



BUSINESS PAPER

**of the
Ordinary Meeting
Held
15 August 2022**

**COUNCILLOR WORKSHOP TO COMMENCE AT 3.30PM, PRIOR TO
THE ORDINARY MEETING**

**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

Acknowledgement of Country

Lockhart Shire Council acknowledges the traditional custodians of the land, the Wiradjuri people, and pays respect to Elders past, present and future, and extends the respect to all First Nations Peoples in Lockhart Shire.

Statement of Ethical Obligations

In accordance with Clause 3.21 of the Lockhart Shire Council Code of Meeting Practice councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Oath or Affirmation of Office

I will undertake the duties of the office of councillor in the best interests of the people of Lockhart Shire and the Lockhart Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

Webcasting of Council Meetings

Councillors, officers and visitors in the public gallery are advised that, in accordance with Clause 5.33 of the Lockhart Shire Code of Meeting Practice, the proceedings of Council meetings are recorded, and an audio recording of each Council meeting is made available on the Council's website.

ORDER OF BUSINESS

OPENING WITH A PRAYER

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WEBCASTING OF COUNCIL MEETING

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MAYORAL MINUTE

Nil.

REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

To be presented at the meeting.

URGENT MATTERS

Nil.

NOTICE OF MOTION

Nil.

COMMITTEE REPORTS

1. **MINUTES OF THE MEETING OF THE LOCKHART SHIRE COUNCIL AUDIT, RISK AND IMPROVEMENT COMMITTEE HELD AT THE LOCKHART SHIRE COUNCIL OFFICES, AND REMOTELY VIA ZOOM, ON THURSDAY 21 JULY 2022 AT 4.00PM**

(GM: 22/9544)

1. Present

James Davis (Independent Chairperson) – remotely via Zoom
Luke Taberner (Independent Member) - remotely via Zoom

2. In Attendance

Peter Veneris (General Manager) – in person
Craig Fletcher (Director Corporate and Community Services) – in person
Elizabeth Cummings (Internal Auditor) – part meeting only
Danielle McKenzie (Crowe) – part meeting only
Hong Wee Soh (Audit office of NSW) – part meeting only

3. Apologies

Cr Andrew Rockliff (Lockhart Shire Councillor)

4. Confirmation of Minutes

It was **RESOLVED** that the minutes of the meeting held on 27 April 2022, as printed and circulated, be confirmed as a true and correct record of the proceedings of that meeting.

5. Business Arising

Nil.

6. Internal Audit Reports

6.1 Developer Contributions

The Chairperson invited Elizabeth Cummings to present her internal audit report focusing on developer contributions. Ms Cummings provided an outline of her report and, in particular, drew attention to the following:

- Council is by and large applying the legislation appropriately.

- The recommendations contained in the report relate predominantly to matters that should be considered as part of the next review of the Developer Contributions Plan.
- Council should make particular reference in the Plan to the Ministerial Directions issued in respect of Developer Contributions which are aimed at avoiding “double dipping”.

The General Manager noted that the report indicated that Council does not have any development servicing plans and confirmed that Council does in fact have a Sewerage Development Servicing Plan.

Ms Cumming responded that it did not appear to be on Council’s website and if Council does have any development servicing plans it should make sure that they are made available on the website.

It was RESOLVED that the Committee receive the Internal Audit Report and the recommendations contained therein noting that management was in agreement with them.

The Chairperson thanked Mrs Cummings for her report and she departed the meeting at 4.11pm.

6.2 Internal Audit Methodology – Commercial Leases and Property Management

There was general discussion regarding the methodology for the next internal audit and the approach adopted by other Internal Audit Alliance member councils.

It was RESOLVED that the internal audit methodology as circulated be adopted subject to excluding “managing asset maintenance” from the scope of the audit.

7. Interim Audit Update

Danielle McKenzie of Crowe, Council’s external audit contractor to the Audit Office of NSW (AONSW), and Hong Wee Soh of the AONSW joined the meeting at this juncture to provide an update on the 2021/22 interim audit. The following points were noted:

- The interim audit has been completed.
- No new matters have been added to the Audit Management Letter (AML).
- There is one AML matter past its due date relating to a provision for gravel pit remediation however it is expected to be closed out at the final audit.
- The other AML issues carried forward relate to:
 - The recognition of Rural Fire Service (RFS) Assets
 - Related Party Transactions
 - Asset revaluations

The General Manager informed the meeting that a Mayoral Minute was passed at the Council meeting held on 18 July 2022 which reinforced Council’s position regarding RFS mobile assets i.e. that Council does not control the RFS mobile assets and therefore will not be recognising them in its financial statements.

Hong Wee Soh drew attention to the risk of a qualified audit opinion being issued by the AONSW in relation to the RFS assets issue and advised that Council should consider the consequences of a qualified audit including in relation to existing loan agreements and grant agreements.

The Chairman thanked Danielle McKenzie and Hong Wee Soh for their update and they left the meeting at 4.20pm.

It was RESOLVED that the interim audit update presented by the representatives of Crowe and the AONSW be received and noted.

8. Prior Internal Audit Recommendations – Status Report

It was RESOLVED that the status of prior internal audit recommendations be noted.

9. Annual Tabling of Gifts and Benefits Register

It was RESOLVED that the tabling of the Gifts and Benefits Register be noted.

10. Annual Tabling of Fraud Control Policy and Fraud Control Action Plan

It was RESOLVED that the tabling of the Fraud Control Policy and Fraud Control Action Plan be noted.

11. Annual Tabling of Local Government Act Compliance Checklist

It was noted that the requirement to review the organisation structure within 12 months of a council election was yet to be complied with. The General Manager advised that he was waiting to fill a vacancy in a Director's position before progressing this matter prior to the statutory deadline of December 2022.

There was also discussion regarding the interpretation of the Integrated Planning and Reporting Guidelines issued by OLG in relation to asset management plans which were still under review. The Chairperson expressed the view that these plans did not have to be reviewed prior to 30 June but that the 30 June deadline may apply to the review of the asset management strategy.

It was RESOLVED that the tabling of the Local Government Act Compliance Checklist be noted.

12. Notice of Reportable Incidents

The General Manager advised that there were no incidents to report.

13. General Business

Nil.

14. Date of Next Meeting

2 November 2022 (tbc).

There being no further business the meeting closed at 4.35pm.

James Davis
Chairperson

Recommendation: that the Minutes of the Lockhart Shire Audit, Risk and Improvement Committee be received.

2. MINUTES OF THE TOURISM & ECONOMIC DEVELOPMENT STEERING COMMITTEE HELD ON 4 AUGUST 2022 AT PLEASANT HILLS COMMUNITY HALL AND VIA ZOOM

Date & Time	Thursday 4 th August 2022 – 6pm.	
Location	Pleasant Hills Community Hall and via Zoom.	
Attendees	Erica Jones (Chair), Matt Holt (TEDO - Secretary), Navneet Choujar (Zoom), Brent Alexander (Zoom), Cr Fran Day (Zoom), Cr Ian Marston, Cr Bob Mathews (Zoom), Cr Peter Sharp, Fiona Beckett, Mandy Strong (Zoom), and Michelle Bailey (Zoom).	
Apologies	Heather Trevaskis, Rachel Viski, Jared Walker, Sharon Lambert.	
Declarations of Interest	Nil.	
The meeting opened with a Welcome from the Chair and an acknowledgment of country. All members present gave thirty seconds introduction of themselves.		
1. Confirmation of the minutes for the meeting Wednesday 1st June 2022		
Minutes	Nil.	Presenter/s
Actions	Nil.	Erica
Resolutions	Recommended on the motion of Fiona Beckett and Cr Fran Day that the minutes of the meeting held on Wednesday 1st June 2022 as circulated, be confirmed as a true and correct record of the proceedings.	

2. Action from previous minutes		
Minutes	<ul style="list-style-type: none"> • Code of Conduct – All committee members to sign they understand the Code of Conduct sheet in the share drive. • Membership – Lockhart Shire signed up to three memberships – Country Change, Visit Albury/Wodonga Tourism Partner Program and Visit Wagga Tourism Partner Program for 2022/2023. Complete. • Street lighting <ol style="list-style-type: none"> 1) New streetlights can be requested by Council, however full cost is to be paid for by Council, leaving budget implication. 2) Director of Engineering has requested information from Essential Energy re audit and who is responsible for lighting under the verandahs in Lockhart. • Visitor Signage/Maps – on Agenda. • Toilets <ol style="list-style-type: none"> 1) New toilets at CWA park added to Council project wish list for Councillors to consider. 2) Audit of locations, details of age and times cleaned etc requested via the Director of Community Services. • Marrocka Emu Farm - Open Charity Day in September 2022 – TEDO contacted Ian – Complete. 	Presenter/s Erica/Matt
Actions	<ul style="list-style-type: none"> • All committee members to read the code of conduct and sign the sheet acknowledge they understand it. • TEDO to action the outstanding items. 	
Resolutions	Recommended on the motion by Cr Peter Sharp and Fiona Becket that all-committee members read the code of conduct and sign the sheet acknowledging they understand it and TEDO action the outstanding items.	
3. Projects Update		
Minutes	Project spreadsheet in share drive.	Presenter/s
Actions	Nil.	Matt
Resolutions	Recommended by Mandy Strong and Brent Alexander that the project list is updated and noted.	
4. I Love NSW Campaign Report		
Minutes	Full report and summary provided by TEDO in Share Drive.	Presenter/s
Actions	Nil.	Matt
Resolutions	Recommended on the motion by Michelle Bailey and Cr Ian Marston that Council note the report.	
5. The Driveway Campaign Report		
Minutes	Full report and summary provided by TEDO in Share Drive.	Presenter/s
Actions	Nil.	Matt
Resolutions	Recommended on the motion by Cr Fran Day and Michelle Bailey that Council note the report.	
6. Memberships – Visit Riverina		
Minutes	Prospectus, review of Visit Riverina, minutes of member and board members meeting from June provided as well as summary by TEDO in Share Drive asking members for recommendation to Council.	Presenter/s

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Actions	Matt to action pending Council endorsement.	Matt
Resolutions	<p>Recommended on the motion by Mandy Strong and Fiona Beckett that Council.</p> <p>a) Hold its membership of Visit Riverina in recess for 2022/2023 due to ongoing uncertainty. (This will mean that very small promotions may be lost in the short term from the Visit Riverina website, social media, newsletter).</p> <p>b) Continue to work with Visit Riverina, Destination Riverina Murray, and other bodies to find the best possible solution for Councils and Industry to promote the Riverina in a more open, transparent, results driven and collective way that will bring greater results for Lockhart Shire and the wider region.</p> <p>c) TEDO provide ongoing updates of the review of Visit Riverina to Council through the TEDSC for the remainder of 2022/2023.</p>	
7. Visit Lockhart Shire Website/Maps/Brochures/Promotions		
Minutes	<p>TEDO spoke to members about phase one of the new Visit Lockhart Shire website including logo, features and what is included in Phase Two.</p> <p>TEDO also went through the newly designed shire/towns maps, brochures, and recent promotions.</p>	Presenter/s
Actions	TEDO to circulate brochures and maps to all members and ask for feedback by 19 August 2022.	Matt
Resolutions	Recommended on the motion of Cr Ian Marston and Cr Peter Sharp that Council note the marketing material and TEDO to action the above.	
8. Questions/Comments/Feedback/Updates		
	Topic	Member
Update	<ul style="list-style-type: none"> • Regional Development Australia - Riverina Board Meeting – Tour and Lunch - 11 August 2022 • Alirah Lub - Tourism and Administration Trainee has started with Council. Massive help so far for TEDO. • Project Energy Connect – surveyors, risk assessors etc will start at the end of the month in our area, with the project ramping up to the end of the year and into 2023. • Industrial Land in Lockhart all under deposit with full sale subject to approved DA application 	TEDO
Answer	Members to note.	
Update	The Rock Memorial Bowling Club - proposed mural.	Cr Ian Marston
Answer	TEDO to talk to Cr Ian Marston offline.	
Question	Riverina Bird Guide Brochure – can make our own brochure, with similar information and new locations.	Fiona Beckett
Answer	Yes, we can, on the list for projects.	TEDO
Question	Is the Australian Adventure Passport available at the Lockhart Shire Visitor Information Outlet?	Fiona Beckett
Answer	TEDO referred Fiona to contact Heather.	TEDO
Question	Is there plans for future Industrial Land blocks at Lockhart.	Brent Alexander
Answer	Yes, development of the residual lot will be up for discussion at the next Council meeting with a DA to be prepared	TEDO

9. Next meeting: Wednesday 7th September 2022 – 6pm – The Rock Bowling Club

10. Meeting Closed: 7.50pm

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

DELEGATES' REPORTS

1. INLAND RAIL (ALBURY TO ILLABO) COMMUNITY CONSULTATIVE COMMITTEE –27 JULY 2022 (GM: 22/9661)

I report having participated in a meeting of the Inland Rail (Albury to Illabo) Community Consultative Committee in Wagga Wagga on 27 July 2022. A summary of the main points emanating from the meeting is provided below.

- Three contractors have been shortlisted for the project i.e. John Holland, Laing O'Rourke and Martinus Rail.
- The Environmental Impact Statement (EIS) document is currently being finalised for public exhibition which is anticipated to occur on 17 August 2022.
- Once the EIS is placed on public exhibition individuals will be able to register to receive a Summary of Findings document which will be made available for collection in digital format (USB). The full EIS document will be available on the DPIE website. There will also be community information sessions and an information podcast will be produced.
- Submissions will be able to be made during the 28 public exhibition period online via the Department's major projects website or by post.
- Briefings by Inland Rail on the EIS will also be offered to local councils.
- Public exhibition of the EIS will be followed by the release of further reports including the following:
 - A Response to Submissions Report outlining the proponent's response to the matters raised in submissions lodged during the public exhibition.
 - An Amendment Report outlining changes to the project made since public exhibition of the EIS and in response to submissions made.
- Detailed design is expected to commence in Q2 2023 with the appointment of a contractor with construction to commence in late 2023.
- There has been further engagement with identified schools, including Yerong Creek Public School, regarding noise impacts.
- The next round of funding (\$1,000 - \$4,000) through Inland Rail's Sponsorship and Donations Programme closes on 31 October 2022.

Peter Veneris
Delegate

2. RURAL SKILLS FORUM AND COUNTRY MAYORS' ASSOCIATION GENERAL MEETING HELD IN SYDNEY ON 4 AND 5 AUGUST 2022 (GM: 22/10345)

I attended a Rural Skills Forum and meeting of the Country Mayors Association in Sydney on 4 and 5 August 2022.

The Rural Skills Forum was addressed by the:

- National Commissioner for Rural Education.
- Minister for Skills and Training
- Shadow Minister for Skills and TAFE and Shadow Minister for Education
- Director of Policy, McKell Institute
- Manager, Parkes Country Universities Centre

- Chairman and CEO of Riverina Joint Organisation

The following points were noted:

- NSW TAFE trains 45% of Australia's TAFE students.
- Obstacles to undertaking vocational subjects at HSC level are being removed (e.g. cyber security, emergency management)
- Some 70,000 fee free courses are being offered by NSW TAFE (e.g. RSA and RSG).
- Two Institutes of Applied Technology are being established in NSW focusing on digital connectivity and advanced construction technology respectively.
- More needs to be done regarding digital connectivity in the regions to accommodate TAFE's shift to offering more online courses
- A trend showing an increase in the number of enrolled students not completing their course (dropout rate) needs to be addressed.

The Country Mayor's Association meeting was addressed by the:

- President of Local Government NSW
- Head of NBN Local
- Minister for Planning and Minister for Homes
- External Monitor of the Biodiversity Offset Scheme
- Parliamentary Secretary to the Minister for Health

The following points were noted:

- LGNSW continues to advocate for a change in legislation to resolve the recognition of RFS Assets issue.
- NBN will be investing \$750m to extend the range of fixed wireless towers which will benefit current users of the Sky Muster satellite service
- NBN is extending the free download (off peak) hours to 12 midnight – 4.00pm
- The NSW Government is allocating \$70 million to address health worker accommodation.

