



BUSINESS PAPER

**of the
Ordinary Meeting
Held
21 September 2020**

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

The Prayer

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

The Council's Guiding Principles

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

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

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

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

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

(Section 8A Local Government Act, 1993)



Lockhart Shire Council

File Ref: PV: SJ: (SC131) SC59-20/816

16 September 2020

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

Dear Councillors

I wish to advise that the Ordinary Monthly Meeting of Lockhart Shire Council will be held at the Council Chambers, Green Street, Lockhart on **Monday, 21 September 2020** commencing at **5.00pm**.

A representative of Transgrid, Mr Mitchell Hume, will be present at 5.00pm to address Council regarding Project Energy Connect.

The Order of Business will be as shown overleaf.

Yours faithfully

Peter Veneris
GENERAL MANAGER

ORDER OF BUSINESS

OPENING WITH A PRAYER

APOLOGIES

LEAVE OF ABSENCE

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING, 17 AUGUST 2020

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MAYORAL MINUTE

Refer Item 19 – Closed Session - General Manager Annual Performance Review
for Period Ending 30 June 2020

MAYORAL REPORT

To be presented at the meeting.

ELECTION OF MAYOR AND DEPUTY MAYOR

(GM: SC130-20/153)

Executive Summary

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

Report

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

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

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

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

URGENT MATTERS

Nil.

NOTICE OF MOTION

Nil.

COMMITTEE REPORTS

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

(SC44-20/943)

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

PRESENT

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

APOLOGIES

Raeleen Pfeiffer, Mr Peter Creek, Councillor Gail Driscoll.

LEAVE OF ABSENCE – Nil

PECUNIARY INTEREST – Nil

1. Confirmation of Minutes

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

2. Tourism/Economic Development Officer Report

Recommendation: That the information be noted.

3. Resignation of Committee Member Sandra Johnstone (2011)

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

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

4. Qausquicentenary 2021 Lockhart (125 years)

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

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

5. Walk of Fame

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

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

6. Other Business

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

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

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

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

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

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

7. Round table update

Committee members provided an update on ongoing projects as follows:

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

8. Meeting dates and location

Tuesday 6 th October 2020	The Rock (TBC)
Tuesday 3 rd November 2020	Pleasant Hills
Tuesday 1 st December 2020	The Rock
Tuesday 2 nd February 2021	TBC
Tuesday 2 nd March 2021	TBC
Tuesday 6 th April 2021	TBC
Tuesday 4 th May 2021	TBC
Tuesday 1 st June 2021	TBC

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

[Next Item](#)

Item 1 (Committee Reports) – Attachment – TEDO Report, September 2020

Tourism Economic Development Officer Report (TEDO) - SEPTEMBER 2020

This is the first TEDO report since March 2020 due to the COVID–19 pandemic.

In May 2020 Jen Connor, the TEDO for the last eight years resigned from Lockhart Shire Council (LSC). I would like to acknowledge the time and work that Jen contributed to the Lockhart Shire Community during her time, making Lockhart Shire a great place to live, visit and invest.

1. Memberships – Thrive Riverina/Country Change/Wagga Wagga Tourism Partner Program

The TEDO continued (LSC) membership for the year 2020/2021 of the above-mentioned programs. However, the TEDO will use the 2020/2021 year to review these memberships' value compared to other programs in the market or where our money could be better spent.

It is worth noting that the membership for the Wagga Wagga Tourism Partner Program is free for the year 2020/2021, after the Wagga Wagga City Council (WWCC) waived fees for the existing 19/20 members due to the impact of COVID-19. The TEDO thanks WWCC for their commitment to supporting businesses at this time. The TEDO did add two additional attractions to the program, these were the Milbrulong and Lockhart Water Towers for promotion.

2. Murrumbidgee Trails Campaign – Update

The advertising prospectus was distributed via email, face to face delivery, Lockhart Shire Community Facebook page and the shire newsletter to businesses in the Local Government Area (LGA) in June, with nine businesses taking out paid advertising from Lockhart Shire.

The TEDO would like to thank these businesses in supporting LSC in promoting our area as a great place to visit, especially in these difficult times. However, there is need for improvement shire wide for educating businesses on the benefits of working with LSC to promote the Shire more broadly to visitors.

Due to the overwhelming positive response of advertisers in one other council area, the A4 guide is likely to be a 100-page booklet. Currently all content and imagery are with the graphic designer, with proofing to be held in September and printing to start early October.

3. Destination Riverina Murray (DRM) / Destination NSW (DNSW)

The TEDO has requested and provided the correct naming locations be changed of several images and videos that are in the official DNSW Library. The Galore Hill Scenic Reserve and The Rock Nature Reserve – Kengal Aboriginal Place were listed located in Wagga Wagga. This will now be corrected as Galore and The Rock, in the Lockhart Shire.

DRM has secured a 7-Day Riverina itinerary with renowned travel company Bill Peach Journeys. Currently two tours are proposed one in November 2020 and the other in October 2021 with Lockhart Shire featured on day six. To read more following this link – <https://www.billpeachjourneys.com.au/tour/springtime-in-the-nsw-riverina/>

Wagga Wagga based tour operator Bundyi Cultural Tours secured two promotions through DRM and DNSW overseas marketing campaigns. Both articles featured Lockhart Shire in particular Galore Hill Scenic Reserve. (please see below)

Lifestyle Asia (May 2020)

INTERNATIONAL MEDIA HIGHLIGHTS



LIFESTYLE ASIA

Culture 22 May 2020

6 virtual activities you can partake in this long weekend

2

Go on an aboriginal culture tour with Bundyi Cultural Tours

If you've always been interested in learning about new cultures, now's the time to do so. It might not be the same as real life, but it's the closest we can get to for now. Travel virtually to Australia this weekend with Bundyi Cultural Tours based in the Riverina to find out more about the aboriginal Wiradjuri people. They are one of the oldest people in the world and survive as skilled hunter-fisher-gatherers in family groups. These aboriginal people can be found scattered throughout central [New South Wales](#) in Australia. From this Zoom experience, you can find out more about their culture, see native Australian animals, and walk in the footsteps of the Wiradjuri people.



BOOK HERE

Outlet: Lifestyle Asia (Malaysia)
Reach: 38,112
AVE: \$21,981.10
Link: [Here](#)

U travel & Food Singapore (June 2020)

INTERNATIONAL MEDIA HIGHLIGHTS



Media Outlet: U Travel & Food Singapore
Reach: 800,000
AVE: \$17,194
Link: N/A



享受虚拟的原住民文化之旅

一场对邦迪文化了解的培训，让大众认识宇宙中最古老的人、观看澳大利亚本土的动物，并沿着澳洲新南威尔士的原住民——委拉祖利族 (Wiradjuri) 的虚拟古代足迹，来一场寻迹之旅。该团队也有在YouTube频道上发布相关的内容，有兴趣者可前去 <https://bit.ly/37628P2> 搜索查询。

官方网站: <https://www.bundyicuture.com.au/>

DRM have requested LSC to provide a list of updated projects to be added to the tier one and tier two projects listed in the current Riverian Murray Destinations Management Plan (DMP). The projects list given to Council by the Committee earlier this year, along with already existing projects, new projects from the TEDO and the General Manager (GM), the following list was supplied.

Project List (Tourism)

- Lockhart Business Centre Development
- The Rock Astronomy Centre
- The Rock Nature Reserve – Kengal Aboriginal Place visitor experience improvements
- Galore Hill Scenic Reserve Masterplan and Implementation
- Lockhart Shire Trails Project
- Lockhart Shire Agritourism Trail
- Lockhart Shire Accommodation Development
- Lockhart Shire Rest Areas Development
- Lockhart Shire Self Drive Eco Tour

- Lockhart Shire Adult Laydown Facility Project
- Brookong Creek Development of Masterplan and Implementation
- Bullenbong at The Rock Ride - Horse Endurance Event
- The Rock – Lockhart Marathon
- The Rock - Avenue of Honour
- Yerong Creek Public Art Mural Trail
- Tootool Public Art Murals
- Tootool Wetlands Development
- Water Tower Way
- Drovers Way Touring Route
- Olympic Highway Touring Route

Please note that this does not mean these projects are going to progress, it provides a list to DRM and DNSW to what the local and regional strategic priorities are for the next 2 – 4 years.

4. Thrive Riverina (Thrive) - I Love NSW Campaign – EOI

LSC was invited from Thrive to show an expression of interest (EOI) to participate in the I Love NSW campaign through DRM and DNSW. This EOI was only offered to the 11 council members of Thrive with the total combined minimal buy from all councils is \$70,000, with members to contribute \$7,000 each. The campaign is part of a NSW state-wide approach to help encourage residents of Australia to plan and discover NSW now and post COVID-19.

The TEDO and the General Manager (GM) have submitted the EOI to Thrive based on our major strengths been nature and art. We are now waiting on DNSW media team to provide a detailed media plan, with all councils reserving the right to provide feedback and the choice to proceed or not to proceed if they are not happy with the coverage of their respected areas.

The TEDO has also expressed that non-member councils must not receive any media coverage and requested that LSC receives the digital media copies (images, video etc) for its own use (if possible).

A recommendation will come to the committee and council for final decision.

5. COVID-19 – Update

Businesses in the Lockhart Shire are been heavily affected by COVID-19. The TEDO has been in contact with many businesses providing information and advice. LSC encourages all businesses to have a COVID-19 Safety Plan and to reach out if they need advice.

6. Business Enquiries

TEDO has received several enquiries about new businesses looking to start up in the Shire. Two most promising are a potential tyre business and the other a concreting business.

The Planning Dept has also received an enquiry regarding a possible new residential and industrial subdivision at The Rock.

Discussions are continuing.

7. Event cancellations

Most events in the shire have been cancelled due to COVID-19. However, the Bullenbong Horse Endurance event went ahead in June under strict conditions, with close to 300 registrations (this was before current public health order).

All event organisers are being encouraged to have a registered COVID-19 safety plan, including all farm open days. The Aloburn Poll Merino Farm needs to be congratulated on their approach to their open day with the TEDO providing advice and promotional support.

8. Spirit of the Land (SOL) - Art Workshops

The Riverina Water funded SOL art workshops that were to be held in March 2020 are now been held in September 2020 under strict COVID-19 conditions. Two are set down for Lockhart and one more in The Rock. All workshops are fully subscribed.

9. Inland Rail – Update

The TEDO, GM and the Director of Engineering & Environmental Services (DEES) met with Inland Rail on the 29th July 2020, to discuss the scope of works in the LSC area. No major works are to be completed, however investigations on height and width clearance will be carried out. Inland Rail will have an increased presence in the region over the next 18-24 months with community consultation set down for February 2021.

10. The Rock Observatory

Quotations have been invited for construction of the building that will accommodate the telescope and have lecture theatre. Quotations closed on 21/8/20 and are currently being assessed.

