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BUSINESS PAPER

Ordinary Council Meeting

4 October 2022

Aaron Johansson
Chief Executive Officer

We hereby give notice that an Ordinary Meeting of Council will be held on:

Tuesday, 4 October 2022 at 6pm
in the Council Chambers, Civic Centre
184 - 194 Bourke Street, Goulburn

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Cr Peter Walker
Mayor

Aaron Johansson
Chief Executive Officer

1 OPENING MEETING

The Mayor will open the meeting and notify that this meeting is webcast live on the Council’s website.

2 ACKNOWLEDGEMENT OF COUNTRY

The following acknowledgement will be made by the Mayor or General Manager.

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

3 COUNCILLORS DECLARATION AND/OR PRAYER

The Mayor will ask a Councillor to read either the following Declaration or Prayer on behalf of the Councillors present.

Declaration

“On behalf of the elected Councillors present here tonight I solemnly and sincerely declare and affirm that we will undertake the duties of the office of Councillor in the best interests of the people of Goulburn Mulwaree and that we will faithfully and impartially carry out the functions, powers, authorities and discretions vested in us to the best of our ability and judgement.”

OR

Prayer

“We thank thee, Lord, for this position of honour and trust. Give us the courage to serve our Council and community with honesty and integrity; and to discharge the duties entrusted to us for the common good of all mankind.”

4 APOLOGIES

The Mayor will call for any apologies.

Council will resolve to accept any apology.

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEMS / URGENT BUSINESS

The Mayor will call for any Late Items, Information or Urgent Business.

Council may resolve to accept any late item, information or urgent business to be discussed and/or determined at this meeting.

7 DISCLOSURE OF INTERESTS

With reference to Chapter 14 Local Government Act 1993, and Council’s Code of Conduct, Councillors are required to declare any conflicts of interest in the matters under consideration by Council at this meeting.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

- (1) In accordance with Council's Public Forum Guideline, Council permits members of the public to address Council meetings in open forum at every Ordinary Council meeting.
- (2) A person wishing to address a meeting must contact staff in Council's Executive Section by 5.00pm [either in writing or via telephone call] on the day of the meeting and provide their name, their contact details and summary details of the item they wish to speak about.
- (3) The Mayor or Chairperson will call members of the public to address the meeting in accordance with the order of business. The address should be for no more than 5 minutes duration.
- (4) Members of the public addressing Council must abide by similar standards that apply to Councillors under the Council's Code of Conduct and this Code of Meeting Practice.
- (5) If a member of the public addressing the meeting fails to comply with the Mayor or Chairperson's call to order, the Mayor or Chairperson may withdraw that person's right to address the meeting.
- (6) In making the address:
 - a. If the chairperson is the Mayor he or she should be addressed as 'Mr Mayor' or 'Madam Mayor' or 'Mayor Surname'.
 - b. When the chairperson is not the Mayor they should be addressed as Mr. or Madam Chair or Mr. or Madam Chairperson.
 - c. Councillors must be addressed as 'Councillor Surname'.
 - d. Officers must be addressed as Mr. or Madam [job title or surname] e.g Mr. Chief Executive Officer.

The general standards that apply in Council's Code of Conduct and Code of Meeting Practice (Section 4) are applicable to addresses made by the public in Public Forum.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 20 SEPTEMBER 2022

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Minutes of the Ordinary Meeting of Council held on 20 September 2022

RECOMMENDATION

That the Council minutes from Tuesday 20 September 2022 and contained in Minutes Pages No 1 to 22 inclusive and in Minute Nos 2022/320 to 2022/349 inclusive be confirmed.



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MINUTES

Ordinary Council Meeting

20 September 2022

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	There were no closed session reports for determination.	
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**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 20 SEPTEMBER 2022 AT 6PM**

PRESENT: Cr Carol James, Cr Bob Kirk, Cr Michael Prevedello, Cr Steven Ruddell, Cr Daniel Strickland, Cr Jason Shepherd, Cr Peter Walker, Cr Andy Wood

IN ATTENDANCE: Aaron Johansson (Chief Executive Officer), Brendan Hollands (Director Corporate and Community Services), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Matt O'Rourke (Director Operations), & Shae Aliffi (Executive Support Officer).

1 OPENING MEETING

Mayor Peter Walker opened the meeting 6pm. The Mayor advised that the meeting would be webcast live.

2 ACKNOWLEDGEMENT OF COUNTRY

Mayor Peter Walker made the following acknowledgement.

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

3 COUNCILLORS DECLARATION AND/OR PRAYER

The opening prayer was read by Cr Jason Shepherd.

4 APOLOGIES

RESOLUTION 2022/320

Moved: Cr Bob Kirk

Seconded: Cr Carol James

That the apology received from Cr Andrew Banfield be received.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2022/321

Moved: Cr Michael Prevedello

Seconded: Cr Carol James

That the leave of absence from Cr Andrew Banfield due to work commitments be received and a leave of absence granted.

CARRIED

12 MAYORAL MINUTE(S)**12.1 MAYORAL MINUTE - CONDOLENCE FOR HER MAJESTY QUEEN ELIZABETH II****RESOLUTION 2022/322**

Moved: Cr Peter Walker

That:

- 1. Council observe a minutes silence as part of the Council Meeting to mark the death of Her Majesty Queen Elizabeth II.**
- 2. The Goulburn Mulwaree Council on behalf of its community write to express sincere condolences on the death of Her Majesty Queen Elizabeth II to the Royal Family via the Governor General - His Excellency General the Honourable David Hurley AC DSC (Retd).**

CARRIED

A minutes silence was undertaken as a mark of respect following the passing of Her Majesty Queen Elizabeth II.

6 LATE ITEMS / URGENT BUSINESS

Nil

7 DISCLOSURE OF INTERESTS

Cr Jason Shepherd declared a non-significant/non-pecuniary conflict of interest in Item 15.23 "Councils Operational Update – Planning and Environment Directorate Report as he is an employee of GHD who undertake work for Marulan Quarry. Cr Jason Shepherd will remain in the meeting while discussion on this item takes place.

Cr Jason Shepherd declared a significant/non-pecuniary conflict of interest in Item 15.24 "External Meeting Minutes" as he is an employee of GHD who undertake work for Marulan Quarry who are mentioned in this report. Cr Jason Shepherd will leave the meeting while discussion on this item takes place.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Nil

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 6 SEPTEMBER 2022

MOTION

Moved: Cr Steven Ruddell

Seconded: Cr Andy Wood

That the Council minutes from Tuesday 6 September 2022 and contained in Minutes Pages No 1 to 17 inclusive and in Minute Nos 2022/300 to 2022/319 inclusive be confirmed.

11 MATTERS ARISING

11.1 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

No motion was voted on.

11.2 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 6 SEPTEMBER 2022

Nil

12 NOTICE OF MOTION(S)

Nil

13 NOTICE OF RESCISSION(S)

Nil

14 REPORTS TO COUNCIL FOR DETERMINATION**15.1 PLANNING PROPOSAL- ZONING AND MINIMUM LOT SIZE AMENDMENT TO 515 CROOKWELL ROAD KINGSDALE****RESOLUTION 2022/323****Moved: Cr Bob Kirk****Seconded: Cr Carol James****That:**

1. The report from the Senior Strategic Planner regarding the proposed zoning and minimum lot size amendment to *Goulburn Mulwaree Local Environmental Plan 2009* be received.
2. Council prepare a Planning Proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to rezone Lot 103 & (part) 104 DP 1007433 from C3 Environmental Management to R5 large lot residential and part C2 Environmental Conservation, and to amend the minimum lot size from 100 hectares to 2 hectares, with the C2 Environmental Conservation Zone area having no minimum lot size.
3. The development proponent is required to submit to Council, the following additional information, prior to the Planning Proposal being submitted to the Department of Planning and Environment for a gateway determination:
 - a. A Detailed Site Investigation (DSI) to further investigate the likelihood of contamination.
 - b. Submit a revised Biodiversity Development Assessment Report that includes additional site considerations not accounted for in the submitted report. These include consideration of existing rocky outcrops, and the undertaking of survey work by a qualified and experienced ecologist during September – December to investigate the presence of endangered, threatened and vulnerable invertebrates. Council must be satisfied that every effort is taken for future development to avoid impacts to significant flora and fauna.
4. The Planning Proposal is forwarded to the NSW Department of Planning and Environment for a gateway determination, with further community and government consultation will be undertaken in accordance with the directions of the gateway determination.
5. Council requests the NSW Department of Planning and Environment that it be the delegated plan making authority for this Planning Proposal.
6. Council prepares a Precinct specific Chapter to the Goulburn Mulwaree Development Control Plan 2009 for the Sooley Precinct and place it on public exhibition with the Planning Proposal for a minimum of 28 days.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd and Peter Walker

Against: Cr Andy Wood

15.2 AMENDMENT TO APPROACH TO MINIMUM LOT SIZES ON C2 ENVIRONMENTAL CONSERVATION ZONED LAND IN THE BRISBANE GROVE AND MOUNTAIN ASH PRECINCTS

RESOLUTION 2022/324

Moved: Cr Michael Prevedello

Seconded: Cr Bob Kirk

That:

- 1. The report from the Senior Strategic Planner regarding the amendment to the minimum lot size for C2 Environmental Conservation Zoned land in the Brisbane Grove and Mountain Ash Precincts be received.**
- 2. Council resolve to amend the approach to minimum lot sizes on C2 Environmental Conservation zoned land to remove the minimum lot size in the Brisbane Grove and Mountain Ash Precincts for current and future planning proposals**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.3 POST EXHIBITION REPORT - AMENDMENT TO LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2021**RESOLUTION 2022/325****Moved: Cr Michael Prevedello****Seconded: Cr Carol James****That:**

- 1. The post exhibition report from the Business Manager Strategic Planning on a proposed amendment to the Local Infrastructure Contributions Plan 2021 in relation to the adjustment of contribution rates be received.**
- 2. Council adopt the amended *Local Infrastructure Contributions Plan (LICP) 2021* to provide for quarterly Consumer Price Index (CPI) and Producer Price Index (PPI) updates.**
- 3. Council amend the Council Fees and Charges to refer to the adopted Local Infrastructure Contributions Plan 2021 for contributions.**
- 4. Council place a notice on its web site advising of the commencement of the amended Local Infrastructure Contributions Plan 2021.**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.4 MULTQUIP HAULAGE ROUTE REPAIRS - AUGUST STATUS UPDATE**RESOLUTION 2022/326****Moved: Cr Daniel Strickland****Seconded: Cr Carol James****That**

- 1. The report from the Director of Operations on the Multiquip Haulage Route Repairs August 2022 status be received.**
- 2. Council inform Multiquip of Council's its intention to investigate legal avenues to recover all outstanding monies as reported at the 17 May 2022 Council Meeting.**
- 3. Council inform the Department of Planning and Environment that the current activities of the Ardmore Park Quarry have caused damage to the quarry haulage route and Modification 3 cannot be finalised until repair works are complete.**

CARRIED

15.5 COUNCIL SUSTAINABILITY ACTIONS AND PROPOSED SUSTAINABILITY ADVISORY COMMITTEE**RESOLUTION 2022/327****Moved: Cr Jason Shepherd****Seconded: Cr Steven Ruddell****That**

- 1. The report from the Director Utilities on the Council Sustainability Actions and Proposed Sustainability Advisory Committee be received**
- 2. Council endorse the Terms of Reference for the Sustainability Advisory Committee.**
- 3. That Councillor Jason Shepherd be nominated as the Councillor representative on the Sustainability Advisory Committee and Councillor Carol James be nominated as the alternative representative.**
- 4. A report be prepared for the 18 October 2022 Council meeting to select the community representatives following the expression of interest process.**

CARRIED

15.6 2022/2023 LOCAL HERITAGE GRANT PROGRAM

RESOLUTION 2022/328

Moved: Cr Andy Wood

Seconded: Cr Steven Ruddell

That:

- 1. The report from the Landscape & Heritage Planner on the 2022/2023 Local Heritage Grant Program be received.**
- 2. The following grant applicants be offered heritage funding in the amounts shown with conditions where relevant:**

Application	Location	Grant to be offered	Condition
1/2022-2023	5 Kadwell Street	\$4,000	Galvanised roofing materials are to be used
2/2022-2023	101 Lagoon Street	\$5,000	The colour scheme is to be agreed with Council prior to commencement
3/2022-2023	92 Bradley Street (application has 94)	\$2,500	Agree colour scheme with Council The colour scheme is to be agreed with Council prior to commencement
4/2022-2023	Mortis St Cemetery	\$2,500	Grave conservation method to be agreed with Council prior to commencement
5/2022-2023	13 Grafton Street	\$1,650	Nil
6/2022-2023	32 Wayo Street	\$1,000	Nil
7/2022-2023	77 Bradley Street	\$2,500	The colour scheme is to be agreed with Council prior to commencement
8/2022-2023	147 Addison Street Trinity	\$5,000	Agree colour scheme with Council The colour scheme is to be agreed with Council prior to commencement
9/2022-2023	83 Kinghorne Street	\$3,730	Galvanised roofing materials are to be used
10/2022-2023	252 Cowper Street	\$2,500	The colour scheme is to be agreed with Council prior to commencement
11/2022-2023	14 Day Street	\$2,500	Nil

Section 375A of the Local Government Act 1993 requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.7 2022/2023 GOULBURN CENTRAL BUSINESS DISTRICT GRANTS

RESOLUTION 2022/329

Moved: Cr Carol James

Seconded: Cr Daniel Strickland

That:

1. The report from the Landscape & Heritage Planner on the 2022/2023 CBD Grants be received.
2. The following grant applications be offered funding in the amounts and conditions as shown:

Application	Location	Grant to be offered	Condition
1/2022-2023	78 Bradley Street	\$2,500	Details of fence to be agreed with Council prior to construction
2/2022-2023	35 Montague Street	\$10,000	Nil
3/2022-2023	11 Montague Street	\$5,000	Nil
4/2022-2023	115 Auburn Street	\$5,000	Nil
5/2022-2023	2 Montague Street	\$2,500	The profile of new gutter, down pipes etc. is to match existing

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.8 TENDER NO.2223T0003 - SUPPLY AND INSTALLATION OF TOILET AMENITIES IN GOULBURN**RESOLUTION 2022/330****Moved: Cr Michael Prevedello****Seconded: Cr Andy Wood**

- 1. That the report from Director Operations on 2223T0003 Supply and Installation of Toilet Amenities in Goulburn Tender Evaluation be received.**
- 2. Council accept the tender of Greenwich Build Pty Ltd as a preferred tenderer for the tender price of \$516,068.00 (Excl GST).**
- 3. The Chief Executive Officer is authorised to approve variations of up to five (5) percent for this Project \$25,803.40 (Excl GST).**
- 4. Council decline the tender submissions from:**
 - (a) ARW Multigroup Pty Ltd**
 - (b) Enviro Dome Pty Ltd**
 - (c) Landmark Products Pty Ltd**
 - (d) ASCO Group Pty Ltd**

CARRIED**15.9 2122T0013 LINE MARKING SERVICES PANEL****RESOLUTION 2022/331****Moved: Cr Bob Kirk****Seconded: Cr Jason Shepherd****That:**

- 1. The report of the Business Manager Works on the provision of Line Marking Services Tender Panel be received.**
- 2. Council accepts tender submissions from the following companies for the provision of line marking services on an as required basis for the period of three (3) years**
 - ACT Line Marking Pty Ltd**
 - Capital Lines and Signs Pty Ltd**
 - Complete Linemarking Services Pty Ltd**
- 3. Council delegate authority to the Chief Executive Officer to extend this contract by up to two (2) one (1) year extensions subject to satisfactory performance.**

CARRIED

15.10 ACCELERATED INFRASTRUCTURE FUND ROUND 3

RESOLUTION 2022/332

Moved: Cr Andy Wood

Seconded: Cr Steven Ruddell

That

- 1. The report from the Director Utilities on the Accelerated Infrastructure Fund Round 3 be received.**
- 2. Council endorse the application for stage 2 of the Goulburn Wastewater Treatment Plant for the Accelerated Infrastructure Fund Round 3 for approximately \$14,600,000 with 25% funding from sewer reserves.**

CARRIED

15.11 DRAFT PLAN OF MANAGEMENT - CARR CONFOY SPORTSGROUND & PARK**RESOLUTION 2022/333****Moved: Cr Bob Kirk****Seconded: Cr Jason Shepherd****That:**

- 1. The amended draft Plan of Management - Carr Confoy Sportsground & Park be received.**
- 2. Council endorses the re-categorisation of land at 22 Farm Road being Lot 1 DP737835 and Lots 2 & 3 DP979849 from Operational Land to Community Land and include that land in the draft Plan of Management - Carr Confoy Sportsground & Park.**
- 3. Council endorses the amended draft Plan of Management - Carr Confoy Sportsground & Park in accordance with Section 36 of the *Local Government Act 1993*.**
- 4. Council endorses this Community Land in the categories of Sportsground, Park, Natural Area – Water Course and Area of Cultural Significance in accordance with s36 (4) of the *Local Government Act 1993*.**
- 5. Council endorses the Native Title Managers Advice prepared by CGM Planning & Development Pty Ltd for the Crown Land component of the amended draft Plan of Management - Carr Confoy Sportsground & Park.**
- 6. Council submits the amended draft Plan of Management - Carr Confoy Sportsground & Park to DPE - Crown Lands for the Minister's consent in accordance with Division 3 of the *Crown Land Management Act 2016*, for endorsement to exhibit.**
- 7. Upon receipt of the Minister Administering the Crown Land Management Act's concurrence, this draft PoM be offered for community consultation by way of public notice, public exhibition, and circulation to the following organisations:**
 - Heritage NSW**
 - History Goulburn (Goulburn and District Historical and Genealogical Society, Inc)**
 - NSW Aboriginal Land Council**
 - Pejar Local Aboriginal Land Council and;**
 - Mulwaree Aboriginal Community Inc.**
- 8. A further report be submitted to Council following the compilation of written submissions and receipt of the Public Hearing Report.**

CARRIED

15.12 REQUEST FOR FINANCIAL ASSISTANCE - LIEDER THEATRE COMPANY

RESOLUTION 2022/334

Moved: Cr Andy Wood

Seconded: Cr Carol James

That:

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance – Lieder Theatre Company be received.**
- 2. Council approve a cash contribution of \$5,500 to the Lieder Theatre funded from the Financial Assistance budget.**

CARRIED

15.13 MONTHLY FINANCIAL REPORT

RESOLUTION 2022/335

Moved: Cr Steven Ruddell

Seconded: Cr Daniel Strickland

That the report by the Director Corporate & Community Services on the Monthly Financial Report be received.

CARRIED

15.14 STATEMENT OF INVESTMENTS & BANK BALANCES

RESOLUTION 2022/336

Moved: Cr Bob Kirk

Seconded: Cr Carol James

That the report by the Director Corporate & Community Services on the Statement of Investments and Bank Balances be received.

CARRIED

15.15 AUDIT RISK & IMPROVEMENT COMMITTEE NON-VOTING COUNCILLOR MEMBER

RESOLUTION 2022/337

Moved: Cr Carol James

Seconded: Cr Daniel Strickland

That

- 1. The report of the Director Corporate & Community Services on the Audit Risk & Improvement Committee Non-Voting Councillor Member be received**
- 2. Cr Steven Ruddell be nominated as Councils non-voting Councillor member on the Joint Audit Risk & Improvement Committee**

CARRIED

15.16 COMMUNITY CENTRE WORKING PARTY TERMS OF REFERENCE

RESOLUTION 2022/338

Moved: Cr Daniel Strickland

Seconded: Cr Jason Shepherd

That

- 1. The report of the Director Corporate & Community Services be received**
- 2. Council endorse the Terms of Reference for the Community Centre Working Party**
- 3. Cr Peter Walker be nominated as the Councillor representative on the Community Centre Working Party, with Cr Carol James being the alternate representative.**
- 4. A report be presented to the Council meeting on 18 October to select the community representatives on the working party following the expression of interest process**

CARRIED

15.17 NATURAL DISASTER - ESSENTIAL PUBLIC ASSET RESTORATION PROJECT - AUGUST 2022 STATUS UPDATE

RESOLUTION 2022/339

Moved: Cr Bob Kirk

Seconded: Cr Carol James

That the report on the status of the Natural Disaster Essential Public Asset Restoration Project from the Natural Disaster Coordinator be received.

CARRIED

15.18 DESIGN, CONSTRUCTION AND UPGRADE OF AMENITIES AT SPORTING FACILITIES AUGUST 2022 STATUS REPORT

RESOLUTION 2022/340

Moved: Cr Daniel Strickland

Seconded: Cr Steven Ruddell

That the report from the Senior Project Manager – Operations, on the status of the Design, Construction and Upgrade of Amenities at Sporting Facilities August 2022 be received.

CARRIED

15.19 SCHOOL ZONE SAFETY INFRASTRUCTURE AUGUST 2022 STATUS REPORT

RESOLUTION 2022/341

Moved: Cr Andy Wood

Seconded: Cr Michael Prevedello

That the status report from the Project Engineer - Operations on the School Zone Safety Infrastructure Project for August 2022 be received.

CARRIED

15.20 GROWING LOCAL ECONOMIES COMMON STREET AUGUST 2022 STATUS REPORT

RESOLUTION 2022/342

**Moved: Cr Jason Shepherd
Seconded: Cr Michael Prevedello**

That the report from the Project Engineer – Operations on the Growing Local Economies Common Street Project August 2022 status be received.

CARRIED

15.21 WINDELLAMA ROAD FIXING LOCAL ROADS PROJECT AUGUST 2022 STATUS REPORT

RESOLUTION 2022/343

**Moved: Cr Steven Ruddell
Seconded: Cr Andy Wood**

That the report from the Business Manager of Works on the Windellama Road Fixing Local Roads Project status update be received

CARRIED

15.22 MOUNTAIN ASH ROAD FIXING LOCAL ROADS PROJECT AUGUST 2022 STATUS REPORT

RESOLUTION 2022/344

**Moved: Cr Steven Ruddell
Seconded: Cr Carol James**

That the report from the Business Manager of Works on the Mountain Ash Road Fixing Local Roads Project status updated be received.

CARRIED

15.23 COUNCIL'S OPERATIONAL UPDATE - AUGUST 2022

RESOLUTION 2022/345

**Moved: Cr Bob Kirk
Seconded: Cr Michael Prevedello**

That the report from the Chief Executive Officer on the Council's Operational Update for August 2022 be received and noted.

CARRIED

15.24 EXTERNAL MEETING MINTUES

Cr Jason Shepherd declared an interest in this item and took no part in the discussions and voting on the matter. At 7:27 pm, Cr Jason Shepherd left the meeting.

RESOLUTION 2022/346

Moved: Cr Andy Wood

Seconded: Cr Bob Kirk

That the report from the Chief Executive Officer on the following External Meeting minutes be received:

- 1. Marulan Quarry Community Consultative Committee Meeting 19 May 2022**
- 2. Goulburn Liquor Accord Meeting Minutes 3 August 2022**

CARRIED

At 7:29 pm, Cr Jason Shepherd returned to the meeting.

15.25 ESTABLISHMENT OF A CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PANEL**RESOLUTION 2022/347****Moved: Cr Andy Wood****Seconded: Cr Steven Ruddell****That Council Move into Committee of the Whole.****Council moved into Committee of the whole at 7:30pm.****CARRIED****RESOLUTION 2022/348****Moved: Cr Andy Wood****Seconded: Cr Steven Ruddell****That Council move back into Open Council.****Council moved back into Open Council at 7.35pm.****CARRIED****RESOLUTION 2022/349****Moved: Cr Jason Shepherd****Seconded: Cr Steven Ruddell****That**

- 1. The report from the Chief Executive Officer on the Establishment of a Chief Executive Officer Performance Review Panel be received.**
- 2. Pursuant to Section 223(i) of the *Local Government Act 1993* the Council establishes a Committee to be known as the Chief Executive Officer's Performance Review Panel.**
- 3. Full responsibility for performance management be delegated to the Chief Executive Officer's Performance Review Panel.**
- 4. The Performance Review Panel should comprise of**
 - (a) The Mayor**
 - (b) The Deputy Mayor**
 - (c) Another Councillor nominated by Council being Cr Jason Shepherd**
 - (d) A Councillor nominated by the Chief Executive Officer being Cr Daniel Strickland**
- 5. Council does not appoint an independent observer on the Chief Executive Officer's Performance Review Panel at this time.**

CARRIED**15 CLOSED SESSION**

Council must resolve to move into Closed Session to deal with any items under s10 *Local Government Act 1993*.

There were no closed session reports for determination.

Before the meeting concluded Council acknowledged and thanked Director of Operations Matt O'Rourke for his 8 years of service at Goulburn Mulwaree Council following his notice of resignation.

16 CONCLUSION OF THE MEETING

The Meeting closed at 7.45pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 4 October 2022.

.....
Cr Peter Walker
Mayor

.....
Aaron Johansson
Chief Executive Officer

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 20 SEPTEMBER 2022

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Outstanding Task List - 4 October 2022 [↓](#) 

RECOMMENDATION

That Council notes the Task List and authorises the deletion of completed tasks.

REPORT

Please find attached the Task List for matters resolved at previous Council meetings that are still currently under action.

OUTSTANDING TASK LIST



Item/Task	Responsible Officer	Status
<p><u>Second access to Run-O-Waters</u> Council discuss at the Council Briefing the future road link from Run-O-Waters to Gurrundah Road on to Middle Arm Road with potential access to the Hume Highway</p>	Chief Executive Officer	Report included in this Business Paper to progress land acquisition for road corridor RECOMMEND COMPLETION
<p><u>South Goulburn Threaten Species Master Plan</u> Review Master Plan</p>	Director Planning & Environment	The review is underway.
<p><u>Waste to Energy Future Action</u></p> <ul style="list-style-type: none"> Continue engagement with wider community and raise awareness of associated issues and impacts of Veolia’s proposal Continue obtaining community views 	Chief Executive Officer	Lodgement of the EIS is expected October 2022
<p><u>St John’s Orphanage</u></p> <ul style="list-style-type: none"> Demolition order compliance by 31 January 2021 for Building A – then legal action if not compliant Legal action in local court on Buildings B, C & D 	Director Planning & Environment	Correspondence received on 5 July has indicated that asbestos removal to be completed by the end of September and demolition to be completed by the end of November 2022.
<p><u>Water Treatment Plants – Goulburn</u> Seeking rezoning to allow expansion of Treatment Plants</p>	Director Planning & Environment	Goulburn Planning Proposal remains ongoing.
<p><u>Draft Victoria Park & Carr Confoy Plans of Management</u></p> <ul style="list-style-type: none"> Submit draft plans of Management to DPI for Ministers written consent to publicly exhibit Upon receipt of consent offer draft plans of management for community consultation for a period of 42 days As part of community consultation process circulate PoMs to relevant organisations 	Director Corporate and Community Services	Draft Victoria Park Plan of Management currently on exhibition. Draft Carr Confoy Sportsground and Park Plan of Management submitted for Ministerial consent
<p><u>Bulky Waste Collection</u> Staff complete community consultation regarding bulky waste disposal options including questions to determine what the community are prepared to pay for.</p>	Director Utilities	Draft survey discussed at the 27 September briefing. Survey to be completed during 2022/23.
<p><u>Tarago Lead Contamination Update</u> Council staff seek clarification from the EPA and TfNSW regarding lead contamination.</p>	Director of Planning and Environment	Updates relating to site works being distributed to Council as received.



OUTSTANDING TASK LIST

Item/Task	Responsible Officer	Status
<p><u>Policy Review</u> All Council policies currently been reviewed and updated. Revised policies will be placed on public exhibition before being adopted as updated policies.</p>	All Directors	Policy review ongoing, with individual policies presented to Council for consideration.
<p><u>Community Centre</u></p> <ul style="list-style-type: none"> • A Staff Working Party be established to identify the broad requirements for a Community Centre. • A Community Centre Working Party be established to determine the preferred location, proposed services provided and an initial concept layout plan, indicative capital and operational costs for a new Community Centre. 	Director Corporate and Community Services	<p>Terms of reference adopted. Staff report prepared for first meeting of the Working Party.</p> <p>EOI advertised for community representatives.</p>
<p><u>Wakefield Park</u> Council continue to work with the Benalla Auto Club and the State Government in order to secure the long-term future of Wakefield Park Raceway Goulburn that balances the needs of the facility and the community.</p>	Chief Executive Officer	<p>No further update on this matter.</p> <p>RECOMMEND COMPLETION</p>
<p><u>Goulburn to Crookwell Rail Trail</u> The Goulburn Rail Trail Steering Committee be established , in terms of the NSW Rail Trails Framework (June 2022), to investigate all options and opportunities for rail trail development within the Goulburn Mulwaree LGA with possible links to other LGA's.</p>	Chief Executive Officer	<p>Committee was formed at the 6 September 2022 Council Meeting.</p> <p>Grant has been submitted</p> <p>RECOMMEND COMPLETION</p>
<p><u>Transportation Asset Management Overview</u> Staff carry out an updated condition assessment of the road network to determine current condition scores with findings presented to Council in a future report.</p>	Operations Directorate	External consultant is currently being engaged to carry out condition assessment. Report expected by the end of 2022.

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

Nil

14 NOTICE OF RESCISSION(S)



Nil

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 REV/0007/2122 – 22 MATCHLESS AVENUE GOULBURN – REVIEW OF DETERMINATION – TWO SEMI-DETACHED DWELLINGS AND TORRENS TITLE SUBDIVISION

Author: Senior Development Assessment Officer
 Director Planning & Environment

Authoriser: Aaron Johansson, Chief Executive Officer

- Attachments:**
1. DA/199/2122 - Notice of Determination [↓](#) 
 2. REV/0007/2122 - Plans [↓](#) 

Reference to LSPS:	Planning Priority 4: Housing – Vision 2040 - A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.
DA Number:	REV/0007/2122 to DA/0199/2122
Address:	22 Matchless Avenue, Goulburn
Proposal Description:	Review of Determination – Two semi-detached dwellings and Torrens title subdivision.
Type of Development:	Local
Zone:	R2 Low Density Residential
Variations to Policy:	<i>Goulburn Mulwaree Development Control Plan 2009 (GMDCP 2009)</i> <ol style="list-style-type: none"> 1. Section 4.1.10.2 Side setback 2. Section 3.7 Crime prevention through environmental design 3. Section 4.1.7 Solar access 4. Section 4.1.12 Traffic safety and management 5. Section 4.1.13 Energy efficient siting and layout 6. Section 4.1.14 External window shading and internal and external lighting
Submissions:	Nil
Key Issues:	<ul style="list-style-type: none"> • Design and amenity of residential development; • Solar access; • Car parking size and garage storage;

RECOMMENDATION

That:

1. The staff assessment report for Review Application REV/0007/2122 submitted for consideration of the refusal of DA/0199/2122 be received.
2. The decision to determine DA/0199/2122 on 3 December 2021 by way of refusal be upheld, with the removal of Reason 5 regarding privacy.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

BACKGROUND

On 20 September 2021, DA/0199/2122 was lodged with Council seeking development consent for the construction of two single storey semi-detached dwellings and Torrens title subdivision at 22 Matchless Avenue, Goulburn.

The Development Application (DA) was subject to an additional information request as the submitted information did not demonstrate compliance with the applicable controls contained in the GMDCP 2009. The amended information was submitted for consideration on 26 November 2021, however, it still did not demonstrate compliance with the applicable clauses and controls in the *Goulburn Mulwaree Local Environmental Plan 2009* (GMLEP 2009) and the GMDCP 2009.

Consequently, the DA was determined by way of refusal on 3 December 2021 under delegation, imposing the following reasons:

1. *The proposal does not satisfy Part 1 Section 1.3(g) of “the Act” as it does not to promote good design and amenity of the built environment.*
2. *The proposal does not promote good residential amenity and therefore, does not meet the objective of Part 4 Section 4.1A of the Goulburn Mulwaree Local Environmental Plan 2009 “GM LEP 2009”.*
3. *The proposal does not meet the principles of Crime Prevention Through Environmental Design as it has front door located down a dark side ally and therefore, does not satisfy Part 3 Section 3.7 of the Goulburn Mulwaree Development Control plan 2009 “GM DCP 2009”.*
4. *The proposed development does not achieve three (3) hours solar access to the principal living spaces of the proposed southern dwelling and therefore, does not satisfy Part 4 Section 4.1.7 of the “GM DCP 2009”.*
5. *The proposal is excessively elevated at the rear elevation creating an opportunity for overlooking of the lot to the east. Therefore, the proposal does not satisfy Part 4 Section 4.1.8 of the “GM DCP 2009”.*
6. *The proposal does not have a compliant side setback to the northern boundary and therefore, does not satisfy Part 4 Section 4.1.10.2 of the “GM DCP 2009”.*
7. *The proposal does meet the minimum dimension for storage associated with the single garage and therefore, does not satisfy Part 4 Section 4.1.12 of the “GM DCP 2009”.*
8. *The proposal does not achieve the required solar access and therefore, does not satisfy Part 4 Section 4.1.13 of the “GM DCP 2009”.*
9. *Insufficient shading is provided to the northern window of servicing the principal living areas of proposed Lot 2 resulting in excessive summer heat gain. Therefore, does not satisfy Part 4 Section 4.1.14 of the “GM DCP 2009”.*
10. *The proposal having regard to the provisions of Section 4.15 of “the Act”, is considered to be unsatisfactory and therefore, is not in the public interest.*

A copy of the refusal notice is included in the **Attachment**.

REPORT

Proposed Development

Review Application REV/0007/2122 was submitted on 30 March 2022 requesting a review of the refusal of DA/0199/2122. The Review Application remains as two single storey semi-detached dwellings and Torrens title subdivision. A copy of the plans submitted with the Review Application are included in the **Attachment**.

Site and Locality Description

The site is known as 22 Matchless Avenue, Goulburn and is 700sqm in size. The site is generally rectangular in shape with a skewed east west orientation. The site has been cleared as part of the

preparation works associated with the creation of the Teneriffe Stage 2B1 subdivision development at Marys Mount. There is a crossover and layback on the western boundary of the site providing access and a street tree fronting the site. The site falls gently to the south west.

There are a number developments (dwelling houses, secondary dwellings and semi-detached subdivisions) approved and currently under construction within the Teneriffe subdivision area. North of the 2B1 subdivision area, construction is occurring for more development within the Teneriffe subdivision.

Assessment of Review Application

The Review Application has an extended appeal period pursuant to section 8.10(1)(b)(i) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as DA/0199/2122 was determined within the prescribed period being 25 March 2020 and ending 25 March 2022). Therefore, the application must be reviewed and determined by 3 December 2022.

As no changes have been made to the plans, Council is satisfied the proposal is substantially the same development, pursuant to clause 8.3(3) of the EP&A Act.

In accordance with Council's *Development Assessment & Decision Making Policy* this Review Application is to be determined at a Council Meeting.

The Review Application was notified to adjoining and adjacent residents who were previously notified during the assessment of DA/0199/2122, consistent with Council's Community Participation Plan. It was also advertised on Council's website. Public exhibition of the proposal did not result in any submissions being received during the notification period.

The Review Application was considered by Council Staff which identified a number of deficiencies including matters previously raised in the reasons for refusal of DA/0199/2122. Consideration of each of the reasons for refusal are addressed below.

1. *The proposal does not satisfy Part 1 Section 1.3(g) of "the Act" as it does not to promote good design and amenity of the built environment.*

The proposal would remain inconsistent with the above object as the Review Application as assessed would result in poor solar access to the dwelling upon proposed Lot 2.

Consequently, Reason 1 of the Refusal shall remain.

2. *The proposal does not promote good residential amenity and therefore, does not meet the objective of Part 4 Section 4.1A of the Goulburn Mulwaree Local Environmental Plan 2009 "GM LEP 2009".*

The Review Application proposes lot sizes of 350sqm each and the construction of a semi-detached dwelling upon each lot created as part of the subdivision. Both lots achieve the required 350sqm and dwelling construction is in accordance with the numerical standard of this clause.

Notwithstanding, an assessment of the amenity of the dwelling upon Lot 2 has resulted in poor outcomes regarding solar access. As the proposed development impacts the residential amenity of future occupiers of the dwelling upon Lot 2, the development is not consistent with and does not satisfy the objectives of Clause 4.1A.

As the proposal remains inconsistent with the objectives which must be satisfied, Reason 2 of the Refusal shall remain.

3. *The proposal does not meet the principles of Crime Prevention Through Environmental Design as it has front door located down a dark side ally and therefore, does not satisfy Part 3 Section 3.7 of the Goulburn Mulwaree Development Control plan 2009 "GM DCP 2009".*

The Revision Application proposes an architectural addition to the southern boundary of the dwelling upon Lot 2 along with a paved pathway, steps and landscaping which aims to highlight and clearly denote the front entrance door.

Irrespective of the proposed amendments, the proposed side entry door presents an opportunity for criminal activity in that there is no view of the inset front door from the street. The proposal would create opportunity for entrapment, particularly during night time. The application did not provide lighting option options to consider.

Consequently, Reason 3 of the Refusal shall remain. Reason 3 shall be amended as per the above brackets.

4. *The proposed development does not achieve three (3) hours solar access to the principal living spaces of the proposed southern dwelling and therefore, does not satisfy Part 4 Section 4.1.7 of the "GM DCP 2009".*

This control of the GMDCP 2009 requires residential buildings to be designed to ensure that the principal living spaces of the proposed dwelling, adjoining residential buildings, and at least 50% of their private open space (POS), have at least three hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).

Direct sunlight is achieved when 1m² of direct sunlight on the glass is received for at least 15 minutes. To satisfy 3 hours direct sunlight, 12 periods of 15 minutes are needed to be achieved, however the periods do not need to be consecutive.

Solar access to both dwelling's POS and to adjoining residential developments is satisfied.

The dwelling upon Lot 1 has demonstrated solar access to its principal living spaces can be satisfied. The dwelling upon Lot 2 does not achieve solar access minimums to its principal living spaces. Sheet 6/13 of the submitted plans indicates the side elevation at 12.00pm is less than 1sqm (being 0.79sqm) resulting in less than three hours of solar access to principal living spaces.

The commentary in response to this reason for refusal in the submitted Statement of Environmental Effects (SEE) is not accepted as it does not address the above anomaly.

Consequently, Reason 4 of the refusal shall remain.

5. *The proposal is excessively elevated at the rear elevation creating an opportunity for overlooking of the lot to the east. Therefore, the proposal does not satisfy Part 4 Section 4.1.8 of the "GM DCP 2009".*

The proposed development would not result in an adverse privacy impact on adjoining future development. Upon review of the development, the design is not significantly raised at the rear elevation.

Consequently, Reason 5 of the refusal shall be removed.

6. *The proposal does not have a compliant side setback to the northern boundary and therefore, does not satisfy Part 4 Section 4.1.10.2 of the "GM DCP 2009".*

The side setbacks to the northern boundary remain non-compliant as they still contain items including bin storage and air-conditioning units that are required to be excluded from within

a side setback. Furthermore, the northern side setback is 954mm at its closest point to the boundary which is less than the 1m minimum required.

The applicant argues the northern setback splays out to 1.897m at its widest point, however a clothes line is proposed within the setback area. The DCP does not permit objects such as clothes lines, garbage bins, air conditioning units and the like within the setback area.

Consequently, Reason 6 of the refusal shall remain.

7. *The proposal does meet the minimum dimension for storage associated with the single garage and therefore, does not satisfy Part 4 Section 4.1.12 of the "GM DCP 2009".*

The garage for the dwelling upon Lot 2 satisfies the minimum area dimensions of 6.5m x 3.5m however the minimum dimension width of the separated storage area is less than 1.5m wide, therefore, it cannot be considered as a justifiable variation for not having additional storage area in the garage. Furthermore, the garage width of the dwelling upon Lot 1 is 3.460 (not 3.590 as mentioned in the SEE) and therefore, this garage does not comply with the minimum width requirements.

Consequently, Reason 7 of the refusal shall remain.

8. *The proposal does not achieve the required solar access and therefore, does not satisfy Part 4 Section 4.1.13 of the "GM DCP 2009".*

The proposed dwelling on Lot 2 does not receive sufficient solar access and therefore the proposed development does not comply with Part 4.1.13 Energy efficient siting and layout.

Consequently, Reason 8 of the refusal shall remain.

9. *Insufficient shading is provided to the northern window of servicing the principal living areas of proposed Lot 2 resulting in excessive summer heat gain. Therefore, does not satisfy Part 4 Section 4.1.14 of the "GM DCP 2009".*

The proposed dwelling on Lot 2 does not receive sufficient solar access, and therefore, to provide external shading to the window to reduce summer heat gain would further reduce solar access. Consequently, the proposed development is incapable of complying with Part 4.1.14 External window shading and internal and external lighting.

The SEE recommends conditioning external shading elements however this would be counterproductive and further reduce solar access to the dwelling upon Lot 2.

Consequently Reason 9 of the refusal shall, remain.

10. *The proposal having regard to the provisions of Section 4.15 of "the Act", is considered to be unsatisfactory and therefore, is not in the public interest.*

The proposal involves the placement of two 3 bedroom dwellings (dwelling upon Lot 1 to have an additional media room) upon a 700sqm lot. The proposal is highly constrained and represents an unacceptable compromise that results from overdevelopment. The proposal is not of a kind that the GMLEP 2009 and GMDCP 2009 are seeking to achieve. Approving the variations sought would prejudice and undermine the intention and strength of the applicable objectives and controls. The proposed development would result in a detrimental amenity impact on the existing and future residents of the dwellings.

It is considered on balance that the degree of compliance with the majority of the controls is not sufficient enough to enable a favourable determination. To approve the development,

as submitted, would not be consistent with the GMLEP 2009, the GMDCP 2009 and therefore, is not in the public interest.

Consequently Reason 10 of the refusal shall, remain.

Conclusion and Recommendation

The information supplied at the time of lodgement of REV/0007/2122 is deficient to enable Council to overturn the previous refusal. Therefore, REV/0007/2122 cannot be supported and the original determination should remain, with the exception of removing Reason 5.

FINANCIAL IMPLICATIONS

Financial implications to Council are likely if the Applicant of the development application seeks an appeal of the refusal through the Land and Environment Court.

LEGAL IMPLICATIONS

Council may be in a position where it may be required to defend an appeal made by the Applicant to the Land and Environment Court.



Goulburn Mulwaree Council
 Locked Bag 22
 Goulburn NSW 2580

Civic Centre
 184 - 194 Bourke Street
 Goulburn NSW 2580
 t (02) 4823 4444
 e council@goulburn.nsw.gov.au
 www.goulburn.nsw.gov.au

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Pursuant to Sections 4.16(1)(b) & 4.18 of the Environmental Planning and Assessment Act 1979 "the Act"

Development Application No:	DA/0199/2122
Applicant's Name:	Accurate Design & Drafting PO Box 833 NARELLAN NSW 2567
Land to be developed:	Lot 232 DP 1269362 Parish Narrangarril
Property Address:	22 Matchless Avenue GOULBURN NSW 2580
Proposal:	Proposed single storey semi-detached dwellings and Torrens Title Subdivision
Cost of Development:	\$595,700
Determination:	The application was determined on 3 December 2021 under delegated authority by refusal subject to the reasons listed below.
Other Approvals:	S68/0138/2122 Refused RO/0084/2122 Refused

Reasons for Refusal:

1. The proposal does not satisfy Part 1 Section 1.3(g) of "the Act" as it does not to promote good design and amenity of the built environment.
2. The proposal does not promote good residential amenity and therefore, does not meet the objective of Part 4 Section 4.1A of the Goulburn Mulwaree Local Environmental Plan 2009 "GM LEP 2009".
3. The proposal does not met the principles of Crime Prevention Through Environmental Design as it has front door located down a dark side ally and therefore, does not satisfy Part 3 Section 3.7 of the Goulburn Mulwaree Development Control plan 2009 "GM DCP 2009".
4. The proposed development does not achieve three (3) hours solar access to the principal living spaces of the proposed southern dwelling and therefore, does not satisfy Part 4 Section 4.1.7 of the "GM DCP 2009".
5. The proposal is excessively elevated at the rear elevation creating an opportunity for overlooking of the lot to the east. Therefore, the proposal does not satisfy Part 4 Section 4.1.8 of the "GM DCP 2009".
6. The proposal does not have a compliant side setback to the northern boundary and therefore, does not satisfy Part 4 Section 4.1.10.2 of the "GM DCP 2009".
7. The proposal does meet the minimum dimension for storage associated with the single garage and therefore, does not satisfy Part 4 Section 4.1.12 of the "GM DCP 2009".
8. The proposal does not achieve the required solar access and therefore, does not satisfy Part 4 Section 4.1.13 of the "GM DCP 2009".