Cr Greg Verdon
Mayor

Recommendation: That the Delegates' reports be received and noted.

STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED

Status Report: Council Resolutions and Tasks to be finalised

Minute No:	Officer to Action	Council Resolution	Action Taken
Council Meeting held 18 July 2022			
147/22	GM	<p>The Rock Community Centre Council:</p> <p>a) Authorises the General Manager to purchase Lot 2, Section 17, DP758971 in accordance with the updated valuation advice received by Council, and</p> <p>b) Request the General Manager to further investigate the possible purchase of Lot 2, DP1196082 Burke Street, The Rock.</p>	<p>Council's acceptance of the asking price has been conveyed to the vendor.</p> <p>Awaiting confirmation from vendor.</p> <p>Preliminary contamination report has been provided to a suitably qualified person to advise of remediation requirements (if any) if land is used for car parking purposes only.</p>
144/22	GM	<p>Policy Reviews</p> <p>1. Policy 2.54 Contract Management, as presented, be adopted.</p> <p>2. The following policies be placed on public exhibition for a period of not less than 28 days and any submissions received be considered prior to the policies being reaffirmed.</p> <p>a) Policy 2.28 Asbestos Cement</p> <p>b) Policy 2.55 Roadside Vegetation Management</p> <p>c) Policy 2.56 Mobile Food Vans</p>	<p>Policies placed on public exhibition – closing date for comment 15/8/2022.</p> <p>Complete.</p>
143/22	GM	<p>Membership of Regional Organisations</p> <p>Councillor Workshop to be held at 4.00pm on Monday, 15 August 2022 to consider Council membership of REROC and RIVJO and the proposed transition to a single organisation.</p>	<p>Workshop convened as scheduled.</p> <p>Complete.</p>
141/22	GM	<p>Request for Council to Purchase Private Access</p> <p>Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.</p>	<p>Quote for upgrading the access to an acceptable standard prior to transferring to Council has been prepared for forwarding to the landowners.</p>
137/22	GM	<p>Local Environmental Plan Review</p> <p>Council to engage LGNSW to deliver the "Planning for Councillors" training module in house.</p>	<p>LGNSW has been formally engaged to deliver the training on 6 September 2022 in the Council Chamber.</p> <p>Complete.</p>
136/22	GM	<p>Request for Financial Assistance – Explorers Rifle Club</p> <p>Council to carry out grading of the internal access road and other minor works at the Explorers Rifle Club with the cost of the works to be funded from the 2022/23 budget allocation for Section 356 contributions.</p>	<p>Explorers Rifle Club has been advised of Council's decision.</p> <p>Works to be scheduled.</p>
132/22	GM	<p>Mayoral Minute: Financial Accounting Treatment of RFS Mobile Assets "Red Fleet"</p> <p>1) Council writes to the local State Member and Ministers</p>	<p>Correspondence forwarded to Auditor-General, relevant Ministers, Shadow Ministers and MPs.</p> <p>Complete.</p>

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Minute No:	Officer to Action	Council Resolution	Action Taken
		2) Council writes to Shadow Ministers 3) Council writes to the Auditor General 4) Re-affirms its position that RFS assets are not controlled by Council. 5) That Lockhart Shire Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets.	
Ordinary Council Meeting held 20 June 2022			
121/22	GM	Preparation of Plans of Management – Council-managed Crown Land and Council-owned “Community” Land 1. Place the <i>Draft Lockhart Shire Council Plan of Management for Crown Land managed by Council and Council-owned land classified as ‘community’</i> on public exhibition. 2. Hold a public hearing in accordance with section 40A of the Local Government Act in relation to the proposed change in categorisation.	Public notice of the public exhibition of the Draft PoM was given in the Daily Advertiser on 23 July 2022 and in the July Council Newsletter with submissions closing on 12 September 2022. Complete.
116/22	GM	Riverina Regional Library – Deed of Agreement 2022-2026 Authority be granted for the Riverina Regional Library 2022-2026 Deed of Agreement be executed under Council's seal.	Awaiting receipt of the original Deed for execution. The document is currently being circulated amongst member councils.
Ordinary Council Meeting held 16 May 2022			
109/22	GM	Tender – 109 Green Street Council declines to accept the tender received from ASCO Group (Aust) Pty Ltd for the provision of public toilets at 109 Green Street Lockhart and seek separate quotations for the individual components of the project for the following reasons: a) Seeking separate quotations and being able to negotiate with different contractors for the different components of the project will provide more flexibility in seeking the most cost-effective solution bearing in mind that the funding approved under Round 4 of the Stronger Country Community Fund is less than the amount for which Council applied. b) Accepting the one tender that has been received for the public toilets without a contract in place for the community space component of the project will prove problematic as the community space and landscaping is critical to providing access to the public toilets.	Unsuccessful tenderer notified of Council's decision. Local builder engaged for the public toilets and individual quotations currently being sought for the landscaping component.

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Minute No:	Officer to Action	Council Resolution	Action Taken
92/22	GM/ TEDO	Reconnecting Regional NSW – Community Events Program Council applies under the Reconnecting Regional NSW – Community Events Program subject to consultation with local event organisers.	Application lodged based on responses received from event organisers and currently awaiting approval.
Ordinary Council Meeting held 21 March 2022			
59/22	DEES	Review of Road Classification That Council: 1. establishes a Road Classification Working Group to oversee a review of road classifications in the Shire; and 2. nominates the following Councillors to participate in the Working Group A Ward Cr Rockliff B Ward Cr Sharp C Ward Cr Verdon	Meeting proposed for 22 August 2022.
56/22	GM	Development of Lockhart Industrial Estate Council prepares a subdivision application for the development of Stage 3 of the Lockhart Industrial Estate.	Refer separate report to Council (Staff Report 17 (Closed Session)).
48/22	GM	Public Access – Plums Lane, The Rock 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.	A previously commissioned land survey held on file confirms that the existing formed track is situated on the adjoining private property. The corridor which is dedicated as public road is heavily treed with a significant amount of vegetation on it and therefore the formation of an all-weather access track on it will require significant expenditure. No further action proposed at this stage. Complete.

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Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 February 2022			
33/22	DEES	<p>Flood Mitigation Review – The Rock and Yerong Creek</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the information provided in this report. 2. Allocates \$65,000 from Council Reserves for the purchase of a mobile water pump and hoses. 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. 4. Applies to the next round of Floodplain Management grants (2022/23) to revise the Floodplain Risk Management Studies and Plan for The Rock. 5. Applies to the next round of Floodplain Management grants (2022/23) to undertake a Floodplain Risk Management Study and Plan for Yerong Creek. 6. Notes that a final report will not be available until after funding opportunities are finalised. 	<ol style="list-style-type: none"> 1. Noted – complete. 2. Pumps have been ordered, delivery is now expected during the week commencing 15 August 2022. Hoses have been received. 3. Table drains cleaned – final section to be completed. 4. Application lodged – complete. 5. Application lodged – complete. 6. Noted – complete.
23/22	DCCS	<p>Lockhart – Out of School Hours Care Service</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 & after school care program to be viable with the additional staff and programming required.</p> <p>Survey circulated during week commencing 20/06/2022.</p> <p>Refer separate report to Council (Staff Report 4).</p>
Ordinary Council Meeting held 18 October 2021			
180/21	TEDO	<p>Committee Minutes – TEDSC held 5 October 2021</p> <p>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.</p>	<p>Information board at Caravan Park to be included in list of locations yet to be scoped.</p> <p>New maps and signs are being progressed.</p>
Ordinary Council Meeting held 20 September 2021			
174/21	GM	<p>Potential Property Acquisition for Community Development at The Rock</p> <p>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.</p>	<p>Superseded by minute no 147/22.</p> <p>Complete.</p>

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Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 16 August 2021			
148/21	GM	<p>Proposed “Tim Fischer Way”</p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>Submission made to the Tourism Attractions Signs Assessment Committee.</p> <p>Plan to incorporate “Tim Fischer Way” touring route on new Visit Lockhart Shire website.</p> <p>New website now live. Functionality to facilitate “Tim Fischer Way” touring route being developed.</p>
Ordinary Council Meeting held 19 April 2021			
63/21	GM	<p>Residential Development – Lockhart</p> <p>1) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report.</p> <p>2) 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.</p>	<p>The development application for Lot 62 (westernmost lot) has been approved. The application for Lot 90 is still being processed as further investigation has been required regarding sewerage services to the site and compaction of a former dam on the site.</p>
Ordinary Council Meeting held 15 February 2021			
9/21	DCCS	<p>The Lockhart Recreation Ground Management Committee – Request for Financial Assistance</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>
Ordinary Council Meeting held 20 July 2020			
133/20	GM	<p>Naming of Bridges – Brookong Creek and Urana Lockhart Road</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>Advice received on 3/8/22 regarding consultation with Wagga Local Aboriginal Lands Council.</p>
Ordinary Council Meeting held 20 April 2020			
70/20	GM	<p>Review of Operational Land</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"> • Approach the adjoining owner of the land situated at 2410 Albury Road, Urangelina regarding potential sale or transfer of the land. 	<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>

*Lockhart Shire Council
Ordinary Meeting – 15 August 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 18 July 2022 – Councillor Questions & Statements			
	GM	<p>Cr Rockliff – Essential Energy Raised concerns that Essential Energy may not be continuing its presence in Lockhart and the associated jobs may be lost to the town as a result. He suggested that Council write to Essential Energy requesting its depot and staff remain in Lockhart.</p>	<p>Correspondence has been forwarded to the CEO of Essential Energy. A reply has been received, confirming that there is no plan to close the depot. Complete.</p>
	GM	<p>Cr Rockliff – Commercial Approvals Enquired if Council can put on an understudy or trainee to assist in the processing of commercial applications? The process of referring them to Wagga is not satisfactory as they may be looked at differently.</p>	<p>Alternative arrangements have been made with a private firm providing building certification services. Complete.</p>
	DCCS	<p>Cr Mathews – Rates Advised he had received enquiries regarding why the calculations of rates for The Rock and Lockhart are different.</p>	<p>Mayor suggested to Cr Mathews that he arrange to meet with the Director Corporate and Community Services to gain an understanding of Council's rating structure. Meeting held with Cr Mathews on 10/8/22. Complete.</p>
	DCCS	<p>Cr Driscoll – The Rock Recreation Ground Toilets Advised that The Rock Recreation Ground toilets are looking very scrappy at the moment with mud etc. and enquired as to the current cleaning regime.</p>	<p>Currently cleaned 3x per week. Complete.</p>
	DEES	<p>Cr Driscoll – Laneway, Yerong/Bretton Streets Advised that the laneway between Bretton and Yerong Streets The Rock has a tree across it and a deep divot.</p>	<p>Tree has been removed and divot has been filled. Complete.</p>
	GM	<p>Cr Driscoll – New Subdivision, Lockhart Enquired if the new subdivision in Lockhart is progressing.</p>	<p>GM advised that the subdivision involves two Development Applications one of which has been approved with the other requiring additional information regarding dam that was previously on the site and has since been filled in. Refer minute no 63/21. Complete.</p>
	GM	<p>Cr Driscoll – Latest Census Data Enquired if the last census has shown that the Shire has grown? If so, it should be positive for sales.</p>	<p>Refer separate to Council (Staff Report 11). Complete.</p>

Lockhart Shire Council
Ordinary Meeting – 15 August 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
	GM	Cr Day – Accommodation for Health Workers Enquired about accommodation for doctors and nurses. Has there been any discussion on where they stay when they come to Lockhart?	GM advised that Local Government receives updates through the Murrumbidgee Local Health District and noted that MLHD has received government funding to assist with accommodation for health workers. Complete.
	DCCS/ DEES	Cr Marston – The Rock Pony Club Advised that pony clubs are now required to load and unload horses from their floats in an enclosed area and requested some minor improvements to facilitate this.	Meeting held with DEES, DCCS and Pony Club on 29 July. Cost estimate for minor works being prepared.
	GM/ MB&P	Cr Marston – Mural, The Rock Bowling Club Provided a photo of a war memorial mural taken elsewhere in NSW and advised that The Rock RSL is considering something similar for The Rock Bowling Club and enquired as to whether a development application is required.	A DA may be required depending on the size and scale of the mural, i.e. surface area, further information to be obtained from applicant.
	DCCS	Cr Marston – Lighting Upgrades, LRCI P3 Enquired as to the progress of the lighting upgrades to be funded under the LRCI Phase 3 grants program.	Funding has been allocated under LRCI Phase 3. Project nomination form has been submitted to the funding body and waiting approval. Complete.
	GM	Cr Verdon – Letter of Thanks for Donation Requested that a letter of thanks be forwarded to The Rock Touch Association for the trees donated to The Rock Recreation Ground.	Letter forwarded 27 July 2022. Complete.
Ordinary Council Meeting held 20 June 2022 – Councillor Questions & Statements			
Questions & Statements	GM/ DEES	Cr Sharp – Jim Willis Lane Referred to a previous request for a road sign at the end of this road and further advised the resident has requested gravel at the end of the lane as access has become very difficult in a normal passenger vehicle.	Signage installed. Road scheduled in mid-August.
	DCCS	Cr Hunter – Yerong Creek Bowling Club Advised the Bowling Club are still awaiting receipt of an Occupation Certificate for the building.	An accredited certifier for Class 2-9 buildings has been engaged to review and identify outstanding works to be completed for the issue of an Occupation Certificate.
	DCCS	Cr Walker – Electricity Bills, The Rock Showground Could the committee have some assistance in working out a split for the bill.	Electricity bills have been received and currently being analysed.
	GM	Cr Verdon – The Kings Own Hotel Advised he is receiving continual complaints regarding the stalled works at this property. Asked if a meeting could be arranged with the owners to ascertain their plans for the site and asked if a clean-up order could be issued.	A clean up Order has been issued pursuant to the Local Government Act.

