



# **BUSINESS PAPER**

**of the  
Ordinary Meeting  
Held  
19 April 2022**

**The meeting will be preceded by a budget workshop, commencing at 4.00pm.**

**Our Values: Leadership • Integrity • Progressiveness • Commitment •  
Accountability • Adaptability**

## The Prayer

We humbly beseech Thee to vouchsafe Thy blessings on this Council.  
Direct and prosper our deliberations to the glory and welfare  
of the people of this Shire and throughout our country.  
Amen

## The Council's Guiding Principles

*The following general principles apply to the exercise of functions by councils:*

- Councils should provide strong and effective representation, leadership, planning and decision-making
- Councils should carry out functions in a way that provides the best possible value for residents and ratepayers
- Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community
- Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements
- Councils should work cooperatively with other councils and the State Government to achieve desired outcomes for the local community
- Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way
- Councils should work with others to secure appropriate services for local community needs
- Councils should act fairly, ethically and without bias in the interests of the local community
- Councils should be responsible employers and provide a consultative and supportive working environment for staff.

*The following general principles apply to decision-making by councils (subject to any other applicable law):*

- Councils should recognise diverse local community needs and interests
- Councils should consider social justice principles
- Councils should consider the long term and cumulative effects of actions on future generations
- Councils should consider the principles of ecologically sustainable development
- Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

*Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.*

*(Section 8A Local Government Act, 1993)*



# Lockhart Shire Council

File Ref: PV: SJ: 22/4359

11 April 2022

The Mayor and Councillors  
Lockhart Shire Council  
65 Green Street  
LOCKHART NSW 2656

Dear Councillors

I wish to advise that the Ordinary Monthly Meeting of Lockhart Shire Council will be held at the Council Chambers, Green Street, Lockhart on **Tuesday, 19 April 2022** commencing at **5.00pm**.

The meeting will be preceded by a budget workshop, commencing at 4.00pm.

The Order of Business will be as shown overleaf.

Yours faithfully

Peter Veneris  
**GENERAL MANAGER**

## ORDER OF BUSINESS

OPENING WITH A PRAYER

APOLOGIES

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CONFIRMATION OF MINUTES OF THE ORDINARY MEETING, 21 MARCH 2022

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## MAYORAL MINUTE

### Vale Alan McCormack PSM

I wish to express Council's deepest sympathy on the passing of Alan McCormack PSM.

Mr McCormack had a long and distinguished career in local government, including Deputy Shire Clerk at Balranald Council and Lachlan Council, and Shire Clerk at Balranald Council and Hay Council.

Mr McCormack retired in 2010 following 20 years as General Manager at Parkes Council.

Following his retirement Mr McCormack was the Acting General Manager at a number of shire councils including Lockhart Shire Council for a period of two and a half months in 2013.

Through Blackadder and Associates Mr McCormack also assisted Council in recruiting the current and former General Managers.

Mr McCormack was also a member of the NSW Local Government Grants Commission and was Chair of Central West Regional Development Australia.

Mr McCormack was awarded a Public Service Medal in 2007 for outstanding service to local government.

I wish to place on record Council's appreciation for Mr McCormack's valuable service to Lockhart Shire Council and the local government industry more broadly and extend Council's condolences to his family.

Cr Greg Verdon  
**Mayor**

## MAYORAL REPORT

To be presented at the meeting.

## URGENT MATTERS

Nil.

## NOTICE OF MOTION

Nil.

## COMMITTEE REPORTS

### 1. MINUTES OF THE LOCKHART SHIRE TOURISM & ECONOMIC DEVELOPMENT STEERING COMMITTEE HELD ON 5 APRIL 2022 AT THE ROCK MEMORIAL BOWLING CLUB

<b>Date &amp; Time</b>	Tuesday 5 <sup>th</sup> April 2022
<b>Location</b>	The Rock Memorial Bowling Club
<b>Attendees</b>	Mayor Greg Verdon, Cr Peter Sharp, Cr Fran Day (Zoom), Erica Jones (Chair), Navneet (Tony) Choujar, (Deputy Chair – Zoom), Heather Trevaskis (Timekeeper), Sharon Lambert, Mandy Strong, Fiona Beckett, Michelle Bailey, Rachel Viski and Matt Holt (TEDO - Secretary).
<b>Apologies</b>	Cr Ian Marston, Cr Bob Mathews, Brent Alexander, and Jared Walker
<b>Declarations of Interest</b>	Nil

*Lockhart Shire Council  
Ordinary Meeting – 19 April 2022*

The meeting opened with a Welcome from the Mayor and an acknowledgment of country. All members present gave thirty seconds introduction of themselves.

**1. Election of Office Bearers**

<b>Minutes</b>	<p>Mayor Greg Verdon called for nominations for the below positions with any voting to be conducted in the way of raising hands.</p> <p><b>Chair:</b> Nominations received from Tony and Erica, with votes 10-3 in favour of Erica.</p> <p><b>Deputy Chair:</b> One nomination received by Tony – all members accepted.</p> <p><b>Timekeeper:</b> One nomination received by Heather – all members accepted.</p>	<b>Presenter/s</b> Mayor Greg Verdon
<b>Actions</b>	Nil	
<b>Recommendations</b>	<b>Recommended</b> on the motion that all committees' members presented agreed to the above appointed positions.	

**2. Confirmation of the minutes for the meeting 2 November 2021**

<b>Minutes</b>	Nil	<b>Presenter/s</b>
<b>Actions</b>	Nil	Erica
<b>Recommendations</b>	<b>Recommended</b> on the motion of Michelle and Fiona that the minutes of the meeting held on Tuesday, 2 <sup>nd</sup> November 2021, as circulated, be confirmed as a true and correct record of the proceedings.	

**3. Action from previous minutes**

<b>Minutes</b>	<p><b>Lockhart Shire Council - Visitor Information Boards - October 2021.</b></p> <p>Matt would like to ask members to add this project as a priority one to the project list to be further scoped. However, in the meantime a sign will be installed at the Caravan Park in consultation with Cr Rockcliff and the Manager of the Lockhart Caravan Park as per Council resolution (180/21)</p>	<b>Presenter/s</b>
<b>Actions</b>	Matt to action as per above	Matt
<b>Recommendations</b>	<b>Recommended</b> on the motion of Heather and Fiona that the above project is to be placed on the project list as a priority one and to be fully scoped by Matt.	

**4. Code of Conduct – 355 Committees**

<b>Minutes</b>	<p>The TEDSC is a Committee of Council and therefore Committee members need to be aware of their responsibilities under the Lockhart Shire Council's Code of Conduct, particularly with respect to managing conflicts of interest.</p> <p>A copy of the Code of Conduct will be made available to all Committee members through the share drive and members will then asked to sign a form of acknowledgement.</p>	<b>Presenter/s</b> Matt
<b>Actions</b>	Matt will upload all documents to the share drive for each member to acknowledged by signature sign/or by initials	
<b>Recommendations</b>	<b>Recommended</b> on the motion of Cr Sharp and Michelle that the above documents be uploaded to the share drive for all members to sign/initial acknowledging they understand their responsibilities under the Code of Conduct.	

5. Letter of Appreciation		
<b>Minutes</b>	TEDO would like to write an official letter signed by the Mayor thanking past members of their commitment, dedication and support for Tourism and Economic Development Steering Committee and activities across Lockhart Shire.	<b>Presenter/s</b>
<b>Actions</b>	Matt to action below	Matt
<b>Recommendations</b>	<b>Recommended</b> on the motion of Mandy and Sharon that Council write letters of acknowledgement to past committee members Greg Smith, Myra Jenkyn, Peter Creek, Derek Douglas, and Cr Gail Driscoll for their contribution to the TEDSC and the Lockhart Shire.	
6. Update from Tourism and Economic Development Officer (TEDO)		
<b>Minutes</b>	Report in share drive	<b>Presenter/s</b>
<b>Actions</b>	Matt to work with Rachel in developing a consultation flyer and other possible activities to residents and businesses, In regard to issues with the local connectivity with mobile phones and internet across the shire, with all feedback coming back to Matt to collate.	Matt
<b>Recommendations</b>	<b>Recommended</b> on the motion of Fiona and Sharon that Council consults with local businesses and residents across the Shire regarding issues of connectivity with mobile phone and internet coverage.	
7. Projects Update		
<b>Minutes</b>	Project spreadsheet in share drive	<b>Presenter/s</b>
<b>Actions</b>	Members are encouraged to bring their ideas to the committee on any projects they would like to see happen across the Shire.	Matt
<b>Recommendations</b>	<b>Recommended</b> by the Committee that the project list is noted.	
8. New Tourism Website		
<b>Minutes</b>	<p>Council is required to update the <a href="https://visitlockhartshire.com.au/">https://visitlockhartshire.com.au/</a> website before 30th June 2022.</p> <p>Matt has had several conversations with suppliers including Web 123 (current provider), Open Cities and Angry Ant.</p> <p>Matt asks for feedback from members on the look and feel of the following websites. Keeping in mind budget is not huge and we are not a big destination.</p> <p><a href="https://youmeandjune.com.au/">https://youmeandjune.com.au/</a></p> <p><a href="https://www.visitthemurray.com.au/">https://www.visitthemurray.com.au/</a></p> <p><a href="https://www.snowyvalleysway.com.au/">https://www.snowyvalleysway.com.au/</a></p> <p>Matt would like to feed off the Australian Tourism Data Warehouse - <a href="https://atdw.com.au/">https://atdw.com.au/</a> for the website which includes all Accommodation, Eat Drink, Attraction, Events that are happening across the Lockhart Shire as this will reduce duplication as Matt is uploading information in two or three places at present.</p>	<b>Presenter/s</b> Matt
<b>Actions</b>	Matt to email all members asking for feedback	
<b>Recommendations</b>	<b>Recommended</b> on the motion Fiona and Mandy that all members provide Matt with feedback on the above websites <b>by COB 11 April 2022.</b>	

<b>9. Working Groups</b>		
<b>Minutes</b>	Matt would like to suggest informal working groups as per the skill sets those members expressed in their EOI. Working groups could be a way of helping with certain projects, general feedback and running ideas past each other.	<b>Presenter/s</b> Matt
<b>Actions</b>	All members to consider helping with any projects they may like to on the project list. (Not compulsory)	
<b>Recommendations</b>	<b>Recommended</b> by all committee members to further discuss at the June meeting.	
<b>10. Questions/Comments/Feedback/Updates</b>		
<b>Question</b>	Heavy vehicles are still going through Lockhart. When can Council enforce the heavy vehicle bypass of Green and Urana Streets Lockhart?	<b>Member</b> Sharon
<b>Answer</b>	Matt advised new signage was recently installed, however he will follow up and advise the next steps.	Matt
<b>Updates</b>	Kings Own Hotel – Motel, The Rock – Matt advised that Council has approved a DA modification and that he is going to contact the developer to see where they are at.	Matt
<b>11. Next meeting: Wednesday 1st June 2022 - Lockhart Council Chambers</b>		
<b>12. Meeting Closed: 8.15pm</b>		

**Recommendation:** That the Minutes of the Tourism and Economic Development Steering Committee be received and the recommendations therein be adopted.

## DELEGATES' REPORTS

Nil.



