

**MINUTES**  
of the  
**Ordinary Meeting**  
held  
**21 September 2020**

**Minutes of the Ordinary Monthly Meeting of Lockhart Shire Council held in the Council Chambers,  
65 Green Street, Lockhart on Monday, 21 September 2020 commencing at 5.00pm.**

## **PRESENT**

Cr R Schirmer (Mayor), Cr G Verdon (Deputy Mayor), Cr M Day, Cr D Douglas, Cr G Driscoll, Cr I Marston,  
Cr A Rockliff, Cr P Sharp and Cr J Walker.

Also in attendance were the General Manager, Director Corporate and Community Services,  
Director Engineering & Environmental Services, and Executive Assistant.

The meeting opened with a prayer.

## **APOLOGIES**

Nil.

## **LEAVE OF ABSENCE**

Nil.

## **CONFIRMATION OF MINUTES ORDINARY MEETING, 17 AUGUST 2020**

<b>166/20</b> <b>RESOLVED</b> on the motion of Crs Rockliff and Day that the Minutes of the Ordinary Meeting held on Monday, 17 August 2020 as printed and circulated be taken as read and confirmed.
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## **DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS**

Cr Verdon – Non-Pecuniary Interest, Item 2 – Memorandum of Understanding, Riverina Water

Cr Walker – Pecuniary Interest, Item 7 – Project EnergyConnect

General Manager – Pecuniary Interest - Closed Session Item 19 – General Manager's Performance Review

## **MAYORAL MINUTE**

This item was dealt with in Closed Session – refer Item 19.



CHAIRPERSON

## MAYORAL REPORT

The Mayor, Cr Schirmer, verbally reported on activities during the past month as follows:

- |              |   |
|--------------|---|
| 18 Aug 2020  | Along with the General Manager, visited Magnolia Lodge residents to explain changes to the management and ownership of Magnolia Lodge, following the (Woodhaven) merger with Respect Group Ltd. |
| 19 Aug 2020  | Via Zoom – chaired a RIVJO Drought Committee meeting.   |
| 27 Aug 2020  | Via Zoom – attended the board meetings of RIVJO and REROC with the General Manager.   |
| 18 Sept 2020 | Via Zoom – attended a REROC executive meeting.  |

**167/20 RESOLVED** on the motion of Crs Walker and Sharp that the Mayoral Report be received.

## ELECTION OF MAYOR AND DEPUTY MAYOR

(GM: SC130-20/153)

### Executive Summary

Section 230 of the Local Government Act 1993 provides that a Mayor elected by the councillors holds the office of Mayor for two years. The last election of Mayor and Deputy Mayor was held in September 2018. Accordingly, the two-year term concludes in September 2020 and it is necessary to conduct an election for the office of Mayor and Deputy Mayor at this meeting. The Mayor elected in September 2020 will hold office until the September 2021 Council elections.

### Report

The process for the election of a Mayor and Deputy Mayor is outlined in Clause 394 and Schedule 7 of the Local Government (General) Regulation which provide as follows:

- a) The General Manager (or a person appointed by the General Manager) is the returning officer.
- b) A councillor may be nominated without notice for election as Mayor or Deputy Mayor.
- c) The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- d) The nomination is to be delivered or sent to the returning officer. (*This can occur prior to or at the Council meeting at which the election will be held. Forms for this purpose will be made available to all Councillors.*)
- e) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.
- f) If only one councillor is nominated, that councillor is elected.
- g) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- h) The election is to be held at the council meeting at which the council resolves on the method of voting.

“Preferential ballot” and “ordinary ballot” referred to in g) above are secret ballots. “Open voting” means voting by a show of hands.

In the case of an “ordinary ballot” and “open voting”, if there are only two candidates, the candidate with the higher number of votes is elected. If there are three or more candidates, the candidate with the lowest number of votes is excluded and a further vote is taken of the remaining candidates.

In the case of a “preferential ballot”, if a candidate has an absolute majority of first preference votes, that candidate is elected. If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers. A candidate who then has an absolute majority of votes is elected.



CHAIRPERSON

Integrated Planning and Reporting Reference

E1 Meet all governance and regulatory requirements in the conduct of Council operations.

Legislative Policy & Planning Implications

The election of Mayor and Deputy Mayor must be conducted in accordance with the Local Government Act and Schedule 7 of the Local Government (General) Regulation.

Budget & Financial Aspects

The allowance payable to the Mayor has previously been determined by Council and provided for in the 2020/21 Operational Plan Budget.

Attachments

Blank nomination forms have been provided to Councillors in their correspondence folder.

**Recommendation:** That the election of Mayor and Deputy Mayor be conducted.

**ELECTION OF MAYOR**

The General Manager, as Returning Officer, announced that he had received one nomination for the Office of Mayor, that being for Cr Rodger Schirmer, and asked if there were any further nominations. No other nominations were received.

As there was only one nomination for the Office of Mayor, the General Manager, as Returning Officer, declared Cr Rodger Schirmer elected Mayor of Lockhart Shire Council for the ensuing term.

**ELECTION OF DEPUTY MAYOR**

The General Manager, as Returning Officer announced, that he had received one nomination for the Office of Deputy Mayor, that being for Cr Greg Verdon, and asked if there were any further nominations. No other nominations were received.

As there was only one nomination for the Office of Deputy Mayor, the General Manager as Returning Officer, declared Cr Greg Verdon elected Deputy Mayor of Lockhart Shire Council for the ensuing term.

## SUSPENSION OF STANDING ORDERS

**166/20 RESOLVED** on the motion of Crs Verdon and Douglas that standing orders be suspended in order to allow a delegation from Transgrid to present on Project EnergyConnect, and Mr Gordon Hines to speak on the Lockhart Renewable Energy Project.

Standing orders were suspended at 5.04pm.

**167/20 RESOLVED** on the motion of Crs Douglas and Walker that standing orders resume, the time being 6.20pm.

## URGENT MATTERS

Nil.

## NOTICE OF MOTION

Nil.



CHAIRPERSON

## COMMITTEE REPORTS

1. **MINUTES OF THE TOURISM AND ECONOMIC DEVELOPMENT STEERING COMMITTEE MEETING HELD ON TUESDAY, 1 SEPTEMBER 2020**

(SC44-20/943)

**MINUTES OF THE TOURISM AND ECONOMIC DEVELOPMENT STEERING COMMITTEE (TEDSC) MEETING OF LOCKHART SHIRE COUNCIL HELD AT THE LOCKHART SHIRE COUNCIL OFFICES ON TUESDAY, 1 SEPTEMBER 2020 COMMENCING AT 6.00PM.**

**PRESENT**

Councillor Derek Douglas (Chair), Mrs Myra Jenkyn, Mr John Holstein, Mr Greg Smith, Mr Matt Holt  
Tourism/Economic Development Officer (TEDO).

**APOLOGIES**

Raeleen Pfeiffer, Mr Peter Creek, Councillor Gail Driscoll.

**LEAVE OF ABSENCE – Nil**

**PECUNIARY INTEREST – Nil**

**1. Confirmation of Minutes**

The minutes of the meeting held Tuesday, 3 March 2020, as circulated, were confirmed on the Motion of Mr John Holstein and Mrs Myra Jenkyn as a true record of the proceedings of that meeting.

**2. Tourism/Economic Development Officer Report**

**Recommendation:** That the information be noted.

**168/20 RESOLVED** on the motion of Crs Douglas and Walker that the information be noted.

**3. Resignation of Committee Member Sandra Johnstone (2011)**

The Committee accepts Sandra's resignation and would like to thank Sandra for her commitment to the Committee over a period of nine years and would like to wish her all the very best in the future.

**Recommendation:** That the TEDO approach up to four possible new Committee members in the Lockhart Shire community and invite them to the October meeting as guests.

**169/20 RESOLVED** on the motion of Crs Douglas and Sharp that the TEDO approach up to four possible new Committee members in the Lockhart Shire community and invite them to the October meeting as guests.

**4. Quasiquicentenary 2021 Lockhart (125 years)**

The Lockhart Progress Association noted that Lockhart township turns 125 in 2021. Smaller events have been suggested to Council for consideration. It was noted that Lockhart was declared a town by notification in the Government Gazette on 24 December 1896.

**Recommendation:** That the Lockhart Progress Association be requested to establish a working group from within the community of Lockhart to scope the possibilities of smaller events that could be held in 2021 from the list provided.

**170/20 RESOLVED** on the motion of Crs Walker and Douglas that the Lockhart Progress Association be requested to establish a working group from within the community of Lockhart to scope the possibilities of smaller events that could be held in 2021 from the list provided.



## 5. Walk of Fame

Lockhart Progress Association has suggested it is time to add a new inductee into the Walk of Fame and the Committee agreed.

**Recommendation:** That the TEDO review the guidelines for the Walk of Fame and report back to Committee at the October meeting.

**171/20 RESOLVED** on the motion of Crs Douglas and Walker that the TEDO review the guidelines for the Walk of Fame and report back to the Committee at the October meeting.

## 6. Other Business

- Mrs Myra Jenkyn raised questions on the future of the service clubs/community groups signs and the current Welcome to Lockhart signs at the entrances to Lockhart.

The TEDO advised the Committee that it was proposed to relocate the “oval shaped sign” and the individual service club signs in consultation with the relevant groups and Lockhart Progress Association.

- Mr John Holstein raise concerns about the lack of signage and visitors going up a private driveway at the Chinese Crossing at Yerong Creek

**Recommendation:** That the TEDO liaise with John Holstein and the Yerong Creek Progress Association with a view to finding a solution that is consistent with current signage practices.

**172/20 RESOLVED** on the motion of Crs Douglas and Rockliff that the TEDO liaise with John Holstein and the Yerong Creek Progress Association with a view to finding a solution that is consistent with current signage practices.

- Mr John Holstein raise concerns about the lack of fencing at the back of Magnolia Lodge in Lockhart. The Chair updated the Committee in relation to the aged care organisation taking control of both Magnolia Lodge and Woodhaven Aged Care.

**Recommendation:** The TEDO agreed to follow the matter up with Peter Veneris (GM) and provide a response.

**173/20 RESOLVED** on the motion of Crs Douglas and Rockliff that the TEDO follow the matter up with Peter Veneris (GM) and provide a response.

## 7. Round table update

Committee members provided an update on ongoing projects as follows:

Greens Gonyah Museum	As per report
The Rock Museum	As per report
Lockhart Progress Association	125th year birthday of Lockhart Tim Fischer Sculpture
The Rock Progress Association	N/A
Yerong Creek Progress Association	Yerong Creek Water Tower Mural progressing

## 8. Meeting dates and location

Tuesday 6 <sup>th</sup> October 2020	The Rock (TBC)
Tuesday 3 <sup>rd</sup> November 2020	Pleasant Hills
Tuesday 1 <sup>st</sup> December 2020	The Rock
Tuesday 2 <sup>nd</sup> February 2021	TBC
Tuesday 2 <sup>nd</sup> March 2021	TBC



CHAIRPERSON

Tuesday 6 <sup>th</sup> April 2021	TBC
Tuesday 4 <sup>th</sup> May 2021	TBC
Tuesday 1 <sup>st</sup> June 2021	TBC

There being no further business, the meeting concluded at 9pm.



CHAIRPERSON

## DELEGATES' REPORTS

### 1. RIVERINA JOINT ORGANISATION (RIVJO) – 27 AUGUST 2020

(SC43-20/708)

I, together with the General Manager, attended a ZOOM meeting of RIVJO on 27 August 2020.

Key outcomes from the meeting included the following:

- A workshop/briefing session is proposed to be convened on a date to be determined regarding the Wagga Special Activation Precinct and the opportunities it presents for neighbouring councils and the region.
- The most recent response from the Minister for Local Government to RIVJO's representations regarding ongoing funding for JOs indicates that there are no plans for additional or ongoing funding for JOs.
- RIVJO will provide support to Riverina Water and other county councils in their efforts to be given access to T-Corp loans. County Councils currently do not have access to T-Corp borrowings.
- RIVJO will make a regional submission supporting the expressions of interest being lodged by individual councils in relation to the Regional Road Transfer consultations.
- It is proposed to engage with a mobile phone network operator to identify mobile phone black spots in the region for the purposes of lodging a Regional Connectivity Fund grant application.
- A revised charter for the Drought Sub-committee will be considered so as to broaden the Committee's scope to include bush fire, COVID-19, border restrictions and other adverse events.
- Representations will be made to the Prime Minister, Deputy Prime Minister, NSW Premier and Deputy Premier, for local government to have representation at the National Cabinet meetings.

The next meeting will be held on 23 October 2020 at which time elections will be held for the position of Chairperson.

Cr R Schirmer

**Mayor**

**Recommendation:** That the Delegate's Report be received.

<b>174/20</b> <b>RESOLVED</b> on the motion of Crs Driscoll and Sharp that the Delegate's Report be received.
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### 2. RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) – 27 AUGUST 2020

(SC42-20/708)

I, together with the General Manager, attended a ZOOM meeting of REROC on 27 August 2020.

Key outcomes from the meeting included the following:

- Riverina Water has resolved to withdraw from REROC at the end of the 2020/21 financial year.
- Coolamon, Cootamundra Gundagai, Goldenfields Water, Greater Hume, Junee and Temora Councils have all resolved to commit to REROC for the next two years (i.e. 2020/21 and 2021/22).
- Bland Shire Council will be considering the matter at its September Council meeting.
- The "Mapped Out" and "No Time to Waste" Conferences which were scheduled to be held later this year have been deferred to early next year due to the restrictions relating to the COVID-19 pandemic.
- All seven member councils are participating in a joint tender for the bulk supply and delivery of bitumen emulsion.
- A total of 249.8 tonnes of e-waste and 2,861 tonnes of waste metal was collected for recycling during 2019/20 through regional contracts.
- It was noted that REROC's audit fees were \$3,300 compared to \$7,500 for the JO notwithstanding that as an organisation REROC has more transactions.



