



BUSINESS PAPER

**of the
Ordinary Meeting
Held
21 December 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: 20/4115

16 December 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 December 2020** commencing at **5.00pm**.

It is proposed that the Tourism and Economic Development Officer, Matt Holt, provides a verbal update to Council on tourism and economic development related matters. It is also proposed to make this a quarterly practice.

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, 16 NOVEMBER 2020

DECLARATIONS OF PECUNIARY & NON-PECUNIARY INTEREST

MAYORAL MINUTE 3

MAYORAL REPORT 3

URGENT MATTERS 3

NOTICE OF MOTION 3

COMMITTEE REPORTS 3

1. Minutes of The Lockhart Shire Council – Tourism and Economic Development Steering Committee (TEDSC) Meeting Held at 6.00pm on Tuesday 1st December 2020 at Lockhart Shire Council Chambers 3

DELEGATES' REPORTS 6

1. Local Government NSW Annual Conference – 23 November 2020 via ZOOM 6
2. Delegates Report - Riverina Joint Organisation and REROC Board Meetings, 11 December 2020 in Wagga Wagga 7

STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED 9

STAFF REPORTS 18

STRATEGIC DIRECTION A: A Connected and Resilient Community 18

1. The Rock West Flood Mitigation Works 18
2. Voluntary Purchase Scheme 19

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy 20

3. "Your High Street" Grant Program 20
4. Request for In-Principle Support to Rezone Lot 1 and Lot 4 DP194750, The Rock 21
5. Parliamentary Committee Inquiry – Inland Rail Project 26
6. Yerong Creek Water Tower Mural 27

STRATEGIC DIRECTION C: An Environment that is Respected and Protected 30

7. Murray Darling Association – Proposed Name Change 30

STRATEGIC DIRECTION D: Infrastructure for the Long-Term Needs of the Community 31

8. Engineering and Environmental Services Report 31

STRATEGIC DIRECTION E: Strong Leadership and Governance 34

9. Investment and Bank Balances Report – 30 November 2020 34
10. Local Government Elections Update 35

11.	Audit Office of NSW – Local Government Performance Audit	36
12.	Evaluation of Nine-Day Fortnight Trial Period	38
13.	Office Closure – Christmas/New Year Period	40
14.	Stronger Communities Program	41
15.	Records Management Policies	44
16.	Grants Management Policy	57
	QUESTIONS AND STATEMENTS	60
	CLOSED SESSION	60
17.	Australia Day Awards	60

MAYORAL MINUTE

Nil.

MAYORAL REPORT

To be presented at the meeting.

URGENT MATTERS

Nil.

NOTICE OF MOTION

Nil.

COMMITTEE REPORTS

1. MINUTES OF THE LOCKHART SHIRE COUNCIL – TOURISM AND ECONOMIC DEVELOPMENT STEERING COMMITTEE (TEDSC) MEETING HELD AT 6.00PM ON TUESDAY 1ST DECEMBER 2020 AT LOCKHART SHIRE COUNCIL CHAMBERS

1. Present

Councillor Derek Douglas (Chair), Heather Trevaskis, Myra Jenkyn, Michelle Bailey, Jared Walker, John Holstein, and Matt Holt (TEDO).

2. Apologies

Peter Creek, Rachel Viski, Greg Smith

Resolved on the motion of Jared Walker and Michelle Bailey that the apologies be accepted.

3. Declarations of Pecuniary & Non-Pecuniary Interest

Nil

4. Confirmation of minutes of the previous meeting (November 2020)

Resolved on the motion of Heather Trevaskis and John Holstein that the minutes of the meeting held on Tuesday, 3 November 2020, as printed and circulated, be confirmed as a true and correct record of the proceedings of that meeting.