NOTICE OF DETERMINATION OF

9. Insufficient shading is provided to the northern window of servicing the principal living areas of proposed Lot 2 resulting in excessive summer heat gain. Therefore, does not satisfy Part 4 Section 4.1.14 of the "GM DCP 2009".
10. The proposal having regard to the provisions of Section 4.15 of "the Act", is considered to be unsatisfactory and therefore, is not in the public interest.

How were community views taken into account in making the decision?

The application was required to be notified in accordance with the Goulburn Mulwaree Community Participation Plan.

No submission were received.

Review of Determination:

A right to request a review of this determination exists under Division 8.2 of "the Act" provided that this determination is not made in respect of designated or Crown development. The determination cannot be reviewed after the expiry of six (6) months from the date of determination or after an appeal to the Land and Environment Court is disposed of by the Land and Environment Court. If a review is contemplated, it should be lodged within two months of the date of this determination to enable the six month period, which includes Council's review and determination to be met.

Right of appeal:

Section 8.7 of "the Act" provides for the right to appeal to the Land and Environment Court within six (6) months after the date of determination. Where a development consent is for designated development, "the Act" gives a right of appeal to an objector. That appeal may only be made within twenty-eight (28) days after the date the objector is notified of the decision. In all other circumstances there is no right of appeal to the Court by an objector.

If considering exercising a right of appeal or lodging a request for a review, it may be advisable to obtain legal advice regarding the interpretation of your rights in relation to such matters.

Date of Endorsement: 3 December 2021

Matthew Hedges

SENIOR DEVELOPMENT ASSESSMENT OFFICER

for and on behalf of

GOULBURN MULWAREE COUNCIL

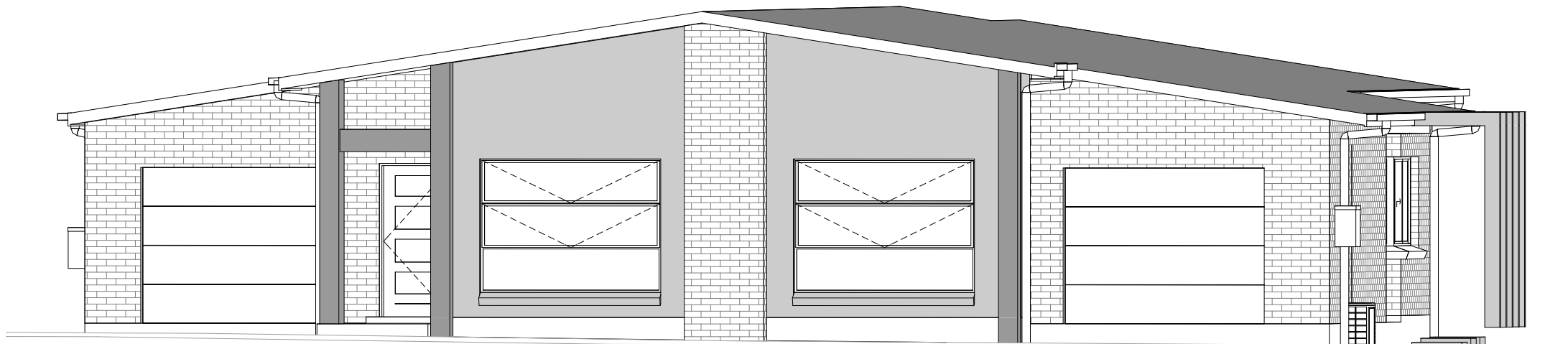
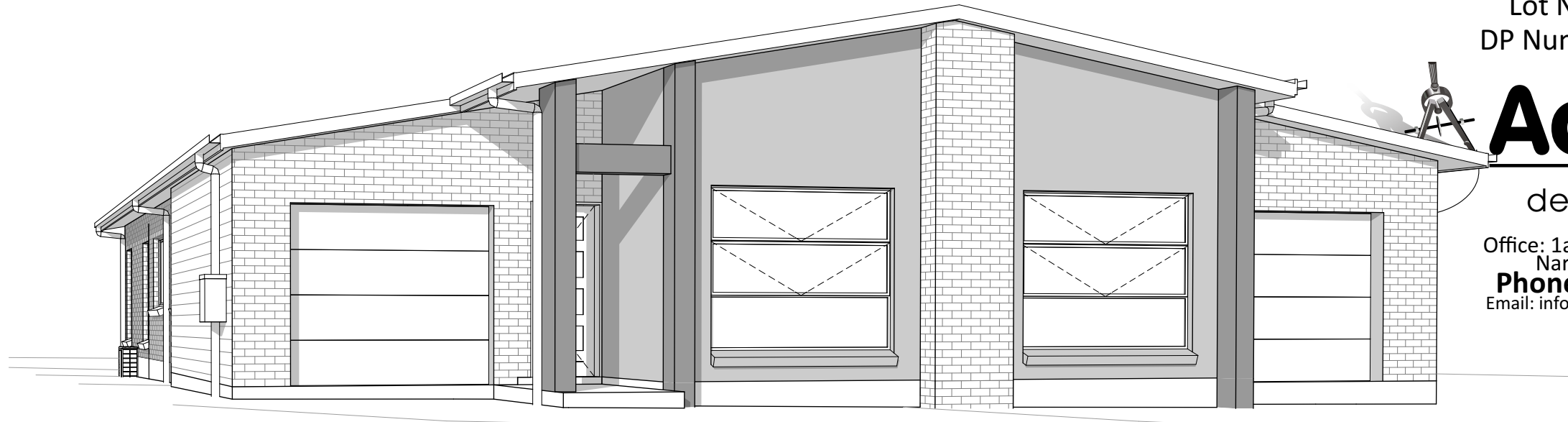


#22 Matchless Avenue, Goulburn
 Lot Number: 232
 DP Number: 1269362

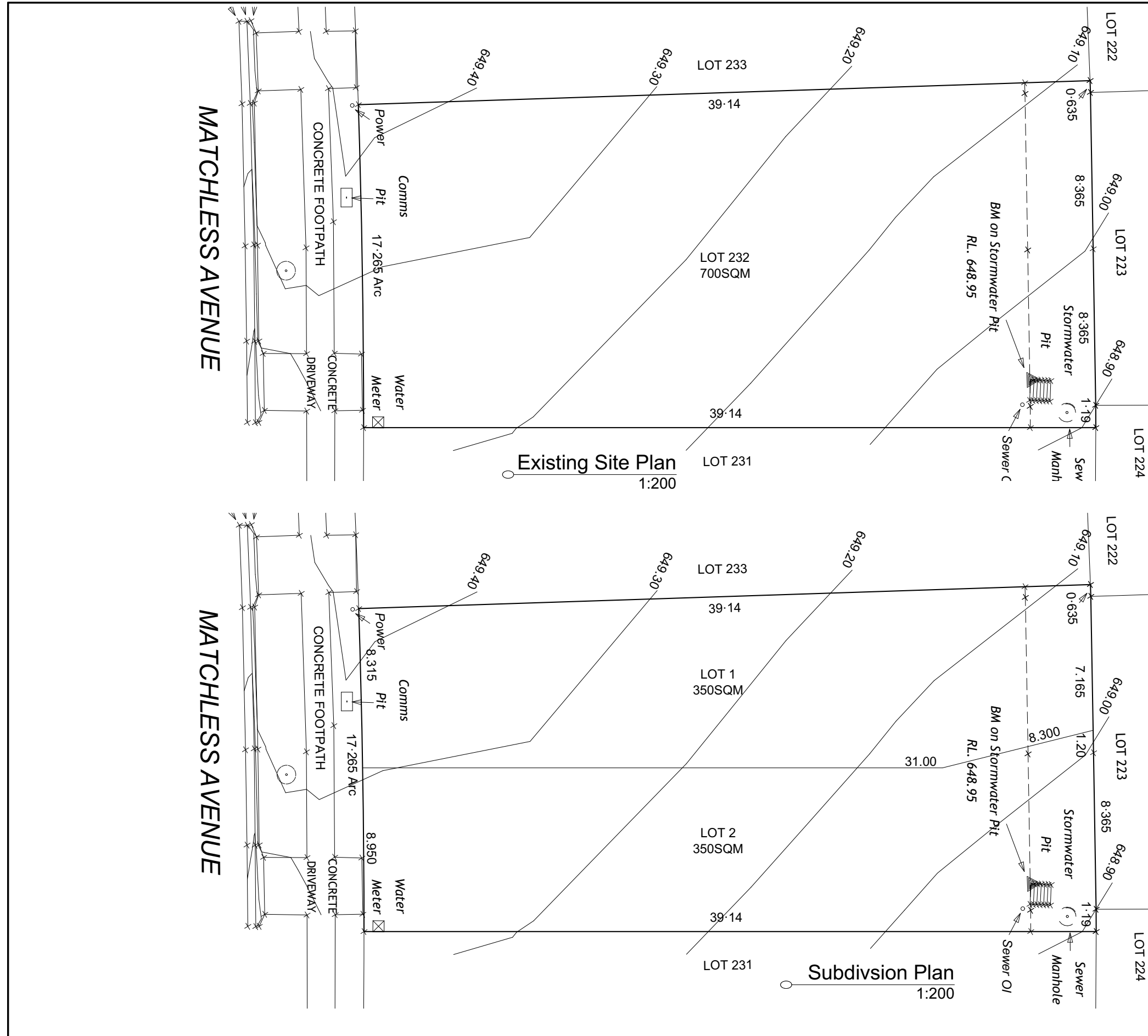
Accurate

design and drafting

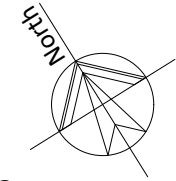
Office: 1a/10 Exchange Parade
 Narellan NSW 2567
Phone : 0246472552
 Email: info@accuratedesign.com.au



Client Approval:		Date:	
Job: Proposed Semi-Detached Dwellings & Torrens Title Subdivision			
Drawing: Perspective View			
Scale: -		Date: 28-03-22	
Drawing No: 21067-3		Sheet: 2/13	Issue: D
© Abeaut Designs t/a Accurate Design and Drafting 2020			



- Notes:
1. Levels shown are approx and should be verified on site
 2. Figured dimensions are to be taken in preference to scaling
 3. All measurements are in mm unless otherwise stated
 4. Window sizes are nominal only. Final window sizes by builder
 5. Dimensions are to be verified on site by builder before commencement of work.
 6. All upstairs windows with a sill height less than 1700mm to have a max opening width of 125mm or fitted with a screen with secure fittings to comply with BCA/NCC
 7. Final AJ's to engineers specifications
 8. Plus or minus 200mm to floor levels
 9. Steel beam required if any openings have more than 6 courses of brickwork above
 10. Material finishes are indicative, for final selections see builders tender



Lot 232
700m²
DP: 1269362

Client Approval: _____ Date: _____



Job:
Proposed Semi-Detached Dwellings & Torrens Title Subdivision
LOT: 232 DP: 1269362
#22 Matchless Avenue, Goulburn

Drawing:
Existing Site Plan/Subdivision Plan

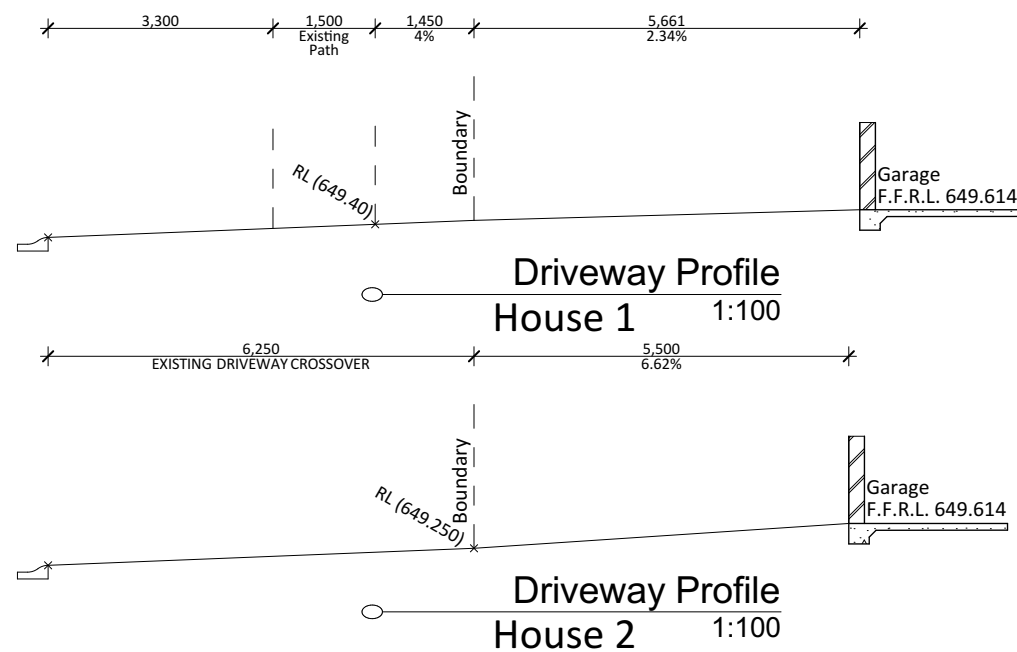
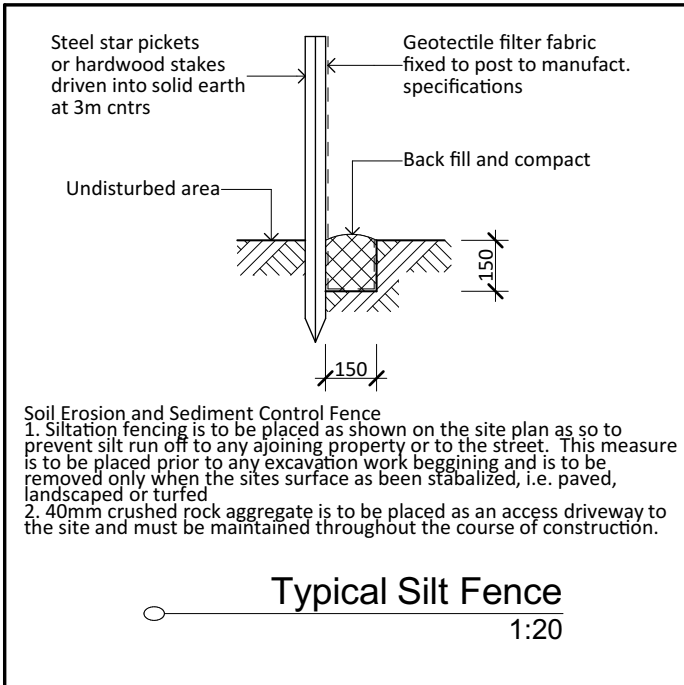
Scale: **1:200, 1:20** Date: **28-03-22**

Drawing No: **21067-3** Sheet: **3/13** Issue: **D**

House Design: Custom



Office: 1a/10 Exchange Parade
Narellian NSW 2567
Phone : 0246472552
Email: info@accuratedesign.com.au



- Notes:
1. Levels shown are approx and should be verified on site
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 3. All measurements are in mm unless otherwise stated
 4. Window sizes are nominal only. Final window sizes by builder
 5. Dimensions are to be verified on site by builder before commencement of work.
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 9. Steel beam required if any openings have more than 6 courses of brickwork above
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Client Approval: _____ Date: _____



Job:
Proposed Semi-Detached Dwellings & Torrens Title Subdivision
LOT: 232 DP: 1269362
#22 Matchless Avenue, Goulburn

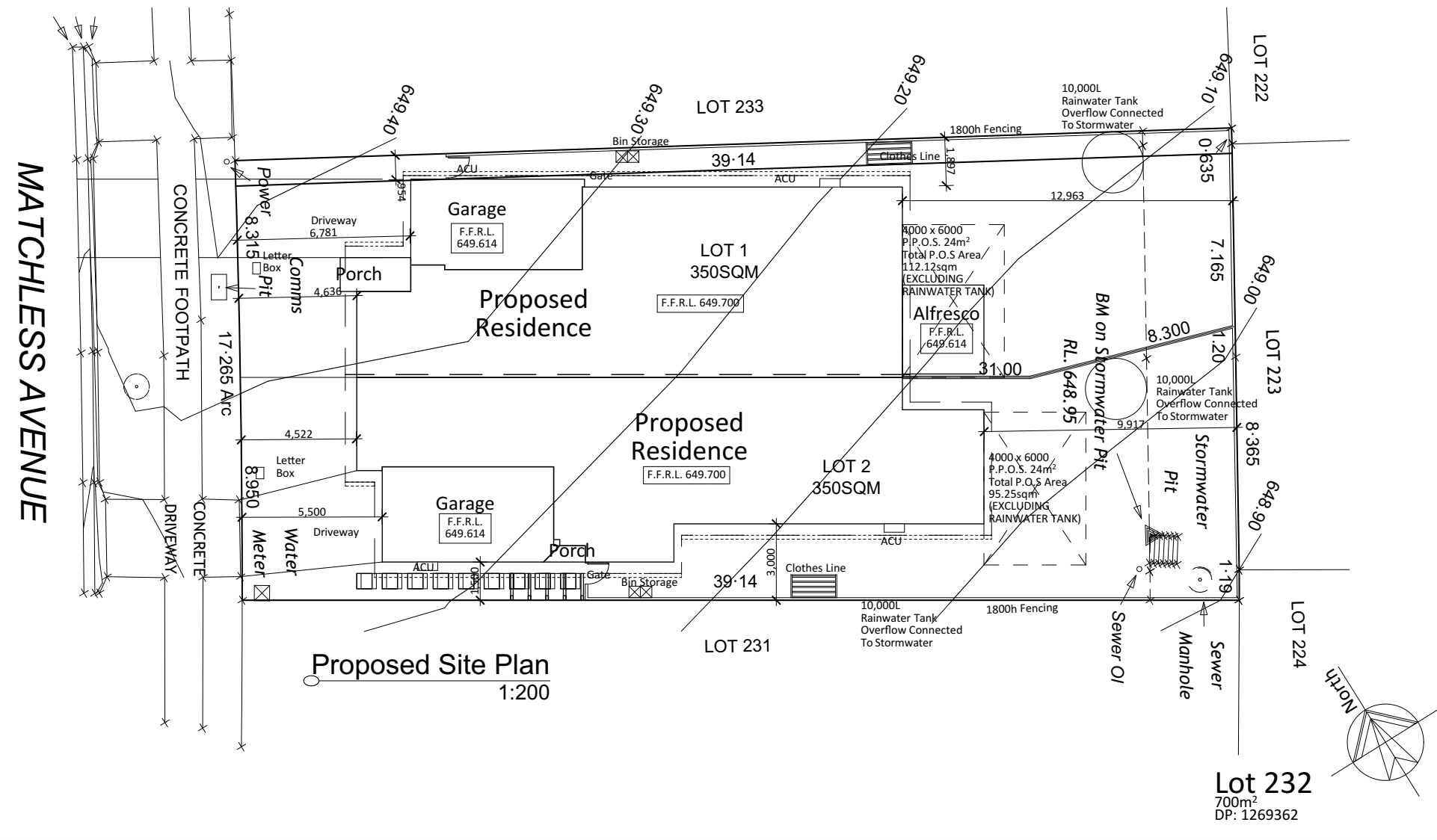
Drawing:
Proposed Site Plan

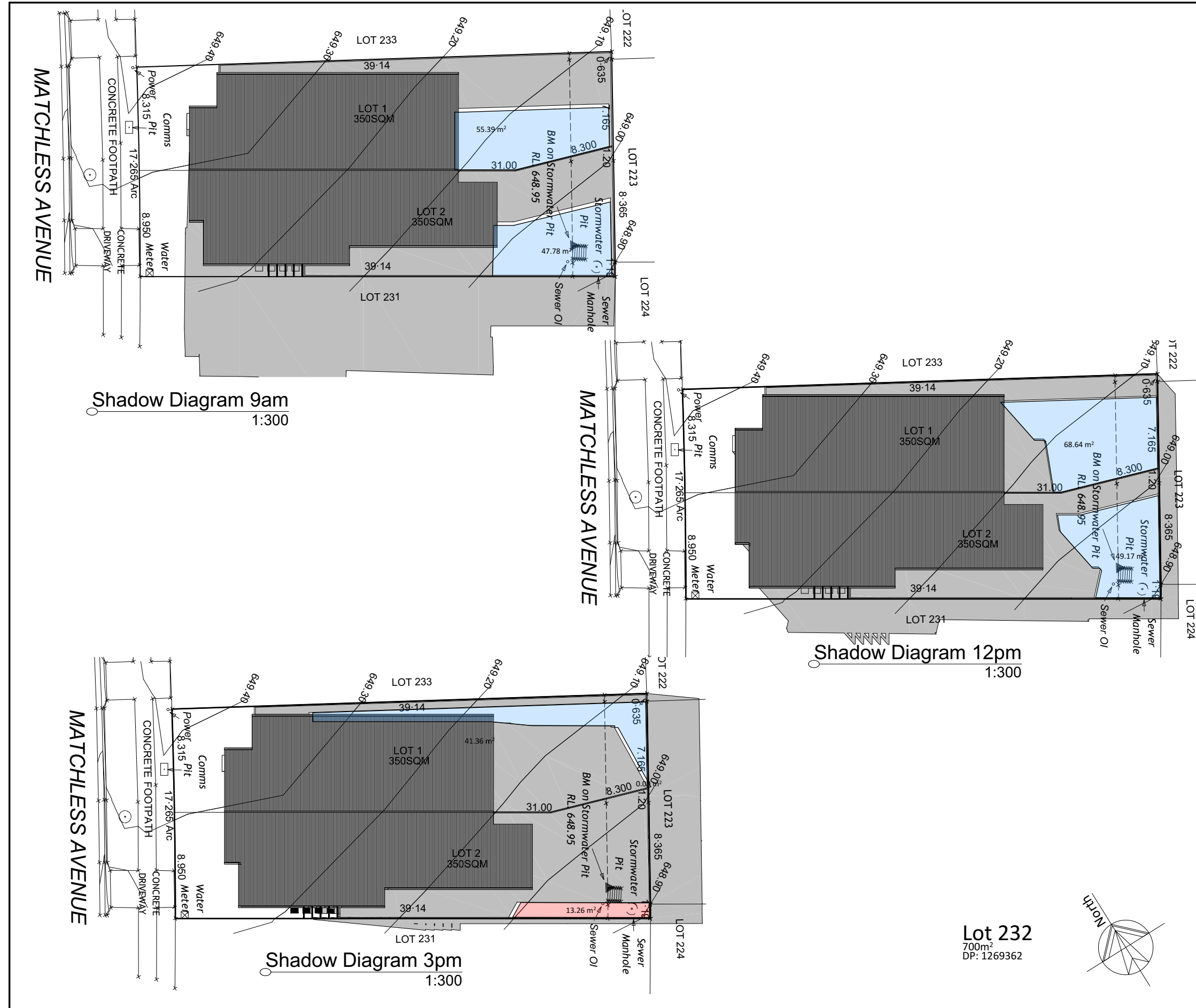
Scale: 1:200, 1:20 | Date: 28-03-22

Drawing No: 21067-3 | Sheet: 4/13 | Issue: D

House Design: Custom

Accurate
design and drafting
Office: 1a/10 Exchange Parade
Narellian NSW 2567
Phone : 0246472552
Email: info@accuratedesign.com.au





- Notes:
1. Levels shown are approx and should be verified on site
 2. Figured dimensions are to be taken in preference to scaling
 3. All measurements are in mm unless otherwise stated
 4. Window sizes are nominal only. Final window sizes by builder
 5. Dimensions are to be verified on site by builder before commencement of work.
 6. All upstairs windows with a sill height less than 1700mm to have a max opening width of 125mm or fitted with a screen with secure fittings to comply with BCA/NCC
 7. Final AJ's to engineers specifications
 8. Plus or minus 200mm to floor levels
 9. Steel beam required if any openings have more than 6 courses of brickwork above
 10. Material finishes are indicative, for final selections see builders tender

Client Approval: _____ Date: _____



Job:
Proposed Semi-Detached Dwellings & Torrens Title Subdivision

LOT: 232 DP: 1269362
#22 Matchless Avenue, Goulburn

Drawing:
Shadow Diagrams 21st June

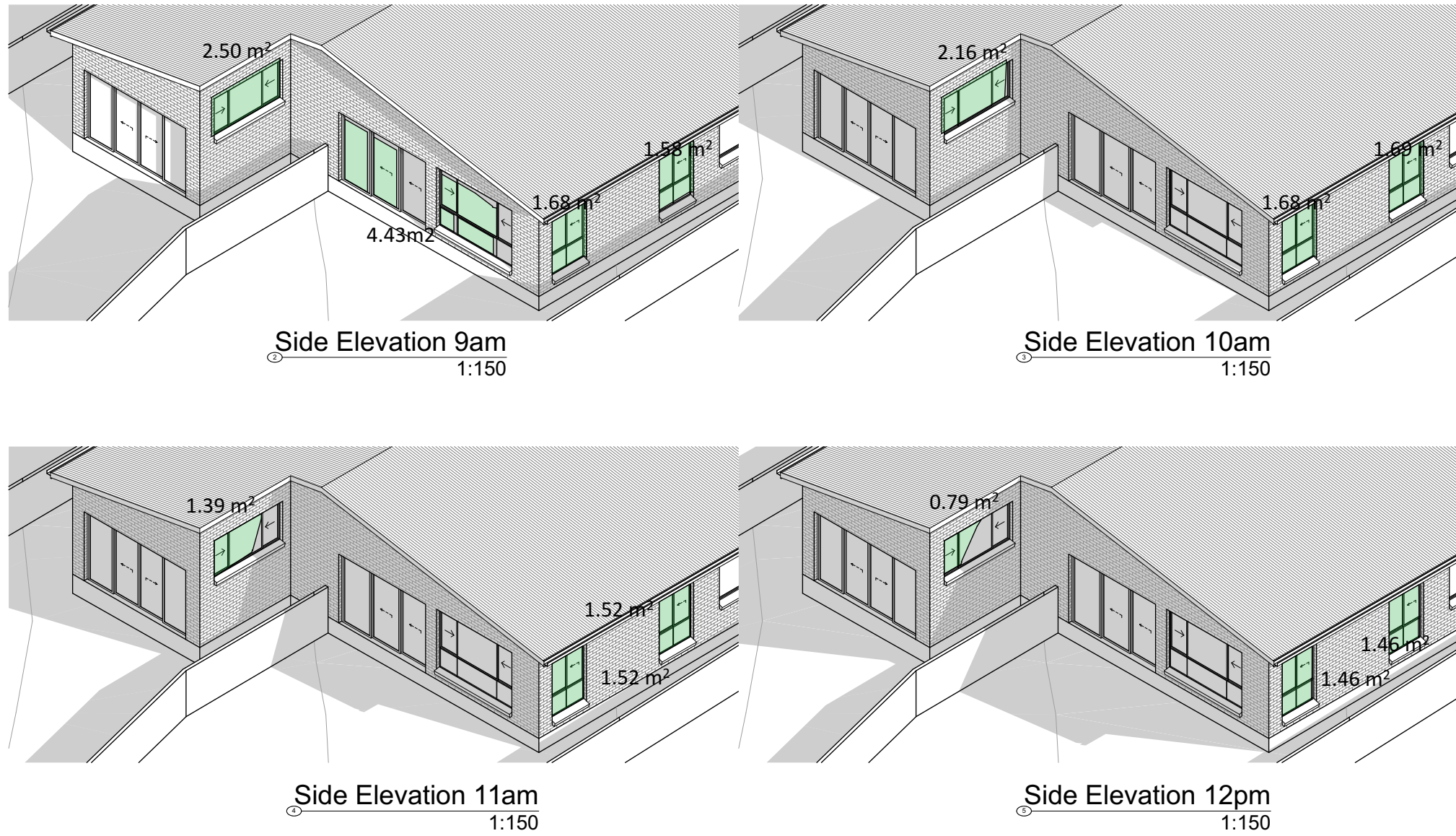
Scale: _____ Date: **28-03-22**

Drawing No: **21067-3** Sheet: **5/13** Issue: **D**

House Design: Custom



Office: 1a/10 Exchange Parade
Narellian NSW 2567
Phone : 0246472552
Email: info@accuratedesign.com.au



- Notes:
1. Levels shown are approx and should be verified on site
 2. Figured dimensions are to be taken in preference to scaling
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Client Approval: _____ Date: _____



Job:
Proposed Semi-Detached Dwellings & Torrens Title Subdivision

LOT: 232 DP: 1269362
 #22 Matchless Avenue,
 Goulburn

Drawing:
Shadow Diagrams 21st June

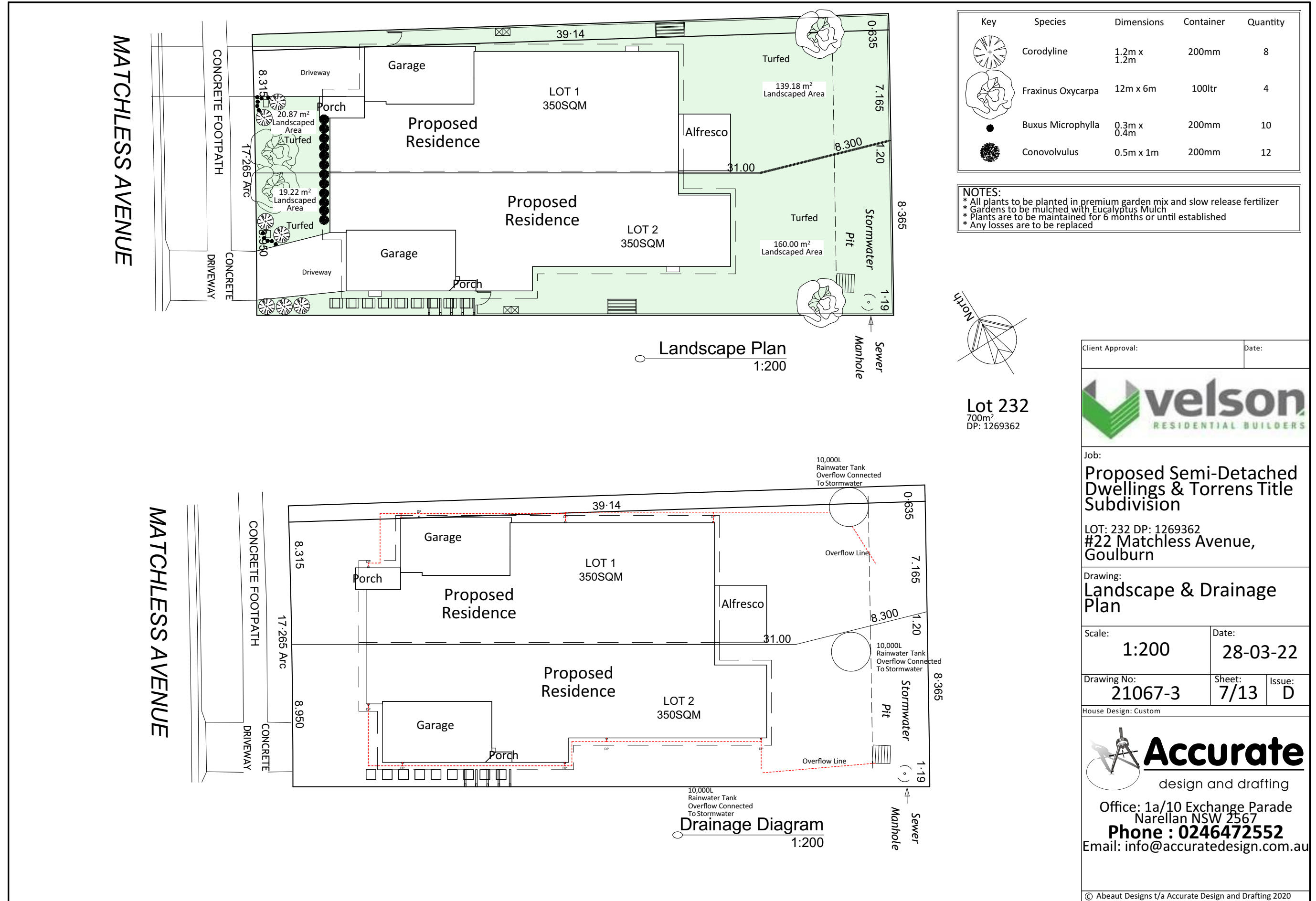
Scale: _____ Date: **28-03-22**

Drawing No: **21067-3** Sheet: **6/13** Issue: **D**

House Design: Custom



Office: 1a/10 Exchange Parade
 Narellian NSW 2567
Phone : 0246472552
 Email: info@accuratedesign.com.au



Client Approval: _____ Date: _____

Job:
Proposed Semi-Detached Dwellings & Torrens Title Subdivision

LOT: 232 DP: 1269362
 #22 Matchless Avenue, Goulburn

Drawing:
Landscape & Drainage Plan

Scale: **1:200** Date: **28-03-22**

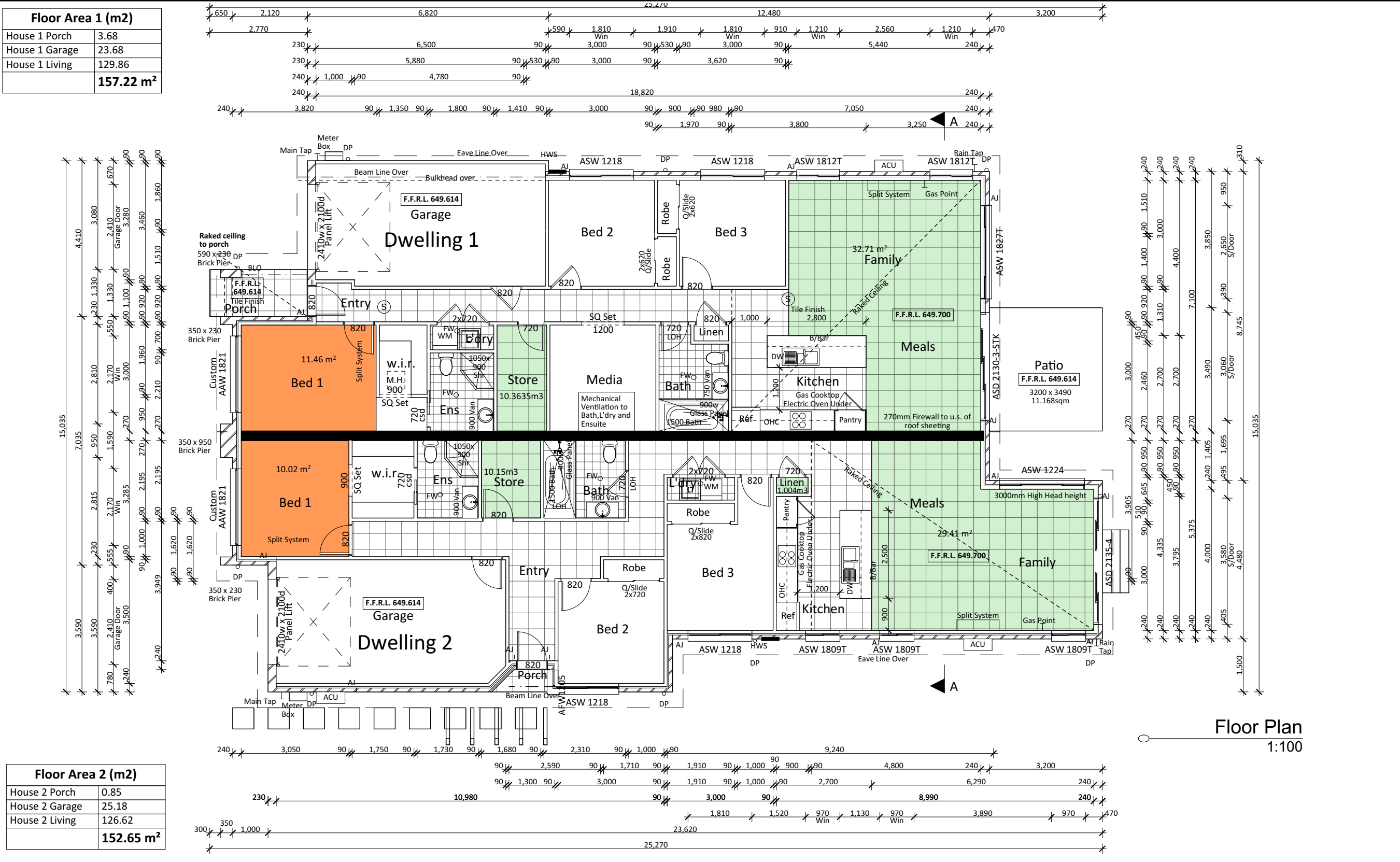
Drawing No: **21067-3** Sheet: **7/13** Issue: **D**

House Design: Custom

Accurate
 design and drafting

Office: 1a/10 Exchange Parade
 Narellian NSW 2567
Phone : 0246472552
 Email: info@accuratedesign.com.au

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Floor Area 1 (m2)	
House 1 Porch	3.68
House 1 Garage	23.68
House 1 Living	129.86
	157.22 m²

Floor Area 2 (m2)	
House 2 Porch	0.85
House 2 Garage	25.18
House 2 Living	126.62
	152.65 m²

Floor Plan
1:100

LOT: 232 DP: 1269362
#22 Matchless Avenue,
Goulburn

JOB:
**Proposed Semi-Detached
Dwellings & Torrens Title
Subdivision**

DRAWING
Floor Plan

SCALE:
1:100

DATE:
28-03-22

DRAWING No:
21067-3

SHEET:
8/13

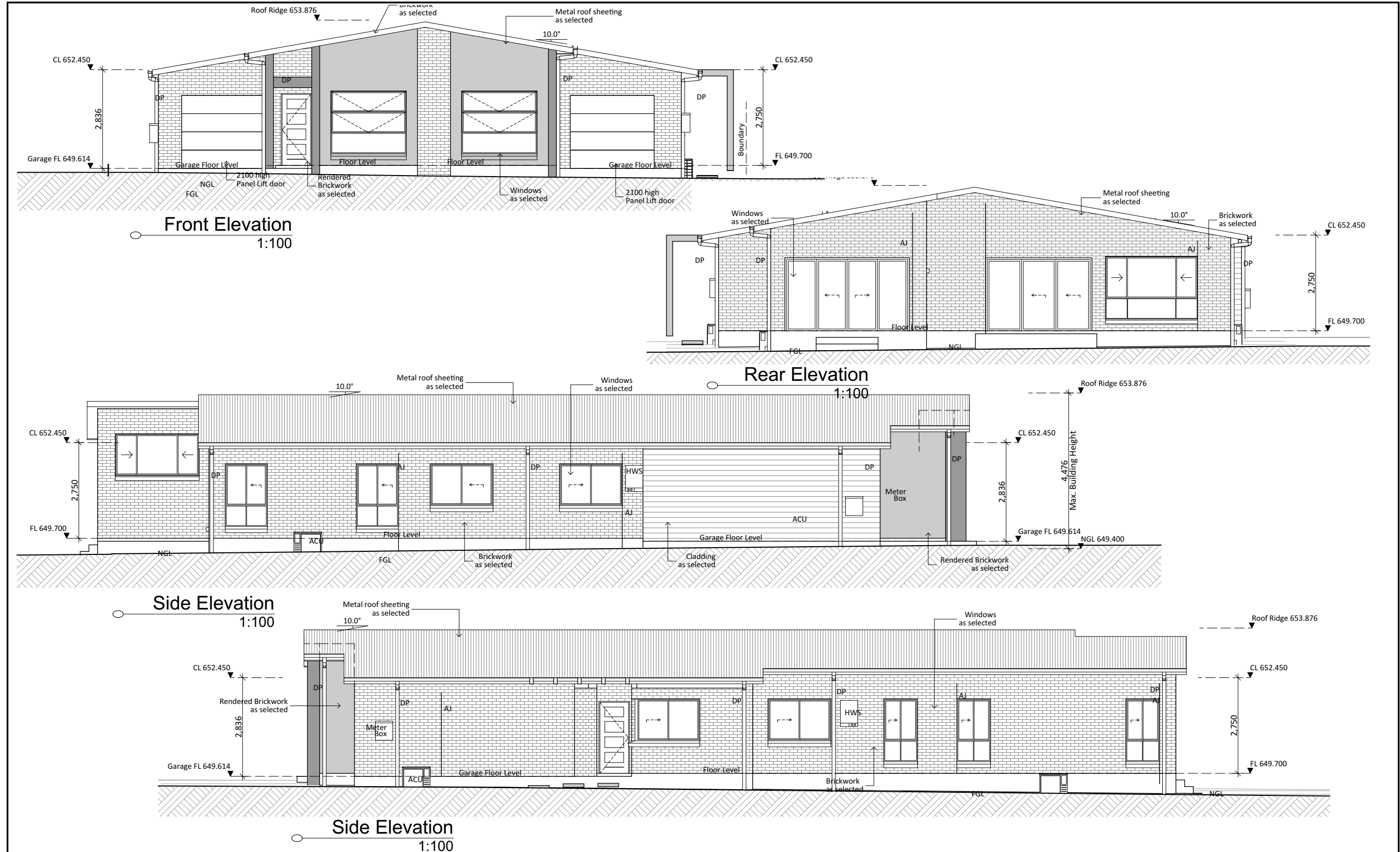
ISSUE:
D

House Design: Custom

Client Approval: _____ Date: _____

- Notes:
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 - All upstairs windows with a sill height less than 1700mm to have a max opening width of 125mm or fitted with a screen with secure fittings to comply with BCA/NCC
 - Final A/J's to engineers specifications
 - Plus or minus 200mm to floor levels
 - Steel beam required if any openings have more than 6 courses of brickwork above
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Office: 1a/10 Exchange Parade
Narellan NSW 2567
Phone : 0246472552
Email: info@accuratedesign.com.au





<p>LOT: 232 DP: 1269362 #22 Matchless Avenue, Goulburn</p>	JOB: Proposed Semi-Detached Dwellings & Torrens Title Subdivision	SCALE: 1:100	DATE: 28-03-22	House Design: Custom	Notes: 1. Levels shown are approx and should be verified on site 2. Figured dimensions are to be taken in preference to scaling 3. All measurements are in mm unless otherwise stated 4. Window sizes are nominal only. Final window sizes by builder 5. Dimensions are to be verified on site by builder before commencement of work. 6. All upstairs windows with a sill height less than 1700mm to have a max opening width of 125mm or fitted with a screen with secure fittings to comply with BCA/NCC 7. Final AJ's to engineers specifications 8. Plus or minus 200mm to floor levels 9. Steel beam required if any openings have more than 6 courses of brickwork above 10. Material finishes are indicative, for final selections see builders tender	<p>Office: 1a/10 Exchange Parade Narellan NSW 2567 Phone : 0246472552 Email: info@accuratedesign.com.au</p>
	DRAWING Elevations	DRAWING No: 21067-3	SHEET: 9/13	ISSUE: D		

15.2 REV/0008/2122 – 39 MATCHLESS AVENUE GOULBURN – REVIEW OF DETERMINATION – TWO SEMI-DETACHED DWELLINGS AND TORRENS TITLE SUBDIVISION

Author: Senior Development Assessment Officer
 Director Planning & Environment

Authoriser: Aaron Johansson, Chief Executive Officer

- Attachments:**
1. [DA/0072/2122 Notice of Determination](#) 
 2. [REV/0008/2122 Plans](#) 

Reference to LSPS:	Planning Priority 4: Housing – Vision 2040 - A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.
DA Number:	REV/0008/2122 to DA/0072/2122
Address:	39 Matchless Avenue, Goulburn
Proposal Description:	Review of Determination – Two semi-detached dwellings and Torrens title subdivision
Type of Development:	Local
Zone:	R2 Low Density Residential
Variations to Policy:	<i>Goulburn Mulwaree Development Control Plan 2009 (GMDCP 2009)</i> <ol style="list-style-type: none"> 1. Section 3.7 Crime prevention through environmental design 2. Section 4.1.7 Solar access 3. Section 4.1.9 Private open space 4. Section 4.1.10.2 Side setback 5. Section 4.1.12 Traffic safety and management 6. Section 4.1.13 Energy efficient siting and layout 7. Section 4.1.14 External window shading and internal and external lighting
Submissions:	Nil
Key Issues:	<ul style="list-style-type: none"> • Design and amenity of residential development; • Solar access; • Amenity of private open space; • Car parking size and garage storage.