## 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 21 March 2022</b>			
68/22	GM	<p><b>Policy 1.11 Section 355 Committees</b></p> <p>Place on public exhibition for a period of 28 days and any submissions received be considered by Council prior to adoption of the Policy.</p>	<p>Placed on public exhibition on 22/3/2022.</p> <p>Complete.</p>
67/22	GM	<p><b>Local Orders Policy – Premises not in a Safe or Healthy Condition</b></p> <p>1. Place “Draft Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition” on public exhibition for a period of not less than 28 days;</p> <p>2. Accept submissions in relation to the Draft Local Policy for a period of 42 days after the date on which the Draft Local Policy is placed on public exhibition.</p>	<p>Placed on public exhibition on 22/3/2022.</p>
66/22	GM	<p><b>Policy Review – Payment of Expenses and Provision of Facilities to the Mayor and Councillors</b></p> <p>Give public notice of its intention to reaffirm Policy 1.1 regarding the payment of expenses and provision of facilities to the mayor and councillors.</p>	<p>Placed on public exhibition on 22/3/2022.</p> <p>Complete.</p>
65/22	GM	<p><b>Draft Delivery Plan 2022/23 to 2024/25</b></p> <p>Place the Draft Delivery Plan 2022-2025 on public exhibition for a period of 28 days and give public notice of the opportunity to make submissions in respect of the draft document in the Council newsletter, Council website and Lockhart Shire Community Facebook Page.</p>	<p>Placed on public exhibition on 22/3/2022.</p> <p>Complete.</p>
63/22	GM	<p><b>Council Meeting Dates</b></p> <p>The April 2022 Council meeting be held on Tuesday, 19 April 2022 in lieu of 18 April 2022, being the Easter Monday Public Holiday and that notice of the change in meeting date be given in the Council Newsletter and on Council’s website.</p>	<p>Notice of change in Council meeting date given in the Council Newsletter and on Council’s website.</p> <p>Complete.</p>

*Lockhart Shire Council  
Ordinary Meeting – 19 April 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
62/22	GM	<p><b>2022/23 Operational Plan &amp; Budget – Special Rate Variation</b></p> <p>That Council apply for a special variation in general income of 2% for the 2022/23 financial year on the following basis:</p> <ul style="list-style-type: none"> <li>• The application is for a permanent special variation pursuant to section 508(2) of the Local Government Act; and</li> <li>• The additional income that council will receive if the special variation of 2% is approved is estimated to be \$52,000; and</li> <li>• The special variation is required because: <ul style="list-style-type: none"> <li>– When exhibiting the Draft 2021/22 Operational Plan and Budget Council's forward budget estimates incorporated an increase in ordinary rate income of 2% in 2022/23, 2023/24 and 2024/25.</li> <li>– The budget estimates as adopted by Council following public exhibition at the time forecast budget surpluses of \$9,186, \$10,263 and \$9,350 for 2022/23, 2023/24 and 2024/25 respectively with a 2% increase in ordinary rate income.</li> <li>– Council requires the additional income of \$52,000 that would be generated by a special variation based on a permanent increase of 2% otherwise Council will incur sustained deficits in future years or be forced to cut services to the community; and</li> </ul> </li> <li>• The council has considered the impact on ratepayers and the community in 2022-23 and, in future years if the special variation is approved and considers that it is reasonable.</li> </ul>	In progress (closing date 29 April '22).
60/22	DEES/ DCCS	<p><b>Local Environmental Plan Review</b></p> <p>Council:</p> <ol style="list-style-type: none"> <li>1. Notes the information provided in the report regarding the review of the Lockhart Local Environmental Plan; and</li> <li>2. allocates \$62,000 (excluding GST) in its 2022/23 (\$42,000) and 2023/24 (\$20,000) budgets to complete the review of the Lockhart Local Environmental Plan.</li> </ol>	<ol style="list-style-type: none"> <li>1) Complete</li> <li>2) Draft Budget to be tabled at May Council meeting</li> </ol>

*Lockhart Shire Council  
Ordinary Meeting – 19 April 2022*

<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
59/22	DEES	<p><b>Review of Road Classification</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. establishes a Road Classification Working Group to oversee a review of road classifications in the Shire; and</li> <li>2. nominates the following Councillors to participate in the Working Group</li> </ol> <p>A Ward Cr Rockliff B Ward Cr Sharp C Ward Cr Verdon</p>	Currently recruiting for the position of Director Engineering and Environmental Services with road classification review to commence after an appointment has been made.
56/22	GM	<p><b>Development of Lockhart Industrial Estate</b></p> <p>Council prepares a subdivision application for the development of Stage 3 of the Lockhart Industrial Estate.</p>	Request for quote being prepared.
53/22	GM	<p><b>Anzac Day 2022 Commemorations</b></p> <p>Council's representation on Anzac Day will be as follows:</p> <p>Lockhart – Cr Rockliff The Rock – Cr Verdon and Cr Driscoll Pleasant Hills – Cr Sharp Yerong Creek – Cr Hunter and Cr Walker</p>	Anzac Day wreaths have been ordered and event organisers advised of Council's representatives. Complete.
52/22	GM	<p><b>Avondale Place Community Care – Request for Financial Assistance</b></p> <p>Council contribute \$10,000 in the 2021/22 financial year to the Avondale Place Respite Centre and that the funds be paid from Council's Section 356 contributions budget.</p>	Donation has been paid and the organisation advised. Complete.
48/22	DEES	<p><b>Public Access – Plums Lane, The Rock</b></p> <p>Council agrees to maintain public access along the north/south section of Plums Lane at The Rock as the current laneway is not on the correct alignment and the adjoining landowner has blocked public access and that Council staff investigate the options for formation of a public road in the correct location.</p>	Inspected during recent bus tour – investigations are continuing.

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Ordinary Meeting – 19 April 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
46/22	GM	<p><b>Mayoral Minute – ALGA “Don’t Leave Local Communities Behind” Campaign</b></p> <p>Council:</p> <ol style="list-style-type: none"> <li>1. Supports the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia’s GDP and create 43,444 jobs; and</li> <li>2. Agrees to support and participate in the Australian Local Government Association’s advocacy for their endorsed national funding priorities by writing to the local Federal Member of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:               <ol style="list-style-type: none"> <li>a) express support for ALGA’s funding priorities;</li> <li>b) identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and</li> <li>c) seek funding commitments from the members, candidates and their parties for these identified local projects and programs.</li> </ol> </li> </ol>	<p>Correspondence has been forwarded to member for Riverina and known candidates.</p> <p>Two responses have been received at the time of preparation of the business paper.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 21 February 2022</b>			
33/22	DEES	<p><b>Flood Mitigation Review – The Rock and Yerong Creek</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the information provided in this report.</li> <li>2. Allocates \$65,000 from Council Reserves for the purchase of a mobile water pump and hoses.</li> <li>3. Awaits the outcome of works to be undertaken by Transport for NSW to clear the table drains along the Olympic Highway before determining whether additional works are required to be funded by Council.</li> <li>4. Applies to the next round of Floodplain Management grants (2022/23) to revise the Floodplain Risk Management Studies and Plan for The Rock.</li> <li>5. Applies to the next round of Floodplain Management grants (2022/23) to undertake a Floodplain Risk Management Study and Plan for Yerong Creek.</li> <li>6. Notes that a final report will not be available until after funding opportunities are finalised.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted – complete.</li> <li>2. Pumps have been ordered and awaiting delivery.</li> <li>3. Pending – contact being maintained with TfNSW.</li> <li>4. Application lodged – complete.</li> <li>5. Application lodged – complete.</li> <li>6. Noted – complete.</li> </ol>

*Lockhart Shire Council  
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<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
27/22	GM	<p><b>Lockhart RSL Sub-branch – Request for Financial Assistance</b></p> <p>a) Council provides funding of \$3,670 ex GST to the Lockhart RSL Sub-branch to install and maintain underground lighting at each corner of the cenotaph and</p> <p>b) Further investigation be undertaken regarding the purchase of public address systems for the Lockhart, The Rock and Yerong Creek communities.</p>	<p>a) Lockhart RSL Sub-branch advised of financial assistance granted. Complete.</p> <p>b) Lockhart RSL Sub-branch advised of council decision Complete.</p>
25/22	GM	<p><b>Phase 3 – Local Roads &amp; Infrastructure Grants Program</b></p> <p>1. Council prepare and submit Project Nominations forms and Work Schedules for the following projects for funding under Phase 3 of Local Roads and Community Infrastructure grants program:</p> <ul style="list-style-type: none"> <li>• Yerong Creek Rec Ground – irrigation system \$58,000</li> <li>• The Rock Rec Ground – additional funding required for fencing \$6,000</li> </ul> <p>2. The remaining balance of LRCI Phase 3 funding totalling \$305,000 not be allocated to other projects until such time as TfNSW completes the clearing of table drains along the Olympic Highway at The Rock at which time Council can determine whether additional works will be required.</p> <p>3. An amended project nomination form be submitted to the funding body requesting that the funds approved for the sealing of internal roads at the Osborne Recreation Ground be reallocated to ancillary works involved with the new netball courts, and upgrade of lighting to the main oval.</p>	<p>1. Project Nomination Forms submitted. Completed.</p> <p>2. Contact is being maintained with TfNSW re timing of work.</p> <p>3. Amended Project Nomination form submitted. Complete.</p>
23/22	DCCS	<p><b>Lockhart – Out of School Hours Care Service</b></p> <p>Further investigation of out-of-school-hours care requirements in Lockhart be undertaken.</p>	<p>Provider indicated current demand is not sufficient for a before &amp; after school care program to be viable with the additional staff and programming required. Complete.</p>
<b>Ordinary Council Meeting held 15 November 2021</b>			
226/21	GM	<p><b>Offer to Purchase Industrial Land</b></p> <p>Authorise the General Manager to negotiate the sale of lots 21-24 in Stage 2 of the Lockhart Industrial Estate for a combined contract price of \$222,000 ex GST.</p>	<p>Contracts have been exchanged. Sale completed 13 April 2022. Complete.</p>

*Lockhart Shire Council  
Ordinary Meeting – 19 April 2022*

<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
208/21	GM	<b>Yerong Creek Men's Bowling Club – Request for Financial Assistance</b> Council to provide financial assistance in the amount of \$4,016 including GST to the Yerong Creek Men's Bowling Club and that the contribution be funded from the 2021/22 budget allocation for Section 356 contributions.	Yerong Creek Bowling have purchased synthetic grass. Council will process payment when the invoice is received.
<b>Ordinary Council Meeting held 18 October 2021</b>			
180/21	TEDO	<b>Committee Minutes – TEDSC held 5 October 2021</b> Minutes of the Tourism and Economic Development Steering Committee held on 5 October 2021 be received and the recommendations contained therein be adopted with the exception that an information board be erected at Lockhart Caravan Park.	Information board at Caravan Park to be included in list of locations yet to be scoped.
<b>Ordinary Council Meeting held 20 September 2021</b>			
174/21	GM	<b>Potential Property Acquisition for Community Development at The Rock</b> Council authorises the General Manager to submit an offer for the purchase of Lot 2 Sec 17 DP758971 based on the independent valuation received by Council.	Offer submitted. The vendor has requested a copy of the independent valuation.
<b>Ordinary Council Meeting held 16 August 2021</b>			
148/21	GM	<b>Proposed "Tim Fischer Way"</b> Council to reinstate investigations into the erection of tourism signage indicating "Tim Fischer Way".	Submission made to the Tourism Attractions Signs Assessment Committee. GM and TEDO currently in discussions with the Committee.
<b>Ordinary Council Meeting held 19 April 2021</b>			
63/21	GM	<b>Residential Development – Lockhart</b> 2) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report. 3) That the cost of subdividing the land be funded from the Infrastructure Reserve with the proceeds of any land sales to be returned to the Reserve.	Development application has been lodged.

Lockhart Shire Council  
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Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 15 February 2021</b>			
12/21	GM	<p><b>Preparation of Plans of Management – Crown Reserves etc</b></p> <p>1) Council endorse the <i>Draft Lockhart Shire Council Plan of Management for Crown Land managed by Council and Council-owned land classified as ‘community’</i> for the purposes of community consultation.</p> <p>2) In the first instance, Council writes to the s.355 management committees and users groups drawing their attention to that part of the Plan of Management relevant to the reserve they manage/use and invite their feedback and input.</p> <p>3) Following consideration of any feedback received from the management committees and user groups and updating of the draft Plan of Management, the document be placed on public exhibition providing the broader community with the opportunity to comment.</p>	<p>1) Complete.</p> <p>2) Complete.</p> <p>3) Pending. Crown Lands Office approval is required before Draft Plan of Management is placed on public exhibition.</p>
9/21	DCCS	<p><b>The Lockhart Recreation Ground Management Committee – Request for Financial Assistance</b></p> <p>Approve an interest-free loan to the Lockhart Recreation Ground Management Committee of up to \$70,000 with repayments being Year 1 \$4,200 and the remaining 14 years will be repayments of \$4,700 to support an application to Building Better Regions Fund – Infrastructure Projects Stream – Round Five.</p>	<p>This resolution will be actioned if the application to the Building Better Regions Fund – Infrastructure Projects Stream – Round Five is successful.</p> <p>The Lockhart Football Netball Club have been advised the grant application has been successful. A report will be provided at a future Council meeting.</p>
6/21	DEES	<p><b>Recreational Vehicles (RV's) and Caravan Parking in Lockhart CBD</b></p> <p>Council to investigate and implement RV and Caravan Parking in locations in Green Street (Plan 3 and Plan 6 of the Lockhart Business Centre Master Plan) as well as Urana Street and Matthews Street, Lockhart, including an education program, as recommended by Council's Tourism and Economic Development Steering Committee.</p>	<p>Investigation completed. Dedicated RV parking locations in Green/Urana Street near museum completed.</p> <p>Dedicated RV parking near Shire Administration not supported (limited car parking, mobile library, NSW Government Mobile Services). Single parking space in Matthews Street supported. Implementation subject to funding.</p> <p>Referred to LRCI Phase 3 Workshop. No funding allocated.</p>