Lockhart Shire Council
Ordinary Meeting – 15 August 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
	GM/ DEES	<p>Cr Verdon – Tree, John St The Rock</p> <p>Advised he has received a complaint about a tree which has been pruned by Essential Energy and is now growing in a way which is causing the resident issues.</p>	<p>Claret Ash at 15 John St, The Rock was the only tree that fit the description. A fungal disease, Ash Dieback was discovered during assessment. Tree is not high risk but there is no cure other than removal of affected limbs to prevent further infection, causing further disfigurement in this case. Removal recommended.</p> <p>Resident to be advised in writing.</p>
Ordinary Council Meeting held 16 May 2022 – Councillor Questions & Statements			
Questions & Statements	GM	<p>Cr Day: Heavy Vehicle Access, Green Street</p> <p>Has received comments from residents expressing concern about the number of heavy vehicles still accessing Green Street and asked what more could be done to deter B-Double operators from using Green Street.</p>	<p>The Mayor raised the issue at the Police & Community Consultation Group meeting held on 24 May 2022 (refer Delegates Report).</p> <p>Cr Sharp advised that further directional signage is required on Spanish Avenue to direct vehicles to Flood Detour Road.</p> <p>Signs have been ordered, should be received and erected soon.</p>
	DCCS	<p>Cr Driscoll: Picket Fence, The Rock Rec Ground</p> <p>Requested an update on the progress of the replacement of the picket fence at The Rock Recreation Ground.</p>	<p>Contractor commenced work week of 11 July 2022.</p> <p>Complete.</p>
	GM/ DEES	<p>Cr Driscoll: Yerong Street, The Rock</p> <p>Enquired as to when Yerong Street is likely to be reopened as any works in this area appear to be complete.</p>	<p>Works have been completed; Yerong Street is open.</p> <p>Complete.</p>
	GM/ DEES	<p>Cr Mathews: Footpath Strategy</p> <p>Asked if Council has a footpath strategy document as location of footpaths in Lockhart township seems to be haphazard, with some blocks having paths on both sides, some only have one and some having none at all.</p>	<p>Council does not have a formal footpath strategy or forward program.</p> <p>The most recent consideration of priorities was made in February and March 2020 when Council adopted a program for upgrading footpaths at Lockhart and The Rock with funds provided at the time under the Drought Communities Programme Extension.</p> <p>It is proposed to prepare a footpath strategy in the current financial year.</p> <p>Complete.</p>
	GM	<p>Cr Sharp: Ryans Lane</p> <p>Drew attention to this road, which is terrible condition, and requires some maintenance.</p>	<p>Ryans Lane – works complete.</p> <p>Ryan Stock Route – works began July 2022 (refer Works Program-June 2022).</p> <p>Complete.</p>

Lockhart Shire Council
Ordinary Meeting – 15 August 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Rockliff: Streetsweeper Asked for an update on the purchase of a streetsweeper suitable for use on the pavers.	Council to resource – Manager of Works to speak with Workshop Supervisor, to source pricing for a smaller streetsweeper than what Greater Hume used.
	DCCS	Cr Verdon: Public Showers, The Rock Rec Ground Advised the public showers at The Rock Recreation Ground are continually leaking, with campers reporting they are unable to turn off the taps completely, asked if all the washers could be replaced.	Plumber to inspect and fix. Complete.
Ordinary Council Meeting held 19 April 2022 – Councillor Questions & Statements			
Question & Statements	DEES (GM)	Cr Rockliff: Tree, Galore Street Referred to an email received by Council regarding a tree near 58 Galore Street, which appears to be eaten out at the bottom and could be dangerous. Cr Rockliff asked for an update on this matter.	Tree assessment has been completed in accordance with Australian Standards and landowner advised of the outcome. Tree assessment to be reviewed.
	GM	Cr Hunter: Connectivity Asked if there were any outcomes from the recent meeting with the Regional General Manager of Telstra.	Council currently collating information on blackspots and connectivity issues across the Shire to provide to the NSW Telco Authority. A survey for this purpose has been distributed to Shire residents and made available on Council's website. The survey responses are currently being collated.
	DEES (GM)	Cr Driscoll: German Church Road "Davidsons Hill" Referred to the road being too narrow for heavy vehicles and the hill providing poor visibility. Cr Driscoll asked if something can be done on 500m of road in Lockhart Shire to where it meets the Wagga City Council boundary.	Cost estimate to be prepared.
	GM	Cr Day: Christmas Would like Council to consider Christmas lights in the main streets across the Shire, to bring back some positivity post-Covid.	Funding has been allocated under LRCI Phase 3. Project nomination form has been submitted to the funding body and waiting approval. Complete.
	GM	Cr Marston: Lighting, The Rock Recreation Ground Asked that replacement of the lights be considered for any unspent LRCI funds.	Funding has been allocated under LRCI Phase 3. Project nomination form has been submitted to the funding body and waiting approval. Complete.
	DEES	Cr Verdon: Pedestrian Crossing Brought attention to the section of Urana Street at the post office, where heavy vehicles are causing major "shoves" impeding the travel of mobility scooters.	A works request has been submitted and the matter is being attended to.

Lockhart Shire Council
Ordinary Meeting – 15 August 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Verdon: Roads Budget Asked that Council considers a widening project near "Ryans Hill" on The Rock Collingullie Road.	Cost estimate to be prepared.
Ordinary Council Meeting held 21 March 2022 – Councillor Questions & Statements			
	MP&B	Cr Mathews: Bluebird Café 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.	A notice of intention to serve an order was issued to the property owner. The property owner has now consented to the installation of bird netting, and this will be done in the coming weeks together with the other remaining shop fronts in Green Street. Property has been cleaned up and readied for sale. No further action to be taken, Complete.
Ordinary Council Meeting held 21 February 2022 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Walker: Bulloc Hill Road 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.
Ordinary Council Meeting held 10 January 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Driscoll: Technology 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.	Upgrade currently being investigated as the projectors, which were installed during construction of the building, are now 10 years old and outdated. Contact has been made with a Leeton-based company and an on-site meeting is being scheduled. Funds allocated in the 2022/23 Operational Plan Budget. Quotes are being sourced.
	DEES	Cr Driscoll: Urana Street Median 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.

Lockhart Shire Council
Ordinary Meeting – 15 August 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 18 October 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Rockliff: Bridge on Green Street</p> <p>Noted that cumbungi and poplars are growing and becoming a bush fire concern.</p>	<p>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.</p> <p>No permit is required for further works within the creek bed.</p> <p>Requests for quotes to remove the poplar and other non-native species on the eastern bank from the pedestrian bridge to the roadhouse have been sent out. Quote accepted; work has been completed.</p> <p>Complete.</p>
	DEES	<p>Cr Marston: Sign, The Rock Recreation Ground</p> <p>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.</p>	<p>A new site has been decided. Relocation works are programmed.</p>
Ordinary Council Meeting held 21 June 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Driscoll: Community Reflection Space</p> <p>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.</p>	<p>Park deemed appropriate for reflection space. Proponent to present proposal to Council for consideration.</p> <p>Cr Driscoll met with the General Manager and Manager Parks & Facilities to progress the project.</p> <p>Position agreed upon. Design to be finalised and costed.</p>
Ordinary Council Meeting held 15 February 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Driscoll – Natural Gas</p> <p>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.</p>	<p>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.</p> <p>The issue has also been identified for inclusion in an MoU with a tenderer for the Inland Rail project.</p>

Date sent to Councillors	From	Subject
13/07/2022	General Manager	Advising of new DEES contact information.

Date sent to Councillors	From	Subject
25/07/2022	Executive Assistant	Enclosing ALGA News dated 15 July 2022.
25/07/2022	Mayor (via Exec Asst)	Mayoral Update
25/07/2022	Executive Assistant	Enclosing LG NSW news dated 25 July 2022.
01/08/2022	Executive Assistant	Enclosing ALGA News dated 29 July 2022.
02/08/2022	Executive Assistant	Enclosing LG NSW news dated 2 August 2022.
05/08/2022	General Manager	Providing details of Stronger Country Communities Fund Round 5.
09/08/2022	Executive Secretary	Enclosing LG NSW news dated 9 August 2022.

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

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. REQUEST FOR ASSISTANCE – VICTORY IN THE PACIFIC (VP) DAY EVENT – YERONG CREEK (DEES: 22/9527)

Executive Summary

Council received a request for a road closure and event assistance to hold a VP Day event at Yerong Creek on 15 August 2022. Relevant approval for the traffic changes have been received from the Local Traffic Committee. This report is for information.

Report

Council received a request from the Yerong Creek ANZAC Day Committee to hold a special event on VP Day to commemorate peace and acknowledge the service of local people during WW2 and reunite the families of those who served overseas. A senior officer of the RAAF is invited as guest speaker. Arrangements for the commemoration of VP Day will be as follows:

- From 10:30 AM, 15 August 2022, the march will assemble in Plunkett St at the corner of Finlayson Rd.
- Led by the Kapooka Army Band, group will march west to the end of the traffic islands, then east to in front of Stanley Galvin Park. The road will be clear by 11:20 AM.
- Parking will be normal except for a clear area of 30 metres in front of the park.
- The event in the park will conclude by 12:30 PM.

The Committee requested assistance with the traffic management arrangements including development of a traffic control plan and implementing the plan. Invitations were extended by the committee to the Mayor, General Manager and Tourism and Economic Development Officer.

The assistance was provided as requested.

Integrated Planning and Reporting Reference

- A1: Facilitate and support our community to deliver vibrant and dynamic community events.
- A1: Build capacity, capability and partnerships to encourage sustainable community groups and clubs.
- E2: Provide effective community engagement practices with the community.
- E3: Promote strong and beneficial relationships between local government and service providers, other levels of government and the community.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

The estimated cost to assist is approximately \$400 and will be funded from existing budgets.

Attachments

Nil.

Recommendation: That Council note the assistance provided to the Yerong Creek ANZAC Day Committee to hold a VP Day event on 15 August 2022.

2. ROUND 5 – STRONGER COUNTRY COMMUNITIES FUND

(GM: 22/10292)

Executive Summary

The NSW Government has announced a fifth round of funding under the Stronger Country Communities Fund. The purpose of this report is to endorse the projects identified at a Councillor Workshop to be held prior to the Council meeting for submission under the grant program.

Report

On 5 August 2022 Round 5 of the Stronger Country Communities Fund (SCCF) was announced.

The funding available under Round 5 for projects in the Lockhart Shire Local Government Area is \$1,252,640. Of this amount \$861,190 is available to Council as the applicant with the balance of the allocation open only to eligible community organisations i.e. community organisations registered as incorporated associations and not-for-profit community organisations registered as public companies.

The aim of Round 5 of the SCCF is to boost the wellbeing of communities in regional areas by providing new or upgraded social and sporting infrastructure, or community programs that have strong local support.

Projects must be for infrastructure or community programs that boost the wellbeing of regional areas through improved amenity and positive social outcomes. Funding is available for local community and sporting infrastructure, street beautification, projects enhancing accessibility and inclusion for people with disability, projects improving outcomes for Aboriginal people, and community programs and local events. Community amenity projects must be for either:

- construction of new, or upgrades to existing, local community infrastructure
- construction of new, or upgrades to existing, local sporting infrastructure
- capital works related to street beautification and other public places that promote the health, happiness and wellbeing of the community
- delivering programs that benefit the local community and provide public benefit
- infrastructure to assist the delivery of general community programs
- infrastructure or community projects or programs which improve and promote accessibility and inclusion.

Projects are not eligible for funding if they are:

- located outside an eligible regional Local Government Area
- not submitted by an eligible entity
- located across multiple Local Government Areas boundaries
- exclusively for planning activities (e.g. master planning or heritage studies)
- for the maintenance or construction of local roads or other ongoing core service infrastructure works that are the ordinary responsibility of council or other levels of government
- for the delivery of essential or core government services funded from another source, such as local government, NSW Government or Commonwealth Government
- seeking retrospective funding to cover any project component already completed before applicants are informed of the outcome or funding is announced
- for ongoing staff or operational costs beyond two years from project announcement for programs, or any ongoing staff or operational costs for infrastructure projects

- for a general works package without specific scope, costs and location (e.g. 'upgrading lighting at sports ovals' without identifying the work required, number of sites or locations)
- exclusively for marketing, branding, advertising or product promotion, including tourism marketing
- providing direct commercial and/or exclusive private benefit to an individual or business
- not clearly providing benefits that will significantly contribute to the objectives of the Stronger Country Communities Fund.
- the recipient of duplicate grant funding from another NSW or Australian Government grant program for the same project.
- Solely for the maintenance of any infrastructure i.e. painting or beautification repairs without upgrading the functionality of the infrastructure.

The minimum grant amount is \$100,000.

The closing date for applications is 23 September 2023.

A Councillor Workshop is being convened at 3.30pm on Monday 15 August to enable projects to be discussed and agreed upon for submission under Round 5 of SCCF.

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.
B1: Manage and improve the appearance of our towns, in line with their desired identities
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

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

Attachments

Nil.

Recommendation: That, as agreed at the Councillor Workshop held earlier in the day, Council submit the following projects for funding under Round 5 of the Stronger Country Communities Grant Program:

[list to be inserted]

3. RECOGNITION OF NSW RURAL FIRE SERVICE ASSETS – UPDATE

(GM: 22/10324)

Executive Summary

An update has been received from Local Government NSW regarding its advocacy efforts in relation to the recording of mobile Rural Fire Service (RFS) assets in councils' financial statements.

Report

Council at its meeting held on 18 July 2022 resolved to advise the Auditor-General that it will not be recording the mobile RFS assets i.e. the red fleet, in its financial statements and to support the Local Government NSW (LGNSW) campaign in relation to this matter. LGNSW continues to make representations to the NSW Government and has provided the following update:

"Thank you to the many councils that have advised us they will not be recording RFS assets (the "Red Fleet") on this year's financial statements.

In addition to the 68 councils that did not record assets last year, dozens more have joined the LGNSW campaign by resolving to no longer entertain the NSW Government's fanciful position that RFS assets are controlled by councils and as a result, will no longer be

recording assets. We have even received advice from a number of metropolitan councils that they have joined the campaign in support of affected councils.

As part of this campaign, LGNSW wrote to Treasurer the Hon Matt Kean MP, Minister for Emergency Services the Hon Steph Cooke MP, Minister for Local Government the Hon Wendy Tuckerman MP and the NSW Auditor-General.

LGNSW has this week received a response from the Treasurer, which disappointingly reaffirms the RFS and NSW Treasury position that assesses that certain fire-fighting equipment vested to councils is not controlled by the RFS or NSW Government for accounting purposes. The Treasurer has also advised that the NSW Audit Office has accepted this position and made recommendations to support councils recognising red fleet assets in their financial statements.

The Treasurer has also provided a copy of the Treasury Accounting Paper, Rural Fire Service – Considerations of ownership of the red fleet assets. LGNSW finds this paper questionable and without legitimacy – not only because its conclusion is not supported by analysis, but also because the paper is not on an official letterhead, it is undated, and it has no author. It appears the paper has only recently been prepared in response to the sector's advocacy in a desperate attempt to justify the Government's position.

Meanwhile, the pressure on councils continues to grow with councils reporting that pre-audit advice from the Auditor-General's contract auditors is affirming that councils must undertake a stocktake of RFS assets and recognise them as council assets. The advice is that failure to do so will lead to a qualified audit report. Ironically, we understand that some of the contract auditors have raised concerns with the Auditor-General that the Government's position is without sound foundation.

The Treasurer has also advised that NSW Treasury will provide LGNSW with a current list of red fleet assets compiled by the RFS. We understand specific lists are to be provided to individual councils. LGNSW has not yet received the list and councils have advised that they have not received their individual lists. We have serious concerns that this list is incomplete and inaccurate. We urge high caution in relying on this document when released.

While the Treasurer has acknowledged council concerns about the financial impact of this position, he has unfortunately not offered a solution to alleviate these additional costs. However, the Treasurer has agreed to meet with LGNSW, Minister Cooke, Minister Tuckerman and the Auditor-General in the near future.

While the Treasurer expects that this matter will be resolved on the NSW Government's terms before the next financial year, this position is not acceptable to the local government sector.

LGNSW commends the many councils that have adopted the LGNSW template Mayoral Minute opposing a stocktake and recording of the RFS assets in council financial statements. It is pleasing that a number of councils have for the first time resolved to not book RFS assets, including a number of metropolitan councils on the urban fringe. Furthermore, a number of inner metropolitan councils have also resolved to support rural and regional councils in this matter.

We strongly urge the remaining councils to adopt the Minute or similar measures to express their opposition.

LGNSW will continue to strongly oppose the NSW Government's position on this issue, alongside the committed and united voice of councils across the state.

Thank you to all of the councils that have already moved motions and written in support of this campaign."

Integrated Planning and Reporting Reference

- A1: Work with stakeholders to ensure our community is safe and well prepared to respond to adversity.
- 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

Representations have been made in accordance with the Mayoral Minute passed at the Council meeting held on 18 July 2022 urging the Government to amend s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of councils.

Budget & Financial Aspects

Recognising the RFS mobile assets in Council's financial statements will provide challenges for Council in being able to undertake a complete and accurate stocktake of the assets as well as have implications for the amount of depreciation recorded in Council's financial statements.

Attachments

Nil.

Recommendation: That the information be noted.

4. LOCKHART OUT OF SCHOOL HOURS (OOSH) CARE SERVICE

(DCCS: 22/10467)

Executive Summary

To consider survey results for a proposal to establish an Out of School Hours Care (OOSH) service at Lockhart.

Report

Further to Council's request to investigate the demand for an Out of School Hours Care Service to be established at Lockhart, the following is provided as an update on those investigations.

In late June 2022, a survey was sent to all families of students at St Joseph's Primary School, Lockhart and the Lockhart Central School. To date Council has received 16 survey responses on Survey Monkey.

The survey responses have indicated demand for Before School Care, After School Care and Vacation Care services to be in the range of 8 to 13 children.

Council has also held several positive meetings with representatives from the NSW Department of Education's Before & After School Care (BASC) Program team. The BASC team indicated that demand in the range 8 to 13 for an OOSH service is borderline as to whether the service would be financially viable.