11. Milbrulong Water Tower

Mural has been completed, with works to start on the Rosella Walk soon, including interpretations signs, seating, and bird boxes.

12. Yerong Creek Water Tower

LSC has secured funding for this project, the TEDO and the Yerong Creek Progress Association are fine tuning the scope. Next steps are EOI to artist, a selection panel as per previous two water tower murals will assess, DA signed off by Riverina Water.

Additional aspects of the location have been identified e.g. parking, traffic, access etc.

Land next to the water tower is owned by LSC, which has been identified to alleviate some of these aspects. A private coffee business has also been discussed as a possibility in the vicinity.

13. Lockhart Shire Visitor Information Centre (LSVIC)

The LSVIC is currently operating under a COVID-19 safe business plan with the hours of operating Thursday to Monday 9.30am to 1pm. Numbers through the door are less than 1/3 compared to last year.

14. The Rock and Greens Gunyah Museum Reports

Both Museums currently are operating under a COVID-19 safe businesses plan. Museum Advisor reports for June, July and August are attached.

15. SOL – App

SOL, LSC and Eastern Riverina Arts (ERA) are working together to put together an all-inclusive walking app of some of the sculptures in Lockhart. The app has been tested with the TEDO providing feedback. Release date TBC.

16. Social Media updates

Facebook – TEDO inherited administration rights to several of pages. On review. access to some pages have been reduced with community members taking on more of an active role. One page was deleted after over a two-year hiatus and talks with the President of The Rock Progress Association.

Twitter – The Love Lockhart Shire Twitter account has been closed, due to no posts for over 12 months and the decline in current trends.

Instagram – The TEDO decided to re-activate the Instagram page after last post was in December 2019 and changed the name to Visit Lockhart Shire so it is consistent the Facebook page, website, and overall marketing look and feel.

The TEDO will be looking into workshops going forward for those wishing to up-skill, in-particular those admins of community and businesses pages as well those that have Instagram accounts

17. Advertising

Advertising has stopped in Victoria due to COVID-19 however reduced advertising has been taken out in Caravanning Australia and What's On Southern Riverina.

18. Grants – RW, Inland Rail

Inland Rail Grants are now available to the community. Every three months there is a new round, \$1,000 to \$4,000 are available each time.

Riverina Water grants will be available to the community again come late September.

Small Business Month (October) – The TEDO has applied for \$2,000 grant with the NSW government, to work with the Wagga BEC to deliver workshops for the business community of Lockhart Shire.

19. National Parks and Wildlife Service (NPWS)

The TEDO has contacted the NPWS to discuss a wide range of issues with The Rock Nature Reserve – Kengal Aboriginal Place, including way finding and road signage, counters, long term management and strategic priorities for the visitor experiences. Meeting to take place soon.

20. Shire and Town Entrance Signs

LSC have appointed the sign maker to make the signs, final touches are getting discussed and confirming locations.

DELEGATES' REPORTS

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

(SC43-20/708)

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

Key outcomes from the meeting included the following:

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

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

Cr R Schirmer
Mayor

Recommendation: That the Delegate's Report be received.

2. RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) – 27 AUGUST 2020

(SC42-20/708)

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

Key outcomes from the meeting included the following:

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

Cr R Schirmer
Mayor

Recommendation: That the Delegate's Report be received

3. POLICE AND COMMUNITY CONSULTATION GROUP – 18 AUGUST 2020

(GM: SC41-20/497)

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

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

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

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

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

Cr G Verdon
Delegate

Recommendation: That the Delegate's Report be received

STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED

Status Report: Council Resolutions and Tasks to be finalised

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

*Lockhart Shire Council
Ordinary Meeting – 21 September 2020*

Minute No:	Officer to Action	Council Resolution	Action Taken
133/20	DEES	<p>Naming of Bridges – Brookong Creek and Urana Lockhart Road</p> <ol style="list-style-type: none"> 1. Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge. 2. Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gunyah Bridge, Brookong Creek. 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>Written to TfNSW advising of the proposed bridge and culverts names.</p> <p>Received response from TfNSW requesting further information.</p>
132/20	DEES	<p>Fixing Local Roads Funding Program</p> <ol style="list-style-type: none"> a) Notes the \$1,498,500 received under the Fixing Local Roads program to upgrade Wattles Road and Tinamba Lane; b) Submits a grant application under the next round of Fixing Local Roads program for the sealing of Prichard Place, Lockhart; and c) Place notices in the August 2020 Council Newsletter for letters of support for the project. 	<p>Fixing Local Roads program to open for submissions later in 2020.</p>
128/20	GM	<p>Local Road & Community Infrastructure Program</p> <p>Submit the list of projects as agreed at the Councillor Workshop held on 20 July 2020 for funding under the LRCI Program.</p>	<p>The Funding Agreement has been executed and the necessary Work Schedule and Project Nomination Forms are being progressively prepared for the nominated projects.</p>
123/20	GM/DCCS	<p>Land/Premises for Community Development, Lockhart and The Rock</p> <ol style="list-style-type: none"> (i) Council endeavours to secure the purchase of the former GrainCorp premises in Green Street Lockhart for Community Development at a fair market price this financial year. (ii) That Council identifies and secures premises or land in The Rock for the purposes of Community Development by the end of the 2021/22 financial year.” 	<p>Negotiations have recommenced with GrainCorp regarding the property at 109 Green Street Lockhart and additional information has been provided to GrainCorp in anticipation of further discussions.</p>
Ordinary Council Meeting held 15 June 2020			
110/20	GM	<p>Grant Application Preparedness</p> <p>Determine a shortlist of projects to be developed to “shovel ready” status pending the availability of funding.</p>	<p>Shortlist of projects to be determined.</p>

*Lockhart Shire Council
Ordinary Meeting – 21 September 2020*

Minute No:	Officer to Action	Council Resolution	Action Taken
102/20	GM	Shire & Town Entrance Signs Arrange order and installation of approved signage.	Quotations were invited with a closing date of 21 July 2020. A preferred supplier has been selected and the signs have been ordered.
99/20	DCCS	Tender – Lockhart Recreation Ground – Extend/Upgrade Amenities 1. Council declines to accept any of the tenders submitted for the Lockhart Recreation Ground – Extend and Upgrade Amenities Building Tender No. C2020/02 as tendered prices exceeded the available budget; and 2. Council delegates the General Manager to enter into negotiations with any of the tenderers to undertake the works at a revised price or scope of works.	Revised quotes received and assessed. Stage 1 has been awarded to Precise Build based on a revised scope of works that is within budget. Complete.
Ordinary Council Meeting held 20 April 2020			
70/20	GM	Review of Operational Land Council adopt the following actions in relation to the review of land classified as “operational land”: Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land.	Contact has been made with the adjoining landowner and information provided regarding the Council owned land in anticipation of further discussions.
Ordinary Council Meeting held 18 November 2019			
292/19	DCCS	Council Buildings – Dentist and Lockhart Museum Council approve part funding of works as detailed in the report to the Lockhart Museum building at 39 Urana St and the dentist building at 85 Green St Lockhart from Internal Reserves for Buildings for the amount of \$33,120.00.	Painting has been rescheduled to week of 17 August. Painting per Heritage project completed during week of 7 Sept. Report in agenda to paint rear of building.
Ordinary Council Meeting held 16 September 2019			
256/19	GM	Lockhart Renewable Energy Project a) Having secured Commonwealth government funding totalling \$1 million for the Better Energy Technology Renewable Energy Project for Lockhart Township; and b) Having given 28 days public notice of its intention to do so: c) Hereby resolves pursuant to Section 356 Local Government Act 1993 to provide financial assistance totalling \$1 million to Better Energy Technology, in the same manner, i.e. progress payments, as Council receives the funding from the Commonwealth, and for the sole purpose of undertaking Stage 1 of the Lockhart Renewable Energy Project.	A further progress report has been included in the September Council meeting Business Paper. Gordon Hinds of Better Energy Technology will be available at the meeting to answer any questions.

*Lockhart Shire Council
Ordinary Meeting – 21 September 2020*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 19 August 2019			
223/19	DEES	<p>Lockhart Caravan Park</p> <p>a) Endorses the proposed Lockhart Caravan park revised layout; and</p> <p>b) A further report be brought to Council in due course once a detailed costing can be provided.</p>	Work in progress. Following up design of fire hydrant and hose reels. Preparing DA for caravan park.
210/19	TEDO	<p>Minutes of the TEDSC Meeting – Tim Fischer Statue/Lockhart Railway Station</p> <p>Subject to agreement by the authorised managers of the Lockhart Railway Station, expressions of interest for community or commercial purposes be sought from the wider community for the Lockhart Railway Station building.</p>	Advertisement placed in the Lockhart Shire newsletter and on social media.
Ordinary Council Meeting held 15 October 2018			
260/18	TEDO	<p>Minutes of the TEDSC Meeting – Water Tower Long Term Maintenance</p> <p>An agreed amount be held in reserve to enable future maintenance of the Lockhart Water Tower as and when needed.</p>	<p>A draft MoU has been prepared and endorsed by Riverina Water. The MoU is included in the Business Paper for consideration at the September Council meeting.</p> <p>Complete.</p>
Ordinary Council Meeting held 16 May 2016			
109/16	DCCS	<p>Old Lockhart Railway Station Building</p> <p>Council to:</p> <p>a) Seek to find a suitable use/tenant for the building</p> <p>b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.</p>	<p>a) No potential tenancy enquiries received, infrequent use as regional meeting site, or by local schools.</p> <p>b) Variation to Lease being pursued to reduce rental.</p>
Ordinary Council Meeting held 17 August 2020 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Schirmer – Laneway between Ferrier and Galore Streets</p> <p>This laneway requires further remediation following works by Riverina Water.</p>	Works completed by Riverina Water.
	DEES	<p>Cr Schirmer – Road to Golf Club (John Grant Drive)</p> <p>Enquired as to the possibility of caution signs on this road drawing attention to the possibility of pedestrian traffic.</p>	Signs ordered.
	DEES	<p>Cr Schirmer – St Helenas Lane</p> <p>Requested that the vehicle damage done to this road be repaired. Also requested that a “Dry Weather Only” sign be placed at either end.</p>	Unconstructed road. Signs ordered.
	DEES	<p>Cr Walker – Mustard Weed</p> <p>Requested that the spraying of this weed be prioritised on Council’s roadsides.</p>	Spraying of roadside shoulders has commenced to reduce the potential fire hazard. Should mustard weed be present within the shoulder area, it will be sprayed.