CHAIRPERSON



Cr R Schirmer  
**Mayor**

**Recommendation:** That the Delegate's Report be received

**175/20 RESOLVED** on the motion of Crs Marston and Walker that the Delegate's Report be received.

**3. POLICE AND COMMUNITY CONSULTATION GROUP – 18 AUGUST 2020**

**(GM: SC41-20/497)**

A quarterly meeting of the Police and Community Consultation Group was held at the Pleasant Hills Community Hotel on Tuesday, 18 August 2020.

The meeting was the first to be held since November 2019 due to the restrictions relating to the COVID-19 pandemic.

The meeting was attended by NSW Police and representatives of licensed premises and community organisations in the Shire. The following matters were noted:

- Leo Driscoll has replaced the late Bob Martin as The Rock's community representative on the Committee
- Inspector Andrew Ryabovitch has taken up the position of Officer in Charge of the Temora cluster which includes the Temora, Junee and Lockhart local government areas.
- Constable Conor Dewar has taken over from Senior Constable Ryan Withers at Lockhart Police Station with Senior Constable Withers moving to The Rock. One vacancy remains and it is hoped that the vacancy will be filled by Christmas.
- Police perform an enforcement role with respect to the COVID-19 related restrictions imposed by the Minister for Health. Whereas the Department of Health is the lead combat agency, Police have an enforcement role in relation to the Public Health Orders and the border restrictions.
- The NSW Police licensing officer provided guidance and advice in relation to the COVID-19 restrictions, particularly as they apply to licensed premises.
- Police referred to some recent break-ins at the supermarkets in Lockhart and The Rock. With respect to apprehending the offenders Police advised that they have had some good results in relation to the break-in at The Rock.
- Representatives of the Shire's licensed premises all thanked the Police for their regular visits and having a presence.
- Community representatives expressed their appreciation to Council, and in particular Council's grounds staff, for the appearance of the Shire's towns and villages.

The next meeting will be held at Lockhart on 10 November 2020.

Cr G Verdon  
Delegate

**Recommendation:** That the Delegate's Report be received.

**176/20 RESOLVED** on the motion of Crs Rockliff and Day that the Delegate's Report be received.



CHAIRPERSON

4. **LATE REPORT – RIVERINA WATER COUNTY COUNCIL, SEPTEMBER 2020**

(SC250-20/1683)

1. Council received and noted Financial Statements and List of Investments.
2. Draft Financial Statements were approved to be referred to Auditor.
3. CAPEX results for 2019/20 indicated a 95% completion. Percentage of water accounts overdue were 2.55%; sundry debtors 1.75%
4. Chairman of Audit, Risk & Improvement Committee presented his annual report. Minutes of meeting of AR&I committee received and noted.
5. Council approved composition of Community Grants Assessment Panels, along with minor adjustments to Guidelines.
6. Council has approved new Water Fluoridation Policy which is on public exhibition.
7. Council has adopted its Assets and Infrastructure Naming Policy.
8. Council voted to relinquish its membership of REROC at the end of this financial year.
9. Council has adopted its Workforce Management Plan 2020-24.
10. Council has endorsed a proposed MOU with Lockhart Shire with regard to Lockhart Water Tower mural.
11. Council was advised that the dispute with UGL over the completion of Water Treatment Plant has been resolved with UGL withdrawing from any further action.

Greg Verdon  
**Delegate**

**Recommendation:** That the Delegate's Report be received.

<b>177/20 RESOLVED</b> on the motion of Crs Rockliff and Sharp that the Delegate's Report be received.
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CHAIRPERSON

## STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED

### Status Report: Council Resolutions and Tasks to be finalised

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 17 August 2020</b>			
160/20	GM/DEES	<p><b>Forthcoming Conferences</b></p> <p>1) Council is to decide on a voting delegate for the 2020 LG NSW Annual Conference.</p> <p>2) The Director of Engineering &amp; Environmental Services will represent Council at the National Local Roads &amp; Transport Conference.</p>	<p>The decision on the Voting Delegate has been deferred to the October meeting of Council.</p> <p>Complete.</p>
159/20	GM	<p><b>Membership of Regional Organisations</b></p> <p>Council to consider endorsing the REROC Board's request to maintain REROC's current structure for a period of two years, including the provision of ongoing funding for the Organisation, at the September Council meeting.</p>	<p>The deferred matter has been included for consideration at the September Council Meeting.</p> <p>Complete.</p>
152/20	GM	<p><b>Drought Communities Programme Extension</b></p> <p>1) Nominate a representative to participate on the selection panel to review expressions of interest received for the Yerong Creek Water Tower Project; and</p> <p>2) Submit a request to the Australian Government for a variation to the Funding Agreement to reallocate the funding from the Drought Support Officer Project to the Yerong Creek Water Tower Mural Project and the Lockhart and The Rock Footpaths and Disabled Access Project.</p>	<p>Cr Walker accepted the nomination to participate on the selection panel for the Yerong Creek Water Tower Mural.</p> <p>Complete.</p> <p>A request for variation to the Funding Agreement has been made.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 20 July 2020</b>			
134/20	DEES	<p><b>Light Posts – Green Street, Lockhart</b></p> <p>Arrange for the damaged light posts be replaced, as far as possible, with like-for-like.</p>	<p>Light post disconnected and with Wagga Iron Foundry for reproduction.</p>



Lockhart Shire Council  
Ordinary Meeting – 21 September 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
133/20	DEES	<p><b>Naming of Bridges – Brookong Creek and Urana Lockhart Road</b></p> <p>1. Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge.</p> <p>2. Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gunyah Bridge, Brookong Creek.</p> <p>3. Write to Transport for NSW advising of the proposed names for the bridge on Urana Lockhart Road and the new culvert over Brookong Creek, Lockhart.</p>	<p>Written to TfNSW advising of the proposed bridge and culverts names.</p> <p>Received response from TfNSW requesting further information.</p>
132/20	DEES	<p><b>Fixing Local Roads Funding Program</b></p> <p>a) Notes the \$1,498,500 received under the Fixing Local Roads program to upgrade Wattles Road and Tinamba Lane;</p> <p>b) Submits a grant application under the next round of Fixing Local Roads program for the sealing of Prichard Place, Lockhart; and</p> <p>c) Place notices in the August 2020 Council Newsletter for letters of support for the project.</p>	<p>Fixing Local Roads program to open for submissions later in 2020.</p>
128/20	GM	<p><b>Local Road &amp; Community Infrastructure Program</b></p> <p>Submit the list of projects as agreed at the Councillor Workshop held on 20 July 2020 for funding under the LRCI Program.</p>	<p>The Funding Agreement has been executed and the necessary Work Schedule and Project Nomination Forms are being progressively prepared for the nominated projects.</p>
123/20	GM/DCCS	<p><b>Land/Premises for Community Development, Lockhart and The Rock</b></p> <p>(i) Council endeavours to secure the purchase of the former GrainCorp premises in Green Street Lockhart for Community Development at a fair market price this financial year.</p> <p>(ii) That Council identifies and secures premises or land in The Rock for the purposes of Community Development by the end of the 2021/22 financial year.”</p>	<p>Negotiations have recommenced with GrainCorp regarding the property at 109 Green Street Lockhart and additional information has been provided to GrainCorp in anticipation of further discussions.</p>
<b>Ordinary Council Meeting held 15 June 2020</b>			
110/20	GM	<p><b>Grant Application Preparedness</b></p> <p>Determine a shortlist of projects to be developed to “shovel ready” status pending the availability of funding.</p>	<p>Shortlist of projects to be determined.</p>



*Lockhart Shire Council*  
*Ordinary Meeting – 21 September 2020*

<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
102/20	GM	<b>Shire &amp; Town Entrance Signs</b> Arrange order and installation of approved signage.	Quotations were invited with a closing date of 21 July 2020. A preferred supplier has been selected and the signs have been ordered.
99/20	DCCS	<b>Tender – Lockhart Recreation Ground – Extend/Upgrade Amenities</b> 1. Council declines to accept any of the tenders submitted for the Lockhart Recreation Ground – Extend and Upgrade Amenities Building Tender No. C2020/02 as tendered prices exceeded the available budget; and 2. Council delegates the General Manager to enter into negotiations with any of the tenderers to undertake the works at a revised price or scope of works.	Revised quotes received and assessed. Stage 1 has been awarded to Precise Build based on a revised scope of works that is within budget. Complete.
<b>Ordinary Council Meeting held 20 April 2020</b>			
70/20	GM	<b>Review of Operational Land</b> Council adopt the following actions in relation to the review of land classified as “operational land”:  Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land.	Contact has been made with the adjoining landowner and information provided regarding the Council owned land in anticipation of further discussions.
<b>Ordinary Council Meeting held 18 November 2019</b>			
292/19	DCCS	<b>Council Buildings – Dentist and Lockhart Museum</b> Council approve part funding of works as detailed in the report to the Lockhart Museum building at 39 Urana St and the dentist building at 85 Green St Lockhart from Internal Reserves for Buildings for the amount of \$33,120.00.	Painting has been rescheduled to week of 17 August. Painting per Heritage project completed during week of 7 Sept. Report in agenda to paint rear of building.



Lockhart Shire Council  
Ordinary Meeting – 21 September 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 16 September 2019</b>			
256/19	GM	<p><b>Lockhart Renewable Energy Project</b></p> <p>a) Having secured Commonwealth government funding totalling \$1 million for the Better Energy Technology Renewable Energy Project for Lockhart Township; and</p> <p>b) Having given 28 days public notice of its intention to do so:</p> <p>c) Hereby resolves pursuant to Section 356 Local Government Act 1993 to provide financial assistance totalling \$1 million to Better Energy Technology, in the same manner, i.e. progress payments, as Council receives the funding from the Commonwealth, and for the sole purpose of undertaking Stage 1 of the Lockhart Renewable Energy Project.</p>	<p>A further progress report has been included in the September Council meeting Business Paper.</p> <p>Gordon Hinds of Better Energy Technology will be available at the meeting to answer any questions.</p>
<b>Ordinary Council Meeting held 19 August 2019</b>			
223/19	DEES	<p><b>Lockhart Caravan Park</b></p> <p>a) Endorses the proposed Lockhart Caravan park revised layout; and</p> <p>b) A further report be brought to Council in due course once a detailed costing can be provided.</p>	<p>Work in progress. Following up design of fire hydrant and hose reels. Preparing DA for caravan park.</p>
210/19	TEDO	<p><b>Minutes of the TEDSC Meeting – Tim Fischer Statue/Lockhart Railway Station</b></p> <p>Subject to agreement by the authorised managers of the Lockhart Railway Station, expressions of interest for community or commercial purposes be sought from the wider community for the Lockhart Railway Station building.</p>	<p>Advertisement placed in the Lockhart Shire newsletter and on social media.</p>
<b>Ordinary Council Meeting held 15 October 2018</b>			
260/18	TEDO	<p><b>Minutes of the TEDSC Meeting – Water Tower Long Term Maintenance</b></p> <p>An agreed amount be held in reserve to enable future maintenance of the Lockhart Water Tower as and when needed.</p>	<p>A draft MoU has been prepared and endorsed by Riverina Water. The MoU is included in the Business Paper for consideration at the September Council meeting.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 16 May 2016</b>			
109/16	DCCS	<p><b>Old Lockhart Railway Station Building</b></p> <p>Council to:</p> <p>a) Seek to find a suitable use/tenant for the building</p> <p>b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.</p>	<p>a) No potential tenancy enquiries received, infrequent use as regional meeting site, or by local schools.</p> <p>b) Variation to Lease being pursued to reduce rental.</p>



Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 17 August 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Schirmer – Laneway between Ferrier and Galore Streets</b></p> <p>This laneway requires further remediation following works by Riverina Water.</p>	Works completed by Riverina Water.
	DEES	<p><b>Cr Schirmer – Road to Golf Club (John Grant Drive)</b></p> <p>Enquired as to the possibility of caution signs on this road drawing attention to the possibility of pedestrian traffic.</p>	Signs ordered.
	DEES	<p><b>Cr Schirmer – St Helenas Lane</b></p> <p>Requested that the vehicle damage done to this road be repaired. Also requested that a “Dry Weather Only” sign be placed at either end.</p>	Unconstructed road. Signs ordered.
	DEES	<p><b>Cr Walker – Mustard Weed</b></p> <p>Requested that the spraying of this weed be prioritised on Council’s roadsides.</p>	Spraying of roadside shoulders has commenced to reduce the potential fire hazard. Should mustard weed be present within the shoulder area, it will be sprayed.
	DEES	<p><b>Cr Marston – Jim Willis North Lane</b></p> <p>Requested that this road be considered for a maintenance grade.</p>	Included in grading program.
	DEES	<p><b>Cr Marston – Signage, Various Roads</b></p> <p>Willis Lane at the intersection with Jim Willis North Lane requires a street blade and also a No Through Road sign.</p> <p>The Willis Lane/Poverty Lane intersection heading north requires a No Through Road sign.</p>	Signs ordered.
	DEES	<p><b>Cr Marston – Moonba Street, Yerong Creek</b></p> <p>This street in Yerong Creek has deteriorated quite badly. Vehicles are shortcutting across a private weighbridge on an adjoining lot. There is a concern regarding the ability of caravans to turn in nearby streets once the water tower mural is complete. Moonba Street needs to be formed to assist with this and the movement of farm machinery.</p>	DEES will investigate and advise on possible actions.
	GM	<p><b>Cr Driscoll – Shovel-ready Projects Workshop.</b></p> <p>Enquired as to when another workshop to decide on projects might be held.</p>	<p>The General Manager may be in a position to report further on acquisition of the Graincorp building in Lockhart within a month or two.</p> <p>A workshop could be held in October to decide on shovel-ready projects.</p>



Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<p><b>Cr Day – Levy Bank, Lockhart Common</b></p> <p>Asked who was responsible for maintenance and suggested that some repair work may be necessary near the outlet.</p>	Inspected erosion. Works to be carried out after area has dried out sufficiently.
<b>Ordinary Council Meeting held 20 July 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Schirmer – Table Drain, Spanish Ave</b></p> <p>Drew attention to the table drain adjacent to Mrs McKenzie's property in Spanish Avenue, which is still holding a large quantity of water. Requested works be undertaken to release this water to prevent mosquitos.</p>	Works programmed for later in September subject to weather conditions
	DEES	<p><b>Cr Schirmer – Garbage Bins in Main Street</b></p> <p>Noted that liquid waste is leaking from bins onto the pavers below, causing staining. Requested that pressure-washing of the pavers beneath each bin be undertaken.</p>	Pressure washing scheduled for September.
	DEES	<p><b>Cr Schirmer – Lockhart The Rock Road</b></p> <p>Requested a quotation be sought for fog lines and centre lines between Lockhart and The Rock, particularly on the bend at the County Boundary Road intersection.</p>	DEES advised that he has inspected the road. Road width is an issue, will follow up with TfNSW as to whether the lines can be put in place as they are not allowed on narrow roads.
	TEDO	<p><b>Cr Verdon – The Rock Hill Nature Reserve</b></p> <p>Has noticed and received comments regarding the signage on approach to the Nature Reserve being extremely dull and difficult to read. Who owns the signs and is therefore responsible for maintenance?</p>	Contacted NPWS who owns and who is responsible for the upkeep of wayfinding signs at The Rock Nature Reserve - Kengal Aboriginal Place.
	DEES	<p><b>Cr Verdon – The Rock Recreation Ground</b></p> <p>Asked for the timeframe for completion of the carpark at The Rock Recreation Ground.</p>	Works programmed for later in September subject to weather conditions.
	DCCS	<p><b>Cr Driscoll – Childcare in the Shire</b></p> <p>Requested that Council investigate the childcare situation in the Shire and ascertain if there is a need that could be supported by any of The Rock OOSH surplus.</p>	Council will contact both schools in Lockhart as a starting point for feedback on demand for before & after school care.





Lockhart Shire Council  
Ordinary Meeting – 21 September 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
	TEDO	<b>Cr Driscoll - Signage at The Rock Hill</b> Requested that Council's Tourism and Economic Development Officer make enquiries of National Parks & Wildlife regarding additional/better signage for the tracks.	TEDO has requested an onsite meeting to discuss a range of items including these signs, road signs and the overall strategic direction.
<b>Ordinary Council Meeting held 15 June 2020 – Councillor Questions &amp; Statements</b>			
	DEES	<b>Cr Douglas – Provision of Parking for Long Vehicles</b> Enquired as to whether it was possible to change the designated angle parking on the southeast side of Urana Street, adjacent to the museum, to parallel parking for people towing trailers and caravans.	A change will possibly require a report to Council's Traffic Committee. Investigated. No current signs. Parallel parking allowed. Complete.
<b>Ordinary Council Meeting held 20 April 2020 – Councillor Questions &amp; Statements</b>			
	DEES	<b>Cr Rockliff – Verandahs in Lockhart</b> Advised that despite control efforts so far, the problem birds have moved from once place to another and something more needs to be done. The birds have moved on from Lockhart Building Supplies to the Medical Centre and Newsagency, almost to "Ginge & Fluffs" second-hand store.	Cost estimate to install bird spikes similar to current along full length on both sides is between \$35,000 and \$65,000. Not included in draft Budget for 2020/21. Complete.
	DEES	<b>Cr Rockliff - Weeds</b> Advised the "cat heads" and khaki weed infestations around town are causing issues for "gopher" owners, causing tyre punctures.	Considering clearing areas in vicinity of town centre. To be programmed.
<b>Ordinary Council Meeting held 16 March 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM	<b>Cr Walker - 9-Day Fortnight</b> Asked if the shorter working week has been successful.	Review has commenced. Whilst the 9-day fortnight is found to be working satisfactorily, the trial period has been extended to better gauge the impacts on reception staff and increased reception hours. Due to the closure of Council's reception in response to the COVID-19 pandemic, recent months may not have provided a good guide of the impacts.
	DEES	<b>Cr Verdon – Emily St</b> Notes that any flood mitigation works in this area is unfunded but asked if Council had plans to clean it up, to allow water to flow, especially towards the southern end, near Semmens Rd as residents are concerned.	Clearing works programmed for November.



Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 3 February 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Verdon – Risk of Falling Tree Limbs at The Rock Recreation Ground</b></p> <p>Advised of current danger imposed on campers regarding possible falling tree limbs at The Rock Recreation Ground and enquired who is responsible for trimming these limbs to ensure public safety.</p>	<p>Annual pruning to start at The Rock in August. Facilities Officer will inspect prior to works being conducted.</p> <p>Hazard inspection was conducted. Hazard rating suggests the risk is tolerable and hazard abatement was conducted to make the risk as low as practicable.</p>
	DEES	<p><b>Cr Rockliff – Lawn Cemetery, Lockhart</b></p> <p>Advised that residents are again concerned about the care taken of plots and sprinklers not working at the Lockhart Lawn Cemetery.</p>	<p>Still issues with controller. Contractor engaged to replace controller.</p> <p>Bare patches were top-dressed. Broadleaf weeds have been sprayed.</p>
	DEES	<p><b>Cr Rockliff – Lockhart and The Rock Swimming Pools</b></p> <p>Advised that the Lockhart Swimming Pool had recently sustained damage during a break-in and requested Council consider the installation of CCTV to identify and deter from this reoccurring.</p>	<p>Contractor to install CCTV at both pools week commencing 21 September.</p>
	DEES	<p><b>Cr Marston – CCTV</b></p> <p>With regard to the enquiry made by Cr Rockliff regarding the possible installation of CCTV at Lockhart and The Rock Swimming Pool Complexes, Cr Marston requested that Council also include Recreation Grounds in the Shire in this consideration.</p>	<p>Quotes received, minimum of \$6000 per site. Not included in draft Budget for 2020/21.</p> <p>Could be considered under LRCI Program, with further consultation required with s355 management committees.</p>
	DEES	<p><b>Cr Douglas – Lockhart and The Rock Swimming Pools</b></p> <p>Commented that the new pools are great facilities for the Shire but he believes the contractor at each pool is being put at risk if working by themselves and he would like Council to consider hiring additional staff for security and safety reasons. Cr Douglas asked if going forward Council could consider amending contractual arrangements to stipulate that two people be present at all times during pool opening hours.</p>	<p>Contacted with Royal Lifesaving NSW and has reviewed Council's contractual arrangements.</p> <p>To undertake a risk assessment prior to establishing lifeguard ratios in accordance the 'Guidelines for Safe Pool Operation'.</p> <p>Waiting for RLNSW to finalise quote for assessments and dates.</p>
<b>Ordinary Council Meeting held 18 November 2019 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Rockliff – Walter Day Park, Lockhart</b></p> <p>Enquired if there is a problem with the sprinklers at Walter Day Park, as large sections of grass are dying off?</p>	<p>Undertook some works.</p> <p>Engaged contractor to replace sprinkler valves.</p>



Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 19 August 2019 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM/DCCS	<p><b>Cr Marston – Status of Work on the Second Oval, The Rock</b></p> <p>Enquired about the status of the work for the second oval at The Rock particularly with respect to commencing the project within 12 months of the grant being approved.</p>	<p>Prepared the area at the western end of the Recreation Reserve for temporary use by the Pony Club to enable works to commence on the 2<sup>nd</sup> oval.</p> <p>On advice from Crown Lands Council contact made with NSW Aboriginal Land Council, awaiting response.</p> <p>The Pony Club have agreed to remain at the recreation ground. Plans are being finalised on the development required to enable both the Pony Club &amp; the second oval to co-exist. This will allow for the construction of second oval to proceed.</p> <p>Quotes have been received for horse sand arena and second oval.</p>
<b>Ordinary Council Meeting held 15 April 2019 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Driscoll – The Rock Town Entrance Sign</b></p> <p>Advised that The Rock town entrance sign re-instated south of The Rock on the Olympic Hwy is a lot further south than its original position and enquired if it could be relocated back closer to The Rock?</p>	<p>GHSC advised it will be done when they are doing some line marking in the area.</p>
<b>Ordinary Council Meeting held 20 November 2017 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM	<p><b>Cr Marston – Potential Purchase of Land for Development</b></p> <p>Following completion of Carson Rd Development, The Rock, enquired if Council could look into the purchase of more land for development (using borrowings) Shire-wide, but maybe concentrating on The Rock and lifestyle blocks in Yerong Creek, requesting this be put on the agenda for further discussion.</p>	<p>Discussions have been held with Council's agent and the availability of suitable developable land coming on to the market is being monitored.</p> <p>Land development at The Rock has also been submitted to the Riverina JO for inclusion in the Statement of Regional Priorities being developed by the JO.</p> <p>Rezoning proposal anticipated in respect of a private residential development.</p>

**September 2020 Ordinary Council Meeting - Correspondence Sent to Councillors**

Date sent to Councillors	From	Subject	File Ref
14/8/2020	LG NSW and ALGA	Weekly Local Government News	SC132/SC318
21/8/2020	LG NSW and ALGA	Weekly Local Government News	SC132/SC318
7/9/2020	Cr Schirmer	Mayoral Update	
10/9/2020	LG NSW and ALGA	Weekly Local Government News	SC132/SC318
14/9/2020	LG NSW and ALGA	Weekly Local Government News	SC132/SC318

**Recommendation:** That the Status Report and Correspondence Précis be received.

  
 CHAIRPERSON

**178/20** **RESOLVED** on the motion of Crs Rockliff and Walker that the Status Report and Correspondence Précis be received.



CHAIRPERSON

## STAFF REPORTS

### STRATEGIC DIRECTION A: A Connected and Resilient Community

#### 1. PAYMENT OF DEVELOPMENT APPLICATION AND RELATED FEES

(GM: SC59-20/925)

##### Executive Summary

A significant number of grant-funded projects are currently being planned and implemented under a number of different Government programs. All of the projects have been initiated either by Council, section 355 management committees or other community based not-for-profit organisations such as progress associations. Some but not all of the projects will require development applications to be prepared and lodged and will incur fees in the process.

Traditionally, section 355 committees and not-for-profit organisations would write to Council requesting a refund of development related fees and individual reports would be prepared and tabled at a Council meeting. Bearing in mind the number of grant projects currently being planned and delivered, it is proposed to streamline this process.

##### Report

A significant number of grant-funded projects are currently being planned and implemented under a number of different grant programs including the following:

- Stronger Country Communities Fund – Round 2
- Stronger Country Communities Fund – Round 3
- Drought Communities Programme - Extension
- Local Roads and Community Infrastructure Program
- Showground Stimulus Funding
- Riverina Water Community Grants

Some of the projects are being project managed directly by Council while others also involve Council's section 355 management committees or other community based not-for-profit organisations such as progress associations. Some of the projects will require development applications to be prepared and lodged, or other development related permits to be obtained e.g. plumbing certificates etc., which will incur fees in the process.

The projects that involve development applications or development related permit fees include:

- Lockhart Recreation Ground amenities building
- Milbrulong Water Tower Mural
- Osborne Recreation Ground changerooms
- The Rock Regional Observatory
- Yerong Creek Water Tower Mural

As the above projects involve section 355 management committees or other volunteer based community organisations, and in view of the tourist and economic development benefits resulting from the above projects, it is recommended that development related fees be met by Council.

Council meeting the cost of development-related fees for grant funded projects is consistent with Policy 2.36 Refund of Fees to Community Organisations.

##### Integrated Planning and Reporting Reference

- A1 Provide support and advice to community groups, clubs, and volunteers
- A1 Within financial means, support and fund Section 355 Committees to manage and maintain Council facilities.
- B2 Create a thriving tourism economy in Lockhart Shire.
- B2 Support and develop infrastructure for our tourism sector.



CHAIRPERSON

B2 Develop partnerships that support our tourism industry.

Legislative Policy & Planning Implications

Pursuant to Section 356 of the Local Government Act a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Policy 2.36 Refund of Fees to Community Organisations provides that:

*“Council is mindful of the contribution made to the community by community-based, not-for-profit organisations. Council will therefore refund by way of equal donation any fees listed in Council’s adopted Fees and Charges which would otherwise be retained by Council with respect to development related applications lodged by or on behalf of community-based not-for-profit organisations in Lockhart Shire.*

*The types of eligible organisations to which this policy applies will include Council’s Section 355 Committees, service clubs, show societies, community based sporting clubs, progress associations and community-based pre-school kindergartens.”*

Budget & Financial Aspects

The Development related fees will be met from Council’s Section 356 Contributions Budget. An amount of \$52,100 has been allocated in the 2020/21 Budget for this purpose.

Attachments

Nil.

**Recommendation:** That Council meet the cost of development related application and permit fees payable in respect of the grant funded projects involving Council’s section 355 management committees or other community based not-for-profit organisations.

<p><b>179/20 RESOLVED</b> on the motion of Crs Verdon and Driscoll that Council meet the cost of development related application and permit fees payable in respect of the grant funded projects involving Council’s section 355 management committees or other community based not-for-profit organisations.</p>
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**2. LOCKHART WATER TOWER MURAL**

**(GM: SC250-20/154)**

Executive Summary

A Memorandum of Understanding (MoU) has been prepared between Lockhart Shire Council and Riverina Water County Council. The Purpose of this MoU is to agree in principle on the arrangements for the future refurbishment, rehabilitation, repair, removal or replacement of the artwork on the Water Tower and to set out the respective roles of the parties in achieving this purpose.