With these response figures to date, the BASC team representative suggested that if an OOSH service was to be established in Lockhart that it be on a trial basis for 12 months.

The proposed location for the OOSH service would be at Lockhart Central School, and most likely in its Library building. The BASC team and the Principal at Lockhart Central School will further investigate the specifications of the Library to assess its suitability. Initial discussions have indicated minimal capital costs to setup for an OOSH service would be required.

Integrated Planning and Reporting Reference

A2: Our community services and facilities meet the needs of the community.

A3: People of all ages, abilities and backgrounds participate in community life.

- Support our children and young people.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

The establishment of an OOSH at Lockhart will impact the budget as it is unlikely to return a surplus or breakeven in the first 12 months.

Attachments

- Survey results distributed to councillors separately.

Recommendation: That Council provide in principle support to continuing the investigations into establishing an Out of School Hours Care at Lockhart with a further report to be presented to Council.

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

5. NSW GOVERNMENT ELECTRIC VEHICLE CHARGING GRANTS

(DEES: 22/9673)

Executive Summary

Applications are currently open for Electric Vehicle (EV) charging stations within specified local government areas (LGAs). Chargers will be funded up to 75% by the NSW State Government.

Background

The NSW State Government is investing \$20 million to assist eligible regional NSW destinations by co-funding the purchase and installation of Level 2 (7kW & 22kW 3-phase AC) EV chargers. Lockhart Shire is an eligible LGA, with Lockhart and Yerong Creek being identified in the NSW Government Master Plan for EV charging.

The grant covers 75% of the purchase cost of each charger and 75% of the cost of installation (installation funding is capped at \$1,000 per charger). Council can also opt to install a software subscription service with grant funding of 50% available. The grants close on 23 September 2022. There is no limit to the number of sites that funding can be applied for however a maximum of four can be funded at the one site.

Report

It is proposed to apply for funding to install EV chargers at Lockhart, Yerong Creek and The Rock. The chargers must be installed off-street which limits the number of locations that meet the funding criteria. The sites must also be specific types such as a caravan park, landmark or recreation ground. Benefits of EV chargers include attracting new visitors to the shire and increasing the length of time visitors spend in the area. All chargers will be dual servicing i.e. two cars can charge at the same time.

This report seeks council endorsement to apply for grant funding at the following locations which meet the funding requirements:

- Lockhart Caravan Park
- Lockhart Water Tower Car Park
- The Rock Recreation Ground
- The Rock Observatory/Golf Course/Showgrounds
- Yerong Creek Recreation Ground

The report also seeks endorsement to apply for grant funding for a software subscription service which allows collection of payments for electricity use.

The estimated cost of each charger is \$7,000. To purchase five chargers Council would need to contribute approximately \$8,750 and a further \$2,000 for installation. Software subscription is approximately \$250 per annum per charge point, 50% being \$1,250.

Integrated Planning and Reporting Reference

B1: Co-ordinate activities and services in town to attract local shoppers and visitors to town centres.

B2: Support and develop infrastructure for our tourism sector

Legislative Policy & Planning Implications

The installation of the EV chargers is exempt development when it conforms to State Environmental Planning Policy (Transport and Infrastructure) 2021, Div. 17, Subdiv. 3, Clause 2.124.

Budget & Financial Aspects

Council will need to allocate \$12,000 of its own funding if all five applications are successful.

Attachments

Nil.

Recommendation: that Council:

1. Endorse the application for grant funding of EV destination chargers and software subscription at:

- Lockhart Caravan Park
 - Lockhart Water Tower Car Park
 - The Rock Recreation Ground
 - The Rock Observatory/Golf Course/Showgrounds
 - Yerong Creek Recreation Ground
2. Allocate \$12,000 as Council's contribution to the work.
 3. Consult with relevant Section 355 Committees to determine the most suitable location for successfully funded chargers.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

6. PROJECT ENERGYCONNECT UPDATE

(GM: 22/9986)

Executive Summary

A further update is provided in relation to Project EnergyConnect involving the construction of an above ground transmission line between Robertstown in South Australia and Wagga Wagga in NSW.

Report

Transgrid has advised that SecureEnergy JV will be commencing early works in mid to late August on its new 700km electricity transmission line on the NSW-Eastern section of the project alignment. These activities will affect the local government areas of Wentworth, Balranald, Edward River, Federation, Hay, Lockhart, Murray River, Murrumbidgee and Wagga Wagga.

These works are expected to be completed by mid-2023, weather permitting.

According to Transgrid during these works, nearby residents and businesses can expect very little disruption, with most works being undertaken on private landowner properties.

Before main works can commence on EnergyConnect, several pre-construction activities need to take place to gain a greater understanding of the site conditions at the proposed locations of the powerlines and associated substations. Early works will commence with the following activities:

- Dilapidation and Survey Works – to gather information for the detailed design stage of the project and to set out the environmental and cultural heritage boundaries.
- Environment Monitoring and Assessment – to provide baseline data prior to construction activities taking place. The information will be used to monitor and mitigate any environmental disturbance during construction activities.
- Geotechnical Investigations – to gain an understanding of the underground geological conditions and to inform the detailed design of the project.

Transgrid further advises that SecureEnergy's early works team will comprise between 50 and 70 people. The teams will use the closest available accommodation ahead of the establishment of its workers camps at Wentworth, Buronga, Dinawan (between Jerilderie and Coleambally), Cobb Highway/Booorooban, Balranald and Lockhart which will accommodate more than 1,450 people at peak.

Prior to permanent construction, clearing and grubbing works for the establishment of the camps and laydowns will begin in late 2022. The commencement of road access points on the overhead transmission line route will begin in the first quarter of 2023.

A longitudinal survey measuring community sentiment about Project EnergyConnect and Transgrid more broadly referred to as "Local Voices" is being conducted by Voconiq.

The survey commenced in the Mildura area in early August and will continue across Local Government Areas (LGA) along the alignment for the remainder of August and then at six-month intervals for at least the next 2 years.

Landowners and other stakeholders who have registered to receive Transgrid's Newsletters will be contacted directly but anyone interested can participate.

Voconiq are also placing recruiters on the ground at key towns along the route to ask people to participate. Respondents recruited on foot are offered a grocery voucher to participate. They will be outside the Bluebird Cafe in Lockhart on Saturday 13 August.

As a token of their appreciation for community members participating in the survey, Transgrid will provide \$10,000 to charities that provide important support services to community members in the regions. At the end of the survey three charities are listed and the respondent can provide his/her order of preference for the charities to receive either \$5,000, \$3,500 or \$1,500. Transgrid will continue to support these charities each time it undertakes a round of survey.

Integrated Planning and Reporting Reference

C1: Ensure responsible development practices are exercised.

Legislative Policy & Planning Implications

Project EnergyConnect has been declared Critical State Significant Infrastructure and as a result the NSW section of the project will be assessed at a State Government level under the State Significant Infrastructure process. The consent authority for this Project is the Minister for Planning.

Budget & Financial Aspects

Nil.

Attachments

Nil.

Recommendation: That the information be noted.

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

7. 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.

Prichard Pl: Minor drainage works will be carried out when weather permits to complete the project.

Lockhart Kywong Rd – 1.25km North of Slocums Ln: three structures now completed. Minor roadworks will take place to complete the project, as weather permits.

Mittagong Yerong Creek Road: Funding secured through the Fixing Local Roads program to increase the capacity of two culverts and add additional width on Mittagong Yerong Creek Road with construction scheduled to commence in August 2022, weather permitting.

Unsealed road maintenance of Shire gravel roads has been conducted on: Illetts Lane, Benders Lane, Clancys Lane, Dan Gleasons Lane, Doigs Lane, Erinvale Road, Forcks Lane, Klemkes Road, Jones Lane, Lieschkes Lane, Mount Ulva Road, Pitches Road, Stoney Park Road, Wallendoon Access Road, Munyabla Boundary Road, Ryan Stock Route, Ryan Lane, Spurrells Road and Wetmores Lane.

Gravel resheets have been conducted on, Soldier Settlement Road, Ryan Lane and Wetmores Lane.

The removal of vegetation on local rural roads has been conducted on County Boundary Road and Osborne Yerong Creek Road.

The bitumen crew have been kept busy with an increase of pavement failures due to the weather. Routine maintenance has continued on our Local and Regional Roads.

b) **Parks and Gardens:**

Ave of Honour, The Rock – Kurrajong

Council has sourced advanced Kurrajong specimens for planting where trees were previously removed. Some planting has commenced where possible, a mini digger will be sought to excavate further holes and remove old roots.

Removal of dead trees, pruning of trees suffering from severe dieback, and removal of dead limbs has mostly been completed. The crown has been removed from dead trees, removal of trucks and stump grinding will be scheduled as resources become available. It is hoped that the pruning of the trees with dieback will help encourage new growth and prolong their lifespan, giving new trees time to establish before too many of the older trees succumb.

The Rock Recreation Ground

The over mature peppercorn trees were recently removed as part of the boundary track upgrade. Eucalyptus eximia nana, dwarf yellow bloodwood have been planted thanks to a donation from The Rock Touch Football.

Lockhart Caravan Park Entrance, Green St

Replacement of the old granite path with paving has commenced. Refurbishment will also include replacement of pebble surface with pea granite and the extension of the existing garden bed.

This area is already the home of the annual winner of Spirit of the Land sculpture and will also become the permanent home of the 'Spirit of the Land' Frame Sculpture, kindly donated by its creator David Fenwick of Weathered Garden Art, Mangoplah. The frame was very popular at the 2019 Spirit of the Land Festival with many visitors posing for photos behind it, its permanent inclusion in this position will allow visitors to take photos of themselves with the caravan park and creek backdrop throughout the year and can also be used during the festival.

Parks and Gardens

Along with the ongoing garden maintenance of regular weeding, spraying, pruning, deadheading, and mulching, the shires roses have also been pruned, fertilised and mulched.

Walter Day Park is also looking very open at the moment due to some hard pruning of some very leggy bottlebrush and melaleuca. These species should take the hard pruning well and recover quickly with fresh new shrubby growth to fill out the gardens better.

Weed Control

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

Freehand herbicide has been trialed in several lawn situations to test its ability to suppress the germination of khaki weed and Caltrop (bindii/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.

Mowing and Slashing

Growth has slowed significantly; slashing in towns and villages is still being conducted as required. Many roadsides are quite saturated; it will be difficult to get machines on these areas for the foreseeable future.

Growth of irrigated lawns is being monitored and mowed as required.

Trees

Replacement trees have been planted on Prichard Place.

The tree maintenance program has continued. Council's priority has been high risk, dead, dying, or damaged trees. The bulk of these have been completed and the usual under pruning of street trees has commenced.

Watering of any trees planted in the last two years has ceased due to regular rain, cooler temperatures, and dormancy of many species.

Lockhart Shires 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.

c) **Biosecurity**

Control Program

Priority has been given to the control of Bridal creeper (*Asparagus asparagoides*) and Horehound (*Marrubium vulgare*) on roadside reserves and council managed land.

Henty Machinery Field Days

The Henty Machinery Field Days are scheduled for the 20 to 22 September. Council's Environmental Officer will represent the Riverina WAP (Weeds Action Program) in the 'Weeds Shed'. This is a great opportunity to interaction with members of the public to: assist with plant identification, discuss best control management practices, advise on new advancements in the biological control sector, and discuss issues regarding biosecurity obligations and land tenure.

PESTS

Common White Snail Baiting Program

Snail baiting application occurred on Fairview Lane on 21 July.

Spring Fox Baiting

In preparation for the spring fox baiting program, advertisement in local newspapers will occur in August. Fox baiting on Galore Hill Scenic Reserve and Kincaid's Reserve is scheduled to begin on 6 September.

ENVIRONMENTAL MATTERS

Council Pest Management Practices

BirdLife Australia has requested that councils review their pest management practices, to avoid the use of Second-generation Anticoagulant Rodenticides (SGARs), which are harmful to native birds and wildlife, as well as household pets. An action kit for councils has been developed to assist. This program has been implemented in response to the high number of birds of prey that died from secondary poisoning in the last mouse plague.

WIRES

Following a recent collaboration between WIRES and Sutherland Shire Council, WIRES has contacted councils offering an opportunity to partner with WIRES to support native wildlife. WIRES is hoping to initiate similar programs across NSW to develop plantations that act as an ongoing harvestable food source for native wildlife in the care of WIRES.

TransGrid Project Energy Connect (PEC)

Lockhart Shire Council has been notified of TransGrid intent to construct transmission lines over 24 council roads, as well as Cullivel State Forest, Brookong Travelling Stock Reserve, Brookong State Forest, Brookong Creek and Burkes Creek. Where detrimental environmental aspects will be associated with installation, Lockhart Shire Council is objecting. These decisions have been made based on vegetation composition, endangered ecological communities, threatened species, native fauna habitat, vegetation conservation value, and the presence of Aboriginal culture and heritage.

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

DA/CDC No	Development	Applicant	Site of Development
DA79/22	Shed & Awning	Sharni Wheatley, Maxand Pty Ltd	1 Treasure Street, Lockhart
DA80/22	Garage & Carport	Glenn Leckie	11 Cox Street, Yerong Creek
DA82/22	Garage & Carport	Peter Bailey	9 Carson Road, The Rock
CDC02/23	Shed	Andrew Patterson	23 King Street, The Rock
CDC03/23 PC	Inground Swimming Pool	Dartnell Building Certifiers	41 Healys Lane, Milbrulong

DA/CDC No	Development	Applicant	Site of Development
DA04/23	Shed	Simon Hounsell	1 Bond Street, Lockhart
CDC05/23 PC	Dwelling	Fine Eye Designs	118 The Rock Collingullie Road, The Rock

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.

8. VARIATION TO LOCKHART DEVELOPMENT CONTROL PLAN 2016 – DA01/23

(MB&P: 22/9128)

Executive Summary

Council have received a development application (DA01/23) for the construction of a shed at 4 Watson Street, The Rock (Lot 1 Section 15 DP977904). The development application has been submitted to Council for determination as the proposed development exceeds the maximum height permitted under the Lockhart Development Control Plan 2016.

Background Information

Council have received a development application (DA01/23) for the construction of a shed at 4 Watson Street, The Rock (Lot 1 Section 15 DP977904). Please refer to the plans at Attachment A.

The subject land is zoned RU5 Village under the Lockhart Local Environmental Plan 2012 and it is located towards the southwestern fringe of the village. The area of the subject allotment is 4.161 hectares (10.281 acres) and it is currently used for small scale agricultural purposes (cropping and livestock). The applicant proposes to build a shed, for the purposes of storing the farm machinery utilised on the property, adjacent to the eastern boundary of the allotment. There is currently a dwelling and several ancillary outbuildings on the property with an existing vehicular access from Watson Street. The proposed shed has the following dimensions.

- 18m long x 12m wide
- Floor area 216m²
- Wall height to the top of the gutter 5.0 metres
- Overall shed height to the ridge 6.1 metres

The Lockhart Development Control Plan 2016 (DCP) has the following development controls relating to sheds in village areas.

Development Control	Comments
2.2 Side setbacks	
<p>All buildings will be set back 3 metres from side street (secondary street) boundaries;</p> <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. Watson Street is considered to be the principal frontage/boundary and Olympic Highway the secondary frontage/boundary. The proposed setback from the Olympic Highway boundary is approximately 190 metres.</p> <p>The proposed setback (1.0 metre) from the Watson Street boundary is considered satisfactory as the bulk and scale of the proposed shed is not considered to generate significant impacts for the neighbouring properties.</p> <p>Complies. The proposed setback from the southern side boundary is approximately 200 metres.</p> <p>Complies. Rear boundary setback approximately 80 metres.</p>
3. Filling of lots	
<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>
4. Sheds in village areas	
<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>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>Noted.</p> <p>Complies.</p> <p>Does not comply.</p> <p>Wall height to the top of the gutter: 5.0 metres (1.9 metres higher)</p> <p>Overall shed height to the ridge: 6.1 metres (1.6 metres higher)</p> <p>Complies. Roof pitch 10 degrees.</p> <p>The applicant has indicated that the building is to be used for storage of farm machinery.</p> <p>A condition, regarding the use of the shed, will be included in the consent.</p>

Development Control	Comments
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 Any applications to Council for sheds outside the provisions of this Chapter will be referred to Council for determination.	Not applicable. The development application has been submitted to Council for determination as the proposed development exceeds the maximum height permitted under the DCP.