RECOMMENDATION

That:

1. The staff assessment report for Review Application REV/0008/2122 submitted for the consideration of the refusal of DA/0072/2122 be received.
2. The decision to determine DA/0072/2122 on 3 December 2021 by way of refusal be upheld, with the following revised reasons:
 1. *The proposal does not satisfy Part 1 Section 1.3(g) of “the Act” as it does not to promote good design and amenity of the built environment.*

2. *The proposal does not promote good residential amenity and therefore, does not meet the objective of Part 4 Section 4.1A of the Goulburn Mulwaree Local Environmental Plan 2009 "GM LEP 2009".*
3. *The proposal does not meet the principles of Crime Prevention Through Environmental Design as it has a front door located down a dark side ally and therefore, does not satisfy Part 3 Section 3.7 of the Goulburn Mulwaree Development Control plan 2009 "GM DCP 2009".*
4. *The proposed development has not satisfactorily demonstrated that the private open space area upon Lot 1 can achieve solar access and therefore, does not satisfy Part 4 Section 4.1.7 of the "GM DCP 2009".*
5. *The proposal does not have a compliant side setback to the northern boundary and therefore, does not satisfy Part 4 Section 4.1.10.2 of the "GM DCP 2009".*
6. *The proposal does not meet the minimum dimension for storage associated with the single garage and therefore, does not satisfy Part 4 Section 4.1.12 of the "GM DCP 2009".*
7. *The proposal does not include western window shading and therefore, does not satisfy Part 4 Section 4.1.13 of the "GM DCP 2009".*
8. *Insufficient shading is provided to the windows servicing the principal living areas resulting in excessive summer heat gain. Therefore, the proposal does not satisfy Part 4 Section 4.1.14 of the "GM DCP 2009".*
9. *The proposal does not provide sufficient private open space to Lot 1 and therefore, does not satisfy Part 4 Section 4.1.9 of the "GM DCP 2009".*
10. *The proposal having regard to the provisions of Section 4.15 of "the Act", is considered to be unsatisfactory and therefore, is not in the public interest.*

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

BACKGROUND

On 10 August 2021, DA/0072/2122 was lodged with Council seeking development consent for the construction of two single storey semi-detached dwellings and Torrens title subdivision at 39 Matchless Avenue, Goulburn.

The Development Application (DA) was subject to an additional information request as the submitted information did not demonstrate compliance with the applicable controls contained in the GMDCP 2009. The amended information was submitted for consideration on 30 November 2021, however, it still did not demonstrate compliance with the applicable clauses and controls in the GMLEP 2009 and the GMDCP 2009.

Consequently, the DA was determined by way of refusal on 3 December 2021 under delegation, imposing the following reasons:

1. *The proposal does not satisfy Part 1 Section 1.3(g) of "the Act" as it does not to promote good design and amenity of the built environment.*
2. *The proposal does not promote good residential amenity and therefore, does not meet the objective of Part 4 Section 4.1A of the Goulburn Mulwaree Local Environmental Plan 2009 "GM LEP 2009".*
3. *The proposal does not met the principles of Crime Prevention Through Environmental Design as it has front door located down a dark side ally and therefore, does not satisfy Part 3 Section 3.7 of the Goulburn Mulwaree Development Control plan 2009 "GM DCP 2009".*

4. *The proposed development has not satisfactorily demonstrated that the dwelling can achieve three (3) hours solar access to the principal living spaces of the proposed southern dwelling and therefore, does not satisfy Part 4 Section 4.1.7 of the "GM DCP 2009".*
5. *The proposal does not have a compliant side setback to the northern boundary and therefore, does not satisfy Part 4 Section 4.1.10.2 of the "GM DCP 2009".*
6. *The proposal does meet the minimum dimension for storage associated with the single garage and therefore, does not satisfy Part 4 Section 4.1.12 of the "GM DCP 2009".*
7. *The proposal does not achieve the required solar access and therefore, does not satisfy Part 4 Section 4.1.13 of the "GM DCP 2009".*
8. *Insufficient shading is provided the windows of servicing the principal living areas resulting in excessive summer heat gain. Therefore, does not satisfy Part 4 Section 4.1.14 of the "GM DCP 2009".*
9. *The proposal having regard to the provisions of Section 4.15 of "the Act", is considered to be unsatisfactory and therefore, is not in the public interest.*

A copy of the refusal notice is included in the **Attachment**.

REPORT

Proposed Development

Review Application REV/0008/2122 was submitted on 30 March 2022 requesting a review of the refusal of DA/0072/2122. The Review Application remains as two single storey semi-detached dwellings and Torrens title subdivision.

A copy of the plans submitted with the Review Application are included in the **Attachment**.

Site and Locality Description

The site is known as 39 Matchless Avenue, Goulburn. The site is 700sqm in size and generally rectangular in shape with a skewed east west orientation. The site has been cleared as part of the preparation works associated with the creation of the Teneriffe Stage 2B1 subdivision development at Marys Mount. There is a crossover and layback on the eastern boundary of the site providing access and a street tree fronting the site. The site falls gently to the south west.

There are a number of developments (dwelling houses, secondary dwellings and semi-detached subdivisions) approved and currently under construction within the Teneriffe subdivision area. North of the 2B1 subdivision area, construction is occurring for more development within the Teneriffe subdivision.

Assessment of Review Application

The Review Application has an extended appeal period pursuant to section 8.10(1)(b)(i) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as DA/0072/2122 was determined within the prescribed period being 25 March 2020 and ending 25 March 2022. Therefore, the application must be reviewed and determined by 3 December 2022.

As no changes have been made to the plans, Council is satisfied the proposal is substantially the same development, pursuant to clause 8.3(3) of the EP&A Act.

In accordance with Council's *Development Assessment & Decision Making Policy* this Review Application is to be determined at a Council Meeting.

The Review Application was notified to adjoining and adjacent residents who were previously notified during the assessment of DA/0072/2122, consistent with Council's *Community Participation Plan*. It was also advertised on Council's website. Public exhibition of the proposal did not result in any submissions being received during the notification period.

The Review Application was considered by Council Staff which identified a number of deficiencies including matters previously raised in the reasons for refusal of DA/0072/2122. Consideration of each of the reasons for refusal are addressed below.

1. *The proposal does not satisfy Part 1 Section 1.3(g) of “the Act” as it does not to promote good design and amenity of the built environment.*

The proposal would remain inconsistent with the above object as the Review Application as assessed would result in poor solar access to the private open space (POS) area upon proposed Lot 1.

The applicant argues that the development is of a suitable character and architectural merit and therefore this reason can be removed. Council does not accept the justification provided as in this instance, good design and amenity is centred on liveability of the dwelling, not its appearance.

Consequently, Reason 1 of the Refusal shall remain.

2. *The proposal does not promote good residential amenity and therefore, does not meet the objective of Part 4 Section 4.1A of the Goulburn Mulwaree Local Environmental Plan 2009 “GM LEP 2009”.*

The Review Application proposes lot sizes of 350sqm each and the construction of a semi-detached dwelling upon each lot created as part of the subdivision. Both lots achieve the required 350sqm and dwelling construction is in accordance with the numerical standard of this clause.

Notwithstanding, an assessment of the amenity of the dwelling upon Lot 1 has resulted in poor outcomes regarding solar access to the POS area. As the proposed development impacts the residential amenity of future occupiers of the dwelling upon Lot 1, the development is not consistent with and does not satisfy the objectives of Clause 4.1A.

As the proposal remains inconsistent with the objectives of the zone which must be satisfied, Reason 2 of the Refusal shall remain.

3. *The proposal does not me[e]t the principles of Crime Prevention Through Environmental Design as it has [a] front door located down a dark side ally and therefore, does not satisfy Part 3 Section 3.7 of the Goulburn Mulwaree Development Control plan 2009 “GM DCP 2009”.*

The Review Application proposes an architectural addition to the southern boundary of the dwelling upon Lot 1 along with a paved pathway, steps and landscaping which aims to highlight and clearly identify the location of the front door entrance.

Irrespective of the proposed amendments, the proposed side entry door presents an opportunity for criminal activity in that there is no view of the inset front door from the street. The proposal would create opportunity for entrapment, particularly during night time. The application did not provide any lighting option to consider.

Consequently, Reason 3 of the Refusal shall remain. Reason 3 shall be amended as per the above brackets.

4. *The proposed development has not satisfactorily demonstrated that the dwelling can achieve three (3) hours solar access to the principal living spaces of the proposed southern dwelling and therefore, does not satisfy Part 4 Section 4.1.7 of the “GM DCP 2009”.*

This control of the GMDCP 2009 requires residential buildings to be designed to ensure that the principal living spaces of the proposed dwelling, adjoining residential buildings, and

at least 50% of their private open space (POS), have at least three hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).

Direct sunlight is achieved when 1m² of direct sunlight on the glass is received for at least 15 minutes. To satisfy 3 hours direct sunlight, 12 periods of 15 minutes are needed to be achieved, however the periods do not need to be consecutive.

A reconsideration of solar access has determined that both dwellings' solar access to their principal living spaces can be achieved (Sheet 14/14 of the plans submitted with the Review Application).

In reviewing the application, it has become apparent that solar access to the POS upon Lot is not satisfied as the area used to demonstrate solar access compliance is not considered usable POS; it is not wide enough, and a shed and clothes line is proposed in this area. The submitted commentary in response to this reason for refusal in the SEE is not accepted as it does not address the above anomaly. Consequently, the above reason for refusal must be amended to read as follows:

The proposed development has not satisfactorily demonstrated that the private open space area upon Lot 1 can achieve solar access and therefore, does not satisfy Part 4 Section 4.1.7 of the "GM DCP 2009".

Solar access to the dwelling upon Lot 2's POS has demonstrated compliance. Similarly, Solar access to the adjoining residential buildings would not be impacted.

Consequently Reason 4 of the refusal shall remain, but be amended as recommended above.

5. *The proposal does not have a compliant side setback to the northern boundary and therefore, does not satisfy Part 4 Section 4.1.10.2 of the "GM DCP 2009".*

Whilst the proposal demonstrates side setbacks are numerically compliant, side setbacks to the northern boundary remain non-compliant as they still contain items including an air-conditioning unit that is required to be excluded from the side setbacks. The DCP does not permit utility type structures within the setback area i.e. garbage bins, clothes lines, air conditioning units, and the like.

Consequently Reason 5 of the refusal shall remain.

6. *The proposal does [not] meet the minimum dimension for storage associated with the single garage and therefore, does not satisfy Part 4 Section 4.1.12 of the "GM DCP 2009".*

The garage for the dwelling upon Lot 1 satisfies the minimum area dimensions of 6.5m x 3.5m and the separated storage area satisfies the minimum dimensions and area.

The garage dimensions for the dwelling upon Lot 2 is 3.460m x 7m. A minimum of 3.5m width is required. Further, the minimum dimension width of the separated storage area is less than 1.5m wide, therefore, it cannot be considered as a justifiable variation for not having additional storage area in the garage. Council does not accept that there are two storage areas provided to this dwelling as a reason for departing from the control. As neither area meets the minimum width requirements, they are not considered meaningful or achieve the objective, which is to integrate adequate and convenient site facilities (such as storage) into the overall development.

Consequently, Reason 6 of the refusal shall remain. Reason 6 shall be amended as per the above brackets.

7. *The proposal does not achieve the required solar access and therefore, does not satisfy Part 4 Section 4.1.13 of the "GM DCP 2009".*

It has been demonstrated with the submission of additional information that the dwellings can receive sufficient and compliant solar access. Problematically however, the direct western sun (which creates excessive heat gain and subsequently high energy use from air conditioning units) has not been minimised by proposing external window shading. It is therefore, recommended the above reason is modified to read as follows:

The proposal does not include western window shading and therefore, does not satisfy Part 4 Section 4.1.13 of the "GM DCP 2009".

The proposal is not consistent with the objectives in that it wouldn't achieve improved energy efficiency.

Consequently, Reason 7 of the refusal shall remain, but be amended as recommended above.

8. *Insufficient shading is provided [to] the windows of servicing the principal living areas resulting in excessive summer heat gain. Therefore, [the proposal] does not satisfy Part 4 Section 4.1.14 of the "GM DCP 2009".*

Shading of the rear windows has not been proposed. Providing external shading to the western windows would reduce summer heat gain and reduce overall energy consumption.

Consequently, Reason 8 of the refusal shall remain. Reason 8 shall be amended as per the above brackets and strikethrough.

9. *The proposal having regard to the provisions of Section 4.15 of "the Act", is considered to be unsatisfactory and therefore, is not in the public interest.*

The proposal involves the placement of a four (4) bedroom dwelling, and a three (3) bedroom dwelling with a media room, upon a 700sqm lot. The proposal is highly constrained and represents an unacceptable compromise that results from overdevelopment. The proposal is not of a kind that the GMLEP 2009, and GMDCP 2009 are seeking to achieve. Approving the variations sought would prejudice and undermine the intention and strength of the applicable objectives and controls. The proposed development would result in a detrimental amenity impact on the existing and future residents of the dwellings.

It is considered on balance that the degree of compliance with the majority of the controls is not sufficient enough to enable a favourable determination. To approve the development, as submitted, would not be consistent with the GMLEP 2009, the GMDCP 2009 and therefore, is not in the public interest.

Consequently, Reason 9 of the refusal shall remain.

During the assessment of the Review Application it was determined the proposal does not comply with the following clause in the GMDCP 2009 and is therefore, recommended to be imposed as additional reason for refusal:

- *Clause 4.1.9 Private open space*

Sufficient private open space, in the order of a minimum 75sqm with suitable width and depth has been provided for both dwellings, however the rainwater tank has been relocated to within the POS for the dwelling upon Lot 1 in the Review Application plans. This area can therefore not be included the overall total of POS which reduces the POS for this dwelling to less than 75sqm.

Consequently, a new Reason for refusal shall be imposed regarding noncompliance with this clause.

Conclusion and Recommendation

The information supplied for consideration of REV/0008/2122 is deficient to enable Council to overturn the previous refusal. Therefore, REV/0008/2122 cannot be supported and the original determination should remain, with the amendments as recommended throughout this report.

FINANCIAL IMPLICATIONS

Financial implications to Council are likely if the Applicant of the development application seeks an appeal of the refusal through the Land and Environment Court.

LEGAL IMPLICATIONS

Council may be in a position where it may be required to defend an appeal made by the Applicant to the Land and Environment Court.



Goulburn Mulwaree Council
 Locked Bag 22
 Goulburn NSW 2580

Civic Centre
 184 - 194 Bourke Street
 Goulburn NSW 2580
 t (02) 4823 4444
 e council@goulburn.nsw.gov.au
 www.goulburn.nsw.gov.au

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Pursuant to Sections 4.16(1)(b) & 4.18 of the Environmental Planning and Assessment Act 1979 "the Act"

Development Application No:	DA/0072/2122
Applicant's Name:	Accurate Design & Drafting PO Box 833 NARELLAN NSW 2567
Land to be developed:	Lot 244 DP 1269362 Parish Narrangarril
Property Address:	39 Matchless Avenue GOULBURN NSW 2580
Proposal:	Proposed construction of semi-detached dwellings and two Lot Torrens title subdivision
Cost of Development:	\$595,700
Determination:	The application was determined on 3 December 2021 under delegated authority by refusal subject to the reasons listed below.
Other Approvals:	S68/0061/2122 Refused RO/0037/2122 Refused

Reasons for Refusal:

1. The proposal does not satisfy Part 1 Section 1.3(g) of "the Act" as it does not to promote good design and amenity of the built environment.
2. The proposal does not promote good residential amenity and therefore, does not meet the objective of Part 4 Section 4.1A of the Goulburn Mulwaree Local Environmental Plan 2009 "GM LEP 2009".
3. The proposal does not met the principles of Crime Prevention Through Environmental Design as it has front door located down a dark side ally and therefore, does not satisfy Part 3 Section 3.7 of the Goulburn Mulwaree Development Control plan 2009 "GM DCP 2009".
4. The proposed development has not satisfactorily demonstrated that the dwelling can achieve three (3) hours solar access to the principal living spaces of the proposed southern dwelling and therefore, does not satisfy Part 4 Section 4.1.7 of the "GM DCP 2009".
5. The proposal does not have a compliant side setback to the northern boundary and therefore, does not satisfy Part 4 Section 4.1.10.2 of the "GM DCP 2009".
6. The proposal does meet the minimum dimension for storage associated with the single garage and therefore, does not satisfy Part 4 Section 4.1.12 of the "GM DCP 2009".
7. The proposal does not achieve the required solar access and therefore, does not satisfy Part 4 Section 4.1.13 of the "GM DCP 2009".
8. Insufficient shading is provided the windows of servicing the principal living areas resulting in excessive summer heat gain. Therefore, does not satisfy Part 4 Section 4.1.14 of the "GM DCP 2009".

NOTICE OF DETERMINATION OF

9. The proposal having regard to the provisions of Section 4.15 of *“the Act”*, is considered to be unsatisfactory and therefore, is not in the public interest.

How were community views taken into account in making the decision?

The application was required to be notified in accordance with the Goulburn Mulwaree Community Participation Plan.

No submission were received.

Review of Determination:

A right to request a review of this determination exists under Division 8.2 of *“the Act”* provided that this determination is not made in respect of designated or Crown development. The determination cannot be reviewed after the expiry of six (6) months from the date of determination or after an appeal to the Land and Environment Court is disposed of by the Land and Environment Court. If a review is contemplated, it should be lodged within two months of the date of this determination to enable the six month period, which includes Council’s review and determination to be met.

Right of appeal:

Section 8.7 of *“the Act”* provides for the right to appeal to the Land and Environment Court within six (6) months after the date of determination. Where a development consent is for designated development, *“the Act”* gives a right of appeal to an objector. That appeal may only be made within twenty-eight (28) days after the date the objector is notified of the decision. In all other circumstances there is no right of appeal to the Court by an objector.

If considering exercising a right of appeal or lodging a request for a review, it may be advisable to obtain legal advice regarding the interpretation of your rights in relation to such matters.

Date of Endorsement: 3 December 2021

Matthew Hedges

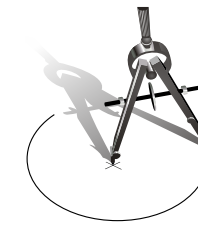
SENIOR DEVELOPMENT ASSESSMENT OFFICER

for and on behalf of

GOULBURN MULWAREE COUNCIL



#39 Matchless Avenue, Goulburn
 Lot Number: 244
 DP Number: 1269362



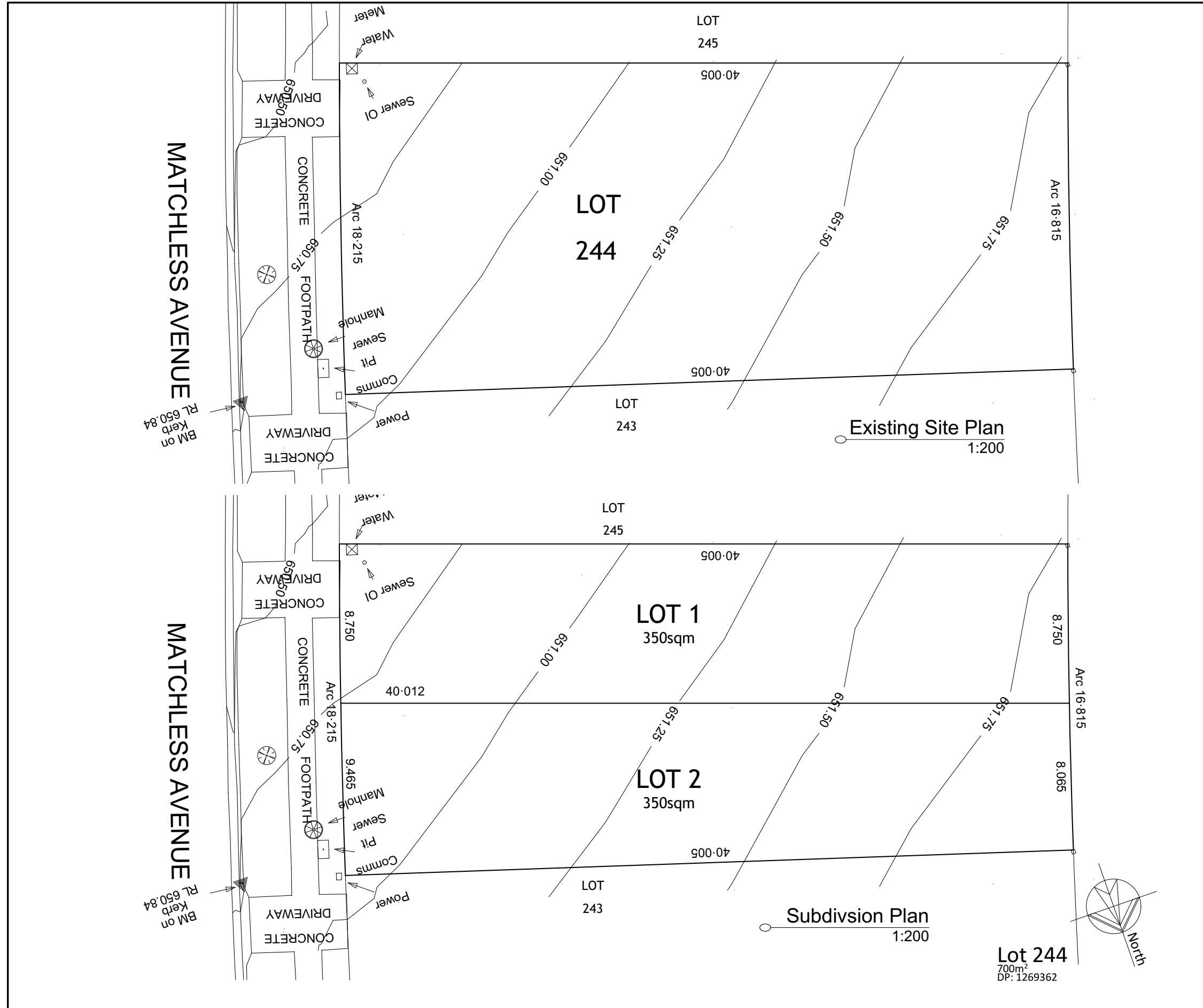
Accurate

design and drafting

Office: 1a/10 Exchange Parade
 Narellan NSW 2567
Phone : 0246472552
 Email: info@accuratedesign.com.au



Client Approval:	Date:	
Job:	Proposed Dual Occupancy and Torrens Title Subdivision	
Drawing:	Perspective View	
Scale:	-	Date: 18-08-22
Drawing No:	21119-3	Sheet: 2/14 Issue: D
© Abeaut Designs t/a Accurate Design and Drafting 2020		



- Notes:
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 9. Steel beam required if any openings have more than 6 courses of brickwork above
 10. Material finishes are indicative, for final selections see builders tender

Client Approval: _____ Date: _____



Job:
Proposed Dual Occupancy and Torrens Title Subdivision
 LOT: 244 DP: 1269362
 #39 Matchless Avenue, Goulburn

Drawing:
Existing Site Plan/Subdivision Plan

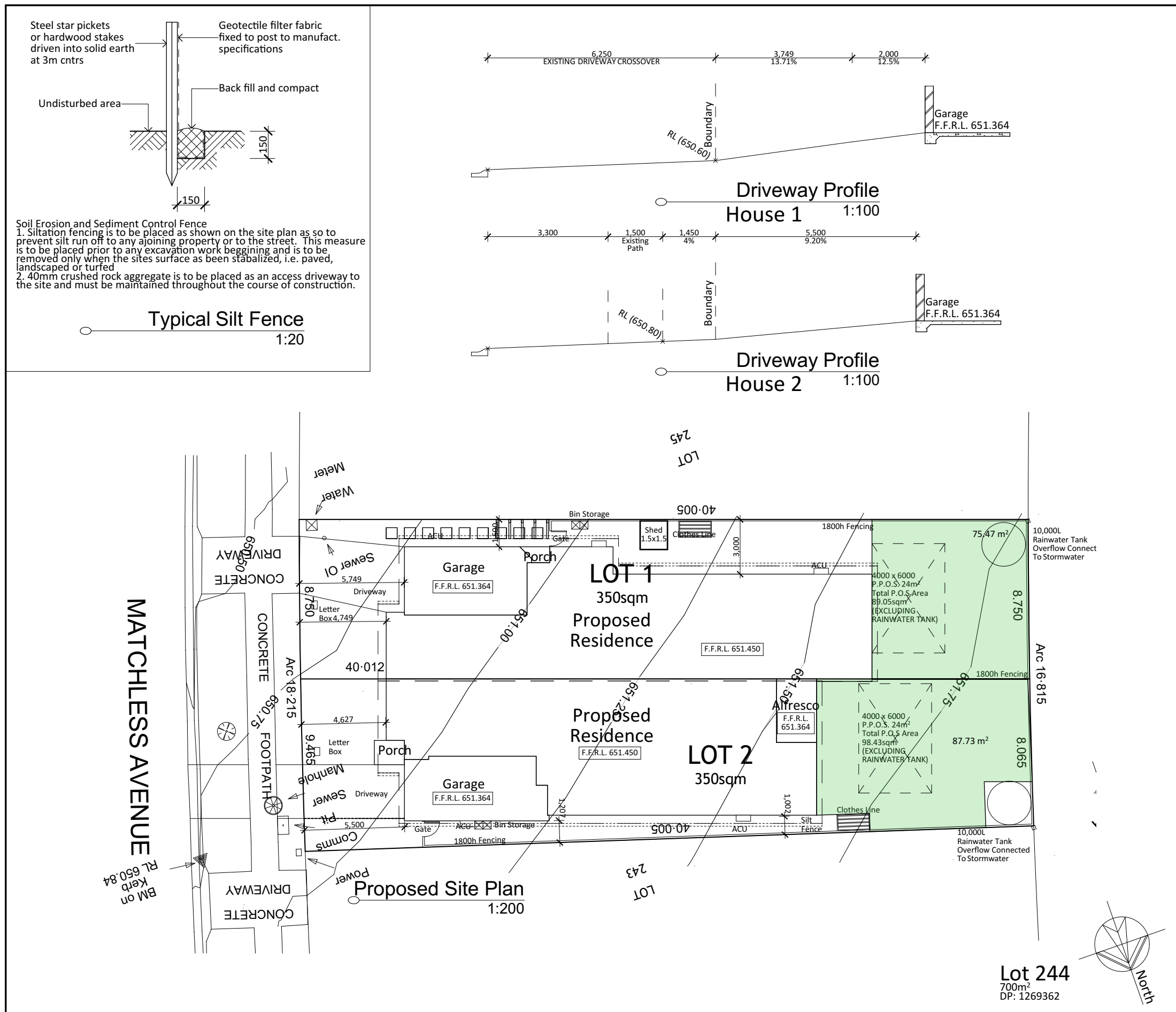
Scale: **1:200, 1:20** Date: **18-08-22**

Drawing No: **21119-3** Sheet: **3/14** Issue: **D**

House Design: Custom

Accurate
 design and drafting
 Office: 1a/10 Exchange Parade
 Narellian NSW 2567
Phone : 0246472552
 Email: info@accuratedesign.com.au

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Job:
 Proposed Dual Occupancy and Torrens Title Subdivision
 LOT: 244 DP: 1269362
 #39 Matchless Avenue, Goulburn

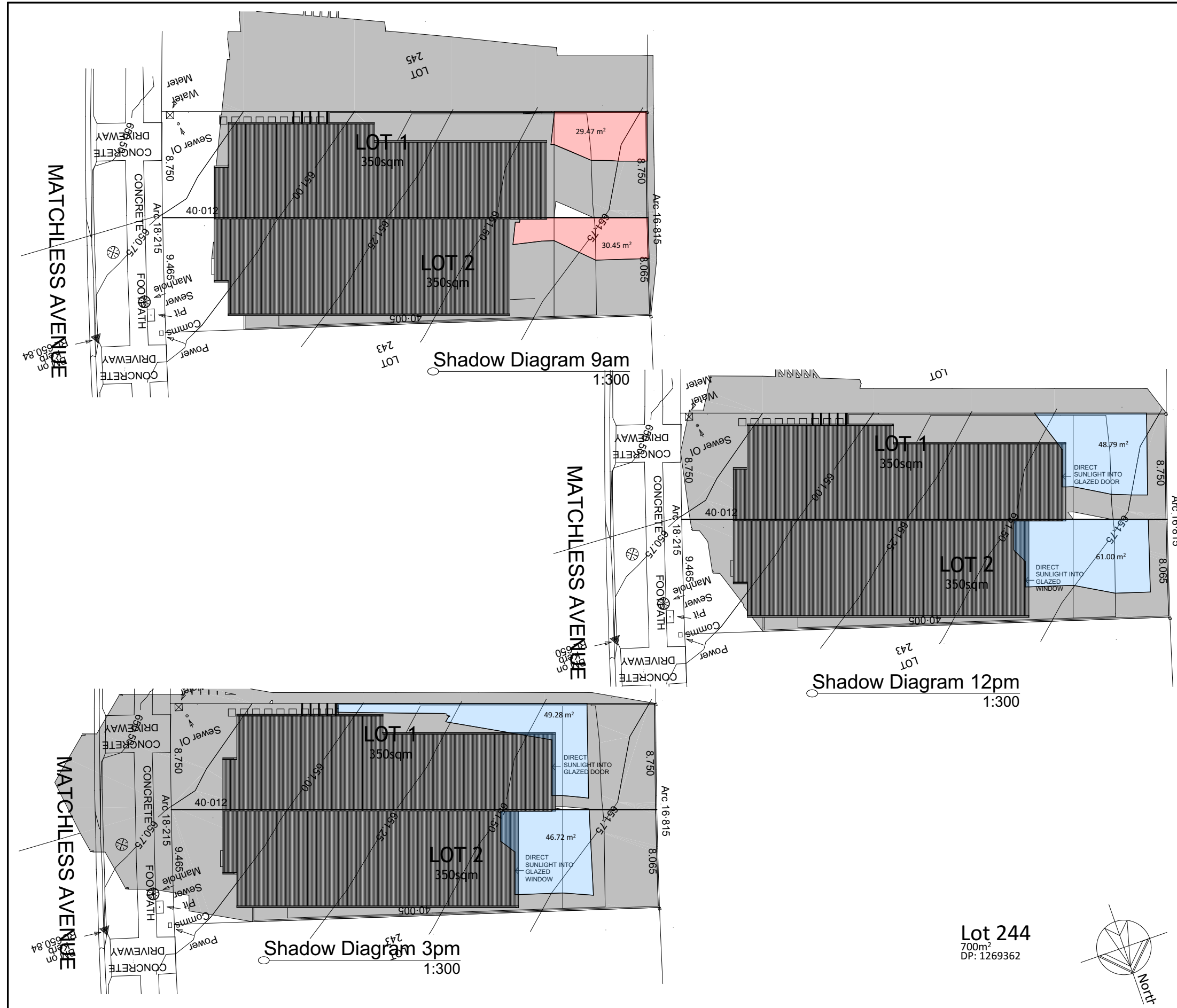
Drawing:
 Proposed Site Plan

Scale: 1:200, 1:20 **Date:** 18-08-22

Drawing No: 21119-3 **Sheet:** 4/14 **Issue:** D

House Design: Custom

Accurate
 design and drafting
 Office: 1a/10 Exchange Parade
 Narellian NSW 2567
Phone : 0246472552
 Email: info@accuratedesign.com.au



- Notes:
1. Levels shown are approx and should be verified on site
 2. Figured dimensions are to be taken in preference to scaling
 3. All measurements are in mm unless otherwise stated
 4. Window sizes are nominal only. Final window sizes by builder
 5. Dimensions are to be verified on site by builder before commencement of work.
 6. All upstairs windows with a sill height less than 1700mm to have a max opening width of 125mm or fitted with a screen with secure fittings to comply with BCA/NCC
 7. Final AJ's to engineers specifications
 8. Plus or minus 200mm to floor levels
 9. Steel beam required if any openings have more than 6 courses of brickwork above
 10. Material finishes are indicative, for final selections see builders tender

Client Approval: _____ Date: _____



Job:
Proposed Dual Occupancy and Torrens Title Subdivision

LOT: 244 DP: 1269362
 #39 Matchless Avenue, Goulburn

Drawing:
Shadow Diagrams 21st June

Scale: _____ Date: **18-08-22**

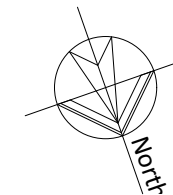
Drawing No: **21119-3** Sheet: **5/14** Issue: **D**

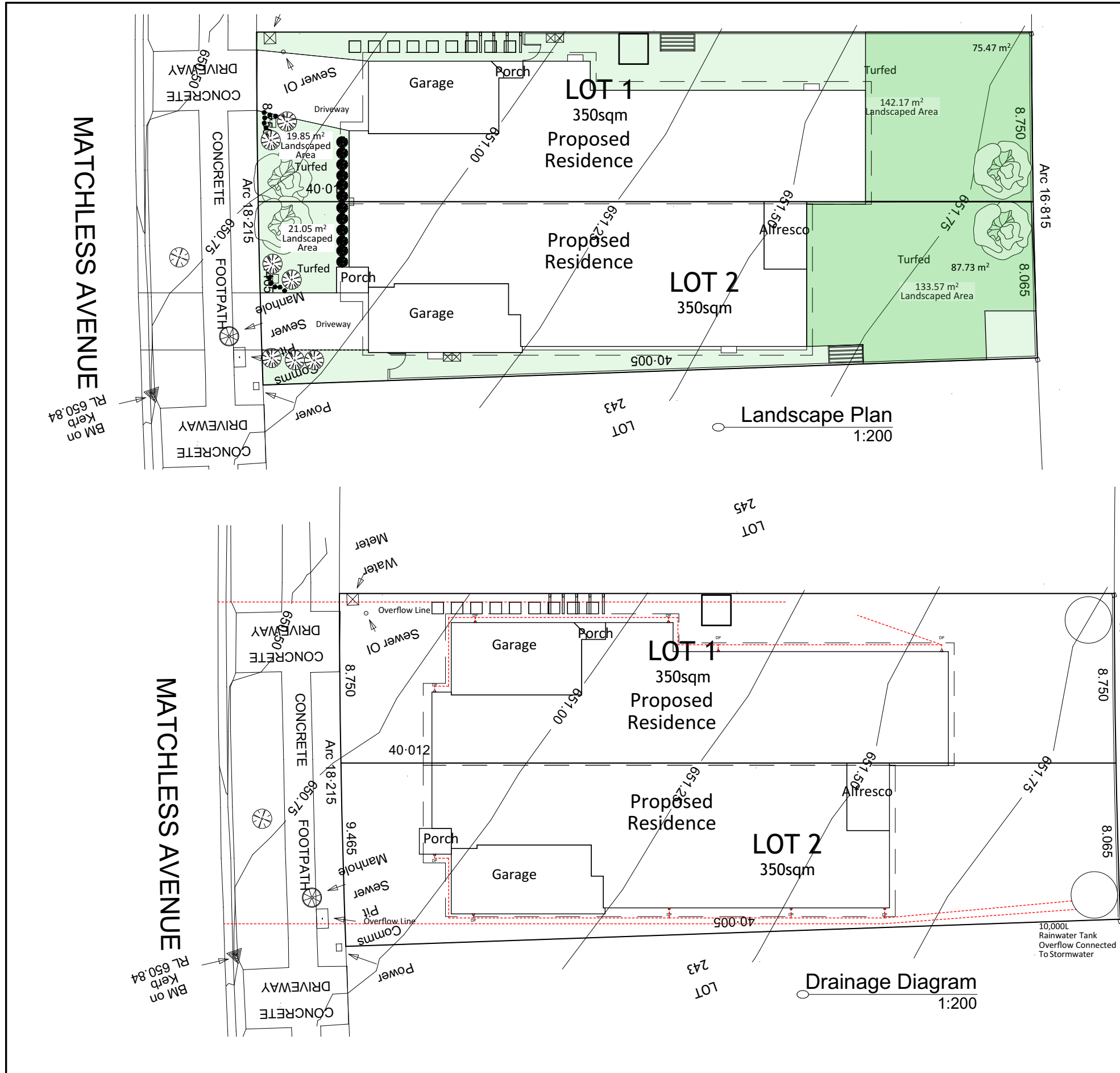
House Design: Custom



Office: 1a/10 Exchange Parade
 Narellian NSW 2567
Phone : 0246472552
 Email: info@accuratedesign.com.au

Lot 244
 700m²
 DP: 1269362



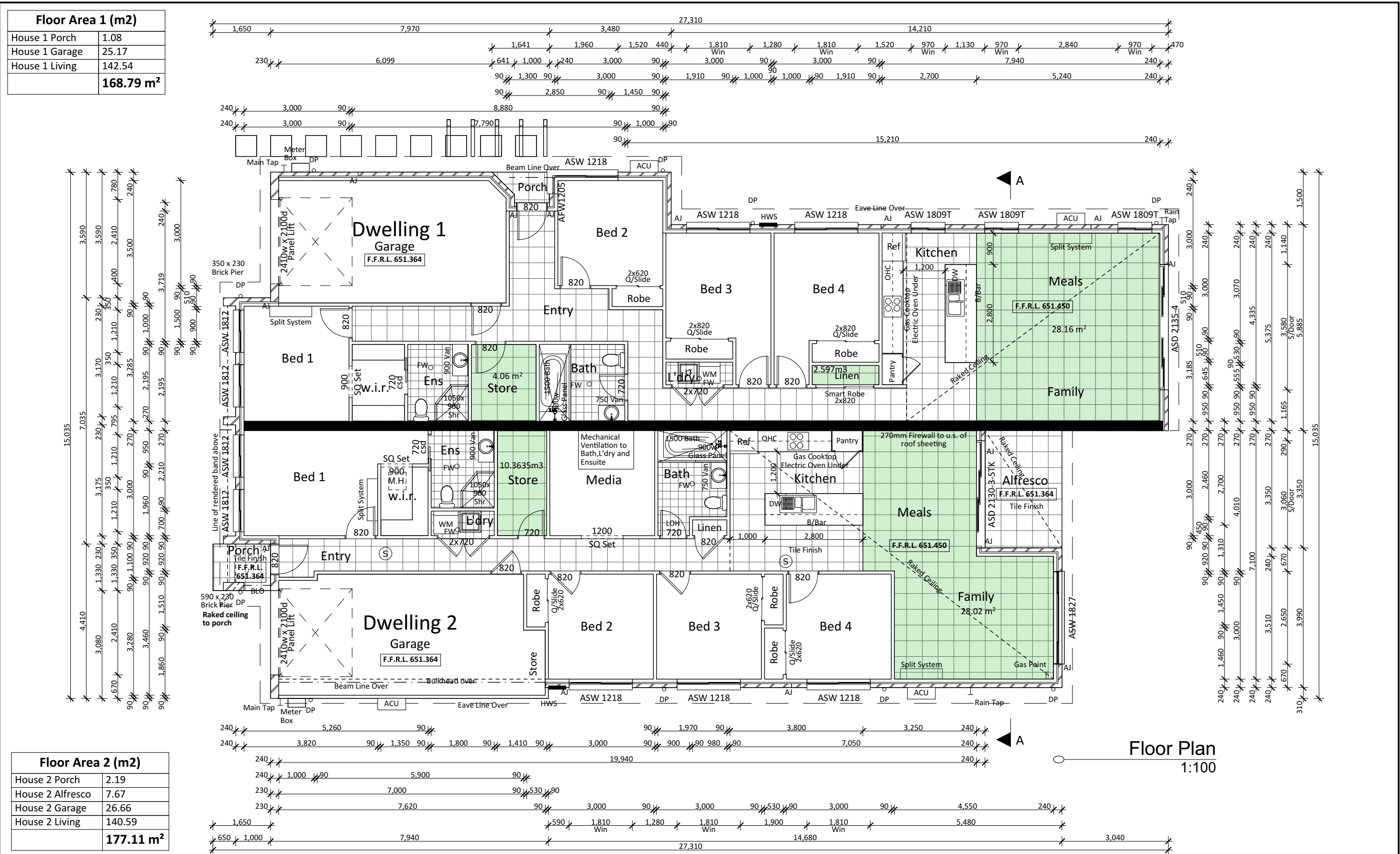


Key	Species	Dimensions	Container	Quantity
	Corodyline	1.2m x 1.2m	200mm	8
	Fraxinus Oxycarpa	12m x 6m	100ltr	4
	Buxus Microphylla	0.3m x 0.4m	200mm	10
	Convolvulus	0.5m x 1m	200mm	12

NOTES:
 * All plants to be planted in premium garden mix and slow release fertilizer
 * Gardens to be mulched with Eucalyptus Mulch
 * Plants are to be maintained for 6 months or until established
 * Any losses are to be replaced

North
 Lot 244
 700m²
 DP: 1269362

Client Approval:		Date:	
Job: Proposed Dual Occupancy and Torrens Title Subdivision			
LOT: 244 DP: 1269362 #39 Matchless Avenue, Goulburn			
Drawing: Landscape & Drainage Plan			
Scale:	1:200	Date:	18-08-22
Drawing No:	21119-3	Sheet:	6/14
		Issue:	D
House Design: Custom			
Office: 1a/10 Exchange Parade Narellian NSW 2567 Phone : 0246472552 Email: info@accuratedesign.com.au			
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velson
RESIDENTIAL BUILDERS

LOT: 244 DP: 1269362
#39 Matchless Avenue,
Goulburn

JOB:
**Proposed Dual Occupancy
and Torrens Title
Subdivision**

DRAWING
Floor Plan

SCALE:
1:100

DATE:
18-08-22

DRAWING No:
21119-3

SHEET:
7/14

ISSUE:
D

House Design: Custom

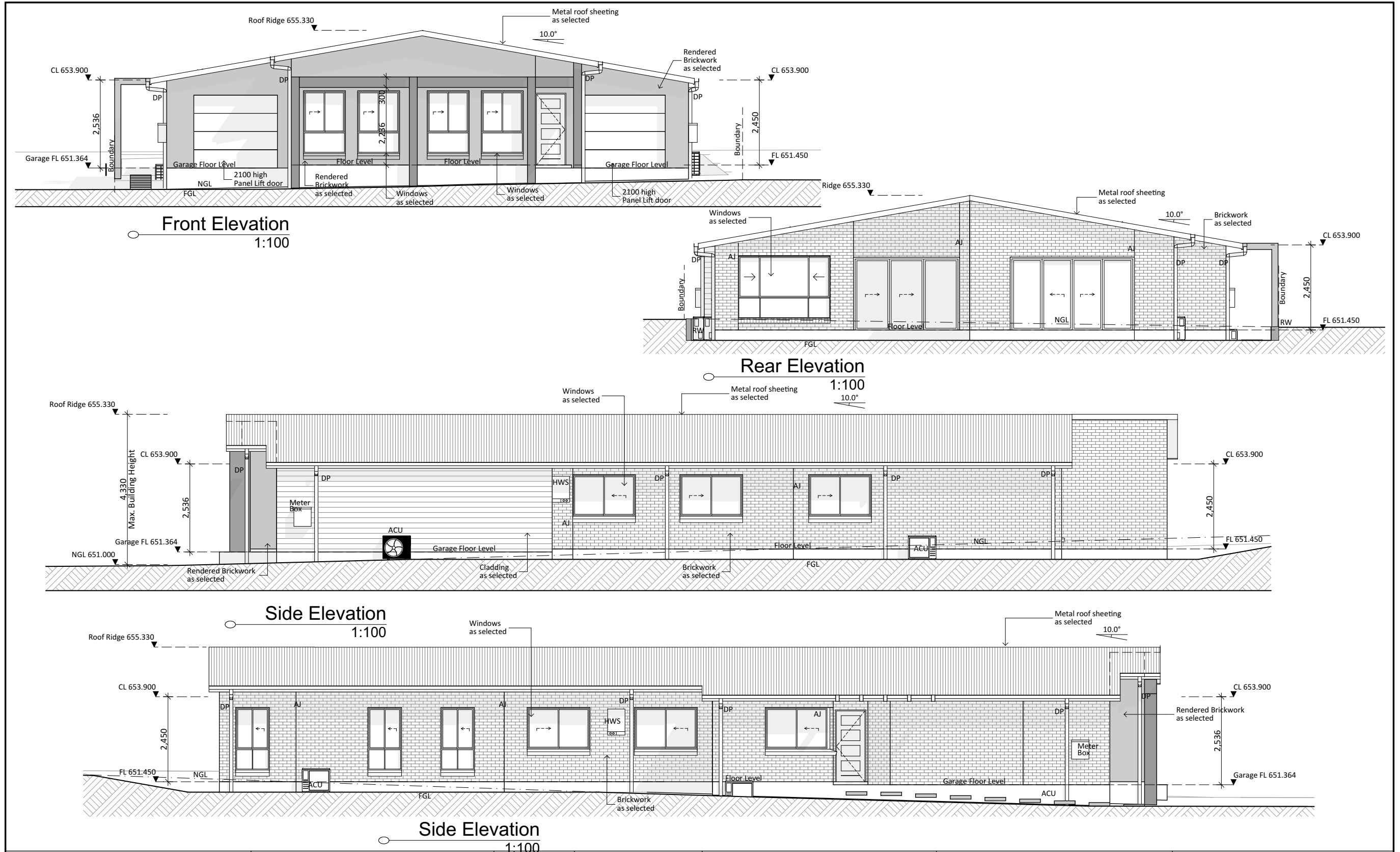
Client Approval: _____ Date: _____

Notes:
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7. Final AJ's to engineers specifications
8. Plus or minus 200mm to floor levels
9. Steel beam required if any openings have more than 6 courses of brickwork above
10. Material finishes are indicative, for final selections see builders tender

Accurate
design and drafting

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LOT: 244 DP: 1269362
#39 Matchless Avenue,
Goulburn

JOB:
**Proposed Dual Occupancy
and Torrens Title
Subdivision**
DRAWING
Elevations

SCALE:
1:100
DATE:
18-08-22
DRAWING No:
21119-3
SHEET:
8/14
ISSUE:
D

House Design: Custom
Client Approval: _____ Date: _____

- Notes:
1. Levels shown are approx and should be verified on site
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 10. Material finishes are indicative, for final selections see builders tender

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Shadow Diagram 9am

Shadow Diagram 12pm

Shadow Diagram 3pm

- Notes:
1. Levels shown are approx and should be verified on site
 2. Figured dimensions are to be taken in preference to scaling
 3. All measurements are in mm unless otherwise stated
 4. Window sizes are nominal only. Final window sizes by builder
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 10. Material finishes are indicative, for final selections see builders tender

Client Approval: _____ Date: _____



Job:
Proposed Dual Occupancy and Torrens Title Subdivision

LOT: 244 DP: 1269362
 #39 Matchless Avenue, Goulburn

Drawing:
Elevation Shadows 21st June

Scale: _____ Date: **18-08-22**

Drawing No: **21119-3** Sheet: **14/14** Issue: **D**

House Design: Custom



Office: 1a/10 Exchange Parade
 Narellian NSW 2567
Phone : 0246472552
 Email: info@accuratedesign.com.au

15.3 2223T0008 FAITHFULL STREET STORMWATER DIVERSION

Author: Director Operations

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. **2223T0009 Faithfull Street Signed Evaluation Report and Summary - Confidential**

Link to Community Strategic Plan:	IN4.2 Upgrade community facilities to improve service provision.
Cost to Council:	<p>The total cost for this engagement is \$621,639.09 (GST exclusive). The budget allocation for Urban Stormwater Drainage Upgrade is \$750,000. This is separated into two works packages.</p> <ol style="list-style-type: none"> 1. The Addison Street 600SWP is \$140,437.27. 2. Faithful Street Stormwater Diversion \$621,639.09. <p>The total being \$762,076.36 (\$12,076.36 deficit)</p> <p>Therefore, the deficit plus a 10% contingency (\$62,163.91) is to be drawn from the City Wide Drainage Reserve where there is adequate funds to cover the deficit and contingency amount.</p>
Use of Reserve Funds:	City Wide Drainage Reserve 38104

RECOMMENDATION

That:

1. The report from the Director Operations on 2223T0008 Faithful Street Stormwater Diversion be received;
2. The tender submission from Form and Pour Constructions for \$621,639.09 (GST exclusive) is accepted in accordance with the Request For Tender documents 2223T0008;
3. The Chief Executive Officer is authorised to approve variations of up to ten (10) percent (\$62,163.91) for this project.

