person, is a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bona fide domestic basis although not legally married to that person, or
 - ii. A child or an adult child (including an adopted child, a step child, foster child, or an ex nuptial child), parent (including a foster parent, step parent and legal guardian), parents of spouse, grandparent, grandchild or sibling (including half, foster and step sibling) of the employee or spouse or de facto spouse of the employee, or
 - iii. Same sex partner who lives with the employee as the de facto partner, or
 - iv. A relative of the employee who is a member of the same household.

For staff that are employed on a casual basis the Local Government (State) Award 2017 applies in relation to Carers' Leave.

Requirements for Taking Carers' Leave

An employee shall, wherever practicable, give Council notice prior to the absence of the intention to take leave, the name of the person requiring care and that person's relationship to the employee, the reasons for taking such leave and the estimated length of absence. If it is not practicable for the employee to give prior notice of absence, the employee shall notify Council by telephone of such absence at the first opportunity on the day of absence.

Time Off in Lieu of Payment for Overtime - An employee may, with the consent of the General Manager, elect to take time in lieu of payment overtime accumulated in accordance with provisions of Local Government (State) Award 2017 for the purpose of providing care and support for a person in accordance with provisions of this policy.

Make-up - An employee may elect, with the consent of the General Manager, to work "make-up time", under which the employee takes time off during ordinary hours, and works those hours at a later time, within the spread of ordinary hours provided in Local Government (State) Award 2017, at the ordinary rate of pay for the purpose of providing care and support for a person in accordance with provisions of this policy.

Annual Leave and Leave Without Pay - An employee may elect with the consent of the General Manager, to take annual leave or leave without pay for the purpose of providing

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care and support for a person in accordance with provisions of this policy. Such leave shall be taken in accordance with provisions of Local Government (State) Award 2017 and Council Policy.

BEREAVEMENT LEAVE

Where an employee other than a casual is absent from duty because of a death in the family or a member of the employee's household, and provides satisfactory evidence to Council of such, the employee shall be granted four days leave with pay upon application.

For staff that are employed on a casual basis the Local Government (State) Award 2017 applies in relation to Bereavement Leave.

For the purposes of this leave, family shall mean:

- a) A spouse of the employee; or
- b) A de facto spouse, who, in relation to a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bona fide domestic basis although not legally married to that person; or
- c) A child or an adult child (including an adopted child, a step child, foster child or an ex nuptial child), parent (including a foster parent, step parent and legal guardian), parents of spouse, grandparent, grandchild or sibling (including half, foster and step sibling) of the employee or spouse or de facto spouse of the employee, or
- d) A same sex partner who lives with the employee as the de facto partner of that employee on a bona fide domestic basis; or
- e) A relative of the employee who is a member of the same household, where for the purposes of this paragraph:
 - "relative" means a person related by blood, marriage or affinity;
 - "affinity" means a relationship that one spouse because of marriage has to blood relatives of the other; and
 - "household" means a family group living in the same domestic dwelling.

PARENTAL LEAVE

Relationship with federal legislation – Clauses 20E, 20F, 20G and 20I of this Policy shall apply in addition to:

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- (i) Chapter 2, Part 2-2, Division 5 – ‘Parental leave and related entitlements’ of the National Employment Standard (**NES**) under the *Fair Work Act 2009* (Cth); and
- (ii) the *Paid Parental Leave Act 2010* (Cth).

Note: Division 5 of the *Fair Work Act 2009* (Cth) relates to:

- unpaid parental leave, including unpaid adoption leave
- unpaid special maternity leave
- transfer to a safe job and no safe job leave

REQUESTS FOR FLEXIBLE WORKING ARRANGEMENTS

Requests for flexible working arrangements

Chapter 2, Part 2-2, Division 4, Requests for Flexible Working Arrangements of the *Fair Work Act 2009*, shall apply in addition to the provision of the *NSW Local Government (State) Award 2017*.

PAID PARENTAL LEAVE

Definitions

PPL instalments shall mean instalments paid during the paid parental leave period under the *Paid Parental Leave Act 2010* (Cth).

Parental leave make-up pay shall mean the employee’s ordinary pay, inclusive of PPL instalments. A casual employee’s ordinary pay shall be calculated by averaging the employee’s ordinary time earnings in the 12 months immediately prior to the employee commencing paid parental leave.

Eligibility

This shall apply to an employee who is receiving PPL instalments as a primary or secondary claimant under the *Paid Parental Leave Act 2010* (Cth).

Entitlement to parental leave make-up pay

- An employee shall be entitled to parental leave make-up pay for the period that they are receiving PPL instalments, up to a maximum of 18 weeks.
- The period of parental leave make-up pay shall be counted as service for the purposes of long service, annual and sick leave accruals and superannuation.
- Requalification period – An employee shall not be entitled to a further period of parental leave make up pay unless the employee has returned to work for the council for at least 3 months since their previous period of parental leave.

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Employee's right to choose

- An employee who satisfies the eligibility criteria for paid maternity leave or paid special maternity leave under Clause 19F, Paid Maternity Leave, of the *Local Government (State) Award 2017*, may elect to receive paid maternity leave and / or paid special maternity leave in accordance with the provisions of the *Local Government (State) Award 2017* in lieu of the entitlement to parental leave make-up pay under this State Award 2017, provided that the requalification period of three (3) months has been applied.
- This subclause shall not apply where another employee of council receives parental leave make-up pay in connection with the pregnancy or birth of the child.

CONCURRENT PARENTAL LEAVE

An employee, other than a casual, who is a supporting parent shall be entitled to up to 10 days paid concurrent parental leave from their accrued sick leave balance at the time their partner gives birth to a child or at the time the employee adopts a child provided that the employee has had 12 months continuous service with council immediately prior to the commencement of their concurrent parental leave.