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.*

The height of the shed, measured from the surrounding finished ground level to the top of the gutter (5.0 metres), is required to be referred to Council for determination, as it is a 61% variation.

Similarly, the height of the shed, measured from the surrounding finished ground level to the highest point of the shed (6.1 metres), is required to be referred to Council for determination, as it is a 36% variation.

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 (4.161 hectares) for a residential property and the scale of the proposed shed is consistent with the existing buildings on the property 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 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 determination by Council of a variation to the Lockhart Development Control Plan 2016.

Budget and Financial Aspects

Nil.

Attachment

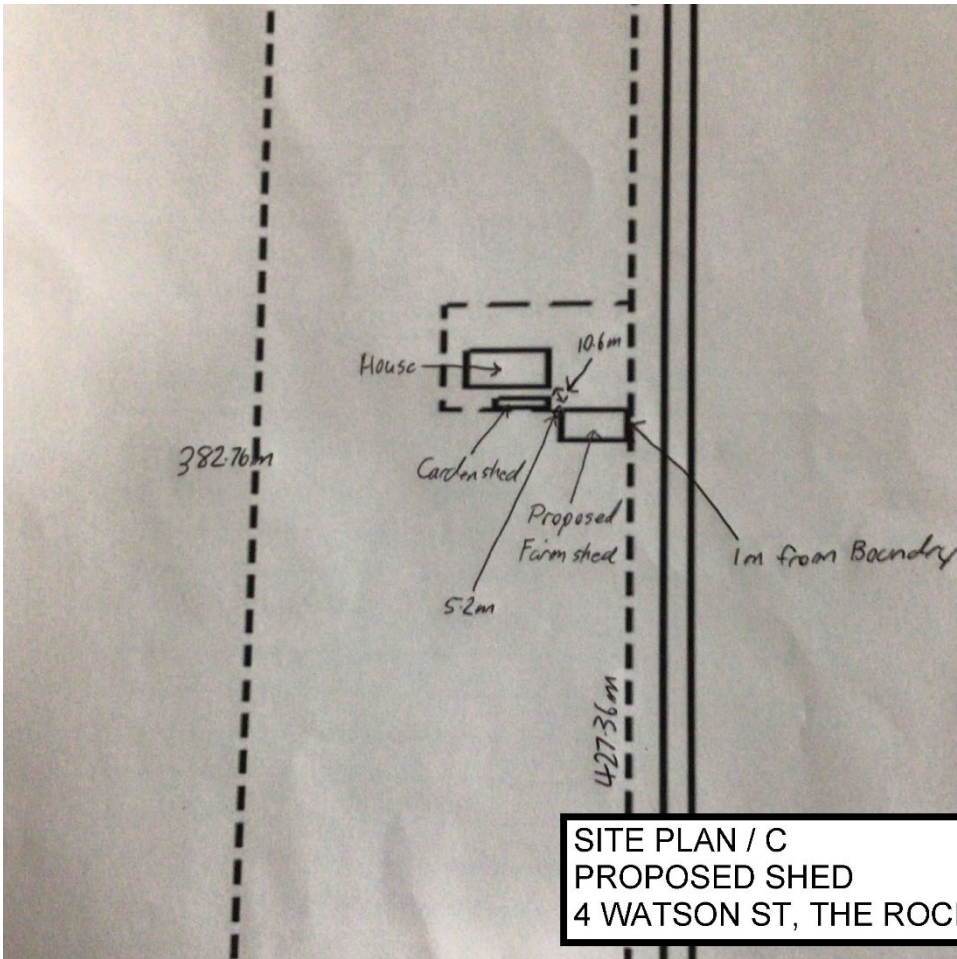
- Attachment A - Site plan, floor plan and elevations
- Attachment B - Draft Schedule of Conditions

Recommendation: That Council supports the requested variation to the Lockhart Development Control Plan 2016 and grant consent to Development Application DA01/23 for a “Shed” at 4 Watson Street, The Rock (Lot 1 Section 15 DP977904), subject to compliance with the conditions set out in the Draft Schedule of Conditions at Attachment B.

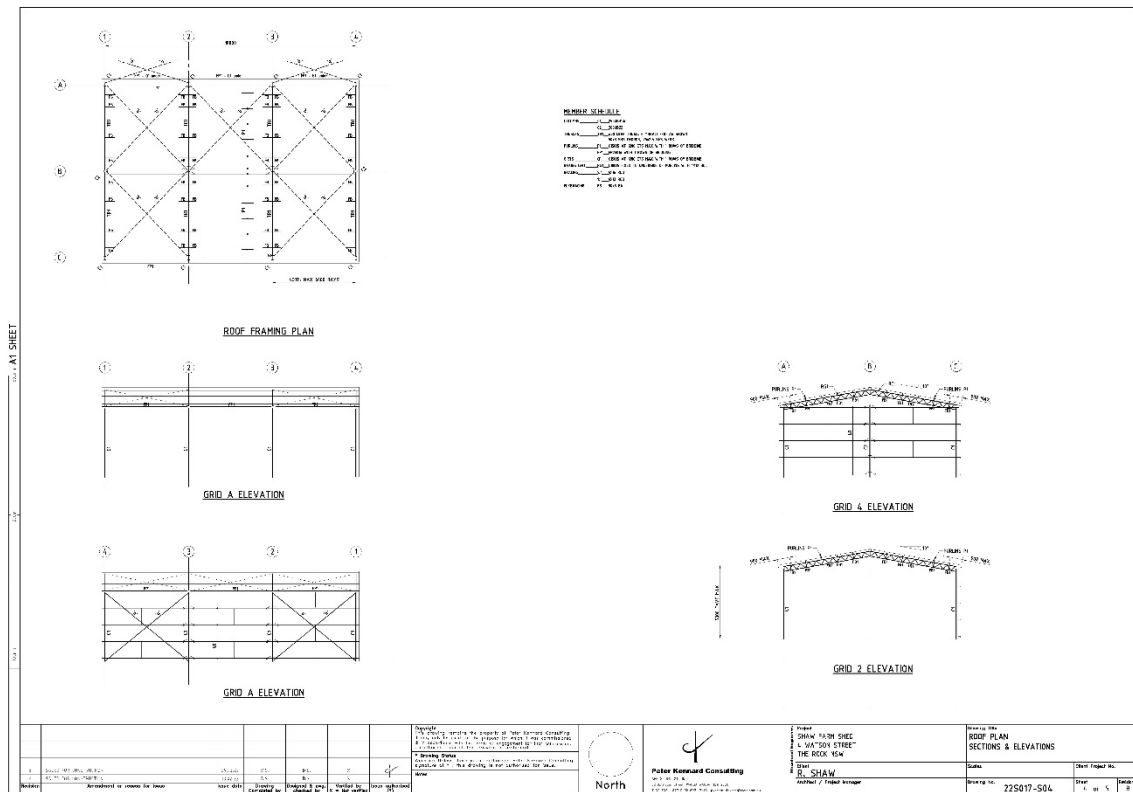
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Item 8: Attachment A: Site plan, floor plan and elevations





**SITE PLAN / C
 PROPOSED SHED
 4 WATSON ST, THE ROCK**



Item 8: Attachment B: Draft Schedule of Conditions

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	A, B & C	Applicant	Nil
Floor Plan & Elevations	22S017-S04 Sheet 4 of 5 Rev B	Peter Kennard Consulting	29.3.2022

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 10 BUILDINGS

The following inspections are required. A minimum of 48 hours' notice is to be given to the Principal Certifier prior to each inspection:

- a) after excavation for, and prior to the placement of, any footings, and
- b) prior to pouring any in-situ reinforced concrete building element, and
- c) prior to covering of the framework for any floor, wall, roof or other building element, and
- d) prior to covering any stormwater drainage connections, and
- e) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

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 was made). This provision applies irrespective of the details contained in or omitted from the plans and specifications.

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.

5. LONG SERVICE LEVY

The long service levy is payable under Section 34 of the Building & Construction Industry Long Service Payments Act 1986. Section 6.8 of the Environmental Planning and Assessment Act 1979 requires that a construction certificate cannot be issued unless the long service levy has been paid. Evidence of payment of the long service levy is to be provided prior to the issuing of 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 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.

7. SIGNS TO BE ERECTED ON ALL BUILDING 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 of a building is being carried out:

- a) showing the name, address and telephone number of the principal certifier for the work, and
- b) showing the name of the principal contractor, if any, for building work and a telephone number on which the principal contractor may be contacted outside working hours, and
- c) stating that unauthorised entry to the site is prohibited.

8. NOTICE OF COMMENCEMENT OF WORKS

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

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 ASSETS

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 and 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 Watson Street drainage channel.

17. 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.

18. 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

9. INVESTMENT AND BANK BALANCES REPORT – 31 JULY 2022

(DCCS: 22/10487)

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

Opening Combined Cashbook Balance			2,124,572.62
Add: Total Receipts			
	Rates	46,594.19	
	Debtors	35,981.90	
	Miscellaneous	56,772.58	
	Interest	2,073.44	
	June BAS Return	9,948.00	
	Apprenticeship Incentives	2,500.00	
	CCCF Sustainability Assistance	14,850.00	
	NSW EPA - PIP Grant M5	22,185.00	
	Dept Regional NSW - Wellbeing Recovery Funding	10,000.00	
	Dept Regional NSW - SCCF2 -0472 - Milestone 3	34,000.00	
			234,905.11
Less: Total Payments			1,039,588.00
	New Investments	0	1,500,000.00
Closing Combined Cashbook Balance			<u>1,319,889.73</u>
Closing Bank Statement Balance	Bendigo Bank	1,400,871.02	
	Macquarie Bank	116,446.68	
	Bendigo Bank-Prichard Trust	31,667.84	
			1,548,985.54
Add: Outstanding Deposits			3,434.60
			1,552,420.14
Less: Outstanding Cheques			232,530.41
Closing Combined Cashbook Balance			<u>1,319,889.73</u>
Investments:	Interest Rate	Amount	% of Total
	per Annum	Invested	
Bendigo	2.20	500,000.00	6.06
Bendigo	2.20	500,000.00	6.06
Bendigo	1.00	500,000.00	6.06
Bendigo	AT CALL	100,000.00	1.21
Bendigo	1.30	400,000.00	4.85
Commonwealth	3.01	500,000.00	6.06
Commonwealth	1.71	500,000.00	6.06
Commonwealth	2.31	250,000.00	3.03
Commonwealth	1.62	500,000.00	6.06
Commonwealth	2.31	500,000.00	6.06
MACQUARIE BANK	1.20	500,000.00	6.06
MACQUARIE BANK	1.20	500,000.00	6.06
MACQUARIE BANK	1.77	500,000.00	6.06
NAB	1.05	500,000.00	6.06
NAB	1.05	500,000.00	6.06
NAB	1.75	500,000.00	6.06
NAB	2.26	500,000.00	6.06
NAB	2.05	500,000.00	6.06
		<u>8,250,000.00</u>	100.00
			<u>AMOUNT</u>
General (PTD)	1490-3000-0000		-992,504.74
Combined Sewerage	8490-3000-0000		2,280,726.63
Trust Fund	9991-3000-0000		31,667.84
		<u>1,319,889.73</u>	<u>1,319,889.73</u>
	TOTAL FUNDS HELD ARE:	<u>9,569,889.73</u>	

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 2022/23 Operational Budget has forecast a total of \$39,750 income from interest on investments for General Fund & Sewer Fund combined. For the month of July 2022, the average end of month balance of funds invested has been \$8.25 million and the average return on invested funds has been 1.76%. On these year to date figures, Council's budgeted income on investments will be achieved for the General Fund and Sewer Fund.

This will be monitored and if required adjusted at the 1st Quarterly Budget Review.

Responsible Accounting Officer Statement

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

Recommendation:

- a) That the 31 July 2022 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

10. LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

(GM: 22/9541)

Executive Summary

Council is required to determine its voting delegate and other attendees to the Annual Conference of Local Government NSW (LGNSW).

LGNSW Annual Conference

LGNSW is the peak industry body representing NSW councils. It is also the registered employer organisation representing NSW councils in industrial matters and in award negotiations with the relevant unions.

The LGNSW Annual Conference is the annual policy-making event for all councils of NSW. Councils are provided with the opportunity to submit motions for consideration and debate by delegates. Motions passed at the Conference become Resolutions, which LGNSW takes forward on behalf of councils as part of the sector's advocacy agenda.

This year the Annual Conference will be held from 23 to 25 October 2022. The Conference will be held at the Crowne Plaza Hunter Valley.

Historically the Mayor has attended the Conference as the Council's voting delegate along with the General Manager. However, the Councillors' Professional Development Program adopted by Council also makes provision for one other councillor to attend the LGNSW Annual Conference each year in addition to the Mayor.

The deadline for councils to provide the names of their voting delegates is 10 October 2022.

Member councils are invited to put forward motions by 25 September 2022 to be considered at the Conference. LGNSW advises that proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. When submitting motions, councils are encouraged to familiarise themselves with the existing principles and positions of LGNSW on issues of importance to the sector, as councils will be asked to identify if their motion is seeking a change to LGNSW's existing Policy Position.

The full Conference Business Paper, containing the motions that have been submitted for consideration, will be available on the LGNSW website two weeks prior to the Conference.

Integrated Planning and Reporting Reference

- E3: Advocate for the appropriate representation of the needs of the Lockhart Shire community at a state and regional level.
- E3: Continue to lead and advocate on key social and community issues.
- E3: Ensure Council staff and Councillors participate regularly in professional development to support high quality customer service and professional skills.

Legislative Policy & Planning Implications

The LGNSW Annual Conference is the annual policy-making event for all NSW councils.

Budget & Financial Aspects

The LGNSW Annual Conference costs are provided for in the 2022/23 Budget, except for any partner costs not covered by Council's policy, which will be on-charged, if applicable.

Attachment

Nil.

Recommendation: That Council:

1. Appoints the Mayor as its voting delegate at the 2022 LGNSW Annual Conference; and
2. Nominates one other Councillor to attend the Annual Conference together with the Mayor and the General Manager.

11. 2021 CENSUS INFORMATION AND POPULATION PROJECTIONS

(GM: 22/9731)

Executive Summary

The Australian Bureau of Statistics (ABS) has commenced progressively releasing information from the 2021 Census. The Department of Planning, Industry and Environment (DPIE) has also released its forward population growth projections.

Report

Set out below is information relating to the 2021 Census publicly released by the ABS. The information provided below is only a short extract and a significant amount of additional information is available on the ABS website. There will be more staged releases of Census information by the ABS in the coming months.

People

Population 3,319
Male 49.7% Female 50.3%
Median age 46

Families

Total 868
Average number of children per family
– for families with children 2.1
– for all families 0.8

Dwellings

Total 1,412
Average number of people per household 2.5
Occupied private dwellings 1,202 (90.2%)
Unoccupied private dwellings 121 (9.1%)

Dwelling structure

- Separate house 1,158 (96.3%)
- Semi-detached, row or terrace house, townhouse etc 8 (0.7%)
- Flat or apartment 17 (1%)
- Other dwelling 5 (0.4%)

Occupancy

- Family households 849 (70.5%)
- Single (or lone) person households 323 (26.8%)
- Group households 33 (2.7%)

The Shire's population as recorded in the 2016 Census was 3,119. The 2021 Census figure of 3,319 represents a 6.41% increase for the five-year Census period or an annual average population growth of 1.28%.

Notably the Department of Planning, Industry and Environment (DPIE) has released its population projections and has forecast that Lockhart Shire's population will grow to approximately 4,500 by 2041, representing an average annual population growth of over 1.5%.