BACKGROUND

Goulburn Mulwaree Council (GMC) is upgrading the drainage structures through the Addison / Faithful Street intersection. These works have been separated into two works packages:

1. Additional drainage capacity across the Addison / Faithful Street intersection (by separate engagement and will be complete by mid October 2022).
2. Relocation of the failed drain through 90 Addison Street to the adjacent road reserve.

This engagement is for delivery of work package two only.

Approximately 40m of an existing drain through 90 Addison Street is to be decommissioned and replaced with a new drainage structure. The new structure is to be laid outside the boundary of 90 Addison Street in the adjacent road reserve and includes around a 64m box culvert structure with three cast-in-situ junction pits.

A design component is included for a new junction pit that connects the new box culvert structure to the existing brick arch drain. The design for the new junction pit is to retain the integrity of the brick arch drain as the drain is to remain in service across the Addison / Faithful intersection. These works also include downstream erosion protection at the outlet of the brick arch drain.

This report summarises the responses received for the stormwater diversions works in accordance with Request For Tender (RFT) 2223T0008 and recommends a preferred contractor to undertake the proposed works.

REPORT

Tenders were called on the 23 August 2022 under 2223T0008 Faithful Street Stormwater Diversion. The tender process was conducted in accordance with the Division of Local Government Tendering Guidelines. RFT documents were advertised on Tender Link on 23 August 2022.

Tender submissions closed 20 September 2022. Tender submissions were received from the following three (3) companies on the closing date:

Company	Address
Kingsline Pty Ltd	11 Success Street, Greenfield Park, NSW, 2176
Killard Infrastructure Pty Ltd	60 Robinson Street, Goulburn, NSW, 2580
Form and Pour Constructions	1799 The Horsley Drive, Horsley Park, NSW, 2175

A Tender Evaluation Panel (TEP) was established comprising of:

- Director Operations (Chair)
- Business Manager Projects
- Consultant Project Engineer.

The evaluation process was carried out by the TEP as outlined in the Tender Plan. The Tender Plan was completed prior to advertisement. The final Evaluation Report is attached to this Council report.

The TEP met initially to determine whether the tenders were conforming to mandatory submission requirements. The panel then completed the detailed evaluation of the non-price criteria for the three companies in accordance with the following weightings:

- Company Experience and Performance 10%
- Company Capability and Resourcing 10%
- Management Systems 10%
- Project Appreciation and Methodology 10%
- Works Implementation Schedule 10%

Price was kept separate from the evaluation of the non-price criteria to avoid bias in the non-price evaluation. The weighting for price and non-price criteria were applied at:

- Non-price criteria 50%
- Price criteria 50%

The pricing submissions of the other three companies were then assessed to determine the overall Value For Money (VFM) score as outlined in the Evaluation and Probity Plan for Tender 2223T0008.

VFM Ranking	Company
1	Form and Pour Constructions
2	Kingsline Pty Ltd
3	Killard Infrastructure Pty Ltd

Form and Pour Constructions have demonstrated satisfactory performance on other works for Goulburn Mulwaree Council, including completion of Addison Street stormwater pipe installation which is complementary to these works. At the conclusion of the tender evaluation process the TEP concluded that the submission from Form and Pour Constructions represents the highest Value For Money and an acceptable risk level to Council.

Therefore, the TEP recommends that Council accept the tender submission from Form and Pour Constructions, and they are engaged as the preferred contractor in accordance with the documentation for 2223T0008. Form and Pour Constructions have indicated works will be complete by mid December 2022.

The Evaluation Report is included with the Closed Session reports in accordance with s10A(2)(d) Local Government Act 1993 as it contains commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

15.4 2223T0005 - CONSULTANCY SERVICES PANEL

Author: Director Operations

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. **2223T0005 - Evaluation Report Consultancy Services Panel - Confidential**

Link to Community Strategic Plan:	19. Our Infrastructure IN4 Maintain and update existing community facilities, and support the development of new community infrastructure as needed.
Cost to Council:	To be funded from Council approved Maintenance and Capital Works Budgets
Use of Reserve Funds:	Nil

RECOMMENDATION

That

- The report from the Director Operations on the Consultancy Services Panel be received.
- Council approves to establish a panel of seventy-two (72) consultants listed below to provide Council with Consultancy Services under the provisions of the 2223T0005 Consultancy Services Panel Tender.

1. 2MH Consulting	19. Conybeare Morrison	37. JHK & Associates	55. Rapid Map Global & Iconyx Division
2. 3D Concepts (Craig James)	20. CT Management Group	38. JJ Ryan Consulting	56. Reliance Engineering Services
3. ACT Geotechnical Engineers	21. D & N Geotechnical	39. John McAslan & Partners	57. Root Partnership
4. Adjic Group	22. DJ Gabriel Consulting	40. Jones Nicholson	58. Sala4D
5. Anditi	23. Douglas Partners	41. Kellogg Brown & Root	59. SEEC
6. ARRB Group	24. Dutailis Architects	42. Kyeam Architecture	60. Shelton Thomson
7. Barker Ryan Stewart	25. DWP	43. Land Team	61. SoCo Architecture
8. Bitzios Consulting	26. Ecology Consulting	44. Local Architect South Coast	62. SQC Group
9. BKA Architecture	27. Edmiston Jones	45. Macrozamia Environmental	63. Streetwise Road safety
10. Brewster Hjorth Architects	28. EDP Consultants	46. Makereng	64. Talis Consultants
11. Built Environment Collective	29. Engeny Water Management	47. MBMPL	65. Tcubed Consulting
12. Caldis Cook Group Architects	30. Facility Design Group	48. Morrison Low Consultants	66. Public Works
13. Capital 2 Coast Management	31. Footprint	49. Muller Partnership	67. Trustees for Mayoh Family Trust
14. CK Architecture	32. Genium Civil Engineering	50. NGH	68. Tim Lee
15. Cleah Consulting	33. Geosyntec Consultants	51. OzArk Environment & Heritage	69. Tonkin Consulting
16. Clement & Reid	34. GHD	52. Pavement Management services	70. Traffic works
17. Collins & Turner	35. Highlands Design & Drafting	53. Premise Australia	71. Turner & Townsend Thinc
18. Complete Urban Design	36. Hunter H2O Holdings	54. Quantum Traffic	72. VG Project Group

- Council delegate authority to the Chief Executive Officer to extend these contracts by up to two (2) one (1) year extensions subject to satisfactory performance.

REPORT

Council regularly requires assistance from consultants to undertake various tasks associated with the delivery of the annual maintenance and capital works programs. To improve Council's level of service in undertaking both these programs, Council is required to establish a panel of suitably qualified consultants with the ability to deliver Council with expertise on an as required basis.

This consultancy assistance required is wide ranging and a summary of services required:

- Design
 - Architectural Design
 - Drainage Investigation and Design
 - Road Design including geometric design, earthworks, drainage, hydrology & hydraulics, pavement, intersections, line marking, signs and furniture
 - Structural and Bridge Design
 - Water, Sewer and Waste Management
- Survey
 - Cadastral Surveying, boundary definition and easements
 - Surveys for Civil Works, engineering design and site set out
 - Utility Location and Subsurface Mapping
- Traffic Engineering
 - Traffic Counts and assessments
 - Traffic modelling
 - Intersection assessment
 - Road Safety Auditing
 - Heavy vehicle route assessment
 - Traffic Management Plans
- Geotechnical and Pavement
 - Site investigation material testing and assessments
 - Pavement Investigation and Interpretation of Test Results and Advice
 - Geotechnical Investigation, Assessment, and Interpretation
 - Foundation assessment and classification
- Assessment
 - Environmental Impact Assessment Preliminary Environment Investigations
 - Aboriginal Cultural Heritage
- Estimating
 - Estimating Services - General
- Project Management Services
 - Project Management
 - Construction Management
- Asset Management
 - Asset Condition survey

- Asset Data Processing
- Asset Management Plan Development

This proposed panel of specialist consultants encompasses entire Council offering options to engage expertise when needed. Due to the vast nature of the expertise, a large panel is required to ensure appropriate coverage of consultants whilst also ensuring Council receive best value for money when undertaking specific engagements.

The consultancy panel will make it easier for consultants to work with the Goulburn Mulwaree Council through a streamlined and consistent procurement approach. The purpose of the panel is to register Consultants commensurate with their technical capacity, resources, management systems and recent past performance.

The contract is initially for a period of three (3) years with an option to extend the contract for a further 2 years. The contract term may be extended by a further 12 months at the sole discretion of Council, subject to satisfactory performance.

The decision to extend the engagement will depend on the Contractor's performance during the initial term and in consideration of the circumstances at that time.

Council undertook a Public tender process in accordance with Section 55 of the Local Government Act, 1993, Local Government (General) Regulation, 2005 and Tendering Guidelines of NSW Local Government (General) Regulation, 2009.

The RFT process started with an advertisement on Tenderlink from 9th August 2022 and the Goulburn Post Weekly on the 11th August 2022. The Closing Date for receipt of Tender was 6th September 2022.

Following the evaluation, the panel recommend to the Procurement Delegate the preferred tenderers with a view to formalising a panel of suppliers.

In total Council received seventy-two (72) tenders by the closing date. Tenders were received from the following companies:

1. 2MH Consulting	19. Conybeare Morrison	37. JHK & Associates	55. Rapid Map Global & Iconyx Division
2. 3D Concepts (Craig James)	20. CT Management Group	38. JJ Ryan Consulting	56. Reliance Engineering Services
3. ACT Geotechnical Engineers	21. D & N Geotechnical	39. John McAslan & Partners	57. Root Partnership
4. Adjic Group	22. DJ Gabriel Consulting	40. Jones Nicholson	58. Sala4D
5. Anditi	23. Douglas Partners	41. Kellogg Brown & Root	59. SEEC
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7. Barker Ryan Stewart	25. DWP	43. Land Team	61. SoCo Architecture
8. Bitzios Consulting	26. Ecology Consulting	44. Local Architect South Coast	62. SQC Group
9. BKA Architecture	27. Edmiston Jones	45. Macrozamia Environmental	63. Streetwise Road safety
10. Brewster Hjorth Architects	28. EDP Consultants	46. Makereng	64. Talis Consultants
11. Built Environment Collective	29. Engeny Water Management	47. MBMPL	65. Tcubed Consulting
12. Caldis Cook Group Architects	30. Facility Design Group	48. Morrison Low Consultants	66. Public Works
13. Capital 2 Coast Management	31. Footprint	49. Muller Partnership	67. Trustees for Mayoh Family Trust
14. CK Architecture	32. Genium Civil Engineering	50. NGH	68. Tim Lee
15. Cleah Consulting	33. Geosyntec Consultants	51. OzArk Environment & Heritage	69. Tonkin Consulting
16. Clement & Reid	34. GHD	52. Pavement Management services	70. Traffic works
17. Collins & Turner	35. Highlands Design & Drafting	53. Premise Australia	71. Turner & Townsend Thinc

18. Complete Urban Design	36. Hunter H2O Holdings	54. Quantum Traffic	72. VG Project Group
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The Tender Evaluation Panel (TEP) was established. The TEP consisted of:

- Chair – Business Manager Projects
- Member – Business Manager Assets and Design
- Member – Business Manager Infrastructure

The evaluation process was carried out as outlined in the Tender Plan. The Tender Plan was completed and signed prior to the advertisement.

The final Evaluation Report is attached to the Council Report

The panel met to determine whether the tenders were conforming to the mandatory requirements. Price was kept separate from the evaluation of the non-price criteria to avoid bias in the non-price evaluation.

The Evaluation Panel determined that all submissions complied with the non-price eligibility criteria for the RFT in general the submissions where of a high standard. The panel noted it was encouraging to assess such high standard of submissions from a large pool of consultants interested in working with Council.

Given the panel arrangement, and based on the evaluation process and resultant scores, the Panel recommends all respondents are included on the Consultancy Services Panel for Goulburn Mulwaree Council for a period of Three (3) years with the option/s to extend the term by Two (2) x One (1) - year options. The decision to extend will be based on provider performance and at the sole discretion of Council.

Subsequent engagement for consultancy services will subject to the preparation and submission of more detailed project specific briefs. Any future engagements will be undertaken in line with Council Procurement Policy.

The Evaluation Report is included with the Closed Session reports in accordance with s10A(2)(d) *Local Government Act 1993* as it contains commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

15.5 VP312127 JERRARA ROAD HEAVY PATCHING

Author: Director Operations

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. RFQ Evaluation Report for Jerrara Rd - 20092022.pdf - Confidential

Link to Community Strategic Plan:	18. Our Infrastructure IN3 Maintain and improve road infrastructure and connectivity.
Cost to Council:	The cost of repair works is \$2,425,558.00 and is to be initially met by Council from the Multiquip s94 and is to be recovered in a series of quarterly installments.
Use of Reserve Funds:	Multiquip s94 Reserve 38155 & 38156 Note: This reserve has a negative balance which will be increased as a result of these works.

RECOMMENDATION

That

1. The report from the Director of Operations be received for the Request for Quotation (RFQ) for Jerrara Rd Heavy Patching.
2. Council accepts the RFQ for Jerrara Rd Heavy Patching from the Pavement Stabilisation Panel VP271768 member Roadworx Surfacing for a lump sum price of \$2,425,558.00 (GST Incl).
3. The Chief Executive Officer be authorised to approve variations of up to 15% of the Contract Sum being \$ 363,833.70 (GST Incl).

BACKGROUND

On 20th September 2009, Multiquip Quarries received project approval (MP07_0155) under the now repealed part 3A of the *Environmental Planning and Assessment Act 1979* (AP&A Act) for the Ardmore Park Quarry.

Under approval (MP07_0155) Multiquip had several conditions that it was required to meet, with Multiquip failing to comply with a number of these conditions. These failings have now seen the Multiquip Haulage route to Ardmore Park compromised.

The Multiquip Haulage route issue has been reported to Council on several occasions with Council updated on 3 August 2021, 21 September 2021, 2 November 2021, 17 May 2022 and with the latest report submitted on 20th September 2022.

The latest report submitted to council on 20th September 2022 outlines the next phase of works required along this route.

REPORT

On 13th July 2022, Council undertook a Request for Quotation (RFQ) under a contract established by a prescribed person in accordance with Section 55 of the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Tendering Guidelines of the *NSW Local Government (General) Regulation 2009*.

This RFQ was offered to Goulburn Mulwaree Councils Pavement Stabilisation Panel VP 271768. The companies that responded to this RFQ are:

Company	Address
Roadworx Surfacing	56 Marley Place UNANDERRA NSW 2526
Stabilisation Pavement Australia Pty Ltd	234 Wisemans Ferry Road, Somersby NSW 2250
Denrith Pty Ltd	282 Carrick Rd GOULBURN NSW 2580

A RFQ Evaluation Panel was established, with the panel consisting of:

- Business Manager Projects principal (Chair)
- Natural Disaster Project Engineer ; and
- Natural Disaster Coordinator

A preliminary evaluation was carried out by the Panel to confirm if individual quotes were compliant with the RFQ documentation. During the preliminary evaluation the evaluation panel determined that all quotations conformed and as such all were assessed against the criteria.

The evaluation criteria and weightings as set out in the RFQ document are:

- Company experience, understanding of the project and performance 25%
- Company capability and resourcing 5%
- Quality, Safety, Traffic Control and Environmental Management Processes and Systems 5%
- Proposed timeframe and project schedule 5%
- Price 60%

The RFQ Evaluation Panel met to evaluate the quotes on 25th August 2022. During this meeting it was identified that there were matters which required further clarification from each of the respondents. Clarifications were sort from all respondents on the 29th August 2022 which required resubmission on the 5th September 2022. Stabilised Pavements Australia did not respond to the request for clarification on the 5th September 2022.

The RFQ Evaluation Panel met again on the 16th September 2022 and re-evaluated the RFQ's against the evaluation criteria as set out in the RFQ documentation and which is outlined above.

Evaluation of the quotes received against the criteria established an overall Value for Money ranking as shown in the following table:

Company Name	Ranking
Roadworx	1
Divalls Pty Ltd	2

The Evaluation panel was satisfied that all companies considered for detailed evaluation could all meet the requirements outlined in the RFQ documentation.

The Evaluation panel determined that Roadworx Surfacing response was generally well considered and the evaluation panel determined a low level of risk and high level of confidence in the claims of the Contractor. The rates received varied in value for money between quotes but based on the individual service required and the evaluation report the Evaluation panel recommends that Council approves Roadworx Surfacing as the preferred contractor for the Jerrara Rd Heavy Patching works.

The cost of these works plus earlier drainage and pavement repair works are to be included in the Deed of Agreement referenced in previous Council Reports, including the the Multiquip Haulage Route Repairs August 2022 Status Report (Item 15.4).

The Evaluation report is included with the Closed Session reports in accordance with S10A(2) (d) *Local Government Act 1993* as it contains commercial information that would, if discussed, prejudice the commercial position of the person who supplied it. It is therefore not appropriate for this information to be provided in an Open Session.

15.6 VP271768 TOWRANG ROAD PAVEMENT STABILISATION REHABILITATION

Author: Business Manager Works
 Director Operations

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Towrang Road Stabilised Patching Evaluation - Confidential

Link to Community Strategic Plan:	18. Our Infrastructure IN3 Maintain and improve road infrastructure and connectivity.
Cost to Council:	\$494,623.3 (excl GST) funded from the allocated project budget within the 2022/23 Capital Works program
Use of Reserve Funds:	Nil

RECOMMENDATION

That

1. The report from the Business Manager of Works on the pavement stabilisation of Towrang Road be received
2. Council approve Roadworx Surfacing Pty Ltd to deliver the works on Towrang Road in accordance with VP271768 for a price of \$494,623.30 (excl GST)
3. The Chief Executive Officer is authorised to approve variations up to five (5) percent of the contract amount being (\$24,731.00)

BACKGROUND

Council's 2022/23 Capital Works program includes select roads which require pavement rehabilitation in the form of stabilised heavy patching.

Since the development of the 2022/23 Capital Works Program in November 2021 Towrang Road has deteriorated substantially which prompted a report on the 17 August 2022 to the Executive requesting \$530,000 of additional funds be made available for pavement rehabilitation works as an addition to the 2022/23 pavement rehabilitation program.

REPORT

During the 1 March 2022 Council Meeting (Item 15.3) Council resolved to establish a panel of four (4) suitably qualified and experienced pavement stabilisation companies to assist with the delivery of maintenance and capital works programs on an as required basis.

Within the VP271768 Pavement Stabilisation Panel Contractors have submitted schedule of rate items specific to different additive types based on the depth of the treatment and the m2 of patching required per road.

Given that the contractors have already been approved onto the VP271768 Pavement Stabilisation Panel via a select schedule of rates, this report is to summarise the schedule of rates based on the responses received and recommend a successful contractor to undertake the pavement stabilisation on Towrang Road.

Based on the evaluation process and value for money scores, the Business Manager of Works recommends Roadworx Surfacing Pty Ltd as the preferred company to deliver the stabilised heavy patching works on Towrang Road as part of the 2022/23 Capital Works Program as their submission represents the best value for money option to Council and is within the allocated budget for the works.

The Evaluation summary is included with the Closed Session reports in accordance with s10A(2)(d) Local Government Act 1993 as it contains commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

15.7 VP310613 - WINDELLAMA ROAD REHABILITATION STAGE 3 (FIXING LOCAL ROADS)

Author: Business Manager Works
 Director Operations

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. VP310613 - Evaluation Sheet - Confidential
 2. VP310613 - Evaluation Report - Confidential

Link to Community Strategic Plan:	18. Our Infrastructure IN3 Maintain and improve road infrastructure and connectivity.
Cost to Council:	Works funded through the TfNSW Fixing Local Roads program to the value of \$4,564,860 and 2021/22 + 2022/23 Roads to Recovery allocation of \$1,000,000 Total Budget \$5,564,860 Cost of Stage 2 RFQ component \$821,101 (Excl GST)
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. That the report from the Business Manager of Works on the VP310613 Windellama Road Rehabilitation Stage 3 (Fixing Local Roads) be received
2. The Request for Quotation from Coopers Earthmoving Pty Ltd be accepted for the VP310613 Windellama Road Rehabilitation Stage 3 (Fixing Local Roads) Grant scope at a tender price of \$821,101 (Excl GST) as outlined in the specification and documents in VP310613.
3. The Chief Executive Officer is authorised to approve variations of up to 10% (\$82,110) Excl GST for this project.

BACKGROUND

On the 31st May 2021 Council were successful in obtaining Grant funding through TfNSW Fixing Local Roads Program for large scale road rehabilitation works on Windellama Road across a combined distance of 16.1km.

The project budget has also been supplemented from the 2021/22 and 2022/23 Roads to Recovery allocations for Goulburn Mulwaree Council.

The delivery of this project has been split over 5 stages in accordance with the work required on each stage and will be delivered by a combination of both GMC construction crews and civil contract crews.

Works commenced on site in September 2021 and will be completed by May 2023 as per the funding conditions of the Grant.

REPORT

This report is to summarise the responses received and recommend a successful contractor to undertake Stage 3 of the works which is located between the Windellama Road/Muffets Lane Intersection back to the Stage 2 works currently being delivered.

Request for Quotations (RFQ) were called for on 5th August 2022 through Vendorpanel VP310613 Fixing Local Roads Windellama Road Rehabilitation Stage 3. RFQ documentation was sent to four (4) members of the Prescribed 2021T0016 Minor Civil Works Panel.

The RFQ closed on 2nd September 2022 three (3) submissions were received from the following companies:

Company	Address
Coopers Earthmoving & Haulage Pty Ltd	PO Box 181 MARULAN NSW 2579
Denrith Pty Ltd	282 Carrick Rd GOULBURN NSW 2580
JCF Contracting	PO Box 531 Goulburn NSW 2580

A Tender Evaluation Panel (TEP) was established. The TEP consisted of:

- Construction Engineer (Chair)
- Business Manager Works
- Project Engineer Operations

The evaluation process was carried out by the panel following the process as outlined in the Evaluation Plan. The Evaluation Plan was completed, reviewed and signed by all members of the Evaluation Panel and approved by authorised executive officers.

The final Evaluation Report is attached to this Council report as a confidential attachment due to the commercial in confidence nature of the information.

The panel met to determine whether the tenders were conforming to mandatory submission requirements. For this evaluation two (2) tenders were deemed conforming. The panel then completed the detailed evaluation of all criteria in accordance with the following weightings:

- Company Capability and Resourcing 10 %
- Project Appreciation and Methodology 10 %
- Program of Works 10%
- Management Systems 10%
- Price 60 %

The overall Value For Money (VFM) was assessed and the overall ranking were determined as follows:

Ranking	Tenderer
1	Coopers Earthmoving & Haulage Pty Ltd
2	Denrith Pty Ltd

Following the completion of the evaluation process the Evaluation Panel recommends Coopers Earthmoving & Haulage Pty Ltd as the preferred contractor in accordance with the documentation for VP310613. This recommendation is based on Coopers Earthmoving & Haulage Pty Ltd having the highest VFM ranking proponent at the completion of the evaluation process.

Coopers Earthmoving & Haulage Pty Ltd have undertaken similar works for Goulburn Mulwaree Council in the past and are in the process of delivering stage 2 works for the same project so have a good appreciation to the project’s requirements.



The Evaluation Report is included with the Closed Session reports in accordance with s10A(2)(d) *Local Government Act 1993* as it contains commercial information that would, if disclosed,

prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

15.8 REQUEST FOR FINANCIAL ASSISTANCE - ROTARY CLUB OF GOULBURN

Author: Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

- Attachments:**
1. **Application for Financial Assistance - Rotary Club of Goulburn Inc.**

 2. **Booking Enquiry & Quote for Venue Hire** 

Link to Community Strategic Plan:	CSP Strategy C02 – Encourage and facilitate active and creative participation in community life.
Cost to Council:	Funds are available in the budget for donations made under the Financial Assistance Policy. There is a budget of \$80,000 for grants issued under this policy in the 2022/23 Financial Year. Approval of the recommendations contained within this Business Paper would leave a remaining amount of \$61,497 for future contributions.
Use of Reserve Funds:	Not applicable. Budgeted amount funded from revenue.

RECOMMENDATION

That

1. The report from the Director Corporate & Community Services on the Request for Financial Assistance – Rotary Club of Goulburn be received
2. Council provides in-kind support of \$896.00 (inc. GST), representing 50% of the hire fees for the venue hire of Peden Pavilion at the Recreation Area, to be funded via transfer from the Financial Assistance and Reduction or Waiver of Council Fees & Charges Policy budget.

BACKGROUND

At its meeting on 21 June 2022, Council adopted the new Financial Assistance and Reduction or Waiver of Council Fees & Charges Policy. Under this Policy, applications seeking funding for amounts greater than \$1,000 are reported to Council for approval.

REPORT

The Rotary Club of Goulburn are seeking financial assistance in the form of “in-kind” support for the use of the Peden Pavilion at the Goulburn Recreation Area for the Goulburn Rotary Book Fair to be held from 8th October to 15th October 2022.

The Goulburn Rotary Book Fair has been operating for many years and is one of the Goulburn Rotary Club’s annual fundraising events. All funds raised to towards Rotary charities and projects.

A copy of their application and a quote for hire fees is attached to this report.

Given the benefit that this event provides to the community it is recommended that \$896 “in-kind” support be approved. This represents 50% of the venue hire fees which is in accordance with the Financial Assistance and Reduction or Waiver of Council Fees & Charges Policy.



Application for Financial Assistance Reduction or Waiver of Council Fees & Charges

Applicant / Organisation Details

Name:	Rotary Club of Goulburn Inc.
Address:	PO BOX 140 Goulburn NSW 2580
Contact Person:	Sarah Ruberto
Telephone:	0419 491 280
Email Address:	glbrotary@gmail.com

Amount Applied for (including GST if applicable)

\$ 1,792.00 _____

Which Funding Stream are you applying under? (Please select below)

*Financial Assistance for Community Events and/or projects
(See below)*

*Mayor's Discretionary Fund
(See below)*

Please select if the request for a fee waiver or reduction:

Funding Principles:

Funding is available under the following funding streams:

- **Financial Assistance for Community Events, Projects and Representation**
Financial contribution to assist with the cost of a community event and/or project or to assist individuals/groups representing their community.

This stream is made available for:

- Funding requested by community and/or charitable organisations for events that do not satisfy the criteria under the *Event Development Funding Policy*.
- Funding requested by community and/or charitable organisations for projects that add value to the community.
- Financial support requested by members of the community to represent or participate in events (both sporting and cultural) at a national or international level.

Funding under this stream will be capped at \$10,000 and may be in the form of financial contribution, in-kind support or up to 50% fee waiver for Council venue hire.

Application for Financial Assistance

Mayor’s Discretionary Fund

Financial assistance available at the discretion of the Mayor to assist with small projects and community initiatives.

This stream will be reserved for donations to charitable and “not for profit” organisations.

▪ **Reduction or Waiver of Council Fees & Charges**

Consistent and equitable assessment of requests for the reduction or waiver of Council fees and charges for the use of Council facilities and / or services provided by Council.

Eligibility

To be eligible for a reduction or waiver the applicant must be considered in at least one of the following categories:

- Charitable organisation
- Be a non-profit organisation and dependent upon amount requested, may be asked to provide audited financial accounts
- Pensioner groups
- Community groups
- Schools and any group/organisation as determined from time to time by Council
- Demonstrate special circumstances as determined by the Chief Executive Officer or Council’s delegated staff

Council **will not** consider applications to waive fees and charges for:

- Any profit-making ventures for commercial entities
- Any activity, event or program that contravenes Council’s existing policies
- The bond associated with the use of Council facilities, (only the waiver of fees for an activity, event or function will be considered)
- Retrospective applications, including refunds

(Refer to the Policy Document for further information on funding criteria)

Priority will be given to –

- Projects/events which support welfare activities
- Projects/events which support the priorities of the various plans adopted by Council
- Projects/events which have not previously received funding
- Areas where there is an obvious and documented community/local need
- Areas where the need is considered greatest

Application for Financial Assistance
Effective from 19 July 2022 to 30 June 2025

Application for Financial Assistance

Other Grant Funding

Please provide details of funding received from other sources either approved or pending.

Nil.

In-kind support being provided by the Goulburn AP&H Society regarding provision of trestle tables and access to lifting equipment for the Book Fair.

Application for Financial Assistance
Effective from 19 July 2022 to 30 June 2025

Application for Financial Assistance

Description of the Project, Service or Event *(attach additional pages if space is insufficient)*

When completing this section please provide as much information as possible including details on the following where applicable:

- What identified community need does this project seek to fulfil?
- If an event, what are the benefits to the Goulburn Mulwaree area e.g. number of visitors
- Who will benefit from the project/event (include target groups and/or users & attach letters of support if applicable)

The Goulburn Rotary Book Fair has been operating for many years, as one of Goulburn Rotary Club's annual fundraising events.

With a focus on second hand book sales, the Book Fair provides the local community and visitors access to a wide range of second hand literature at a very low price. 10s of thousands of books are sold each year, assisting with literacy and enjoyment of reading in the community.

Due to COVID-19, the Book Fair has not been held for the last two years, and the Peden Pavillion provides an accessible and large venue to hold this long awaited annual event. This will be the first year the Book Fair has been held outside the CBD, and we look forward to welcoming people back to the 8 day Fair, commencing Saturday 8th October, running through to the 15th October.

All funds raised go towards Rotary charities and projects, locally, nationally and internationally.

Application for Financial Assistance
 Effective from 19 July 2022 to 30 June 2025

Application for Financial Assistance

Financial Information
 For applications seeking funding of **\$5,000** and above, the application **must** be accompanied by financial statements.

Application checklist – Please complete before signing the Declaration

- Have you read and understood the guidelines?
- Have you completed ALL sections of the application form?
- Have you attached all relevant supporting information?
- Have you included ALL Financial Information if applicable?
- Has the application been signed?
- Have you kept a copy of your application for your own records?

Declaration			
I/We certify that, to the best of my/our knowledge, the information of this application is true and correct			
Signature		Signature	
Name	Sarah Ruberto	Name	
Position	Rotarian	Position	

NOTES

- All applications are to be returned to Goulburn Mulwaree Council, Locked Bag 22 Goulburn NSW 2580
- **Incomplete applications or applications with insufficient information will not be accepted.**

Council collects personal information only for a lawful purpose that is directly related to Council’s functions and activities. Council is required under the Privacy and Personal Information Protection Act 1998 (PPIA) to collect, maintain and use your personal information in accordance with the Privacy Principles and other relevant requirements of the PPIPA. For further information or clarification please contact Council’s Governance Office or refer to Council’s Privacy Management Policy at www.goulburn.nsw.gov.au

Application for Financial Assistance
 Effective from 19 July 2022 to 30 June 2025

Booking Quote 4056



Locked Bag No. 22
GOULBURN NSW 2580

23 May 2022

ROTARY CLUB OF GOULBURN
SARAH RUBERTO
PO BOX 140
GOULBURN NSW 2580

Dear SARAH,

Subject: Booking Enquiry & Quote

Please find below the details and quote for your booking enquiry.

Booking particulars

Booking Reference Number	60089 to 60104 inclusive
Event Description	Rotary Book Fair
Booking Status	Confirmed
Phone number on file	

Booking Details

Facility Booked	Date	From	To	Charges (inc GST)
Area P Pavilion only	04 Oct 2022	08:00 AM	08:00 PM	\$0.00
Area P Pavilion only	05 Oct 2022	08:00 AM	08:00 PM	\$0.00
Area P Pavilion only	06 Oct 2022	08:00 AM	08:00 PM	\$0.00
Area P Pavilion only	07 Oct 2022	08:00 AM	08:00 PM	\$0.00
Area P Pavilion only	08 Oct 2022	08:00 AM	08:00 PM	\$224.00
Area P Pavilion only	09 Oct 2022	08:00 AM	08:00 PM	\$224.00
Area P Pavilion only	10 Oct 2022	08:00 AM	08:00 PM	\$224.00
Area P Pavilion only	11 Oct 2022	08:00 AM	08:00 PM	\$224.00
Area P Pavilion only	12 Oct 2022	08:00 AM	08:00 PM	\$224.00
Area P Pavilion only	13 Oct 2022	08:00 AM	08:00 PM	\$224.00
Area P Pavilion only	14 Oct 2022	08:00 AM	08:00 PM	\$224.00
	15 Oct 2022	08:00 AM	08:00 PM	\$224.00
	16 Oct 2022	08:00 AM	08:00 PM	\$0.00
	17 Oct 2022	08:00 AM	08:00 PM	\$0.00
	18 Oct 2022	08:00 AM	08:00 PM	\$0.00
	19 Oct 2022	08:00 AM	08:00 PM	\$0.00

GRAND TOTAL GST \$162.88
GRAND TOTAL (inc GST) \$1 792.00

15.9 REQUESTS FOR FINANCIAL ASSISTANCE - GOULBURN & DISTRICT ART SOCIETY INC.

Author: Brendan Hollands, Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. **Application for Financial Assistance - Goulburn & District Art Society Inc.**  

Link to Community Strategic Plan:	CSP Strategy C02 – Encourage and facilitate active and creative participation in community life.
Cost to Council:	Funds are available in the budget for donations made under the Financial Assistance Policy. There is a budget of \$80,000 for grants issued under this policy in the 2022/23 financial year. Approval of the recommendations contained within this meeting’s agenda would leave a remaining amount of \$58,997 for future contributions.
Use of Reserve Funds:	Not Applicable. Budgeted amount funded from revenue.

RECOMMENDATION

That

1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance – Goulburn & District Art Society be received.
2. Council provides a cash donation of \$2,500 toward the Goulburn & District Art Society Annual Art Prize event funded from the Financial Assistance budget.

BACKGROUND

At its meeting on 21 June 2022, Council adopted the new Financial Assistance and Reduction or Waiver of Council Fees & Charges Policy. Under this Policy, applications seeking funding for amounts greater than \$1,000 are reported to Council for approval.

REPORT

An application for financial assistance has been received from the Goulburn & District Art Society seeking \$2,500 to assist with their Annual Art Prize which is being held from 7th to 9th October 2022.

The Art Prize is an Open Exhibition and attracts entrants from all the eastern states of Australia including Queensland and Victoria. If awarded the funding will assist with promotional costs, printing and opening night expenses.

It is recommended that Council provide a cash donation of \$2,500 to the annual art prize. This is consistent with level of donations provided to the Art Society in previous financial years toward this event.

A copy of the application is attached for your consideration.



Application for Financial Assistance Reduction or Waiver of Council Fees & Charges

Applicant / Organisation Details

Name:	Goulburn & District Art Society Inc
Address:	2 Bouke St Goulburn PO Box 71 Goulburn NSW
Contact Person:	LESLEY WHITTEN
Telephone:	0417 240 595
Email Address:	goulburnartsociety@gmail.com

Amount Applied for (including GST if applicable)

\$ 2,500.00

Which Funding Stream are you applying under? (Please select below)

Financial Assistance for Community Events and/or projects
(See below)

Mayor's Discretionary Fund
(See below)

Please select if the request for a fee waiver or reduction:

Funding Principles:

Funding is available under the following funding streams:

- **Financial Assistance for Community Events, Projects and Representation**
Financial contribution to assist with the cost of a community event and/or project or to assist individuals/groups representing their community.

This stream is made available for:

- Funding requested by community and/or charitable organisations for events that do not satisfy the criteria under the *Event Development Funding Policy*.
- Funding requested by community and/or charitable organisations for projects that add value to the community.
- Financial support requested by members of the community to represent or participate in events (both sporting and cultural) at a national or international level.

Funding under this stream will be capped at \$10,000 and may be in the form of financial contribution, in-kind support or up to 50% fee waiver for Council venue hire.

Application for Financial Assistance

Mayor’s Discretionary Fund

Financial assistance available at the discretion of the Mayor to assist with small projects and community initiatives.

This stream will be reserved for donations to charitable and “not for profit” organisations.

▪ **Reduction or Waiver of Council Fees & Charges**

Consistent and equitable assessment of requests for the reduction or waiver of Council fees and charges for the use of Council facilities and / or services provided by Council.

Eligibility

To be eligible for a reduction or waiver the applicant must be considered in at least one of the following categories:

- Charitable organisation
- Be a non-profit organisation and dependent upon amount requested, may be asked to provide audited financial accounts
- Pensioner groups
- Community groups
- Schools and any group/organisation as determined from time to time by Council
- Demonstrate special circumstances as determined by the Chief Executive Officer or Council’s delegated staff

Council **will not** consider applications to waive fees and charges for:

- Any profit-making ventures for commercial entities
- Any activity, event or program that contravenes Council’s existing policies
- The bond associated with the use of Council facilities, (only the waiver of fees for an activity, event or function will be considered)
- Retrospective applications, including refunds

(Refer to the Policy Document for further information on funding criteria)

Priority will be given to –

- Projects/events which support welfare activities
- Projects/events which support the priorities of the various plans adopted by Council
- Projects/events which have not previously received funding
- Areas where there is an obvious and documented community/local need
- Areas where the need is considered greatest

Application for Financial Assistance
Effective from 19 July 2022 to 30 June 2025

DESCRIPTION OF THE EVENT

EVENT:

The Goulburn & District Art Society's Annual Art Prize (also known as The Goulburn Workers Club Annual Art Prize) will be held Between 7 October to 9 October 2022 inclusive.

The Goulburn & District Art Society (GDAS) has held this exhibition since 1998 in the auditorium at The Goulburn Workers Club except for the years 2020 and 2021 due to Covid 19.

The event is open to all artists and we receive entries from Queensland, Tasmania, Victoria and the ACT as well as many from our local artists including Sydney, regional NSW, the Central Coast, the South Coast and in between.

Goulburn benefits from this event as artists bring family and friends here for the weekend and travellers passing through our city call in.

GDAS is proud to give all artists, especially those in our community, this opportunity to exhibit and perhaps sell their art. The event is judged by an acclaimed artist and each category is awarded first and second prize with an overall prize of \$2000.

The prize money in total will be \$6,750 this year as we have gained donations from local businesses and private citizens.

As GDAS is a not for profit organisation, assistance from Council is needed to provide for printing, signage and advertising the event in Canberra, the Southern Highlands and locally.

Our members provide the prizes for the raffle we hold during this exhibition and this year we are donating proceeds of this raffle to The Crescent /school in Goulburn.

Application for Financial Assistance

Description of the Project, Service or Event *(attach additional pages if space is insufficient)*

When completing this section please provide as much information as possible including details on the following where applicable:

- What identified community need does this project seek to fulfil?
- If an event, what are the benefits to the Goulburn Mulwaree area e.g. number of visitors
- Who will benefit from the project/event (include target groups and/or users & attach letters of support if applicable)

Application for Financial Assistance
Effective from 19 July 2022 to 30 June 2025

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OTHER GRANT FUNDING

Goulburn Mitre 10	\$650
The Workers Sports Council	\$650
The Workers Club	\$1000 plus use of Auditorium
Southern Meats, Goulburn	\$500
Private Citizens	\$500
O'Rourke	\$300
Andrew Lin	\$100

There are further donations coming but as yet we do not know the amounts.