5. Actions from previous minutes

a) Resignation of Committee Member Raeleen Pfeiffer (2011)

Recommended on the motion of Myra Jenkyn and John Holstein that Council accept the resignation and write a letter to acknowledge and thank Raeleen for her contribution to the TEDSC and the Lockhart Shire. **COMPLETED**

6. New Business

a) The Esplanade at Pleasant Hills

Fiona Beckett suggested that the Esplanade at Pleasant Hills be considered as a location in the project list under Lockhart Shire Self Eco Drive Tour for re-development.

Recommended on the motion of Jared Walker and Michelle Bailey that the Council –accept the Esplanade as a location in the re-development Lockhart Shire Self Eco Drive Tour in the project list from the October Meeting and also the TEDO to provide a description of each of the projects for circulation at the February 2021 meeting.

b) RV and Caravan Parking in Lockhart CBD

Jared Walker raised the lack of caravan parking and RV parking availability in Lockhart CBD. TEDSC proposes that the TEDO prepare a proposal of the locations discussed and come back to the February 2021 meeting to agree on and make a recommendation to Council.

Recommended on the motion of Fiona Beckett and Jared Walker that the TEDO prepare a proposal of the RV parking locations discussed and come back to the February 2021 meeting to agree on and make recommendation to Council.

c) Strategic Planning Documents

TEDO suggested to the TEDSC that the Committee is due to review the current Tourism and Economic Development Strategic Plan in 2021/2022. The TEDO will add this to the list of items to start in early 2021, with the understanding of working with the possible new elected council in September 2021 and review of the Community Strategic Plan.

Recommended on the motion of Jared Walker and John Holstein that the TEDO review the current plan in early 2021.

d) Committee Structure 2021

TEDO presented a draft charter to the Committee for consideration going forward. This included having a minute taker, agenda writer, also having committee members helping the TEDO with certain projects. TEDO will complete a proposal on the feedback received and bring back for the Committee's consideration in February 2021. It was noted that Heather Trevaskis volunteered to help take minutes.

Recommended on the motion of John Holstein and Michelle Bailey that the TEDO will present a proposal regarding a Committee Charter at the February meeting.

e) Accreditation Changes Lockhart Shire Visitor Information Centre

The TEDO has been advised that as of 1 July 2021 Destination NSW will be requiring accredited Visitor Information Centres across NSW to operate a minimum of 42 hours per week. This impacts the Lockhart Shire Visitor Information Centre, for which the TEDO had requested more information on the changes.

Recommended by all Committee members that Council note the above information, with the TEDO to provide more information to both Council and the TEDSC when information comes to hand.

f) Land Subdivision at The Rock

Council had received a request for in-principle support to re-zone two parcels of land at The Rock. The two parcels of land are currently zoned primary production and general industrial with the request for a rezoning that will enable residential development. A report will be presented to the Council meeting in December 2020.

Recommended by all Committee members that Council note the above information.

g) NSW Government – “Your High Street” Grant program

A report will be tabled at the Council meeting in December to consider applying for funding for parts of the Lockhart Business Centre and Avenue of Honour at The Rock. Two projects that the Committee has identified as a priority at the October meeting.

Recommended by all Committee members that Council note the above information.

h) Other Business

- Myra Jenkyn asked for an update of the Tidy Town Plaques. The TEDO advised that he is still waiting to hear back from Valmar for approval to use their wall. Four new plaques have been made which was funded by Lockhart Shire Council.
- Myra Jenkyn asked for guidance on the proposed Tim Fischer Statue. The TEDO reiterated that Lockhart Shire Council supports the project in principle. However, the following next steps need to be resolved for the project to move forward or otherwise the project needs to be placed on hold.
 - Written support from Tim Fischer's family.
 - A new location needs to be found, as the Lockhart Railway Station location is not supported by Lockhart Shire Council.
 - Funding sources need to be found as Lockhart Shire Council has not committed any funds to the project.
- Myra Jenkyn asked for an update on the 125th birthday celebrations for Lockhart. The TEDO advised that this Committee at its September meeting made the below recommendation.