Lockhart Shire Council
Ordinary Meeting – 21 September 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Marston – Jim Willis North Lane Requested that this road be considered for a maintenance grade.	Included in grading program.
	DEES	Cr Marston – Signage, Various Roads Willis Lane at the intersection with Jim Willis North Lane requires a street blade and also a No Through Road sign. The Willis Lane/Poverty Lane intersection heading north requires a No Through Road sign.	Signs ordered.
	DEES	Cr Marston – Moonba Street, Yerong Creek This street in Yerong Creek has deteriorated quite badly. Vehicles are shortcutting across a private weighbridge on an adjoining lot. There is a concern regarding the ability of caravans to turn in nearby streets once the water tower mural is complete. Moonba Street needs to be formed to assist with this and the movement of farm machinery.	DEES will investigate and advise on possible actions.
	GM	Cr Driscoll – Shovel-ready Projects Workshop. Enquired as to when another workshop to decide on projects might be held.	The General Manager may be in a position to report further on acquisition of the Graincorp building in Lockhart within a month or two. A workshop could be held in October to decide on shovel-ready projects.
	DEES	Cr Day – Levy Bank, Lockhart Common Asked who was responsible for maintenance and suggested that some repair work may be necessary near the outlet.	Inspected erosion. Works to be carried out after area has dried out sufficiently.
Ordinary Council Meeting held 20 July 2020 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Schirmer – Table Drain, Spanish Ave Drew attention to the table drain adjacent to Mrs McKenzie's property in Spanish Avenue, which is still holding a large quantity of water. Requested works be undertaken to release this water to prevent mosquitos.	Works programmed for later in September subject to weather conditions
	DEES	Cr Schirmer – Garbage Bins in Main Street Noted that liquid waste is leaking from bins onto the pavers below, causing staining. Requested that pressure-washing of the pavers beneath each bin be undertaken.	Pressure washing scheduled for September.

*Lockhart Shire Council
Ordinary Meeting – 21 September 2020*

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Schirmer – Lockhart The Rock Road Requested a quotation be sought for fog lines and centre lines between Lockhart and The Rock, particularly on the bend at the County Boundary Road intersection.	DEES advised that he has inspected the road. Road width is an issue, will follow up with TfNSW as to whether the lines can be put in place as they are not allowed on narrow roads.
	TEDO	Cr Verdon – The Rock Hill Nature Reserve Has noticed and received comments regarding the signage on approach to the Nature Reserve being extremely dull and difficult to read. Who owns the signs and is therefore responsible for maintenance?	Contacted NPWS who owns and who is responsible for the upkeep of wayfinding signs at The Rock Nature Reserve - Kengal Aboriginal Place.
	DEES	Cr Verdon – The Rock Recreation Ground Asked for the timeframe for completion of the carpark at The Rock Recreation Ground.	Works programmed for later in September subject to weather conditions.
	DCCS	Cr Driscoll – Childcare in the Shire Requested that Council investigate the childcare situation in the Shire and ascertain if there is a need that could be supported by any of The Rock OOSH surplus.	Council will contact both schools in Lockhart as a starting point for feedback on demand for before & after school care.
	TEDO	Cr Driscoll - Signage at The Rock Hill Requested that Council's Tourism and Economic Development Officer make enquiries of National Parks & Wildlife regarding additional/better signage for the tracks.	TEDO has requested an onsite meeting to discuss a range of items including these signs, road signs and the overall strategic direction.
Ordinary Council Meeting held 15 June 2020 – Councillor Questions & Statements			
	DEES	Cr Douglas – Provision of Parking for Long Vehicles Enquired as to whether it was possible to change the designated angle parking on the southeast side of Urana Street, adjacent to the museum, to parallel parking for people towing trailers and caravans.	A change will possibly require a report to Council's Traffic Committee. Investigated. No current signs. Parallel parking allowed. Complete.
Ordinary Council Meeting held 20 April 2020 – Councillor Questions & Statements			
	DEES	Cr Rockliff – Verandahs in Lockhart Advised that despite control efforts so far, the problem birds have moved from once place to another and something more needs to be done. The birds have moved on from Lockhart Building Supplies to the Medical Centre and Newsagency, almost to "Ginge & Fluffs" second-hand store.	Cost estimate to install bird spikes similar to current along full length on both sides is between \$35,000 and \$65,000. Not included in draft Budget for 2020/21. Complete.

Lockhart Shire Council
Ordinary Meeting – 21 September 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Rockliff - Weeds Advised the “cat heads” and khaki weed infestations around town are causing issues for “gopher” owners, causing tyre punctures.	Considering clearing areas in vicinity of town centre. To be programmed.
Ordinary Council Meeting held 16 March 2020 – Councillor Questions & Statements			
Questions & Statements	GM	Cr Walker - 9-Day Fortnight Asked if the shorter working week has been successful.	Review has commenced. Whilst the 9-day fortnight is found to be working satisfactorily, the trial period has been extended to better gauge the impacts on reception staff and increased reception hours. Due to the closure of Council's reception in response to the COVID-19 pandemic, recent months may not have provided a good guide of the impacts.
	DEES	Cr Verdon – Emily St Notes that any flood mitigation works in this area is unfunded but asked if Council had plans to clean it up, to allow water to flow, especially towards the southern end, near Semmens Rd as residents are concerned.	Clearing works programmed for November.
Ordinary Council Meeting held 3 February 2020 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Verdon – Risk of Falling Tree Limbs at The Rock Recreation Ground Advised of current danger imposed on campers regarding possible falling tree limbs at The Rock Recreation Ground and enquired who is responsible for trimming these limbs to ensure public safety.	Annual pruning to start at The Rock in August. Facilities Officer will inspect prior to works being conducted. Hazard inspection was conducted. Hazard rating suggests the risk is tolerable and hazard abatement was conducted to make the risk as low as practicable.
	DEES	Cr Rockliff – Lawn Cemetery, Lockhart Advised that residents are again concerned about the care taken of plots and sprinklers not working at the Lockhart Lawn Cemetery.	Still issues with controller. Contractor engaged to replace controller. Bare patches were top-dressed. Broadleaf weeds have been sprayed.
	DEES	Cr Rockliff – Lockhart and The Rock Swimming Pools Advised that the Lockhart Swimming Pool had recently sustained damage during a break-in and requested Council consider the installation of CCTV to identify and deter from this reoccurring.	Contractor to install CCTV at both pools week commencing 21 September.
	DEES	Cr Marston – CCTV With regard to the enquiry made by Cr Rockliff regarding the possible installation of CCTV at Lockhart and The Rock Swimming Pool Complexes, Cr Marston requested that Council also include Recreation Grounds in the Shire in this consideration.	Quotes received, minimum of \$6000 per site. Not included in draft Budget for 2020/21. Could be considered under LRCI Program, with further consultation required with s355 management committees.

Lockhart Shire Council
Ordinary Meeting – 21 September 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<p>Cr Douglas – Lockhart and The Rock Swimming Pools</p> <p>Commented that the new pools are great facilities for the Shire but he believes the contractor at each pool is being put at risk if working by themselves and he would like Council to consider hiring additional staff for security and safety reasons. Cr Douglas asked if going forward Council could consider amending contractual arrangements to stipulate that two people be present at all times during pool opening hours.</p>	<p>Contacted with Royal Lifesaving NSW and has reviewed Council's contractual arrangements.</p> <p>To undertake a risk assessment prior to establishing lifeguard ratios in accordance the 'Guidelines for Safe Pool Operation'.</p> <p>Waiting for RLNSW to finalise quote for assessments and dates.</p>
Ordinary Council Meeting held 18 November 2019 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Rockliff – Walter Day Park, Lockhart</p> <p>Enquired if there is a problem with the sprinklers at Walter Day Park, as large sections of grass are dying off?</p>	<p>Undertook some works.</p> <p>Engaged contractor to replace sprinkler valves.</p>
Ordinary Council Meeting held 19 August 2019 – Councillor Questions & Statements			
Questions & Statements	GM/DCCS	<p>Cr Marston – Status of Work on the Second Oval, The Rock</p> <p>Enquired about the status of the work for the second oval at The Rock particularly with respect to commencing the project within 12 months of the grant being approved.</p>	<p>Prepared the area at the western end of the Recreation Reserve for temporary use by the Pony Club to enable works to commence on the 2nd oval.</p> <p>On advice from Crown Lands Council contact made with NSW Aboriginal Land Council, awaiting response.</p> <p>The Pony Club have agreed to remain at the recreation ground. Plans are being finalised on the development required to enable both the Pony Club & the second oval to co-exist. This will allow for the construction of second oval to proceed.</p> <p>Quotes have been received for horse sand arena and second oval.</p>
Ordinary Council Meeting held 15 April 2019 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Driscoll – The Rock Town Entrance Sign</p> <p>Advised that The Rock town entrance sign re-instated south of The Rock on the Olympic Hwy is a lot further south than its original position and enquired if it could be relocated back closer to The Rock?</p>	<p>GHSC advised it will be done when they are doing some line marking in the area.</p>

Lockhart Shire Council
Ordinary Meeting – 21 September 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 20 November 2017 – Councillor Questions & Statements			
Questions & Statements	GM	<p>Cr Marston – Potential Purchase of Land for Development</p> <p>Following completion of Carson Rd Development, The Rock, enquired if Council could look into the purchase of more land for development (using borrowings) Shire-wide, but maybe concentrating on The Rock and lifestyle blocks in Yerong Creek, requesting this be put on the agenda for further discussion.</p>	<p>Discussions have been held with Council's agent and the availability of suitable developable land coming on to the market is being monitored.</p> <p>Land development at The Rock has also been submitted to the Riverina JO for inclusion in the Statement of Regional Priorities being developed by the JO.</p> <p>Rezoning proposal anticipated in respect of a private residential development.</p>

September 2020 Ordinary Council Meeting - Correspondence Sent to Councillors

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

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

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. PAYMENT OF DEVELOPMENT APPLICATION AND RELATED FEES

(GM: SC59-20/925)

Executive Summary

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

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

Report

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

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

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

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Policy 2.36 Refund of Fees to Community Organisations provides that:

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

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

Budget & Financial Aspects

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

Attachments

Nil.

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

2. LOCKHART WATER TOWER MURAL

(GM: SC250-20/154)

Executive Summary

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

Report

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

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

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

Notwithstanding this and bearing in mind that Council does not own the structure, it is considered appropriate to have some in principle agreement in place in the form of an MoU to deal with this situation. Having a MoU is also important as there is no guarantee that the individuals involved in the initial project, with an understanding of the roles played by the respective organisations, will be occupying the same roles in the future.

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

The MoU has been prepared on the basis of Lockhart Shire Council and Riverina Water performing the same roles as they did for the initial project. Section 6 of the MoU sets out the respective roles of the

two organisations i.e. Lockhart Shire Council obtains development approval if necessary, engages the artists or contractors, hires the necessary equipment and generally project manages the work. Riverina Water's obligations under the MoU are to consent to the lodgement of a development application, provide access to the water tower and to provide advice and relevant documentation, particularly with respect to work health and safety issues e.g. safe work method statements etc.