Report

As Council will be aware the Lockhart Water Tower mural was completed and officially launched in October 2018 and has since proved to be a major drawcard for the town and significant tourism asset for the Shire.

Whilst Council project managed the painting of the mural, the project was a collaborative effort with financial support provided by the NSW Government (CASP grant), Lockhart Shire Council, Riverina Water, Lockhart and District Community Bank and the Lockhart Progress Association. The consent and support of Riverina Water as the owner of the water tower, was critical to the success of the project.

It is anticipated that the artwork on the water tower may deteriorate over time and that at some future time the artwork will require refurbishment, rehabilitation, repair, removal or replacement. It is difficult to anticipate the nature and timing of the work that will be required in the future. Whilst a considerable amount of silo art now exists, it is all relatively new and has not reached the end of its life cycle to provide some guidance as to what we can expect.

Notwithstanding this and bearing in mind that Council does not own the structure, it is considered appropriate to have some in principle agreement in place in the form of an MoU to deal with this situation.



CHAIRPERSON

Having a MoU is also important as there is no guarantee that the individuals involved in the initial project, with an understanding of the roles played by the respective organisations, will be occupying the same roles in the future.

Accordingly, a MoU between Lockhart Shire Council and Riverina Water County Council has been prepared and a copy is attached. The purpose of this MoU is to agree in principle on the arrangements for the future refurbishment, rehabilitation, repair, removal or replacement of the artwork on the water tower and to set out the respective roles of the parties in achieving this purpose.

The MoU has been prepared on the basis of Lockhart Shire Council and Riverina Water performing the same roles as they did for the initial project. Section 6 of the MoU sets out the respective roles of the two organisations i.e. Lockhart Shire Council obtains development approval if necessary, engages the artists or contractors, hires the necessary equipment and generally project manages the work. Riverina Water's obligations under the MoU are to consent to the lodgement of a development application, provide access to the water tower and to provide advice and relevant documentation, particularly with respect to work health and safety issues e.g. safe work method statements etc.

Notwithstanding that the mural project was the initiative of the Lockhart Shire Council and that the Shire derives significant benefits from the mural in terms of tourism and economic development, Riverina Water has agreed to contribute 30% of the cost of any future refurbishment, rehabilitation, repair, removal or replacement of the artwork.

#### Integrated Planning and Reporting Reference

- A2 Support, or partner to provide, welcoming and well-maintained community spaces and facilities
- B1 Manage and improve the appearance of our towns, in line with their desired identities.
- B1 Improve the image of Lockhart Shire for tourists.
- B2 Support and develop infrastructure for our tourism sector.
- B2 Develop partnerships that support our tourism industry.

#### Legislative Policy & Planning Implications

The MoU is not a legally binding document but a statement of intent by both parties. The MoU can be amended by agreement between the parties and can be terminated by either party at any time.

It is proposed that any MoU endorsed by Lockhart Shire Council and Riverina Water be used as a template for other murals in the Shire i.e. the recently completed Milbrulong Water Tower mural and the proposed Yerong Creek Water Tower Mural.

#### Budget & Financial Aspects

Council has previously resolved, on the recommendation of the Tourism and Economic Development Steering Committee that an agreed amount be held in reserve to enable future maintenance of the Lockhart Water Tower as and when needed.

The number and nature of Council's internally restricted funds (Reserves) have recently been rationalised following a report to Council in August 2019 and it is not proposed to re-establish a new single purpose Reserve specifically for the Water Tower. It is considered that the funds held in the Future Infrastructure Development Reserve are sufficient to also accommodate this purpose (\$800,000 as at 30 June 2020).

#### Attachments

Memorandum of Understanding between Lockhart Shire Council and Riverina Water County Council.

**Recommendation:** That Council endorse the Memorandum of Understanding between Lockhart Shire Council and Riverina Water County Council and authorise the General Manager to sign the document.

<b>180/20</b> <b>RESOLVED</b> on the motion of Crs Walker and Rockliff that Council endorse the Memorandum of Understanding between Lockhart Shire Council and Riverina Water County Council and authorise the General Manager to sign the document.
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CHAIRPERSON

**3. PLEASANT HILLS PUBLIC HALL COMMITTEE - REQUEST FOR FINANCIAL ASSISTANCE**  
**(GM: SC24-20/1325)**

Executive Summary

A request for financial assistance has been received from the Pleasant Hills Public Hall Committee and is tabled for Council's consideration.

Report

The Pleasant Hills Public Hall Committee has written to Council regarding a community project to identify unmarked graves at the Mundawaddy Cemetery in Pleasant Hills, the Munyabla Cemetery and the Edgehill Cemetery.

The Hall Committee advises that it has been working with the Henty undertaker, Mr Edward Dale, to identify the unmarked graves. To date the Committee has been able to identify five unmarked graves at Mundawaddy, 12 at Munyabla and one at Edgehill.

The Committee further advises that it has purchased conmix and concrete to make the concrete plinths, that it will place to mark the graves. The Committee needs to purchase the plaques that will be placed on the plinths which, based on quotes it has received, will cost \$52.80 per plaque. A total of 20 plaques are needed at a total cost of \$1056. Munyabla and Edgehill are private Lutheran cemeteries and the Committee has obtained permission from the Henty Lutheran Church to install plinths and plaques.

Mundawaddy Cemetery is a Council-controlled cemetery and the Committee has been liaising with Council officers to ensure compliance with the applicable laws and regulations as they apply to public cemeteries. As only immediate family members are permitted to erect monuments on graves, the Committee was advised to place advertisements in the Wagga Daily Advertiser and Albury Border Mail newspapers seeking out family members to contact the Hall Committee. According to the Committee the response was overwhelming and permission has been obtained by the Committee from a number of family members to mark their relatives' graves. Council fees of \$107 per grave are payable to Council in accordance with the adopted fees and charges.

To date the Hall Committee has incurred expenses totalling \$2,126 for plaques (\$1056) newspaper advertising (\$535) and Council fees (\$535). The Committee has also spent a further \$160 on conmix and cement and approximately 15 hours of volunteer labour to make the plinths.

The Hall Committee is seeking financial assistance from Council in the amount of \$2,126 on the basis that the labour, conmix and cement will be the Committee's contribution to the project which has generated a lot of community interest.

Integrated Planning and Reporting Reference

A1 Build capacity, capability and partnerships to encourage sustainable community groups and clubs.

A1 Provide support and advice to community groups, clubs and volunteers.

Legislative Policy & Planning Implications

Pursuant to section 356 of the Local Government Act a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Budget & Financial Aspects

Council's 2020/21 Budget includes an allocation of \$52,100 for the purpose of providing financial assistance to community groups in the Shire in accordance with section 356 of the Local Government Act.

Attachments

Nil.

**Recommendation:** That Council contribute an amount of \$2,126 (including GST) towards the costs incurred by the Pleasant Hills Hall Committee in relation to its community cemetery project.





**181/20 RESOLVED** on the motion of Crs Douglas and Marston that Council contribute an amount of \$2,126 (including GST) towards the costs incurred by the Pleasant Hills Hall Committee in relation to its community cemetery project.

#### 4. FEES AND CHARGES – LOCKHART MEMORIAL HALL

(DCCS: SC256-20/1522)

##### Executive Summary

Council has received a request to use the Lockhart Memorial Hall which is not currently covered in Council's adopted Fees and Charges for 2020-21.

##### Report

In recent months, the Lockhart Memorial Hall supper room has been used on an hourly booking basis for sessions involving Taekwondo and fitness classes.

The organiser of the bookings has now requested to use the main hall area at the same hourly rate as the supper room. The classes are limited to how much they can do with linework and other activities due to COVIDSafe restrictions.

The current Fees and Charges have an hourly rate for the supper room only of \$25.00 per hour. The main hall minimum booking currently is half a day, being 4 hours at a fee of \$115.00.

An hourly fee for the main hall should equate relatively to a pro rata rate of the half day fee of \$115.00. Therefore, a logical hourly fee would be \$30.00 per hour.

##### Integrated Planning and Reporting Reference

A2 Our community services and facilities meet the needs of our communities.

E3 Council responds collectively and responsibly to community needs.

##### Legislative Policy & Planning Implications

Section 610F (1) states that a council must not determine the amount of a fee until it has given 28 days public notice of the proposed fee.

##### Budget & Financial Aspects

Increased use of the Lockhart Memorial Hall would improve hall revenue.

##### Attachments

Nil.

**Recommendation:** That Council:

1. Give 28 days' public notice of a proposed fee of \$30.00 per hour to use the main hall area at the Lockhart Memorial Hall.
2. Consider any submissions received before adopting the proposed fee.

**182/20 RESOLVED** on the motion of Crs Douglas and Sharp that Council:

1. Give 28 days' public notice of a proposed fee of \$30.00 per hour to use the main hall area at the Lockhart Memorial Hall.
2. Consider any submissions received before adopting the proposed fee.



## **STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy**

### **5. INLAND RAIL**

(GM: SC248-20/150)

#### Executive Summary

An update is provided in relation to the Inland Rail project following receipt of information from the project's Stakeholder Engagement team.

#### Report

Inland Rail is 1,700km long, from Tottenham in Victoria to Acacia Ridge in Queensland that has been divided into 13 distinct projects. In summary:

- The track will enable the use of double-stacked, 1,800m long trains with a 21 tonne axle load at a maximum speed of 115km/h.
- Each train could carry the equivalent freight volumes of 110 B-Double trucks.
- The new rail route will be up to 10 hours faster than existing coastal rail-capital freight travelling between Melbourne and Brisbane.

Up to 16,000 jobs will be created at the peak construction and 700 ongoing jobs once operational.

The majority of work required on the Albury to Illabo section of the project will be at the Albury, Wagga Wagga and Junee train stations. Some work will be required to be undertaken at The Rock and Yerong Creek as described below and it is understood that this work will all be carried out within the rail corridor.

#### ***The Rock***

- Work required on tracks and signalling structures to provide adequate horizontal and vertical clearance for double-stacked freight trains.
- Clearance to the platform.
- 4 x signal gantries and utilities.
- Work may be required on the level crossing at Urana Street.

#### ***Yerong Creek***

- Work required on tracks and signalling structures to provide adequate horizontal and vertical clearance for double-stacked freight trains.
- Assets to be investigated include:
  - Main line
  - Platform
  - Crossing loops and turnouts
  - Plunkett Street level crossing
  - Utilities
  - Track side signalling equipment

In terms of its current status the project is currently in Phase 2 Reference Design Phase which includes, community consultation, site investigations, reference design and environment impact statement. Phase 3 involves the approval process and Phase 4 the construction of the infrastructure which is approximately 18 months to two years away.

The opportunity has been taken to raise with Inland Rail, the Council's previous representations regarding the upgrading of the Boree Creek/The Rock branch line. An expression of Interest for the upgrade of the branch line has been lodged under the Inland Rail Interface Improvement Program.

#### Integrated Planning and Reporting Reference

- B1 Improve services and infrastructure that supports our rural businesses.
- B1 Lobby to increase the use of rail for agricultural transportation.



Legislative Policy & Planning Implications

The Inland Rail project has been declared State Significant Infrastructure.

Budget & Financial Aspects

Nil.

Attachments

Nil.

**Recommendation:** That the information be noted.

**183/20 RESOLVED** on the motion of Crs Marston and Walker that the information be noted.

## **STRATEGIC DIRECTION C: An Environment that is Respected and Protected**

### **6. LOCKHART RENEWABLE ENERGY PROJECT**

**(GM: SC108-20/152)**

Executive Summary

A progress update is provided in relation to the Lockhart Renewable Energy Project. Gordon Hinds of Better Energy Technology (BET) will be present at the Council meeting to answer any questions regarding the project.

Report

Funding was secured under the Federal Government's Community Development Grants program to enable BET to undertake Stage 1 of the Lockhart Renewable Energy Project.

Gordon Hinds of BET has previously attended Council meetings to provide Councillors with updates as to the progress of Stage 1 of the Project. More recently, however, the restrictions on gatherings and movements relating to the COVID-19 pandemic have made this difficult. However, Mr Hinds plans to once again attend the August meeting to provide a further update and answer any questions if necessary.

The table below provides a summary of the project activities that comprise Stage 1 of the Project and the current status of these activities.

<b>Project Activity</b>	<b>Status</b>
Appointment of a project manager.	100% complete. BET is the Project Manager for the Project.
A finalised connection agreement with Essential Energy.	80% complete. This is a complex and time consuming process and may be another two months before completed.
Development Application approval.	100% complete. Development Consent has been granted by the Southern Regional Planning Panel.
Submission of market permissions to Australian Energy Market Operator.	90% complete. BET has lodged notice to AEMO of intention to participate in the energy market.
Final detailed designs and technical optimisation.	90% complete. The electrical design and configuration of the renewable energy plant is completed. The next stage will be the production of construction drawings which are part of the second stage of the Project.



CHAIRPERSON

Project Activity	Status
Final procurement plan.	90% complete. BET has selected the key suppliers including Siemens, a global supplier of systems for power generation and transmission.
Investment grade financial plan for stages 2 and 3 of the Project.	90% complete. BET has completed the financial modelling. The last stage of the modelling is to input the detailed equipment specifications, debt interest rates, and power purchase agreements.
Legal agreements finalised, including lease arrangements.	Ongoing and will continue into Stages 2 and 3 of the Project.
Communication activities.	Ongoing and will continue into Stages 2 and 3 of the Project.  BET has a web site ( <a href="http://www.betterenergy.tech">www.betterenergy.tech</a> ) and has appointed a PR agency (Multiplier Media) to deliver increased publicity regarding the Lockhart project to a wide audience.

In relation to Communication activities and publicity Mr. Hinds has been liaising directly with the Department of Infrastructure, Transport, Cities and regional Development i.e. the funding body.