Application for Financial Assistance

Other Grant Funding

Please provide details of funding received from other sources either approved or pending.

Application for Financial Assistance
Effective from 19 July 2022 to 30 June 2025

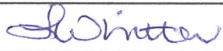
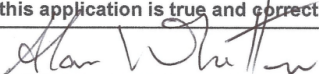
Application for Financial Assistance

Financial Information

For applications seeking funding of **\$5,000** and above, the application **must** be accompanied by financial statements.

Application checklist – Please complete before signing the Declaration

- Have you read and understood the guidelines?
- Have you completed ALL sections of the application form?
- Have you attached all relevant supporting information?
- Have you included ALL Financial Information if applicable?
- Has the application been signed?
- Have you kept a copy of your application for your own records?

Declaration			
I/We certify that, to the best of my/our knowledge, the information of this application is true and correct			
Signature		Signature	
Name	LESLEY WHITTEN	Name	ALAN WHITTEN
Position	SECRETARY	Position	TREASURER

NOTES

- All applications are to be returned to Goulburn Mulwaree Council, Locked Bag 22 Goulburn NSW 2580
- **Incomplete applications or applications with insufficient information will not be accepted.**

Council collects personal information only for a lawful purpose that is directly related to Council's functions and activities. Council is required under the Privacy and Personal Information Protection Act 1998 (PPIA) to collect, maintain and use your personal information in accordance with the Privacy Principles and other relevant requirements of the PPIA. For further information or clarification please contact Council's Governance Office or refer to Council's Privacy Management Policy at www.goulburn.nsw.gov.au

Application for Financial Assistance
Effective from 19 July 2022 to 30 June 2025

15.10 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN 2021-2022

Author: Business Manager Governance

Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Register of Disclosures by Councillor and Designated Persons Return - 2021-2022 [↓](#) 

Link to Community Strategic Plan:	25. Our Civic Leadership CL1 Effect resourceful and respectful leadership and attentive representation of the community.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That

1. The report from the Business Manager Governance on Disclosures by Councillors and Designated Persons Return 2021-2022 be received.
2. The Register of Disclosures by Councillors and Designated Persons Return 2021-2022, as tabled, be noted.

BACKGROUND

The purpose of the report is to table the Disclosure of Interests Return in accordance with Section 4.21 Council’s Code of Conduct (the Code).

REPORT

In accordance with section 4.21 of the Code, Councillors and designated persons must make and lodge a return in the form set out in Schedule 2 of the Code.

Section 4.8 of the Code identifies that the Chief Executive Officer and other senior staff of Council are designated persons. Council may also identify a member of staff or a delegate or member of a Council committee to be considered a designated person.

Council has previously identified positions which are thought to fit within this definition. The occupants of those positions are considered designated persons in accordance with section 4.8 of the Code. Attached is a list of Councillors and the positions identified as designated persons.

Due to a vacancy for the position of Business Manager Finance, a return has not been received for the designated person. A return for the designated person, Director of Operations has not been received.

The returns are considered open access information in accordance with the *Government Information (Public Access) Act 2009*. The returns are placed on a Register of Returns which is available for inspection and is tabled at the Council meeting in accordance with the requirements of section 4.26 of the Code. The returns will also be made available on Council’s website.

Register of Disclosures by Councillor and Designated Persons Return - 2021-2022

Position	Directorate
Business Manager Finance	Corporate & Community Services
Business Manager Governance	Corporate & Community Services
Business Manager Innovation Technology	Corporate & Community Services
Business Manager Marketing Events & Culture	Corporate & Community Services
Business Manager Property & Community Services	Corporate & Community Services
Councillor	Council
Councillor	Council
Councillor	Council
Councillor	Council
Councillor	Council
Councillor	Council
Councillor	Council
Councillor	Council
Councillor	Council
Business Manager Human Resources	Executive
Chief Executive Officer	Executive
Director Corporate & Community Services	Executive
Director Operations	Executive
Director Planning & Environment	Executive
Director Utilities	Executive
Business Manager Community Facilities	Operations
Business Manager Design & Asset Management	Operations
Business Manager Projects	Operations
Business Manager Works	Operations
Assistant Building Surveyor	Planning & Environment
Assistant Development Assessment Officer	Planning & Environment
Building Surveyor	Planning & Environment
Building Surveyor	Planning & Environment
Business Manager Environment & Health	Planning & Environment
Business Manager Planning & Development	Planning & Environment
Business Manager Strategic Planning	Planning & Environment
Development Assessment Officer	Planning & Environment
Environment & Biodiversity Assessment Officer	Planning & Environment
Environmental Health & Compliance Coordinator	Planning & Environment
Environmental Health Officer	Planning & Environment
Environmental Health Officer	Planning & Environment
Landscape & Heritage Planner	Planning & Environment
Regulatory Services Coordinator	Planning & Environment
Senior Building Surveyor	Planning & Environment
Senior Building Surveyor	Planning & Environment
Senior Development Assessment Officer	Planning & Environment
Senior Development Assessment Officer	Planning & Environment
Senior Development Assessment Officer	Planning & Environment
Senior Strategic Planner	Planning & Environment
Senior Strategic Planner	Planning & Environment
Team Leader Building Surveying	Planning & Environment
Team Leader Development Assessment	Planning & Environment
Business Manager Infrastructure	Utilities
Business Manager Waste & Recycling	Utilities
Business Manager Water Operations	Utilities

15.11 POLICY REVIEW

Authors: Business Manager Governance
 Director Corporate & Community Services
 Director Utilities

Authoriser: Aaron Johansson, Chief Executive Officer

- Attachments:**
1. Closed Circuit Television CCTV Code of Practice [↓](#) 
 2. Complaint Handling Policy [↓](#) 
 3. Councillor and Staff Interaction Policy [↓](#) 
 4. Fraud Control Policy [↓](#) 
 5. Internal Reporting Policy [↓](#) 
 6. Motor Vehicle and Private Use Policy [↓](#) 
 7. Naming of Roads and Public Places Policy [↓](#) 
 8. Pigeon, Indian Myna and Pest Bird Policy [↓](#) 
 9. Publication of Notices Policy [↓](#) 
 10. Records Management Policy [↓](#) 
 11. Sponsorship Policy [↓](#) 
 12. Sister City and Friendship Region Relationship Policy [↓](#) 
 13. Sustainability Policy [↓](#) 
 14. Unreasonable Complainant Conduct Policy [↓](#) 
 15. Use of Council Brand Materials Policy [↓](#) 

Link to Community Strategic Plan:	25. Our Civic Leadership CL1 Effect resourceful and respectful leadership and attentive representation of the community.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That

1. The report Policy Review from the Business Manager Governance and Director Utilities be received.
2. The following policies be placed on public exhibition for 28 days and if no submissions are received, they be adopted as Council policies:
 - (i) Closed Circuit Television (CCTV) Code of Practice
 - (ii) Complaint Handling Policy
 - (iii) Councillor and Staff Interaction Policy
 - (iv) Fraud Control Policy
 - (v) Internal Reporting Policy
 - (vi) Motor Vehicle and Private Use Policy
 - (vii) Naming of Roads and Public Places Policy
 - (viii) Pigeon, Indian Myna and Pest Bird Policy
 - (ix) Publication of Notices Policy
 - (x) Records Management Policy
 - (xi) Sister City and Friendship Region Relationship Policy

- (xii) Sponsorship Policy
- (xiii) Sustainability Policy
- (xiv) Unreasonable Complainant Conduct Policy
- (xv) Use of Council Brand Materials Policy

3. Any submissions received are to be considered and reported to Council prior to final adoption of the policy(s).

BACKGROUND

This report presents a new policy and a number of policies that have been reviewed in relation to regulatory requirements, relevance and content following the recent Council elections.

The contents of the policies have been discussed at Councillor briefings on 13 September and 27 September 2022.

REPORT

The following policies have been reviewed and the revised policies are now ready to be placed on public exhibition:

- (i) Closed Circuit Television (CCTV) Code of Practice
- (ii) Complaint Handling Policy
- (iii) Councillor and Staff Interaction Policy
- (iv) Fraud Control Policy
- (v) Internal Reporting Policy
- (vi) Motor Vehicle and Private Use Policy
- (vii) Naming of Roads and Public Places Policy
- (viii) Pigeon, Indian Myna and Pest Bird Policy
- (ix) Publication of Notices Policy
- (x) Records Management Policy
- (xi) Sister City and Friendship Region Relationship Policy
- (xii) Sponsorship Policy
- (xiii) Sustainability Policy
- (xiv) Unreasonable Complainant Conduct Policy
- (xv) Use of Council Brand Materials Policy

Closed Circuit Television (CCTV) Code of Practice

The objective of this Policy is to reduce personal and property crime, in association with a range of other crime prevention strategies. The Code of Practice contains standards to guide the operation of Council's CCTV Program.

The Policy changes are:

- Amend reference of General Manager to Chief Executive Officer.
- Amendments to CCTV Locations: addition of Goulburn Performing Arts Centre, update to site names of Goulburn Aquatic Leisure Centre, Rocky Hill War Memorial Museum, update to sites to include CCTV in carpark areas.

Complaint Handling Policy

The objective of this Policy is to provide a framework to assist Council to handle complaints fairly, efficiently and effectively.

The Policy changes are:

- Amend reference of General Manager to Chief Executive Officer.
- Update Directorate to Corporate & Community Services.
- Addition to Related Documents of NSW Ombudsman Complaint Handling Model Policy.
- Remove routine inquiries about Council business from definition of Service Request.
- Additional information on complaint management in relation to internal reviews.
- Added reference to Council's Unreasonable Complainant Conduct Policy.
- Minor changes to wording and grammar throughout policy none of which affects the intent.

Councillor and Staff Interaction Policy

The Staff and Councillor Interaction Policy is a new policy based on the Model Staff and Councillor Interaction Policy issued by the Office of Local Government.

The objective of this Policy is to provide Council with a framework by which Councillors can access information they need to perform their civic functions, and to promote positive and respectful interactions between Councillors and staff. This Policy also sets the standard of interactions between Councillors and staff in accordance with Council's Code of Conduct.

Fraud Control Policy

The objective of this Policy is to outline Council's approach to prevention, detection and investigation of fraud and corruption in and against the Council.

The Policy changes are:

- Amend reference of General Manager to Chief Executive Officer.
- Addition of Employee Handbook to Ethical framework policy list.
- Minor changes to wording and grammar throughout policy none of which affects the intent.

Internal Reporting Policy

The objective of this Policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal.

The Policy changes are:

- Amend reference of General Manager to Chief Executive Officer.
- Remove sections 5 to 21 and include in Internal Reporting Procedure as these sections are procedural in nature.

Motor Vehicle and Private Use Policy

The objective of this Policy is to provide a mechanism to ensure Council's vehicles are effectively allocated and managed.

The Policy changes are:

- Amend reference of General Manager to Chief Executive Officer.
- Removal of Note - Council notes that as a Policy, it wishes vehicle purchase and allocation for private use be kept to a minimum' under Vehicle allocation.

- Amend vehicle replacement of the Chief Executive Officer to be in accordance with Council's Plant and Fleet Replacement Procedure.
- Addition of CPI for contribution for private usage.
- Update directorate to Operations.
- Minor changes to wording and grammar throughout policy none of which affects the intent.

Naming of Roads and Public Places Policy

The objective of this Policy is to establish guidelines for the naming of roads and public places within the Goulburn Mulwaree Council area.

There were no changes to this Policy.

Pigeon, Indian Myna and Pest Bird Policy

The objective of this Policy is to provide guidance to the community and the operations of Council on the actions that will be implemented to control and monitor populations of pest birds, primarily pigeons, in the Goulburn Mulwaree Local Government Area. The objective of the specified actions is to reduce the impact of pest birds in the wider Goulburn Mulwaree landscape.

There were no changes to this Policy.

Publication of Notices Policy

To provide guidelines for the publication of Council notices including public exhibition notifications.

There were no changes to this Policy.

Records Management Policy

The objective of this Policy is to ensure the creation, capture, and management of business records to support good business practices and meet recordkeeping requirements.

The Policy changes are:

- Under Related Documents, removal of the reference to specific disposal authorities GA39 and GA45. NSW State Archives and Records have amended GA39 so other disposal authorities can be used by Council.
- Amend reference of General Manager to Chief Executive Officer.
- Amend section on Emails to Emails treated as records.
- Retention and Disposal – removal of the reference to GA39 and amended to the relevant disposal authority.
- State Archives – removal of the reference that relocation of an archive may not mean to a NSW State Archives repository.

Sister City and Friendship Region Relationship Policy

The objective of this policy is to provide a structured and transparent framework for Goulburn Mulwaree's Council's relationship with its Sister Cities and Friendship Regions.

There were no changes to this Policy.

Sponsorship Policy

The objective of this Policy is to ensure that Council has a consistent corporate approach to sponsorship opportunities. By setting rules and identifying responsibility and accountability levels, the policy is also aimed at heightening awareness of probity issues within Council.

The Policy changes are:

- Minor changes to wording and grammar throughout policy none of which affects the intent.

Sustainability Policy

The objective of this Policy is to 106ecogniz environmental impacts arising from Council operations and improve resource and energy use and efficiency. The policy 106ecognizes that Council has an important role to play in the protection and enhancement of the environment for future generations and supporting sustainability in the wider community.

The Policy changes are:

- Removed the reference to minimising all negative environmental impacts from Council operations.
- Changed the creation of environmentally sustainable communities to supporting sustainability in the wider community.
- Added an objective to continue the integration of sustainability practices into Council functions.
- Removed the specific reference to implementing strategies to reduce our carbon footprint
- Removed the education of staff, the community, subcontractors and suppliers as these are embedded in our processes.
- Removed the section on working towards meeting the obligations of the *Environment Protection and Biodiversity Conservation Act 1999* as this is a legislative requirement.

Unreasonable Complainant Conduct

The objective of this Policy is to provide customers and all Council staff members the framework within which Council will manage unreasonable complainant conduct ('UCC').

The Policy changes are:

- Amend reference of General Manager to Chief Executive Officer.
- Removal of section 6 Procedure When Changing or Restricting a Complainant's Access to Our Services and add to Council's Unreasonable Complainant Conduct Procedure.
- Minor changes to wording to align with the updated NSW Ombudsman's Model Policy.
- Addition of Appendix A Individual rights and mutual responsibilities of the parties to a complaint

Use of Council Brand Materials Policy

The objective of this Policy is to protect the image of Council by preventing the unauthorised and/or improper use of Council's brands and by ensuring that any use of the brands is appropriate.

There were no changes to this Policy.

These policies will be placed on public exhibition for a period of 28 days. If no submissions are received during this period, they will be adopted as the newly revised policies. Submissions on any of these policies will be presented back to Council for consideration before they are adopted.



Closed Circuit Television (CCTV) Code of Practice



**GOULBURN MULWAREE COUNCIL
CCTV CODE OF PRACTICE**

POLICY OBJECTIVE

The objective of the Closed Circuit Television (CCTV) Program is to reduce personal and property crime, in association with a range of other crime prevention strategies. The Code of Practice contains standards to guide the operation of Council's CCTV Program and is supplemented by Council's Standard Operating Procedures (SOPs) which provide instructions on the day to day operation of the CCTV system.

LEGISLATIVE PROVISIONS

Government Information (Public Access) Act 2009
Privacy and Personal Information Protection Act 1998
Workplace Surveillance Act 2005

POLICY STATEMENT

1. Introduction

Council's CCTV Program is one of several initiatives designed to facilitate greater community safety in reducing and preventing crime. It assists Council and law enforcement agencies to work together to help provide a safer environment, reduce crime levels by deterring potential offenders and aid in crime detection and apprehension of offenders.

CCTV cameras may bring benefits to the community, such as a reduction in crime, which can lead to enhanced community safety in a particular area.

CCTV is only one of a range of strategies that Council utilises with an aim to reduce crime. Other strategies include activating public spaces, appropriate lighting, natural surveillance, access control and signage.

This Code of Practice contains the basic standards in accordance with which Council's CCTV Program will be operated. It is supplemented by Standard Operating Procedures (SOPs) that provide instructions on aspects of the day-to-day operation of the Program.

CCTV cameras are installed at locations determined on the basis of advice provided by the NSW Police and include, but are not limited to, areas referred to as crime 'hotspots', licensed premises, ATMs and banking institutions, bus stops, taxi ranks, car parks, railway stations, shopping malls, community facilities, places frequented by potentially at risk groups including the elderly and young people.

Other generally fixed CCTV cameras have also been installed as part of many Council assets including Council buildings, in order to achieve the purposes listed below.

It is acknowledged that CCTV cameras installed in public place locations and as part of Council infrastructure may also capture Council staff performing work tasks. The CCTV Program, the subject of this Code of Practice, is not designed to intentionally provide workplace surveillance. Where the purpose is to provide workplace surveillance and/or a record of accidents or other non-crime incidents, Council will comply with the *Workplace Surveillance Act 2005*.

CCTV cameras are also installed from time to time by tenants or licensees of Council land or buildings in accordance with terms of leases and/or licenses with Council, or as a separate safety measure by the tenant or licensee. Except in relation to key sites identified in the table below, where the vision is recorded and held by Council, such cameras lie outside the scope of this Code. Accordingly, all references to CCTV cameras in this Code refer only to cameras operated and monitored by or on behalf of Council.

CCTV cameras have been installed in the following locations and for the purpose(s) identified below:

Location	Purpose(s)
Lilac Place	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD



**GOULBURN MULWAREE COUNCIL
CCTV CODE OF PRACTICE**

Location	Purpose(s)
Ellesmere Street (view to McKell Place)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD
Ellesmere Street (view of Ellesmere Street)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD
Goldsmith Street (view to Ellesmere Street)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD
Belmore Park (locations throughout park)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD
Kenmore Cemetery (view of car park and main entrance)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who live in, work in and visit Kenmore Cemetery
Goulburn Aquatic & Leisure Centre (including carpark)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who visit Goulburn's Aquatic & Leisure Centre Assist in contributing to a safer work environment for Council staff
Waste Management Centres (Goulburn, Marulan, Tarago)	Assist in reducing crime levels by deterring potential offenders Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in contributing to a safer work environment for Council staff
Civic Centre (including Library and Art Gallery)	Assist in reducing crime levels by deterring potential offenders Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in contributing to a safer work environment for Council staff
Visitor Information Centre (including carpark)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer work environment for Council staff



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CCTV CODE OF PRACTICE**

Location	Purpose(s)
Goulburn Mulwaree Animal Shelter	Assist in reducing crime levels by deterring potential offenders Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in contributing to a safer work environment for Council staff Assist in the detection and prosecution of offenders in relation to the abandonment of animals at the shelter
Operations Centre Administration Building (including carpark)	Assist in reducing crime levels by deterring potential offenders Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in contributing to a safer work environment for Council staff
Operations Centre Depot Store (including Depot yard)	Assist in reducing crime levels by deterring potential offenders Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in contributing to a safer work environment for Council staff
Veolia Arena (including recreation area carpark)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who visit the Veolia Arena Assist in contributing to a safer work environment for Council staff
Grace Milson Multifunction Centre	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who visit the Grace Milson Centre Assist in contributing to a safer work environment for Council staff
Goulburn Performing Arts Centre (GPAC)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who visit the GPAC Assist in contributing to a safer work environment for Council staff
56 Clinton Street	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who visit Workspace Goulburn Assist in contributing to a safer work environment for Council staff
Auburn Street (Community Service Centre)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who visit the Community Service Centre Assist in contributing to a safer work environment for Council staff
Victoria Park (locations throughout park)	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders



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Location	Purpose(s)
Rocky Hill War Memorial Museum	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who visit the Goulburn War Memorial Museum Assist in contributing to a safer work environment for Council staff

2. Key Principles

The Code of Practice is based on the following 8 key principles.

Principle 1 – Purpose, Privacy and the Public Interest

The CCTV Program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

The CCTV Program will be operated with due regard to the privacy and civil liberties of individual members of the public, and particularly with a view to minimising false association.

The public interest in the operation of the CCTV Program will be recognised by ensuring the security and integrity of operational procedures.

- a) The purposes of the CCTV Program are to:
 - Assist in reducing crime levels by deterring potential offenders;
 - Assist in reducing fear of crime;
 - Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents;
 - Assist in the detection and prosecution of offenders;
 - Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn’s CBD and utilise Council facilities;
 - Assist in developing policies, procedures and structures within the local government area of Goulburn Mulwaree which support community safety and address any community concerns about privacy.
- b) The Program is also intended to assist in the prevention of crimes against the person or property including but not limited to malicious damage, graffiti, vandalism, theft and assault.
- c) CCTV cameras installed at Council facilities will be used to assist in the prevention and detection of offences including subsequent enforcement action of which Council is the regulatory authority.
- d) The Code of Practice and Standard Operating Procedures (SOPs) emphasise Council’s commitment to ensuring the privacy of individuals is protected, ensuring cameras are used for their designated purpose and the rights of individuals are protected.
- e) Council will use all reasonable efforts to prevent the occurrence of false association arising from the operation or utilisation of the CCTV system.
- f) Where permission has been granted, cameras may be placed on private commercial, business or residential property and technically attached to the Program system to enhance the programs operational efficiency and effectiveness.
- g) It is noted that CCTV cameras are not placed to cover all conceivable areas; rather cameras are installed at ‘priority’ locations identified as crime “hot spots”.
- h) CCTV cameras installed in locations that are later deemed to be non-priority locations, or not assisting Council achieve the objectives identified in this Policy, will be removed.

Principle 2 – Ownership of the Program, Responsibilities and Accountability

Council is responsible for compliance with the objectives of the CCTV Program and the protection of the interests of the public in relation to the Program.

Council is accountable for the effective operation and management of the CCTV Program.



GOULBURN MULWAREE COUNCIL CCTV CODE OF PRACTICE

- a) Council is responsible for the Code of Practice and for ensuring compliance with the principles contained within the Code.
- b) Council will provide information to the public on its website about the operation of the CCTV Program and about any proposed major amendment to the program or Code of Practice.
- c) Council will operate the system.

Principle 3 - Police Involvement in the Program

As a partner to Council's CCTV Program, the NSW Police will act in accordance with this Code of Practice, and the Memorandum of Understanding (MOU) between Council and Police.

Contact related to the CCTV Program between Council staff, any delegated contractors and the NSW Police, will be conducted in accordance with the Code of Practice and MOU.

- a) Any involvement in the CCTV Program by NSW Police will be in accordance with this Code of Practice.
- b) NSW Police agree to:
 - Contribute to the program including the identification of crime 'hot spots' and where cameras may be required;
 - Contribute to the Standard Operating Procedures (SOPs) that support this Code of Practice;
 - Develop its own Standard Operating Procedures [SOPs] in relation to the CCTV Program to complement those developed by Council;
 - Following notification through to Local Area Command, determine the level of response to incidents identified on monitoring screens, according to available resources and existing priorities
 - Provide ongoing information and advice to Council on the nature and level of crime in the monitored areas;
 - Participate in the evaluation process for the program.
- c) The NSW Police will not be responsible for the provision of:
 - Direct financial support of the program; or
 - Direct human resources for monitoring of the program.
- d) It is noted that Police will not have the ability to record footage shown on Council's CCTV system. Separate application will need to be made to Council.

Principle 4 – Public Information and Community Consultation

The public will be provided with clear and easily accessible information in relation to the operation of the CCTV Program.

- a) Signs advising that CCTV cameras are operating will be displayed at the perimeter of the area covered by the system and at other key points as determined by Council. These signs will clearly:
 - Inform the public that cameras are in operation in the vicinity;
 - Inform the public that footage is recorded 24 hours a day, 7 days a week;
 - Identify Council as the owner of the CCTV Program;
 - Provide a contact telephone number for inquiries in relation to the CCTV cameras.
- b) The Code of Practice will be made available on Council's website.
- c) Inquiries in relation to Council's CCTV Program and its operation can be made in writing to The Chief Executive Officer, Goulburn Mulwaree Council, Locked Bag 22, Goulburn NSW 2580 or email council@goulburn.nsw.gov.au.
- d) The proposed installation of CCTV cameras in other locations of the City, or their removal, will be the subject of an initial written crime assessment by Council, followed by community consultation and consultation with the Community Safety and Social Infrastructure Plan Working Party.



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Principle 5 – Evaluation of the Program

Evaluation of the CCTV Program will be undertaken to identify whether the purposes of the Program are being complied with.

The evaluation will extend to whether Council's Code of Practice is being adhered to.

- a) Council is responsible for ensuring that the CCTV Program is regularly evaluated to ensure that the program is meeting its aims and objectives.
- b) Council will undertake an evaluation of the CCTV Program every year, to be conducted by the Community Safety and Social Infrastructure Plan Working Party. An Audit will also be undertaken every two years.
- c) The Community Safety and Social Infrastructure Plan Working Party will include:
 - Authorised Council officers;
 - NSW Police Local Area Command representative;
 - Community representatives
- d) The functions of the Community Safety and Social Infrastructure Plan Working Party will include:
 - To provide an independent and continuous review mechanism for the Program;
 - To identify and report any deviations from the Code or SOPs that come to notice;
 - To recommend actions that will safeguard and enhance the CCTV Program.
- e) The Community Safety and Social Infrastructure Plan Working Party will provide a review and report to Council on the program's compliance with Council's Code and standard operating procedures.
- f) The Audit undertaken will assess Council's compliance with the Code and standard operating procedures. This will include but is not limited to complaints received, processes used to receive, assess and process access requests, and whether the systems and processes utilised remain good practice.

Principle 6 – Control and Operation of Cameras

Information recorded will not exceed that necessary to fulfil the purposes of the CCTV Program and will be obtained fairly and in accordance with the privacy provisions in this Code of Practice.

- a) CCTV Cameras may be housed in weather protective domes or cases which will be clearly apparent to the public and not be unduly concealed, other than when used by NSW Police in covert or special operations.
- b) Operators of camera equipment will act in accordance with the highest standards of probity and will control cameras to record subjects or particular places strictly in accordance with the purposes of the CCTV Program, this Code and applicable legislative requirements.
- c) Only personnel with responsibility for using the equipment will have access to operating controls and recording facilities, except in the case of an emergency whereby NSW Police or other law enforcement agencies may have access with approval from the Chief Executive Officer.

Principle 7 – Retention of and Access to LIVE and Recorded Material

The retention of, and access to, live and recorded material will be only for the purposes provided by this Code of Practice and will be kept no longer than is necessary for the purposes of the CCTV Program. Recorded material no longer required will be disposed of using approved disposal methods.

- a) A monitor displaying captured images shall only be viewed by authorised Council officers for the purposes of maintenance and for the retrieval of recorded material in response to approved requests for access.
- b) Council will allow NSW Police access to live images in accordance with the MOU.
- c) All requests for access to recorded material, other than by authorised representatives of Council, must be made to Council by means of an Access Application pursuant to the *Government Information (Public Access) Act 2009* (GIPA Act). Access Applications will be determined by Council's Public Officer in accordance with the provisions of the GIPA Act.
- d) Access to recorded material by the NSW Police and other law enforcement agencies must be made to Council by means of an enforcement agency access application and will only be granted:



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- In compliance with the needs of the NSW Police and other law enforcement agencies in the investigation and detection of a crime or suspected crime;
 - For use in Police intelligence gathering;
 - For use in relation to special or covert operations;
 - For providing evidence in actual or possible criminal and/or civil proceedings;
 - For identification of witnesses; and/or
 - For research/development purposes.
- e) Recorded material will be treated according to all relevant and appropriate legislation and standards and will not be sold or used for commercial purposes or the provision of entertainment.
- f) The showing of recorded material to the public will be permitted only in accordance with the needs of the Police in connection with the investigation of crime or in any other circumstances provided by law.
- g) Subject to the concurrence or request of the Police, the release of recorded material to the media may be approved by Council.
- h) Use of recorded material by the media should only occur to gain public information with respect to the identity of a person/s wanted. The recognisable characteristics of other people in the footage shall be obscured.
- i) Any material released to the media will be accompanied by a signed release which clearly states what the material will be used for and sets out the limits on its use.
- j) Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.
- k) Footage will generally be retained for a minimum of 14 days. After a period of 14 days, footage will be over written based on current storage capacity.
- l) Footage identified as containing an incident, required to be retained in relation to the investigation of crime, for Court proceedings notified to Council, or for ongoing intelligence and investigations may be retained.
- m) All images may be recorded and retained for a period less than outlined in (k) above, during times of upgrading, repair or changeover of IT and camera software or hardware, or during periods of maintenance or replacement of equipment or assets.
- n) If in the rare circumstance that IT hardware fails and the current recorded images of up to 14 days are deleted, all reasonable efforts to repair or replace equipment will be made.
- o) Council retains ownership of and has copyright in all recordings, photographs and documentation pertaining to the Program.

3. Amendment to the Code of Practice

- 3.1 Any major amendment to this Code of Practice will be developed in consultation with the NSW Police and Council's Community Safety and Social Infrastructure Plan Working Party. A major amendment is one that will have a major and significant impact on the operation of the Program, for example, a change to the purposes of the Program and/or the key principles of this Code.
- 3.2 Any minor amendment to the CCTV Program or to the Code of Practice may be made with agreement by the Director Corporate & Community Services. A minor amendment is such as may be required for the purposes of an adjustment of the operations of the program or clarification of the CCTV Program or the Code of Practice.

4. Compliance and Breaches of the Code

- 4.1 Responsibility for ensuring the Code of Practice is adhered to rests with Council. This responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent possible under the Code.
- 4.2 Where surveillance is required for the security of employees or Council assets, such surveillance devices will only be used in accordance with the *Workplace Surveillance Act 2005*.
- 4.3 Council, in developing this Code of Practice, referred to the following Acts:



**GOULBURN MULWAREE COUNCIL
CCTV CODE OF PRACTICE**

- *Workplace Surveillance Act 2005*;
 - *Government information (Public Access) Act 2009*;
 - *Privacy and Personal Information Protection Act 1998*
- 4.4 Council, in developing this Code of Practice, referred to the following public documents:
- NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places;
 - Code of Practice – City of Sydney Council;
 - Code of Practice – Wollongong City Council;
 - Code of Practice – Kiama Municipal Council.

5. Complaints

5.1 Complaints in relation to any aspect of the management or operation of the system may be made in writing to:

The Chief Executive Officer
Goulburn Mulwaree Council
Locked Bag 22
Goulburn NSW 2580
Email: council@goulburn.nsw.gov.au

5.2 Privacy complaints in relation to Goulburn Mulwaree Council CCTV Program may be made to Council in accordance with Council's Privacy Management Policy. A copy of Council's Privacy Management Policy is available on Council's website www.goulburn.nsw.gov.au or can be obtained from Council.

5.3 Privacy complaints may also be made to the Information and Privacy Commission (IPC). The *Privacy and Personal Information Protection Act 1998* authorises the IPC to receive and investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with the IPC. The contact details for the IPC are:

Information and Privacy Commission (IPC)
Level 17, 201 Elizabeth Street Sydney 2000
GPO Box 7011
SYDNEY NSW 2011
Phone: 1800 472 679
Fax: (02) 8114 3756
Email: ipcinfo@ipc.nsw.gov.au

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	18 October 2016	16/477	25 November 2016	2 December 2016
2	18 July 2017	2017/307	18 July 2017	18 August 2017
3	19 November 2019	2019/476	6 January 2020	7 January 2020
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Corporate & Community Services

BUSINESS UNIT: Governance



Complaint Handling Policy



GOULBURN MULWAREE COUNCIL COMPLAINT HANDLING POLICY

POLICY OBJECTIVE

This policy provides a framework to assist Council to handle complaints fairly, efficiently and effectively.

LEGISLATIVE PROVISIONS

Nil

RELATED DOCUMENTS

NSW Ombudsman Complaint Management Framework June 2015

NSW Ombudsman Complaint Handling Model Policy

POLICY STATEMENT

1. Introduction

1.1 Purpose

Council's complaint management system is intended to:

- enable Council to respond to issues raised by people making complaints in a timely and cost-effective way
- boost public confidence in Council's administrative process, and
- provide information that Council can use to deliver quality improvements in its services, staff and complaint handling.

This policy provides guidance to Council staff and people who wish to make a complaint on the key principles and concepts of Council's complaint management system.

1.2 Scope

This policy applies to all staff receiving or managing complaints from the public made to or about Council, regarding services, staff and complaint handling.

Staff grievances, code of conduct complaints and public interest disclosures are managed in accordance with Council's Code of Conduct and Internal Reporting Policy.

1.3 Organisational commitment

Council expects staff at all levels to be committed to fair, effective and efficient complaint handling. Council commits to the following principles:

- Provide a framework for transparency and accountability
- Ensure complaint data is used to identify problems and improve procedures, where applicable, to prevent similar dissatisfaction and complaints in the future
- Ensure complaints are dealt with in a timely, systematic and consistent manner
- Provide adequate support and direction to key staff responsible for handling complaints
- Regularly review Council's complaint management system for improvements and to align with best practice

2. Terms and Definitions

Complaint

Expression of dissatisfaction made to or about Council services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this Policy does not include:

- staff grievances
- public interest disclosures made by Council staff [see Council's [Internal Reporting Policy](#)]
- code of conduct complaints [see Council's [Code of Conduct](#)]



GOULBURN MULWAREE COUNCIL COMPLAINT HANDLING POLICY

- responses to requests for feedback about the standard of service provision [see the definition of 'feedback' below]
- reports of problems or wrongdoing merely intended to bring a problem to Council's notice with no expectation of a response [see definition of 'feedback']
- service requests [see definition of 'service request' below], and
- requests for information.

For the purposes of this policy a complaint is not a routine service request or any other matter where Council has had no prior opportunity to provide a satisfactory service.

Complaint management system

All policies, procedures, practices, staff, hardware and software used by Council in the management of complaints.

Dispute

An unresolved complaint escalated either within or outside of Council.

Feedback

Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about Council, about Council services or complaint handling where a response is not explicitly or implicitly expected or legally required.

Service request

The definition of a service request includes:

- requests for action
- notifications of alleged unlawful activity
- requests for the provision of services that falls within Council's normal day to day operations

Grievance

A clear, formal written statement by an individual staff member about another staff member or a work related problem.

Public interest disclosure

A report about wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*.

3. Making a Complaint

3.1 Facilitating complaints

Lodging a Complaint

A complaint can be made as follows:

- Email to council@goulburn.nsw.gov.au
- Post to Goulburn Mulwaree Council, Locked Bag 22 Goulburn NSW 2580
- In person
- By telephone – 4823 4444

Council encourages the person making a complaint to do so in writing to ensure Council has all the relevant information and facts.

Anonymous complaints

Council will accept anonymous complaints and such complaints will be managed in accordance with this policy. Council will endeavour to review issues raised in anonymous complaints, however without adequate information this may be difficult. In circumstances where the identity of the complainant is not



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known, Council will be unable to maintain contact, provide feedback or deliver the desired outcome to the complainant.

Accessibility

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, Council will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

3.2 Responding to complaints

Early resolution

Where possible, complaints will be resolved at first contact with Council.

Responsiveness

Council will acknowledge the receipt of complaints within 5 working days.

Council will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security, the response will be immediate and will be escalated appropriately.

Council is committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process
- the expected time frames for processing
- the progress of the complaint and reasons for any delay
- their likely involvement in the process, and
- the possible or likely outcome of their complaint.

Council will advise people as soon as possible when Council is unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

Council will also advise people as soon as possible when Council is unable to meet time frames for responding to their complaint and the reason for the delay.

Objectivity and fairness

Council will address each complaint with integrity and in an equitable, objective and unbiased manner.

Council will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly. Internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

Confidentiality

Council will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.



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3.3 Managing the parties to a complaint

Complaints involving multiple agencies

Where a complaint involves multiple organisations, Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within Council, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Complaints involving multiple parties

When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group.

Managing unreasonable conduct by people making complaints

Council is committed to being accessible and responsive to all people who approach Council with feedback or complaints. At the same time Council's success depends on:

- Council's ability to do its work and perform its functions in the most effective and efficient way possible
- the health, safety and security of Council staff, and
- Council's ability to allocate resources fairly across all the complaints received.

When people behave unreasonably in their dealings with Council, their conduct can significantly affect the progress and efficiency of its work. As a result, Council will take proactive and decisive action to manage any conduct that negatively and unreasonably affects Council and will support Council staff to do the same in accordance with this policy.

For further information on managing unreasonable conduct by people making complaints see Council's [Unreasonable Complainant Conduct Policy](#)

4. Complaint management system

4.1 Receipt of complaints

Unless the complaint has been resolved at the outset, Council will record the complaint and its supporting information. The record of the complaint will document:

- the contact information of the person making a complaint
- issues raised by the person making a complaint and the outcome/s they want
- any other relevant and
- any additional support the person making a complaint requires.

4.2 Acknowledgement of complaints

Council will acknowledge receipt of each complaint promptly and preferably within 5 working days. Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

4.3 Initial assessment and addressing of complaints

Initial assessment

After acknowledging receipt of the complaint, Council will confirm whether the issue/s raised in the complaint is/are within Council's control. Council will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.



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When determining how a complaint will be managed, Council will consider:

- How serious, complicated or urgent the complaint is
- Whether the complaint raises concerns about people's health and safety
- How the person making the complaint is being affected
- The risks involved if resolution of the complaint is delayed, and
- Whether a resolution requires the involvement of other organisations.

Addressing complaints

After assessing the complaint, Council will consider how to manage it. To manage a complaint Council may:

- Give the person making a complaint information or an explanation
- Gather information from the person or area that the complaint is about, or
- Investigate the claims made in the complaint.

Council will keep the person making the complaint up to date on our progress, particularly if there are any delays. Council will also communicate the outcome of the complaint using the most appropriate medium. Which actions are decided will be tailored to each case and take into account any statutory requirements.

4.5 Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, Council will contact the person making the complaint and advise them:

- the outcome of the complaint and any action taken
- the reason/s for any decision
- the remedy or resolution/s proposed or put in place, and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, Council makes any adverse findings about a particular individual, Council will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing any findings with the person making the complaint.

4.6 Closing the complaint, record keeping, redress and review

Council will keep comprehensive records about:

- How the complaint was managed
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations, and
- Any outstanding actions that need to be followed up.

Council will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

4.7 Alternative avenues for dealing with complaints

Council will inform people who make complaints to or about us about any internal or external review options available to them (including any relevant Ombudsman or oversight bodies).

4.8 The three levels of complaint handling

Council will aim to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where this is not possible, Council may decide to escalate the complaint to a more senior officer. This second level of complaint handling will provide for the following internal mechanisms:



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COMPLAINT HANDLING POLICY**

- assessment and possible investigation of the complaint and decision/s already made, and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of Council’s review of their complaint, they may seek an external review of our decision (by the Ombudsman for example).

5. Accountability and learning

5.1 Monitoring of the complaint management system

Council will continually monitor its complaint management system to:

- ensure its effectiveness in responding to and resolving complaints, and
- identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits and complaint satisfaction surveys.

5.2 Continuous improvement

Council is committed to improving the effectiveness and efficiency of its complaint management system. To this end, Council will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by staff
- regularly review the complaints management system and complaint data, and
- implement appropriate system changes arising out of analysis of complaints data and continual monitoring of the system.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	18 July 2017	2017/308	18 July 2017	18 August 2017
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Corporate & Community Services

BUSINESS UNIT: Governance



Councillor and Staff Interaction Policy



GOULBURN MULWAREE COUNCIL COUNCILLOR AND STAFF INTERACTION POLICY

POLICY OBJECTIVE

The overarching policy objective is to provide Goulburn Mulwaree Council (Council) with a framework by which Councillors can access information they need to perform their civic functions, and to promote positive and respectful interactions between Councillors and staff.

LEGISLATIVE PROVISIONS

Local Government Act 1993

Government Information (Public Access) Act 2009

Work Health and Safety Act 2011

Council's Code of Conduct

POLICY STATEMENT

Part 1 – Introduction

- 1.1 The Councillor and Staff Interaction Policy (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from authorised staff.
- 1.2 The Policy complements and should be read in conjunction with Council's Code of Conduct (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.
- 1.5 Council recognises that contact between councillors and staff is likely to occur in smaller communities as councillors and staff may already be known to each other socially or through their involvement in community activities.

This policy does not aim to restrict these types of contact. If a councillor or staff member is unsure, they should seek advice from the director or the Chief Executive Officer.

Part 2 – Application

- 2.1 This Policy applies to all Councillors and council staff.
- 2.2 This Policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between Councillors and staff occur, including inside or outside of work hours, and at both council and non-council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the Chief Executive Officer.
- 2.5 The Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to Council's policies. A breach of this Policy will be a breach of the Code of Conduct.



GOULBURN MULWAREE COUNCIL COUNCILLOR AND STAFF INTERACTION POLICY

Part 3 – Policy objectives

3.1 The objectives of the Policy are to:

- a) establish positive, effective and professional working relationships between Councillors and staff defined by mutual respect and courtesy
- b) enable Councillors and staff to work together appropriately and effectively to support each other in their respective roles
- c) ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties
- d) ensure Councillors have adequate access to information to exercise their statutory roles
- e) provide direction on, and guide Councillor interactions with, staff for both obtaining information and in general situations
- f) maintain transparent decision making and good governance arrangements
- g) ensure the reputation of Council is enhanced by Councillors and staff interacting consistently, professionally and positively in their day-to-day duties
- h) provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

Part 4 – Principles, roles and responsibilities

- 4.1 Several factors contribute to a good relationship between Councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 4.2 Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the Chief Executive Officer, who in turn, is accountable to Council's governing body.
- 4.3 Section 232 of the Local Government Act 1993 (the LGA) states that the role of a Councillor is as follows:
 - a) to be an active and contributing member of the governing body
 - b) to make considered and well-informed decisions as a member of the governing body
 - c) to participate in the development of the integrated planning and reporting framework
 - d) to represent the collective interests of residents, ratepayers and the local community
 - e) to facilitate communication between the local community and the governing body
 - f) to uphold and represent accurately the policies and decisions of the governing body
 - g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
- 4.4 The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 4.6 Council commits to the following principles to guide interactions between Councillors and staff:



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COUNCILLOR AND STAFF INTERACTION POLICY**

<u>Principle</u>	<u>Achieved by</u>
Equitable and consistent	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels
Considerate and respectful	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions
Ethical, open and transparent	Ensuring that interactions between Councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct
Fit for purpose	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of nine people.
Accountable and measurable	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

4.7 Councillors are members of Council’s governing body, which is responsible for directing and controlling the affairs of Council in accordance with the LGA.

Councillors need to accept that:

- a) responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding
- b) staff are not accountable to them individually
- c) they must not direct staff except by giving appropriate direction to the Chief Executive Officer by way of a council or committee resolution, or by the mayor exercising their functions under section 226 of the LGA
- d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions
- e) they must not contact a member of staff on council-related business unless in accordance with this Policy
- f) they must not use their position to attempt to receive favourable treatment for themselves or others.

4.8 The Chief Executive Officer is responsible for the efficient and effective day-to-day operation of Council and for ensuring that the lawful decisions of Council are implemented without undue delay.

Council staff need to understand:

- a) they are not accountable to individual Councillors and do not take direction from them. They are accountable to the Chief Executive Officer, who is in turn accountable to Council’s governing body
- b) they should not provide advice to Councillors unless it has been approved by the Chief Executive Officer or a staff member with a delegation to approve advice to Councillors
- c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner
- d) they must ensure that participation in political activities outside the service of Council does not interfere with the performance of their official duties
- e) they must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.