*Lockhart Shire Council  
Ordinary Meeting – 19 April 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 16 November 2020</b>			
211/20	GM	<p><b>Grant Funding Opportunities</b></p> <p>1. Submit the following projects for funding under the Local Road and Community Infrastructure Program Phase 2:</p> <ul style="list-style-type: none"> <li>- The Rock Hall</li> <li>- Lockhart Caravan Park</li> <li>- The Rock 2nd Oval – Water and Fencing</li> <li>- Lockhart Rec Grd Amenities – Stage 2</li> <li>- Pleasant Hills Rec Grd – Tennis Courts etc</li> <li>- The Rock Observatory</li> </ul> <p>2. Progress the following projects, in priority order, to ‘shovel ready’ status using the funds allocated in the 2020/21 Budget for ‘Grant Application Preparedness’.</p> <ul style="list-style-type: none"> <li>- GrainCorp Building Development</li> <li>- Avenue of Honour</li> <li>- Government Dam, The Rock – Recycling Water</li> <li>- Brookong Creek Masterplan</li> <li>- Galore Hill Scenic Reserve Masterplan</li> </ul>	<p>1. Complete</p> <p>2. Development application for 109 Green Street Lockhart has been approved. Request for quotes issued. Avenue of Honour being funded under LRCI Phase 3 RFQ being prepared for Brookong Creek Masterplan and Galore Hill Scenic Reserve Masterplan</p>
206/20	TEDO	<p><b>Shortage of Residential Property to Lease</b></p> <p>Investigate options to make housing more available for existing and potential new residents, including possible incentives to attract investor-builders, land availability, workshops, and planning considerations.</p>	<p>Four REROC/RIVJO workshops have been held - a regional housing strategy has been developed. The Strategy has formed the basis of RivJO’s submission to the NSW Government’s Regional Housing Task Force.</p> <p>Representations have been made to the Member for Wagga Wagga.</p> <p>A Land Monitor project is being established. To be considered as part of the forthcoming review of Council’s LEP.</p>
<b>Ordinary Council Meeting held 20 July 2020</b>			
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 Gonyah 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. Wrote to NSW Aboriginal Land Council re proposed names. DEES also contacted TfNSW liaison officer on several occasions.</p> <p>Last correspondence on 14 March 2022. Awaiting response.</p>



Lockhart Shire Council  
Ordinary Meeting – 19 April 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 20 April 2020</b>			
70/20	GM	<p><b>Review of Operational Land</b></p> <p>Council adopts the following actions in relation to the review of land classified as “operational land”:</p> <ul style="list-style-type: none"> <li>Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land.</li> </ul>	<p>Contact has been made with the adjoining landowner and information provided regarding the Council owned land in anticipation of further discussions.</p> <p>The landowner is liaising with their solicitor.</p>
<b>Ordinary Council Meeting held 21 March 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM	<p><b>Cr Walker: Flood Mitigation Works, The Rock</b></p> <p>Has received a complaint from a resident in Urana Street, The Rock regarding the newly installed bridge access not lining up with his driveway and asked if this could be investigated.</p>	On-site discussion held with landowner. Corrective action to be taken when contract works are completed.
	GM	<p><b>Cr Sharp: Jim Willis North Road</b></p> <p>Has received a request from a landowner for a “No Through Road Sign” at the junction of Jim Willis North Road and Willis Lane. Because of works done on the landowner’s property it is unclear where the public road ends and the owner’s driveway begins.</p>	Sign has been ordered.
	GM	<p><b>Cr Mathews: Parks &amp; Gardens</b></p> <p>Has received some feedback regarding local parks and gardens, particularly around the pool, with regard to weeds and asked if the maintenance requirements have possibly become too onerous for the Parks and Facilities team. Cr Mathews suggested that there may be some local, avid gardeners who might volunteer to assist.</p>	Direct response provided by Council’s Manager of Parks and Facilities. Complete.
	MP&B	<p><b>Cr Mathews: Bluebird Café</b></p> <p>Expressed concerns regarding the Bluebird Café, which has been closed for some time. Referred to the bird droppings at the front of the building and the possibility of harbourage of vermin inside the building, being a health and safety issue.</p>	A letter has been sent to the owner of the property requesting access for the purpose of an inspection.
	DCCS	<p><b>Cr Day – Youth Week 2022</b></p> <p>Asked what preparations have been made by Lockhart Shire’s Youth Officer for the upcoming Youth Week? Cr Day also suggested a poster competition could be incorporated in the programmed activities, centred on the theme of this year’s event, “It’s up to Youth”.</p>	<p>Council’s DCCS discussed the Youth Week program with Council’s shared Youth Officers. As the program has already been finalised, a poster competition will be considered for an activity later in the year.</p> <p>Complete.</p>
	DCCS	<p><b>Cr Day: Community Gym</b></p> <p>Has looked at possible funding options and has found details of the Community Local Infrastructure Recovery Program.</p>	Initial investigations show that Council is not eligible for the CLIR Program at this point in time.

*Lockhart Shire Council  
Ordinary Meeting – 19 April 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
	DCCS	<b>Cr Marston: The Rock Recreation Ground</b> Referred to the different grass heights required for different football codes and asked if this could be taken into consideration for any replacement mowers so that grass height could be cut to optimum level for AFL.	The proposal has been discussed with Council's Fleet Supervisor. Differing heights can be achieved with current mowers, in conjunction with seasonally appropriate growth management.
	GM	<b>Cr Verdon: Bus Tour</b> Asked for consensus on a bus tour going ahead, with all present being in favour, preferably on a Monday.	Bus tour held on 11 April 2022. Complete.
<b>Ordinary Council Meeting held 21 February 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Rockliff: Lockhart Golf Club</b> Advised that both tractors used for mowing the golf course have broken down meaning volunteers can no longer facilitate this activity. Councillor Rockliff asked if Council could assist in any way, possibly with ex-Council equipment?	Investigating a short-term solution to borrow a tractor from another section 355 committee. Also investigating possible longer-term solution.
	DEES	<b>Cr Rockliff: Road Classification</b> Has received a letter requesting the earth-formed section of Maffra Lane, used regularly when Hollies Road is closed due to water, be upgraded to better serve the amount of traffic using the road during periods of wet weather.	Road classification report submitted to Council Meeting 21 March 2022. Complete.
	DEES	<b>Cr Walker: Bulloc Hill Road</b> Asked for an update on progress of negotiations with Wagga City Council for the works done inadvertently in WWCC area.	Wagga City Council's Director Infrastructure Services (DIS) advised that their General Manager is supportive of reimbursing costs. DIS to validate work.
	DEES	<b>Cr Sharp: Concrete Crossing, Forcks Lane</b> Advised gravel has been washed away either side of a concrete crossing in Forcks Lane, causing issues for motorists. Cr Sharp also advised that in Clontarf Lane where there is a crossing with no concrete, this also has washed out and Cr Sharp has received a request for gravel to be placed to assist a resident with accessing his property.	Works complete.
	DEES	<b>Cr Driscoll: Concept Plans – Government Dam, The Rock</b> Asked if, on an upcoming Shire bus tour, a trip to the lake and caravan park at Urana could be included with a view to developing the government dam area at The Rock.	Government dam site was included in bus tour held on 11 April 2022. Complete.
	DEES	<b>Cr Driscoll: Avenue of Honour</b> Asked if it was possible to take a tree replacement plan to the community for consultation which would go some way to alleviating the issues.	Community meeting convened by The Rock Progress Association on 22 March 2022. Meeting consensus supported the status quo. Complete.

*Lockhart Shire Council  
Ordinary Meeting – 19 April 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 10 January 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Rockliff: Flood Mitigation, Lockhart</b></p> <p>Advised that he thinks the works are performing very well, particularly the work done behind Matthews' property to divert water around town. Cr Rockliff expressed his hope that the rail bridge is still on the agenda. Also mentioned the footbridge appears to be holding back water and pushing it out to get around, which requires investigating. Added his support for the suggestion that Council prioritise the cleaning of table drains, especially after a rain event.</p>	Cleaning of culverts and associated drains has commenced.
	DEES	<p><b>Cr Rockliff: Roads</b></p> <p>Advised the following roads are in very bad condition, especially after the recent harvest traffic: Bidgeemia Road after Western Road through to Barracluffs Road; Western Road through the creeks at Urangeline; most of the gravel on Soldier Settlement Road especially from McDonnell's down towards Madden's has eroded quite badly. Also mentioned trucks are using smaller lanes more often, not just local owners. Has received a request for Fargunyah Lane to be reclassified and upgraded from Gravel Class 2 to Gravel Class 1. Water is running down the middle of the road, it doesn't get enough maintenance to support increased traffic movements.</p>	Works on the gravel roads are included in flood restoration works and will be undertaken in the coming months.
	GM	<p><b>Cr Walker: Mobile Coverage</b></p> <p>Raised the issue of poor mobile phone coverage west of The Rock Hill, and in Yerong Creek and Pleasant Hills. People in these areas are struggling to have any service. Asked if Council could approach providers on behalf of residents?</p>	Discussions have been held with the NSW Telco Authority. Information is currently being collated regarding black spots to provide to the Authority.
	DEES	<p><b>Cr Sharp: Road Maintenance after Recent Rain</b></p> <p>Advised that the bridges on Grubben Road are in very poor condition after the rain of last week and need urgent attention. Cr Sharp also advised that the table drains on Eulensteins Road require cleaning out. During the recent rain they were so full of grass that the water was running down the road. He has received a suggestion from a local resident that the causeway on this road should be converted to a culvert.</p>	Cleaning of culverts and drains has commenced where areas have dried out enough to facilitate works.
	DCCS	<p><b>Cr Driscoll: Technology</b></p> <p>Referred to the address via Zoom by Council's auditor and asked if the equipment in the Council chamber could be upgraded to allow better connectivity for online participation in Council meetings.</p>	<p>Upgrade currently being investigated as the projectors, which were installed during construction of the building, are now 10 years old and outdated.</p> <p>Contact has been made with a Leeton-based company. An on-site meeting will take place in late April, early May.</p>

Lockhart Shire Council  
Ordinary Meeting – 19 April 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<b>Cr Driscoll: Urana Street Median</b> Enquired whether it was possible to reclassify the median strip in the road reserve of Urana Street at The Rock as recreation space so the road does not need to be closed for events such as markets.	Options will be investigated, an LEP review is soon to be undertaken which may assist in the process.
<b>Ordinary Council Meeting held 18 October 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Rockliff: Bridge on Green Street</b> Noted that cumbungi and poplars are growing and becoming a bush fire concern.	Poplars and other introduced species in Brookong Creek have been earmarked for removal when budget and resources allow; with current staffing and workload it may be necessary to engage a contractor. The spillways are being cleared when water levels allow. Further works within the creek bed may require a permit.
	DEES	<b>Cr Marston: Sign, The Rock Recreation Ground</b> Referred to an information sign at the recreation ground which has information on both sides but can only be read from the footpath because of access issues, asked if the sign could be relocated nearer to the playground to allow both sides to be viewed.	A new site has been decided. Relocation works are programmed.
<b>Ordinary Council Meeting held 21 June 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Driscoll: Community Reflection Space</b> Asked if it was possible the park across the road from The Rock Central School could be utilised as a place of quiet reflection for the town, particularly for those suffering the loss of loved ones due to suicide, which has had an impact on the community in recent years.	Park deemed appropriate for reflection space. Proponent to present proposal to Council for consideration. <i>Members of The Rock Progress Association have offered to attend a Council meeting to provide advice. – Mayor suggested next term of Council might be appropriate.</i>
<b>Ordinary Council Meeting held 15 February 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Driscoll – Natural Gas</b> Referred to the natural gas pipeline which runs just outside The Rock township. Mentioned previous investigations which found that connection of the town was unfeasible. Asked if investigations could take place to see if the recent growth of the town might make that connection viable, and that Council pursue any opportunities that may assist in making it a feasible project.	Contact has been made with APA (pipeline owner) and Gemena (responsible for connection). The current network is 4km out of The Rock, crossing The Rock Mangoplah Road. Both APA and Gemena indicated that they have no current plans to extend the line. However, further enquiries are being made with Gemena.  The issue has also been identified for inclusion in an MoU with a tenderer for the Inland Rail project (refer separate report to Council).