Notice of intention to take paid parental leave the employee must:

- Provide Council with certification of the expected date of confinement at least 10 weeks before the child is due. This is known as the first notice.
- Advise Council in writing of her intention to take paid parental leave and the proposed start date at least 4 weeks prior to that date. This is known as the second notice.
- Provide a signed statutory declaration that the employee will be the primary care giver to the child and that the paid parental leave will not be taken in conjunction with any partner accessing paid parental leave entitlements.

TRANSFER TO A SAFER JOB

Council is required to transfer a pregnant employee to a safer job if a medical practitioner deems it inadvisable for the person to continue in their present position.

There must be no other change to the pregnant employee's terms and conditions of employment. If an employer does not think it reasonably practicable to transfer the employee to a safer job the employee may wish to consider taking paid leave immediately.

When utilising/accessing the leave under this section of the Act the employer must allow the employee paid leave until:

1. The end of the period stated in the medical certificate; or
2. The end of the day before the birth of the child.

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In the event that this leave is granted there is no deduction from any staff leave accruals and payment is as ordinary pay.

VARIATIONS TO THE LEAVE PERIOD

The employee is entitled, once only, to extend the period of parental leave by giving 14 days written notice to the General Manager. Further extensions to the leave period are subject to the General Manager's approval.

Shortening the period of parental leave is subject to the General Manager's approval. Applications to vary the period of parental leave are to be made in writing and give 14 days notice.

In unforeseen circumstances, such as miscarriage, still birth or infant death, Council shall adopt the provisions of the Industrial Relations Act and take into account the particular circumstances of each case.

RIGHT OF RETURN TO WORK

When parental leave ends, the employee will return to their former position. If it is no longer available, the employee will move to a position of comparable status and rate of pay.

Advice to replacement employees of early termination - The General Manager (or another appropriate officer with delegated authority) shall formally advise employees engaged or transferred to replace an employee on parental leave that their employment may be terminated or their transfer discontinued earlier than anticipated, if early return from parental leave is approved. Any letter of appointment issued to a replacement or transferred employee is to include a paragraph as follows:

"The employee of Council you have been engaged to replace on a temporary basis is currently on Parental Leave. Notwithstanding the period of the temporary employment state above, it may be necessary to terminate your temporary employment in accordance with provisions of the Local Government (State) Award 2017 should the employee return to work earlier than currently approved."

ADOPTION LEAVE

An employee, other than a casual, who has or will have primary responsibility for the care of an adopted child is entitled to up to 4 weeks paid adoption leave at ordinary pay from the date the child is placed with the employee for adoption.

Paid adoption leave must not extend beyond 4 weeks of the date of placement of the child.

This adoption leave shall not apply where an employee of council receives parental leave make-up pay in connection with the adoption of the child.

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JURY SERVICE & COURT ATTENDANCE LEAVE

An employee required to attend jury service during ordinary working hours shall be reimbursed by Council and the amount paid will be equal to the difference between the amount paid in respect of the attendance for duty and the employee's ordinary pay for the period of jury service.

Council will pay the employee their normal fortnightly wages as in most cases the employee will not receive payment for jury duty until after the jury duty has been completed, in these cases the employee is to return all monies received to Council for receipting. The employee is entitled to keep any travel expenses paid during this period of jury service.

An employee shall notify the Council as soon as possible of the date upon which the employee is required to attend for jury service and provide proof of attendance and the payment received in respect of jury service.

PUBLIC HOLIDAYS

The days on which holidays shall be observed are as follows: New Years' Day; Australia Day; Good Friday; Easter Saturday; Easter Monday; Anzac Day; Queen's Birthday; Labour Day; Christmas Day; Boxing Day and all locally proclaimed holidays within the Council's area, and all special days proclaimed as holidays to be observed throughout the whole State of NSW.

Where any of the holidays prescribed by Local Government (State) Award 2017 fall on a day ordinarily worked by the employee, the employee shall not have a reduction in ordinary pay.

Except as otherwise provided, where an employee is required to work on a holiday as prescribed by Local Government (State) Award 2017, the employee shall be paid at double time and a half inclusive of payment for the day with a minimum payment of four hours worked.

All employees classified in the operational band of Local Government (State) Award 2017 employed in garbage, sanitary and sewage (other than the supervisor) who are required to work on Good Friday or Christmas Day shall be paid as per the NSW Local Government (State) Award 2017 at triple time inclusive of payment for the day with a minimum payment of four hours work.

Where an employee is required to work ordinary hours on a holiday as prescribed by Local Government (State) Award 2017, the General Manager (or nominee) and the employee may agree that the employee be paid time and a half for the hours worked on a holiday and in addition, grant a day off in lieu to be paid at ordinary time for each holiday worked. Such leave shall be taken at a mutually convenient time.

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When a holiday occurs on a day that an employee is rostered off while employed on a seven day a week rotating roster system, the employee shall be paid a day's pay at ordinary rates in addition to the ordinary week's pay. The General Manager (or nominee) may in lieu of making such additional payment, grant a days leave for each such holiday which may be taken at such time as is mutually agreed to between the General Manager (or nominee) and the employee

Where a RDO falls on a public holiday the employee must take the next available working day as their RDO, unless otherwise agreed to by the immediate supervisor.

LEAVE WITHOUT PAY

- (i) Periods of leave without pay, shall be taken at a time mutually convenient to Council and the employee, and shall not be regarded as service for the purpose of computing long service leave, sick leave, annual leave or an employee's entitlement to parental leave make-up pay. Such periods of leave without pay shall not however, constitute a break in the employee's continuity of service.
- (ii) An employee shall not be entitled to any payment for public holidays during an **absence on approved leave without pay.**

RELEVANT LEGISLATION AND COUNCIL POLICIES

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

- Access to Information Policy;
- Australian Audit Standard AUS210 / ASA240;
- Anti Discrimination Act 1977;
- Bribes, Gifts and Benefits Policy;
- Cash Handling Policy;
- Code of Business Practice;
- Code of Conduct for Councilors, staff and delegates of Council;
- Complaints Management Policy;
- Corporate Credit Card Policy;
- Council's Code of Meeting Practice;
- Crimes Act 1900;
- Delegations of Authority Procedure;
- Disciplinary Policy;
- Drug & Alcohol Policy;
- Employee Assistance Program Policy
- Environmental Planning and Assessment Act 1979;
- Equal Employment Opportunity Act 1987;
- Equal Employment Opportunity (EEO) Management Plan;
- Fair Work Act 2009 (Cwth);