It is a condition of the funding agreement with the Commonwealth Government Department that an event is held to mark the completion of the project. Grants which typically involve the physical construction of a facility can more easily be marked with an official opening or ribbon cutting event. However the Stage 1 funding for the Lockhart Renewable Energy Project funding was to secure the relevant planning and other permissions, along with a procurement plan, financial business case and technical design so there is no real occasion to mark its completion other than a series of documents that support the project's viability.

As an alternative it has been suggested that an event could be held that would not only mark the completion of Stage 1 but also mark the commencement of Stage 2 which is construction of the solar farm and battery storage. This would likely be held in the new year which may also be more appropriate given the current restrictions relating to the COVID-19 pandemic.

In the meantime, BET will continue to liaise with the Department regarding media opportunities that could be jointly promoted between BET's media agency as well as the Government's media service.

#### Integrated Planning and Reporting Reference

- C1 Where practical improve the energy efficiency of Council buildings.
- C1 Develop and implement a strategy that works towards Lockhart Shire being carbon neutral.
- C1 Investigate programs and initiatives that promote renewable energy options for households and industry.

#### Legislative Policy and Planning Implications

Development Consent for the solar farm and battery storage has been given by the Southern Regional Planning Panel pursuant to the Environmental Planning and Assessment Act. Other aspects of the project require approval from the electricity grid operator, Essential Energy, and market regulators such as AEMO.

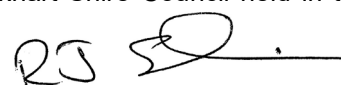
#### Budget and Financial Aspects

Stage 1 of the Lockhart Renewable Energy Project is being funded by a grant received from the Federal Government's Community Development Grants program. Progress payments are released to BET as they are received from the Government so there is no impact on Council's budget.

#### Attachment

Nil.

**Recommendation:** That the information be noted.



**184/20 RESOLVED** on the motion of Crs Verdon and Marston that the information be noted.

Cr Walker declared a pecuniary interest in the following item and vacated the chamber at 6.45pm.

**7. PROJECT ENERGYCONNECT**

**(GM: SC107-20/1102)**

Executive Summary

Mr Mitchell Hume, Community Engagement Lead for the EnergyConnect project, will be in attendance to provide an update in relation to the project and address or respond to any matters raised. The Project involves the construction of a new 330 kilovolt above ground transmission line between Robertstown in South Australia and Wagga Wagga in NSW.

Report

Further to the reports tabled at the June and July Council meetings, and the Mayoral Minute passed at the August Council meeting, set out below is a further update in relation to Project EnergyConnect based on information received from TransGrid and the NSW Department of Planning, Industry and Environment (DPIE):

**EnergyConnect Planning Applications**

TransGrid has lodged an Environmental Scoping Report with DPIE relating to the potential project area between Buronga and Wagga Wagga, including areas of Lockhart Shire.

A copy of the Scoping Report will be available on the [NSW Planning Portal](https://www.planningportal.nsw.gov.au/major-projects/assessment/state-significant-infrastructure/ssi-process), and more information about the overall planning process is available on the State Significant Infrastructure website at <https://www.planningportal.nsw.gov.au/major-projects/assessment/state-significant-infrastructure/ssi-process>.

Project EnergyConnect has been declared Critical State Significant Infrastructure (CSSI). CSSI projects are high priority infrastructure projects that are considered essential to the State for economic, social or environmental reasons. The CSSI process involves a declaration by the Minister for Planning that a State significant infrastructure project is critical. When an application for approval of a declared CSSI project is made, the Secretary of DPIE is required to issue environmental assessment requirements (SEARs) i.e. issues that the applicant is required to address in its environmental impact statement.

The Secretary of DPIE has prepared Draft SEARs for the Project EnergyConnect and provided Councils and other government agencies with an opportunity to comment on the Draft SEARs before they are finalised and issued to the applicant. The closing date for comments is Friday, 25 September 2020.

A copy of the Draft SEARs is attached. For the most part, the document includes the issues that have been raised as a concern by Lockhart Shire residents, including the following:

- “an assessment of the risk of soil contamination and disturbance of land...
- assessment of impact of the project on agricultural land...
- an assessment of the likely visual impacts of the project on surrounding residences...
- an assessment of potential hazards and risks associated with electric and magnetic fields (EMF) having regard to the latest advice of the Australian Radiation Protection and Nuclear Safety Agency.”

One concern that has been raised by Lockhart residents but does not appear to be covered in the Draft SEARs is the potential impact on the town’s Large Lot Residential Zone and future growth area.

TransGrid has also lodged a referral under the Commonwealth Environmental Protection and Biodiversity Conservation (EPBC) Act. The referral proposes EnergyConnect as a controlled action. The referral documents are available for review and comment at <http://epbcnotices.environment.gov.au/referralslist/> with the reference number 2020/8766.

**Local Procurement Opportunities**

TransGrid is currently conducting a procurement process to appoint a lead-contractor for the construction of EnergyConnect. This process is expected to be completed in October and TransGrid is



liaising with Council officers regarding facilitating ways for the successful tenderer, once appointed, to engage with businesses in the area to drive local procurement and employment opportunities.

Mr Hume will be present at 5.00pm to address Council

Integrated Planning and Reporting Reference

C1 Ensure responsible development practices are exercised.

Legislative Policy & Planning Implications

Project EnergyConnect has been declared Critical State Significant Infrastructure and as a result in terms of planning approvals the NSW section of the project will be assessed at a State Government level under the Critical State Significant Infrastructure process.

Budget & Financial Aspects

Nil.

Attachments

Planning Secretary's Environmental Assessment Requirements (SEARs)

**Recommendation:** That Council respond to the NSW Department of Planning, Industry and Environment's invitation for input into the Draft SEARs and request that the SEARs include an assessment of the impact of the project on Lockhart's R5 Large Lot Residential Zone and future growth area.

<p><b>185/20 RESOLVED</b> on the motion of Crs Rockliff and Sharp that Council respond to the NSW Department of Planning, Industry and Environment's invitation for input into the Draft SEARs and request that the SEARs include an assessment of the impact of the project on Lockhart's R5 Large Lot Residential Zone and future growth area.</p>
--

Cr Walker returned to the Chamber at 6.47pm.

## **STRATEGIC DIRECTION D: Infrastructure for the Long-Term Needs of the Community**

### **8. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT**

(DEES: SC131-20/1267)

Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

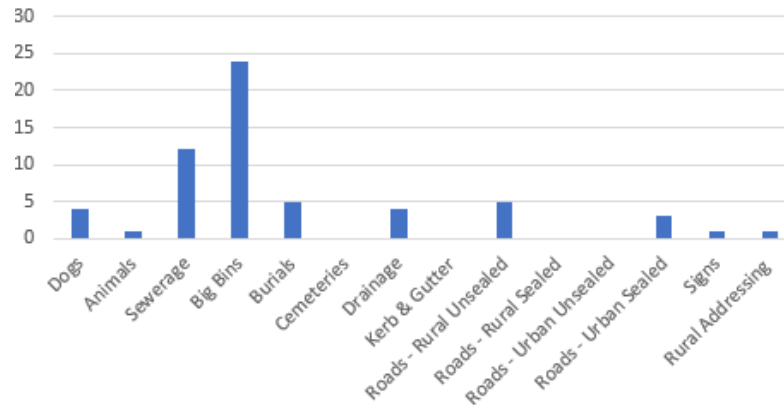
a) **Customer Requests 1 April – 30 June 2020:**

Forty percent (40%) of customer requests were related to waste bins. This was mainly due to the implementation of FOGO. The second highest number of requests (20%) related to sewerage. The requests regarding sewerage are varied and does not indicate any systemic issues at this stage. Council officers will continue to monitor customer requests.



CHAIRPERSON

Customer Requests 1 April - 30 June 2020



b) **Works:**

*Urana Road (MR 59):* Approximately 10.7 kilometres of Urana road shoulder widening works is completed to date. Council also completed the table drains, batters, sealing and linemarking. Council is currently supplying glass to stockpile site and extending culverts. Works will recommence on 14 September.

*Wattles Lane:* Council engaged a contractor to complete the survey. The geotechnical investigation and design is scheduled for completion by mid-September.

*HVSPV culvert upgrades:* Culverts are installed at Flood Detour Road and Grubben Road. Culverts are delivered to site at Lockhart The Rock Road and The Rock Bullenbong Road. Installation of culverts on Lockhart The Rock Road and The Rock Bullenbong Road is programmed to start by mid-September (completion at end of October).

*MR370 Chambers Lane:* Survey is under way.

*Lockhart Showground:* Completed base course. Sealing scheduled for later in September.

*Grading of unsealed roads:* Council is continuing grading in accordance with its 12-month programme and recently completed grading on Soldier Settlement Road, Farralls Lane, Mount Ulva Road, Webbs Lane, Old French Park Bullenbong Road, Shaws Lane, Carnes Lane and Day Street.

*Resheeting:* Council completed works on Fletts Road, Cox Lane, Amerys Lane, Hollies Road and Webbs Lane.

An updated 12-month programme will be presented at the meeting.

c) **Major Projects:**

*Flood Mitigation Construction-The Rock:* Council submitted a revised grant application for Stage 2 flood mitigation works at The Rock, being the drainage works along Nicholas, Yerong and Urana Streets.

d) **Road Safety:**

*Local Government Road Safety Steering Committee Meeting:* The meeting was held on 3 August 2020.

*2020/21 Project Update:*

- 65Plus – Investigating caravan info pack. Have requested from TfNSW possibility of project variation on travel mugs, hi-vis vest etc.
- Learner Driver welcome pack going well. 10 packs have been delivered with 5 face to face discussions with parents.
- Slow down through town – Continuing on from previous year using interactive speed boards on trailers. Locations so far have been Green Street Lockhart.
- Picnic Races – Lockhart picnic races have been cancelled. A request has been put forward to TfNSW and Lockhart Picnic Races to run a Facebook competition with picnic set prize.

*Road Safety Audits:* Continuing with the safety audit of roads within the Shire. The audit will form the basis of Council's Strategic Road Safety Plan and will be used for grant applications in the future.

*Road Safety Strategy:* Drafting a Road Safety Strategy that will underpin the annual Road Safety Action Plan from 2021.

e) **Traffic Committee:**

Nil

f) **Lockhart Local Emergency Management Committee:**

The next LEMC meeting is scheduled for 16 October 2020.

g) **Fleet:**

Obtained quotes and issued tender for plant replacement in accordance with the adopted 2020/21 budget.

Transport for NSW plans to use the Lockhart depot for vehicle inspections under the Heavy Vehicle Inspections Scheme from Monday 28 September to Friday 2 October.

h) **Biosecurity and Environment:**

*Weeds:* Priority was given to the control of African boxthorn (*Lycium ferocissimum*), Bridal creeper (*Asparagus asparagoides*), Horehound (*Marrubium vulgare*) and Wild radish (*Raphanus rapanistrum*) on roadside reserves and council managed lands.

*Common White Snail Baiting Program:* Snail baiting application occurred on Fairview Lane on 18 August.

i) **Parks and Gardens:**

*Parks and Gardens:* Winter pruning and fertilizing of roses were conducted. Irrigation systems are checked and maintained for the spring growth season. Routine garden maintenance is conducted including regular weeding, spraying, pruning and mulching.

*Mowing and Slashing:* The Spring mowing schedule is in full swing after recent rain and warmer temperatures. Recent frosts are still slowing growth of irrigated lawns. Mowing is scheduled as required but will soon be increased to fortnightly as temperatures increase.

*Weed Control:* Regular spraying and weeding of winter weeds will continue in urban areas. Spraying lawns for broadleaf weeds, especially clover is also conducted.

*Trees:* The watering of street trees planted last season will soon commence.

Several large old peppercorns were removed at Pleasant Hills due to major limb failures in recent years and their general poor condition. Some smaller, lower risk peppercorns that are also in very poor condition and are not aesthetically pleasing will also be removed to make way for a suitable substitute to be planted in Autumn.

j) **Development Applications:**

The following development applications were approved, with conditions, from 1 August 2020 to 31 August 2020.

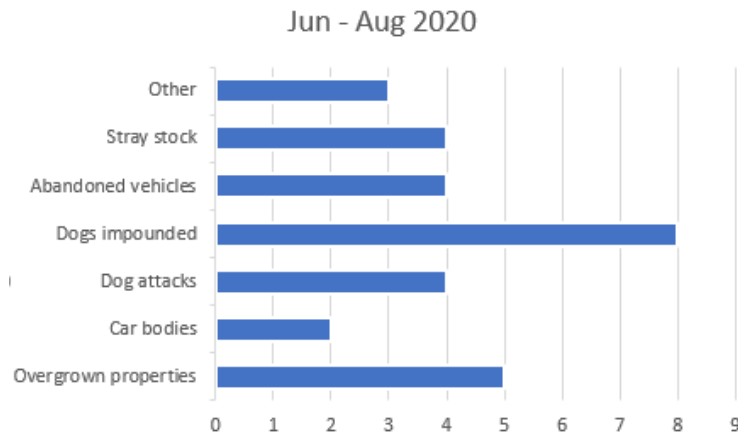
DA No	Development	Applicant	Site of Development
6/21	New colorbond detached shed	R Richards	116 Lockhart Kywong Rd, Lockhart
8/21	Alterations & Additions to existing shop	L Golder	129 Green St, Lockhart
10/21	Two farm sheds	Action Steel	4353 Boree Creek Rd, Cullivel
11/21	New dwelling	Dennis Family Homes	24 Carson Rd, The Rock
13/21	New colorbond detached shed	S Vieira	9A Milne Rd, The Rock
15/21	Repair Verandah Posts	T McPherson	134 Green St, Lockhart





k) **Compliance:**

Priority has been given to companion animals and updating the NSW Companion Animals Register.