According to DPIE in the Lockhart Shire Local Government Area (LGA) births are exceeding deaths i.e. natural increase, and net migration is positive i.e. more people are moving to the LGA than are leaving it.

Integrated Planning and Reporting Reference

- E3: Represent and acknowledge the needs, challenges and characteristics of our communities
- E3: Remain updated and informed on current demographic and social data pertaining to Lockhart Shire communities and population groups

Legislative Policy & Planning Implications

The demographic information being made available by the ABS will prove valuable information for Council's strategic planning including the current review of the Lockhart Shire Local Environmental Plan.

Budget & Financial Aspects

Nil.

Attachments

Nil.

Recommendation: That the information be noted.

12. AUDIT, RISK AND IMPROVEMENT COMMITTEES – DRAFT GUIDELINES

(GM: 22/9745)

Executive Summary

The Office of Local Government (OLG) has issued a further update regarding the draft guidelines for the operation of Audit, Risk and Improvement Committees (ARIC) particularly with respect to eligibility requirements for ARIC chairs and independent members.

Report

As previously reported to Council, amendments inserted into the Local Government Act in recent years require councils to appoint an Audit, Risk and Improvement Committee (ARIC).

The OLG has previously issued *Guidelines for Risk Management and Internal Audit for Local Councils in NSW* to guide the operations of ARICs and to require councils to have a risk management framework and internal audit function to support and inform their operations. The Guidelines have not been finalised and remain in draft form.

Originally, the draft guidelines required that ARIC chairs be prequalified under the NSW Government's prequalification scheme. However the OLG has now provided the following update regarding the eligibility requirements for ARIC chairs and independent members:

- *“Following recent discussions, the OLG and NSW Treasury have agreed that the NSW Government’s Prequalification Scheme for Audit and Risk Committee Chairs and Members will not be suitable for use by councils and joint organisations.*
- *OLG’s draft Guidelines for Risk Management and Internal Audit for Local Councils in NSW, issued for consultation last year, contemplated that from June 2027 councils and joint organisations would be required to appoint Audit, Risk and Improvement Committee (ARIC) chairs and a prescribed number of ARIC members from the NSW Government prequalification scheme. Following discussions with NSW Treasury, OLG has taken the opportunity to revisit this requirement, delaying the finalisation of the Guidelines.”*
- *Under the new requirements, all councils (including county councils) and joint organisations will be required, at a minimum, to have an ARIC that comprises of the following:*
 - *one independent chair who meets the independence and eligibility criteria for an ARIC chair, and*
 - *at least two independent members who meet the independence and eligibility criteria for ARIC members – councils may appoint additional independent members should they choose to do so.*
 - *Councils will also have the option of appointing one non-voting councillor member to their ARIC who meets the eligibility criteria for councillor members.*
- *Given that councils and joint organisations will no longer be required to appoint ARIC chairs and members from the NSW Government prequalification scheme, the timeframe for compliance with the ARIC membership requirements in the Guidelines will be brought forward to 1 July 2024.*

The original guidelines required councils to comply by 2027.

The new eligibility requirements announced by the OLG to replace the NSW Government’s Prequalification Scheme are attached. In particular, it is noted that ARIC chairs and independent members cannot:

- *currently be a councillor of any NSW council*
- *be a non-voting representative of the board of a joint organisation*
- *be a candidate at the last election of the council*
- *be a person who has held office in the council during its previous term*
- *be currently employed by the council or joint organisation, or been employed during the last 12 months*
- *conduct audits of the council on behalf of the Audit Office of NSW*
- *have a close personal or business relationship with a councillor or a person who has a senior role in the council that may lead to a real or perceived conflict of interest*
- *currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit, and advisory services) to the council which directly affect subjects or issues considered by the ARIC*
- *be (or have a close family member who is) a substantial shareholder, owner, officer, or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or*
- *currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.*
- *Current staff of councils cannot serve as the chair of an ARIC but may serve as an independent member of another council’s ARIC, provided they meet the independence and eligibility criteria for membership of the council’s ARIC and their employer is not participating in a shared arrangement with the other council in relation to the ARIC or the internal audit function.*

Council has collaborated with five other councils in the region to form an Internal Audit Alliance, The Alliance is a cost-effective way of sharing the services of a contracted internal auditor and having general managers and finance staff sit as independent members of another council’s ARIC. For example the General Manager and Director Corporate and Community Services are the chair and independent member respectively of Temora Shire Council’s ARIC whilst the Junee Shire Council’s General Manager

and Director Corporate and Community Services are the chair and independent member respectively of Lockhart Shire Council's ARIC.

This arrangement will not be compliant with the new eligibility requirements and will have to be re-visited by the Internal Audit Alliance member councils.

Integrated Planning and Reporting Reference

- E1: Advocate and prepare for the long-term sustainability of our Shire.
- E1: Continue to enhance sound financial management policies and practices.
- E1: Meet all governance and regulatory requirements in the conduct of Council operations.
- E1: Minimise Council's exposure to risk and promote a strong risk management culture within Council.

Legislative Policy & Planning Implications

Council has complied with the primary obligation under the Local Government Act to establish an ARIC. However, the composition of the ARIC does not comply with the new eligibility requirements for ARIC chairs and independent members. Council will need to transition its ARIC in terms of its composition and to comply with the eligibility requirements by July 2024.

Budget & Financial Aspects

An allocation has been included in the 2022/23 Operational Plan Budget which covers the cost of a contracted internal auditor whose services are shared with other member councils which Council has collaborated with to form an Internal Audit Alliance.

Whilst the updated eligibility requirements will not impact on the 2022/23 budget, they will in time result in additional governance costs to Council.

Attachments

- OLG – Eligibility Requirements for ARIC Chairs and independent members.

Recommendation: That the information be noted.

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Item 12: Attachment – OLG Eligibility Requirements for ARIC Chairs and Independent Members



Attachment

The following requirements will apply to ARIC chairs and members from **1 July 2024**.

1. Independence requirements for ARIC chairs and independent members

All ARIC chairs and independent members must be independent to ensure they have no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the council with robust, objective, and unbiased advice about how the council is functioning.

ARIC chairs and independent members cannot:

- currently be a councillor of any NSW council
- be a non-voting representative of the board of a joint organisation
- be a candidate at the last election of the council
- be a person who has held office in the council during its previous term
- be currently employed by the council or joint organisation, or been employed during the last 12 months
- conduct audits of the council on behalf of the Audit Office of NSW
- have a close personal or business relationship with a councillor or a person who has a senior role in the council that may lead to a real or perceived conflict of interest
- currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit, and advisory services) to the council which directly affect subjects or issues considered by the ARIC
- be (or have a close family member who is) a substantial shareholder, owner, officer, or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or
- currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.

Current staff of councils cannot serve as the chair of an ARIC but may serve as an independent member of another council's ARIC provided they meet the independence and eligibility criteria for membership of the council's ARIC and their employer is not participating in a shared arrangement with the other council in relation to the ARIC or the internal audit function.

2. Eligibility requirements for ARIC chairs and members

The persons appointed as a chair or a member of an ARIC must possess the skills, knowledge, and experience necessary to undertake their roles on the ARIC effectively and to ensure the ARIC is able to operate appropriately and effectively to support the council.

The following eligibility criteria for ARIC chairs and members reflects the minimum standards persons must meet to be appointed as the chair or member of a council's ARIC. Councils may require ARIC chairs and members to satisfy more onerous eligibility criteria if they choose to do so.

Eligibility requirements for ARIC Chairs

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to the chair of an ARIC.

Essential criteria

ARIC chairs must demonstrate the following:

- leadership qualities and the ability to promote effective working relationships in complex organisations
- an ability to communicate complex and sensitive assessments in a tactful manner to the head of the council's internal audit function, senior management and the mayor and councillors
- a sound understanding of:
 - the principles of good organisational governance and capacity to understand local government accountability, including financial reporting
 - the business of the council or the environment in which it operates
 - internal audit operations, including selection and review of the head of the council's internal audit function, and
 - risk management principles
- extensive senior level experience in governance and management of complex organisations, an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and a willingness to constructively challenge/question management practices and information, and
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of the chair of an ARIC.

Desirable criteria

- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)) is desirable.

Eligibility requirements for ARIC independent members

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to ARIC independent members:

Essential criteria

ARIC independent members must demonstrate the following:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of an independent member of an ARIC, and



- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the independent member.

Desirable criteria

Ideally, independent members of ARICs should also meet the following criteria, but these are not essential:

- extensive senior level experience in governance and management of complex organisations, and
- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)).

Eligibility requirements for non-voting councillor members of ARICs

A councillor must demonstrate the following to be appointed as a non-voting ARIC member:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- a good understanding of one or more of the following: risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of a councillor member of an ARIC, and
- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the councillor member.

Note: The mayor cannot be appointed as a councillor member on a council's ARIC.

3. Appointment of ARICs

When selecting ARIC members, councils should ensure the ARIC has an appropriate mix of skills, knowledge and experience to successfully implement its terms of reference and add value. An ARIC should have:

- at least one member with financial expertise (for example, a qualified accountant or auditor or other financial professional with experience of financial and accounting matters), and
- a mix of skills and experience in:
 - business
 - financial and legal compliance
 - risk management
 - internal audit, and
 - any specialised business operations of the council, where the ARIC would benefit from having a member with skills or experience in this area.

All ARIC members should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the ARIC's consideration of the annual financial statements.



Each ARIC member should also have sufficient time to devote to their responsibilities.

Where possible, councils should ensure that at least one other ARIC member is also qualified to act as the chair if this is ever required.

Note: Councils must undertake a criminal record and financial status (bankruptcy) check of ARIC chairs and members before their appointment.

13. POLICY REVIEWS

(GM: 22/7970)

Executive Summary

A number of policies are due to be reviewed in accordance with the three-year cycle referred to in Policy No. 1.0 Policies – Procedure for Consideration and Adoption.

Report

At its meeting held on 16 March 2020, Council endorsed “Policy No. 1.0 Policies – Procedure for Consideration and Adoption” which set out a process for the systematic review of Council policies and the development of new policies.

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

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

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

Policy 1.0 also provides that any new or amended policies that, in the Council’s opinion, may impact on residents and ratepayers and/or on the provision of services to the community, are to be placed on public exhibition for a period of not less than 28 days, and any submissions received will be considered by Council prior to adoption of the Policy,

The following Policies are now due for review in accordance with the scheduled three-year cycle referred to in Policy No. 1.0:

- Policy 1.21 Investment Attractions Incentives
- Policy 3.1 Provision of Protective Clothing/Equipment
- Policy 3.29 Excessive Leave

No significant changes are proposed to the above policies.

Policy 1.21 has been referenced into the Council Operational Plan which was adopted following public exhibition.

Policies 3.1 and 3.29 have been referred to the Local Government Award Staff Consultative Committee.

Integrated Planning and Reporting Reference

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

E1: Minimise Council’s exposure to risk and promote a strong risk management culture within Council.

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Nil.

Attachments

1. Policy 1.21 Investment Attractions Incentives
2. Policy 3.1 Provision of Protective Clothing/Equipment
3. Policy 3.29 Excessive Leave

Recommendation: That the following policies, as presented, be adopted.

1. Policy 1.21 Investment Attractions Incentives
2. Policy 3.1 Provision of Protective Clothing/Equipment
3. Policy 3.29 Excessive Leave

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Item 13 – Attachment 1: Policy 1.21 Investment Attraction Incentives

1.21 Investment Attraction Incentives

POLICY TITLE: INVESTMENT ATTRACTION INCENTIVES POLICY

FILE REF: SC67

REVIEW DATE: AUGUST 2025

OBJECTIVES

The Investment Attraction Incentive Policy is aimed at supporting an economy and business operating environment that encourages investment. This Policy establishes Lockhart Shire Council's framework with respect to investment attraction and support for business in the region.

Through this Policy Council will deliver targeted strategies and programs to support economic growth. The policy is focused on targeted investment support, whereby the nature and scale of the proposed investment will stimulate significant economic benefits diversity and value-add to the wider regional economy beyond the growth of the business itself.

Lockhart Shire Council's investment attraction incentives are designed to attract investment in key strategic industries and designed to stimulate significant and sustainable economic growth, diversify our industry base and value add to our regional economy.

This policy does not apply to cases where investment assistance is required by Council to support a business threatened by closure or downsizing.

POLICY STATEMENT

For the purpose of this Policy, investment attraction, or incentives to invest, involves pro- active and strategic targeting of investment support. It involves initiatives to support an environment which encourages investment and/ or incentives which specifically encourage or achieve a required activity.

Council's support for new investment in the Lockhart Shire may be provided in a number of ways both non-financial and financial including but not limited to:

- Non-financial assistance, including (but not limited to) dedicated business officer assistance, fast-tracked development application process, assistance and support with property location, business support networks and marketing; and
- Financial assistance, including (but not limited to) interest free vendors terms, a discount on the price of industrial land, a discount on the price of residential land purchased in conjunction with an industrial lot, waiving of development application fees and deferred payment of infrastructure charges

These incentives are available for strategically important projects within identified industries and locations which will diversify the economy, support jobs growth and investment growth and provide a net community benefit.

The level of incentive applicable to a development and/or project will be determined by the eligibility criteria contained within the Policy. Council will ensure that any incentives are provided in a transparent, equitable and risk-averse manner. Under this Policy, Council's investment support adopts an approach to ensure that the Policy delivers net community benefits and contributes to the long term economic sustainability of Lockhart Shire.

Direct Financial Incentive Offers must be supported by a resolution of Council.

INVESTMENT ATTRACTION INCENTIVES PACKAGE

The Investment Attraction Incentives Package is a discretionary scheme which seeks to attract and support projects that will deliver the greatest benefits to the Lockhart Shire.

The focus of the incentives package is on projects that will:

- Create new jobs and investment;
- Value-add through enhanced supply chains;
- Generate growth within key strategic industries and locations;
- Demonstrate innovation and environmental sustainability; and

- Diversify and make the local economy more sustainable.

The Investment Attraction Incentives Package is specifically targeted to businesses in the following industries:

- Agricultural Production
- Manufacturing and Light Industry
- Transport and Logistics
- Visitor Economy – New Visitor Accommodation and/or Experiences

ELIGIBILITY CRITERIA

All applications for Direct Financial Incentives will be assessed in accordance with the Investment Attraction Incentive Policy.

The level of incentive applicable to a development and/or project will be determined by set eligibility criteria and may include (but not be limited to) Projects that:

- Provide a significant net economic and community benefit to Lockhart Shire.
- Are identified as a key strategic industry for the Shire where incentives are applicable.
- Are within an identified location where incentives are applicable.
- Sustainable and result in jobs growth, may involve relocation to the Lockhart Shire region and are innovative and environmentally responsible.
- Diversify the region's economic base and value-add to business.
- Fill an identified gap or need in the local economy.

The following projects, activities and organisations are not eligible for direct financial assistance:

- A project that does not fit within the Infrastructure Charges Incentives Administrative Policy and Investment Attraction Incentive Policy eligibility criteria for identified targeted industries and/or location.
- A project of a government department or agency, government-owned corporation or regional development organisation.
- A project which can be more appropriately funded by another government program.

Council's Investment Attraction Incentives Package does not apply to cases where investment assistance is required by Council to support a business threatened by closure or down-sizing. Financial assistance will not be provided retrospectively.

THE INCENTIVES

The Investment Attraction Incentives Package is aimed at attracting investment in key industries and locations which will encourage jobs, growth and investment in the Lockhart Shire.

The Incentives Package is available to businesses wishing to relocate and/or expand operations within the Lockhart Shire Local Government Area.