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

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

Budget & Financial Aspects

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

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

Attachments

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

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

[Next Item](#)

Item 2 – Attachment: Memorandum of Understanding, Riverina Water

**MEMORANDUM OF UNDERSTANDING
LOCKHART WATER TOWER MURAL**

THIS MEMORANDUM OF UNDERSTANDING is made on

BETWEEN

RIVERINA WATER COUNTY COUNCIL of 91 Hammond Avenue Wagga Wagga NSW 2650 (“**RWCC**”), and

LOCKHART SHIRE COUNCIL of 65 Green Street Lockhart NSW 2656 (“**LSC**”).

1. BACKGROUND

- a) LSC secured funding from various sources, including RWCC, to engage an artist to have a mural applied to the structure known as the Lockhart Water Tower (the Project); and
- b) RWCC as the owner of the Lockhart Water Tower consented to a mural being applied to the structure (the Project); and
- c) LSC invited expressions of interests from persons interested in undertaking the Project; and
- d) A selection committee which included representatives of LSC, RWCC and the community reviewed the expressions of interest received and chose the preferred concept design (the Artwork) for the mural.
- e) LSC obtained Development Consent for the Project.
- f) LSC engaged the Artists who submitted the preferred concept design to undertake the Project; and
- g) The Project was completed and officially launched in October 2018 a photograph of which is attached as Annexure A.
- h) The parties acknowledge that the mural will fade and deteriorate over time and that at some future time the Artwork will require refurbishment, rehabilitation, repair, removal or replacement.

2. PURPOSE

- a) The Purpose of this MoU is to agree in principle on the arrangements for the future refurbishment, rehabilitation, repair, removal or replacement of the Artwork and to set out the respective roles of the parties in achieving this Purpose.

3. NON-BINDING MEMORANDUM

- a) The terms of the MoU are not intended to be legally binding and nothing in the MoU will be construed as creating any legal relationship between the parties.
- b) The terms of the MoU are not exhaustive.
- c) The MoU is a statement of intent by the parties and is intended to encourage mutual co-operation.

4. CHANGES TO MEMORANDUM

- a) This MoU may be varied at any time by agreement between the parties.
- b) Any changes to the MoU must be made in writing and signed by the parties.

5. GENERAL OBLIGATIONS

- a) Notwithstanding the non-binding nature of this MoU the parties will act in good faith and the parties will use their best endeavours to achieve the Purpose and to give effect to the terms of this MoU.
- b) Each party agrees to cooperate in the spirit of mutual understanding and goodwill in order to pursue the Purpose.
- c) The parties will from time to time monitor and consult on the condition of the Artwork and, if necessary, agree on the nature and timing of any refurbishment, rehabilitation, repair, removal or replacement of the Artwork.
- d) The parties will have the obligations described below.

6. ROLE OF THE PARTIES

- a) Subject to the parties agreeing on the nature and timing of any refurbishment, rehabilitation, repair, removal or replacement of the Artwork, LSC will have the following obligations: -
 - i. Provide the Artists with reasonable notice of any decision regarding removal, covering, destruction or disposal of the Artwork; and
 - ii. Allow the Artist a reasonable time to record the Artwork at the site.
 - iii. If necessary prepare and lodge a Development Application for the refurbishment, rehabilitation, repair, removal or replacement of the Artwork.
 - iv. Engage the Artists or other suitable contractor to undertake the agreed refurbishment, rehabilitation, repair, removal or replacement of the Artwork.
 - v. Hire all necessary equipment required for the refurbishment, rehabilitation, repair, removal or replacement of the Artwork.
 - vi. Supervise the refurbishment, rehabilitation, repair, removal or replacement of the Artwork.

- b) Subject to the parties agreeing on the nature and timing of any refurbishment, rehabilitation, repair, removal or replacement of the Artwork, RWCC will have the following obligations: -
- i. If necessary, consent to the lodgement of a Development Application for the refurbishment, rehabilitation, repair, removal or replacement of the mural.
 - ii. Provide access to the Lockhart Water Tower.
 - iii. Provide advice and relevant documentation, particularly with respect to work health and safety issues e.g. safe work method statements etc.
 - iv. Reimburse Lockhart Shire Council for 30% of the costs incurred by the Council in fulfilling its obligations pursuant to Clause 6 a).

7. TIMING AND DURATION

- a) Either party may terminate this MoU at any time by notice in writing to the other party.
- b) The MoU will remain in force unless and until: -
- i. The parties enter into a legally binding agreement to achieve the Purpose of the MoU; or
 - ii. It is otherwise terminated by the parties.

Signed by the parties on the dates hereunder subscribed

Andrew Crakanthorp
General Manager
Riverina Water County Council

Peter Veneris
General Manager
Lockhart Shire Council

Signature of Witness

Signature of Witness

Name of Witness

Name of Witness

Date

Date

ANNEXURE A



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

Executive Summary

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

Report

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

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

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

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

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

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

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

Nil.

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

4. FEES AND CHARGES – LOCKHART MEMORIAL HALL

(DCCS: SC256-20/1522)

Executive Summary

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

Report

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

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

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

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

Integrated Planning and Reporting Reference

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

E3 Council responds collectively and responsibly to community needs.

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

Nil.

Recommendation: That Council:

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

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

5. INLAND RAIL

(GM: SC248-20/150)

Executive Summary

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

Report

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

- The track will enable the use of double-stacked, 1,800m long trains with a 21 tonne axle load at a maximum speed of 115km/h.
- Each train could carry the equivalent freight volumes of 110 B-Double trucks.
- The new rail route will be up to 10 hours faster than existing coastal rail-capital freight travelling between Melbourne and Brisbane.
- Up to 16,000 jobs will be created at the peak construction and 700 ongoing jobs once operational.

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

The Rock

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

Yerong Creek

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

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

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

Integrated Planning and Reporting Reference

B1 Improve services and infrastructure that supports our rural businesses.

B1 Lobby to increase the use of rail for agricultural transportation.

Legislative Policy & Planning Implications

The Inland Rail project has been declared State Significant Infrastructure.

Budget & Financial Aspects

Nil.

Attachments

Nil.

Recommendation: That the information be noted.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

6. LOCKHART RENEWABLE ENERGY PROJECT

(GM: SC108-20/152)

Executive Summary

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

Report

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

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

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

Project Activity	Status
Appointment of a project manager.	100% complete. BET is the Project Manager for the Project.
A finalised connection agreement with Essential Energy.	80% complete. This is a complex and time consuming process and may be another two months before completed.
Development Application approval.	100% complete. Development Consent has been granted by the Southern Regional Planning Panel.
Submission of market permissions to Australian Energy Market Operator.	90% complete. BET has lodged notice to AEMO of intention to participate in the energy market.
Final detailed designs and technical optimisation.	90% complete. The electrical design and configuration of the renewable energy plant is completed. The next stage will be the production of construction drawings which are part of the second stage of the Project.
Final procurement plan.	90% complete. BET has selected the key suppliers including Siemens, a global supplier of systems for power generation and transmission.
Investment grade financial plan for stages 2 and 3 of the Project.	90% complete. BET has completed the financial modelling. The last stage of the modelling is to input the detailed equipment specifications, debt interest rates, and power purchase agreements.
Legal agreements finalised, including lease arrangements.	Ongoing and will continue into Stages 2 and 3 of the Project.
Communication activities.	Ongoing and will continue into Stages 2 and 3 of the Project. BET has a web site (www.betterenergy.tech) and has appointed a PR agency (Multiplier Media) to deliver increased publicity regarding the Lockhart project to a wide audience.

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

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

Attachment

Nil.

Recommendation: That the information be noted.

7. PROJECT ENERGYCONNECT

(GM: SC107-20/1102)

Executive Summary

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

Report

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

EnergyConnect Planning Applications

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

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

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

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

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

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

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

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

Local Procurement Opportunities

TransGrid is currently conducting a procurement process to appoint a lead-contractor for the construction of EnergyConnect. This process is expected to be completed in October and TransGrid is liaising with Council officers regarding facilitating ways for the successful tenderer, once appointed, to engage with businesses in the area to drive local procurement and employment opportunities.

Mr Hume will be present at 5.00pm to address Council

Integrated Planning and Reporting Reference

C1 Ensure responsible development practices are exercised.

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Nil.

Attachments

- Planning Secretary's Environmental Assessment Requirements (SEARs)

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

[Next Item](#)

Item 7 – Attachment: Planning Secretary’s Environmental Assessment Requirements

Planning Secretary’s Environmental Assessment Requirements

Section 5.16 of the *Environmental Planning and Assessment Act 1979*

Application Number	SSI-9172452
Project Name	Project EnergyConnect (NSW - Eastern Section) which includes: <ul style="list-style-type: none"> • development of a new double-circuit transmission line (minimum 330 kV) between Buronga substation and Wagga substation; • construction of a new substation 170 km west of Wagga Wagga; • expansion of the existing Wagga substation.
Location	From Buronga to Wagga Wagga for a length of approximately 540 km
Applicant	TransGrid
Date of Issue	DATEWILLBEINSERTEDHERE
General Requirements	<p>The Environmental Impact Statement (EIS) for the project must comply with the requirements in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation).</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"> • a stand-alone executive summary; • a summary of the background to the project, including alternatives that were considered to the project; • a full description of the project, accompanied by suitable maps and plans, including the: <ul style="list-style-type: none"> - disturbance area; - physical layout of the project over time, including sections of key components; - key uses and activities to be carried out on site; - likely timing of the project including any stages, the key phases within each stage (site preparation, construction, commissioning, operation, decommissioning and rehabilitation) and the sequencing of these stages and phases; • the relevant strategic context for the project, having regard to: <ul style="list-style-type: none"> - State legislation, policies and guidelines including current initiatives to improve energy security and reliability in the National Electricity Market; - any other existing, approved or proposed projects that could result in cumulative impacts with the project; • the relevant statutory context for the project, including: <ul style="list-style-type: none"> - the assessment pathway for the project under the <i>Environmental Planning and Assessment Act 1979</i>; - the approvals required before the project may be carried out; - any relevant matters for consideration; • a description of the engagement that was carried out during the preparation of the EIS, the key issues raised during this engagement and the proposed engagement strategy for the project if it is approved; • an assessment of the likely economic, social and environmental impacts of the project having regard to the requirements in any relevant Government legislation, policies and guidelines (see below), including: <ul style="list-style-type: none"> - the state of the existing environment; - community views; - the measures that would be implemented to avoid or minimise impacts, including a consolidated summary of the proposed mitigation measures for the project; - the predicted impacts of the project, including any cumulative impacts;