Legislative Policy and Planning Implications

Applications are processed under the provisions of the *Environmental Planning & Assessment Act 1979*.

Weed inspections and associated activities are carried out in accordance the *Biosecurity Act 2015* and associated regulations.

Integrated Planning and Reporting Reference

C2 Flora and Fauna are protected across the Shire.

D1 Our assets and infrastructure are well planned and managed to meet the needs of the community now and into the future.

D2 Our Planning and development controls work to attract new residents and investment.

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

Works Programme (to be handed out separately at the meeting).

**Recommendation:** That the information provided in the Engineering & Environmental Services report be noted.

<b>186/20</b> <b>RESOLVED</b> on the motion of Crs Douglas and Day that the information provided in the Engineering & Environmental Services report be noted.
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**9. ROAD CLASSIFICATION AND TRANSFER**

(DEES: SC126-20/1264)

Executive Summary

In early August nominations opened for all priority and non-priority reclassifications and transfers of regional roads. Nominations are due by 25 September 2020.

Background Information

In February 2019, the NSW Government announced the transfer of up to 15,000 kilometres of regional roads to the State as part of a broader package of support for local councils to better manage and maintain the rural road network. See attached NSW Road Classification Review and Transfer Information Paper 2020 which has been provided under separate cover.

Future Transport 2056 identifies the NSW Road Classification Review (Classification Review) as a key initiative to make adjustments to the classification policy framework and update the road network to align with the 'Hub and Spoke' Transport Network Model and the 'Movement and Place' Framework.

CHAIRPERSON

Combining the transfer of regional roads with the Classification Review will ensure equity and transparency in all changes and support the development of an integrated road transport network.

An Independent Panel, chaired by Ms Wendy Machin, has been established to make recommendations for consideration by the NSW Government.

Early in 2020, the Government sought feedback on the Terms of Reference of the NSW Road Classification Review – Independent Panel Terms of Reference. The Riverina Joint Organisation provided feedback on the Terms of Reference (attached).

Nominations for the priority submissions to the Road Classification Review and Regional Road Transfer are now open. In response to feedback received from councils, the Independent Panel has extended the deadline for nominations to 25 September 2020.

Surrounding councils were contacted to establish whether any cross border regional roads were being nominated for reclassification or transfer. No cross-border roads into Lockhart Shire Council are nominated for reclassification or transfer. Hence, it is not proposed to reclassify or transfer any regional roads within the boundaries of Lockhart Shire Council.

#### Legislative Policy and Planning Implications

Local Government Act 1993.

#### Integrated Planning and Reporting Reference

D1 Our assets and infrastructure are well planned and managed to meet the needs of the community now and into the future.

#### Budget and Financial Aspects

There are no known budget impacts that may result from retaining the status quo of regional roads within the Lockhart Shire Council boundaries.

#### Attachments

1. NSW Road Classification Review and Transfer Information Paper 2020 – provided under separate cover.
2. Response to the Regional Road Transfer ToR Riverina JO

**Recommendation:** That Council nominates no regional roads within Lockhart Shire Council boundaries for reclassification review or transfer.

<b>187/20</b> <b>RESOLVED</b> on the motion of Crs Verdon and Marston that Council nominates no regional roads within Lockhart Shire Council boundaries for reclassification review or transfer.
--

## 10. VARIATION TO DEVELOPMENT CONTROL PLAN FOR DA12/21

(DEES: DA12/21-20/1253)

#### Executive Summary

Council received an application for development involving the construction of a new Colorbond shed at 17 Scott Street, The Rock. The proposed development is not consistent with the Lockhart Development Control Plan 2016 and therefore presented for Council's consideration.

#### Background Information

To ensure that development positively responds to the character of the Shire's village areas, the Lockhart Shire Development Control Plan 2016 (DCP) sets in place development restrictions on development in residential and village areas, including building heights. Noting this, Council has received a development application for a new detached shed on a larger residential allotment at the south side of The Rock.

As part of this application, the developer proposes a shed with a shed wall height of 3.10 metres to the top of the gutter and a total shed height of 5.02 metres to the ridge, exceeding the 4.50 metres restriction of the DCP by 0.52 metres. A written application for variation to the DCP from the applicant confirms that the increased shed height will allow for the construction of a mezzanine floor inside the shed to provide extra storage space. The shed is proposed to be set back 48.0 metres in the rear yard and



CHAIRPERSON

1.0 metre from the northern side boundary next to a large existing shed on the adjoining property. In determining this request Council need to consider several variables which may influence the development.

#### **Streetscape**

The site of development is a large residential allotment on the south side of the Olympic Highway within the RU5 village zoning of The Rock. The proposed shed is to be in the rear yard. Ample screening from street trees and established gardens is provided to soften the visual impact of the proposed shed.

#### **Precedence**

There is one shed within the immediate vicinity of the dwelling house that has been constructed beyond the building height restrictions of the DCP.

#### **Objectives of the control requirements**

Despite the height, the proposed shed maintains the 22 degree-pitched roof design as required by the DCP and measures 0.52 metres higher than what the DCP permits overall. The building will be of a low-reflective, pre-finished material which is consistent with the design in the locality. Once, constructed, noise issues are unlikely as the building is for storage and existing services remain unaffected.

Aside from the building height restriction, a comprehensive assessment of the development application has not revealed any other issues that may appear problematic with respect to the natural or built environments.

#### Integrated Planning and Reporting Reference

D2 Our planning and development controls work to attract new residents and investment.

#### Legislative Policy and Planning Implications

The development as proposed requires a variation to Council's Development Control Plan 2016.

In accordance with Sec 4.15 of the Environmental Planning and Assessment Act 1979, Council are to consider, as with all development applications, the likely impacts of that development, and the suitability of the site for the development.

#### Budget and Financial Aspects

Nil.

#### Attachment

1. Elevation detail
2. Site plan
3. Application for variation from applicant

**Recommendation:** That Council grants consent for a variation to the Lockhart DCP for DA12/21.

<b>188/20 RESOLVED</b> on the motion of Crs Rockliff and Driscoll that Council grants consent for a variation to the Lockhart DCP for DA12/21.
--

## **11. VARIATIONS TO DEVELOPMENT CONTROL PLAN**

**(DEES: SC337-20/1252)**

#### Executive Summary

Several councils delegate the authority to staff to determine applications not consistent with their Development Control Plan.

#### Background Information

To ensure that development positively responds to the character of the Shire's village areas, the Lockhart Shire Development Control Plan 2016 (DCP) sets in place development restrictions on development in residential and village areas.

Council regularly receives applications for development not consistent with the Lockhart Development Control Plan 2016 and these are therefore presented for Council's consideration. In 2019/20 Council



CHAIRPERSON

considered eight applications not consistent with the Lockhart Development Control Plan 2016. The Development Control Plan specifies several measurable criteria relating to development including area, separation distances, heights, setbacks, widths, buffers, and depths as well as non-measurable criteria such as heritage and environmental criteria.

Several councils delegate the authority to staff to determine applications not consistent with their Development Control Plan. These can take the form of a percentage variation from the measurable criteria within the Development Control Plan or based on community objections to the development.

A review of regional councils in the Riverina area indicates delegations to the assessing officer of up to 25% variation from the Development Control Plan. Council considered eight variations to the Lockhart Development Control Plan 2016 in 2019/20 varying between 2% and 67%. Most variations in 2019/20 relates to sheds being higher than the restrictions in the Lockhart Development Control Plan 2016 (between 2-33%).

Councils also delegate decision-making to assessing officers where no or a small percentage of objections were received to a development. In accordance Section C of the Lockhart Shire Development Control Plan 2016, "Notification of Development Applications" Council will give notice of an application to affected persons where, in its opinion, the enjoyment of land may be detrimentally affected by or in relation to:

- The views to and the views from the land
- Overshadowing
- Privacy
- Noise and odour
- The visual quality of the development in relation to the streetscape
- The scale or bulk of the proposed development
- The siting of the proposed development in relation to site boundaries
- The proposed hours of use for the development
- Light spillage or reflection
- Means of access to or provision of parking on the proposed development site
- The amount of traffic likely to be generated by the development
- Drainage
- The social and economic impacts of the development.

Any Development Application required to be notified will be done so for a period of at least 14 days (Lockhart Shire Council Community Engagement Strategy and Community Participation Plan 2019).

It is proposed that Council considers a two-pronged approach by delegating to the General Manager the authority to determine applications where:

- a) a variation less than 25% than the restrictions set in the Lockhart Shire Development Control Plan 2016 are proposed; and
- b) no public objections were received.

#### Integrated Planning and Reporting Reference

D2 Our planning and development controls work to attract new residents and investment.

#### Legislative Policy and Planning Implications

In accordance with Sec 4.15 of the *Environmental Planning and Assessment Act 1979*, Council are to consider, as with all development applications, the likely impacts of that development, and the suitability of the site for the development.

#### Budget and Financial Aspects

Nil.



CHAIRPERSON

Attachments

Nil.

**Recommendation:** That Council delegates to the General Manager the authority to determine applications where:

- a) a variation less than 25% of the restrictions set in the Lockhart Shire Development Control Plan 2016 are proposed, and
- b) no public objections were received.

**189/20 RESOLVED** on the motion of Crs Verdon and Sharp that Council delegates to the General Manager the authority to determine applications where:

- a) a variation less than 25% of the restrictions set in the Lockhart Shire Development Control Plan 2016 are proposed, and
- b) no public objections were received.

**12. DENTIST BUILDING LOCKHART**

**(DCCS: SC144-20/1518)**

Executive Summary

Council is seeking funding for further improvements to the Council owned building at 85 Green Street, Lockhart.

Report

In 2018-19 Council was successful in its grant application for a Heritage Near Me Local Heritage Strategic Project to undertake critical heritage restoration works to existing buildings within the Green Street, Lockhart Heritage Conservation Area.

One of the buildings was the dentist building on the corner of Green Street and Matthews Street. The scope of works included removing asbestos, replacing the timber fins on the Matthews Street side of the building and painting. Painting was only to the front and side exteriors.

When a building is partly restored, it often leaves the unrestored aspects even more noticeable and unsightly. While the rear of the dentist building is not a highly visible part of the building, it is still visible from Matthews Street.

It would be reasonable to assume by the condition of the dentist building, prior to its recent restoration works, there has been very little expenditure on maintenance over its life until this year.

The current leaseholder has requested Council paint the toilet facility at the rear of the building and pave or concrete the rear yard.

It would be a positive move for Council to restore the rear aspect and yard of the dentist building to further enhance this building with its unique architecture by fully restoring it to a building the Council and community can be really proud of.

While this expenditure is not budgeted for, there are available funds internally restricted in the Buildings Reserve. The draft Statements, as per item 14 in this agenda, as at 30 June 2020, the balance of the Buildings Reserve to be \$139,000.

Integrated Planning and Reporting Reference

D2 Our planning and development controls work to attract new residents and investment.

- Our built heritage and our public art are enhanced to support our strong town and village identities.

Legislative Policy & Planning Implications

Nil.



CHAIRPERSON

Budget & Financial Aspects

The cost of the works is estimated to be approximately \$11,000 to paint the rear and concrete the yard at the rear of the building. The current rental revenue for the building is approximately \$5,000 per annum.

Attachments

Photos

**Recommendation:** That Council:

1. Approve funding painting the rear of 85 Green St, Lockhart and concrete the rear yard.
2. Funding of these works is from Council's Buildings Reserve.

**190/20 RESOLVED** on the motion of Crs Day and Sharp that Council:

1. Approve funding painting the rear of 85 Green St, Lockhart and concrete the rear yard.
2. Funding of these works is from Council's Buildings Reserve.



CHAIRPERSON

## STRATEGIC DIRECTION E: Strong Leadership and Governance

### 13. INVESTMENT AND BANK BALANCES REPORT – AUGUST 2020

(DCCS: SC59-20/1520)

#### Executive Summary

The purpose of this report is to inform Council of the funds that have been invested and bank account balances.

#### Report

It is required under Clause 212 of the Local Government (General) Regulation 2005 and Section 625 of the Local Government Act 1993 to provide the Council with a written report each month detailing all money that Council has invested.

#### Cash at Bank

<b>Opening Combined Cashbook Balance</b>		376,298.47
Add: Total Receipts		
	Rates	338,395.62
	Debtors	160,375.02
	Miscellaneous	51,767.10
	Interest	7,287.98
	Sale of Real Estate - Rockliff Court	35,230.71
	Sale of Real Estate - Bond Street	121,060.36
	Roads to Recovery	273,706.00
	Financial Assistance Grant	462,554.25
	Drought Program	500,000.00
	LRCI Grants	423,281.00
	SCCF	120,800.00
	Block Grant	561,000.00
	Stage 5 BET - Lockhart Project	200,000.00
		3,255,458.04
Less: Total Payments		1,075,532.62
	New Investments 1490-3015-0001	
<b>Closing Combined Cashbook Balance</b>		<b>2,556,223.89</b>
<b>Closing Bank Statement Balance</b>		
	Bendigo Bank	2,378,897.50
	Macquarie Bank	204,910.84
	Bendigo Bank-Prichard Trust	31,637.38
		2,615,445.72
Add: Outstanding Deposits		32,012.28
		2,647,458.00
Less: Outstanding Cheques		91,234.11
<b>Closing Combined Cashbook Balance</b>		<b>2,556,223.89</b>

Investments:	Interest Rate per Annum	Amount Invested	% of Total
AMP RIM	0.95	250,000.00	3.91
AMP RIM	0.55	500,000.00	7.81
AMP/RIM	0.55	500,000.00	7.81
Bendgio	0.75	50,000.00	0.78
Bendigo	0.75	400,000.00	6.25
BENDIGO	0.75	500,000.00	7.81
BENDIGO	0.80	500,000.00	7.81
bendigo	0.75	50,000.00	0.78
CBT	0.62	500,000.00	7.81
CBT	0.63	500,000.00	7.81
CBT	0.64	250,000.00	3.91
NAB	0.82	500,000.00	7.81
NAB 231101546	0.70	500,000.00	7.81
NAB 231245881	0.70	500,000.00	7.81
T Corp	ON CALL	900,000.00	14.06
		6,400,000.00	
<b>FUND</b>			<b>AMOUNT</b>
General (PTD)	1490-3000-0000		300,817.76
Combined Sewerage	8490-3000-0000		2,223,768.75
Trust Fund	9991-3000-0000		31,637.38
		2,556,223.89	2,556,223.89
<b>TOTAL FUNDS HELD ARE:</b>		<b>8,956,223.89</b>	



CHAIRPERSON

Integrated Planning and Reporting Reference

- E1 Council is strong, sustainable and able to stand alone.
- E1 Plan for the long-term sustainability of the Shire.
- E1 Meet all governance and regulatory requirements in the conduct of Council operations.