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- Flexible Work Arrangements Policy & Procedure;
- Fraud and Corruption Prevention Policy
- Government Information (Public Access) Act 2009; and
- Grievance Policy;
- Harassment Policy;
- Human Resource Succession Plan;
- Human Resource Training Plan;
- Independent Commission against Corruption Act (ICAC) 1988;
- Industrial Relations Act 1996;
- Injury Incident Management Procedures;
- Internal Reporting – Protected Disclosures Policy;
- Internet and Email Policy;
- Local Government Act 1993;
- Local Government (State) Award 2017
- Local Government (General) Regulations 2005;
- Loss of Drivers License Policy;
- Manual Handling Policy;
- Mobile Phone Policy;
- NSW Long Service Leave Act 1955;
- NSW State Records Act 1998;
- Paid Parental Leave Act 2010 (Cwth)
- Performance & Misconduct Policy
- Private Works (Projects and Plant Hire) Policy;
- Privacy and Personal Information Protection Act 1998.
- Public Access Policy;
- Public Interest Disclosures Act 1994;
- Public Interest Disclosure Policy;
- Purchasing and Acquisition of Goods Policy and Procedures;
- Recruitment and Selection Policy;
- Rehabilitation Procedure and Practice Policy;
- Secondary Employment Policy;
- Service Delivery Policy;
- Standards Australia 8000 series;
- Statement of Ethical Principles;
- Sun Protection – Council Employees Policy;
- Time in Lieu of Overtime Policy;
- Trade Practices Act 1974;
- Trauma Management Policy;
- Trustees Act 1925;
- Upper Lachlan Shire Council Community Strategic Plan;
- Upper Lachlan Shire Council Resourcing Strategy documentation;
- Upper Lachlan Shire Council Delivery Program and Operational Plan;
- Workers Compensation Act 1987;

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- Work Health & Safety Policy;
- Work Health & Safety Act & Regulations 2011;
- Workplace Relations Act 2008.

VARIATION

Council reserves the right to vary or revoke this policy

***APPLICATION FOR MATERNITY LEAVE
CHECKLIST***

- ☐ To qualify for paid parental leave you must have completed 12 months continuous service at Council prior to your expected date of confinement.
- ☐ Provide Council with certification of the expected date of confinement at least 10 weeks before the child is due. This is known as the first notice.
- ☐ Obtain a certificate from your Doctor indicating your expected date of confinement.
- ☐ Submit your application for paid parental leave at least 4 weeks prior to the start of your leave.
- ☐ Draft your application for paid parental leave letter.
- ☐ The dates you wish to start and finish your leave.
- ☐ Outline any other leave you wish to take e.g. annual or long service leave.
- ☐ Outline whether this additional leave is at half or full pay.
- ☐ Complete a statutory declaration indicating you will be the primary carer.
- ☐ Complete a leave form including all leave information (ensure the dates match with all correspondence).
- ☐ Check your total leave period is no more than 52 weeks.
- ☐ Give your application letter; leave form, statutory declaration, and medical certificate with expected date of confinement to your supervisor.

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APPLICATION FOR LEAVE

APPLICANT:

LEAVE TYPE – (tick box below relevant leave)

Annual Leave	Sick Leave	Carers' Leave	Long Service Leave	Leave In Lieu	Without Pay	Special
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						Please state reason below (eg – maternity; supporting parent; jury service; bereavement)
					

COMMENCING
 inclusive

(Being the first Working Day you will not be at work)

FINISHING both dates

(Being the last Working Day you will not be at work)

Total Number of Leave in Working Hours (Do not include Public Holidays or RDO's)

Please advise when your RDO falls during this period of leave
 (Eg. Monday 25/2/2008)

.....
Signed

.....
Date

OFFICE USE

Date Received Sickness Certificate Received:

Leave Balance:

Annual Leave	Sick Leave	Long Service Leave	Leave In Lieu
Hours	Hours	Hours	Hours

Authorised

.....
General Manager/Director/Supervisor

.....
Date

Return this section to employee

Name
Your application for leave has been approved with/without payment
Period from to Both dates inclusive
WORK RECOMMENCES ON Day Date

All leave balances are documented on each payslip received.

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APPLICATION FOR TIME IN LIEU OF OVERTIME

File - Personnel

DATE	START TIME	FINISH TIME	HOURS	REASON FOR WORKING UP TIME	ALLOCATION
			Total		

NAME

SIGNATURE

EMPLOYEE NO

DATE

APPROVED Yes No

General Manager

Director of Finance & Administration

Director of Infrastructure

Director or Environment and
Planning

Supervisor

I:\2013-2014\Corro\Payroll Officer\Payroll\[Leave In Lieu Application.xls]Sheet1

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POLICY:-	
Policy Title:	Trauma Management Policy
File reference:	F10/618-05
Date Policy was adopted by Council initially:	26 June 2008
Resolution Number:	191/08
Other Review Dates:	18 October 2012, 16 June 2016
Resolution Number:	345/12, 168/16
Current Policy adopted by Council:	21 November 2019
Resolution Number:	XX/19
Next Policy Review Date:	2022

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

RESPONSIBILITY:-	
Draft Policy Developed by:	WHS Coordinator
Committee/s (if any) consulted in the development of this policy:	WHS Committee
Responsibility for implementation:	All staff
Responsibility for review of Policy:	Coordinator WHS and Environmental Compliance

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Objective

To ensure employees involved in traumatic incidents during the performance of their duties receive the appropriate support.

Policy

Whilst Council acknowledges its duty of care to both its employees and the general public there are none the less serious incidents which can occur at the workplace which are traumatic to all concerned.