	<ul style="list-style-type: none"> - actions proposed to deal with any uncertainties associated with the assessment; • a detailed evaluation of the merits of the project as a whole. <p>- In addition to the matters set out in Schedule 1 of the <i>EP&A Regulation</i>, the EIS must be accompanied by a signed report from a suitably qualified person that includes an accurate estimate of the capital investment value of the project (as defined in Clause 3 of the <i>EP&A Regulation</i>).</p>
Key issues	<p>The level of assessment of key matters must be proportionate to the likely significance of the impacts on the matter.</p> <p>In particular, the EIS must address the following matters:</p> <ul style="list-style-type: none"> • Biodiversity: <ul style="list-style-type: none"> - an assessment of the biodiversity impacts of the project, in accordance with the <i>NSW Biodiversity Conservation Act 2016</i>, the Biodiversity Assessment Method (BAM) and documented in a Biodiversity Development Assessment Report (BDAR); - the BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM; and - an assessment of the impacts of the project on aquatic ecology including impacts on key fish habitat and threatened species of fish; • Heritage: <ul style="list-style-type: none"> - an assessment of the Aboriginal and historic heritage (cultural and archaeological) impacts of the project; and - adequate consultation with the local Aboriginal community and other relevant stakeholders, having regard to the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (OEH, 2010); • Water: <ul style="list-style-type: none"> - an assessment of the impacts of the project on the quantity and quality of the region's surface water resources, including the Murray River, Darling River, Murrumbidgee River, having regard to <i>NSW Water Quality Objectives</i>; - details of water requirements, supply arrangements and wastewater disposal arrangements for construction and operation; - an assessment of the impacts of the project on groundwater aquifers and groundwater dependent ecosystems having regard to the <i>NSW Aquifer Interference Policy</i> and relevant <i>Water Sharing Plans</i>; and - an assessment of the potential flooding impacts and risks of the project; • Land: <ul style="list-style-type: none"> - an assessment of impacts of the project on soils and land capability of the site and surrounds; - an assessment of the risk of soil contamination and disturbance of land (including associated with naturally occurring asbestos in the vicinity of the site); and - assessment of impact of the project on agricultural land, Crown lands, travelling stock reserves, mineral resources and exploration licenses; • Transport: <ul style="list-style-type: none"> - an assessment of the transport impacts of the project on the capacity, condition, safety and efficiency of the local and State road network; and - details of the ongoing maintenance works required to service assets, outlining the measures to maintain the road network;

	<ul style="list-style-type: none"> • Amenity: <ul style="list-style-type: none"> - an assessment of the likely visual impacts of the project on surrounding residences, scenic or significant vistas, night lighting, air traffic and road corridors in the public domain; and - an assessment of the construction, operational and road noise and vibration impacts of the project; • Air – an assessment of the air quality impacts of the project; • Hazards: <ul style="list-style-type: none"> - an assessment of potential hazards and risks associated with electric and magnetic fields (EMF) having regard to the latest advice of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA); and - an assessment of the risks to public safety, paying particular attention to bushfire risks, emergency egress and evacuation, and the handling and use of any dangerous goods. • Waste – identify, quantify and classify the likely waste streams to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste; • Social & Economic – including an assessment of the social and economic impacts and benefits of the project (including the workers accommodation facility) for the region and the State as a whole, including consideration of any increase in demand for community infrastructure and services.
Legislation, Policies & Guidelines	<p>A list of some of the legislation, policies and guidelines that may be relevant to the assessment of the project can be found at:</p> <ul style="list-style-type: none"> • https://www.planningportal.nsw.gov.au/major-projects/assessments/policies-and-guidelines; and - http://www.environment.gov.au/epbc/publications#assessments
Consultation	<p>During the preparation of the EIS, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups, affected landowners, Native Title holders, exploration licence holders, quarry operators and mineral title holders.</p>
Further consultation after 2 years	<p>If you do not lodge an EIS for the infrastructure within 2 years of the issue date of these SEARs, you must consult further with the Planning Secretary in relation to the preparation of the EIS.</p>

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

8. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT

(DEES: SC131-20/1267)

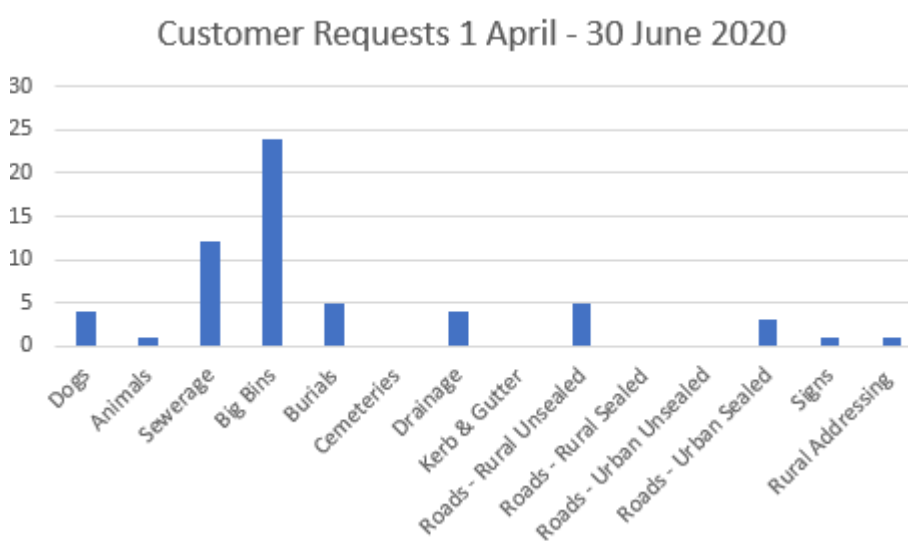
Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

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

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



b) **Works:**

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

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

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

MR370 Chambers Lane: Survey is under way.

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

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

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

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

c) **Major Projects:**

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

d) **Road Safety:**

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

2020/21 Project Update:

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

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

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

e) **Traffic Committee:**

Nil

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

The next LEMC meeting is scheduled for 16 October 2020.

g) **Fleet:**

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

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

h) **Biosecurity and Environment:**

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

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

i) **Parks and Gardens:**

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

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

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

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

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

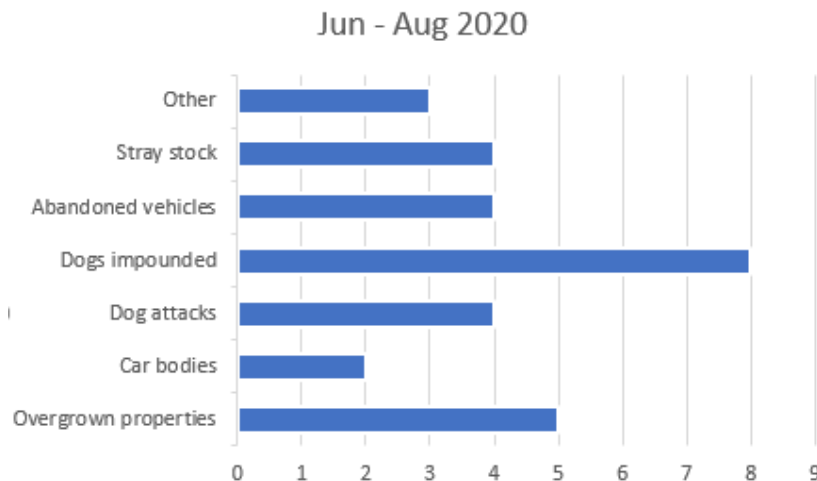
j) **Development Applications:**

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

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

k) **Compliance:**

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



Legislative Policy and Planning Implications

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

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

Integrated Planning and Reporting Reference

C2 Flora and Fauna are protected across the Shire.

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

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

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

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

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

9. ROAD CLASSIFICATION AND TRANSFER

(DEES: SC126-20/1264)

Executive Summary

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

Background Information

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

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

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

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

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

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

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

Legislative Policy and Planning Implications

Local Government Act 1993.

Integrated Planning and Reporting Reference

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

Budget and Financial Aspects

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

Attachments

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

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

[Next Item](#)

Item 9 – Attachment 2: Response to the Regional Road Transfer ToR Riverina JO



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21 February 2020

The Hon. Paul Toole, MP
Minister for Regional Transport and Roads
GPO Box 5341
Sydney NSW 2001

roadreview@transport.nsw.gov.au

Dear Minister,

Re: Regional Road Transfer and NSW Road Classification Review - Independent Panel Terms of Reference.

The Riverina Joint Organisation welcomes the opportunity to provide feedback on the Terms of Reference for the Regional Road Transfer and NSW Road Classification Review – Independent Panel.

As previously discussed with you when we met in late 2019, our Members' major concern with regard to the transfers is the impact on local employment and council finances. It is vitally important that councils are able to maintain a viable road maintenance and construction workforce, and for most councils this depends on the council undertaking works on regional roads.

We have seen in the recent bushfire and flood disasters the importance of having trained and experienced council road crews available and on-call to deal with emergencies. These are the staff whose day jobs are repairing and maintaining our local and regional roads, but who swing into action as soon as an emergency unfolds, putting up barriers, manning road closures, removing debris. Communities rely on these workers, and consequently we need to ensure that the new arrangements do not put these jobs in jeopardy.

Purpose

In relation to the Purpose stated in the Terms of Reference, our Members would prefer that point 6, which relates to maintaining local employment is amended to say "ensure that local employment on road maintenance works is retained through arrangements that ring-fence the work for councils". Currently the point 6 only requires "ensure consideration" which is not sufficient to protect local jobs.

There is some concern that the work might be put out to tender or that councils would be forced into a situation where they are required to bid against private contractors. Our Members would not support a situation where councils are required to bid for works on these roads, nor work as sub-contractors to private companies. Consequently, we are asking for a "ring-fenced" arrangement to be put into place.

Our Members have expressed concern that point 6 uses RMCC arrangements as an example of how local employment could be maintained. Our Members advise that the RMCC arrangements are very cumbersome and demanding on internal resources and are only viable where a council maintains at

least 150kms of state road. Consequently, if only a small length of regional road is transferred to the State it is likely that the continued maintenance of this section of transferred road through RMCC arrangements would not be viable for a majority of councils who are not currently part of the RMCC regime. Our Members believe that an approach similar to “block grant funding” would mean that all councils could participate in management of any transferred roads.

Our Members would like to see the Purpose include a requirement for the Panel to establish a mechanism by which the State and the council consult on the maintenance standards for a transferred road. Our Members wish to ensure that once a transfer takes place regional roads, at the very least, are maintained at their pre-transfer standard. However, councils’ reasonable expectation is that a transferred road would be reclassified as a State road and consequently its maintenance standard would reflect that classification.

In addressing this issue the Panel should also give consideration to mechanisms that can be introduced that allow councils to raise concerns if the standard of a transferred road is not maintained.

Membership and Procedure

We note with some disappointment, that the membership of the Panel does not include a practising local government engineer. We believe that the inclusion of a person who deals with the realities of regional road maintenance every day, would have provided the Panel with valuable insights into the issues that need to be addressed.

Further we note, again with some disappointment, that LGNSW is not included in the advisory group that the Panel will rely on. The advisory group is intended to “support the Panel in the extensive investigative work necessary to complete a thorough review of the NSW road network”. Our Members believe that LGNSW should be included in the group as the organisation represents all the councils that will be impacted by the proposed transfers and are able to get feedback quickly if required.