*Lockhart Shire Council  
Ordinary Meeting – 19 April 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 3 February 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<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 \$6,000 per site. Not included in draft Budget for 2020/21.</p> <p>Consultation to be undertaken with S355 management committees.</p> <p>Feedback received indicates s355 committees are receptive if funding is available.</p> <p>Referred to LRCI Phase 3 Workshop for consideration.</p> <p>No funding allocated.</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>Council has resolved to support a rezoning proposal that will facilitate a private residential development at The Rock.</p> <p>Rezoning Proposal PP01/22 has been supported by Council and submitted to DPIE in accordance with minute no. 166/21.</p> <p>Proposal rejected by Dept Planning Industry and Environment. Report to be brought to March Council meeting.</p>

**April 2022 – Correspondence Sent to Councillors**

Date sent to Councillors	From	Subject
22/3/2022	General Manager	Forwarding "Native Title for Councillors Quick Reference Guide" (Crown Lands Office)
25/3/2022	Executive Assistant	LG NSW and ALGA News dated 25 March 2022.
30/3/2022	Executive Assistant	Mayoral Update
12/4/2022	Executive Assistant	LG NSW (31 March) and ALGA (8 April) news.

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

## STAFF REPORTS

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

#### 1. LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANTS PROGRAM

(GM: 22/4432)

##### Executive Summary

The Australian Government when handing down the 2022/23 Federal Budget announced that Phase 3 of the Local Roads and Community Infrastructure (LRCI) grants program will be extended with a further \$500 million being invested into the program.

##### Report

As previously reported, an amount of \$1.693 million has been allocated to the Lockhart Shire Council under Phase 3 of the LRCI grants program.

A number of projects from across the Shire have been nominated for expenditure of the LRCI Phase 3 funds. An amount of \$369,000 remains to be allocated by Council from the Phase 3 funds. At its meeting held on 21 February 2022 Council resolved as follows:

*“That the remaining balance of LRCI Phase 3 funding totalling \$369,000 not be allocated to other projects until such time as TfNSW completes the clearing of table drains along the Olympic Highway at The Rock at which time Council can determine whether additional works will be required.”*

Since that time, and in conjunction with the handing down of the 2022/23 Federal Budget, the Australian Government has announced that Phase 3 of the LRCI grants program will be extended with a further \$500 million being invested into the program. Council has received advice that the amount to be allocated to Lockhart Shire Council under the LRCI Phase 3 Extension is \$846,561.

Whereas Phase 3 funds could be accessed from January 2022 with projects to be completed by June 2023, the Phase 3 Extension funding will be able to be accessed from July 2023.

It has been Council's practice to convene a Workshop to consider which projects should be nominated for the available funding. Bearing in mind that the LRCI Phase Extension funding will not be accessible until July 2023, it is proposed that a Workshop be convened later in the year when the current Phase 3 funded projects have been further progressed and a closer to completion.

##### Integrated Planning and Reporting Reference

- A1: Provide support and advice to community groups, clubs, and volunteers.
- A1: Support cultural and sporting opportunities that respond to the needs of the community.
- A2: Support, or partner to provide, welcoming and well-maintained community spaces and facilities.
- D1: Our assets and infrastructure are well planned and managed to meet the needs of the community now and into the future
- D1: Ensure appropriate provision, planning and use of all open space and recreation facilities and cemeteries.

##### Legislative Policy and Planning Implications

Nil.

##### Budget and Financial Aspects

A co-contribution is not required for applications submitted under the LRCI Program.

##### Attachments

Nil.

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

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

Nil.

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

Nil.

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

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

#### Executive Summary

Monthly report on engineering and environmental services matters.

#### Background Information

a) **Works:**

*Floods November 2021 and January 2022:* Emergency works for the November 2021 flood event is completed with emergency works for the January 2022 flood event nearing completion. Damage Control Project Management (DCPM) was appointed to manage the flood reconstruction works. Their project management fees are to be fully reimbursed. Council's contribution to each of the flood events is \$18,113.

*Wattles Road/Tinamba Lane:* Minor drainage works at the Lockhart Kywong Road intersection to be completed.

*Prichard Place:* Extension of existing sealed section by 400 metres. The design is complete and approved by Transport for NSW. Works commenced.

*Lockhart Kywong Road (MR370) North:* The section starts at 1.25km north of Slocums Lane and ends short of Seberrys Lane. The design is complete and approved by Transport for NSW. Work to commence by the end of April.

*Lockhart Kywong Road (MR370) North:* The section starts at 170m north of Spanish Avenue and ends 520m South of Boree Creek Road. The design is complete and approved by Transport for NSW. Works commenced.

*The Rock Mangoplah Road:* The section starts 400m west of Bulloc Hill Road and ends 630m east of Bulloc Hill Road and is complete.

*Mittagong Yerong Creek Road:* Council successfully secured funding through the Fixing Local Roads program to increase the capacity of two culverts and add additional width on Mittagong Yerong Creek Road. Construction of this project is scheduled to commence in August 2022.

*Grading and minor gravelling of unsealed roads:* Grading program has been temporarily interrupted while crews are completing emergency works resulting from recent floods.

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

b) **Major Projects:**

*Flood Mitigation Construction:* Excel Gray Bruni has completed eighty percent of the work at The Rock. The completed work includes the installation of six box culverts, seven small bridges and bulk earthworks to enlarge the existing channel. Finishing work is currently under way which includes guardrails, handrails, kerbing on bridges and erosion protection near the abutments. The contractor still aims to complete works prior to the end of the 2021/22 financial year.

c) **Road Safety:**

A part-time Road Safety Officer (RSO) position is being advertised.

d) **Lockhart Local Emergency Management Committee (LEMC):**

The last meeting of the Lockhart LEMC was held on Friday 11 February 2022. The next LEMC meeting is scheduled for Friday 17 June 2021.

e) **Fleet:**

Council officers are currently seeking quotes for fleet replacements in accordance the 2021-22 program.

f) **Biosecurity and Environment:**

*Control Program*

Priority has been given to the control of Feathertop Rhodes grass (*Chloris virgata*), Bathurst burrs (*Xanthium spinosum*), Spiny burrgrass (*Cenchrus spinifex*), Horehound (*Marrubium vulgare*), African boxthorn (*Lycium ferocissimum*), Coolatai grass (*Hyparrhenia hirta*), and Silverleaf nightshade (*Solanum elaeagnifolium*) on roadside reserves and council managed land.

*drumMUSTER*

The March drumMUSTER collection event occurred at Lockhart on Tuesday, 15 March. 2257 drums were inspected, raising \$695.16 for St. Joseph's School. The Rock collection event occurred on Thursday, 17 March. During this event 611 drums were inspected, raising \$171.08 for The Rock Men's Shed. drumMUSTER collection events have been tentatively scheduled for Tuesday, 13 September 2022 for Lockhart and Thursday, 15 September 2022 for The Rock.

*Common White Snail Baiting Program*

Snail baiting application occurred on Fairview Lane on 9 March.

*Autumn Fox Baiting Program*

Fox baiting on Galore Hill Scenic Reserve and Kincaids Reserve commenced on 16 March. Replacement of baits will continue for six weeks until the supply is exhausted.

g) **Parks and Gardens:**

*Ave of Honour, The Rock – Kurrajong*

The avenue of Kurrajongs (*Brachychiton populneum*) is a well-known and historically significant feature of The Rock. The Kurrajongs were planted between 1956 and 1960 to replace the Silky Oaks (*Grevillea Robusta*) that were originally planted after WWI as a memorial to the 90 fallen soldiers from The Rock area.

In May 2016 Council resolved to keep The Avenue of Honour as a single specimen site, including adopting Continuous Cover Arboriculture principle to draw the replacement process out over the longest period possible to establish a range of age classes in The Avenue and therefore ensuring the integrity of the streetscape into the future.

Council is currently sourcing advanced Kurrajong specimens for planting where trees were previously removed.

Removal of dead trees, pruning of trees suffering from severe dieback to encourage new growth and prolong their lifespan, and removal of dead limbs is also scheduled to be conducted this autumn/winter.

*Parks and Gardens*

There's plenty to do in the gardens this time of the year. Routine garden maintenance is being conducted including regular weeding, spraying, pruning, deadheading and mulching.

Most irrigation systems have already been turned off or times greatly reduced. This will be monitored as the weather cools.

*Weed Control*

Weed control by mechanical and chemical methods is undertaken regularly in urban areas. Pesticides commonly used are Glyphosate and Dicamba. Signage will be placed at property entrances when spraying is in progress.

Freehand herbicide has been trialled in several lawn situations to test its ability to suppress the germination of khaki weed and Caltrop (bindi/cathead) seed. Freehand is for pre-emergent weed control of annual grasses, susceptible sedge species and many small-seeded broadleaf weeds in ornamental landscape and warm season turf situations. The trial appears to have been quite successful; use will be extended next season.



There is no magic wand in controlling these weeds, a multi-pronged approach using appropriate chemical and mechanical methods and including education of the public regarding the identification and reporting are necessary to reduce the spread.

Assistance by property owners to vigilantly remove these weeds on their properties, nature strips and/or laneways as soon as they emerge is essential to prevent their spread and larger infestations.

#### *Mowing and Slashing*

Autumn brings in the second major turf growth season; mowing of most irrigated lawns is still being conducted fortnightly but frequency has been adjusted when necessary.

#### *Trees*

The tree maintenance program has commenced early this year and will continue throughout autumn and winter. Council's priority is high risk, dead, dying, or damaged trees. Once the bulk of these are completed the usual under pruning program will commence.

Watering of any trees planted in the last two years has been conducted as required.

The Lockhart Shire's Street Tree Policy 2.44 states: 'Council is responsible for the planting and maintenance of street trees, including the selection of species, regular health, and safety checks, pruning, and removal and replanting requirements. Issues presented to residents regarding street trees, including species selection, maintenance and/or removal should be made in writing and addressed to the General Manager. Such issues will be resolved based on financial and time restraints.

- h) **Development Applications:** The following development applications were approved, with conditions, from 1 March to 31 March 2022.

<b>DA No</b>	<b>Development</b>	<b>Applicant</b>	<b>Site of Development</b>
DA51/22	Modified shipping container for display of antique sulky	Peter Sharp	Cullen St, Road Reserve, Pleasant Hills
DA52/22	Self storage units	Paul Mulholland	8 Harry Davies Dr, Lockhart
DA54/22	Demolition of existing buildings	Lockhart Shire Council	160 Green St, Lockhart
DA55/22	Demolition of existing buildings	Lockhart Shire Council	53 Urana St, Lockhart
DA57/22	Shed	Mark McCrone	71 Wilson St, The Rock
CDC61/22	Inground swimming pool	Daniel Viski	4172 Olympic Hwy, The Rock
CDC63/22	Inground swimming pool	Richard Smith	1244 County Boundary Rd, Milbrulong

It was requested at the Ordinary Council Meeting held on 21 June 2021 that Councillors be updated on the progress of the service station at The Rock on a regular basis. The application for a modification has been determined and a modified approval has been granted (refer DA50/19 above).

#### 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 Council notes the information provided in the Engineering and Environmental Services report.

**3. HOLLIES ROAD PETITION**

**(GM: 22/3984)**

Executive Summary

Council has received a petition regarding the condition of Hollies Road which is tabled for Council's information and consideration.

Report

Council has received correspondence co-signed by 23 residents and a school bus operator regarding Hollies Road and the condition of the Brookong Creek causeway known as Ed Schirmer crossing.

A copy of the petition is attached.

According to the residents the road has been blocked on six occasions since last November due to flooding at the causeway. On these occasions a 15-minute trip to access services becomes a 40-minute trip and on one recent occasion this became particularly concerning for one of the signatories who was required to access medical supplies. The road is a school bus route and the operator of the bus has also expressed concern.

The residents have requested that the height of the crossing be raised so that they have access to Lockhart at all times. The cost of the work has been estimated at \$250,000.

A potential source of funding is the NSW Government's Fixing Local Roads Program which aims to improve local roads across rural and regional NSW. Fixing Local Roads is a grant-based program where councils can apply for funding to repair, patch, maintain and seal priority local council roads.

Projects should meet the following requirements to be eligible for consideration. The project must be:

- located on a local road managed by council (note: Regional and Crown roads are not eligible)
- identifiable as a priority or important local road for the local government area or region
- able to commence in the first six months from receipt of signed funding deed
- deliverable within 24 months of notification from Transport for NSW
- maintenance-driven such as repairing, patching, maintaining, or sealing existing roads.

The next round of funding is expected to open later this year.