These incidents could include:

1. Serious injury to an employee or member of the public;
2. Employee or member of the public suffering a heart attack or similar health emergency;
3. An act of violence, e.g. robbery, disaster etc.

This policy is concerned with lessening the impact of traumatic incidents minimising the duration and severity of any event and increasing the employee's capacity to cope.

Council's primary concern is the welfare of both its employees and the public.

Characteristics of Post-Trauma Stress Reaction

Supervisors are not expected to be medical practitioners nor hold a degree in psychology. However, the severity of incidents with which this policy is concerned is such that some degree of stress reaction would be a normal expectation.

Characteristics of post-trauma stress reaction include:

- ❖ Re-experiencing the event;
- ❖ Emotional numbing and withdrawal;
- ❖ Heightened reactions;
- ❖ Disturbed sleep;
- ❖ Impaired concentration; and/or
- ❖ Irrational guilt.

Who Should Have Trauma Debriefing

All victims of trauma need to be identified. The approach should be inclusive rather than exclusive and includes all those present at the event if not directly involved.

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Post Incident Action Checklist

1. Attend to the injured. It is vital that available first aid is administered to those with physical injuries either at the scene or be sufficient to permit safe transport to the hospital
2. Concurrent with emergency medical care is intervention as is feasible and can be performed safely without further injury to any person. This would include turning off equipment in continuing operation, extinguishing fires, cleaning up toxic materials in a spill, isolating a contaminated area.
3. Contact appropriate Director, who will then have responsibility for ensuring the following occurs:
 - a) If appropriate, attend to the immediate needs of the injured person's family including notification, assistance with transportation, etc.
 - b) Control access of the media to the scene and to staff and relatives of staff.
 - c) Human Resource Section to organise professional counselling for those employees involved:
 - ◇ **during office hours:** Goulburn Community Health Centre on (02) 48273913;
 - ◇ **after hours:** Accident and Emergency at either Crookwell Hospital or Goulburn Hospital;
 - ◇ Mental Health Triage on 1800677114; or
 - ◇ via Council's Employee Assistance Program (EAP).
 - d) Provide employees with accurate information about the current situation and update this over subsequent days.
 - e) Organise assistance, such as transport home, for any employee who is traumatised. Try to ensure that employees are not alone on the evening after the incident.
 - f) Get an accurate account of what has happened before employees leave. Provide briefing to those involved. This would include discussing with them whether they will be back to work the next day. In most circumstance return to work should be encouraged, particularly as direct assistance will be provided.
 - g) Act quickly to dispel rumours.

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Relevant Legislation and Council Policies

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

- Access to Information Policy;
- Anti Discrimination Act 1977;
- Child Protection Policy;
- Civil Liabilities Act 2002;
- Code of Business Practice;
- Code of Conduct for Councillors, staff and delegates of Council;
- Complaints Management Policy;
- Council's Code of Meeting Practice;
- Crimes Act 1900;
- Delegations of Authority Procedure;
- Disciplinary Policy;
- Drug & Alcohol Policy;
- Employee Assistance Program Policy;
- Employment and Retention Policy;
- Environmental Planning and Assessment Act 1979;
- Equal Employment Opportunity Act 1987;
- Equal Employment Opportunity (EEO) Management Plan;
- Fair Work Act 2009 (Cwth);
- First Aid Policy;
- Flexible Work Arrangements Policy & Procedure;
- Fraud and Corruption Prevention Policy;
- Government Information (Public Access) Act 2009;
- Grievance Policy;
- Harassment Policy;
- Higher Grade Pay Policy;
- Human Resource Training Plan;
- Human Resource Succession Plan;
- Independent Commission against Corruption Act (ICAC) 1988;
- Industrial Relations Act 1996;
- Injury Incident Management Procedures;
- Interaction between Councillors and Staff Policy;
- Internal Reporting – Protected Disclosures Policy;
- Internet and Email Policy;
- Local Government Act 1993;
- Local Government (General) Regulations 2005;
- Local Government (State) Award 2017;
- Loss of Drivers Licence Policy & Procedure;
- Manual Handling Policy;
- Mobile Phone Policy;
- NSW Long Service Leave Act;

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- NSW State Records Act 1998;
- Payment of Expenses and Provision of Facilities Policy;
- Performance & Misconduct Policy;
- Privacy and Personal Information Protection Act 1998;
- Private Use of Council Motor Vehicles Policy;
- Private Works (Projects and Plant Hire) Policy;
- Protective Clothing and Equipment Policy;
- Public Access Policy;
- Public Interest Disclosures Act 1994;
- Public Interest Disclosures Policy;
- Purchasing and Acquisition of Goods Policy and Procedures;
- Recruitment and Selection Policy;
- Rehabilitation Procedure and Practice Policy;
- Secondary Employment Policy;
- Service Delivery Policy;
- Smoking in the Workplace Policy;
- Staff Training Policy;
- Standards Australia 8000 series;
- Statement of Ethical Principles;
- Sun Protection – Council Employees Policy;
- Time in Lieu of Overtime Policy;
- Trade Practices Act 1974;
- Trustees Act 1925;
- Upper Lachlan Shire Council Community Strategic Plan;
- Upper Lachlan Shire Council Resourcing Strategy documentation;
- Upper Lachlan Shire Council Delivery Program and Operational Plan;
- Volunteers Policy;
- Workforce Plan 2016-2020
- Workers Compensation Act 1987;
- Work Health & Safety Policy;
- Work Health & Safety Act & Regulations 2011;
- Workplace Relations Act 2008.

Variation

Council reserves the right to vary or revoke this policy.