There is not sufficient local government representation in this process. There is a single local government person on the Panel and there are no local government representatives on the Advisory Group. We believe a greater presence from local government practitioners would provide a more balanced and informed approach to the decision-making.

Policy Principles

We note that the Panel is to “release a background paper with policy principles” in March 2020. Further we note that there is no opportunity for local government to provide comment on those Policy Principles before the call for submissions on transfers.

We believe that the Policy Principles will guide the decision-making on the transfers and consequently that councils should have the opportunity to provide comment on them. If the Policy Principles are flawed then the process will be as well. The Policy Principles must reflect the priorities and needs of local government as well as those of the State.

Therefore we request that the time frame be amended to allow for consultation on the Policy Principles.

Deliverables – Timeframe

We believe this is an ambitious timeframe and one that allows for little discussion or real consultation with local government. Our Members believe that the process will be enhanced through genuine consultation that ensures decisions are properly informed.

Our Members are very concerned that a lack of clarity around the financial and employment impacts of the transfers will become a barrier to councils participating in the program. We believe that these can only be properly addressed through consultation and discussion.

Our Members would welcome the opportunity to discuss our concerns with you further and thank you for the opportunity to provide this feedback,

Yours sincerely



Cr Rick Firman *OAM*
Chairman

cc

Hon John Barilaro, Deputy Premier
Ms Steph Cooke MP, Parliamentary Secretary to the Deputy Premier, Member for Cootamundra
Dr Joe McGirr MP, Member for Wagga Wagga
Mr Justin Clancy MP, Member for Albury
Hon Wes Fang MLC
Mr Greg Warren MP, Shadow Minister for Local Government
Hon Mick Veitch MLC
Cr Linda Scott, LGNSW President

10. VARIATION TO DEVELOPMENT CONTROL PLAN FOR DA12/21

(DEES: DA12/21-20/1253)

Executive Summary

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

Background Information

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

As part of this application, the developer proposes a shed with a shed wall height of 3.10 metres to the top of the gutter and a total shed height of 5.02 metres to the ridge, exceeding the 4.50 metres restriction of the DCP by 0.52 metres. A written application for variation to the DCP from the applicant confirms that the increased shed height will allow for the construction of a mezzanine floor inside the shed to provide extra storage space. The shed is proposed to be set back 48.0 metres in the rear yard and 1.0 metre from the northern side boundary next to a large existing shed on the adjoining property. In determining this request Council need to consider several variables which may influence the development.

Streetscape

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

Precedence

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

Objectives of the control requirements

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

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

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

Budget and Financial Aspects

Nil.

Attachment

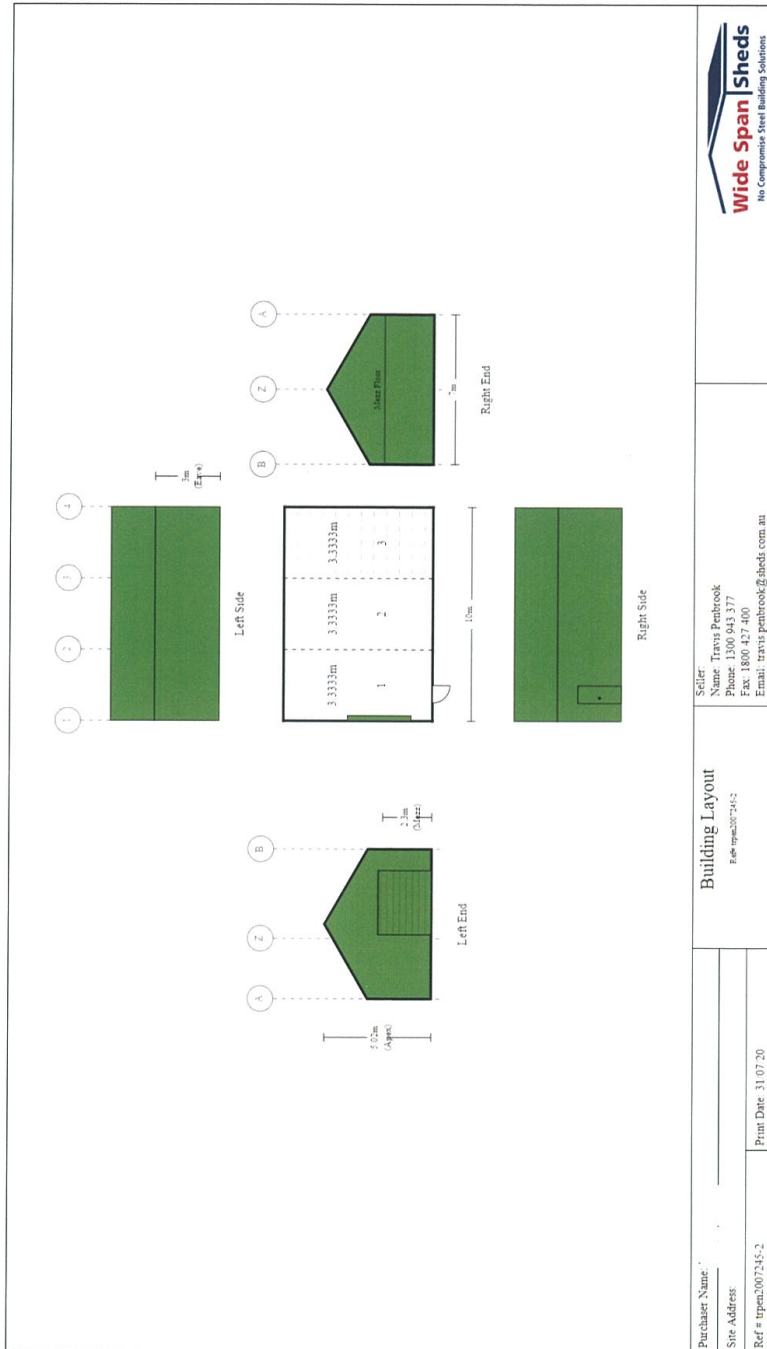
1. Elevation detail
2. Site plan
3. Application for variation from applicant

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

[Next Item](#)

Item 10 – Attachment 1: Elevation Detail

Building Layout

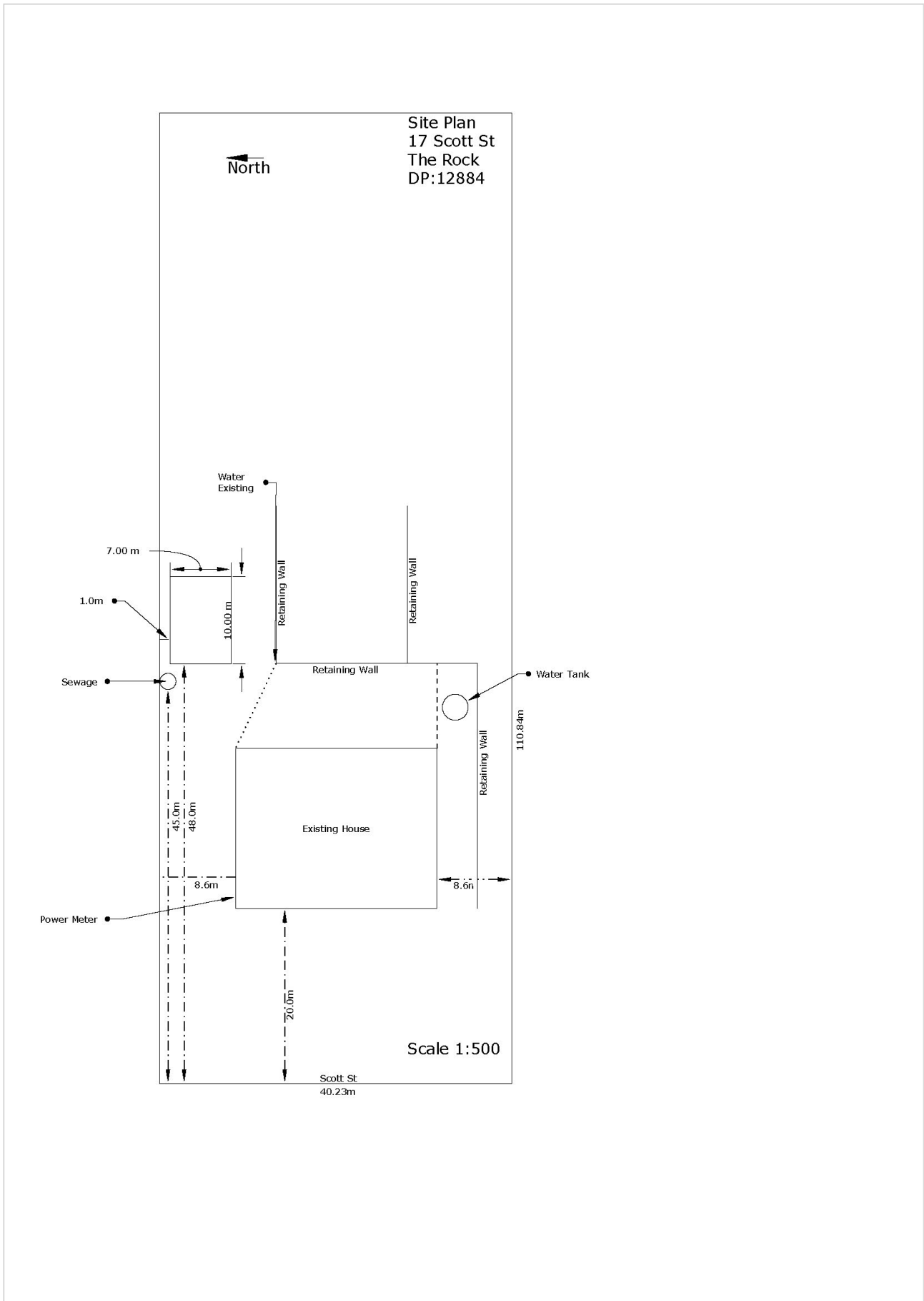


Purchaser Name:		Building Layout	Ref # tpem3007245-2	Print Date: 31.07.20
Site Address:		File # 2007245-2		
Ref # tpem3007245-2		Seller: Travis Pentrook		
		Name: Travis Pentrook		
		Phone: 1800 437 400		
		Fax: 1800 437 400		
		Email: travis.pentrook@sheds.com.au		



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Item 10 – Attachment 2: Site Plan



Item 10 – Attachment 3: Application for Variation



LOCKHART SHIRE COUNCIL

65 Green Street LOCKHART NSW 2656 PO Box 21 LOCKHART NSW 2656
Ph: (02) 6920 5305 Fax: (02) 6920 5247 Email: mail@lockhart.nsw.gov.au
Website: <http://www.lockhart.nsw.gov.au>

File DA12/21

Application for Variation to Development Control Plan

1.	DA No 12/21				
2.	Subject of Land:				
House No	17	Street	Scott St		
Town	The Rock				
Lot	75	Section		DP	12884

Information for the applicant

Notwithstanding any provisions of this DCP, other than those standards included in other legislation or are only permitted to be varied as development standards, Council may consider a variation to the DCP.