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.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Applications can be made for a 100% contribution from the NSW Government for specific works. Councils are encouraged to co-contribute to any projects with funds or in-kind contributions. Council's contribution towards the upgrade is generally around 25% or more.

Attachments

- Petition dated 8 March 2022 (received 16 March 2022).

**Recommendation:** That Council submits a grant application under the next round of Fixing Local Roads program for the raising of the causeway on Hollies Road and associated roadworks.

Item 3: Attachment – Petition dated 8 March 2022 (received 16 March 2022)

"Rushdon" 1055 Hollies Road  
 Lockhart NSW 2656  
 8<sup>th</sup> March 2022

Mr Peter Veneris  
 General Manager  
 Lockhart Shire Council  
 65 Green Street  
 Lockhart NSW 2656

File No:	
Log:	
INFO REPLY REPORT	
GM	
DCCS	
Rec'd	16 MAR 2022
DEES	
ME#	
HR	
TEDO	

Dear Mr Veneris.

I am writing on behalf of the residents that rely on the Hollies Road for access to Lockhart.

Since the beginning of November, our access to Lockhart has been blocked on six occasions due to the flooding of the Brookong Creek causeway known as Ed Schirmer Crossing.

It is of great concern that in the event of a medical emergency, assistance could not be rendered due to the flooding of the creek I recently had a heart operation and am in recovery for six weeks. Due to the flooding level of the Creek, it leaves one feeling quite vulnerable.

We recently had to go into Lockhart for chemist supplies and found Hollies Road, Tinamba Lane and Fargunyah lane all closed due to flooding, instead of a 15-minute trip it took us 40 minutes, also the school bus has to divert their bus route, with families having to travel on damaged road to meet the bus.

The residents on the Northern side of the Brookong Creek would like Council to investigate the possibility of raising the height of the crossing so access to Lockhart would be available at all times.

We note there is a flood level indicator station at this site so an indication of the number of times the crossing became impassable would be available.

Yours sincerely

Janet Schirmer

*J Schirmer*

Irene Schirmer *Irene Schirmer*

ROGER GOODEN *Roger Gooden*

John Schirmer *J. Schirmer*

Andrew SLOCUM *Andrew Slocum*

Josh Schirmer *Josh Schirmer*

B.T LANE *B.T. Lane*

Neomai Kadavi *Neomai Kadavi*

BEN SMITH *Ben Smith*

Bea Kadavi *Bea Kadavi*

Juanita Kurke *Juanita Kurke*

Smith Anna SMITH *Smith Anna SMITH*

Katrina Slocum *Katrina Slocum*

Simon Lane *Simon Lane*

Robert Kurke *Robert Kurke*

Madeline dane *Madeline dane*

Kerri Brown *Kerri Brown*

Kathryn Schirmer *Kathryn Schirmer*

Jim Morgan *Jim Morgan*

Therese Randall *Therese Randall*

Trent & Regina Cooden *Trent & Regina Cooden*  
 Anikwa Cooden *Anikwa Cooden*

Shirley Morgan *Shirley Morgan*

Jessica Schirmer *Jessica Schirmer*

**4. VARIATION TO LOCKHART DEVELOPMENT CONTROL PLAN 2016: DA56/22 – 29-31 URANA ST, THE ROCK**

(MP&B: 22/4461)

Executive Summary

Council have received a development application for the construction of a shed at 29-31 Urana Street, The Rock (Lot 3 DP1106869). The development application has been submitted to Council for determination for the following reason:

- The proposed development exceeds the maximum height development control contained in the Lockhart Development Control Plan 2016

Background Information

Council have received a development application (DA56/22) for the construction of a shed at 29-31 Urana Street, The Rock (Lot 3 DP1106869). Please refer to the plans at Attachment A.

The applicant proposes to build a shed in the south-eastern corner of the allotment with vehicular access from the adjoining laneway. The proposed shed has the following dimensions.

- 15m long x 11m wide
- Floor area 165m<sup>2</sup>
- Wall height to the gutter 4.1 metres (1.0 metre higher than what the DCP permits)
- Overall shed height to the ridge 5.17 metres (0.67 metres higher than what the DCP permits)

The Lockhart Development Control Plan 2016 has the following development controls relating to residential development and sheds in village areas.

Development Control	Comments
<b>2.1 Front setbacks</b>	
<p>The following front setbacks apply to a new dwelling house with frontage to a primary road:</p> <p>The average distance of the setbacks of the nearest two dwelling houses having a boundary with the same primary road and located within 40 metres of the lot on which the dwelling house is to be erected;</p> <p>In the case where two dwelling houses are not located within 40m of the lot:</p> <p>A front setback of 4.5 metres applies, if the lot has an area of at least 450m<sup>2</sup> but less than 900m<sup>2</sup> and any attached garage is set back a minimum of 1 metre behind the front of the dwelling; or</p> <p>A front setback of 6.5 metres applies, if the lot has an area of at least 900m<sup>2</sup> but less than 1500m<sup>2</sup>; or</p> <p>A front setback of 10 metres, if the lot has an area of 1500m<sup>2</sup> or greater.</p>	Not applicable.
<b>2.2 Side setbacks</b>	
All buildings will be set back 3 metres from side street (secondary street) boundaries;	Not applicable.
Side boundary setbacks for all dwellings shall comply with the Building Code of Australia;	Not applicable.
An attached or unattached carport, awning or the like adjacent to a boundary must comply with the provisions of the Building Code of Australia; and	Not applicable.

Development Control	Comments
<p>All enclosed outbuildings are to be erected a minimum of 900mm from side boundaries (except secondary road frontages) with the exception of brick walls which may be erected up to the side boundary provided that this wall does not contain any windows/doors, etc. and if, in the opinion of Council, it does not affect the amenity of the adjoining property.</p> <p>A clearance of 1 metre is to be maintained from rear boundaries.</p>	<p>Complies. Side boundary setback 1.5 metres.</p> <p>Complies. Rear boundary setback 1.5 metres.</p>
<b>3. Filling of lots</b>	
<p>Fill must not contribute to unreasonable impacts on amenity or the redirection of water onto adjoining properties; and</p> <p>Any fill used must be certified Virgin Excavated Natural Materials, certified Excavated Natural Material or uncontaminated engineered fill.</p>	<p>The site is relatively flat and a negligible amount of fill is required.</p> <p>Noted.</p>
<b>4. Sheds in village areas</b>	
<p>Development control</p> <p>Sheds must not be used as places of temporary accommodation;</p> <p>Sheds must be sheeted with prefinished steel walls (e.g. Colorbond), or have walls painted to a professional standard;</p> <p>The height of sheds is to be a maximum of 3.1 metres, measured from the surrounding finished ground level to the top of the gutter, and 4.5 metres, measured from the surrounding finished ground level to the highest point of the shed;</p> <p>The maximum roof pitch is to be 22 degrees;</p>	<p>Noted.</p> <p>Complies.</p> <p>Does not comply.</p> <p>The proposed height of the shed to the top of the gutter is 4.1 metres and to the height of the shed is 5.17m.</p> <p>Variations of up to 25% (<math>3.1 \times 1.25 = 3.875\text{m}</math> &amp; <math>4.5 \times 1.25 = 5.625\text{m}</math>) can be approved under delegation, as resolved at the Council meeting 21/9/2020 (Resolution 189/20).</p> <p><i>RESOLVED on the motion of Crs Verdon and Sharp that Council delegates to the General Manager the authority to determine applications where:</i></p> <p><i>a) a variation less than 25% of the restrictions set in the Lockhart Shire Development Control Plan 2016 are proposed, and</i></p> <p><i>b) no public objections were received.</i></p> <p>The proposed development is considered to be satisfactory.</p> <p>Complies. Roof pitch 11 degrees.</p>

Development Control	Comments
<p>While no maximum floor area is stipulated, it should be borne in mind that these sheds are for uses associated directly with a single dwelling house. These uses include the storage of motor vehicles, recreational equipment, gardening equipment, and the like. The use of such sheds for commercial or industrial use is not permitted under this policy without the separate specific written consent of Council;</p> <p>Facilities which may be provided in sheds are toilets and associated wash basins; and showers may be approved with Council authority. No cooking facilities may be installed; and</p> <p>Any applications to Council for sheds outside the provisions of this Chapter will be referred to Council for determination.</p>	<p>Noted.</p> <p>The owners have indicated that the shed is to be used for storage and maintenance of motor vehicles.</p> <p>A condition will be included in the consent.</p> <p>Not applicable.</p> <p>Variations of up to 25% can be approved under delegation, as resolved at the Council meeting 21/9/2020 (Resolution 189/20).</p> <p><i>RESOLVED on the motion of Crs Verdon and Sharp that Council delegates to the General Manager the authority to determine applications where:</i></p> <p><i>a) a variation less than 25% of the restrictions set in the Lockhart Shire Development Control Plan 2016 are proposed, and</i></p> <p><i>b) no public objections were received.</i></p> <p>That is, the following variations can be approved under delegation;</p> <ul style="list-style-type: none"> <li>• Wall height to the gutter 3.1m x 1.25 = 3.875m</li> <li>• Overall shed height to the ridge 4.5m x 1.25 = 5.625m</li> </ul> <p>That is, the overall shed height could be approved under the delegation granted by Council</p>

It is noted that variations of up to 25% can be approved under delegation, as resolved at the Council meeting 21/9/2020 (Resolution 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.*

That is, the overall shed height (5.17 metres) could be approved under the delegation granted by Council, as it is a 15% variation.

However, the height of the shed, measured from the surrounding finished ground level to the top of the gutter (4.1 metres), is required to be referred to Council for determination, as it is a 32% variation.

The applicant has submitted an application for variation of the development control plan. They have provided the following justification as to why the relevant development control is unreasonable:

*“We plan to install a mezzanine level for storage later on. Also a car hoist to work on our vehicles as hubby is a mechanic by trade”.*

The bulk and scale of the proposed shed is not considered to generate significant impacts for the neighbouring properties. The subject site is relatively large (2,023m<sup>2</sup>) for a residential property and the scale of the proposed shed is consistent with the existing dwelling and other development in the locality.

The proposed development is not considered to generate negative impacts on the natural or built environments.

The proposed development is considered to satisfactorily meet the objectives of the DCP chapter for Residential and Village Development.

- Provide guidance for the development of residential dwellings and sheds on land zoned RU5 Village within Lockhart Shire;
- Support the efficient use of residential land; and
- Set appropriate guidelines for building setbacks, sheds and fencing to ensure development positively responds to the character of existing villages.

The development application was notified to the adjacent properties and Council did not receive any submissions.

The other sections of the DCP that are of relevance to the proposed development include:

#### **Engineering Standards**

The proposed development is considered to satisfactorily address Council's engineering standards relating to vehicular access and stormwater management.

#### **Erosion and Sediment Control**

A condition will be included in the consent requiring appropriate erosion and sediment controls during construction.

#### **Notification of Development Applications**

The application was notified to the property owners adjacent to the subject site. No submissions 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

The development application has been assessed in accordance with the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposed development requires the approval by Council of a variation to the Lockhart Development Control Plan 2016.

#### Budget and Financial Aspects

Nil.

#### Attachment

- Attachment A - Site plan, floor plan & elevations
- Attachment B - Draft Schedule of Conditions

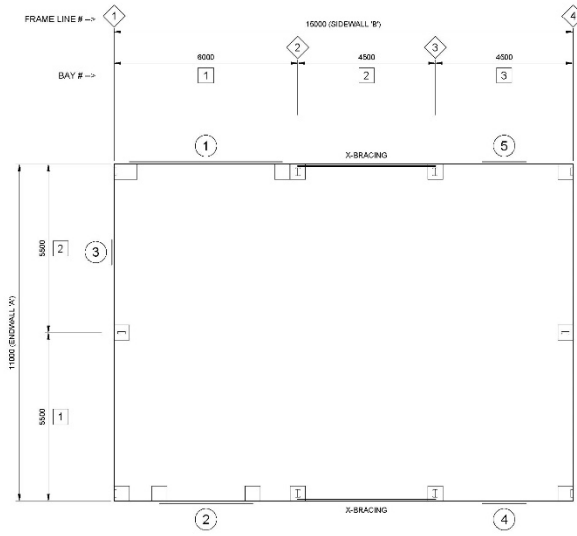
**Recommendation:** That Council support the requested variation to the Lockhart Development Control Plan 2016 and grant consent to Development Application DA56/22, for a "Shed" at 29-31 Urana Street, The Rock (Lot 3 DP1106869), subject to compliance with the conditions set out in the Draft Schedule of Conditions.