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POLICY:-	
Policy Title:	Employee Probation Review
File reference:	F10/618-05
Date Policy was adopted by Council initially:	19 April 2012
Resolution Number:	122/12
Other Review Dates:	19 April 2012
Resolution Number:	122/12
Current Policy adopted by Council:	20 August 2015
Resolution Number:	229/15
Next Policy Review Date:	2018

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

RESPONSIBILITY:-	
Draft Policy Developed by:	Human Resources Coordinator
Committee/s (if any) consulted in the development of this policy::	Consultative Committee
Responsibility for implementation:	Human Resources Coordinator
Responsibility for review of Policy:	Human Resource Coordinator

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POLICY

1. Purpose

- Upper Lachlan Shire Council requires all new employees to complete a period of probationary employment and agents or contractors to complete a period of probationary engagement. The purpose of this policy is to allow Council to assess new employees and agents or contractors before ongoing employment or engagement is confirmed.

2. Commencement of Policy

- This Policy will commence on or after adoption. It replaces all other probationary policies.

3. Application of the Policy

- This Policy applies to all new employees, existing staff in new positions, agents or contractors of Council.
- This Policy does not form part of any employee's contract of employment or any agent's or contractor's contract of engagement. If a term of this policy is inconsistent with an employee's contract of employment or engagement or any relevant industrial instrument, the contract will prevail over this Policy to the extent of any inconsistency.

4. Probationary period

- Generally, new employees and existing staff in new positions will be employed or engaged for a Probationary Period of three (3) months. There may however be circumstances in which an employee's performance cannot effectively be assessed within three (3) months and therefore Council reserves the right to apply longer probationary periods to such employees.
- Council will undertake to assess an employee's performance throughout the Probationary Period and provide feedback about their performance and training if appropriate. Ongoing employment or engagement of employee is subject to the successful completion of the Probationary Period.
- Where the employee's performance is assessed as unsatisfactory, Council may elect to terminate the employee employment or engagement with the requisite period of notice or payment in lieu of notice (where applicable).

PROCEDURE AND CONDITIONS:

1. Preliminary Performance Review

- Following a new employee's commencement, the Human Resources Section will notify the employee's supervisor that a preliminary performance review is due. Human Resources will advise the dates that preliminary reviews should be conducted and provide all relevant procedures and documentation.

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- The supervisor will meet with the employee at the completion of the first six weeks of employment to complete and document a performance review
- The employee will be given the opportunity to raise any issues or concerns in relation to their work performance or their ability to undertake their duties.
- The supervisor will advise the employee of any issues or concerns in relation to the employee's work performance and suggest means of improvement.
- Documentation in relation to the preliminary review must be returned to the Human Resources Section within seven days of the review.
- Human Resources will provide written advice to the employee of any issues or concerns raised by the supervisor.

2. Performance Monitoring

- The supervisor will continue to monitor the employee's performance over the four to five weeks following the preliminary review to ensure satisfactory performance is achieved or maintained.
- Feedback will be provided to the employee and any continuing issues or concerns will be documented by the supervisor and recorded on the employee's personnel file.

3. Eighty Day - Determination

- At least one week before the expiry of the three month probationary period the supervisor will determine whether permanent appointment is to be confirmed or not and advise the Human Resources Section accordingly.
- The Human Resources Section will issue a letter to the employee before the expiry of the probationary period. The letter will either confirm permanent appointment or advise of termination of employment according to the supervisor's decision.

4. Exclusions

- The additional skills assessment does not form part of the probationary review process. However, a skills assessment may be conducted at any time after confirmation of permanent appointment or during the annual assessment process.
- Probationary reviews do not apply to employees under a registered Training Organisations e.g. Southern Tablelands Group Training STGT

5. Reference Documents

Relevant Legislation

The following Legislation affects the operation of this policy:-

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Local Government Act 1993;
Local Government (General) Regulations 2005;
Local Government (State) Award 2014;
Work Health and Safety Act 2011 (NSW);
Work Health and Safety Regulations 2011 (NSW);
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;
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;
Public Interest Disclosures Act 1994; and
Crimes Act 1900.

Related Council Policies and Procedures

The following Council Policies and documents that are relevant to this Policy include:-

Code of Conduct for Councillors, staff, contractors and delegates of Council;
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;
Human Resource Training Plan;
Staff Training Policy;
Human Resource Succession Plan;
Equal Employment Opportunity (EEO) Management Plan;
Public Interest Disclosures Policy;
Recruitment and Selection Policy;
Complaints Management Policy;
Grievance Policy;
Disciplinary Policy;
Harassment Policy;
Secondary Employment Policy;
Service Delivery Policy;
Interaction between Councillors and Staff Policy;
Bribes, Gifts and Benefits Policy;
Fraud and Corruption Prevention Policy;
Purchasing and Acquisition of Goods Policy and Procedures;

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Drug and Alcohol Policy;
Rehabilitation Procedure and Practice Policy;
Time in Lieu of Overtime Policy;
Manual Handling Policy;
Child Protection Policy;
Delegations of Authority Policy;
Trauma Management Policy;
Employment and Retention Policy;
Higher Grade Pay Policy;
First Aid Policy;
Work Health and Safety Policy;
Injury Incident Management Procedures;
Protective Clothing and Equipment Policy;
Mobile Telephone Policy;
Smoking in the Workplace Policy;
Salary Sacrificing Policy;
Private Use of Council Motor Vehicles Policy;
Sun Protection - Council Employees Policy;
Volunteers Policy;

Variation:

Council reserves the right to vary or revoke this policy.

Attachment A



Employee Probation Review Document

CONFIDENTIAL

Section A:

Employee Name:	Employee No:.....
Department:	Date:.....
Reviewing Officer:	Position:.....
Review Period:	Probation:.....
Commencement Date:	

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Overall the Performance Review is aimed at assessing competence to undertake the role for which the employee is employed. Supporting comments should also be used to clarify a performance in specific areas. It is recommended that all sections be considered by the employee and the Reviewing Officer, then jointly discussed and finalised. All sections are to be completed in a constructive manner and be aimed at recognising and encouraging improvement in work performance and individual career prospects. On completion, both the Reviewing Officer and Employee must sign the form. The Department Director and General Manager must approve recommendations before the form is forwarded to HR

Work/Knowledge	Does the employee have the knowledge and skill necessary for their position?
Quality of Work	Does the employee complete tasks and duties to the standard required?
Interpersonal Skills	Does the employee effectively interact with peers, supervisor, other personnel and customers?
Attitude and Presentation	Does the employee present in a professional manner and do they have the desire to achieve objectives set out for their position.