INCENTIVE	DESCRIPTION
Dedicated Business Assistance Officer	A dedicated Business Assistance Officer will act as a single point of contact for prospective investors, providing continuity of advice and assistance in helping to meet individual business requirements.
Fast Tracked Development Application Process	Guaranteed development application assessment timeframes including provision of pre-lodgement meetings, dedicated assistance and guidance. Guaranteed 10 day turn around on low complexity applications, house and shed applications and concurrence agency assessments, not requiring further referral or public notification.
Property Location Assistance	Assistance provided to prospective investors searching for ideal development sites or building premises within the Lockhart Shire.
Guided Familiarisation Tours	Provision of a guided familiarisation tour to highlight the region's unique characteristics and business potential.
Business Case Assistance	Assistance provided to prospective investors in obtaining the local economic and business data needed in preparation of project analysis and viability studies.

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INCENTIVE	DESCRIPTION
Business Welcome Information Package	Provision of a package of information pertinent to business operations in the Lockhart Shire to prospective investors or relocating employees.
Industry Networking	Provision of information and contact details for regional Industry Bodies and Business Enterprise Groups including an introductory meeting.
Business Support	Access to Murray-Riverina NSW Business Chamber, Riverina Business Enterprise Centre and Service NSW – Business to provide support through disciplines including accounting, legal, marketing, financial planning, banking, business mentoring, real estate, construction and more.
Financial Incentives *	Financial incentives may include but not be limited to: <ul style="list-style-type: none">– Waiving or discounting of development application fees.– Deferred payment of developer contributions and/or infrastructure charges.– Access to free co-operative regional marketing campaigns.– Free assessment of trade waste discharge requirements.– Attractive vendor terms on purchase of Council owned industrial or residential land.– Discounted sale price on multiple lot purchases of Council owned industrial or residential land.– Other financial incentives considered appropriate in the circumstances and based on the merit of individual applications.
Business Profile, Marketing & Connectivity	Access to business profile and marketing assistance through Council's website, business networks including but not limited to Regional Development Australia, Murray-Riverina NSW Business Chamber, Riverina Business Enterprise Centre and Lockhart Shire Council.
Community Engagement	Provision of general public relations/media advice and assistance and/or participation in marketing/awareness campaigns to assist with community engagement for relevant projects.

* Any financial incentives approved by Council may be subject to conditions. In particular the deferral of any developer contributions and/or infrastructure charges payable in accordance with a development consent issued by Council may be subject to:

- Execution of an appropriately worded agreement prepared by Council's solicitor.
- Lodgement with Council of a bond, bank guarantee or other appropriate surety.
- Registration of a caveat in favour of the Council on the title of the subject land.
- Where the development involves the subdivision of land, lodgement of the survey plan with the Land Titles Office within 30 days of it being certified by Council.

APPLICATION AND ASSESSMENT PROCESS

Applications for Direct Financial Assistance through the Investment Attraction Incentives Policy are to be made formally through an application process.

Projects will undergo a rigorous assessment to ensure only eligible projects that will provide a net economic and community benefit to the Lockhart Shire will be assisted.

Criteria considered during the evaluation of applications may include:

- The nature of the proposed business.
- Expected economic impact of the project/business.
- Capital investment.
- Employment generation (including indigenous employment).
- Income generation for residents.

- Level to which the proponent/project contributes to economic diversity.
- Economic sustainability of the project.
- Growth potential of the business.
- Level of innovation or research.
- Development capabilities.
- Ability to leverage additional economic growth in the future.
- Anticipated environmental impacts of the project.
- Timing of the project.
- Evidence of competing locations.

Proponents must provide a fully completed application form together with relevant supporting documentation as outlined in the application form. Council Officers can provide detailed advice on eligibility and guidance with the application process and documentation. Acceptance of a signed application does not guarantee approval for either all or part of the incentive being sought.

RELATED LEGISLATION AND DOCUMENTS

Lockhart Shire Investment Attraction Incentives Scheme Guidelines.

Lockhart Shire Investment Attraction Application Form.

Section 356 of the Local Government Act: - Can a council financially assist others?

- 1) "A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- 2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- 3) However, public notice is not required if:
 - a) the financial assistance is part of a specific program, and
 - b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area."

Adopted by Council – 15 August 2022

Refer Minute No. xxx/22

Adopted by Council – 15 April 2019

Refer Minute No. 79/19

Adopted by Council – 19 June 2017

Refer Minute No. 127/17

Item 13 – Attachment 2: Policy 3.1 Provision of Protective Clothing/Equipment

3.1 Provision of Protective Clothing/Equipment

POLICY TITLE: PROVISION OF PROTECTIVE CLOTHING/EQUIPMENT

FILE REF: SC67

EXPIRY DATE: AUGUST 2025

OBJECTIVES

- A. To comply with Council's obligations as an employer under the:
- a) Work Health & Safety Act 2011; and
 - b) Local Government (State) Award 2017; and
- Any relevant legislation by, inter alia, supplying workers with protective clothing and equipment suitable to the nature of the work performed and the work environment.
- B. To demonstrate a positive approach towards work health and safety.

POLICY STATEMENT

1. Application of the Policy
This Policy applies to all workers of Lockhart Shire Council who work in an environment where they are exposed to workplace hazards such as ultraviolet radiation, chemical and mechanical hazards. These positions shall be supplied with personal protective clothing and equipment to reduce the risk of exposure.
2. Employee Responsibilities
All Lockhart Shire Council workers are responsible for their personal health, safety and welfare and that of their fellow workers. They are required to co-operate with their employer in the interest of health and safety in accordance with Section 28 of the Work Health & Safety Act 2011.
In conjunction with this employee statutory requirement, it is the responsibility of supervisory staff to enforce this Policy to ensure that each worker, required to wear protective clothing/equipment, does so at the appropriate times.
3. Clothing Protection
Employees are to wear clothing in accordance with Council's Personal Protection Equipment and Clothing procedure.
4. Supply of Protective Clothing/Equipment
Council will supply safety boots that meet the Australian Standard to a value of \$120.00. Any cost above this amount is required to be met by the employee.
Council will provide all other protective clothing and equipment outlined in Clause 3 at no cost to the employee. Quantities of clothing supplied will be at the discretion of the Director Engineering and Environmental Services.
5. Maintenance and Replacement of Items
Items will be replaced only if the unserviceable items are returned to the Storeperson who will determine whether the item is serviceable or not.
The worker will be responsible for notifying the Storeperson of any lost or stolen items.
The worker will be responsible for the daily maintenance and safe keeping of all personal protective clothing and equipment issued to them.
6. Disputes
Any disputes regarding the replacement of unserviceable or lost items will be referred to the relevant Director.

7. Property Ownership
At all times personal protective equipment remains the property of Lockhart Shire Council.

8. Return of Personal Protective Clothing and Equipment
Permanent and temporary employees upon termination may be required, at the discretion of Director Engineering and Environmental Services, to return all items of personal protective clothing and equipment to the Council Storeperson. If clothes are deemed serviceable Council will arrange for their suitable cleaning and they will go into a pool of clothing for temporary workers.

9. Exemption
There will be no exemptions to the wearing of personal protective clothing and equipment and other safety equipment deemed necessary under the circumstances.

10. Disciplinary Procedures
Any worker who fails to wear any of the personal protective clothing/equipment shall not be paid until such time that they report to work wearing the correct personal protective clothing/equipment. The incident will be reported to the relevant Director and the disciplinary procedure as outlined in the NSW Local Government (State) Award 2017 applied.

11. Education and Training of Employees
At induction to Council all new workers are to be made aware of the Protective Clothing & Equipment Policy and their duty to comply with this Policy.

Supervisors who work in an environment exposed to solar UV radiation will be required to participate in sun protection education training dealing with issues surrounding supervisory responsibilities.

12. Plant
Where practicable all items of plant shall be air conditioned and all large areas of glass shall be tinted. Seatbelts where fitted must be worn at all times.

13. Contractors
Contractors and their workers are required to meet the minimum personal protective equipment requirements as set out in Council's Personal Protection Equipment and Clothing procedure at their own cost. Pool lifeguard Contractors will be provided with approved lifeguarding apparel and personal protective equipment as required.

*Amendments adopted by Council – 15 August 2022
Refer Minute No. xxx/22*

*Amendments adopted by Council – 18 March 2019
Refer Minute No. 68/19*

*Amendments adopted by Council – 18 June 2018
Refer Minute No. 172/18*

*Amendments adopted by Council – 13 December 2010
Refer Minute No. 392/10*

*Adopted by Council 17 August 2009
Refer Minute 283/09*

*Amendments adopted by Council – 20 June 2005
Refer Minute No. 24669*

*Amendments adopted by Council – 23 April 2001
Refer Minute No. 22610*

Item 13 – Attachment 3: Policy 3.29 Excessive Leave

3.29 Excessive Leave

POLICY TITLE: EXCESSIVE LEAVE

FILE REF: SC67

EXPIRY DATE: AUGUST 2025

OBJECTIVE

To establish a framework for managing and monitoring excessive leave for the purposes of ensuring the health and wellbeing of Council's staff and managing the significant financial liability associated with excessive levels of accrued leave.

DEFINITIONS

"Award" means the NSW Local Government (State) Award.

"Excess Annual Leave" for the purposes of this Policy means accrued annual leave in excess of eight weeks.

"Excess Long Service Leave" means the long service leave that an employee has accrued under the Award that is in excess of the long service leave that the employee would have accrued if covered by section 4 of the Long Service Leave Act 1955.

"Excess Time off in Lieu" for the purposes of this Policy means accrued time off in lieu in excess of one week.

POLICY STATEMENT

Lockhart Shire Council is committed to maintaining a supportive and healthy working environment. This includes ensuring the wellbeing of its staff by providing annual and long service leave, as determined by the Local Government (State) Award, so that staff may have breaks from work.

Council endorses a proactive leave management strategy and the use of leave within a reasonable time of it falling due. Accrual of excess leave is discouraged as excess levels of accrued leave can be a significant financial liability.

Managers and individual employees are responsible for managing leave accruals. Managers are required to identify instances of excess leave accruals and where appropriate develop strategies that are designed to ensure leave accrual is within the set limits. These strategies should be designed to suit their workforce keeping in mind competing demands such as staff shortage and increased workloads.

To enable managers and individual employees to fulfill their responsibilities under this Policy, the Payroll Officer will provide managers and supervisors with a monthly report on leave balances for those employees who directly report to them.

AWARD CONDITIONS

The Local Government (State) Award provides that:

- For each year of service an employee (other than a casual) is entitled to 4 weeks of paid annual leave;
- Unless otherwise provided, paid annual leave may be taken for a period agreed between the employee and the employer.
- The employer must not unreasonably refuse to agree to a request by the employee to take paid annual leave.
- The employer may direct an employee to take annual leave by giving at least four weeks prior notification where the employee has accumulated in excess of eight weeks annual leave.
- The employer may direct an employee to take long service leave accrued on or after 23 June 1988 and not taken within five years of it falling due provided that at least four weeks' notice is given to the employee.
- An employee who is entitled to long service leave, may, with the consent of the employer, cash out a particular amount of Excess Long Service Leave.
- The employer may direct an employee to take accrued time in lieu of overtime by the giving of at least two weeks' notice where the employee has accumulated in excess of one weeks' time in lieu of overtime.

LEAVE MANAGEMENT RESPONSIBILITIES

The management of excess leave and time off in lieu should occur in consultation with the employee and with the support of management and the Human Resources/ Work Health and Safety Co-ordinator. In this regard:

Employees will:

- 1) Schedule recreational leave as soon as practical after it falls due.
- 2) Plan leave in consultation with their supervisor or manager to optimise the balance between operational and employee needs.
- 3) Work towards the depletion of any accrued excess leave and excess time off in lieu, through the development of an excess leave management plan with their supervisor or manager.

Managers will:

- 1) Encourage and support staff in scheduling leave to promote wellbeing, performance and morale.
- 2) Ensure operational needs are met in the planning and authorisation of staff leave, while making certain that work demands are not an insurmountable obstacle to negotiating leave arrangements.
- 3) Proactively manage excess leave liability through developing Excess Leave Management Plans with employees who have accrued excess leave or excess time off in lieu.

EMPLOYEE LEAVE MANAGEMENT PLANS

- 1) An Employee Leave Management Plan (ELMP) is an agreement between the employee and employer that designates actions for reducing excess leave accrual in a timely manner (refer attached sample ELMP).
- 2) It is the responsibility of managers and employees to develop an ELMP where the employee has “Excess Annual Leave” and/or “Excess Time off in Lieu”.
- 3) An ELMP must take into consideration the additional leave that will fall due during the ELMP timeframe.
- 4) An employee who is entitled to annual leave or long service leave may, with the consent of the employer, take annual leave or long service leave:
 - a) on full pay; or
 - b) on half pay; or
 - c) on double pay

When an employee takes annual leave or long service leave, the leave entitlement will be deducted on the following basis:

- a) a period of leave on full pay - the number of days so taken; or
 - b) a period of leave on half pay - half the number of days so taken; or
 - c) a period of leave on double pay - twice the number of days so taken
- 5) Where an employee has not complied with the agreed ELMP, the manager may direct the employee to take annual leave at a time convenient to Council, taking into account, where possible, the wishes of the staff member. Such a direction must provide a minimum of four (4) weeks' notice to the employee.
 - 6) Where an employee has not complied with the agreed ELMP, the manager may direct the employee to take long service leave at a time convenient to Council, taking into account, where possible, the wishes of the staff member. Such a direction must provide a minimum of four (4) weeks' notice to the employee and can only apply in respect of long service leave accrued on or after 23 June 1988 and not taken within five years of it falling due.
 - 7) Where an employee has not complied with the agreed ELMP, the manager may direct the employee to take time off in lieu at a time convenient to Council, taking into account, where possible, the wishes of the staff member. Such a direction must provide a minimum of two (2) weeks' notice to the employee.

*Adopted by Council 15 August 2022
Refer minute xxx/22*

*Adopted by Council 17 June 2019
Refer minute 158/19*

14. ADOPTION OF COUNCIL POLICIES FOLLOWING PUBLIC EXHIBITION

(GM: 22/8806)

Executive Summary

Three policies are tabled for adoption by Council having been publicly exhibited for a period of 28 days.

Report

The following policies were tabled for Council's consideration at its meeting held on 18 July 2022:

- a) Policy 2.28 Asbestos Cement
- b) Policy 2.55 Roadside Vegetation Management
- c) Policy 2.56 Mobile Food Vans

At that meeting Council resolved that the policies be placed on public exhibition for a period of 28 days during which time comments and submissions in relation to the policies would be accepted and considered by Council prior to formal adoption.

No submissions were received following the public exhibition. The policies are now presented for adoption by Council.

Integrated Planning and Reporting Reference

- B1: Provide business support to our community.
- B1: Support the growth of the business and industry sector.
- C1: Provide efficient and sustainable waste management practices.
- C2: Increase the amount of native flora, fauna and protect threatened species.
- C2: Map local population of threatened and endangered plant species and protect where practical.

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

The Policies will have no discernible impact on Council's Budget.

Attachments

The relevant policies have previously been distributed to Councillors.

Recommendation: That the following policies, as publicly exhibited, be adopted:

- a) Policy 2.28 Asbestos Cement
- b) Policy 2.55 Roadside Vegetation Management
- c) Policy 2.56 Mobile Food Vans

15. REVIEW OF POLICY 2.13 LIGHT MOTOR VEHICLES

(DEES: 22/9324)

Executive Summary

Council *Policy 2.13 Light Motor Vehicles* was reviewed and adopted by Council in June 2020 with the next review scheduled for June 2023. However to encourage the adoption of more fuel-efficient vehicles including hybrid and electric vehicles into Councils fleet, an amendment to the current policy is proposed in accordance with *Policy 1.0 – Procedure for Consideration and Adoption*.

Background

At its meeting held on 16 March 2020, Council endorsed "Policy No. 1.0 Policies – Procedure for Consideration and Adoption" which set out a process for the systematic review of Council policies and the development of new policies. Policy 1.0 Policies – Procedure for Consideration and Adoption, provides that: In order to ensure that policies remain relevant a program of ongoing review of policies not later than every three years will be developed and maintained.

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

Policy 1.0 also provides that any new or amended policies that, in the Council's opinion, may impact on residents and ratepayers and/or on the provision of services to the community, are to be placed on public exhibition for a period of not less than 28 days, and any submissions received will be considered by Council prior to adoption of the Policy.