[Skip to Next Item](#)

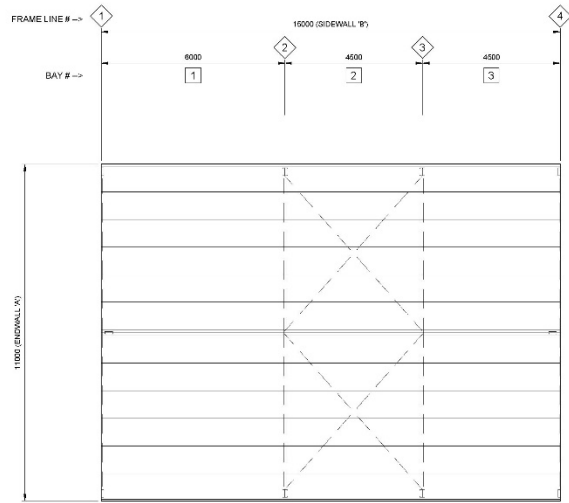




**Lockhart Shire Council  
Ordinary Meeting – 19 April 2022**



**1 FLOOR PLAN**  
SCALE: 1:100



**2 ROOF FRAMING PLAN**  
SCALE: 1:100

 <p>151 Smeaton Grange Road, Smeaton Grange, NSW, 2967 Phone: 02 4848 7777 Fax: 02 4848 7700 Email: sales@bestsheds.com.au</p>	<p><b>CIVIL &amp; STRUCTURAL ENGINEERS</b> DOMESTIC - INDUSTRIAL - AGRICULTURAL - COMMERCIAL - SPECIALIST <b>EMERALD</b> CAMILLO PINEDA MORENO 2022 REGISTRATION NO. 100158217 10.01.2022</p>	<p>Customer Name: CRAIG IMBER Site Address: 29 Urana Street The Rock, NSW, 2655</p>	<p>DATE: 10-01-2022 JOB NO: 0716791334 SHEET: 4 of 6</p>
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## Item 4: Attachment B – Draft Schedule of Conditions

### DA56/22 – 29-31 URANA STREET, THE ROCK

#### 1) APPROVED DOCUMENTATION

The development is to be implemented in accordance with the plans and supporting documents set out in the following table except, where modified by any conditions of this consent.

Document Type	Plan No/Reference	Provided by	Dated
Site plan	29-31 Urana St	Applicant	Nil
Elevations	0716761334 Sheet 2 of 6	Emerald Engineering	10.1.2022
Floor Plan	0716761334 Sheet 4 of 6	Emerald Engineering	10.1.2022

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

#### 2) INSPECTIONS: CLASS 1 or 10 BUILDINGS

The following inspections are required. A Minimum of 48 hours' notice is to be given to Council or a registered certifier prior to each inspection:

- a) before any concrete footings, piers, or reinforced concrete slabs are poured
- b) prior to the covering of the frame to floor, wall or roof;
- c) prior to covering any stormwater drainage;
- d) on completion of the building and prior to any use or occupation (first check that all inspections and conditions listed below have all been completed).

Bookings are to be confirmed by council staff by phone or email. Please note that failure to comply with this condition may prevent the issue of an Occupation Certificate.

Reason: To ensure compliance with Clause 162A of the Environmental Planning and Assessment Regulation 2000, associated legislation and Council requirements.

#### 3) COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or Complying Development Certificate was made). This provision applies irrespective of the details contained in or omitted from the plans and specifications.

REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000 and Section 4.17(11) of the Environmental Planning and Assessment Act 1979.

#### 4) RESIDENTIAL BUILDING WORK

Building work (within the meaning of the Home Building Act 1989) must not be carried out unless the Principal Certifier for the development:

in the case of work done by a licensee under the Act:

- (i) has been informed in writing of the licensee's name and contractor license number, and
- (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, OR

in the case of work to be done by any other person:

- (i) has been informed in writing of the person's name and owner-builder permit number, or
- (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Act, and, is given appropriate information and declarations under paragraphs a) and b) whenever arrangements

for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either a) or b).

NOTE: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the person is the holder of an insurance policy is sufficient evidence to satisfy this condition.

REASON: To ensure the development complies with the requirements of Clause 98 and 98B of the Environmental Planning and Assessment Regulations 2000 and Section 4.17(11) of the Environmental Planning and Assessment Act 1979.

**5) LONG SERVICE LEVY**

The long service levy is payable prior to the commencement of building works.

All approving authorities have obligations under the Building & Construction Industry Long Service Payments Act 1986 and / or the Environmental Planning and Assessment Act 1979 to ensure that the correct levies are paid prior to issuing any approvals allowing work to commence.

The levy is calculated at 0.35% of the GST inclusive value of works. Evidence of payment is to be provided to Council prior to issuing a Construction Certificate.

**6) TOILET FACILITIES (PRIOR TO ANY WORK ON SITE)**

Prior to works commencing on site, toilet facilities must be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a) standard flushing toilet connected to a public sewer, or
- b) if that is not practicable, an accredited sewage management facility approved by Council, or
- c) if that is not practicable, any other sewage management facility approved by Council.

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced and the toilet facility must not be removed without the prior approval of Council.

NOTE 2: 'Vicinity' in this condition is defined to mean within 50 metres of the subject building site.

NOTE 3: The toilet facilities are to comply with all WORK COVER NSW requirements.

**7) SIGNS TO BE ERECTED ON ALL BUILDING AND DEMOLITION SITES**

Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out stating:

that unauthorised entry to the site is prohibited;

- a) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours, and
- b) the development consent or complying development consent number, the name and contact details of the Principal Certifier.

Any sign must be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) building work carried out inside an existing building, or
- b) building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.

REASON: To ensure the development complies with the requirements imposed under Clause 98A of the Environmental Planning and Assessment Regulations 2000 and Section 4.17(11) of the Environmental Planning and Assessment Act 1979.

**8) NOTICE OF COMMENCEMENT OF WORKS**

At least two (2) days prior to the commencement of any works, notice of commencement of building or subdivision works is to be provided to Council and, in the event of a private certifier, the principal certifier.

REASON: To ensure the development complies with the requirements of Section 6.6 of the Environmental Planning and Assessment Act 1979.

**9) SITE DIMENSIONS AND MEASUREMENTS**

It is the responsibility of the owner of the land to ensure that all site dimensions and measurements are accurate.

**10) APPROVED PLANS NOT TO BE DEPARTED FROM**

The approved plans and specifications shall not be departed from in any way, unless approval is first obtained from Council. Applications to amend such plans and specifications must be submitted in writing to the General Manager. Any alterations or additions marked by Council on the approved plans and/or the specifications must be carried into effect.

**11) HOURS OF WORK**

No building work, or related activities, shall commence on the site before 7:00 am Monday to Saturday and 8:00 am Sundays. All building work is to be completed, and no further development-related activities permitted after 8pm on any given day.

**12) ADVERSE EFFECTS**

The development is to be carried out in a manner so as not to cause any adverse effects or interfere with the amenity of the neighbourhood by way of smoke, fumes, exhausts, dust, noise or the like.

**13) PROTECTION TO COUNCIL'S ASSET**

The applicant shall ensure that suitable protection is given to the Council's assets, including paving, to ensure no damage is incurred during activities on the site. The applicant shall be responsible for any re-instatement costs incurred.

**14) EROSION & SEDIMENT CONTROL**

Prior to commencement of works erosion & sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. Such measures are to remain in place until the project has been completed and the land suitably rehabilitated and stabilised.

**15) BUILDING DEBRIS**

Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be wind-blown. All building debris and rubbish shall be removed to an approved waste disposal facility.

**16) STORMWATER DRAINAGE**

Roof water from the proposed building and any rainwater tank overflow must be piped and discharged to the Urana Street drainage channel.

**17) PLUMBING AND DRAINAGE WORK (PRIOR TO COMMENCEMENT)**

Prior to commencement of plumbing and drainage work, the applicant shall apply for and gain approval from Council under s68 of the Local Government Act 1993 for connection to sewer and stormwater drainage. Applications shall be supported by business and license details of the selected plumbing contractor engaged as part of the development.

**18) CONDITIONS OF OCCUPANCY**

The building must not be used or occupied prior to:

- a) a successful final inspection; and
- b) the issue of an Occupation Certificate by the Principal Certifier.

**19) OCCUPATION OF OUTBUILDINGS (CLASS 10a)**

The shed must not be used or adapted for use for residential occupation, commercial or industrial purposes. The structure has been classified as a Class 10a building. Any use that is not compatible with this classification will require a specific Development Application to be lodged and consent issued for that alternate use.

**END OF CONDITIONS**

## STRATEGIC DIRECTION E: Strong Leadership and Governance

### 5. INVESTMENT AND BANK BALANCES REPORT – 31 MARCH 2022

(DCCS: 22/4640)

#### 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>		1,610,387.84
Add: Total Receipts		
	Rates	111,970.06
	Debtors	11,899.86
	Miscellaneous	72,529.46
	Interest	658.49
	RRRP - MR370	57,733.74
	RTR - 03/22	323,245.00
	2018-19 FM-0037	331,538.18
	Dept Infrastructure - Stage 1 BET Final Payment	100,000.00
	Environmental Trust - Organic Processing Facility Grant	13,240.00
	Australia Day 2022 - Covid Safe Grant	4,400.00
	NSW Youth Week Grant 2022	3,644.30
		1,030,859.09
Less: Total Payments		1,826,670.69
	New Investments	0
<b>Closing Combined Cashbook Balance</b>		<b>814,576.24</b>
<b>Closing Bank Statement Balance</b>	Bendigo Bank	299,276.11
	Macquarie Bank	483,385.64
	Bendigo Bank-Prichard Trust	31,662.38
		814,324.13
Add: Outstanding Deposits		4,281.51
		818,605.64
Less: Outstanding Cheques		4,029.40
<b>Closing Combined Cashbook Balance</b>		<b>814,576.24</b>
<b>Investments:</b>	<b>Interest Rate per Annum</b>	<b>Amount Invested</b>
		<b>% of Total</b>
Bendigo	at call	100,000.00
		1.74
Bendigo	0.15	400,000.00
		6.96
Commonwealth	0.33	500,000.00
		8.70
Commonwealth	0.32	250,000.00
		4.35
Commonwealth	0.32	500,000.00
		8.70
Commonwealth	0.29	500,000.00
		8.70
MACQUARIE BANK	0.45	500,000.00
		8.70
MACQUARIE BANK	0.45	500,000.00
		8.70
NAB	0.40	500,000.00
		8.70
NAB	0.48	500,000.00
		8.70
NAB	0.42	500,000.00
		8.70
T Corp	at call	1,000,000.00
		17.39
		<b>5,750,000.00</b>
		<b>100.00</b>
		<b>AMOUNT</b>
General (PTD)	1490-3000-0000	-1,609,460.80
Combined Sewerage	8490-3000-0000	2,392,374.66
Trust Fund	9991-3000-0000	31,662.38
		814,576.24
		<b>814,576.24</b>
	<b>TOTAL FUNDS HELD ARE:</b>	<b>6,564,576.24</b>

#### 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 2021/22 Operational Budget has forecast a total of \$33,750 income from interest on investments for General Fund & Sewer Fund combined. For the period of July 2021 to March 2022, the average end of month balance of funds invested has been \$5.92 million and the average return on invested funds has been 0.27%. On these year to date figures, Council's budgeted income on investments will be under budget for the General Fund and Sewer Fund.

The interest on investments has been adjusted for the first Quarterly Budget Reviews to reflect reduction in income from this source.

A further adjustment will be made for the third 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 March 2022 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

## **6. POLICY 1.4 – CODE OF CONDUCT**

**(GM: 22/3976)**

#### Executive Summary

Pursuant to Section 440 (7) of the Local Government Act a council must, within 12 months after each ordinary election, review its adopted code of conduct and make such adjustments as it considers appropriate and as are consistent with this section.

#### Report

The Local Government (General) Regulation may prescribe a Model Code of Conduct applicable to councillors, members of staff and delegates of councils. Council must adopt a code of conduct that incorporates the provisions of the Model Code.

Councils may include provisions that are supplementary to those contained in the Model Code of Conduct and Procedures. Councils may also impose more onerous requirements under their adopted codes of conduct than those prescribed under the Model Code of Conduct. However, councils must not dilute the standards prescribed under the Model Code of Conduct in their adopted codes of conduct.

Council last reviewed its Code of Conduct in September 2020, when it resolved to adopt the Model Code of Conduct prescribed by the Regulation on 7 August 2020 a copy of which has previously been made available to Councillors.