***“Recommendation:** The committee suggests the Lockhart Progress Association to canvas and start a working group from the community of Lockhart to scope the possibilities of smaller events from the list provided that could be held in 2021. The gazetted date for Lockhart was 24 December 1896. TEDO will respond to Lockhart Progress Association.”*
- Jared Walker asked if a poster could be made up with a QR Code for businesses to promote Murrumbidgee Trails. TEDO will take that to the next Murrumbidgee Trails meeting for approval.

i) Project Updates

Murrumbidgee Trails Visitor Guide	Launched at Whitton Malt House, Whitton on 18 th November 2020. Traction to new website and social media ramping up. Completed
Yerong Creek Water Tower	Community consultation has taken place over five days face to face at Yerong Creek. LSC received 42 separate feedback forms, plus those from Committee members. Selection Panel meeting to be held this week. Thanks to John Holstein for his help on this project
Milbrulong Water Tower and Rosella Walk	Signage and bird boxes need to be installed in the next two weeks.
The Rock Observatory	Construction on the Observatory building has commenced. The building contract provides for a February 2021 completion date. Carparking, landscaping etc to be undertaken in the new year.
Shire and Town Entrance Signs	Shire entrance signs are being installed. Town signs will be installed shortly.
Spirit of the Land – Sculpture Walking App	Will go live soon and a media release with Eastern Riverina Arts and Spirit of the Land Festival will be sent out.
Small Business Month	LSC/BEC Wagga held two breakfast workshops on the 27 th and 29 th October 2020 for local small business on the topics of “Future Proof Your Business and Social Media”. All up there were 18 attendees across the two workshops, a pleasing result. Completed
Chinese Crossing	Investigations continuing
National Parks and Wildlife Service (NPWS)	TEDO met with National Parks and Wildlife Service (NPWS) staff from the Tumut office on 10 November 2020.

	<p>Road (TASAC) signage is a priority and will be upgraded asap.</p> <p>Other items that were discussed are below and TEDO will work closely with NPWS to implement.</p> <ul style="list-style-type: none">• Wayfinding and safety signs on site.• Monitoring of off leash dogs• Car counter/visitor stats• Scar tree project• Map - Brochure• Strategy plans and direction including new possible track.
“Tim Fischer Way”	Investigating
Shortage of residential property to lease in Lockhart Shire	Investigating. Issue has also been raised at a regional level through REROC (group of councils in the Riverina) as some member councils are having the same issues.
I LOVE NSW Campaign	Participation adopted by Council, TEDO confirmed LSC participation, waiting to hear back from Thrive Riverina and Destination NSW with final details and invoice. Will advise when going to market.
Green Gonyah Museum	N/A
The Rock Hall and Museum	N/A

Meeting closed: 9.30pm

Next meeting: 2nd February 2021- The Rock Bowling Club – 6pm

DELEGATES’ REPORTS

**1. LOCAL GOVERNMENT NSW ANNUAL CONFERENCE – 23 NOVEMBER 2020 VIA ZOOM
(GM: 20/4219)**

In accordance with Council’s resolution, I participated in the LGNSW Annual Conference as Council’s voting delegate. A summary of the Conference and the key issues discussed is set out below.

Politicians’ Forum

- The Conference was addressed by the Premier of NSW, the Hon Gladys Berejiklian, the Minister for Local Government, the Hon Shelley Hancock, the Shadow Minister for Local Government, the Hon Greg Warren and Upper House Greens MP, the Hon David Shoebridge MLC.
- The Federal Minister for Local government, the Hon Mark Coulton, and Shadow Minister, the Hon Jason Clare, also gave short presentations.
- The Minister for Local Government confirmed that a proposal by the NSW Electoral Commission for universal postal voting to be used for the September 2021 local government elections has been declined and the elections will be conducted with in person voting. Funding has been secured to meet any additional costs that may be incurred to make in person voting COVID-safe so that these costs are not passed on to the councils.
- Support was expressed for local government representation on the National Cabinet.
- The Minister for Local Government said that, following feedback from local government, the Discussion Paper on the payment of superannuation to councillors has been temporarily placed on hold.