GOULBURN MULWAREE COUNCIL COUNCILLOR AND STAFF INTERACTION POLICY

Part 5 – The Councillor requests system

- 5.1 Councillors have a right to request information provided it is relevant to Councillor's exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious.
- 5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest unless the information is otherwise publicly available.
- 5.3 The Chief Executive Officer may identify Council support staff under this Policy for the management of requests from Councillors.
- 5.4 Councillors can use the Councillor requests system to:
 - a) request information or ask questions that relate to the strategic position, performance or operation of Council
 - b) bring concerns that have been raised by members of the public to the attention of staff
 - c) request ICT or other support from Council administration
- 5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lacks specificity, the Chief Executive Officer or staff member authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 5.6 Staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 5.7 The Chief Executive Officer or the staff member authorised to manage a Councillor request will provide a response within (1 business day acknowledging receipt of request and an initial response in five business days). Where a response cannot be provided within that timeframe, the Councillor will be advised, and the information will be provided as soon as practicable.
- 5.8 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.9 Staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.
- 5.10 Where a Councillor is unsure of confidentiality requirements, they should contact the Chief Executive Officer, or the staff member authorised to manage their request.
- 5.11 The Chief Executive Officer may refuse access to information requested by a Councillor if:
 - a) the information is not necessary for the performance of the Councillor's civic functions, or
 - b) if responding to the request would, in the Chief Executive Officer's opinion, result in an unreasonable diversion of staff time and resources, or
 - c) the Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
 - d) the Chief Executive Officer is prevented by law from disclosing the information.
- 5.12 Where the Chief Executive Officer refuses to provide information requested by a Councillor, they must act reasonably. The Chief Executive Officer must advise a Councillor in writing of their reasons for refusing access to the information requested.
- 5.13 Where a Councillor's request for information is refused by the Chief Executive Officer on the grounds referred to under clause 5.12 (a) or (b), the Councillor may instead request the information through a resolution of council by way of a notice of motion. This clause does not apply where the Chief Executive Officer refuses a Councillor's request for information under clause 5.12 (c) or (d).
- 5.14 Nothing in clauses 5.12, 5.13, and 5.14 prevents a Councillor from requesting the information in accordance with the *Government Information (Public Access) Act 2009*.



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- 5.15 Where a Councillor persistently makes requests for information which, in the Chief Executive Officer's opinion, result in a significant and unreasonable diversion of staff time and resources council may, on the advice of the Chief Executive Officer, resolve to limit the number of requests the Councillor may make.
- 5.16 Councillor requests are state records and must be managed in accordance with the *State Records Act 1998*.
- 5.17 A report will be provided to 6 monthly regarding the performance and efficiency of the Councillor requests system against established key performance indicators.

Part 6 – Access to Council staff

- 6.1 Councillors may directly contact members of staff that are listed in Schedule 1 of this Policy. The Chief Executive Officer may amend this list at any time and will advise Councillors promptly of any changes.
- 6.2 Councillors can contact staff listed in Schedule 1 about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should as far as practicable, only contact staff during normal business hours.
- 6.4 If Councillors would like to contact a member of staff not listed in Schedule 1, they must receive permission from the Chief Executive Officer.
- 6.5 If a Councillor is unsure which authorised staff member can help with their enquiry, they must contact the Chief Executive Officer who will provide advice about which authorised staff member to contact.
- 6.6 The Chief Executive Officer or a member of Council's executive leadership team may direct any staff member to contact Councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct should be immediately reported to the Chief Executive Officer or Mayor in the first instance, or alternatively to the Office of Local Government, NSW Ombudsman, or the NSW Independent Commission Against Corruption.

Part 7 – Councillor access to council buildings

- 7.1 Councillors are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the Chief Executive Officer.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the Chief Executive Officer.

Part 8 – Appropriate and inappropriate interactions

- 8.1 Examples of appropriate interactions between Councillors and staff include, but are not limited to, the following:
- Councillors and council staff are courteous and display a positive and professional attitude towards one another
 - council staff ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with this Policy and any other relevant Council policies
 - council staff record the advice they give to Councillors in the same way they would if it was provided to members of the public



GOULBURN MULWAREE COUNCIL COUNCILLOR AND STAFF INTERACTION POLICY

- d) council staff, including Council's executive team members, document Councillor requests via the Councillor requests system
 - e) council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties
 - f) Councillors and council staff feel supported when seeking and providing clarification about council related business
 - g) Councillors forward requests through the Councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy
- 8.2 Examples of inappropriate interactions between Councillors and staff include, but are not limited to, the following:
- a) Councillors and council staff conducting themselves in a manner which:
 - i) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by Council to ensure workplace health and safety
 - ii) constitutes harassment and/or bullying within the meaning of the Code of Conduct, or is unlawfully discriminatory
 - b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters, grievances, workplace investigations and disciplinary matters
 - c) staff approaching Councillors to discuss individual or operational staff matters, grievances, workplace investigations and disciplinary matters
 - d) subject to clause 5.12, staff refusing to give information that is available to other Councillors to a particular Councillor
 - e) Councillors who have lodged an application with Council, discussing the matter with staff in staff-only areas of council
 - f) Councillors being overbearing or threatening to staff
 - g) staff being overbearing or threatening to Councillors
 - h) Councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media
 - i) Councillors directing or pressuring staff in the performance of their work, or recommendations they should make
 - j) staff providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community
- 8.3 Where a Councillor engages in conduct that, in the opinion of the Chief Executive Officer, puts the health, safety or welfare of staff at risk, the Chief Executive Officer may restrict the Councillor's access to staff.
- 8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the Chief Executive Officer.



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COUNCILLOR AND STAFF INTERACTION POLICY**

Part 9 – Complaints & Non-compliance

- 9.1 Complaints about a breach of this policy should be made to the Chief Executive Officer (if the complaint is about a Councillor or member of council staff), or the Mayor (if the complaint is about the Chief Executive Officer).
- 9.2 Clause 9.1 does not operate to prevent matters being reported to OLG, the NSW Ombudsman, the NSW Independent Commission Against Corruption or any other external agency.
- 9.3 Clause 3.1 (b) of Council’s Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to council’s policies. A breach of this policy may also constitute a breach of Council’s Code of Conduct.

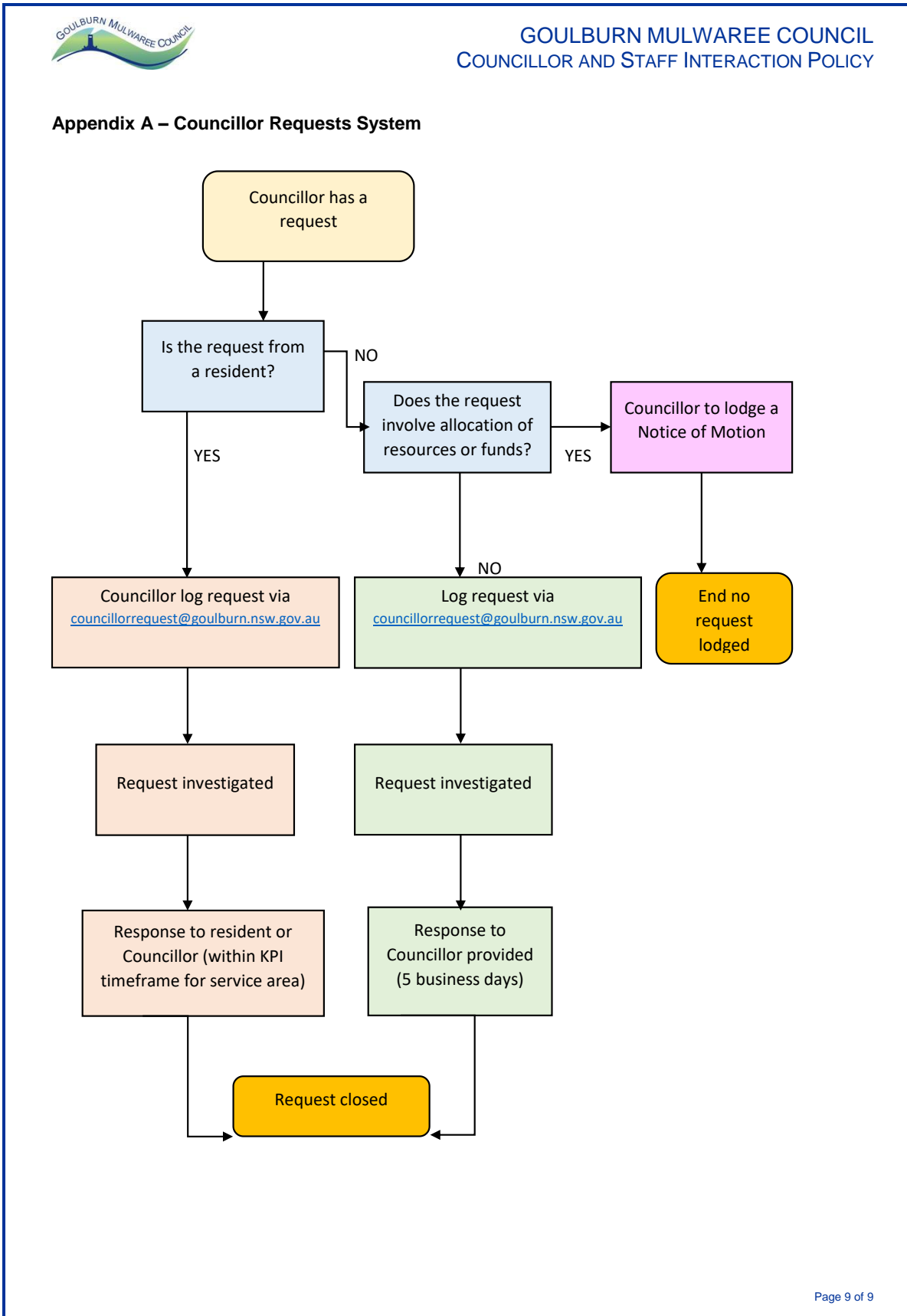
Schedule 1 – Authorised Staff Contacts for Councillors

- 1. Clause 6.1 of this Policy provides that Councillors may directly contact members of staff that are listed below. The Chief Executive Officer may amend this list at any time.
- 2. Councillors can contact staff listed below about matters that relate to the staff member’s area of responsibility.
- 3. Councillors should as far as practicable, only contact staff during normal business hours.
- 4. If Councillors would like to contact a member of staff not listed below, they must receive permission from the Chief Executive Officer or their delegate.
- 5. If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer who will provide advice about which authorised staff member to contact.
- 6. In some instances, the Chief Executive Officer or a member of Council’s executive leadership team may direct a council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.

Position
Director Corporate & Community Services
Director Planning & Environment
Director Utilities
Director Operations
Business Manager Governance
Office Manager to Mayor & Chief Executive Officer
Communications Officer
Executive Support Officer

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1				
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Corporate & Community Services
BUSINESS UNIT: Governance





Fraud Control Policy



GOULBURN MULWAREE COUNCIL FRAUD CONTROL POLICY

POLICY OBJECTIVE

The objective of this policy is to outline Council's approach to prevention, detection and investigation of fraud and corruption in and against the Council.

LEGISLATIVE PROVISIONS

Local Government Act 1993

Independent Commission Against Corruption Act 1988

Public Interest Disclosures Act 1994

Crimes Act 1900

RELATED DOCUMENTS

This Fraud Control Policy should be read in conjunction with other relevant documents including:

Goulburn Mulwaree Council – [Code of Conduct](#)

Goulburn Mulwaree Council – [Internal Reporting Policy](#)

Goulburn Mulwaree Council – [Gifts and Benefits Policy](#)

Goulburn Mulwaree Council – [Councillor Expenses and Facilities Policy](#)

Goulburn Mulwaree Council – [Procurement Policy](#)

Goulburn Mulwaree Council – [Statement of Business Ethics](#)

Australian Standard 8001-2008 Fraud and Corruption Control

Australian Standard 31000-2009 Risk Management Standard

POLICY STATEMENT

Council is required under the *Local Government Act 1993* (LGA Act) to take all reasonable measures to prevent, detect and deal with fraud, including conducting fraud risk assessments, developing and implementing a fraud control plan, and having appropriate mechanisms for preventing, detecting, investigating, recording and reporting incidents of fraud and suspected fraud.

This policy sets out the principles behind Council's approach to managing the risk to Council from fraud and corruption.

Purpose and context of the policy

This policy applies to all Council officials including all staff (permanent, temporary and casual), Councillors, committee members, volunteers, delegates, contractors and consultants.

This policy is one of several elements that contribute to establishing a fraud control environment for Council. It is considered as part of the wider ethical framework and is linked to other Council ethical behaviour policies.

The fraud control framework is adapted from the ten attributes of fraud control provided by the NSW Audit Office Fraud Control Improvement Kit. The ten key attributes sit within the themes of prevention, detection and response. Each attribute has processes, behaviours and information that assist in establishing a successful fraud control framework.

Based on the Australian Standard AS 8001-2008: Fraud and corruption control, fraud is defined as follows:



GOULBURN MULWAREE COUNCIL FRAUD CONTROL POLICY

Fraud is dishonest activity causing actual or potential financial loss to any person or Council including theft of money or other property by employees or persons external to Council and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

Some common examples of fraud include:

By Council officials

- Theft of plant and equipment by Council officials
- Theft of inventory by Council officials
- False invoicing (creating a fictitious invoice claiming payment for goods or services not delivered)
- Theft of funds or cash by Council officials
- Theft of intellectual property or other confidential information
- Accounts receivable fraud
- Unauthorised use of a credit card issued to another person
- Fraudulent tendering by Council officials and involving external parties
- Misuse of position in order to gain a financial advantage

By organisations

- Material and deliberate manipulation of financial reporting
- Overcharging for services

Attribute one: Leadership

Council is committed to the prevention, detection and investigation of all fraudulent activity. Council has zero tolerance of fraudulent or corrupt practices, either by any Council officials or external parties engaged by Council.

A successful fraud control framework is led by a committed and accountable Executive. The Chief Executive Officer, supported by the Councillors and members of the Executive is responsible for the strategic oversight of fraud control at Council.

Attribute two: Ethical framework

Council has clear policies establishing acceptable standards of ethical behaviour. These policies are available to all Council officials on Council's intranet and they are also published on Council's website. These policies and the officers responsible for their implementation include:

- [Code of Conduct](#) – Business Manager Governance
- [Gifts and Benefits Policy](#) – Business Manager Governance
- [Procurement Policy](#) – Director Corporate & Community Services
- [Statement of Business Ethics](#) – Director Corporate & Community Services
- Employee Handbook – Business Manager Human Resources

Attribute three: Responsibility structures

Responsibilities for implementing this Policy are as follows:

Chief Executive Officer

- Guide the proper management of Council resources and the development and implementation of systems and practices to minimise the risk of fraud.
- Ensure that the investigation of suspected fraud adheres to relevant Council policies, and where appropriate is reported to the relevant authorities.

Councillors

- Carry out their duties lawfully and in accordance with the relevant policies.



GOULBURN MULWAREE COUNCIL FRAUD CONTROL POLICY

- Ensure that Council's powers are exercised in an open, fair and proper manner to the highest standards of probity.
- Report suspicions of fraud, including any behaviour which appears to be an inducement to engage in fraud, to the Chief Executive Officer.
- Undertake relevant training in relation to Council's Code of Conduct, legislative responsibility and the prevention and/or detection of fraud.

Executive Leadership Team

- Lead Council officials and external service providers in their understanding of and compliance with this Policy and related Council policies.
- Manage policies, procedures and control mechanisms for the prevention of fraud.
- Accountable for the prevention and detection of fraud in areas under their control and to report to the Chief Executive Officer.
- Ensure the implementation of policies and procedures to prevent, detect and control fraud.

Managers

- Accountable for the prevention and detection of fraud in the business areas under their control.
- Ensure there are adequate measures to prevent, detect and respond to fraud within the respective business areas under their control.
- Lead team members in their understanding of and compliance with this Policy and related Council policies.
- Report fraud to their Director, the Chief Executive Officer or Business Manager Governance.

Business Manager Governance

- Implement and monitor Council's fraud control framework.
- Provide advice and assistance to Council staff in relation to this Policy.
- Manage Policy Register to ensure currency of all policies.

Council Staff, Committee Members, Volunteers, Delegates, Contractors and Consultants

- Read, understand and comply with this Policy and other Council related policies.
- Report known or suspected fraud immediately after becoming aware of it, in accordance with the processes outlined in the Internal Reporting Policy.

Audit, Risk and Improvement Advisory Committee (ARIC)

Once established this committee will:

- Provide assurance and advice on the adequacy and effectiveness of Council's fraud and corruption prevention plan and activities.
- Provide assurance and advice on the adequacy and effectiveness of processes and systems in place to capture and effectively investigate fraud-related information.
- Provide an annual assurance review report to the governing body of Council which includes an overall assessment of fraud control in accordance with section 428A of the LGA Act.

Attribute four: Fraud Control Policy

This policy, together with other related policies and procedures, sets out Council's framework for fraud control and establishes the responsibilities for managing fraud control at Council, which is consistent with the Australian Standard 8001-2008: Fraud and corruption control. The other related policies and procedures, and the officers responsible for their implementation include:

- [Gifts and Benefits Policy](#) – Business Manager Governance
- [Internal Reporting Policy](#) – Business Manager Governance
- [Councillor Expenses and Facilities Policy](#) – General Manager
- [Statement of Business Ethics](#) – Director Corporate & Community Services
- [Corporate Credit Card Procedure](#) - Director Corporate & Community Services
- [Procurement Policy](#) – Director Corporate & Community Services



GOULBURN MULWAREE COUNCIL FRAUD CONTROL POLICY

- Crime Insurance Cover - Business Manager Governance

Attribute five: Prevention systems

Fraud Risk Assessment

A fraud risk assessment is a proactive effort to identify areas where fraud risks exist, to evaluate how effective controls are to mitigate those risks, and to determine actions necessary to eliminate any gaps. A fraud risk assessment is to be conducted bi-annually and to be reported to the Executive and the ARIC. A fraud risk assessment will also be conducted after an incident of fraud and after any major organisational change.

Internal Controls

Robust internal controls are an effective way to prevent fraud and corruption. Council's internal controls are risk-focused, and have been established to proactively minimise opportunities for fraud. Internal controls will be reviewed periodically following the detection of fraud and corruption. Examples of appropriate controls employed by Council include:

- segregation of duties
- account reconciliation
- instruments of delegation
- risk assessments
- physical security
- sustainability check of suppliers
- cyber payment protection system

Ethical Workforce

Council is committed to employing staff that support its ethical values. Council conducts pre-employment screening including reference checks as well as additional checks as appropriate for high risk positions.

All Council staff and volunteers sign a statement at induction confirming they comply with Council's Code of Conduct and other relevant policies and procedures. Staff and volunteers are required to undertake follow up mandatory training every two years.

Attribute six: Fraud awareness

A key element of Council's fraud and corruption control framework is creating awareness among all staff of the different components of the framework, what activities are considered fraudulent and how to respond if fraud is suspected.

Staff Training

Council is committed to facilitating annual training opportunities relevant to fraud control for its staff. Training will also be provided in response to specific incidents/circumstances. Staff will be required to sign attendance sheets as an acknowledgement of their training.

Ethical Behaviour Policies

Council has a range of ethical behaviour policies available on its intranet as follows:

- [Model Code of Conduct for Local Councils in NSW](#) – Business Manager Governance
- [Procurement Policy](#) – Director Corporate & Community Services
- [Gifts and Benefits Policy](#) – Business Manager Governance
- [Internal Reporting Policy](#) – Business Manager Governance
- [Councillor Expenses and Facilities Policy](#) – General Manager
- [Statement of Business Ethics](#) – Director Corporate & Community Services



GOULBURN MULWAREE COUNCIL FRAUD CONTROL POLICY

Induction

Staff induction addresses key policies relevant to Council's fraud control framework, including Council's Code of Conduct and Internal Reporting Policy.

Customer and Community Awareness

Council is committed to ensuring that its customers and suppliers are aware of its commitment to ethical behaviour. Council's Statement of Business Ethics is published on its website, along with policies relevant to the fraud control framework.

Attribute seven: Third party management systems

Council ensures that appropriate controls, such as the segregation of duties, are in place to manage its dealings with third parties. Council provides a copy of its Statement of Business Ethics to contractors and suppliers so they understand the mutual obligations of all parties and the standards of behaviour expected by Council.

Third parties are encouraged to report suspected fraud to Council in accordance with the processes outlined in Council's Internal Reporting Policy.

Attribute eight: Notification systems

Council requires its officials and encourages third parties and members of the public to report known or suspected fraud in accordance with Council's Internal Reporting Policy.

The *Crimes Act 1900* provides that in certain circumstances, failure to report a serious offence (which could include fraud and/or corrupt conduct) to the NSW Police or another appropriate authority is an offence.

The *Public Interest Disclosures Act 1994* (PID Act) provides protection to public officials (as defined by the PID Act) who make a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person that is substantially in reprisal for that person making a public interest disclosure.

Attribute nine: Detection systems

Council uses internal audit to assess its risk management framework and conduct periodic fraud control reviews to identify emerging opportunities for fraud and opportunities to strengthen internal controls.

Employees are encouraged to report acts that violate Council's Code of Conduct and other related policies to their respective Director, the Business Manager Governance or the Chief Executive Officer.

Council has established a protection program to facilitate the reporting of misconduct anonymously.

Council will investigate implementing automated triggers/flags for reporting suspicious transactions into all electronic systems (such as the computerised accounting system) to identify suspected fraudulent transactions.

Council will investigate the use of data analytics on a periodic basis to identify irregularities and detect fraud.

Attribute ten: Investigation systems

Guidelines for the investigation of suspected fraud and the possible disciplinary action which may result, are set out in Council's Internal Reporting Policy, Code of Conduct and associated Procedures.

Where a Council official or other relevant party is reasonably suspected of behaving corruptly, that can be reported directly to the Independent Commission Against Corruption (ICAC) or to any of the Council officials listed in Council's Internal Reporting Policy and that person may be investigated



**GOULBURN MULWAREE COUNCIL
FRAUD CONTROL POLICY**

under the ICAC Act. There is also the possibility of an investigation by the NSW Police if the reported behaviour constitutes criminal conduct.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	17 December 2019	2019/537	28 February 2020	2 March 2020
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Corporate & Community Services

BUSINESS UNIT: Governance



Internal Reporting Policy



GOULBURN MULWAREE COUNCIL INTERNAL REPORTING POLICY

POLICY OBJECTIVE

The purpose of this policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The policy sets out who you can report wrongdoing to in Goulburn Mulwaree Council (Council), what can be reported and how reports of wrongdoing will be dealt with by Council.

LEGISLATIVE PROVISIONS

Government Information (Public Access Act) 2009

Public Interest Disclosures Act 1994

Public Interest Disclosures Regulation 2011

Consideration has been given to the following documents in the preparation of this policy:

- NSW Ombudsman - Model Internal Reporting Policy (Local Government) July 2020
- NSW Ombudsman – Guideline A2: Internal reporting policies and procedures

POLICY STATEMENT

1. Purpose and context of the policy

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the *Public Interest Disclosures Act 1994 (PID Act)*.

The internal reporting system established under this policy is not intended to be used for staff grievances. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to Human Resources to be dealt with in accordance with the *Local Government (State) Award 2014*.

2. Organisational commitment

Council is committed to the aims and objectives of the PID Act. Council recognises the valuable and important role of staff and Councillors in ensuring high ethical standards and enhancing administrative and management practices to prevent corrupt conduct, maladministration, serious and substantial waste of public money, breaches of the *Government Information (Public Access) Act 2009* and contravention of local government pecuniary interest requirements.

Council is committed to:

- creating a climate of trust, where people are comfortable and confident about reporting wrongdoing
- encouraging individuals to come forward if they are aware of wrongdoing within Council
- keeping the identity of the person disclosing wrongdoing confidential, where this is possible and appropriate
- protecting the person from any adverse action resulting from them making a report
- dealing with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it
- keeping the individual who makes a report informed of their progress and the outcome
- encouraging the reporting of wrongdoing within Council but respect any decision to disclose wrongdoing outside Council that is made in accordance with the provisions of the PID Act
- ensuring managers and supervisors at all levels in Council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing

3. Who does this policy apply to?

This policy applies to:

- both Council staff and Councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for Council



GOULBURN MULWAREE COUNCIL INTERNAL REPORTING POLICY

- employees of contractors providing services to Council
- other people who perform Council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers.

The policy also applies to public officials of another council or public authority who report wrongdoing relating to Council.

4. Roles and responsibilities

a. The role of Council staff and Councillors

Staff and Councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All Council staff and Councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect
- respect the rights of any person the subject of reports.

Staff and Councillors must not:

- make false or misleading reports of wrongdoing
- victimise or harass anyone who has made a report

Additionally, the behaviour of all Council staff and Councillors involved in the internal reporting process must adhere to Council's Code of Conduct. A breach of the code could result in disciplinary action.

b. The role of Council

Council has a responsibility to establish and maintain a working environment that encourages staff and Councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

Council will assess all reports of wrongdoing it receives from staff and Councillors and deal with them appropriately. Once wrongdoing has been reported, Council takes 'ownership' of the matter. This means it is the responsibility of Council to decide whether a report should be investigated, and if so, how it should be investigated and by whom. Council will deal with all reports of wrongdoing fairly and reasonably, and respect the rights of any person the subject of a report.

Council must report on our obligations under the PID Act and statistical information about public interest disclosures in our annual report and to the NSW Ombudsman every six months.

To ensure Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and Councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

c. Roles of key positions

Chief Executive Officer

The Chief Executive Officer has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring Council complies with the PID Act. The Chief Executive Officer can receive reports from staff and Councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- make decisions following any investigation or appoint an appropriate decision-maker



GOULBURN MULWAREE COUNCIL INTERNAL REPORTING POLICY

- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC)
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

Disclosures Coordinator

The Disclosures Coordinator has a central role in Council's internal reporting system. The Disclosures Coordinator can receive and assess reports, and is the primary point of contact in Council for the reporter. The Disclosures Coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the Chief Executive Officer)
- deal with reports made under the Council's Code of Conduct in accordance with the Council's adopted Code of Conduct procedures
- coordinate Council's response to a report
- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report
- ensure Council complies with the PID Act
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

Disclosures officers

Disclosures officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing and assist staff and Councillors to make reports.

Disclosures officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace
- discuss with the reporter any concerns they may have about reprisal or workplace conflict
- carry out preliminary assessment and forward reports to the Disclosures Coordinator or General Manager for full assessment.

Mayor

The Mayor can receive reports from staff and Councillors about the Chief Executive Officer. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with
- deal with reports made under Council's Code of Conduct in accordance with the Council's adopted Code of Conduct procedures
- refer reports to an investigating authority, where appropriate
- liaise with the Disclosures Coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

Supervisors and managers

Supervisors and managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and managers should be aware of the internal reporting



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INTERNAL REPORTING POLICY

policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- implement local management strategies, in consultation with the Disclosures Coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the Disclosures Coordinator or Chief Executive Officer immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the Chief Executive Officer, notify the Mayor.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	17 April 2007	07/177	17 April 2007	17 April 2007
2	19 June 2012	12/218	19 June 2012	19 June 2012
3	18 June 2013	13/249	26 July 2013	26 July 2013
4	18 July 2017	2017/308	18 July 2017	18 August 2017
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Corporate & Community Services

BUSINESS UNIT: Governance



Motor Vehicle & Private Use Policy



GOULBURN MULWAREE COUNCIL MOTOR VEHICLE & PRIVATE USE POLICY

POLICY OBJECTIVE

To provide a mechanism to ensure Council's vehicles are effectively allocated and managed.

LEGISLATIVE PROVISIONS

Transport Administration Act 1988
Road Transport Act 2013
Motor Vehicles Tax Act 1988
Road Transport (Driver Licensing) Regulation 2017
Road Transport (Vehicle Reg) Regulation 2017
Local Government (State) Award 2017

POLICY STATEMENT

This document together with Council's Use of Motor Vehicles Procedure outlines factors that must be addressed in the management of Council's motor vehicles.

Vehicle allocation

Council will provide vehicles to employees for the following reasons:

- Where there is an operational need for the vehicle to allow staff to perform their duties
- It is part of an employee's condition of employment
- As an approved component of Council's Workforce Plan i.e. to attract, retain and motivate staff
- A combination of the above.

Vehicle Type

The type of vehicle provided will be guided by the reason for vehicle allocation and budget effects on Council. The exact type of vehicle allocated will be determined by the Operations Centre Manager and will be fit for work purpose, with the final approval being made with the Chief Executive Officer.

Environmental considerations

Environmental considerations including fuel consumption and greenhouse gas emissions are to be considered when allocating and selecting vehicle type.

Vehicle Acquisition & Disposal Methods

Council purchases all Light Fleet Vehicles through contracts available through the NSW State Government Supply Contracts unless (under special circumstances) the Chief Executive Officer directs otherwise. Procurement shall be by request for quotation in accordance with Council's Procurement Guidelines.

Council uses the following disposal methods:

- (a) Auctions
- (b) Dealer Trade in
- (c) Advertisement to Public (Formal Expressions of Interest)

Vehicle Replacement

Vehicles will be replaced at a frequency that provides the best financial advantage to Council and ensures that staff has access to vehicles that satisfy operational and safety requirements. However, as a general standard unless otherwise determined by the Chief Executive Officer, vehicle replacement will be in accordance with Council's Plant and Fleet Replacement Procedure.



**GOULBURN MULWAREE COUNCIL
MOTOR VEHICLE & PRIVATE USE POLICY**

Vehicle Availability

The vehicle shall be brought to work every working day except for periods of sick, annual or other leave. Unless the vehicle is required for operational purposes, the periods of continuous leave will be restricted to six weeks unless the Chief Executive Officer grants approval for a longer period.

The vehicle shall be available to any appropriately licensed employee that requires a vehicle.

Private Usage

This policy acknowledges that private use arrangements provide organisational and employee benefits including:

- Transferring many of the responsibilities of vehicle care to staff in exchange for a variety of levels of private use including: washing and cleaning of vehicles; routine maintenance; garaging out of hours; providing security without the need for additional extensive car parking facilities.
- A remuneration incentive to attract and retain certain levels of staff where market competition in local government and the private sector commended such an approach.

Based on the above, the Chief Executive Officer is authorised to approve an employee to have access to private use of a Council vehicle. All such usage shall be in accordance with Council's Use of Motor Vehicles Procedure.

Contribution for Private Usage

By allowing private use of vehicles, Council may be subject to additional costs including fuel, 'wear and tear', Fringe Benefits Tax (FBT) etc.

To offset these costs, employees will be charged a private use contribution. This contribution is a fortnightly charge and will be deducted from the employee's pay.

The contribution will be reviewed each year in accordance with the Local Government (State) Award and CPI.

Lease Surcharge

A surcharge will apply to the private use contribution if the employee resides a significant distance from the regular place of work (i.e. Council's Civic Centre or Hetherington Street Depot). Gas/hybrid/electric operated vehicles are exempt from surcharge.

The current surcharges are applicable:

- 50% for between 50 – 100 kms from the Civic Centre
- 100% for greater than 100kms from the Civic Centre

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	17 July 2007	07/365	17 July 2007	17 July 2007
2	19 May 2009	09/264	19 May 2009	19 May 2009
3	21 May 2013	13/179	21 May 2013	5 July 2013
4	14 October 2014	14/395	14 October 2014	14 October 2014
5	6 June 2017	17/227	6 June 2017	7 July 2017
All policies can be reviewed or revoked by resolution of Council at anytime. This document will be reviewed annually				

DIRECTORATE: Operations

BUSINESS UNIT: Operations



Naming of Roads & Public Places Policy



GOULBURN MULWAREE COUNCIL NAMING OF ROADS & PUBLIC PLACES POLICY

POLICY OBJECTIVE

To establish guidelines for the naming of roads and public places within the Goulburn Mulwaree Council Area.

LEGISLATIVE PROVISIONS

Roads Act 1993

Roads (General) Regulation 2000

AS/NZS 4819:2003 Geographic Information – Rural and Urban Addressing

POLICY STATEMENT

This policy provides the administrative framework for naming or re-naming of roads and public places.

Public Roads

For public roads Council will require thirty percent (30%) of all roads within a new subdivision to be selected from the pre-approved list of historic and Aboriginal names. These names have been compiled by Council following a public exhibition process and endorsement by the Geographic Names Board. Once a name has been used, it will be removed from the list. All other road names in the subdivision can either be from the preapproved list or alternate names proposed by the applicant which meets the criteria established by the Geographic Names Board.

Alternative names, not on the pre-approved list, may be considered subject to the following process:

1. Proposed names are referred to a Council meeting once a year (i.e. June) with an assessment against the Guidelines for Road Naming produced by the Geographic Names Board.
2. If resolved by Council, the alternative name will be publicly exhibited at the applicant's expense
3. The proposed name together with any submissions received during the exhibition process will be referred to the Geographic Names Board for final approval.

It should be noted that final approval is not required from the Geographic Names Board for naming of private roads and right of carriageways. Council will however exhibit the proposed name and assess its appropriateness.

Public Places

The procedure for naming a place is similar to that for road naming.

For public places, localities and suburbs, Council's preference is for the selection of names from the pre-approved list. For alternative names, the appropriateness of selected names will be considered at a Council meeting in the first instance with an assessment against any Geographic Names Board guidelines.

The proposed name will then be referred to the Geographical Names Board for their consideration. The Geographical Names Board is responsible for the public exhibition and final approval for naming / re-naming of public places (including parks), localities and suburbs.

Features within a park (eg rose garden) may also be selected from the approved list. The appropriateness of alternative names will be assessed against any guidelines. Council will also



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NAMING OF ROADS & PUBLIC PLACES POLICY

consider names after persons for a significant achievement. The naming of features within a park does not require the approval of the Geographic Names Board, only that of Council.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	16 December 2008	08/800	16 December 2008	16 December 2008
2	19 April 2011	11/118	8 June 2011	8 June 2011
3	21 May 2013	13/179	21 May 2013	5 July 2013
4	16 July 2019	2019/246	26 August 2019	26 August 2019
5				

All policies can be reviewed or revoked by resolution of Council at anytime.

DIRECTORATE: Executive

BUSINESS UNIT: Executive



Pigeon, Indian Myna and Pest Bird Policy



GOULBURN MULWAREE COUNCIL PIGEON AND PEST BIRD POLICY

POLICY OBJECTIVE

The purpose of this policy is to provide guidance to the community and the operations of Council on the actions that will be implemented to control and monitor populations of pest birds, primarily pigeons, in the Goulburn Mulwaree Local Government Area. The objective of the specified actions is to reduce the impact of pest birds in the wider Goulburn Mulwaree landscape.

A number of areas in the Goulburn Mulwaree Council Local Government area are experiencing a significant increase in the number of pigeons, Indian Myna other Pest birds and the amount of faeces is increasing maintenance costs of buildings. Research undertaken has indicated that there are many options for the control of pigeons in built up areas and this policy outlines options available to Council and the community.

This policy provides information to the community on ways to discourage pest birds such as pigeon's starlings and mynas in the wider Goulburn Mulwaree region, to encourage native birds and enhance native bird habitat.

LEGISLATIVE PROVISIONS

Local Government Act 1993

POLICY STATEMENT

The aim of this policy is to:

- To enable both Council and the community to take steps to control pest birds in a coordinated manner
- Provide information on the most effective and efficient ways for property owners to deal with pest birds, in the urban environment.
- To monitor bird populations in the Goulburn Mulwaree region as a tool for gauging the effectiveness of management actions.
- To provide the Goulburn Mulwaree Community with methods of controlling pest birds on their properties, thereby encouraging native birds.
- reduce pest bird populations will reduce competition with native birds for roosting, foraging and nesting habitat

Council's stance that the control of pest birds is the responsibility of the property owner, similar to that of controlling vermin such as rats and mice. However, to improve the success it is recommended that a collaborative approach be implemented between neighbouring properties. Actions that could be taken include:

1. Rubbish Bins - Ensure all bins in the CBD parks have lids to prevent pest birds from foraging on scraps & ensure business waste bins and dumpsters are kept closed at all times.
2. Native Plantings - Recommend the use of locally occurring native vegetation for any new street plantings where appropriate and in accordance with the Vegetation Management Plan.
3. Exclusion Devices - Install netting, bird spikes, gutter guards and other recommended exclusion techniques on buildings with pest bird issues.
4. Nest Destruction - Destruction of nests where feasible, preferably during peak breeding times (July to February).



**GOULBURN MULWAREE COUNCIL
PIGEON AND PEST BIRD POLICY**

5. Trapping - Trapping program to be undertaken by business and property owners and encouraged to participate in a collaborative effort. Should only be used in conjunction with other management techniques.
6. Signage – there is anecdotal evidence that some residents are feeding the pigeons. Signs could be erected asking residents not to feed the pigeons in the CBD
7. Shooting – The use of professional shooters to remove birds from buildings is an option if undertaken as a total community response.
8. Distress Callers – These emit species alarm calls where there are a high number of birds congregating but is not a realistic option as it just tends to relocate the birds.

As a general policy statement, Council will not undertake pigeon, Indian Myna or bird pest control unless Council is satisfied that there is a majority level of cooperation from other building owners on a holistic basis. Council’s policy is that it is one of many building owners and other owners in the CBD should contribute to the cost of pigeon control.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	15 October 2019	15.4	15 October 2019	22 October 2019
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Executive Services

BUSINESS UNIT: Executive Services



Publication of Notices Policy



GOULBURN MULWAREE COUNCIL
PUBLICATION OF NOTICES POLICY

POLICY OBJECTIVE

To provide guidelines for the publication of Council notices including public exhibition notifications.

LEGISLATIVE PROVISIONS

Local Government Act 1993
Environmental Planning and Assessment Act 1979

POLICY STATEMENT

Goulburn Mulwaree Council is bound by the *Local Government Act 1993* and *Environmental Planning and Assessment Act 1979* to notify the community regarding certain Council business or issues (such as development applications over a certain value.)

This policy seeks to ensure that Council meets its obligations under the legislation, but also that Council is reaching the community in an effective way when advertising the items and issues within the below table.

Issue	Advertising Method	Advertising Period
Annual Report	Council Website, Hardcopies available from Civic Centre	No advertising requirement
DCP Amendments	Council Website, Goulburn Post	Minimum 28 days
Development Application	Goulburn Post, Council Website	Advertisement and notification provisions are set out in the Goulburn Mulwaree Development Control Plan 2009.
Development Application Determinations	Goulburn Post, Council Website	Advertised monthly
Extraordinary Council Meetings	Goulburn Post, Council Website, Local radio	Dependent on when meeting called
Operational Plan	Goulburn Post, Council Website	28 days minimum
Planning Proposals	Goulburn Post, Council Website	28 days minimum but can vary in accordance with legislation
Positions Vacant	Council Website, Goulburn Post, Seek, Facebook, Sydney Morning Herald (for senior positions)	Dependent on position, 14 days minimum
Reclassification of land	Goulburn Post, Council Website, public hearing.	Minimum 28 days in total, minimum 21 days for public hearing
Request for quotation (\$50k - \$150k)	Goulburn Post, Tenderlink	No minimum requirement, typically 21 days
Request for tenders (Above \$150k)	Metro Newspaper - Sydney Morning Herald (once minimum, mandatory), Goulburn Post, Tenderlink	21 day minimum
Road naming	Direct with affected landowners, Goulburn Post, Council Website	28 days minimum
Working Parties	Goulburn Post, Council Website, Facebook, localised newspapers	28 days minimum



GOULBURN MULWAREE COUNCIL
PUBLICATION OF NOTICES POLICY

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	18 September 2018	2018/385	18 September 2018	25 October 2018
2				
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Executive

BUSINESS UNIT: Communications



Records Management Policy



GOULBURN MULWAREE COUNCIL RECORDS MANAGEMENT POLICY

POLICY OBJECTIVE

This policy is to ensure the creation, capture, and management of business records to support good business practices and meet recordkeeping requirements. This policy applies across the Goulburn Mulwaree Council (Council) regardless of a record's physical location, its format or business unit control.

LEGISLATIVE PROVISIONS

State Records Act 1998

State Records Regulation 2015

Local Government Act 1993

Government Information (Public Access) Act 2009

Health Records and Information Privacy Act 2002

Privacy and Personal Information Protection Act 1998

Evidence Act 1995

Electronic Transactions Act 2000

RELATED DOCUMENTS

Council's Code of Conduct

Australian Standard AS ISO 15489-1:2017 Information and Documentation – Records Management Part 1: Concepts and Principles (adopted Code of Best Practice by NSW State Archives and Records)

Disposal Authorities as approved by NSW State Archives and Records

POLICY STATEMENT

Definition of a record – *information created, received and maintained as evidence and as an asset by an organization or person, in pursuit of legal obligations or in the transaction of business*

AS ISO 15489-1:2017 Information and documentation – Records management Part 1: Concepts and principles Clause 3.14

Records are a vital asset of Council that:

- support the delivery of services in an efficient, fair and equitable manner;
- provide evidence of Council actions and decisions and precedents for future decision making;
- meet administrative, legal, financial and historical requirements;
- support accountability and meets community expectations of Council operations.

Roles and Responsibilities

Councillors

- Councillors are required to create and maintain records that show the decision making processes of all meetings where they represent Council on Committees or external bodies or any other occasion when on Council business.
- Records are to be forwarded periodically to Council for capture.
- A Councillor in possession of Council records must not dispose of, transfer ownership, damage, alter or neglect the records in their possession.
- Electioneering (or party political information) and personal records of a Councillor are not defined as a State record and are exempt.

Chief Executive Officer:

- Ensure that Council complies with the requirements of the *State Records Act 1998*, and any other act or regulation relating to records management;
- Authorise the disposal of records unless delegated to another Council officer under s.378 of *Local Government Act 1993*.



GOULBURN MULWAREE COUNCIL RECORDS MANAGEMENT POLICY

Directors:

- Promote and ensure compliance with records management policies and procedures within their directorates;
- Determine recordkeeping requirements relating to their directorate and consult with the Records Team Leader.

Managers/Team Leaders:

- Promote and ensure compliance with records management policies and procedures within their business unit;
- Ensure physical records within their area are kept in accordance with recordkeeping storage standards;
- Ensure all work processes and systems within their area are integrated with records management;
- Determine recordkeeping requirements relating to their specific business activities and consult with the Records Team Leader to meet standards.

Senior Responsible Officer:

- Ensure electronic records remain accessible, complete, authentic and useable through the migration of data to new systems and/or by maintaining the necessary software and hardware;
- Ensure the Records Unit is adequately staffed and resourced;
- Ensure business continuity and counter disaster planning of records;
- Ensure records are protected from unauthorised or unlawful access, destruction, loss deletion or alteration.

Records Team Leader:

- Ownership of Council's Records Management Program and all associated policies, standards and standard operating procedures;
- Monitors records storage areas to ensure security access and suitable environmental conditions are maintained;
- Management of Council's records throughout their life cycle including disposal;
- Monitor/audit for compliance with records management standards;
- Provide recordkeeping training as required.

Records Staff:

- Process all incoming mail and register into Council's recordkeeping system;
- Process Council outgoing mail;
- Carry out record duties following Council approved policies and procedures;
- Assist Council employees with their recordkeeping responsibilities.

All Staff and Volunteers including trainees and persons on Work Experience:

- Are "responsible and accountable for creating and keeping accurate and complete records of their business activity." AS ISO 15489.1:2017
- Must not dispose of, transfer ownership, damage, alter or neglect records in their possession;
- Must register all records they create or receive first-hand into Council's recordkeeping system.

Contractors, Consultants and External Service Providers

All records created whilst performing work on behalf of Council belong to Council and are defined as State Records under that Act. They are to be captured in Council's recordkeeping system by the relevant Council staff member overseeing the work or forwarded to Council's Records Unit for capture.

Business Continuity and Counter Disaster Planning

As part of Council's disaster planning, the electronic records in the recordkeeping system are to be backed up in accordance with the relevant policy/procedures.



GOULBURN MULWAREE COUNCIL RECORDS MANAGEMENT POLICY

Creation and Capture of Records

- Records are to be captured in Council's recordkeeping system in the course of normal business activity and in a timely manner. Hardcopy records are to be scanned and captured electronically.
- It is the responsibility of the sender of internal and outgoing correspondence to capture the record into the recordkeeping system.
- Incoming emails are to be captured by the first listed Council recipient.
- Mail delivered by Australia Post and items taken over the front counter are to be scanned and registered by Records staff.
- Metadata is to be applied to all records by the person registering it into Council's recordkeeping system.