Training in the Code of Conduct has been arranged for Monday, 2 May 2022.

#### 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 and must review its adopted Code of Conduct within 12 months of an ordinary election.

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 adopt the Model Code of Conduct prescribed by the Local Government (General) Regulation on 7 August 2020 as its adopted Code of Conduct.

**7. RETURNS DISCLOSING INTERESTS OF COUNCILLORS AND DESIGNATED PERSONS**  
**(GM: 22/3962)**

Executive Summary

The Register of returns disclosing interests by councillors and designated persons is tabled in accordance with Section 440AAB of the Local Government Act.

Report

Pursuant to Clause 4.21 of the Code of Conduct a councillor or designated person must make and lodge with the general manager a return in the form set out in Schedule 2 of the Code, disclosing the councillor's or designated person's interests as specified in Schedule 1 to the Code within three months after becoming a councillor or designated person, and annually thereafter by 30 September each year.

Returns required to be lodged with the general manager must be tabled at the first Council meeting held after the last day for lodgement.

The returns lodged by Councillors have been recorded in the Register and the Register will be tabled at the meeting in accordance with the Local Government Act.

Integrated Planning and Reporting Reference

E1: Meet all governance and regulatory requirements in the conduct of council's operation.

Legislative Policy & Planning Implications

Section 440AAB states that the general manager must keep a register of returns disclosing interests that are required to be lodged with the general manager under a code of conduct. Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgement.

Councillors' and designated persons' returns of interests are prescribed as open access information for local government under Schedule 1 to the *Government Information (Public Access) Regulation 2018*.

Budget & Financial Aspects

Nil.

Attachments

The Register of Disclosure of Interests Returns will be tabled at the meeting.

**Recommendation:** That the tabling of the Register of Disclosure of Interests Returns be noted.

**8. POLICY 1.20 – RELATED PARTY DISCLOSURES**  
**(GM: 21/15684)**

Executive Summary

"Policy 1.20 Related Party Disclosures" is tabled for review.

Report

The Australian Accounting Standards Board determined that, from 1 July 2016, Accounting Standard "AASB 124 Related Party Disclosures" will apply to government entities, including local governments.

This means that, in the annual financial statements, councils must disclose related party relationships, transactions and outstanding balances, including commitments.

At the time that AASB 124 first became applicable to local government, councils were required to have systems in place to identify related parties and capture transactions. To this end "Policy 1.20 Related Party Disclosures", was developed and adopted by Council. The Policy is now tabled for review.

In order to comply with AASB 124 the Policy defines the Council's Key Management Personnel (KMP) i.e. "those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly".

Council's current Policy identifies KMP to include the following:

- 1) Mayor
- 2) Councillors
- 3) General Manager
- 4) Director Engineering and Environmental Services
- 5) Director Corporate and Community Services
- 6) Manager Environmental Services

This means that any transactions between Council and these abovementioned parties, whether monetary or otherwise, will need to be identified and may need to be disclosed in Councils' financial statements. This information will be audited as part of the annual external audit.

Types of Transactions can include:

- a) purchases or sales of goods (finished or unfinished)
- b) purchases or sales of property and other assets
- c) rendering or receiving of services
- d) leases

Transactions in the form of compensation to key management personnel is also required to be disclosed e.g.:

- a) short-term employee benefits
- b) post-employment benefits
- c) other long-term benefits
- d) termination benefits

Non-material transactions, including those transactions available to all members of the public on the same terms, are exempt from the requirement to disclose.

As a result of reviewing the Policy it is proposed to remove the position of Manager of Environmental Services from the list of KMP as the position title no longer exists in the organisation structure and the replacement position is not considered to be at the same level as the other senior staff referred to in the Policy.

No other changes are proposed as part of this review. A copy of the revised Policy is attached.

#### Integrated Planning and Reporting Reference

E1: Meet all governance and regulatory requirements in the conduct of council's operation.

#### Legislative Policy & Planning Implications

Any transactions between Council and related parties as defined in Council's Policy, whether monetary or otherwise, will need to be identified and may need to be disclosed in Council's financial statements.

#### Budget & Financial Aspects

Not applicable.

#### Attachments

Policy 1.20 Related Party Disclosures

**Recommendation:** That Policy No. 1.20 Related Party Disclosures, as presented, be adopted.

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## Item 8: Attachment – Policy 1.20 Related Party Disclosures

### 1.20 Related Party Disclosures

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POLICY TITLE: RELATED PARTY DISCLOSURES

FILE REF: SC67

EXPIRY DATE: APRIL 2025

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#### 1. OBJECTIVES

From 1 July 2016, Council is required to disclose Related Party Relationships and Key Management Personnel (KMP) compensation in its Annual Financial Statements.

The purpose of this Policy is to define the parameters for Related Party Relationships and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124 - Related Party Disclosures.

#### 2. DEFINITIONS

**"Act"**: means the Local Government Act 1993.

**"AASB 124"**: means the Australian Accounting Standards Board, Related Party Disclosures Standard.

**"Close family members" of a person**: are those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council and include:

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

Refer also Section 11 Procedures.

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

**"Key Management Personnel (KMP)"**: - as defined in Section 5 of this Policy.

**"KMP Compensation"**: means all forms of consideration paid, payable, or provided in exchange for services provided, and may include:

- Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees;
- Post-employment benefits such as pensions, other retirement benefits, postemployment life insurance and post-employment medical care;
- Other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit sharing, bonuses and deferred compensation; and
- Termination benefits.

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

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

**“Possible (Possibly) Close Family Members** of a person”: are those family members who could be expected to influence, or be influenced by, that person in their dealings with the Council and include:

- a) that person’s brothers' and sisters’;
- b) aunts, uncles, and cousins of that person’s spouse or domestic partner;
- c) dependents of those persons' or that person’s spouse or domestic partner as stated in (b); and
- d) that person's or that person's spouse or domestic partners', parents' and grandparents.

Refer also Section 11 Procedures.

**“Related Party”**: defined in Section 6 of this Policy.

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

**“Regulation”**: - means the Local Government (General) Regulation 2005

**“Significant”**: (significance) means likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/ taxpayer relationship.

**“Remuneration”**: means remuneration package and includes any money, consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a related party transaction.

### 3. RELATED LEGISLATION AND DOCUMENTS

- Australian Accounting Standard AASB124 related party disclosures (AASB124)
- Australian Accounting Standard AASB10 consolidated financial statements (AASB10)
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Council Code of Conduct Policy.

### 4. POLICY STATEMENT

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

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

A Related Party relationship could influence the normal business operations of Council even if Related Party Transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties. Alternatively, one party may refrain from trading with Council because of the significant influence of another—for example, a local supplier may be instructed by its parent not to engage in supplying goods to Council.

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

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

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

- significance in terms of size;
- was it carried out on non-market terms;

- is it outside normal day-to-day council operations;
- was it subject to council approval;
- did it provide a financial benefit not available to the general public;
- was the transaction likely to influence decisions of users of the Annual Financial Statements.

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

To enable Council to comply with AASB 124 Council's KMP, as defined in Section 5 of this Policy, are required to declare details of any Related Parties and Related Party Transactions. Such information will be retained and reported, where necessary, in Council's Annual Financial Statements.

#### 5. KEY MANAGEMENT PERSONNEL (KMP)

AASB 124 defines KMP's as "those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly".

For Council's purposes and the purposes of this Policy KMP's are considered to include:

- 1) Mayor
- 2) Councillors
- 3) General Manager
- 4) Director Engineering and Environmental Services
- 5) Director Corporate and Community Services

#### 6. IDENTIFICATION OF RELATED PARTIES

A related party is a person or entity that is related to the entity that is preparing its financial statements.

For Council's purposes and the purposes of this Policy, related parties of Council are:

- a) Entities related to Council;
- b) Key Management Personnel (KMP) of Council
- c) Close family members of KMP;
- d) Possible close family members of KMP's; and
- e) Entities or persons that are controlled or jointly controlled by KMP, or their close family members, or their possible close family members.

Also a person or entity is a related party of Council if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- they are an associate or belong to a joint venture of which Council is part of;
- they and Council are joint ventures of the same third party;
- they are part of a joint venture of a third party and council is an associate of the third party;
- they are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council;
- they are controlled or jointly controlled by Close members of the family of a person;
- they are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council; or
- they or any member of a group of which they are a part, provide KMP services to Council.

#### 7. RELATED PARTY TRANSACTIONS

All transactions between Council and related parties, whether monetary or not, are required to be identified. Such transactions may include:

- Purchase or sale of goods
- Purchase or sale of property and other assets

- Rendering or receiving services
- Leases
- transfers of research and development
- transfers under licence agreements
- transfers under finance arrangements (including loans and equity contributions in cash or in kind)
- provision of guarantees or collateral
- commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised)
- Quotations and/or tenders
- Commitments; and
- Settlements of liabilities on behalf of Council or by Council on behalf of the related party.

#### 8. EXEMPTIONS

Related party transactions excluded from disclosure requirements on the basis of Ordinary Citizen Transactions are;

- Any valid discounts and fee waivers that are available to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance, and
- Any service or benefit occurring within normal employee, customer or supplier relationships and at arm's length; and
- are not material or significant;

#### 9. DISCLOSURES

Council must disclose all material and significant Related Party Transactions in its annual financial statements and include the following detail:

- a) The nature of the related party relationship; and
- b) Relevant information about the transactions including:
  - (i) The amount of the transaction
  - (ii) The amount of outstanding balances, including commitments
  - (iii) Provision for doubtful debts related to the amount of outstanding balances; and
  - (iv) The expense recognised during the period in respect of bad or doubtful debts due from related parties.

#### 10. MATERIALITY

Materiality thresholds are reviewed annually as part of the audit process and reported related party disclosures will be in compliance with the framework of the Australian Accounting Standard AASB124 and other relevant standards, as required.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- Significance of transaction in terms of size
- Whether the transaction was carried out on non-market terms
- Whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets
- Whether the transaction is disclosed to regulatory or supervisory authorities
- Whether the transaction has been reported to senior management; and
- Whether the transaction was subject to Council approval.

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

#### 11. PROCEDURES

The method for identifying the close family members, possible close family members and associated entities of KMP will be by KMP self-assessment. KMP have an ongoing responsibility to advise Council immediately of any Related Party Transactions.

The preferred method of reporting is for KMP to provide details of Related Parties and Related Party Transactions to the Director Corporate and Community Services.

Information provided will be reviewed in accordance with the Council's operational requirements and held on a centralised register.

Should a KMP have any uncertainty as to whether a transaction may constitute a related party transaction, they should contact the Director Corporate and Community Services for clarification.

## 12. PRIVACY

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

## 13. POLICY REVIEW

This policy will be reviewed when any of the following occur:

- a change of Councillors, General Manager or other KMP
- organisation restructure
- the related legislation/documents are amended or replaced
- other circumstances as determined from time to time by a resolution of Council; and
- changes to the Local Government Code of Accounting Practice and Financial Reporting.

## 14. TRAINING AND COMMUNICATION

This Policy will be provided to KMP in the initial awareness raising and data collection and as part of new Councillor inductions.

Internal training on supporting this Policy shall be scheduled as required.

*Adopted by Council – 19 April 2022  
Refer Minute No. xxx/22*

*Adopted by Council – 15 June 2020  
Refer Minute No. 115/20*

*Adopted by Council – 19 June 2017  
Refer Minute No. 149/17*

**9. POLICY 1.1 – PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS**

**(GM: 22/1261)**

Executive Summary

Policy 1.1 regarding the payment of expenses and the provision of facilities to the mayor and councillors is presented for adoption by Council.

Report

Section 252 of the Local Government Act 1993 provides that within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.

Pursuant to section 253 of the Act a council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.

Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.

Council at its meeting held on 21 March 2022 resolved to give public notice of its intention to reaffirm the existing Policy 1.1 regarding the payment of expenses and provision of facilities to the mayor and councillors.

Public notice was given in accordance with Council's resolution and no submissions have been received.

Integrated Planning and Reporting Reference

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

E1: Promote the increased participation of local people in local government and the community.

Legislative Policy & Planning Implications

Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor and the other councillors in relation to discharging the functions of civic office.

The policy may provide for fees payable under to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.

A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor or a councillor otherwise than in accordance with a policy under this section.

A council may from time to time amend the policy.

Budget & Financial Aspects

Council's 2021/22 Budget makes provision for the payment of expenses and provision of facilities to the mayor and councillors in accordance with the existing Policy.

Attachments

Nil.