- The Minister for Local Government did not support the removal of rate pegging but acknowledged that the issue will need to be addressed in the future. The Shadow Minister and Greens MLC both supported the removal of rate capping.

Recovery and Resilience

The Commissioner of Resilience NSW, Shane Fitzsimmons, gave a presentation on “*Building Resilience through Partnership.*”

The Commissioner was joined by the General Manager of Bega Valley Shire, Leanne Barnes, and Assistant Police Commissioner (Bushfire Recovery), Mick Willing, for a Q & A session.

Conference Motions

The Conference Business Paper contained 140 motions for debate approximately 60 of which were determined in the time available. The remaining motions will be referred to the LGNSW Board for consideration. Set out below are some of the motions dealt with at the Conference which may be of interest to Lockhart Shire:

- Consideration be given to future conferences being held online, or have an online component, and that councillor training opportunities also be offered online to enable more councillors to participate without the cost and inconvenience of travel – carried.
- Representations be made for local government representation on the National Cabinet – carried.
- That LGNSW advocates to the NSW Government, specifically Resilience NSW to transfer responsibility for emergency management to the NSW Government – carried.
- That LGNSW advocates to the NSW Government to permit the usage of universal postal voting for local government elections by the State Electoral Commission and councils, if the safety of electors is at risk due to the possible ongoing COVID-19 pandemic – defeated.
- That LGNSW calls on the NSW Government to amend local government electoral legislation, so that councillors are elected on a first past the post basis to remove preference deals – defeated.
- That LGNSW calls on the NSW Government to amend electoral requirements so that no political parties/groups run on the ballots and all candidates are listed below the line as individual candidates – defeated.
- That LGNSW calls on the Federal Government to remove Part 1 Sec 6 2b of the Local Government Financial Assistance Act 1995 to remove the minimum per capita amount grant – defeated.

A record of the Conference proceedings, including the outcome of all motions, will be made available on the LGNSW website www.lgnsw.org.au.

Cr Gail Driscoll

Delegate

2. DELEGATES REPORT - RIVERINA JOINT ORGANISATION AND REROC BOARD MEETINGS, 11 DECEMBER 2020 IN WAGGA WAGGA

(GM: 20/4959)

I attended the Riverina Joint Organisation (RivJO) Board Meeting on 11 December 2020 together with the General Manager. A summary of the key outcomes from the meeting is set out below.

- Cr Rick Firman, Mayor of Temora Shire, was re-elected unopposed as Chairperson of RivJO.
- I was elected unopposed as Deputy Chairperson of the Joint Organisation.
- Representations will be made by RivJO regarding the Dividing Fences Amendment Bill 2020 – this Bill was introduced by the Shooters and Fishers Party to the Legislative Council and the effect of the proposed amendment is to apply the principal Act to the Crown, councils, roads authorities and Water NSW, so that they will be liable to pay for dividing fencing work. This will have significant financial implications for councils.
- Representations will be made regarding the replacement of the 100 years old Burrinjuck Dam and the construction of a new and larger dam.
- Representations have been made to the Prime Minister and NSW Premier regarding local government representation on the National Cabinet with little success.

- RivJO has been invited to join the Regional Resilience and Recovery Sub-committee established by the NSW Government. These committees will be a Sub-committee under the existing Regional Leadership Executive (RLE) governance structure consisting of a senior executive representing each NSW Government cluster.
- The 2019/20 Audited Financial Statements were presented to the meeting.
- RivJO's first Annual Performance Statement was tabled at the meeting. The Annual Performance Statement is required to be forwarded to the Office of Local Government by 31 December each year. A copy has been distributed to all Councillors.
- The RivJO Drought Sub-committee has been repurposed as the Critical Events Co-ordination Sub-committee and the Sub-committee's Terms of Reference were endorsed by the Board. The Core membership of the Committee is as follows:
 - RivJO Member Councils
 - Rural Financial Counselling Service
 - Department of Regional NSW
 - Murrumbidgee Primary Health Network
 - Murrumbidgee Local Health District
 - Other agencies and organisations as determined from time to time by the Committee