Evaluation Criteria

Against the following performance dimensions assess the performance of the Employee. **Circle** the assessment rating that you consider is appropriate to the employee's performance (with 1 not performing and 5 performing to required standard). You should be able to present to the employee your reasons for your rating.

Performance Assessment Rating

Rating the *Level of Performance* of each unit of Competency which the person displays in his/her behaviour

Section B

Work / Knowledge

Demonstrates a preparedness to work within the values of ULSC	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Has the ability to learn and apply knowledge, policy, procedures and practice	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Has the aptitude and technical skills to do the job	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Can apply knowledge and skills to achieve outcomes	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Performs duties responsibly and conscientiously	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Demonstrates a commitment and quality customer service	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>

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Able to analyse problem situation and suggest or take corrective action

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Maximize use of time

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Comments:

Summary of Discussion:

Quality of Work

Presents work in a neat, tidy and organized manner

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Takes pride in producing quality work

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Complete work accurately, with little or no checking required

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Able to perform a variety of tasks and meet agreed time frames

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Consistently meets agreed time frames

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Comments:

Summary of Discussion:

Interpersonal Skills

Able to clearly express ideas, views and opinions verbally

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Regularly and effectively communicates relevant information

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Uses appropriate communication to maintain professional relationships

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Interacts effectively with work associates

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Able to work within a team and help achieve their goals

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Completes necessary tasks as requested by supervisor

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Displays positive leadership and supervisory skills

N/A ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

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Comments:

Summary of Discussion:

Attitude and Presentation

Presents in an appropriate manner	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Keen to do well and achieve above the minimum requirements	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Demonstrates initiative	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Actively takes on tasks or tries to achieve goals without close supervision	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Displays positive conduct and makes a good impression on others	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Treats others with dignity and respect	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Regularly attends work	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Works within ULSC policies and procedures	N/A <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>

Comments:

Summary of Discussion:

Section C

Manager and Employee Overall Comments:

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Further Development Required

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Training to Be Undertaken

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Section D

Manager/s Evaluation of Overall Performance

Against the following performance dimensions assess the overall performance of the Employee. Select the rating that you consider is appropriate to the employee's overall performance.

Days Absent: _____ (Nil etc)

Attendance: _____ (Good etc)

Behaviour: _____ (Good etc)

Application to work: _____ (Good etc)

Efficiency of work: _____ (Good etc)

Section E:

Further Review Required: Yes/No

Further review date: _____ Time: _____

Reviewer: _____ Signature: _____

Employee: _____ Signature: _____

Date: _____

Section F:

Termination of Employment

Where the employee's performance and/or conduct/behaviour is assessed as unsatisfactory, Council may elect to terminate the employee's employment or

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engagement with the requisite period of notice or payment in lieu of notice (where applicable).

All recommendations to terminate employment must be approved by the General Manager with the decision communicated to the employee in writing.

Section G:

Appointment: _____ **Recommended for Salary Increase:** _____

I recommend an increase to: Step of Grade \$ to be paid from the review date

Reviewer Signature: _____ **Date:** _____

Section H:

Approval:

Director Signature: _____ **Date** _____

Comment:

General Managers Signature _____

Date _____

Comment:

Forward **original** to human resources section for processing

Letter Sent		On file		To Payroll	
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POLICY:-	
Policy Title:	Market Forces allowance Policy
File reference:	F10/618-05
Date Policy was adopted by Council initially:	19 February 2009
Resolution Number:	46/09
Other Review Dates:	16 August 2012, 20 August 2015
Resolution Number:	282/12, 229/15
Current Policy adopted by Council:	21 November 2019
Resolution Number:	XX/19
Next Policy Review Date:	2021

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

RESPONSIBILITY:-	
Draft Policy Developed by:	Human Resource Coordinator
Committee/s (if any) consulted in the development of this policy:	Consultative Committee
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	Human Resource Coordinator

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Aim

To provide a mechanism to assist in the attraction or retention of staff in key positions determined as critical for the operation of the Council.

Introduction

Council acknowledge that the nation's prevailing low unemployment rate coupled with an ever increasing skills shortage can make it progressively more difficult to attract and retain key staff in rural areas.

Upper Lachlan Shire Council's close proximity to Sydney, Goulburn, and the Australian Capital Territory gives it access to a large potential pool of labour resource not available to other rural areas.

Historically Council has been handicapped during the recruitment and retention process by having a rigid salary system. Vacant positions have gone unfilled.

Council's ability to provide services to the community and to deliver on Operational Plan objectives is compromised when it is unable to fill key positions or when staff members in similar positions leave Council's employment to take up roles offering a higher level of remuneration.

Policy

Allowance

To allow Council to recruit or retain staff in key positions a Recruitment/Retention allowance of up to 10% of the total remuneration (cash) applicable to the designated position may be provided where deemed appropriate.

Payment of the allowance shall be as an increase in salaries or wages on a fortnightly pro-rata basis and shall be paid for all purposes of the Local Government State Award. Staff receiving the Recruitment/ Retention allowance shall have the conditions confirmed in writing and signed by the General Manager.

Application

Where the payment of the Recruitment /Retention allowance is considered essential to recruit a particular individual or to prevent a key member of staff from leaving Council's employment, the relevant supervisor/manager will submit a report to Council's relevant Director for consideration.

Council's relevant Director will consider submissions, make a recommendation and in the decision process take into account such factors as budgetary restrictions, market conditions,

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staff relativities, recruitment prospects, advertising costs, lost productivity and anticipated impacts on projects or programs.

The General Manager will have sole responsibility for approving the payment of Councils Market Forces allowance for all positions within the organisation.

Definitions:

Allowance - refers to additional or increased fortnightly salary or wage payment.