Classification of Records

Records registered into Council's recordkeeping system will be classified to reflect processes common to Council business functions and activities.

Electronic Records

Records that are born electronic may remain electronic when captured into Council's recordkeeping system.

Emails

- All staff are accountable for registering their emails into Council's recordkeeping system.
- The original email must be captured into Council's recordkeeping system to ensure capture of original attached metadata.
- Emails must never be printed out to be scanned and captured hardcopy.
- Emails are treated as a record.

Ephemeral Records

- Ephemeral records mean "*records of little value that only need to be kept for a limited or short period of time. Records that are ephemeral have no continuing value to the public office and, generally, are only needed for a few hours or a few days.*" State Records Regulation 2015 Schedule 2.
- Ephemeral or facilitative records may be destroyed once reference to them ceases.
- Examples include unofficial drafts, rough notes, unsolicited advertising materials, catalogues, magazines.

Maintenance and Monitoring

- Migration of electronic records from one system to another must be approved by the Senior Responsible Officer so as to maintain a records authenticity, integrity, reliability and useability.

Retention and Disposal

- All records will be appraised by Records Staff in accordance with the relevant General Disposal Authority as approved by NSW State Archives and Records.
- All records that are to be retained for a period of time are to be stored in a Council approved storage facility.
- All records due for destruction are to be destroyed by Council records staff and in accordance with NSW State Archives and Records standards and code of best practice and follow Council's approved procedure.

Security and Access

- Access and use of records will be in accordance with Council procedures and Part 8 of Council's Code of Conduct.
- Registration of records into Council's recordkeeping system will automatically apply access and security controls determined by relevant Records/IT staff in consultation with Business Units.



**GOULBURN MULWAREE COUNCIL
RECORDS MANAGEMENT POLICY**

- Access to physical records that are State Archives will be restricted so as to protect the original record. This may involve providing access to a digital copy only.
- Records are not to be removed from Council unless in the custody of a Council Officer in the performance of official duties. The Council Officer must take all reasonable steps to ensure that the records in their possession are safely returned to Council in due course.

Storage

- No unauthorised persons are to be given access to Council's records storage areas unless escorted at all times by a member of the Records Unit.
- Environmental conditions in each storage area is to be monitored on a regular basis.
- All requests for records to be placed into storage are to be approved by the Records Team Leader.

State Archives

- Records appraised as State Archives that are not the subject of a Still in Use Determination (records over 25 years since creation that are still required by Council) are to be transferred to the control of NSW State Archives and Records using the guidance and procedures published on the www.records.nsw.gov.au website.

Council's Webpage and Social Media

- Items on Council's webpage are to be captured in Council's recordkeeping system before they are displayed on the webpage
- When social media is used by Council for business purposes, that information is a record under the definitions of the *State Records Act 1998*.
- As per advice from NSW State Archives and Records this *"does not mean that all social media information must be captured and managed as an official record but it does mean that some high risk and key business value social media information will need to be managed and kept for appropriate periods of time."*

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	17 December 2019	2019/537	28 February 2020	2 March 2020

All policies can be reviewed or revoked by resolution of Council at any time.

DIRECTORATE: Corporate and Community Services

BUSINESS UNIT: Innovation and Technology



Sponsorship Policy



**GOULBURN MULWAREE COUNCIL
SPONSORSHIP POLICY**

POLICY OBJECTIVE

This policy is designed to ensure that Council has a consistent corporate approach to sponsorship opportunities. By setting rules and identifying responsibility and accountability levels, the policy is also aimed at heightening awareness of probity issues within Council.

LEGISLATIVE PROVISIONS

Local Government Act 1993

RELATED DOCUMENTS

Council's Code of Conduct

Sponsorship in the Public Sector - Independent Commission Against Corruption (ICAC)

POLICY STATEMENT

1. What is Sponsorship?

ICAC defines sponsorship as:

"...a commercial arrangement in which a sponsor provides a contribution in money or in kind to support an activity in return for certain specified benefits."

Sponsorship is a commercial arrangement. Sponsorship is not a goodwill gesture nor is it to be classified as a donation, hospitality, philanthropy, a grant, the selling of advertising space, joint ventures or consultancies.

Donations to assist Council in coordinating community events may not necessarily be classified as sponsorship, if no "return" is available. Sponsorship of a Council event or activity does not involve explicit endorsement of the sponsor or the sponsor's products.

For the purposes of this Policy, any reference to 'Sponsorship' refers to either the seeking or granting of sponsorship by Council.

2. Sponsorship Principles

- 1) ICAC have set out '*Ten Sponsorship Principles*' and these principles form the foundation for Council's policy pertaining to Sponsorship. ICAC support each of the principles with a general guide and reference should be made to these principles and guides when applying this policy. These principles and guides are detailed in Attachment 1.
- 2) The following principles, specific to Council will also apply to all sponsorship arrangements:
 - (a) Sponsorship will not be accepted for any product or service considered detrimental to health e.g. specific alcohol or tobacco products. *Note: this excludes sponsorship from hotels, licensed clubs and restaurants as they do not specifically promote individual products.*
 - (b) It is considered inappropriate for any sponsorship proposal to provide any personal benefit to any Council Councillor or employee.
 - (c) No sponsorship arrangement will involve endorsement of a sponsor or its products or services. The sponsorship agreement should detail how the sponsor's product/name will be used in any advertising or marketing.
 - (d) Sponsorship arrangements where there is a clear conflict of interest between Council and the prospective sponsor should be avoided.
 - (e) All interested parties should be afforded equal opportunity to express an interest and participate in possible sponsorship arrangements with Council.



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SPONSORSHIP POLICY**

- (f) Any sponsorship arrangement may be suspended or terminated if an involved party attempts to influence any of Council's functions or if the party may be subject to regulation or inspection by Council.
- (g) All sponsorship arrangements will be consistent with the relevant objectives of Council as set out in its Community Strategic Plan and will be appropriate in terms of Council's Charter under the *Local Government Act 1993*.
- (h) Sponsorship arrangements with potential benefits for Community education will be particularly favoured.
- (i) The process relating to sponsorship arrangements will be as transparent as possible to ensure probity, fairness and enable community scrutiny.
- (j) All sponsorship proposals will have regard to the ICAC Sponsorship Principles, Council's Code of Conduct, *Local Government Act 1993* and Council's commitment to open and accountable government.

5. Approval

- 1) All sponsorship arrangements will comply with this policy.
- 2) All sponsorship arrangements must be approved by the Chief Executive Officer.

6. Invitations for Sponsorship

- 1) Invitations for sponsorship will be by public advertisement in the local print media or digitally via the Council Facebook page. Invitations for sponsorship proposals will be advertised annually for all Council activities.
- 2) Additional invitations for sponsorships may be advertised for specific events.
- 3) In certain circumstances, and in all cases where the value of sponsorship sought exceeds \$250,000, the invitation will be by tender process in accordance with Part 3 of Chapter 6 *Local Government Act 1993*.
- 4) All submission assessment criteria must be determined and documented prior to issuing the sponsorship Invitation.
- 5) All advertisements will include the following information:
 - The nature of the specific sponsorship opportunities (including details of specific project/s)
 - The appropriate format for submission of sponsorship proposals
 - Submission details (e.g. submission in a sealed envelope, submissions by email, confidential mail, left at Customer Service counter)
 - The availability of a 'General Conditions' document
 - The methods to be used by Council to select successful sponsors
 - Closing date
 - Contact details of a Council employee who can provide interested parties with further information
- 6) Council may directly approach organisations in relation to sponsorship proposals, however such approaches will only occur after a general invitation has been advertised.

7. Assessing & Selecting Sponsorship

- 1) All proposals submitted in response to an advertised sponsorship opportunity will be appropriately documented.
- 2) The selection of a suitable party for a sponsorship agreement will be made following an assessment of the submission/s.
- 3) The method for assessment of sponsorship submissions will be consistent with the method advertised.
- 4) In addition to the specific criteria, Council will also assess a submission with consideration to 'General Criteria'. Those criteria may include:
 - The proposal being consistent with Council's objectives and principles
 - Feasibility of the proposal
 - Benefit/cost to Council



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- Public image of the parties proposing to be associated with the activity
- Current or previous relationship between Council and the prospective party
- The parties track record in achieving its defined objectives and managing sponsorship
- Proposed terms/conditions of the proposal
- Confirmation that the party is registered for GST purposes and has provided its Australian Business Number (ABN)
- Value and quality of the product, service or funding offered
- The relationship of the party to the sponsorship activity

8. Sponsorship Agreements

- 1) All of Council's sponsorship arrangements will be documented in the form of a written '*Sponsorship Agreement*', which must be signed by the Chief Executive Officer.
- 2) '*Sponsorship Agreements*' constitute contracts and should be prepared and administered by appropriate, responsible officers.
- 3) The '*Sponsorship Agreement*' should be prepared by the responsible officer in conjunction with the relevant Director, Council's Business Manager Governance, Communications Unit and where appropriate Council's legal adviser. The agreement should also be prepared with consideration to the guidelines developed by ICAC, at Attachment 2.
- 4) A '*Sponsorship Agreement*' should outline the following details, where appropriate:
 - Program/Event Details – *including how the event benefits the community, crowd expected, history of the event, form of entertainment, date/time, type of event, target audience, any relevant scanned photographs or previous media coverage*
 - The Exclusive or Non Exclusive Nature of the Sponsorship
 - The Benefits to the Sponsor – *should include specific details e.g. two weeks coverage on radio station ABC, logo placed on poster, banned displayed prominently on stage, MC Announcements, positive image due to association with the event*
 - Period of Sponsorship
 - Payment Arrangements – *if sponsorship is of an in-kind nature the agreement should outline the delivery/pick up details*
 - Rescheduling Arrangements Covering Event Cancellation – *good idea to include a clause whereby the sponsor committed to carry over their sponsorship agreement should the event be postponed due to weather*
 - Conditions of the Sponsorship – *specific expectations and responsibilities of the sponsor including what they are to provide*
 - Any Relevant Insurance Provisions
 - Using Council's Logo – *the need to adhere to Council's policy relating to use of Council Logo, need to proof any use of Council logo, agreement on who will finance the costs associated with the use of the logo if it is to be used*
 - Confidentiality Provisions
 - Provisions for Terminating or Suspending the Agreement
 - Full Contact Details of the Responsible Council Employee.
 - Full Contact Details of the Responsible representative of the sponsored party
 - Management procedure of Sponsorship Agreement non-compliance by either party.

9. Monitoring & Managing

- 1) All sponsorship arrangements will be actively managed and monitored during the term of the sponsorship to ensure the expectations of Council and the sponsor(s) are being met.
- 2) Council will assign an appropriate employee to manage and monitor each sponsorship agreement.



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- 3) Council will also ensure appropriate financial administration of the sponsorship arrangement, including the preparation of an income and expenditure statement.
- 4) During the life of the sponsorship, Council will ensure ongoing and open communication with the parties engaged in the agreement. This will include the provision of on-going feedback regarding progress.
- 5) Council will ensure parties engaged in sponsorship agreements with Council are provided with copies of any promotional material incorporating the sponsor's logo as well as copies of media releases and newspaper clippings regarding the event.

10. Sponsorship Evaluation

- 1) All sponsorship agreements will be evaluated at the end of the agreement and prior to renewal of any new agreement. The evaluation process will include the parties engaged in the agreement.
- 2) The evaluation will always take the form of a written report and should involve an analysis of the arrangement against the criteria set out in the '*Sponsorship Agreement*'. The evaluation process and report may also cover the following areas:
 - The value of the sponsorship in meeting Council's objectives and benefiting to the community
 - Comments on the prominence of signage, media coverage, community response and whether the sponsored activity was well administered
 - Any difficulties or problems encountered
 - The success of the event/activity
 - Whether any conflict of interest issues arose and if so how the matter was resolved
 - Comments by the parties involved in the agreement in meeting their objectives and their view on the "value for money" of the arrangement
 - Any comments pertaining to the consideration of the sponsor for future opportunities
- 3) The evaluation report will be submitted to the Chief Executive Officer for information and consideration and will also be provided to the party engaged in the agreement with Council.

11. Benefits

- 1) Potential benefits to sponsors will be clearly stated in documentation provided to all persons responding to invitations for sponsorship.
- 2) For each event/activity, Council will ensure the provision of adequate resources to ensure sponsorship benefits are delivered.
- 3) Sponsorship benefits will be commensurate with the level of sponsorship and consistent with other sponsorship arrangements with Council.
- 4) All sponsorship benefits will be specified within the '*Sponsorship Agreement*' and may include:
 - Advertising opportunities on promotional literature and in the media
 - Other advertising opportunities as considered appropriate by Council in conjunction with the sponsor in each case
 - Direct exposure of product to the Community
 - Product awareness and educational opportunities
 - Formal letter from Council acknowledging the sponsors valuable contribution to a successful event/activity/project and will be from the Mayor or Chief Executive Officer
 - Association with best practice initiatives

12. Conflicts of Interest

- 1) Those activities, where sponsor involvement could compromise or be seen to compromise Council's ability to exercise its role impartially on behalf of the community or could diminish the public's confidence, will not be accepted.



GOULBURN MULWAREE COUNCIL SPONSORSHIP POLICY

- 2) Sponsorships should not limit, or appear to limit, Council from carrying out its duties, including the development and implementation of legislation and policy, fairly or impartially. Potential for real or perceived conflicts of interest between the proposed sponsor and Council should be minimised. For example, sponsorship proposals from organisations with which Council normally enjoys a regulatory or contractual relationship will normally be avoided.
- 3) If sponsorship is proposed with a party with whom Council normally enjoys a regulatory or contractual relationship, the reasons for acceptance of such an arrangement will be clearly recorded.
- 4) All Council employees must, prior to the assessment process, identify, document and resolve any perceived, actual or potential conflict of interest posed by a potential sponsorship arrangement.
- 5) Council will not enter into a sponsorship agreement with any party whose objectives and/or mission are in actual conflict with those of Council.
- 6) In any instance where Council decides to accept and manage a conflict of interest, a clear record of the decision making process will be kept along with identified strategies to be employed to manage the conflict.

13. Termination

- 1) Any attempt by the sponsor to influence Council's functions will result in an automatic review and/or termination of the sponsorship arrangement.

14. Reporting, Auditing & Public Availability

- 1) Sponsorship arrangements will be publicised in Council's Annual Report.
- 2) All sponsorship monies will be treated as public funds and reconciled with Council's normal financial accounts as a non-reciprocal contribution.
- 3) Council will maintain a Sponsorship Register, listing all sponsorship arrangements involving Council. Upon request, this register will be available for inspection by the public.
- 4) All information about the full nature and extent of sponsorship arrangements will be available to the public upon request.
- 5) Council will conduct regular and random financial and performance audits pertaining to sponsorship arrangements involving Council.

15. Policy Breaches

Breaches of this policy may result in disciplinary action and if appropriate referred to an outside agency for consideration.

Attachments:

Attachment 1 – ICAC's 10 Sponsorship Principles

Attachment 2 – Developing a Sponsorship Agreement (when receiving sponsorship)



**GOULBURN MULWAREE COUNCIL
SPONSORSHIP POLICY**

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	19 April 2011	11/118	8 June 2011	8 June 2011
2	18 April 2013	13/249	26 July 2013	26 July 2013
3	18 July 2017	2017/308	18 July 2017	18 August 2017
All policies can be reviewed or revoked by resolution of Council at any time.				

DIRECTORATE: Business Services

BUSINESS UNIT: Governance

ATTACHMENT NO 1

ICAC's 10 Sponsorship Principles

- 1. A sponsorship agreement should not impose or imply conditions that would limit, or appear to limit, a public sector agency's ability to carry out its functions fully and impartially.**

Sponsorship should not hinder or influence the way an agency operates. An agency should continue to carry out its functions fully and impartially, regardless of the sponsorship agreement or the interests or business of the sponsor or sponsorship recipient. Agencies should ensure this principle is fully understood by all other parties in the sponsorship arrangement.

- 2. There should be no actual conflict between the objectives and/or mission of the sponsored agency and those of the sponsor.**

Before entering into a sponsorship arrangement, an agency should ensure that the values and objectives of the potential sponsor or sponsorship recipient or its parent company do not conflict with those of the agency. There should be provision in the sponsorship agreement for an agency to terminate the agreement during the term of the agreement if these values or objectives change in a way that could pose a conflict of interest for the agency.

- 3. In general, a public sector agency with regulatory or inspection responsibilities should not seek, or accept sponsorship from people or organisations which are, or may be, subject to regulation or inspection by the agency during the life of the sponsorship. Where adhering to this principle would unduly limit the agency's sponsorship prospects, the agency should develop alternative strategies to ensure it can carry out its regulatory or inspection responsibilities in relation to sponsors in an open, fair, accountable and impartial manner.**

The Commission believes that, in general, agencies should not accept sponsorship from or grant sponsorship to parties subject to or likely to be subject to their regulation or inspection. However, it is recognised that agencies may have difficulty attracting sponsorship if they adhere to this principle in all cases. For example, an agency may find that sponsorship for a particular event or activity is only forthcoming from parties it regulates or inspects or is likely to regulate or inspect. When considering whether to enter into a sponsorship arrangement with such a party, the agency should consider the best interests of the public, public accountability, public perceptions and the potential risks as well as the potential benefits. Agencies that enter into such arrangements should take appropriate action to manage the risks, for example:

- The agency should record the circumstances resulting in this decision and its decision-making process.
- The agency should have a policy and procedures in place to ensure it carries out its functions in regard to such parties in a fair, accountable, open and impartial manner. At a minimum, the agency should ensure that the people or division involved in the sponsorship arrangement have no involvement in the regulation or inspection of the party or in general. The agency could also consider using an independent person or body outside the agency that can carry out the regulatory functions impartially and provide a report to the agency. To promote transparency, agencies should consider placing this policy on their website.
- Agencies involved in sponsorship activities should also have procedures in place in the event that a sponsor or sponsorship recipient becomes subject to the agency's regulation or inspection while the sponsorship arrangement is in effect. The procedures should ensure the agency carries out its functions in regard to this party in a fair, accountable, open and impartial manner. The sponsorship agreement should give the agency the option of terminating or suspending the sponsorship arrangement in such cases if it is appropriate.
- All parties should understand clearly that the sponsorship arrangement has no bearing on the agency's exercise of its regulatory or inspectorial functions. This should be clearly

ATTACHMENT NO 1

stated and acknowledged in all documentation including the sponsorship agreement and the agency website.

4. Sponsorship of a public sector agency or activity should not involve explicit endorsement of the sponsor or the sponsor's products.

The act of entering into a sponsorship arrangement with a sponsor or sponsorship recipient in itself sends an implicit message of endorsement of the sponsor and its products by the agency. This credibility is one reason that the private sector seeks to sponsor government agencies. Agencies cannot control this perception and for this reason must be careful in their choice of sponsors or sponsorship recipients. However, agencies can take steps to ensure they do not explicitly endorse a sponsor or sponsorship recipient or their products and the sponsorship agreement should clearly state this.

An example of explicit endorsement would be a school that receives sponsorship from a stationer stating to students that particular stationery products are superior to others.

5. Where sponsorship involves the sponsor providing a product to the agency, the agency should evaluate that product for its fitness for purpose against objective criteria that are relevant to the agency's needs.

Agencies should be careful not to accept a sponsor's products simply because they are offered free of charge: this could result in implicit endorsement of a sub-standard product. The agency should ensure the product is of the type and quality that it requires before it agrees to accept sponsorship.

6. It is inappropriate for any employee of a public sector agency to receive a personal benefit from a sponsorship.

This principle should be included in the agency's code of conduct. Sponsorship should not benefit individual staff but must be used in the public interest. Where a benefit provided by a sponsor is used by an individual staff member, for example, attendance at a conference, the agency should minimise the possibility of perceptions that a personal benefit was given to an individual public official. For example:

- The sponsorship should be offered to and negotiated with the agency, not the individual public official.
- The agency, not the sponsor, should select the individual to receive the benefit (such as attendance at a conference).
- If there is a regulatory relationship with the sponsor, the individual selected should not be involved in that regulatory function.

7. In most circumstances, the public interest is best served by making sponsorship opportunities widely known. To this end sponsorships should be sought and granted by using broadly based, open processes that are not limited solely to invited sponsors.

The ICAC maintains that open tendering is the most appropriate method in most cases, particularly if there is keen interest in sponsorship, or the event or activity that is attracting the sponsorship interest is particularly significant. However, the Commission accepts that open tendering can sometimes be problematic for a number of reasons. For example, a one-off opportunity of considerable benefit that requires quick action may be lost to the agency during the time taken by a tender process.

While open tendering may not always be appropriate, agencies should still strive to maintain an open approach to sponsorship that provides equality of opportunity to would-be sponsors and maximises the potential public benefit. They should select the most open strategy that is appropriate for the particular circumstances. See the section "Seeking sponsorship or receiving unsolicited proposals" on pages 29 and 30 for examples of such strategies.

ATTACHMENT NO 1

In some cases, for example if sponsor interest is poor or restricted to potential sponsors with highly specialised characteristics, agencies may determine that dealing with potential sponsors is most appropriate. In such cases, they should record the nature of the circumstances, their decision-making process and their strategies for addressing the potential corruption risks.

Unsolicited proposals from potential sponsors pose additional risks for agencies; for example, it is often difficult to assess the value of the proposed sponsorship if you cannot compare it with the market. Agencies should assess all such unsolicited proposals carefully and ensure that both the potential sponsor and the proposal meet all the agency's requirements. If possible they should commission an independent market scan to obtain an indication of market value. If an agency decides to accept the proposal, it should record the circumstances in the same way as it would when dealing directly with potential sponsors.

Open processes should also be used for the granting of sponsorship for the same general reasons as apply to seeking sponsorship.

8. Public sector agencies should assess sponsorship proposals against predetermined criteria which have been published in advance or which are circulated to organisations that submit an expression of interest.

Agencies that are interested in attracting sponsorship should develop general criteria against which they will assess potential sponsors. They should make this information widely available, for example on the agency website. They should include these general criteria plus any additional criteria specific to a particular sponsorship opportunity with the tender or expression of interest information packages.

Agencies should also fully document their assessment process and the reasons for their decisions.

9. A sponsorship arrangement is a contract and should be described in a written agreement.

Sponsorship agreements are legally binding contracts and should be prepared and administered by staff who are appropriately trained. This training should include basic contract administration and commercial dealings with the private sector. We have provided guidance in this publication on the sorts of matters that could be covered by sponsorship agreements (see pages 27 and 42).

10. All sponsorship arrangements should be approved by the CEO or another designated senior officer of the agency and described in the agency's annual report in a form commensurate with the significance of the sponsorship.

In larger or decentralised agencies, sponsorship may be undertaken at regional or even local levels as well as centrally. Such agencies should therefore clarify the circumstances in which regional or local managers may approve or grant sponsorship and ensure that these managers have the appropriate delegations to enter into sponsorship agreements.

These agencies should also maintain a database of sponsorships. Where a centralised database is not practical, regional and local managers with the delegation to approve sponsorships should be required to maintain their own sponsorship databases and the agencies should have reporting systems that allow this data to be collected for internal audit programs and annual reports.

ATTACHMENT NO 2

Developing a Sponsorship Agreement (When Receiving Sponsorship)

The Commission recommends that agencies should seek legal advice when developing a sponsorship agreement.

Depending on the nature of the particular sponsorship, some or all of the following provisions could be found in any sponsorship agreement:

- The objective of the sponsorship agreement
- A clear description of the event/activity/project/enterprise being sponsored
- Names of all parties to the agreement
- The term of the sponsorship and any conditions regarding renewal
- The benefits your agency agrees to provide. These should be discussed and described in detail to minimise argument. For example:
 - List the ways that the sponsor's logo will be used
 - Clarify the size, colour and position of the sponsor's logo on any printed material
- Whether the sponsor is the sole sponsor
- Whether the sponsor is the major sponsor
- The amount, form and delivery of sponsorship payments, noting whether these are paid in instalments or linked to an event
- The obligations, rights and responsibilities of each party. For example, whether:
 - Your agency is obliged to clear media releases with the sponsor
 - Your agency has the right to control the use of its own name and logo
 - The sponsor has the right to veto the involvement of another sponsor
 - Either party has the right to review the financial accounts
- Agency statements:
 - Your agency has the right to veto the content of any articles or advertising material developed by the sponsor, for example, to ensure it does not imply endorsements or future bias by your agency
 - Your agency has final control over sponsored activities or events and associated personnel, for example the rules of competitions
 - The sponsorship is not to be regarded as a general endorsement by your agency of the sponsor's business activities
 - The sponsorship has no impact on the proper and impartial exercise by your agency of its functions
- A dispute resolution process
- Liaison personnel both in your agency and the sponsor
- Financial accountability requirements
- Confidentiality terms
- Reporting requirements of both parties, including format, frequency and standard of reporting
- Whether the sponsor can view your agency's strategic plan or other documents
- What information the sponsor can have about current or past sponsors
- The ownership and use of any intellectual property created as a result of the sponsorship, for example, the results of sponsored research
- Refund or replacement arrangements if either party is unable to fulfil its obligations
- Termination clauses, particularly important in high dollar value arrangements. These should specify the events that could lead to termination, such as:
 - A change in the sponsor's corporate mission
 - If the sponsor becomes subject to your agency's regulation or inspection
 - A merger or other event that causes a conflict of interest
 - Any action by the sponsor that results in public criticism/bad publicity and reflects badly on your agency or brings its probity into question
- Payment of GST
- Evaluation criteria, including audit and finance requirements

ATTACHMENT NO 2

- Sponsor statements, for example:
 - That the sponsor is not aware of any actual, potential and/or perceived conflict of interest with your agency's objectives
 - That the sponsor is not aware of any actual, potential and/or perceived conflict of interest relating to agency staff involved in the sponsorship arrangement
 - That it has not made or received any payments or inducements to or from your agency or any of its staff
 - That it will not provide any personal benefits to any of your agency's employees
- Conditions for renewing the sponsorship, including that the sponsorship must be evaluated and meet the evaluation criteria in the agreement before renewal can be considered
- Financial accountability requirements
- In cases where the sponsor is a body regulated by your agency, you must clearly state that the sponsorship relationship will not influence your agency's exercise of its regulatory or inspection functions in relation to the sponsor. Outline the strategies your agency has in place to deal with how it will exercise these functions as they relate to the sponsor. For example, a Council could have a consultant or another Council's Planning Department evaluate the Development Application (DA) of a Council sponsor



Sister City and Friendship Region Relationship Policy



GOULBURN MULWAREE COUNCIL SISTER CITY AND FRIENDSHIP REGION RELATIONSHIP POLICY

POLICY OBJECTIVE

The objective of this policy is to provide a structured and transparent framework for Goulburn Mulwaree's Council's relationship with its Sister Cities and Friendship Regions. The policy will establish Council's commitment to its Sister City and Friendship Regions relationships including the interactions required and where Council representatives are funded to make official visits to further cement the positive relationships with these cities and regions.

LEGISLATIVE PROVISIONS

Local Government Act 1993

POLICY STATEMENT

Council has entered into formal Sister City Relationships with Shibetsu City in Japan, Jiangdu in China and Wagin Shire Council in Western Australia. Council has friendship relationships with Quelicai in Timor Leste, Lang Son City in Vietnam, Kisoro in Uganda and Nalaikh in Mongolia.

A Sister City relationship can be defined as a formal agreement based on a high level of commitment to shared cultural, social and commercial goals. In pursuit of these shared goals, Council will:

- provide support for exchanges of art and cultural products between our libraries and galleries
- explore cooperation and exchange between local development agencies, chambers of commerce and tourism departments
- foster education and career prospects of our youth through exchange of knowledge and ideas
- cross promotion of tourism opportunities between the two communities
- explore the possibility of resource sharing
- provide opportunities for elected members and staff to learn from the sister city members
- promote economic development

Council will promote the relationship and where mutually required, provide opportunities for civic or business delegations on a regular basis.

Council will endeavour to make or receive at least one official visit to or from our Sister Cities in every term of Council.

Council will promote student exchanges with at least one of our Sister Cities on an annual basis.

Council will also make appropriate financial contributions toward air fares and accommodation for Council appointed delegates making an official visit to our Sister Cities. The amount of the financial contribution will be determined by Council resolution through the annual budgetary process. This will include financial contributions and formal Civic Receptions for departing and visiting students.

A Friendship Region relationship can be defined as a cooperative agreement, where a lesser level of engagement is proposed, and where any benefits do not necessarily reflect a Goulburn Mulwaree benefit but could form part of the community's desire to assist regions in the world that are not as advantaged as the Goulburn Mulwaree community.

Where Council is of the opinion that beneficial cultural, social or commercial outcomes can be achieved by having regular contact, the arrangement will occur with an exchange of letters.



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Council will also give consideration to funding visits to and delegations from our friendship regions, which will be determined by Council resolution on a case by case basis. The consideration for financial assistance will only be towards air fares and accommodation.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	6 August 2019	15.5	24 September 2019	24 September 2019
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Executive Services

BUSINESS UNIT: Executive Services



Sustainability Policy



GOULBURN MULWAREE COUNCIL SUSTAINABILITY POLICY

POLICY OBJECTIVE

Council is committed to minimising environmental impacts arising from Council operations and improving resource and energy use and efficiency. Council also has an important role to play in the protection and enhancement of the environment for future generations and supporting sustainability in the wider community.

LEGISLATIVE PROVISIONS

Biodiversity Conservation Act 2016
Local Government Act 1993
Environmental Planning and Assessment Act 1979

POLICY STATEMENT

Objectives

The objectives of this policy are:

- To continue the integration of sustainability practices into Council functions.
- To provide a clear statement that Council will exercise leadership on sustainability and the Principles of Ecologically Sustainable Development ESD as defined in the *NSW Local Government Act 1993*.
- To implement the sustainability strategies outlined in Council's Community Strategic Plan, Delivery Programs and Operational plans.
- To strive for continual improvement in sustainability practices.

Principles

Council's responsibility is to provide affordable high quality services to its community while protecting and enhancing its environment for future generations. Council's Sustainability Policy is based on the Principles of Ecologically Sustainable Development as required under *Local Government Act 1993*. These principles are:

- The **precautionary principle**, e.g. if there are threats of serious irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation
- **Intergenerational equity**, e.g. the present generation should ensure that the health diversity and productivity of the environment is preserved and enhanced for the benefit of future generations
- **Conservation** of biological diversity and ecological integrity should be a fundamental consideration
- Improved valuation, pricing and incentive mechanisms and environmental factors will be included in the valuation of all Council assets and services. This can be achieved by adopting the principles of **Quadruple Bottom Line accounting**. This involves assessing projects by the following criteria - economic prosperity, social equity, environmental sustainability & cultural vitality.

This Policy will be implemented by:

- Providing clear direction for Council to incorporate environmental sustainability practices across all aspects of the organisation's operations. This is to reflect the strategic goals of the Community Strategic Plan.
- Ensure the Principles of Ecologically Sustainable Development form a critical reference point for Council decision making and are embedded into all Council operations and activities



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SUSTAINABILITY POLICY**

- Minimise and/or mitigate adverse environmental sustainability impacts from Council operations and processes
- Raise awareness of environmental sustainability amongst Goulburn Mulwaree Council staff, contractors, visitors, volunteers and the community.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	2 October 2012	12/352	14 November 2012	14 November 2012
2	16 August 2016	16/376	23 September 2016	23 September 2016
3	18 July 2017	2017/320	18 July 2017	18 August 2017
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Executive Services

BUSINESS UNIT: Executive Services



Unreasonable Complainant Conduct Policy



GOULBURN MULWAREE COUNCIL UNREASONABLE COMPLAINANT CONDUCT POLICY

POLICY OBJECTIVE

This policy is to provide customers and all Council staff members the framework within which Council will manage unreasonable complainant conduct ('UCC').

LEGISLATIVE PROVISIONS

Work Health and Safety Act 2011

POLICY STATEMENT

1. Introduction

Goulburn Mulwaree Council (Council) is committed to being accessible and responsive to all complainants who approach our office for assistance and/or with a complaint. At the same time the success of our office depends on:

- our ability to do our work and perform our functions in the most effective and efficient ways possible
- the health, safety and security of our staff, and
- our ability to allocate our resources fairly across all the complaints we receive.

When complainants behave unreasonably in their dealings with us, their conduct can significantly affect our success. As a result, Council will take proactive and decisive action to manage any complainant conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with this policy.

2. Objectives

2.1 Policy aims

This policy has been developed to assist all staff members to better manage unreasonable complainant conduct ('UCC'). It aims to help staff:

- feel confident and supported in taking action to manage UCC
- act fairly, consistently, honestly and appropriately when responding to UCC
- understand their roles and responsibilities in relation to the management of UCC and how this policy will be used
- understand the types of circumstances when it may be appropriate to manage UCC using one or more of the following mechanisms:
 - the strategies provided in the Managing Unreasonable Complainant Conduct Practice Manual (3rd edition) including the strategies to change or restrict a complainant's access to our services
 - alternative dispute resolution strategies to deal with conflicts involving complainants and members of Council
 - legal instruments such as trespass laws/legislation to prevent a complainant from coming onto our premises, and orders to protect specific staff members from any actual or apprehended personal violence, intimidation or stalking
- understand the criteria we will consider before we decide to change or restrict a complainant's access to our services
- be aware of the processes that will be followed to record and report UCC incidents and the procedures for consulting and notifying complainants about any proposed actions or decisions to change or restrict their access to our services
- understand the procedures for reviewing decisions made under this policy, including specific timeframes for review.



GOULBURN MULWAREE COUNCIL UNREASONABLE COMPLAINANT CONDUCT POLICY

3. Defining Unreasonable Complainant Conduct

3.1 Unreasonable complainant conduct

Most complainants who come to our office act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration and anger about their complaint. However, despite our best efforts to help them, in a very small number of cases some complainants inappropriate and unacceptable behaviour.—. They can be aggressive and verbally abusive towards our staff, threaten harm and violence or bombard our offices with unnecessary and excessive phone calls and emails They may make inappropriate demands on our time and our resources or refuse to accept our decisions and recommendations in relation to their complaints. When complainants behave in these ways (and where there are no cultural factors that could reasonably explain their behaviour) we consider their conduct to be 'unreasonable'.

Unreasonable complainant conduct ('UCC') is any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for Council, our staff, other service users and complainants or the complainants themselves.

UCC can be divided into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours

3.2 Unreasonable persistence

Unreasonable persistence is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on Council, staff, services, time and/or resources. Some examples of unreasonably persistent behaviour include:

- An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with (even when it is evident the complainant does understand the information provided).
- Persistently demanding a review simply because it is available and without arguing or presenting a case for one.
- Pursuing and exhausting all available review options, even after we have explained that a review is not warranted, and refusing to accept we cannot or will not take further action on their complaint.
- Reframing a complaint in an effort to get it taken up again.
- Multiple and repeated phone calls, visits, letters, emails (including cc'd correspondence) after we have repeatedly asked them not to.
- Contacting different people within or outside Council to get a different outcome or a more sympathetic response to their complaint – this is known as internal and external 'forum shopping'.

3.3 Unreasonable demands

Unreasonable demands are any demands expressly made by a complainant that have a disproportionate and unreasonable impact on Council, staff, services, time and/or resources. Some examples of unreasonable demands include:

- Issuing instructions and making demands about how to handle their complaint, the priority it should be given, or the outcome that was/should be achieved.



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- Insisting on talking to a Director, the Chief Executive Officer or the Mayor personally when the reasons that this is not appropriate or warranted have been carefully explained to the complainant.
- Emotional blackmail and manipulation resulting in intimidation, harassment, shaming, seduction or portraying themselves as being victimised when this is not the case.
- Insisting on outcomes that are not possible or appropriate in the circumstances, for example asking for someone to be sacked or prosecuted, or for an apology or compensation when there is no reasonable basis for this.
- Demanding services that are of a nature or scale that we cannot provide, even after we have explained to them repeatedly.

3.4 Unreasonable lack of cooperation

Unreasonable lack of cooperation is when a complainant is unwilling or unable to cooperate with Council, our staff, or our complaints process resulting in a disproportionate and unreasonable use of our services, time and/or resources. Some examples of unreasonable lack of cooperation include:

- Sending a constant stream of complex or disorganised information without clearly defining the issue at hand or explaining how the material provided relates to their complaint where the complainant is clearly capable of doing this.
- Providing little or no detail around their complaint or presenting information in 'drips and drabs'.
- Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so.
- Arguing that a particular solution is the correct one in the face of valid contrary arguments and explanations.
- Unhelpful behaviour such as withholding information, acting dishonestly and misquoting others.

3.5 Unreasonable arguments

Unreasonable arguments include any arguments that are not based on any reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon Council, staff, services, time, and/or resources. Arguments are unreasonable when they:

- fail to follow a logical sequence
- are not supported by any evidence and/or are based on conspiracy theories
- lead a complainant to reject all other valid and contrary arguments
- are trivial when compared to the amount of time, resources and attention that the complainant demands
- are false, inflammatory or defamatory.

3.6 Unreasonable behaviour

Unreasonable behaviour is conduct that is unreasonable in all circumstances regardless of how stressed, angry or frustrated that a complainant is because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant themselves. Some examples of unreasonable behaviours include:

- acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks
- harassment, intimidation or physical violence
- rude, confronting and threatening correspondence
- threats of harm to self or third parties, threats with a weapon or threats to damage property, including bomb threats.
- stalking (in person or online)
- emotional manipulation.



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Council has a zero tolerance policy towards any harm, abuse or threats directed towards staff. Any conduct of this kind will be dealt with under this policy, Council's WHS Preventing and Responding to Workplace Aggression and Violence Procedure and in accordance with our duty of care and work health and safety responsibilities.

4. Responding To and Managing UCC

4.1 Changing or restricting a complainant's access to our services

UCC incidents will generally be managed by limiting or adapting the ways that we interact with or deliver services to complainants by restricting:

- **Who they have contact with** – limiting a complainant to a sole contact person/staff member in Council.
- **What they can raise with us** – restricting the subject matter of communications that we will consider and respond to.
- **When they can have contact** – limiting a complainant's contact with Council to a particular time, day, or length of time, or curbing the frequency of their contact with us.
- **Where they can make contact** – limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office.
- **How they can make contact** – limiting or modifying the forms of contact that the complainant can have with us. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating provision of services altogether.

When using the restrictions provided in this section, we recognise that discretion will need to be used to adapt them to suit a complainant's personal circumstances, level of competency, literacy skills, and cultural background. In this regard, we also recognise that more than one strategy may be needed in individual cases to ensure their appropriateness and efficacy.

4.2 Who – limiting the complainant to a sole contact point

Where a complainant tries to forum shop internally within Council, changes their issues of complaint repeatedly, reframes their complaint, or raises an excessive number of complaints, it may be appropriate to restrict their access to a single staff member (a sole contact point) who will exclusively manage their complaint(s) and interactions with Council. This may ensure they are dealt with consistently and may minimise the incidence of misunderstandings, contradictions and manipulation.

Complainants who are restricted to a sole contact person will, however be given the contact details of one additional staff member who they can contact if their primary contact is unavailable – for example if they go on leave or are otherwise unavailable for an extended period of time.

4.3 What – restricting the subject matter of communications that we will consider

Where complainants repeatedly send letters, emails, or online forms that raise trivial or insignificant issues, contain inappropriate or abusive content or relate to a complaint/issue that has already been comprehensively considered and/or reviewed (at least once) by Council, we may restrict the issues the complainant can raise with us. For example, we may:

- Refuse to respond to correspondence that raises an issue that has already been dealt with, that raises a trivial issue, or is not supported by evidence. The complainant will be advised that future correspondence of this kind will be read and filed without acknowledgement unless we decide that we need to pursue it further in which case, we may do so on our 'own motion'.



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- Restrict the complainant to one complaint or issue per month. Any attempts to circumvent this restriction, for example by raising multiple complaints/issues in the one letter may result in modifications or further restrictions being placed on their access.
- Return correspondence to the complainant and require them to remove any inappropriate content before we will agree to consider its contents. We will also keep a copy of the inappropriate correspondence for our records to help identify repeat UCC incidents.

4.4 When – limiting when and how a complainant can contact us

If a complainant's contact with Council places an unreasonable demand on our time or resources or affects the health, safety and security of our staff because it involves behaviour that is persistently rude, threatening, abusive or aggressive, we may limit when and/or how the complainant can interact with us. This may include:

- Limiting their telephone calls or face-to-face interviews to a particular time of the day or days of the week.
- Limiting the length or duration of telephone calls, written correspondence or face-to-face interviews.
- Limiting the frequency of their telephone calls, written correspondence or face-to-face interviews.

For irrelevant, overly lengthy, disorganised or very frequent written correspondence we may also:

- Require the complainant to clearly identify how the information or supporting materials they have sent to us relate to the central issues that we have identified in their complaint.
- Restrict the frequency with which complainants can send emails or other written communications to Council.
- Restrict a complainant to sending emails to a particular email account (e.g. Council's email address) or block their email access altogether and require that any further correspondence be sent through Australia Post only.

4.5 Writing only restrictions

When a complainant is restricted to 'writing only' they may be restricted to written communications through:

- Australia Post only
- Email only to a specific staff email or our general Council email account
- Some other relevant form of written contact, where applicable.

If a complainant's contact is restricted to writing only, the complainant will be advised of the specific means that they can use to contact Council. If it is not appropriate for a complainant to enter Council premises to hand deliver their written communication this will also be communicated to them.

Any communications that are received by Council in a manner that contravenes a 'writing only' restriction will either be returned to the complainant or read and filed without acknowledgement.

4.6 Where – limiting face-to-face interviews

If a complainant is violent or overtly aggressive, unreasonably disruptive, threatening or demanding or makes frequent unannounced visits to Council premises, we may consider restricting our face-to-face contact with them.

These restrictions may include:

- Restricting access to particular secured premises or areas of Council such as the reception area or secured room or facility.



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- Restricting their ability to attend Council premises to specified times of the day and/or days of the week only – for example, when additional security is available or to times/days that are less busy.
- Allowing them to attend Council premises on an 'appointment only' basis and only with specified staff. (for these meetings staff must always seek support and assistance of a colleague for added safety and security).
- Banning the complainant from attending Council premises altogether and allowing some other form of contact – e.g. 'writing only' or 'telephone only' contact.

4.7 Contact through a representative only

In cases where we cannot completely restrict our contact with a complainant and their conduct is particularly difficult to manage, we may also restrict their contact to contact through a support person or representative only. The support person may be someone nominated by the complainant, but they must be approved by Council.

If Council determines that the representative or support person may exacerbate the situation with the complainant, the complainant will be asked to nominate another person and we may assist them in this regard.

4.8 Completely terminating a complainant's access to our services

In rare cases, and as a last resort when all other strategies have been considered the Chief Executive Officer may decide that it is necessary for Council to completely restrict a complainant's contact or access to Council services.

A decision to have no further contact with a complainant will only be made if it appears that the complainant is unlikely to modify their conduct or their conduct poses a significant risk for our staff or other parties because it involves one or more of the following:

- Acts of aggression, verbal or physical abuse, threats of harm, harassment, intimidation, stalking, assault.
- Damage to property while on our premises.
- Threats with a weapon or common office items that can be used to harm another person or themselves.
- Physically preventing a staff member from moving around freely either within their office or during an off-site visit – e.g. entrapping them in their home.
- Conduct that is otherwise unlawful.

In these cases the complainant will be sent a letter notifying them that their access has been restricted. The Police may also be notified in these circumstances.

A complainant's access to our services and Council premises may also be restricted (directly or indirectly) using the legal mechanisms such as trespass laws and other legislation or legal orders to protect members of our staff from personal violence, intimidation or stalking by a complainant.

5. Alternative Dispute Resolution

5.1 Using alternative dispute resolution strategies to manage conflicts with complainants

If the Chief Executive Officer determines that we cannot terminate our services to a complainant in a particular case or that we or our staff bear some responsibility for causing or exacerbating their conduct, Council may consider using alternative dispute resolution strategies ('ADR') such as mediation and conciliation to resolve the conflict with the complainant and attempt to rebuild our relationship with them.