- Any application which seeks to vary a development control under Council's Development Control Plans (DCP) must be supported by a written request. Applicants should use this proforma to address any relevant matters.
- No guarantee can be given that the request will be supported. The nature of the variation will determine whether it can be determined under delegation or at a council meeting. You are strongly encouraged to design within the DCP controls.
- You may attach additional information to this form if there is insufficient room.

3. Details of the Development Control Plan proposed to be varied

Part proposed to be varied – (for example – part 2.2 residential and village development)

Section 4.3 - 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;

Section 4.4 • The maximum roof pitch is to be 22 degrees;

What control/s is/are proposed to be varied?

Total height of the shed would be 5.02m based off plans

The pitch of the roof would be 30 degrees

Why is/are the control/s unreasonable for the proposal?

The shed design incorporates a mezzanine level for storage (drying area) and with the maximum height of 4.5m, wall height of 3.1 and roof pitch of 22degrees this is not possible. The mezzanine gives me an additional 1/3 of floor space where I am unable to extend the size of the shed any further due to floor space constraints

How does the proposal meet the objectives of the above mentioned control?

The roof pitch change provides the extra height in the mezzanine so that I can stand in the middle section and use the outer sides for drying tables. If the pitch of the roof were at 22 degrees my head would touch even at the highest point, I am 184cm tall

11. VARIATIONS TO DEVELOPMENT CONTROL PLAN

(DEES: SC337-20/1252)

Executive Summary

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

Background Information

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

Council regularly receives applications for development not consistent with the Lockhart Development Control Plan 2016 and these are therefore presented for Council's consideration. In 2019/20 Council considered eight applications not consistent with the Lockhart Development Control Plan 2016. The Development Control Plan specifies several measurable criteria relating to development including area, separation distances, heights, setbacks, widths, buffers, and depths as well as non-measurable criteria such as heritage and environmental criteria.

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

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

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

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

Nil.

Attachments

Nil.

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

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

12. DENTIST BUILDING LOCKHART

(DCCS: SC144-20/1518)

Executive Summary

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

Report

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

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

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

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

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

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

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

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

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

Attachments

Photos

Recommendation: That Council:

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

[Next Item](#)

Item 12 – Attachment: Photographs



STRATEGIC DIRECTION E: Strong Leadership and Governance

13. INVESTMENT AND BANK BALANCES REPORT – AUGUST 2020

(DCCS: SC59-20/1520)

Executive Summary

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

Report

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

Cash at Bank

Opening Combined Cashbook Balance			376,298.47
Add: Total Receipts			
	Rates	338,395.62	
	Debtors	160,375.02	
	Miscellaneous	51,767.10	
	Interest	7,287.98	
	Sale of Real Estate - Rockliff Court	35,230.71	
	Sale of Real Estate - Bond Street	121,060.36	
	Roads to Recovery	273,706.00	
	Financial Assistance Grant	462,554.25	
	Drought Program	500,000.00	
	LRCI Grants	423,281.00	
	SCCF	120,800.00	
	Block Grant	561,000.00	
	Stage 5 BET - Lockhart Project	200,000.00	
			3,255,458.04
Less: Total Payments			1,075,532.62
	New Investments	1490-3015-0001	
Closing Combined Cashbook Balance			<u>2,556,223.89</u>
Closing Bank Statement Balance	Bendigo Bank	2,378,897.50	
	Macquarie Bank	204,910.84	
	Bendigo Bank-Prichard Trust	31,637.38	
		<u>2,615,445.72</u>	
Add: Outstanding Deposits			32,012.28
			<u>2,647,458.00</u>
Less: Outstanding Cheques			91,234.11
Closing Combined Cashbook Balance			<u>2,556,223.89</u>
Investments:	Interest Rate per Annum	Amount Invested	% of Total
AMP RIM	0.95	250,000.00	3.91
AMP RIM	0.55	500,000.00	7.81
AMP/RIM	0.55	500,000.00	7.81
Bendgio	0.75	50,000.00	0.78
Bendigo	0.75	400,000.00	6.25
BENDIGO	0.75	500,000.00	7.81
BENDIGO	0.80	500,000.00	7.81
bendigo	0.75	50,000.00	0.78
CBT	0.62	500,000.00	7.81
CBT	0.63	500,000.00	7.81
CBT	0.64	250,000.00	3.91
NAB	0.82	500,000.00	7.81
NAB 231101546	0.70	500,000.00	7.81
NAB 231245881	0.70	500,000.00	7.81
T Corp	<u>ON CALL</u>	<u>900,000.00</u>	14.06
		<u>6,400,000.00</u>	
FUND			AMOUNT
General (PTD)	1490-3000-0000		300,817.76
Combined Sewerage	8490-3000-0000		2,223,768.75
Trust Fund	9991-3000-0000		31,637.38
		<u>2,556,223.89</u>	<u>2,556,223.89</u>
TOTAL FUNDS HELD ARE:			<u>8,956,223.89</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 2020/21 Operational Budget has forecast a total of \$57,000 income from interest on investments, being split between General Fund of \$53,000 and Sewer Fund of \$4,000. For the period of July to August 2020, the average end of month balance of funds invested has been \$6.4 million and the average return on invested funds has been 0.78%. On these year to date figures, Council's budgeted income on investments will be slightly under budget for the General Fund and Sewer Fund. This will be monitored and if required adjusted at the 1st Quarterly Budget Review.

Responsible Accounting Officer Statement

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

Recommendation:

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

14. AUDITED FINANCIAL STATEMENTS – 2019/2020

(DCCS: SC119-20/1519)

Executive Summary

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

Report

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

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

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

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

15. MODEL CODE OF CONDUCT

(GM: SC66-20/151)

Executive Summary

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

Report

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

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

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

- Consistent with recent case law, councils have the following options when taking disciplinary action against councillors for breaches of their codes of conduct under the new Procedures:
 - that a councillor be formally censured for the breach under section 440G of the *Local Government Act 1993* (the Act), or
 - that a councillor be formally censured for a breach under section 440G and the matter referred to OLG for further disciplinary action under the misconduct provisions of the Act.
- The process for censuring councillors for breaches of the code of conduct has been significantly strengthened to ensure councillors are made publicly accountable to their electors for their conduct. When censuring councillors, councils are required to specify in their resolution the grounds on which the councillor is being censured by disclosing the investigator's findings and determination and any other grounds that the council considers may be relevant or appropriate.
- Councillors may seek to avoid public censure for breaches of the code of conduct by voluntarily agreeing to undergo training or counselling, to apologise for their conduct or to give undertakings not to repeat their conduct before the investigator finalises their report to the council. Investigators can finalise their investigations without a report to the council where they consider these to be an appropriate outcome to the matter they are investigating. However, it will remain open to investigators to finalise their report and to recommend censure where they consider this is appropriate and warranted.
- The process for referral by councils of code of conduct breaches by councillors to OLG for further disciplinary action under the misconduct provisions of the Act has been streamlined. Investigators are required to consult with OLG before recommending the referral of matters to ensure the

conduct in question is sufficiently serious to warrant disciplinary action for misconduct and that there is sufficient evidence of the breach to allow OLG to take further disciplinary action.

- Other amendments have been made to the Procedures to:
- allow panels of conduct reviewers to be appointed without a resolution of the council, and
- allow the referral of investigators' reports to OLG for action under the misconduct provisions of the Act where the council will not have a quorum to deal with the matter.

Amendments to the Model Code of Conduct:

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

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

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

Budget & Financial Aspects

Not applicable.

Attachments

Nil.

Recommendation: That Council:

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

16. POLICY REVIEWS

(GM: SC67-20/635)

Executive Summary

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

Report

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

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

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

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

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Nil.

Attachments

1. Policy 2.34 Refund of Development Related Fees
2. Policy 2.36 Refund of Fees to Community Organisations
3. Policy 3.7 Rental of Staff Dwellings
4. Policy 3.8 Conference Expense Senior Officers
5. Policy 3.20 Guidelines for Secondary Employment
6. Policy 3.24 Recognition of Service
7. Policy 3.13 Accrument of Long Serve Leave

Recommendation:

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

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Item 16 – Attachment 1: Policy 2.34 Refund of Development Related Fees

2.34 Refund of Development Related Fees

POLICY TITLE: REFUND OF DEVELOPMENT-RELATED FEES

FILE REF: SC299

EXPIRY DATE: SEPTEMBER 2023

LEGISLATIVE CONTEXT

Pursuant to clause 52 (3) of the Environmental Planning and Assessment Regulation 2000 a consent authority may (but is not required to) refund to the applicant the whole or any part of any application fee paid in connection with an application that has been withdrawn.

POLICY STATEMENT

Council will refund development related application fees to the applicant in the following circumstances:

- 1 The applicant's advice that the application is withdrawn and request to receive a refund of application fees paid must be in writing.
- 2 Refunds will only be made where the applicant's written advice is received prior to the completion of the draft assessment by Council.
3. Subject to 1) and 2) above, refund of 50% of the application fees paid to Council will be made for the following applications:
 - Development application.
 - Construction Certificate.
 - Installation of solid fuel heaters.
 - Installation of plumbing and drainage.
 - Occupation Certificate.

*Adopted by Council – 21 September 2020
Refer Minute No. xxx/20*

Item 16 – Attachment 2: Policy 2.36 Refund of Fees to Community Organisations

2.36 Refund of Fees to Community Organisations

POLICY TITLE: REFUND OF FEES TO COMMUNITY ORGANISATIONS

FILE REF: SC24

EXPIRY DATE: SEPTEMBER 2023

OBJECTIVE

The purpose of this policy is to describe the process by which Council fees may be returned to community-based not-for-profit organisations by way of an equal donation by Council.

POLICY STATEMENT

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

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

Any refund of development related application fees paid to Council will be met from Council's Section 356 Contributions budget allocation.

*Adopted by Council – 21 September 2020
Refer Minute No. xxx/20*

Item 16 – Attachment 3: Rental of Staff Dwellings

3.7 Rental of Staff Dwellings

POLICY TITLE: RENTAL OF STAFF DWELLINGS

FILE REF: SC67

EXPIRY DATE: SEPTEMBER 2023

OBJECTIVE

To provide a framework for the fixing and reviewing of rent for Council owned dwellings whilst incorporating therein a concession to assist with recruitment and retention of certain staff.