Key positions – Any position that is determined to be critical for the day to day operation of the Council through a formal process of assessment and includes the following positions:

- *Directors, Managers and Coordinators possessing uncommon industry specific skills/qualifications/experience*
- Professional or Technical Staff possessing uncommon industry specific skills/qualifications/experience.
- Positions where there are severe limitations on the number of potential qualified and experienced applicants as evidenced by previous attempts at recruitment.

Uncommon industry specific skills – refers to unique and special skills that are not frequently found outside of Local Government.

Reference Documents:

Relevant Legislation

The following Legislation affects the operation of this Plan:-

Local Government Act 1993;
Local Government (General) Regulations 2005;
Local Government (State) Award;
Work Health and Safety Act 2011 (NSW);
Work Health and Safety Regulations 2011 (NSW);
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;
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;

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Public Interest Disclosures Act 1994; and
Crimes Act 1900.

Related Council Policies and Procedures

The following Council Policies and documents that are relevant to this Policy include:-

Code of Conduct for Councillors, staff, contractors and delegates of Council;
Council's Code of Meeting Practice;
Upper Lachlan Shire Council Community Strategic Plan;
Upper Lachlan Shire Council Delivery Program and Operational Plan;
Human Resource Training Plan;
Staff Training Policy;
Human Resource Succession Plan;
Equal Employment Opportunity (EEO) Management Plan;
Public Interest Disclosures Policy;
Recruitment and Selection Policy;
Grievance Policy;
Disciplinary Policy;
Harassment Policy;
Secondary Employment Policy;
Service Delivery Policy;
Interaction between Councillors and Staff Policy;
Bribes, Gifts and Benefits Policy;
Fraud and Corruption Prevention Policy;
Drug and Alcohol Policy;
Rehabilitation Procedure and Practice Policy;
Child Protection Policy;
Delegations of Authority Policy;
Employee Assistance Program (EAP) Policy;
Trauma Management Policy;
Employment and Retention Policy;
Higher Grade Pay Policy;
Time in Lieu of Overtime Policy;
Work Health and Safety Policy;
Protective Clothing and Equipment Policy;
Salary Sacrificing Policy;
Private Use of Council Motor Vehicles Policy;
Sun Protection - Council Employees Policy;
Volunteers Policy; and
Payment of Expenses and Provision of Facilities Policy.

Variation:

Council reserves the right to vary or revoke this policy.

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SECTION 15: LATE REPORTS

Nil

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

ITEM 16.1 REPORTS FOR THE MONTH OF NOVEMBER 2019

344/19 **RESOLVED** by Clr Searl and Clr McCormack

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

1. Collector Pumpkin Festival – Minutes from Meeting 9 September 2019.
2. Collector Oval Committee – Annual General Meeting 11 October 2019.
3. Collector Oval Committee – Meeting 25 July 2019.
4. Collector Oval Committee – Meeting 7 November 2019
5. Country Mayors Association – Annual General Meeting Minutes 1 November 2019.
6. Country Mayors Association – 1 November 2019 Meeting Minutes.
7. Traffic Committee – Minutes 7 November 2019.

345/19 **RESOLVED** by Clr Searl and Clr Cummins

That recommendations item 3.1, 4.1 to 4.9 excluding item 4.5 of the Traffic Committee Minutes from meeting held 7 November 2019 be adopted:

3.1 MATTERS ARISING FROM THE MINUTES

The committee decided to bring a special item forward about the regulatory signage on Inglewood Bridge, Grabben Gullen Road

1. Council implement option 2 – Install Narrow bridge signs, either figure 4.10 and including item 1.

**ITEM 4.1 JERRAWA ROAD & COOLALIE ROAD INTERSECTION
CHANGES**

1. Council to implement Option 1 for this intersection by installing additional warning signs and pavement markings for the three approaches as provided in Diagram 2;

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2. Council include Option 2 for consideration in the 10 years works program as provided in Diagram 3;

ITEM 4.2 OLD SCHOOLYARD DRIVEWAY ON COOLALIE ROAD, JERRAWA

1. The Committee recommends to Council to install concealed driveway signs at Old Schoolyard Driveway, Jerrawa NSW 2582.

ITEM 4.3 LOADING AND PARKING AREAS FOR COLLECTOR PRIMARY SCHOOL ON LORN STREET, COLLECTOR, NSW 2581

1. The Committee recommends to Council the establishment of a pickup/drop off zone (on the school side) including associated signs during school hours in accordance with the relevant standards required
2. Council consider the construction of a parking area on the opposite side of Lorn Street as a part of the future works program.

ITEM 4.4 INTERSECTION OF HUME STREET (YASS STREET) WITH YASS STREET, GUNNING

1. Committee recommends subject to consultation with affected residents of Yass Street, to Council to implement the modification of the west leg of Yass Street to be a One-Way traffic from the eastern approach.

ITEM 4.5 TRAFFIC REPORT AT THE INTERSECTION OF WOODHOUSELEE ROAD, PEELWOOD ROAD AND LAGGAN ROAD, LAGGAN

1. Council remove the Stop sign on Woodhouselee approach.
2. Council re-paint pavement markings at this intersection.
3. Install No Stopping signs to the nearest residence at the intersection.

An Amendment was moved by Cllr Cummins and Cllr McCormack that:

1. Council remove the Stop sign on Woodhouselee approach.
2. Council re-paint pavement markings at this intersection.
3. Install No Stopping signs on the eastern side of Peelwood Road northwards to the nearest residence.
4. Additional warning signs of the intersection be installed on the northern side of Laggan Road along the approach to Crookwell.

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5. Council improve the sight distance from Woodhouselee road to Laggan road by removing conflicting vegetation.

On being put to the meeting the motion was carried and became the resolution.