Legislative Policy and Planning Implications

- Local Government Act 1993 Section 625 Investments.
- Local Government (General) Regulation Clause 212.

Budget and Financial Aspects

Council's 2020/21 Operational Budget has forecast a total of \$57,000 income from interest on investments, being split between General Fund of \$53,000 and Sewer Fund of \$4,000. For the period of July to August 2020, the average end of month balance of funds invested has been \$6.4 million and the average return on invested funds has been 0.78%. On these year to date figures, Council's budgeted income on investments will be slightly under budget for the General Fund and Sewer Fund. This will be monitored and if required adjusted at the 1st Quarterly Budget Review.

Responsible Accounting Officer Statement

I, Craig Fletcher, hereby certify that all investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of Local Government (General) Regulation and Council's Investment Policy. The Internal and External Reserve amounts and Unrestricted Funds are estimate valued only, they are subject to change and review in part with the audit of Council's Financial Statements and each Quarterly Budget Review.

**Recommendation:**

- a) That the August 2020 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

**191/20 RESOLVED** on the motion of Crs Rockliff and Douglas that:

- a) the August 2020 Investment and Bank Balances Report be received and noted.
- b) the Responsible Accounting Officer Statement be noted, and the report be adopted.

**14. AUDITED FINANCIAL STATEMENTS – 2019/2020**

**(DCCS: SC119-20/1519)**

Executive Summary

The purpose of this report is to address the requirement for Council and Management to make a statement as to the preparation and content of the General Purpose and Special Purpose Financial Statements for the 2019-20 financial year.

Report

The Local Government Act 1993 (The Act) requires Council to produce General Purpose Financial Statements and Special Purpose Financial Statements for inclusion in Council's Annual Report. These statements are to be externally audited prior to being adopted by Council for publication.

The Act also requires Council to resolve prior to submission to the external auditor that the accounts have been prepared in accordance with the Act and the Australian Accounting Standards to fairly represent Council's financial position. Senior staff are also required to certify the accounts to this effect. General Purpose Financial Statements and Special Purpose Financial Statements are to be signed by Councillors and Management after being adopted at the Council meeting to be held on 21 September 2020.

Integrated Planning and Reporting Reference

- E1 Continue to develop sound financial management policies and practices.
- E1 Meet all governance and regulatory requirements in the conduct of Council operations.



CHAIRPERSON



Legislative Policy & Planning Implications

Section 413 (2) (c) of the Local Government Act 1993 states that a council's financial reports must include a statement in the approved form by the council as to its opinion on the general purpose financial report.

Budget & Financial Aspects

Reporting on Council's financial performance for the 2019-2020 financial year.

Attachments

To be provided under separate cover, prior to Council meeting:

1. Statement by Councillors and Management – General Purpose Statements.
2. Statement by Councillors and Management – Special Purpose Statements.
3. Schedule of restricted funds by Council as at 30 June 2020.
4. Draft General Purpose and Special Purpose Financial Statements:
  - Income Statements
  - Balance Sheet/Financial Position
  - Cash Flow.

**Recommendation:** That Council certify in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.

**192/20 RESOLVED** on the motion of Crs Douglas and Walker that Council certify in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.

**15. MODEL CODE OF CONDUCT**

**(GM: SC66-20/151)**

Executive Summary

The State Government has strengthened the Model Code of Conduct for Local Councils in NSW as part of its commitment to improving the integrity, transparency and accountability of the local government sector.

Report

The Government introduced strict new standards for local councils in the new Model Code of Conduct in December 2018 to help ensure the ethical, accountable and transparent operation of local government across the State. The Office of Local Government (OLG) has advised that the Code, which applies to 48,000 staff and 1,300 councillors at 128 councils, 10 county councils is again being strengthened to further enforce high standards of conduct in local councils.

The following changes have been made to the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW and the Model Code of Conduct:

**Amendments to the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW:**

- Consistent with recent case law, councils have the following options when taking disciplinary action against councillors for breaches of their codes of conduct under the new Procedures:
  - that a councillor be formally censured for the breach under section 440G of the *Local Government Act 1993* (the Act), or
  - that a councillor be formally censured for a breach under section 440G and the matter referred to OLG for further disciplinary action under the misconduct provisions of the Act.



- The process for censuring councillors for breaches of the code of conduct has been significantly strengthened to ensure councillors are made publicly accountable to their electors for their conduct. When censuring councillors, councils are required to specify in their resolution the grounds on which the councillor is being censured by disclosing the investigator's findings and determination and any other grounds that the council considers may be relevant or appropriate.
- Councillors may seek to avoid public censure for breaches of the code of conduct by voluntarily agreeing to undergo training or counselling, to apologise for their conduct or to give undertakings not to repeat their conduct before the investigator finalises their report to the council. Investigators can finalise their investigations without a report to the council where they consider these to be an appropriate outcome to the matter they are investigating. However, it will remain open to investigators to finalise their report and to recommend censure where they consider this is appropriate and warranted.
- The process for referral by councils of code of conduct breaches by councillors to OLG for further disciplinary action under the misconduct provisions of the Act has been streamlined. Investigators are required to consult with OLG before recommending the referral of matters to ensure the conduct in question is sufficiently serious to warrant disciplinary action for misconduct and that there is sufficient evidence of the breach to allow OLG to take further disciplinary action.
- Other amendments have been made to the Procedures to:
  - allow panels of conduct reviewers to be appointed without a resolution of the council, and
  - allow the referral of investigators' reports to OLG for action under the misconduct provisions of the Act where the council will not have a quorum to deal with the matter.

***Amendments to the Model Code of Conduct:***

- The Model Code of Conduct has been amended to:
- remove as a breach, failure to comply with a council resolution requiring action in relation to a code of conduct breach (because it is now redundant).
- update the language used to describe the various heads of discrimination in clause 3.6 to reflect more contemporary standards.
- include in the definition of council committee and council committee members, members of audit, risk and improvement committees (ARICs) in anticipation of the commencement of the requirement for all councils to appoint an ARIC following the next local government elections.
- Amendments have also been made to the gifts and benefits provisions of the Model Code of Conduct in response to feedback from some councils. The amendments:
- lift the \$50 cap on the value of gifts that may be accepted to \$100.
- clarify that items with a value of \$10 or less are not "gifts or benefits" for the purposes of the Model Code of Conduct and do not need to be disclosed.
- clarify that benefits and facilities provided by councils (as opposed to third parties) to staff and councillors are not "gifts or benefits" for the purposes of the Model Code of Conduct, and
- remove the cap on the value of meals and refreshments that may be accepted by council officials in conjunction with the performance of their official duties.

Accompanying the changes to the Model Code of Conduct is a change to the Local Government (General) Regulation 2005 which prescribes that recordings of council meetings must now be retained on council's website for at least 12 months.

Council at its meeting held on 4 February 2019 formally adopted the Model Code of Conduct prescribed by the Regulations and revised Policy 1.4 Code of Conduct to reflect the latest version of the Model Code at that time.

Council at its meeting held on 20 May 2019 adopted a Code of Meeting Practice. Clause 5.21 of the Code states that a recording of each meeting of the council and committee of the council is to be retained on the council's website for 30 days. The latest changes require recordings to remain on Council's website for a period of 12 months.



At its meeting held on 16 March 2020 Council adopted Policy 1.24 Bribes, Gifts and Benefits which incorporate the relevant provisions of the Model Code of Conduct, including the cap of \$50 on gifts of token value. The latest changes to the Model Code give councils the option to increase the \$50 cap on gifts and benefits to \$100.

Integrated Planning and Reporting Reference

E6.1.1 Meet all governance and regulatory requirements in the conduct of council's operation.

Legislative Policy & Planning Implications

Section 440 of the Local Government Act 1993 provides that Council must adopt of Code of Conduct that incorporates the provisions of the Model Code of Conduct prescribed by the Regulations.

Failure by a councillor to comply with the standards of conduct prescribed under the Code of Conduct constitutes misconduct for the purposes of the Local Government Act. The Act provides for a range of penalties for misconduct. Failure by a member of staff to comply with the Council's Code of Conduct may give rise to disciplinary action.

Budget & Financial Aspects

Not applicable.

Attachments

Nil.

**Recommendation:** That Council:

1. Adopt the Model Code of Conduct prescribed by the Local Government (General) Regulation on 7 August 2020 and amend Policy 1.4 Code of Conduct accordingly;
2. Amend Clause 5.21 of the Lockhart Shire Council Code of Meeting Practice to state that a recording of each meeting of the council and committee of the council is to be retained on the council's website for 12 months; and
3. Amend Policy 1.24 Bribes, Gifts and Benefits to:
  - a) Increase the cap on gifts of token value to \$100;
  - b) Clarify that items with a value of \$10 or less are not "gifts or benefits" for the purposes of the Model Code of Conduct and do not need to be disclosed.
  - c) Clarify that benefits and facilities provided by councils (as opposed to third parties) to staff and councillors are not "gifts or benefits" for the purposes of the Model Code of Conduct, and
  - d) Remove the cap on the value of meals and refreshments that may be accepted by council officials in conjunction with the performance of their official duties.

**193/20 RESOLVED** on the motion of Crs Verdon and Rockliff that Council:

1. Adopt the Model Code of Conduct prescribed by the Local Government (General) Regulation on 7 August 2020 and amend Policy 1.4 Code of Conduce accordingly;
2. Amend Clause 5.21 of the Lockhart Shire Council Code of Meeting Practice to state that a recording of each meeting of the council and committee of the council is to be retained on the Council's website for 12 months; and
3. Amend Policy 1.24 Bribes, Gifts and Benefits to:
  - a. Increase the cap on gifts of token value to \$100;
  - b. Clarify that items with a value of \$10 or less are not "gifts or benefits" for the purposes of the Model Code of Conduct and do not need to be disclosed.
  - c. Clarify that benefits and facilities provided by councils (as opposed to third parties) to staff and councillors are not "gifts or benefits" for the purposes of the Model Code of Conduct, and
  - d. Remove the cap on the value of meals and refreshments that may be accepted by council officials in conjunction with the performance of their official duties.



## 16. POLICY REVIEWS

(GM: SC67-20/635)

### Executive Summary

A number of policies are presented for review and adoption by Council.

### Report

Policy 1.0 Policies – Procedure for Consideration and Adoption provides that:

*“In order to ensure that policies remain relevant a program of ongoing review of policies not later than every three years will be developed and maintained.*

*Individual policies will be reviewed and amended in advance of the scheduled review date when circumstances warrant. This may be prompted by factors such as a change in legislation, a change in government policy or as a result of a need identified by the Council, management and staff or internal and external audit activities.”*

The following Policies are tabled for review and adoption by Council:

- a) Policy 2.34 Refund of Development Related Fees
- b) Policy 2.36 Refund of Fees to Community Organisations
- c) Policy 3.7 Rental of Staff Dwellings
- d) Policy 3.8 Conference Expense Senior Officers
- e) Policy 3.20 Guidelines for Secondary Employment
- f) Policy 3.24 Recognition of Service

Whilst some minor amendments have been made to ensure the documents remain current and up to date with legislative references etc. no fundamental changes have been made that change the intent of the policies. Copies of the above Policies are attached.

Policy 3.13 Accrualment of Long Service Leave reflects the provisions contained in the Local Government (NSW) Award regarding the taking of long service leave. Council has more recently developed and adopted a Policy related to excess leave and provides for the preparation and implementation of Excess Leave Management Plans for employees who have accrued excess leave. As such it is considered that Policy 3.13 Accrualment of Long Service Leave is superfluous and should be rescinded. A copy of this policy is also attached.

A systematic review of all policies commenced in February 2017 and is almost complete. The remaining policies to be reviewed will be presented to Council in the coming months. Some policies have been reviewed several times in the last few years as a result of changes in legislation or issues identified by internal and external audit activities.

### Integrated Planning and Reporting Reference

E1 Meet all governance and regulatory requirements in the conduct of Council operations.

### Legislative Policy & Planning Implications

A process for the identification, development and review of appropriate policies and procedures facilitates an effective governance and control environment.

### Budget & Financial Aspects

Nil.

### Attachments

- 1. Policy 2.34 Refund of Development Related Fees
- 2. Policy 2.36 Refund of Fees to Community Organisations
- 3. Policy 3.7 Rental of Staff Dwellings



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4. Policy 3.8 Conference Expense Senior Officers
5. Policy 3.20 Guidelines for Secondary Employment
6. Policy 3.24 Recognition of Service
7. Policy 3.13 Accrument of Long Serve Leave

**Recommendation:**

- 1) That the following Policies, as presented, be adopted:
  - a) Policy 2.34 Refund of Development Related Fees
  - b) Policy 2.36 Refund of Fees to Community Organisations
  - c) Policy 3.7 Rental of Staff Dwellings
  - d) Policy 3.8 Conference Expense Senior Officers
  - e) Policy 3.20 Guidelines for Secondary Employment
  - f) Policy 3.24 Recognition of Service
- 2) That Policy 3.13 Accrument of Long Service Leave be rescinded.