POLICY STATEMENT

1. Council acknowledges that offering subsidised rental accommodation can be a key component in attracting and retaining key staff to work at Lockhart Shire Council, as determined by the General Manager.
2. The rent payable for Council owned dwellings leased to staff will be set at 60% of the assessed market rental.
3. Rent will be adjusted annually from 1 October in accordance with the CPI (Housing - Rents - subgroup) index that was applicable for the previous July to June financial period.
4. Council will offer Salary Sacrifice arrangements (i.e. pre-tax payment of rent) in relation to rental of staff dwellings noting that:
 - a) The Fringe Benefits Tax Assessment Act 1986 defines “remote area housing” to be an area at least 40 kilometres from a town with a Census population of 130,000 or more.
 - b) In accordance with Section 58ZC of the Fringe Benefits Tax Assessment Act 1986, all housing benefits defined as “remote area housing benefits”, provided by the employer will be exempt from FBT. Any rentals made in accordance with salary sacrifice arrangements will be deemed non-taxable in relation to FBT and as such no liability will be incurred by Council.

Adopted by Council – 21 September 2020

Refer Minute No. xxx/20

Item 16 – Attachment 4: Conference Expenses – Senior Officers

3.8 Conference Expenses - Senior Officers

POLICY TITLE: CONFERENCE EXPENSES - SENIOR OFFICERS

FILE REF: SC184

EXPIRY DATE: SEPTEMBER 2020

OBJECTIVES

To encourage and assist senior staff to attend the annual state conferences of their respective professional associations so as to promote self-development and maintenance of a high level of competence.

POLICY STATEMENT

That Council make payment of:

- (i) Conference registration fees, if any; and
- (ii) Reasonable accommodation and associated sustenance expenses for the scheduled period of conference activities as well as reasonable time engaged travelling to and from such conference; and
- (iii) Travel expenses up to the level of return airfare or other equivalent public transport or, where travel is by Council vehicle, the cost of reasonable out-of-pocket expenses for fuel.

*Adopted by Council 21 September 2020
Refer minute xxx/20*

Item 16 – Attachment 5: Policy 3.13 Accrualment of Long Service Leave

3.13 Accrualment of Long Service Leave

POLICY TITLE: ACCRUEMENT OF LONG SERVICE LEAVE

FILE REF: SC67

EXPIRY DATE: UNLIMITED

OBJECTIVES

To clarify the Council's position in relation to implementation of a clause of the Local Government (State) Award which currently provides:

- (a) Long service leave shall be taken at a time mutually convenient to the Council and employee in minimum periods of one week provided that all long service leave accruing on or after 23rd June 1988 shall be taken within five years of it falling due.

POLICY STATEMENT

Recognising the impact of the clause – if implemented rigidly – could necessitate the employment of relief staff at a cost greater than the betterment cost (or growth in value) of untaken long service leave. Also, that the absence of key staff with appropriate training and knowledge of organisational systems and procedures could be disruptive and affect productivity, the Council will allow long service leave to accumulate and be taken at a time mutually convenient to the Council and the employee. This means, in particular, long service leave accruing on or after 23rd June 1988 need not be taken within five years of its falling due.

*Rescinded by Council – 21 September 2020
Refer Minute No. xxx/20*

Item 16 – Attachment 6: Policy 3.20 Guidelines for Secondary Employment

3.20 Guidelines for Secondary Employment - Notification of Secondary Employment/Contract Work

POLICY TITLE: GUIDELINES FOR SECONDARY EMPLOYMENT

FILE REF: SC67

EXPIRY DATE: SEPTEMBER 2023

OBJECTIVE

The aim of this policy is to provide a framework for notifications and requests by employees to undertake secondary employment.

LEGISLATIVE CONTEXT

Section 353 of the Local Government Act states as follows:

- “353. (1) The general manager must not engage, for remuneration, in private employment or contract work outside the service of the council without the approval of the council.
- (2) A member of staff must not engage, for remuneration, in private employment or contract work outside the service of the council that relates to the business of the council or that might conflict with the member’s council duties unless he or she has notified the general manager in writing of the employment or work.
- (3) The general manager may prohibit a member of staff from engaging, for remuneration, in private employment or contract work outside the service of the council that relates to the business of the council or that might conflict with the member’s council duties.
- (4) A member of staff must not engage, for remuneration, in private employment or contract work outside the service of the council if prohibited from doing so under subsection (3).”

PROCEDURE

Any request from the General Manager for approval to engage, for remuneration, in private employment or contract work outside the service of the Council should be submitted in writing to the Mayor and referred to Council.

Any staff member wishing to be involved in secondary employment/contract work additional to their Council employment, which relates to the business of the council or that might conflict with the staff member’s council duties, for which payment or in kind benefit is received, must apply in writing for approval from the General Manager.

As a guideline the following conditions should be met:

- a) Secondary employment/contract work for which payment or in kind benefit is received will be carried out in the employee’s own time.
- b) The likely timing and duration of the employment will not adversely affect the employee’s performance or productivity with respect to their work with Council.
- c) It will not lead to a conflict of interest, or a fair minded person perceiving there to be a conflict of interest.
- d) The nature and extent of public contact involved in the secondary employment/contract work and the employee’s position with Council are not in conflict.
- e) It will not involve the use of Council resources, materials or equipment, nor involve the use of Council information and/or commercial in confidence information available to the employee through their Council employment.
- f) The employee acknowledge that Lockhart Shire Council directed work takes precedence over any approved secondary employment
- g) The employee takes full responsibility for meeting all tax obligations that relate to their paid secondary employment/contract work
- h) The employee undertakes to act at all times in an ethical manner which does not reflect adversely on or discredit Council

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- i) The employee takes out all necessary insurances to cover the circumstances of your secondary employment/contract work including professional indemnity
- j) The employee does not engage in secondary employment/contract work while on sick leave from Council.
- k) There is a clear distinction between the employee's travel to & from work as distinct from the employee's travel to and from their secondary employment/contract work which precludes them from workers compensation claims against Lockhart Shire Council,
- l) The employee does not use their position in Council to canvass for work in their secondary employment/contract work.

*Adopted by Council – 21 September 2020
Refer Minute No. xxx/20*

Item 16 – Attachment 7: Policy 3.24 Recognition of Service

3.24 Recognition of Service

POLICY TITLE: RECOGNITION OF SERVICE

FILE REF: SC67

EXPIRY DATE: SEPTEMBER 2023

OBJECTIVES

To provide a procedure for recognising Councillors and staff for their service to Lockhart Shire Council.

POLICY STATEMENT

In recognition of the important contribution made by long serving Councillors and staff, awards will be presented on an annual basis where appropriate.

IMPLEMENTATION

Council will formally recognise the continuous service of staff and combined years of service by Councillors as follows: -

<i>Years of Service</i>	<i>Recognition</i>
10 Years	\$100.00 gift voucher and framed certificate
20 Years	\$200.00 gift voucher and framed certificate
30 Years	\$300.00 gift voucher and framed certificate.

For each 5 years of service that exceed 30 years, recipients will be presented with a framed certificate and additional recognition will be as per 30 years.

The recipient will have the choice as to where the gift voucher can be redeemed subject to approval of the General Manager.

*Adopted by Council – 21 September 2020
Refer Minute No. xxx/20*

17. MEMBERSHIP OF REGIONAL ORGANISATIONS

(GM: SC42-20/377)

Executive Summary

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

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

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

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

Report

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

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

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

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

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

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

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

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

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

Letter from the Chair of REROC dated 8 July 2020.

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

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Item 17 – Attachment: Letter from REROC Chair, Review of the REROC and JO Operations

REROC

RIVERINA EASTERN REGIONAL
ORGANISATION OF COUNCILS

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8 July 2020

Cr Rodger Schirmer
Mayor
Lockhart Shire Council
PO Box 21
Lockhart NSW 2656

Dear Cr Schirmer,

Review of the REROC and JO Operations

I am writing on behalf of the Board of the Riverina Eastern Regional Organisation of Councils (REROC) in relation to the recent review that was undertaken into the operations of REROC and the Riverina Joint Organisation, the implications of the Local Government COVID-19 Stimulus Package and the conditions that pertain to its access.

Your council would be aware that one of the conditions for accessing the Local Government COVID-19 Stimulus Package was that councils who were members of a Joint Organisation were required to retain their JO membership for a period of 2 years. The condition was included in the contracts that councils signed in relation to the funding, significantly the ability to access the NSW Government's ESL funding was contingent on it.

The Member Councils resolved, as a result of the REROC/JO review, to move forward with the creation of a single regional organisation that was incorporated as a limited liability company. The creation of the new organisation depends on the Minister for Local Government providing approval, and if so, would result in both REROC and the Riverina JO being wound up. However, this now seems impossible, the financial implications that would result from these actions cannot be ignored. It is clear that if our Member Councils implement this pathway, they will miss out on hundreds of thousands of dollars in ESL funding.

This issue was discussed, at length, during REROC's June Board meeting. Our discussions were informed by the fact that the Members had already committed to funding REROC and the Joint Organisation for a further 12 months while we waited for permission and then established the new, single regional organisation. The REROC Board remains committed to this course of action but clearly, given current circumstances, this is no longer achievable within the 12-month timeframe.

councils working together

Therefore, the Board has resolved to seek endorsement from the Member Councils to maintain REROC's current structure for a period of 2 years, including the provision of on-going funding for the Organisation. The Board is aware that this has financial implications for the Member Councils and that councils will want to be fully informed before making any commitments. As you know the membership fee for 20/21 Financial Year has already been advised, and Members have committed to that payment.

Over the last 18 months, REROC has been working to put more of its activities on a commercial footing, without disadvantaging our Members. We have introduced Member and non-Member fees for participation in our events, we have increased the cost of trade stands and attendance fees at our conferences and we have been actively seeking sponsorship support for all our activities. Our goal is to generate more "own-source" revenue to reduce dependence on membership fees. These activities will continue with the long-term objective of lowering the cost of membership.

However, even with these activities at this point we expect that the membership fee for the 21/22 Financial Year will be the same as it is for the 20/21 Financial Year.

I understand that this is a challenging time for our membership. What we all hoped was a clear pathway forward we have now been forced to place these plans in abeyance, however in doing so we are ensuring the best financial outcome for our communities. In addition, the OLG are now planning to undertake a review of Joint Organisations before the end of the year.

Given all that is happening, we are seeking a commitment from our Member Councils to continue their membership of the REROC until the end of the 21/22 Financial Year. REROC has made a significant contribution to the operation of our Members and local government generally, not just in our region but within NSW. We believe that it is important that the Organisation continue to provide its services for the next 2 years operating parallel and co-operatively with the Riverina Joint Organisation. In doing so we will ensure that Members continue to have options in relation to how they choose to collaborate on a regional level.

I want to thank the Board and our Member Councils for their patience and forbearance as we deal with these issues. We are genuinely committed to strong regional leadership and by continuing to work together we can deliver positive results for our Members and the communities they represent. I look forward to receiving advice regarding your Council's decision on its continuing commitment to the ROC.

Yours sincerely



Cr Rick Firman OAM
Chairman.

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.

18. TENDER 2021-002 SUPPLY AND DELIVERY CAT950M LOADER

(DEES: SC327-20/1259)

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

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

19. GENERAL MANAGER ANNUAL PERFORMANCE REVIEW FOR PERIOD ENDING 30 JUNE 2020

(GM: PC11-20/456)

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

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