**Recommendation:** That Policy 1.1 regarding the payment of expenses and provision of facilities to the mayor and councillors, as publicly exhibited, be adopted.

**10. POLICY 1.11 – SECTION 355 COMMITTEES**

**(GM: 22/1269)**

Executive Summary

Policy 1.11 Section 355 Committees has been publicly exhibited for a period of 28 days and is now presented for adoption by Council.

Report

As part of the ongoing process of reviewing Council's policies, Policy 1.11 Section 355 Committees has been reviewed.

Council, at its meeting held on 21 March 2021 resolved that the revised Policy be placed on public exhibition for a period of 28 days and any submissions received be considered by Council prior to adoption of the Policy.

No submissions have been received and the Policy is now tabled for adoption by Council.

#### 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.
- A1: Within financial means support and fund section 355 committees to manage and maintain council facilities.

#### Legislative Policy & Planning Implications

Committees are established by a resolution of Council pursuant to section 355 of the Local Government Act. The Council may dissolve any such Committee at any time.

Each such appointment and delegation is to be reviewed in the first twelve months of each term of office. Committees are able to be re-established.

Once a committee is established by a Council resolution, the Council may, pursuant to section 377 of the Local Government Act, delegate certain functions to that committee.

#### Budget & Financial Aspects

The 2021/22 Budget makes provision for financial support to be provided to those section 355 management committees that manage a council facility.

#### Attachments

- Policy 1.11 Section 355 Committees.

#### **Recommendation:** That:

- a) Policy 1.11 Section 355 Committees, as presented, be adopted
- b) Pursuant to section 355 of the Local Government Act Council hereby establish the management committees listed in Schedule 1 of the Policy.
- c) Pursuant to section 377 of the Local Government Act Council extend to the Committees the delegation listed in Schedule 1 of the Policy respectively.

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## Item 10: Attachment – Policy 1.11 Section 355 Committees

### 1.11 Section 355 Committees

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POLICY TITLE: SECTION 355 COMMITTEE FUNCTIONS

FILE REF: SC62

REVIEW DATE: APRIL 2024

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#### OBJECTIVES

To recognise and define the establishment and function of Section 355 Committees within Lockhart Shire.

#### POLICY STATEMENT

A Section.355 Committee is a Council-approved committee of volunteers who accept the responsibility for the carrying out of a Council function or the management of a Council-owned community facility in the Shire.

#### LEGISLATIVE CONTEXT

##### Establishment

Committees are established by a resolution of Council pursuant to section 355 of the Local Government Act. Section 355 states that:

*“A function of a council may, subject to this Chapter, be exercised:*

*(a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or*

*(b) by a committee of the council, or...”*

The Council may dissolve any such Committee at any time.

Each such appointment and delegation is to be reviewed in the first twelve months of each term of office. Committees are able to be re-established.

##### Delegation of Function

Once a committee is established by a Council resolution, the Council may, pursuant to section 377 of the Local Government Act, delegate certain functions to that committee. Section 377 states that:

*(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following...”*

Community based committees provide a mechanism by which interested persons can have an active role in the provision/management of Council facilities or services. This provides a twofold benefit by giving protection to the committee operating under the banner of Council, and by providing Council with assistance in the carrying out of its functions by being able to tap into resources available in the community.

#### LIMITATION OF POWERS

Committee established pursuant to Section 355 may not make decisions concerning the following:

- (a) Borrowing of any monies without the express written consent of Council on each such occasion.
- (b) The sale, lease or surrender of any land and or other property vested in its care under the provisions of the Local Government Act 1993 (as amended).
- (c) The acceptance of tenders which are required to be called by Council (Tenders over the value of \$150,000.00). The committee may invite and accept quotations for minor works, goods and services covered within the scope of its authority or as agreed with Council.
- (d) The payment or making of any gift, to its members. This includes the payment of allowances or travelling expenses incurred whilst attending committee meetings.
- (e) The payment of any monies outside the scope of the committee's function.



- (f) The carrying out of any works on or to the facility including alterations, reconstructions or construction without the prior consent of Council. (This does not include minor maintenance works.)
- (g) Unreasonably withholding consent for the letting of the facility to any organisation which agrees to comply with and adhere to the rules adopted for use of the facility, providing an acceptable letting period is available.
- (h) Vote monies for expenditure on the works, services or operations of Council.

The exercise by the committee of its power and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the committee. The committee will observe any Rules and Regulations made by the Council, in relation to the facility/function under its management and control. If at any time the committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the committee signed by the General Manager or his/her representative.

#### FINANCIAL ASSISTANCE

Council will provide financial assistance in the form of an annual subsidy to those section 355 committees which have been delegated care, control and management of a Council facility e.g. recreation ground, public hall etc.

The amount of the subsidy will be reviewed annually in conjunction with the adoption of the Annual Operational Plan and Budget.

Any requests for financial assistance in addition to the annual subsidy received from section 355 committees will be referred to Council for determination in accordance with section 356 of the Local Government Act 1993.

#### PROCEDURE MANUAL

Council shall prepare a Procedures Manual for Section 355 Committees to provide comprehensive guidelines for Committee to follow. The Manual may include, but not be limited to, provisions relating to the code of conduct, accountability and transparency, meeting practice, financial arrangements, keeping of records and the like.

#### SCHEDULE OF SECTION 355 COMMITTEES

The Committees hereby established by Council pursuant to section 355 of the Local Government Act, and the authority delegation to the respective Committees, are listed in Schedule 1 of the Policy.

**SCHEDULE 1**

SECTION 355 COMMITTEES AND DELEGATIONS

COMMITTEE	DELEGATION
Bidgeemia Hall Management Committee	Care, control and management of Bidgeemia Hall
Lockhart and District Historical Society	Care, control and management of the Dorothy Golder Museum.
Lockhart Recreation Ground Management Committee	Care, control and management of Lockhart Recreation Ground
Lockhart Showground and Racecourse Management Committee	Care, control and management of Lockhart Showground and Racecourse
Magnolia Lodge Tenancy Advisory Committee	Determine applications from prospective tenants for occupancy of the Magnolia Lodge units.
Milbrulong Hall Management Committee	Care, control and management of Milbrulong Hall
Osborne Recreation Ground Management Committee	Care, control and management of Osborne Recreation Ground
Pleasant Hills Hall Management Committee	Care, control and management of Pleasant Hills Hall
Pleasant Hills Recreation Ground Committee	Care, control and management of Pleasant Hills Recreation Ground
The Rock Hall Management Committee	Care, control and management of The Rock Hall
The Rock Observatory Management Committee	Care, control and management of The Rock astronomical observatory.
The Rock Recreation Ground Management Committee	Care, control and management of The Rock Recreation Ground and the community meeting space and gym at the Rock Swimming Pool Amenities Building.
The Rock Showground and Racecourse Management Committee	Care, control and management of The Reserve for Showground and Racecourse at The Rock.
Tootool Recreation Reserve Management Committee	Care, control and management of Tootool Recreation Reserve
Tootool Roadside Rest Stop Management Committee	Care control and management of the Tootool Roadside and Rest Stop and associated facilities.
Tourism and Economic Development Steering Committee	Provide advice and make recommendations to Council in relation to tourism and economic development matters.
Yerong Creek Hall Management Committee	Care, control and management of Yerong Creek Hall
Yerong Creek Recreation Ground Management Committee	Care, control and management of Yerong Creek Recreation Ground, mowing of roadsides adjacent to the Recreation Ground.

*Adopted by Council – 19 April 2022  
Refer Minute No xxx/22*

*Adopted by Council – 19 November 2018  
Refer Minute No 301/18*

*Adopted by Council – 21 August 2017  
Refer Minute No 185/17*

*Adopted by Council – 20 July 2009  
Refer Minute 247/09*

## 11. SUPERANNUATION PAYMENTS TO COUNCILLORS

(GM: 22/3429)

### Executive Summary

The Local Government Act 1993 has been amended to allow superannuation payments to councillors from 1 July 2022.

### Report

Under the *Commonwealth Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.

However in 2020 the Office of Local Government (OLG) issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments. According to the OLG the release of the discussion paper was prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.

Local Government NSW, the peak body representing councils in NSW, also advocated for the payment of superannuation to councillors.

The Local Government Act 1993 has now been amended to allow superannuation payments to councillors from 1 July 2022. According to section 254B of the Act:

1. A council may make a payment (a "**superannuation contribution payment**") as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.
2. The amount of a superannuation contribution payment is the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the councillor were an employee of the council.
3. A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the councillor.
4. A council is not permitted to make a superannuation contribution payment--
  - a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or
  - b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or
  - c) to the extent the councillor has agreed in writing to forgo or reduce the payment.
5. The Local Government Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a mayor or other councillor.
6. A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.
7. A superannuation contribution payment does not constitute salary for the purposes of any Act.

It is recommended that Council introduce superannuation payments to councillors from 1 July 2022 bearing in mind that:

- The payment of superannuation is supported by Local Government NSW which has advocated for this change.
- The payment of superannuation is consistent with the Community Strategic Plan's objectives i.e. "*promote the increased participation of local people in local government and the community*".
- Annual fees paid to councillors in NSW are generally regarded as being lower than the fees paid to councillors in other jurisdictions, most notably Victoria and Queensland.

### Integrated Planning and Reporting Reference

E1: Promote the increased participation of local people in local government and the community.

Legislative Policy & Planning Implications

As a result of amendments to the Local Government Act councils now have the discretion to introduce superannuation payments to councillors provided the council has passed a resolution at an open meeting to this effect.

Budget & Financial Aspects

As of 1 July 2022, the superannuation guarantee rate will be 10.5%. The rate will increase by half a percent each year until 1 July 2025 when it reaches 12%.

The payment of superannuation to councillors will add approximately \$13,000 to Council's 2022/23 budget.

Attachments

Nil.

**Recommendation:** That Lockhart Shire Council make superannuation contribution payments to its councillors from 1 July 2022.

**12. DRAFT COMMUNITY STRATEGIC PLAN 2022-2032 AND DRAFT DELIVERY PLAN 2022/23 TO 2024/25**

**(GM: 22/3983)**

Executive Summary

The Draft Community Strategic Plan 2022-2032 and the Draft Delivery Plan 2022-2025 have been publicly exhibited and are now tabled for adoption by Council.

Report

All councils in NSW are required to implement the Integrated Planning and Reporting framework (IP&R) outlined in Chapter 13 Part 2 of the Local Government Act to guide their planning and reporting activities. The main components of the IP&R framework are summarised below.

The Community Strategic Plan (CSP) is the highest level of strategic planning undertaken by a council, with a ten-year plus timeframe. All other plans must support achievement of the CSP objectives.

At its meeting held on 21 February 2022 the Council endorsed a draft revised CSP for the ten-year period 2022-2032. The Draft CSP has been publicly exhibited in accordance with Council's resolution and no submissions were received.

Another key component of the framework is the Delivery Plan which contains the strategies and actions Council proposes to pursue to achieve the community's objectives and aspirations as reflected in the CSP. The Delivery Plan is therefore a statement of commitment to the community from the newly elected council.

At its meeting held on 21 March 2022 the Council endorsed a draft Delivery Plan for the next three financial years 2022/23 to 2024/25. The Draft Delivery Plan has been publicly exhibited in accordance with Council's resolution and as at the date of the Business Paper being finalised no submissions had been received.

Having been publicly exhibited, both documents are now being tabled for adoption by Council.

Integrated Planning and Reporting Reference

- E1: Advocate and prepare for the long-term sustainability of our Shire.
- E1: Promote the increased participation of local people in local government and the community.
- E1: Continue to enhance sound financial management policies and practices.
- E1: Continue the development of asset management strategy and plans.
- E1: Meet all governance and regulatory requirements in the conduct of Council operations.

Legislative Policy & Planning Implications

Chapter 13 Part 2 of the Local Government Act outlines the IP&R framework required to be implemented by Council including the preparation of a Community Strategic Plan and Delivery Plan.

It is a requirement of the Act that following an ordinary election of councillors, the Council must review the CSP and establish a new Delivery Plan before 30 June the following year.

Budget & Financial Aspects

A Draft Operational Plan and Budget for the 2022/23 financial year based on the Community Strategic Plan and Delivery Plan will be tabled at the next meeting of Council.

Attachment

The Draft Community Strategic Plan 2022-2032 and Draft Delivery Plan 2022-2025 have been previously distributed to Councillors.

**Recommendation:** That the Community Strategic Plan 2022-2032 and the Delivery Plan 2022-2025, as publicly exhibited be adopted.

## QUESTIONS AND STATEMENTS

## CLOSED SESSION

Nil.