346/19

RESOLVED by Clr Cummins and Clr McCormack that:

1. Council remove the Stop sign on Woodhouselee approach.
2. Council re-paint pavement markings at this intersection
3. Install No Stopping signs on the eastern side of Peelwood Road from the intersection northwards to the nearest residence.
4. Additional warning signs of the intersection be installed on the northern side of Laggan Road along the approach to Crookwell.
5. Council improve the sight distance from Woodhouselee road to Laggan road by removing conflicting vegetation.

- CARRIED

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl and J Stafford

Councillors who voted against:- Cr J Wheelwright

ITEM 4.6 TRAFFIC REPORT ON DALTON ROAD AT RAILWAY, BRIDGE, GUNNING

1. The Committee recommends to Council to install a Stop sign pending further review on the location of the sign.

ITEM 4.7 REPORT ON POTENTIAL TRUCK UN-COUPLING SITES IN CROOKWELL, NSW

1. Council investigate McDonald Street as the option for B-Double un-coupling in Crookwell subject to a suitable turn around to be provided after consultation with Industry.
2. Roads and Maritime Services provide feedback on heavy vehicle rest areas along MR54 between Crookwell and Bathurst.
3. A report to be submitted to the next Traffic Committee meeting.

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ITEM 4.8 SAFETY CONCERNS AT THE INTERSECTION OF CARRABUNGLA ROAD AND MT RAE ROAD, ROSLYN, NSW 2580

1. Council consider Carrabungla Road for its future re-sheeting program, along with the intersection re-alignment.
2. Council install the signs noted in this report as a temporary measure to alert drivers of this intersection (refer to diagrams 4, 5, 6, and 7).
3. Council cut/mow the overgrown vegetation as marked in photos 4 and 7.

ITEM 4.9 ST. MARYS PRIMARY SCHOOL, CROOKWELL - PROPOSAL OF PEDESTRIAN CROSSING IN WADE STREET.

1. Committee to defer this matter to consult with Roads and Maritime, St Mary's Church, St Marys School with a report to be provided to the next Traffic Committee meeting.

- CARRIED

Councillors who voted for:- Cllrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl and J Stafford

Councillors who voted against:- Cr J Wheelwright

8. Pool Review Committee – Minutes 8 November 2019.
9. Upper Lachlan Tourist Association – Minutes from meeting held 4 October 2019.
10. Breadalbane Hall Committee – Minutes from meeting held 25 August 2019.
11. Breadalbane Hall Committee – Minutes from meeting held 27 October 2019.

- CARRIED

Councillors who voted for:- Cllrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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HELD IN THE COUNCIL CHAMBERS GUNNING
ON 21 NOVEMBER 2019

SECTION 17: NOTICES OF MOTION

ITEM 17.1 NOTICE OF RESCISSION MOTION - 237/19

Item moved forward in the agenda and dealt with earlier in meeting.

ITEM 17.2 NOTICE OF RESCISSION MOTION - 286/19

Item moved forward in the agenda and dealt with earlier in meeting.

SECTION 8: QUESTIONS WITH NOTICE

ITEM 18.1 OLD BANK BUILDING IN CROOKWELL

Moved by Clr Opie and Clr Kensit

1. That a report be provided to Council on cost of works that are required to make the old bank building in Crookwell operational.

On being put to the meeting the motion was carried.

347/19 RESOLVED by Clr Opie and Clr Kensit

1. That a report be provided to Council on cost of works that are required to make the old bank building in Crookwell operational.

- CARRIED

Councillors who voted for:-

Clrs P Culhane, R Cummins, P
Kensit, R Opie, B McCormack, J
Searl, J Stafford and J
Wheelwright

Councillors who voted against:- Nil

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348/19 **RESOLVED** by Clr McCormack and Clr Cummins that

1. Council extend the meeting to 9.15pm.

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

ITEM 18.2 ECONOMIC DEVELOPMENT TASK FORCE RESOLUTIONS

Refer to the Business Paper for 21 November 2019 Council Meeting for the General Managers comments.

ITEM 18.3 FIRE SAFETY STATEMENTS

Moved by Clr Cummins and Clr Opie

1. That a report be provided back to Council on the resources required to provide the Director of Environment and Planning to complete an investigation into the number of buildings in the towns and villages of the Upper Lachlan Shire that requires fire safety statements.

On being put to the meeting the motion was carried

349/19 **RESOLVED** by Clr Cummins and Clr Opie

1. That a report be provided to Council on the resources required to provide the Director of Environment and Planning to complete an investigation into the number of buildings in the towns and villages of the Upper Lachlan Shire that requires fire safety statements.

Councillors who voted for:- Clrs P Culhane, R Cummins, P Kensit, R Opie, J Searl and J Stafford

Councillors who voted against:- Clrs B McCormack and J Wheelwright

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ITEM 18.4 CROOKWELL MEMORIAL OVAL SPORTING COMPLEX

Refer to the Business Paper for 21 November 2019 Council Meeting for the General Managers comments.

CLOSED COUNCIL ITEMS

Mayor Stafford announced that the meeting would now be moving into Closed Session and read 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)(b) of the Act and should be dealt with in a part of the meeting closed to the public and the media.

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

350/19 RESOLVED by Cllr McCormack and Cllr Kensit

1. That Council move into closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to of the Local Government Act 1993: the press and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A (2)(b) 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 9.11pm and the public, staff and press left the chambers.

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351/19 **RESOLVED** by Clr Searl and Clr Kensit

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

- CARRIED

Open Council resumed at 9.14pm.

Resolutions from the Closed Council Meeting

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

SECTION 9: CONFIDENTIAL SESSION

ITEM 19.1 HARSHIP REBATE FOR UNDETECTED WATER USE LEAK

352/19 **RESOLVED** by Clr Wheelwright and Clr McCormack

1. Council approve a write-off of \$5,817 being 50% of the balance owing for water use charges on Assessment Number 1066 for Mr T Mitropoulos.

- CARRIED

Councillors who voted for:-	Clrs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright
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Councillors who voted against:-	Nil
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THE MEETING CLOSED AT 9.15pm

Minutes confirmed 19 DECEMBER 2019

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Mayor