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However, we recognise that in UCC situations, ADR may not be an appropriate or effective strategy particularly if the complainant is uncooperative or resistant to compromise. Therefore, each case will be assessed on its own facts to determine the appropriateness of this approach.

6. Appealing a Decision to Change or Restrict Access to Our Services

People who have their access changed or restricted are entitled to one appeal of a decision to change or restrict their access to our services. This review will be undertaken by a senior staff member who was not involved in the original decision to change or restrict the complainant's access. This staff member will consider the complainant's arguments and personal circumstances, including cultural background, along with all relevant records regarding the complainant's past conduct. They will advise the complainant of the outcome of their appeal by letter, which must be approved by the Chief Executive Officer.

If a complainant continues to be dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the Ombudsman. The Ombudsman may accept the review (in accordance with its administrative jurisdiction) to ensure that we have acted fairly, reasonably and consistently and have observed the principles of good administrative practice including, procedural fairness.

7. Periodic Reviews of All Cases Where This Policy is Applied

7.1 Period for review

All cases where this policy is used will be reviewed every 3 months or 6 months (depending on the nature of the service provided) and not more than 12 months after the service change or restriction was initially imposed or upheld.

7.2 Notifying the complainant of an upcoming review

Council will invite complainants to participate in the review process unless they determine that this invitation will provoke a negative response from the complainant (i.e. further UCC). The invitation will be given and the review will be conducted in accordance with the complainant's access restrictions.

7.3 Criteria to be considered during a review

When conducting a review Council will consider:

- Whether the complainant has had any contact with the organisation during the restriction period.
- The complainant's conduct during the restriction period.
- Any information or arguments put forward by the complainant for review.
- Any other information that may be relevant in the circumstances.

Sometimes a complainant may not have a reason to contact Council during their restriction period. As a result, a review decision that is based primarily on the fact that the complainant has not contacted Council during their restriction period may not be an accurate representation of their level of compliance/reformed behaviour. This should be taken into consideration, in relevant situations.

7.4 Notifying a complainant of the outcome of a review

Council will notify the complainant of the outcome of their review using the appropriate/relevant method of communication as well as a written letter explaining the outcome.



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8. Roles and Responsibilities

8.1 All staff

All staff are responsible for familiarising themselves with this policy and associated procedure as well as the Individual Rights and Mutual Responsibilities of the Parties to a Complaint in Appendix A. Staff are also encouraged to explain the contents of this document to all complainants particularly those who engage in UCC or exhibit the early warning signs for UCC.

Staff are responsible for recording and reporting all UCC incidents they experience or witness (as appropriate) to their Business Manager within 24 hours of the incident occurring and ensuring details of contacts are recorded.

While effective application of this policy relies on all staff identifying and reporting UCC incidents, it must be emphasised that any strategies that effectively change or restrict a complainant's access to our services must be considered at the Executive level as provided in the procedure.

8.2 The Business Manager Governance

The Business Manager Governance, in consultation with relevant staff, has the responsibility and authority to provide advice to the Chief Executive Officer, on changing or restricting a complainant's access to Council. The Business Manager Governance is also responsible for the following:

- Ensure that all relevant staff members are trained to deal with UCC.
- Support staff to apply the strategies in the policy and associated procedure.
- Record, monitor and review all cases where this policy is applied to ensure consistency, transparency and accountability for the application of this policy.
- Manage and keep a file record of all cases where this policy is applied.

8.3 Senior Managers

All senior managers are responsible for supporting staff to apply the strategies in this policy. Senior managers are also responsible for ensuring compliance with the UCC Procedure and ensuring that all staff members are trained to deal with UCC.

8.4 Chief Executive Officer

The Chief Executive Officer will approve any decision to completely terminate a complainant's contact or access to Council.

9. Training and Awareness

Council is committed to ensuring that all staff are aware of and know how to use this policy. All staff who deal with complainants in the course of their work will also receive appropriate training and information on using this policy and on managing UCC on a regular basis.

10. Supporting Documents and Policies

This policy is compliant with and supported by the following documents:

- Unreasonable Complainant Conduct Model Policy – NSW Ombudsman
- Managing unreasonable complainant conduct practice manual (3rd edition) – NSW Ombudsman
- Complaint Handling Policy
- Work Health and Safety Policy
- Code of Conduct
- WHS Preventing and Responding to Workplace Aggression and Violence



**GOULBURN MULWAREE COUNCIL
UNREASONABLE COMPLAINANT CONDUCT POLICY**

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	2 October 2018	2018/408	2 October 2018	9 November 2018
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Corporate & Community Services

BUSINESS UNIT: Governance



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Appendix A

Individual Rights and Mutual Responsibilities of the Parties to a Complaint

In order for Goulburn Mulwaree Council (Council) to ensure that all complaints are dealt with fairly, efficiently and effectively and that work health and safety standards and duty of care obligations are adhered to, the following rights and responsibilities must be observed and respected by all of the parties to the complaint process.

Individual rights¹

Complainants have the right:

- to make a complaint and to express their opinions in ways that are reasonable, lawful and appropriate, regardless of cultural background, national origin, sex, sexual orientation, gender expression, disability or other cultural or personal characteristics²1F
- to a reasonable explanation of Council's complaints policy/procedures, including details of the confidentiality, secrecy or privacy rights or obligations that may apply
- to a fair and impartial assessment and, where appropriate, investigation of their complaint based on the merits of the case³
- to a fair hearing⁴
- to a timely response
- to be informed in at least general terms about the actions taken and outcome of their complaint⁵
- to have decisions that affect them explained to them
- to at least one right of review of the decision on the complaint⁶
- to be treated with courtesy and respect
- to communicate valid concerns and views without fear of reprisal or other unreasonable response.⁷

Staff have the right:

- to determine whether, and if so how, a complaint will be dealt with
- to finalise matters on the basis of outcomes they consider to be satisfactory in the circumstances⁸
- to expect honesty, cooperation and reasonable assistance from complainants
- to expect honesty, cooperation and reasonable assistance from Council and people within jurisdiction who are the subject of a complaint
- to be treated with courtesy and respect
- to a safe and healthy working environment⁹
- to modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a complainant.¹⁰

¹ The word 'rights' is not used here in the sense of legally enforceable rights (although some are), but in the sense of guarantees of certain standards of service and behaviour that a complaint handling system should be designed to provide to each of the parties to a complaint.

² Differences of opinion are normal: people perceive things differently, feel things differently and want different things. People have a right to their own opinions, provided those opinions are expressed in acceptable terms and in appropriate forums.

³ While degrees of independence will vary between complaint handlers, all should assess complaints fairly and as impartially as possible, based on a documented process and the merits of the case.

⁴ The 'right to be heard' refers to the opportunity to put a case to the complaint handler/decision-maker. This right can be modified, curtailed or lost due to unacceptable behaviour, and is subject to the complaint handler's right to determine how a complaint will be dealt with.

⁵ Provided this will not prejudice on-going or reasonably anticipated investigations or disciplinary/criminal proceedings.

⁶ Such a right of review can be provided internally to Council, for example by a person not connected to the original decision.

⁷ Provided the concerns are communicated in the ways set out in relevant legislation, policies and/or procedures established for the making of such complaints/allegations/disclosures/etc.

⁸ Some complaints cannot be resolved to the complainant's satisfaction, whether due to unreasonable expectations or the particular facts and circumstances of the complaint [see also footnote 25].

⁹ See for example WH&S laws and the common law duty of care on employers.

¹⁰ Unacceptable behaviour includes verbal and physical abuse, intimidation, threats, etc.



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Subjects of a complaint have the right:

- to a fair and impartial assessment and, where appropriate, investigation of the allegations made against them
- to be treated with courtesy and respect by staff of Council
- to be informed (at an appropriate time) about the substance of the allegations made against them that are being investigated¹¹
- to be informed about the substance of any proposed adverse comment or decision
- to be given a reasonable opportunity to put their case during the course of any investigation and before any final decision is made¹²
- to be told the outcome of any investigation into allegations about their conduct, including the reasons for any decision or recommendation that may be detrimental to them
- to be protected from harassment by disgruntled complainants acting unreasonably.

Mutual Responsibilities

Complainants are responsible for:

- treating staff of Council with courtesy and respect
- clearly identifying to the best of their ability the issues of complaint, or asking for help from the staff of Council to assist them in doing so
- providing Council, to the best of their ability with all the relevant information available to them at the time of making the complaint
- being honest in all communications with Council
- informing Council of any other action they have taken in relation to their complaint¹³
- cooperating to the best of their ability with the staff who are assigned to assess/ investigate/resolve/determine or otherwise deal with their complaint.

If complainants do not meet their responsibilities, Council may consider placing limitations or conditions on their ability to communicate with staff or access certain services.

Council has a zero tolerance policy in relation to any harm, abuse or threats directed towards its staff. Any conduct of this kind may result in a refusal to take any further action on a complaint or to have further dealings with the complainant.¹⁴ Any such conduct of a criminal nature will be reported to police and in certain cases legal action may also be considered.

¹¹ Other than where there is an overriding public interest in curtailing the right, for example where to do so could reasonable create a serious risk to personal safety, to significant public funds, or to the integrity of an investigation into a serious issue. Any such notifications or opportunities should be given as required by law or may be timed so as not to prejudice that or any related investigation.

¹² Depending on the circumstances of the case and the seriousness of the possible outcomes for the person concerned, a reasonable opportunity to put their case, or to show cause, might involve a face to face discussion, a written submission, a hearing before the investigator or decision maker, or any combination of the above.

¹³ For example, whether they have made a similar complaint to another relevant person or body or have relevant legal proceedings on foot.

¹⁴ Other than in circumstances where the organisation is obliged to have an ongoing relationship with the complainant.



GOULBURN MULWAREE COUNCIL UNREASONABLE COMPLAINANT CONDUCT POLICY

Staff are responsible for:

- providing reasonable assistance to complainants who need help to make a complaint and, where appropriate, during the complaint process
- dealing with all complaints, complainants and people or organisations the subject of complaint professionally, fairly and impartially
- giving complainants or their advocates a reasonable opportunity to explain their complaint, subject to the circumstances of the case and the conduct of the complainant
- giving people or organisations the subject of complaint a reasonable opportunity to put their case during the course of any investigation and before any final decision is made¹⁵
- informing people or organisations the subject of investigation, at an appropriate time, about the substance of the allegations made against them¹⁶ and the substance of any proposed adverse comment or decision that they may need to answer or address¹⁷
- keeping complainants informed of the actions taken and the outcome of their complaints¹⁸
- giving complainants explanations that are clear and appropriate to their circumstances, and adequately explaining the basis of any decisions that affect them
- treating complainants and any people who are the subject of complaint with courtesy and respect at all times and in all circumstances
- taking all reasonable and practical steps to ensure that complainants¹⁹ are not subjected to any detrimental action in reprisal for making their complaint²⁰
- giving adequate warning of the consequences of unacceptable behaviour.

If Council fails to comply with these responsibilities, complainants may complain to the Chief Executive Officer via Council's Complaints Coordinator or to the NSW Ombudsman.

Subjects of a complaint are responsible for:

- cooperating with the staff of Council who are assigned to handle the complaint, particularly where they are exercising a lawful power in relation to a person or body within their jurisdiction²¹
- providing all relevant information in their possession to Council or its authorised staff when required to do so by a properly authorised direction or notice
- being honest in all communications with Council and its staff
- treating the staff of Council with courtesy and respect at all times and in all circumstances
- refraining from taking any detrimental action against the complainant²² in reprisal for them making the complaint.²³

If subjects of a complaint fail to comply with these responsibilities, action may be taken under relevant laws or codes of conduct

¹⁵ See footnote 11.

¹⁶ Other than where an allegation is so lacking in merit that it can be dismissed at the outset.

¹⁷ See footnote 11.

¹⁸ See footnote 5.

¹⁹ Complainants' include whistleblowers/people who make internal disclosures.

²⁰ Complaints' includes disclosures made by whistleblowers/people who make internal disclosures.

²¹ This does not include any obligation to incriminate themselves in relation to criminal or disciplinary proceedings, unless otherwise provided by statute.

²² See footnote 19.

²³ See footnote 20.



GOULBURN MULWAREE COUNCIL UNREASONABLE COMPLAINANT CONDUCT POLICY

Council is responsible for:

- maintaining an appropriate and effective complaint handling system in place for receiving, assessing, handling, recording and reviewing complaints
- making decisions about how all complaints will be dealt with
- ensuring that all complaints are dealt with professionally, fairly and impartially²⁴
- ensuring that staff treat all parties to a complaint with courtesy and respect
- ensuring that the assessment and any inquiry into the investigation of a complaint is based on sound reasoning and logically probative information and evidence
- finalising complaints on the basis of outcomes that Council, or its responsible staff, consider to be satisfactory in the circumstances²⁵
- implementing reasonable and appropriate policies/procedures/practices to ensure that complainants²⁶ are not subjected to any detrimental action in reprisal for making a complaint²⁷, including maintaining separate complaint files and other operational files relating to the issues raised by individuals who make complaints
- adequately considering any confidentiality, secrecy or privacy obligations or responsibilities that may arise in the handling of complaints and the conduct of investigations.

If Council fails to comply with these responsibilities, complainants may complain to the Chief Executive Officer via Council's Complaints Coordinator or to the NSW Ombudsman.

²⁴ See footnote 3.

²⁵ Once made, complaints are effectively 'owned' by the complaint handler who is entitled to decide (subject to any statutory provisions that may apply) whether, and if so how, each complaint will be dealt with, who will be the case officer/investigator/decision-maker/etc, the resources and priority given to actioning the matter, the powers that will be exercised, the methodology used, the outcome of the matter, etc. Outcomes arising out of a complaint may be considered by the complaint handler to be satisfactory whether or not the complainants, any subjects of complaint or the organisation concerned agrees with or is satisfied with that outcome.

²⁶ See footnote 19.

²⁷ See footnote 20.



Use of Council Brand Materials Policy



GOULBURN MULWAREE COUNCIL USE OF COUNCIL BRAND MATERIALS POLICY

POLICY OBJECTIVE

To protect the image of Council by preventing the unauthorised and/or improper use of Council's brands and by ensuring that any use of the brands is appropriate

LEGISLATIVE PROVISIONS

Nil

POLICY STATEMENT

Permission from Council is required to use any Council brand materials including logos.

Brands (in whole or part):

- Goulburn Mulwaree Council
- Visitor Information Centre
- goulburn.art REGIONAL GALLERY
- Goulburn Mulwaree Library
- Goulburn Aquatic and Leisure Centre
- Goulburn Historic Waterworks Museum and Pumphouse Cafe
- Rocky Hill War Memorial and Museum
- Goulburn Australia
- Goulburn Multifunction Centre

Materials to be Known as Brand:

- Logos
- Slogans
- Stationery
- Designs
- Marketing materials and campaigns
- Associated style guides and specifications
- Websites
- Banners & Marquees

Permission for the use of Council brands may be granted to groups, organisations or individuals which have a direct relationship with Council, received significant levels of funding from Council or assist with promoting Goulburn Mulwaree.

The use of the Council brands by outside organisations is permitted only in cases where the user has sought and obtained Council's express and written permission. Any request for permission should be made in writing and include details about where and how the brand will appear. A copy of the final proof must also be submitted and approved.

In the case of Council Materials, requests for loan may be given subject to the use being for a community event and for promotion of Goulburn Mulwaree.

Council permission for external users can only be given by the Chief Executive Officer and/or relevant Manager and advice will be provided in writing to the applicant following this decision.

Any approval for the use of Council brands applies only for the specific instance and must not be taken as general approval for multiple or continued use.

Brands will not be altered, changed, used in part or combined with any additional material.



**GOULBURN MULWAREE COUNCIL
USE OF COUNCIL BRAND MATERIALS POLICY**

Council may seek a legal remedy including damages for any unauthorised use of its Brands.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	15 May 2007	07/230	15 May 2007	15 May 2007
2	16 December 2008	08/821	16 December 2008	16 December 2008
3	17 November 2009	09/698	17 November 2009	17 November 2009
4	19 April 2011	11/118	8 June 2011	8 June 2011
5	18 June 2013	13/249	26 July 2013	26 July 2013
6	15 August 2017	2017/362	15 August 2017	15 September 2017
7				
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Executive Services

BUSINESS UNIT: Communications

15.12 GOULBURN MULWAREE AWARD WORKING PARTY MINUTES - 12 SEPTEMBER 2022

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. **Goulburn Mulwaree Award Working Party Minutes 12 September 2022**  

Link to Community Strategic Plan:	Our Civic Leadership
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report from the Chief Executive Officer in relation to the Goulburn Mulwaree Award Working Party Meeting Minutes held on the 12 September 2022 be received.

BACKGROUND

A meeting of the Goulburn Mulwaree Goulburn Mulwaree Award Working Party was held on the 12 September 2022.

Please find attached the minutes from this meeting. There are no recommendations from this meeting that require a resolution from Council.



**Goulburn Mulwaree Award Working Party
Minutes**

Meeting Details

Monday 12 September 2022 at 3pm
Goulburn Room, Civic Centre

Invited Attendees

Present:

Danae Vitnell (Via Zoom), Mayor Peter Walker, Cr Bob Kirk (Acting Chairperson), Jodie Divall & Gary Lourigan

Also Present: Amy Croker

Apology

Sam Rowland & Richard Ernest

Discussion Items

1. Confirm Minutes from 28 March 2022 Goulburn Mulwaree Award Working Party
Moved G Lourigan/Mayor Walker
2. Task List
Nil
3. Review of Selection Criteria
Update Council's website to read as follows:
How nominations are considered?

Nominations are assessed on individual merit. This includes

- Demonstrated achievement at a high level
- Have made a contribution over and above what might be reasonably expected through paid employment.
- Or have made a voluntary contribution to the community which stands out from other volunteers.

And having regard to:

- Length of Service
- Scale of Impact
- Impact on large numbers of people
- Transformed lives
- Referee verification



**Goulburn Mulwaree Award
Working Party Discussion Items & Action List**

4. Plans for raising community awareness/advertising
 - a. Create Mayoral letter which includes a flyer with the Goulburn Mulwaree Award details promoting the Goulburn Mulwaree Award and distribute to local organisations such as:
 - i. Age care facilities and independent living villages
 - ii. Sporting organisations
 - iii. Service organisations eg Rotary & Lions Clubs
 - iv. Government Organisations eg SES
 - v. Schools
 - vi. Community organisations – referring to the Goulburn Australia New Residents Guide
 - b. Create a promotion flyer to be distributed to local businesses, media outlets and Council paid media outlets.
 - c. Investigate promotion of the Award on Council Rates Instalment Notices
 - d. Mayor speak at upcoming Chamber of Commerce Meeting to explain and promote the Award
 - e. Mayor to attend future Australia Day Committee to discuss Goulburn Mulwaree award selection process
5. Draft Run Sheet for the 2023 event
 - a) First - Birthday celebrations including presentation from school students
 - b) Second - Goulburn Mulwaree Award
 - c) Third - Cutting of the birthday cake
 - d) Fourth - Light Lunch for recipients and their families
6. Nominations
 - Nil received to date
7. General Business
 - Nil
8. Schedule next Meeting Date & Time
 - a) Next Meeting will be Monday 31 October 2022 at 3pm

Meeting concluded at 4.04pm



**Goulburn Mulwaree Award
Working Party Discussion Items & Action List**

Task List

No	Project	Working Party Members	Update on actions
1	Update Councils website with nomination criteria – See item 3	Amy	
2	Send Mayoral Letter and flyer to various businesses and organisations – See item 4	Amy	
3	Create promotional flyer – see Item 4	Amy	
4	Investigate promotion of the Award on Council Rates Instalment Notices	Amy	
5	Mayor to address Chamber of Commerce	Mayor Peter and Amy	
6	Mayor to speak with Australia Day Committee	Mayor Peter and Amy	

15.13 EXTERNAL MEETING MINUTES

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Southern Tablelands Zone Bush Fire Management Committee Meeting Minutes 1 September 2022 [↓](#) 

Link to Community Strategic Plan:	27. Our Civic Leadership CL3 Collaborate and cooperate to achieve efficiencies and a greater voice in regional decision-making, and encourage similar cooperation across other sectors and community groups.
Cost to Council:	There are no financial implications for this report
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report from the Chief Executive Officer on the following External Meeting Minutes be received:

- 1. Southern Tablelands Zone Bush Fire Management Committee Meeting Minutes 1 September 2022

REPORT

Please find attached the minutes from the:

- 1. Southern Tablelands Zone Bush Fire Management Committee Meeting Minutes 1 September 2022

Southern Tablelands BUSH FIRE MANAGEMENT COMMITTEE BFRMP Workshop MINUTES

Meeting: BFRMP BFMC Workshop 2
Convened by: STL BFMC XO Supt. Peter Alley
Location: Yass Fire Control Centre
Date and time: Thursday 1st September 2022 1000-1500hrs
Minutes by: Susie Michaels – NSW Rural Fire Service

Table 1: Attendance Record

Names	Organisation	Present	Apology	Absent
Peter Alley	NSW Rural Fire Service STL (XO)	X		
George Shepherd	NSW Rural Fire Service STL (2IC)	X		
Mitchell Butler	NSW Rural Fire Service STL	X		
Wayne Picker	NSW Rural Fire Service STL Group 7	X		
Barry Kennedy	NSW Rural Fire Service STL	X		
Susie Michaels	NSW Rural Fire Service ACSE Risk	X		
Sean Lang	NSW Rural Fire Service ACSE Risk	X		
Josh Whittaker	NSW Rural Fire Service HQ (Virtual)	X		
Jennie Cramp	NSW Rural Fire Service HQ (Virtual)	X		
Anthony Post	Forestry Corporation NSW	X		
Mandy Franklin	Crown Lands NSW	X		
Christopher Condon	ACT Rural Fire Service	X		
Craig Harrison	ACT Rural Fire Service	X		
Tom Freedom	NSW Fire Rescue	X		
Carrie Wilkinson	NSW National Parks and Wildlife Service	X		
Jacqueline Devereaux	NSW National Parks and Wildlife Service	X		
Susannah Power	NSW National Parks and Wildlife Service	X		
Sam Kelly	NSW Rural Fire Service STL Group Officer	X		
Anthony Evans	NSW National Parks and Wildlife Service	X		
Angela Lanagan	NSW National Parks and Wildlife Service	X		

Table 2. Documents Referred to in the Meeting

Document title	Author	Date
Current risk to environmental assets	NSW RFS	01/08/2022
Current risk to historic sites	NSW RFS	01/08/2022
Current risk to aboriginal sites	NSW RFS	01/08/2022
Current risk to predicted aboriginal sites	NSW RFS	01/08/2022
Economic risk – current 540	NSW RFS	01/08/2022
Economic risk – future no treatments 540	NSW RFS	01/08/2022
Economic risk – predicted change current to future 540	NSW RFS	01/08/2022

Future risk to environmental assets	NSW RFS	01/08/2022
Future risk to historic sites – no treatment	NSW RFS	01/08/2022
Future risk to known aboriginal sites – no treatment	NSW RFS	01/08/2022
Future risk to predicted aboriginal sites – no treatment	NSW RFS	01/08/2022
NSW Social Vulnerability index	NSW RFS	01/08/2022
Residential Risk – Predicted change. Current to future 540	NSW RFS	01/08/2022
Residential risk by density current 540	NSW RFS	01/08/2022
Residential risk by density future no treatment 540	NSW RFS	01/08/2022
SFPP risk current 540	NSW RFS	01/08/2022
SFPP risk future no treatments 540	NSW RFS	01/08/2022
SFPP risk predicted change current to future 540	NSW RFS	01/08/2022
SSSS Risk Profile data zip file	NSW RFS	04/08/2022
STL Economic Risk Profile	NSW RFS	30/08/2022
STL Residential Risk Profile	NSW RFS	30/08/2022
Environmental & Cultural Asset Profile Report & Business Paper	NPWS Bushfire Risk Evaluation Unit	29/06/2022

Minutes

Item 1 Welcome and Apologies

- Introduction by Susie Michaels
- Susie introduced the rest of the Team

Item 2 Introduction to Bush Fire Risk Management Plan Workshop 2 Risk Evaluation, Focus Areas & Treatments

- Introduction and outline to session by Susie – Objectives of the session provided, to review the risk ratings resulting from the Phoenix modelling, and consideration of treatments required and areas of significant concern that would become Focus Areas.
- Susie - Delivery of PPT presentation.
- Josh Whittaker - Delivery of Social Vulnerability Index (SOVI) data.
- Carrie Wilkinson - Delivery of presentation on bush fire risk modelling for environmental and cultural assets.
- The workshop attendees were reminded that the data review should be a tenure blind process, the attendees were invited to provide advice because they know their communities and are fire management subject matter experts. Risk reduction is about the community, not about who owns or manages the land or how difficult some treatments might be. We need to find solutions to reduce risk for community.

Table 3. Questions Arising

Ref No.	Question	Comment
1	Does the Phoenix modelling take the local weather into account and adjust the risk accordingly (e.g. higher risk weighting for hot and dry conditions)	Yes. The modelling takes into account numerous weather parameters (from local weather points), fire danger ratings and fuel loads from the data validation, is input into the modelling and then provides risk rating determined by the assets within the grid square where the fire passes once, twice, three times or more than three times
2	When projecting the fire runs based on the focus areas identified during workshop 2, is it calculated based on a completely removed fuel load, or does it account for	Modelled fire runs input against future treatments (over the next 5 years) are modelled against reduced fuel loads for burning and mechanical works but not for Community preparation treatments

	reduced fuel load initially and increasing as the years progress?	
3a	Are the projection maps going to be made publicly available?	No, the overall risk rating maps will be made public with the draft Risk Management Plan, but the individual projected fire runs will not.
3b	Concern that the projected data provides the public with a false sense of the effectiveness of treatments, as it shows the HR stopping the fire spread rather than reducing it. (Moonee Beach projection slide in presentation).	The interactive map will show the proposed focus areas and the projected risk before and after treatments are applied to those areas.
4	How do the treatments for focus areas get prioritised?	The BFMC workshops assess all risk (and vulnerability) to assets across the landscape, and confirm focus areas for areas/localities of significant risk that require treatment above BFRMP wired treatments. Focus Area Treatments then become priority treatments for the 5 year period of the plan.
5	In relation to SOVI data, how does it relate to bush fire awareness and preparedness? (ie. Indigenous community not necessarily vulnerable as some are more bush fire aware than other demographic profiles).	The SOVI data doesn't take into account different demographics individual bush fire awareness, rather it shows the overall social vulnerability of a community, categorised within pertinent parameters of vulnerability depending on census data. SOVI is another tool to assist the BFMC to recognise areas of concern where we should focus our efforts, and/or determine bush fire awareness activities/Community preparedness treatments to assist particular communities.

Table 4. Hotspots, identifying Focus Areas and fuel management treatment identification

Ref No.	Potential Focus Area	Tabled comments from 30/08/22 and 31/08/2022	Comments from 01/09/2022
1	Grabine Lakeside Park	High remote tourism, access, egress issues (one road in). Some managerial cabins which are well maintained. Hobby farms. Treatments Community Engagement required for BFSP for tourists Consider Ignition Management Zone around camping areas Confirmed not a focus area	BFMC discussed volunteer suggestions and agreed with comments from both the 30/08/2022 and 31/08/2022 workshops.
2	Bigga - Focus Area	Small remote residential village with limited road access, primarily a lower socio economic and aging population. Risk terrain driven RFS Brigade of rural local land owners. Long response times due to the terrain surrounding the village and distance to neighbouring brigades. Village upslope of fuel. HR burning challenging as it changes quickly from too wet or too dry. Fires are typically terrain driven due to steep country. Can access egress north to south. The town has a Community mower for use within the town. Treatments Response - ground and aircraft Community engagement	Access/egress issue. Early triggers important, leave early. Unmaintained overgrown properties, aged population Grazing due to grassland Private land owners have crown land licences in the area. BFMC focus area - unconfirmed

		Fuel management treatment options 30/08/2022 - Confirmed focus area 31/08/2022 - Confirmed focus area	
3	Tuena - Focus Area	Village on a creek with Razorback NR to west. Ember attack threat from the west, but town is kept tidy. Aging population. Steep country, can access egress north to south. Through traffic main thoroughfare from Orange/Bathurst. Treatments Response - ground and aircraft. Community Engagement. APZs? HR burning challenging, Small weather window, too wet or too dry. 30/08/2022 - Confirmed focus area 31/08/2022 - Confirmed focus area	Issues with access and egress depending on where fire is. Lots of Crown Land within the village. Need inspecting and assess for adequacy. No NSP at this stage BFMC focus area - unconfirmed
4	STL Camp grounds - free camps - focus area	Risk from and to tourists camping on private property and free campsites outside of NP, Council etc. Treatments Community Engagement for tourists, media campaigns, better signage. Mechanical works/Ignition Management Zone = less fuel. 30/08/2022 - Confirmed focus area 31/08/2022 - Confirmed focus area	Too hard to reach with too many strategies and differences between the camp grounds. What is actually achievable? Isn't RFS state-wide messaging enough? Confirmed not a focus area
5	Binda	Lack of maintenance through streets, especially back lots. Outside of aviation response 30 minute. Community mower. Absentee land owners not maintaining land. Treatments Village preparation and APZs and SFAZ in more open country around village and other assets Community Engagement Confirmed not a focus area	BFMC discussed volunteer suggestions and agreed with comments from both the 30/08/2022 and 31/08/2022 workshops.
6	Fullerton, Peelwood, Hadley - Focus Area	Timbered steep country, inaccessible, fuel loads and challenging terrain. Scattered remote properties. Worried about fire coming out of Abercrombie NP to the north, due to significant number of lightning strikes along the Abercrombie River corridor. Lots of weekenders, only approx. 12 locals remaining midweek. Treatments NPWS SFAZ HRs to the north. Managed APZs adjacent to grazing boundaries. Community Engagement to encourage land owners to prepare and reduce risk. 30/08/2022 - Confirmed focus area 31/08/2022 - Confirmed focus area	Would be beneficial to know what assets are actually in the landscape i.e. illegal structures, people, assets, etc... Need to reach out and identify bush shacks and consider strategies to protect and reduce risk to them. Consider fuel reduction treatments across tenure BFMC focus area - unconfirmed

<p>7</p>	<p>Wee Jasper - Focus Area</p>	<p>High tourism area due to large camping reserves and bush walks, population can increase by 3-4K in peak periods. Absentee block owners want land to return to nature, along with weekend/part time residents FCNSW pine forest to W and S NP to S and E. Narrow road in and out, not a quick road for any trucks. Response time for neighbouring brigades an issue. RART and RAFT required, Goodradigbee River splits area in half. Highly timbered country and steep terrain.</p> <p>Treatments Response - aviation Community Engagement for tourists and campers HR burns required in NP even if it affects smoke in Canberra Wee Jasper HR burns and FT complex needs work</p> <p>Confirmed focus area</p>	<p>Yes to Wee Jasper burn complex. HR window small Access egress issues Lot of camping issues</p> <p>BFMC focus area - confirmed</p>
<p>8</p>	<p>Murrumbate man- Focus area</p>	<p>Small village of 1500 houses. Significant population growth has occurred in a short period, and continues to grow with +500 new houses being built within next few months. Additionally, new primary school will be opening in 2023 and along with an additional shopping centre.</p> <p>The village is made up of a number of a satellite subdivisions, one of which is locked community. There is a mixed demographic across the village with an aged population living independently but being checked on in the old village. In the newer areas on SE and NE side a lot of young families with a mix of public service, military and tradies who work away during the day, primarily a Canberra based working population. Area expanding on the western side.</p> <p>A significant rural presence surrounding the village with Wineries, beef, sheep and cropping activities all occurring in surrounding farmland. Mixed enterprise farmers burn regularly but affected wine growers. Landcare strong on native grass blocks within the village.</p> <p>Fire risk from W and NE with a dangerous egress on Isabel Drive due to tree connectivity particularly past the tip. Murrumbateman RFS also respond into Jeir to the W. Unawareness of risk evident in some CE experiences. Challenging in some ways due to suburban attitudes in some new land owners</p> <p>Treatments Collaborating and opening HR window for burning between NSW Farmers and Wine Growers Consider mechanical options to replace burning in challenging areas for burning Ensure PBP for subdivisions strong in new subdivisions Community Engagement required (and support to activities provided due to challenged historical tensions between RFS and rural western communities)</p>	<p>Lot of subdivision, surrounded by grassland. Original subdivision is overgrown(land parcels up to 5 acres) Need to manage AG burn/winery challenge Risk reduction opportunity for ACT too</p> <p>BFMC focus area - confirmed</p>

		Preschool programs good, really supported	
		31/08/2022 - Confirmed focus area	
9	Taralga - not a focus	Due to Brigade efforts in Community Engagement not a focus area. Grassland grazing surrounding town. Substations (important) and wind farms Camping grounds 200 homes in township Wildlife zoo, lots of camping areas, heavy tourism Blockies and humpies everywhere Treatments Community Engagement Mechanical APZs for village and camping areas HR burning in heavy timbered country to NE & east of town in NP (Mares Forest) Confirmed not a focus area	Comments tabled to BFMC.
10	New land owners/tree changers - Focus area	Major issue across the BFMC area as people move out of the Cities. A major CE strategy needs development aimed at new land owners across the BFMC. 30/08/2022 - Confirmed focus area 31/08/2022 - Confirmed focus area	BFMC focus area - confirmed
11	Laggan	Village mower, Brigade do good maintenance there. Village is on top of the range, more risk Treatments Need APZ to the west and NW around the village with plant (RFS positrak would work). Confirmed not a Focus Area	Comments tabled to BFMC.
12	Radio towers at Redground & Bigga	Towers managed regularly by Council and/or RFS (on Crown Land)	BFMC discussed volunteer suggestions and agreed with comments from both the 30/08/2022 and 31/08/2022 workshops.
13	Crookwell	Fires from the NW, large rural land owners out there. Smaller blocks along the river, concerned about grass fires from downslope grasslands in SW slopes. Treatments Village APZs - interface Community Engagement Confirmed not a focus area	BFMC discussed volunteer suggestions and agreed with comments from both the 30/08/2022 and 31/08/2022 workshops.
14	Grabben Gullen	Small rural land holdings. Accessibility okay. Large turkey farms and wind and solar farms in the area. Treatments Village APZs - interface Community Engagement Confirmed not a focus area	BFMC discussed volunteer suggestions and agreed with comments from both the 30/08/2022 and 31/08/2022 workshops.

15a	Gunning	<p>On the highway, roadside slashing wanted along local roads for improved operations and proposed back burning opportunities (tree connectivity). APZ north and northwest of the township required. Community Engagement Gunning considered less at risk due to open grasslands, rail and highway provides linear break.</p> <p>Not a focus area</p>	<p>BFMC discussed volunteer suggestions and agreed with comments from both the 30/08/2022 and 31/08/2022 workshops.</p>
15b	Dalton	<p>Dalton Grasslands NW, scrub on western side of town with school, upslope of fuel.</p> <p>Treatments Mechanical APZ works required around township. Higher risk, more vulnerability with SFPP/School etc.</p> <p>Dalton is a focus area</p>	<p>BFMC focus area - unconfirmed</p>
16	Goulburn - Focus area required to the west of town	<p>280 homes NE of town in bushland, also SE. Village of Towrang (Access issues), Cookbundoon Ranges. Bungonia, Marulan, Wingello, Tallong & Big Hill Tarlo, Towrang and Greenwich Park little villages at risk communities, timbered, steep, unmaintained properties.</p> <p>Treatments HR SFAZ to the west (Cookbundoon HR) Kingsdale, Baw Baw, Ronowaters are the risk to Goulburn Community Engagement - blockies (Bungonia, Marulan, Wingello, Tallong & Big Hill) Suggested focus area</p> <p>Confirmed focus area to NW and west and Goulburn township, not East of.</p>	<p>What was farmland APZ, is now fenced blockies. Interface APZs need assessment for adequacy and maintenance Community Engagement for risk from and to required Grazing programs on PP?</p> <p>BFMC focus area - confirmed</p>
17	Marulan	<p>Grassland to the west, N-S highway. Fireworks factory.</p> <p>Treatments Interface APZ. SFAZ HRs in patchy pattern required on western side.</p>	<p>Comments tabled to BFMC.</p>
18	Pomeroy and Parkesbourne	<p>East of Goulburn, if fire occurs there, it will impact Goulburn. Warrigal Aged Care facility to NE.</p> <p>Treatments Need to consider treatments to reduce risk to Goulburn. APZs on interface Fire planning at the facility, triggers</p> <p>Discussion but unsure whether lone Focus area or included in Goulburn Focus area?</p>	<p>BFMC focus area - unconfirmed</p>
19	Breadalbane	<p>Treatments APZ maintenance in township and along whole rail corridor (Yass, Goulburn and Marulan)</p> <p>Not a focus area</p>	<p>Train brakes changed so problems less so. Concrete sleepers not timber has reduced risk of fire</p>

20	Tirrannaville	Rural village, with school and church, access and egress N and S, gently undulating property. Wakefield Park, racecourse south of town. Treatments Hume and Federal highway needs regular maintenance on transport corridor. Eastern side of school needs APZ. Community Engagement. Not a focus area	Comments tabled to BFMC.
21	Lake Bathurst	New people low risk, large properties on either side of the town. Treatments Community Engagement Not a focus area	Comments tabled to BFMC.
22	Tarago	Rail corridor, waste facility, lots of trucks, wind farm, old lead mine now open Well maintained, lead contamination issues. New housing, well maintained. Major tourism route to the coast Treatments Community Engagement for new land owners Not a focus area	Comments tabled to BFMC.
23	Windellama	Small land holdings. Most pockets of land parcels well prepared. Lake Bathurst, Tarago & Windellama work in ACT Treatments Community Engagement Signage and maintenance required for camping areas Not a focus area	Comments tabled to BFMC.
24	Farmer harvesting in bush fire danger period	Consider options for messaging to farmers without coverage or IT skills	Comments tabled to BFMC.
25	Collector	Open grassland to the west, small community and growing, absentee daytime midweek, work in Canberra. Wind farms to the N & W. Council good maintenance along roadsides. Treatments Interface APZs Not a focus area	Comments tabled to BFMC.
26	Gundaroo	Open grassland to the west, small community and growing, absentee daytime midweek, work in Canberra. High tourism. Active community prep, active Brigade Treatments	Comments tabled to BFMC.

		Interface APZs Response - aviation out of Hume Not a focus area	
27	Nanima & Yass River	Tree connectivity in transport corridors on local roads a problem. RFS members work remotely affecting midweek response times. No community hub, a lot of Blockies, returning blocks back to nature. Yass River Brigade/conference area - tourism and groups moving in and out. HR burns on land conducted as per fire interval. Lots of vineyards & visitors to the areas. Currently good Community Engagement to winery visitors in Spring Range Treatments Community Engagement to wineries and blockies. Not a focus area	Comments tabled to BFMC.
28	Bellmount Forest	Small village, relatively open grasslands. Lots of commuters to Canberra during the week. Fireworks storage factor. RFB and Brigade resilient, prepared. Not a focus area	Comments tabled to BFMC.
29	Sutton	Small community, absentee fire fighters midweek daytime, large school, small population. Crown land parcel in the centre of town, east and NE of the school needs attention as fuel loads are of concern, ungrazed. Open grasslands to the west between McLaughlin's creek & interface needs much more regular maintenance. New subdivision just commencing southern side of Guise street which will have 1 community bore for 66 houses. Treatments Response – aviation. Crown Land works within township. APZ works between creek and Camp street. For consideration as a focus area	Comments tabled to BFMC. BFMC focus area - unconfirmed
30	Manton	Subdivision central. Two subdivisions. Junction of Hume and Barton Highway. Mundoonan NR long time since fire. Comms tower. High cyclone fencing, access limited. Active Brigade Treatments HR burns in NPWS NR Koala colony needs protection Focus Area?	Mundoonan NR fuel loads may not warrant burning. Fuel load is not accumulating at rate. Research for post for monitoring of Koala population. Treated as BAU Confirmed not a focus area
31	Yass	Rapidly expanding in population.	Comments tabled to BFMC.

		<p>Lots of SFPPs and new subdivisions within township. Hydrants in subdivisions not fit for use due to low water pressure.</p> <p>Not a focus area</p>	
32	Bango	<p>Rural residential, subdivision in red risk, absentee midweek with workers in Canberra. Bango NR. Greater majority farming country. Biggest issue comms black spot. Newly developing wind farm.</p> <p>Not a focus area</p>	Comments tabled to BFMC.
33	Bowning	<p>Low risk, larger farming area than some. Very prepared area. Active Brigade but struggle with response midweek. Primary School in village Rail corridor through village has historically had fire originate and spread form there.</p> <p>Not a focus area</p>	Comments tabled to BFMC.
34	Binalong	<p>Small community, farming and cropping, hobby blocks, little school, potential for stubble fire impacting township</p> <p>Treatments Interface APZs (Russell Street). Crown lands block within village needs more regular maintenance (Fitzroy & Richmond St). Rail corridor issue. Response - aviation Tumut and Cowra.</p> <p>Not a focus area</p>	Comments tabled to BFMC.
35	Bookham village and Tourist Parks	<p>Burrinjuck State water tourist parks - highly populated with narrow roads during summer boating fishing and camping (all year round but peak is summer) at Woolgarlow Park. Historically inherited large grass fires from SW slope</p> <p>Treatment Community Engagement - full approach, land owners and tourists and park owners</p> <p>Not a focus area.</p>	Comments tabled to BFMC.
36	Kangiara	<p>Regular lightning due to limestone in the area. Bango wind farms. Rural remote farming community.</p> <p>Not a Focus Area</p>	Comments tabled to BFMC.
37	Blakeney Creek / Broadway / Bevandale etc.	<p>Rural farming resilient communities.</p> <p>Not a focus area.</p>	Comments tabled to BFMC.
38	Farm Fire Units?	<p>Exist but not under the formal new program yet.</p>	Exist but not under the formal new program yet
39	Fairlight & Mullion	<p>Absentee block owners want land to return to nature. Through traffic for travellers. Big rural properties, bushfire aware Private owners with numerous locked gates,</p>	Burns planned in regional fire management plan

		<p>inaccessible public road.</p> <p>Treatments NP continue with their burn program on Pig Hill. ACT do burn on One sticks road on unmaintained block the Sherwood Burn.</p> <p>Not focus areas.</p>	
40	Wallaroo	<p>Large block development, absentee midweek land owners. Brigade response strong, solar farm going in. To access part of Brigade area, need to travel through ACT. ACT respond into Wallaroo. Two churches, one monastery, several wineries, one road in one road out. Back end goes down into the Murrumbidgee. Australia Day celebrations. Steep country towards the river on the western side. Most land prepared and fire aware.</p> <p>Not a Focus area.</p>	Comments tabled to BFMC.
41	Jeir / Marchmont	<p>Managed lands, managed by land owners.</p> <p>Not a focus area.</p>	Comments tabled to BFMC.
42	Tallong		<p>Treatments Fuel loads reflecting 19/20 fires Road access E-W and N-S Lots of subdivision through that area Challenging with entrapment from fire cut off Mechanical APZ more successful than HR burning Community Engagement</p> <p>Confirmed not a focus area</p>
43	Forestry assets		<p>Treatments Conducting BAU Liners breaks etc. Also monitoring areas, no concerns</p> <p>Confirmed not a focus area</p>

Item 4	Matters that arise	Chair
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- Susie informed the workshop attendees' that feedback would be collated and meeting minutes distributed to the BFMC members for their consideration ASAP.
- Jennie confirmed the risk portal was now available and offered BFMC members' access to the online Risk Planning Portal. The portal is map based and shows all the projected risk data and associated mapping layers. Members can contact Mitchell Butler to request access to the Portal
- Nil other matters arising.

Item 5	Close	Chair
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- Meetings closed at 1500hrs.

Table 4. Next meeting

Date	Start time	Finish time	Location
TBC			

DRAFT

16 CLOSED SESSION

Council must resolve to move into Closed Session to deal with any items under s10 *Local Government Act 1993*.

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

16.1 Shannon / Pockley Link Road Concept

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

17 CONCLUSION OF THE MEETING

The Mayor will close the meeting.