**194/20 RESOLVED** on the motion of Crs Driscoll and Marston that:

1. That the following Policies, as presented, be adopted:
  - a. Policy 2.34 Refund of Development Related Fees
  - b. Policy 2.36 Refund of Fees to Community Organisations
  - c. Policy 3.7 Rental of Staff Dwellings
  - d. Policy 3.8 Conference Expense Senior Officers
  - e. Policy 3.20 Guidelines for Secondary Employment
  - f. Policy 3.24 Recognition of Service
2. That Policy 3.13 Accrument of Long Service Leave be rescinded.

**17. MEMBERSHIP OF REGIONAL ORGANISATIONS**

**(GM: SC42-20/377)**

Executive Summary

At the Council meeting held on 17 August 2020 the REROC Board's request for member councils to maintain REROC's current structure for a period of two years including the provision of ongoing funding for the Organisation was tabled. At that meeting Council resolved to defer consideration of the matter to the September 2020 Council meeting. Accordingly, the report tabled at the 17 August meeting is reproduced below.

Since Council's 17 August meeting, Riverina Water has resolved to withdraw from REROC at the end of the current financial year.

Coolamon, Cootamundra-Gundagai, Goldenfields Water, Greater Hume, Junee and Temora Councils have all resolved to commit to REROC for the next two years.

The only other member Council, Bland Shire, will be considering the matter at its September meeting.

Report

Lockhart Shire Council has been a long-standing member of REROC. In December 2017, the Local Government Act was amended to provide a legislative framework for the formation of Joint Organisations of councils (JOs). Pursuant to a resolution passed on 5 February 2020 Lockhart Shire Council is now a member of the Riverina JO (RIVJO) with seven other local councils.

The RIVJO member councils initially took a cautious approach to the transition from REROC to the JO whereby REROC would continue to operate, and after a period of eighteen months (i.e. by 30 June 2020), an independent review of the operations of REROC and RIVJO would be carried out.



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The cautious approach was adopted due to concerns regarding the cost of operating JOs. Eighteen months on these concerns appeared to be well all JOs across the State have repeatedly expressed concern regarding their financial viability.

Whilst at that time no council appeared to support the continuation of both regional organisations in the longer term, the reasons for retaining REROC as a “back stop” were based on concerns regarding the cost of operating RIVJO compared to REROC. JOs are constituted under the Local Government Act and have many of the governance requirements (and costs) that apply to individual councils whereas REROC is an incorporated body registered under the Associations Incorporation Act.

The independent review commissioned by REROC and RIVJO into the operation of both organisations has since been completed and the independent report, along with the recommendations of the REROC and RIVJO Boards were tabled at the May 2020 Council meeting. Council adopted the recommendations and resolved that:

1. *“Council provides in-principle support for the way forward determined in relation to the creation of a new regional organisation under the structure of a company limited by guarantee.”*
2. *A final decision on Council’s participation in the new regional organisation be determined once the funding arrangements for the COVID-19 Local Government Stimulus package have been resolved.”*

Part 2 of the resolution was passed because in the meantime the NSW Government released its COVID-19 Local Government Stimulus Package. Information released by the Office of Local Government (OLG) in relation to the Stimulus Package stated that *“councils that are members of a JO will need to work with member councils to continue to fund their JO for a period of two years as a condition of funding.”*

As part of the Stimulus Package the NSW Government will fully fund the \$32.76 million increase in the emergency services levy (ESL) for all NSW councils for 2020-21. The amount of the increase relating specifically to Lockhart Shire Council is \$88,404. In view of the significant financial implications for Council if it was not able to access the Stimulus Package, Council at its June 2020 meeting resolved that:

*“Council sign and return the Local Government Economic Stimulus Package Funding Agreement noting that a condition of the Agreement is that Council continue to support the operations of the Riverina JO for a period of two years.”*

Council’s 2020/21 Budget incorporates the membership fee for both REROC and RIVJO however it was anticipated that during the course of the financial year member councils would be able to transition to the preferred form of single regional organisation i.e. a company limited by guarantee.

However, due to Lockhart and other member councils committing to the JO for a period of two years so as to be able to access the Stimulus Package, it is clear now that this is no longer achievable within the 12 month time frame.

In the circumstances the REROC Board resolved to seek the endorsement of member councils to maintain REROC’s current structure for a period of two years including the provision of ongoing funding for the Organisation. A copy of the REROC’s Chairman’s letter seeking that endorsement is attached.

#### Integrated Planning and Reporting Reference

E1 Implement “Fit for The Future” improvement action plans, i.e. continue involvement with REROC/JO.

#### Legislative Policy & Planning Implications

A legislative framework for the formation of JOs was established with the passing of the Local Government Amendment (Regional Joint Organisations) Act 2017. REROC is an incorporated body pursuant to the Associations Incorporation Act.

#### Budget & Financial Aspects

The 2020/21 Budget has made provision for both the REROC and RIVJO Membership fee. Therefore, there will be no budgetary impact this financial year if Council accedes to the request of the REROC Board to maintain REROC’s current structure for a period of two years including the provision of ongoing funding for the Organisation. The 2021/22 Budget will be subject to the usual legislative process including public exhibition of a Draft Annual Operational Plan prior to formal adoption.



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Attachments

Letter from the Chair of REROC dated 8 July 2020.

**Recommendation:** That Council endorse the REROC Board's request to maintain REROC's current structure for a period of two years including the provision of ongoing funding for the Organisation

**195/20 RESOLVED** on the motion of Crs Douglas and Walker that Council endorse the REROC Board's request to maintain REROC's current structure for a period of two years including the provision of ongoing funding for the organisation.

## QUESTIONS AND STATEMENTS

### Cr Walker

Nil

### Cr Sharp

- i) **Broughtons Lane:** A resident has raised the issue of this road. Between Pine Park property entrance and Schultz Lane the road is well maintained. However, further along a section of red clay needs to be tidied up and gravelled.

Response – Director of Engineering & Environmental Services

Will investigate and arrange appropriate remedial works.

- ii) **Signage for Clearing Sale:** Cr Sharp has had contact from an agent who contacted Council asking for assistance with "Vehicle Entering" signage or similar to assist with traffic safety at an upcoming clearing sale. The agent was expecting a phone call in response but has had no contact to date.

Response – Director of Engineering & Environmental Services

The Director will follow the matter up.

- iii) **Mundawaddery Cemetery:** The Pleasant Hills Hall Committee is planning an event on 17 October 2020 at the Cemetery to show the outcome of the grave-marking project to the interested families. Would it be possible to arrange for mowing to take place prior please?

Response – Director of Engineering & Environmental Services

The Director will arrange for mowing to take place.

- iv) **Culvert and Works on County Lane:** A Pleasant Hills resident has requested a further letter from Council giving permission for him to carry out works on the unconstructed road, County Lane. He would also like to discuss a culvert with the Director of Engineering & Environmental Services.

Response – Director of Engineering & Environmental Services

The Director will investigate and provide a response.

### Cr Douglas

- i) **Signage:** Cr Douglas requested that a directional sign, indicating Yerong Creek, be installed on Albury Road at the intersection of Osborne Yerong Creek Road and Ryans Lane.

Response – Director of Engineering & Environmental Services

Will arrange installation of a directional sign as requested.

- ii) **Statement – Culvert on Hollies Road:** Cr Douglas passed on thanks expressed by a resident for work done to a culvert on Hollies Road.

- iii) **Letter – Truck Stops:** Cr Douglas has been approached by a resident following up on a letter submitted regarding truck stop suggestions for Lockhart township. Cr Douglas has not yet received a copy of the letter.



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Response – General Manager

The General Manager confirmed receipt of the letter and will arrange for a copy to be supplied to all Councillors as soon as possible.

**Cr Rockliff**

- i) **Roadside Vegetation:** Cr Rockliff expressed concern about the length of grass on the intersection of Lockhart Boree Creek Road and Lockhart Kywong Road which is impeding view of oncoming traffic.

Response – Director Engineering & Environmental Services

Will investigate and arrange for appropriate action to be taken.

- ii) **Overhanging Branches:** Cr Rockliff has been contacted by a resident requesting removal of overhanging branches to allow the proper clearance for stock crates on various Shire roads.

Response – Director of Engineering & Environmental Services

The Director of Engineering & Environmental Services will investigate and arrange for appropriate action to be taken.

- iii) **Bidgeemia Water Extension:** Cr Rockliff has received a request for assistance from a Bidgeemia property owner with regard to connection costs to access the local water supply. Could Council work with Riverina Water to reduce the cost of connection to this property?

Response – General Manager

The General Manager will liaise with Riverina Water to ascertain what assistance might be possible.

**Cr Marston**

- i) **The Rock Touch Football Competition:** Cr Marston advised that the touch football competition will commence on Thursday week (1 October 2020) and requested that the oval be mown this week and next week, and then on Wednesday or Thursday each week for the duration of the season.

Response – Director of Engineering & Environmental Services

The Director will arrange for regular mowing to commence.

- ii) **Montagues Lane, Tootool:** Cr Marston has received comments that this road is getting quite rough and requires a maintenance grade and requested that this be included in the works program.

Response – Director of Engineering & Environmental Services

The Director will inspect and program appropriate works.

**Cr Driscoll**

- i) **Statement – The Rock Observatory:** Cr Driscoll advised that the project has commenced, with pegging out of the building happening today.

- ii) **Piggery Development:** Cr Driscoll requested an update on this development as there has been no information provided for some time.

Cr Sharp advised that earthworks have commenced. Building works are close to commencement and there were possible issues with electricity connection availability, which he believes have been overcome.

- iii) **Carsons Road:** Cr Driscoll asked, in plans for the development, laneway access to The Rock Mangoplah Road is provided. Is it going to be tidied up to provide walking access?

Response – Director of Engineering & Environmental Services

The Director will investigate and provide further advice.

- iv) **Grant Recipient – Compact Youth Services:** Cr Driscoll enquired as to any services being provided to our Shire, or communications received to show how the grant funding is being used within Lockhart Shire. Is there any way Council can receive that information?



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Response – Director of Corporate & Community Services

Contact has been made with Compact Youth Services. A meeting held onsite between Lockhart Central School, the funding body, Compact and Council officers to ensure there would be no duplication of programs or activities. The organisation has 12 months to start delivery of their program and three years to complete. COVID-19 restrictions have held up progress, particularly a meeting with The Rock Central School, until 2021.

**Cr Day**

- i) **Statement – Fuel Security:** Cr Day commented that it is pleasing to see the Australian government taking positive steps to secure the long-term fuel supply for the country.

**Cr Verdon**

- i) **Plunkett Street, Yerong Creek:** Cr Verdon commented that the road surface, in the area where it was recently upgraded, appears to be breaking up quite badly.

Response – Director of Engineering & Environmental Services

The Director will investigate and program any required remedial works.

- ii) **Condition of House, The Rock:** Cr Verdon requested an update on the investigation in this previously mentioned property. Has the house been inspected?

Response – Director of Engineering & Environmental Services

An update will be provided.

- iii) **Water Ponding Issue:** Cr Verdon commented that any rainfall creates a major water hazard at the intersection of Burke and Wilson Street, making it difficult for school children to navigate, existing The Rock Central School.

Response – Director of Engineering & Environmental Services

The Director will investigate.

- iv) **Heritage Grants:** Cr Verdon asked when the local heritage grants will next become available, as there are some building owners in The Rock who are interested, particularly in relation to awnings in Urana Street.

Response – Director of Engineering & Environmental Services

The Director will advise of the date for the next round of applications.

- i) **The Rock Lawn Cemetery –** Cr Verdon commented on the condition of The Rock Cemetery. The Cemetery is looking magnificent, compliments on the maintenance work being done.

## CLOSED SESSION

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

<b>196/20</b> <b>RESOLVED</b> on the motion of Crs Marston and Day that Council close the meeting to the public as per section 10A(2)(c) of the Local Government Act 1993.
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The meeting moved into Closed Session at 7.35pm.

<b>197/20</b> <b>RESOLVED</b> on the motion of Crs Marston and Driscoll that Council move into Open Session.
--

The meeting moved into Open Session at 7.40 pm.



CHAIRPERSON

## OPEN COUNCIL

The resolutions of Council, relating to Items 18 and 19, passed while the meeting was closed to the public were read to the meeting by the General Manager.

**18. TENDER 2021-002 SUPPLY AND DELIVERY CAT950M LOADER**

**(DEES: SC327-20/1259)**

This item is classified CONFIDENTIAL under section 10A (2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

<b>198/20 RESOLVED</b> on the motion of Crs Douglas and Walker that Council awards contract 2021-002 Supply and Delivery of a CAT 950M loader to WesTrac Pty Ltd for the sum of \$366,520 (GST Included).
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**19. GENERAL MANAGER ANNUAL PERFORMANCE REVIEW FOR PERIOD ENDING 30 JUNE 2020**

**(GM: PC11-20/456)**


This item is classified CONFIDENTIAL under section 10A (2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (a) Personnel matters concerning particular individuals (other than councillors).

<b>199/20 RESOLVED</b> on the motion of Crs Rockliff and Day that note the Mayoral Minute which includes the General Manager's Performance Review Panel's position following the Annual Review for 2019/20.
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The meeting concluded at 7.45 pm.

The minutes of the meeting held on Monday, 21 September 2020, were confirmed as a true and accurate record at the Ordinary Council Meeting held on 19 October 2020, at which time the signature was hereunto subscribed.

  
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**CHAIRPERSON**

  
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**CHAIRPERSON**