Report

Policy 2.13 outlines the conditions under which Council provides vehicles to eligible key employee positions. Eligible employees make a contribution for which they can use Council's vehicle for private use and each vehicle is issued with a Council fuel card for purchasing fuel within NSW. The Policy outlines the vehicle type available for employee choice including Passenger Car, Passenger SUV and Utility.

The policy currently states: "*Council is conscious of the requirements of Workplace Health and Safety (WHS) legislation, as well as issues surrounding the environment and global warming.*" In order to encourage and incentivise the adoption of more fuel-efficient vehicles including hybrids and electric vehicles, it is proposed to amend the policy to include a reduction in the contribution payable for those vehicles. The amendment to the policy proposes a 15% reduction for hybrids, 20% for plug-in hybrid and a 30% reduction for electric vehicles. This recognises both the fuel savings to council in the case of hybrid and electric, and the cost incurred privately by the employee to charge a plug-in hybrid or electric vehicle.

The policy has also been amended under 'Vehicle Type' to include hybrid, plug-in hybrid and electric options.

Due to the changes proposed to the above policy it is considered appropriate that the policy be placed on public exhibition prior to being reaffirmed by Council.

Integrated Planning and Reporting Reference

- C1: Our environmental practices are sustainable
- E1: Meet all governance and regulatory requirements in the conduct of Council operations.
- E1: Minimise Council's exposure to risk and promote a strong risk management culture within Council.

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

A reduction in Council income from employee contributions towards private use of council vehicles, offset by a reduction in fuel expenses.

Attachments

- Policy 2.13 Light Motor Vehicles.

Recommendation: That Policy 2.13 Light Motor Vehicles be placed on public exhibition for a period of not less than 28 days and any submissions received be considered prior to the policy being reaffirmed.

[Skip to next Item](#)

Item 15 – Attachment 4: Policy 3.30 Workplace Surveillance

2.13 Light Motor Vehicles

POLICY TITLE: LIGHT MOTOR VEHICLES

FILE REF: SC67

EXPIRY DATE: SEPTEMBER 2025

OBJECTIVE

To recognise that vehicles are provided primarily to facilitate the efficient delivery of the Council's services; provide vehicles in a consistent and transparent manner to eligible employee positions within the Council; ensure the efficient utilisation of vehicles as they impact on the operational costs of service delivery; ensure that the administration of vehicles to employee positions meets Council, community, audit and legislative requirements; and set standards for all Council vehicles.

POLICY STATEMENT

Council will offer employees in key positions with Private Use or Restricted Private use of a vehicle. Private use of a vehicle is available out of business hours and periods of leave. Restricted Private Use includes the use of a Council vehicle to travel between the employee's place of residence and workplace.

Council's Responsibilities

Maintenance and Repair: Council will be responsible for all expenses in the normal maintenance, repair and servicing of the Council-owned vehicle. Where the required repairs are a result of driver negligence, Council may recover the cost of repair from the driver.

Vehicle Replacement: Council will replace light motor vehicles as follows:

- Vehicles using petrol at 80,000 kilometres
- Vehicles using diesel at 100,000 kilometres.

It is the responsibility of a Council employee with Private Use or Restricted Private use of a Council-owned vehicle to advise Council's Fleet Manager that the vehicle is due for replacement approximately three (3) months before achieving 80,000/100,000 kilometres. The employee, at this time, must discuss with the relevant Director their preference for the make and model of the replacement vehicle. However, a request for a make or model vehicle and the willingness to pay the prescribed amount, as set out in this procedure is not a guarantee of supply. The relevant Director will consider the request against the criteria for vehicle purchasing, as outlined in this Policy. Prior to quotations/tenders being accepted, a new Private Use Vehicle Agreement must be completed, stating the vehicle price and fortnightly repayments, and signed by the employee.

Optional Vehicle Equipment or Features: A Council employee with Private Use of a Council-owned vehicle and requesting optional (after market) vehicle equipment or features other than standard equipment listed in this Policy will be responsible for the cost of these.

Mobile Phone Kits: Where Council provides an employee with a mobile phone and Private Use of a vehicle, the Council will only provide and install a mobile phone kit in a vehicle that is not capable of Bluetooth connectivity.

Vehicle Selection: Only vehicle makes and models on the current year NSW Government Fleet Price List will be considered for purchase by Council. The purchase of vehicle models other than those on the current year NSW Government Fleet Price List requires approval by the General Manager on recommendation from the Director Engineering and Environmental Services.

Standard of Vehicle: Council is conscious of the requirements of Workplace Health and Safety (WHS) legislation, as well as issues surrounding the environment and global warming. Council will therefore provide a Private Use vehicle, giving consideration in the following order:

- Fit for operational requirements
- Diesel fuelled (preferred)
- 5 Star ANCAP Rating
- Resale value

- Fuel efficiency
- CO₂ emissions
- Employee preference

Council will continue to set a yearly budget for Council-owned vehicle replacement based on Council's plant replacement program. Vehicle choice and approval shall be made by the General Manager on recommendation from the Director Engineering and Environmental Services.

The following items will be considered standard equipment for Council-owned vehicles:

- Power steering
- Air conditioning
- Window tinting
- Mud spats (front and rear)
- Floor mats
- Bluetooth
- Tow bar
- Driving lights
- Nudge bars

Vehicle Colour: When selecting a new Council-owned vehicle, consideration must be given to the evidence that lighter colours are more visible and help to reduce the frequency and severity of accidents, operational requirements, public scrutiny and perception, and vehicle resale value. The default vehicle choice shall be white unless approved by the Director of Engineering and Environmental Services.

Purchase Price: Council will not purchase vehicles that will incur the Luxury Car Tax under Federal legislation (for 'other vehicles' not 'fuel-efficient vehicles'). The maximum purchase price for Council-owned vehicles with Private Use are as follows:

- Category 1 (General Manager) – 90% of the Luxury Car Tax threshold under Federal legislation.
- Category 2 (Director) – 80% of the Luxury Car Tax threshold under Federal legislation.
- Category 3 (Other Employees) – 70% the Luxury Car Tax threshold under Federal legislation.

Vehicle Type: A Council employee with Private Use of a Council-owned vehicle shall only have access to the following vehicle types:

- Passenger Car

Small	Any passenger vehicle with a 4-cylinder engine generally with an engine capacity over 1500cc and with a body shape which is similar to the second smallest variant available from the major vehicle suppliers in Australia.
Medium	Any passenger vehicle with a 4- or 6-cylinder engine generally with an engine capacity under 3000cc and with a body shape considered to be in the mid-range of the Australian market.
Large	Any passenger vehicle with a 6–8-cylinder engine generally with an engine capacity 3000cc and over and which has a body shape considered in the "family" size range of vehicles which is similar to the second largest variant available from the major vehicle suppliers in Australia.

- Passenger SUV

Small	Any SUV vehicle with a 4-cylinder engine generally with an engine capacity of approximately 2 litres.
Medium	Any SUV vehicle with a 4-cylinder engine generally with an engine capacity under 3000cc and with a body shape which is similar to the smallest variant available from the major vehicle suppliers in Australia.
Large	Any SUV vehicle with a 4- or 6-cylinder engine and generally with an engine capacity 3000cc and over and with a body shape which is similar to the second sized variant available from the major vehicle suppliers in Australia.

- Utility

Standard	Any commercial vehicle which is a two-wheeled drive two-seater utility based on the large passenger vehicle with fixed sided carrying area.
PU/CrewCab 4X2	Any commercial vehicle which is two wheeled drive of cab, extra cab or dual or crew cab (5 seat) design with fixed sided or chassis rail and generally with no identifiable passenger variant.
PU/CrewCab 4X4	Any commercial vehicle which is four wheeled drive of cab, extra cab or dual or crew cab (5 seat) design with fixed sided or chassis rail and generally with no identifiable passenger variant.

- Fuel efficient vehicle

Standard	Any vehicle consistent with the above categories that is considered fuel-efficient including hybrid, plug-in hybrid and electric.
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Employee's Responsibilities

General: A Council employee assigned a Council-owned vehicle shall:

- Enter into a Private Use Vehicle Agreement to comply with this Policy and authorise payroll deductions of predetermined monetary payments for that private use.
- Be a holder of a current driver's licence endorsed to drive the class of vehicle being used. Holders of P-Plate and L-Plate licences must only drive a Council vehicle in accordance the restrictions placed on their licences.
- Be responsible for ensuring proper and adequate care, usage and maintenance of the vehicle.
- Store the vehicle in a secured space at the employee's principal place of residence, preferably off-street or in on-street parking areas, with keys removed and doors locked. Council does not take any responsibility for personal items stolen from Council vehicles.
- Ensure that the vehicle is appropriately maintained. Council will not be responsible for providing a replacement vehicle during maintenance and repairs of the vehicle where it is no longer roadworthy due to an employee's negligence, or any fines for driving an unroadworthy vehicle.
- Ensure that the vehicle is maintained in a clean and tidy condition. Failure to keep a Council-owned vehicle in a clean and tidy condition may result in the suspension or termination of the Private Use Vehicle Agreement to provide the vehicle.
- Have the vehicle available at work when the employee is on duty.

Private Use: Only an employee of Council or family member may drive a Council vehicle. A family member is a person that is a Council employee's spouse, partner or de facto spouse, or son/daughter. The Council employee must be present in the Council vehicle when an appropriately licenced person, other than a family member, is driving the Council vehicle.

Alcohol and/or Drug Use: The NSW Road Transport Act 1993 specifies limits of blood alcohol content when driving a vehicle. A Council employee shall not breach these limits by the consumption of alcohol and/or drugs more than the legal limits. Council employees operating a vehicle under the influence of intoxicating liquor and/or the effects of drugs and involved in an accident and are found to be at fault, Council's insurance company may either invalidate the insurance cover or take recovery action against the employee for the damage incurred. This shall be the sole responsibility of the employee who will meet the costs of such damage from their own resources. Council employees may also be subject to disciplinary action.

Smoke Free Environment: Smoking is prohibited in all Council-owned vehicles and items of plant.

Servicing and Breakdown Arrangements: Council-owned vehicles shall be serviced in accordance with the manufacturer's requirements, which are detailed in the owner's handbook supplied with the vehicle. The responsibility for ensuring that the vehicle is serviced at the appropriate interval rests with the designated driver of the vehicle. When a Council-owned vehicle requires a service or any unusual symptoms arise in the running of the vehicle, e.g. tyre wear, steering problems, poor brakes, lack of performance or any other mechanical problems, drivers should notify Council's Plant Supervisor immediately, where arrangements will be made for the appropriate servicing or maintenance of the vehicle to be carried out. Council will meet the cost of servicing, maintenance, insurance, and registration of the vehicle, unless driver negligence is determined.

Carpool: There are several Council-owned vehicles available for business use. These pool cars should be the first vehicles booked for business use by a Council employee without a designated Private Use vehicle. Where one of these pool cars is unavailable, designated Private Use vehicles that are covered under this Policy are to be made available during working hours for business use. Carpool vehicles required during normal working hours must be booked out prior to usage and detailed in logbooks or running sheets.

*Lockhart Shire Council
Ordinary Meeting – 15 August 2022*

Where a vehicle is required overnight and a pool car is not available, the employee may negotiate with their Director to supply another vehicle or alternative travel arrangements.

Traffic Penalties: All drivers of Council-owned vehicles are subject to the law. Any fines, e.g. speeding, parking, careless driving, or any other breach of the law, will be the responsibility of the driver of the vehicle. Licence infringements and licence suspensions must be reported immediately to an employee's Director. Disciplinary action may be taken against a Council employee found in control of a vehicle without a current licence or with their current licence under suspension. Council employees will be responsible for all fines associated with driving without a current licence. In the event of extenuating circumstances with parking fines, a Council employee should notify their Director, who may refer the matter for adjudication of payment responsibility. If a Council employee is convicted of an offence and have his/her licence revoked/suspended, notification must be given to the employee's Director immediately.

First Aid Kit: Where a First Aid Kit is allocated to a Council-owned vehicle they should always be left in the vehicle. Personnel, who use a first aid kit for any reason, should contact Council's Plant Supervisor to advise that the First Aid Kit needs to be replenished.

Car Rallies and Motor Sports: A Council-owned vehicle must not be used in a car rally, time trial, or any other similar motor sport event that is inconsistent with the normal intended use of the vehicle.

Commercial Activities: A Council-owned vehicle must not be used for unauthorised commercial purposes. Use of a Council-owned vehicle shall be consistent with the purpose for which Council acquired the vehicle or for related activities within the terms and conditions of a Council employee's employment contract or remuneration package. Vehicles shall not be used or employed for any commercial purpose outside of a Council employee's employment contract, without the expressed permission of the General Manager.

Council Image: Council vehicles may be recognisable within the community. Therefore, it is expected that good driving habits and courtesy to other drivers on the road be a matter of course for Council operated vehicles.

Vehicle Inspection: Council vehicles are to be made available for inspection by the Plant Supervisor and/or Manager Works and/or Director Engineering & Environmental Services when requested.

Accident/Collision Reporting: All accidents or collisions to a Council-owned vehicle must be reported to Council's officer responsible for insurance, as soon as possible. Incidental damage, e.g. scratches, scrapes, minor dents and cracked windscreens should be reported as soon as practicable for rectification. Council will not meet the cost of the insurance excess on a Council-owned vehicle where the employee has clearly acted in a dangerous and reckless manner, disregarded Council policy and procedures, acted outside relevant State laws, or used the vehicle in any manner deemed inappropriate or dangerous. Where this is the case, Council will require payment of the insurance excess by the employee.

Interstate travel: A Council employee intending to use a Council vehicle to travel interstate to Queensland, South Australia, Western Australia or Northern Territory must obtain prior approval from the General Manager.

Toll Roads: A Council employee with Private Use of a Council-owned vehicle will be responsible for all costs incurred on toll roads whilst the vehicle is being used for private purposes.

Fuel Purchasing: All Council-owned vehicles will be issued with a fuel card, authorised for fuel and top-up oils only. Only those products for which the fuel card is authorised may be purchased. Drivers must ensure that the correct odometer reading is given to the attendant at the time of purchase. All particulars on the fuel tax invoice must be checked to ensure that registration number, date, odometer reading, fuel type, litres purchased, and dollar value are all legible and correct.

All drivers of a Council-owned vehicle in control of the fuel card for the vehicle are to ensure the fuel card is always kept in the glove box of the appropriate vehicle. At vehicle change over, the fuel card will be transferred to the new vehicle unless the registration plates are changed. In this event, the fuel card must be returned to Council's Director Corporate & Community Services for renewal or disposal.

Where a Council employee has opted for a fuel-efficient vehicle a reduction in lease fees shall be applied as follows:

Vehicle Type	Reduction in lease fee
Hybrid	15%
Plug-in Hybrid	20%
Electric	30%

A Council employee with Private Use of a Council-owned vehicle intending to use a Council vehicle to travel to South Australia, Queensland, Western Australia, Tasmania and the Northern Territory during Annual Leave will be responsible for the cost of fuel purchases when refuelling in these states.

Vehicle Changeover: A Council employee with Private Use of a Council-owned vehicle will be required to follow the procedures outlined in this Policy when a vehicle is due for replacement.

Vehicle Handback: A Council employee with Private Use of a Council-owned vehicle may decide to hand back the private use of the vehicle to Council at any time if their circumstances change. Council will also give consideration as to the vehicle being returned and the future requirements of that vehicle.

*Adopted by Council, 19 September 2022
Refer Minute No. ???/22*

*Adopted by Council, 15 June 2020
Refer Minute No. 116/20*

QUESTIONS AND STATEMENTS

CLOSED SESSION

Agenda

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

- 16. PROPOSED SALE OF LOT 5 REID STREET LOCKHART (GM: 22/9803)
- 17. LOCKHART INDUSTRIAL ESTATE (GM: 22/9865)
- 18. TENDER – MOTOR GRADER 170-200HP (DEES: 22/9945)