I also attended the REROC Board Meeting on 11 December 2020 together with the General Manager. The following issues were noted

- REROC is working with Engineers Australia on developing a system to assess engineers who do not have degree level qualifications, to determine whether their qualifications together with their experience is sufficient to allow them to be recognised as a Professional Engineer.
- REROC will work with Member Councils and the Infrastructure/Engineers Group to prepare a submission to the NSW Legislative Assembly Committee Inquiry on the Inland Rail project and regional NSW.
- REROC is represented on the CSU Community Advisory Committee which is discussing what is happening at the Wagga Wagga Campus of CSU including the substantial reduction in course offerings at Wagga Wagga.
- Rental Housing Availability in the Region was discussed, and the Planners Technical Sub-group has agreed that it would review the housing stock in the LGA. Further consideration will be given to this issue by the REROC Executive.
- In terms of joint procurement activities Lockhart is participating in a Request for Quotes process for the latest round of waste metal collections.
- Lockhart and The Rock Central Schools are amongst the schools that have requested to receive REROC's 'Kindy Kits' library bags with information regarding REROC's Waste Forum and recycling activities.

Cr Rodger Schirmer
Mayor

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 16 November 2020			
211/20		<p>Grant Funding Opportunities</p> <ol style="list-style-type: none"> Submit the following projects for funding under the Local Road and Community Infrastructure Program: <ul style="list-style-type: none"> - The Rock Hall - Lockhart Caravan Park - The Rock 2nd Oval – Water and Fencing - Lockhart Rec Grd Amenities – Stage 2 - Pleasant Hills Rec Grd – Tennis Courts etc - The Rock Observatory Progress the following projects, in priority order, to ‘shovel ready’ status using the funds allocated in the 2020/21 Budget for ‘Grant Application Preparedness’. <ul style="list-style-type: none"> - Graincorp Building Development - Avenue of Honour - Government Dam, The Rock – Recycling Water - Brookong Creek Masterplan - Galore Hill Scenic Reserve Masterplan 	<p>Grant guidelines for the LRCI Program – Phase 2 were released on 14 December 2020.</p> <p>In progress.</p> <p>Negotiations have recommenced with GrainCorp regarding the property at 109 Green Street, Lockhart and additional information has been provided to GrainCorp in anticipation of further discussions.</p> <p>Refer separate report to Council regarding the “Your High Street” grant program.</p>
209/20	GM	<p>Australia Day 2021</p> <ol style="list-style-type: none"> Appoint Milbrulong Recreation Reserve Management Committee as host of the 2021 Australia Day celebrations; and Crs Walker, Sharp and Day form the Australian Day Awards Committee for 2021 Awards. 	<ol style="list-style-type: none"> After initially expressing an interest, the Milbrulong Recreation Reserve Management Committee has declined the opportunity to host Australia Day. Arrangements now been made with Yerong Creek community to host the event. Nominations for Australia Day Awards have been advertised. <p>Refer separate report to Council regarding the Australia Day Award Committee’s recommendations.</p>
206/20	TEDO	<p>Shortage of Residential Property to Lease</p> <p>Investigate options to make housing more available for existing and potential new residents, including possible incentives to attract investor-builders, land availability, workshops and planning considerations.</p>	<p>Data currently being collated and other research being undertaken with a view to preparing a discussion paper to facilitate further discussion and consideration of available options.</p> <p>The matter is also being considered at a regional level by REROC.</p>

*Lockhart Shire Council
Ordinary Meeting – 21 December 2020*

Minute No:	Officer to Action	Council Resolution	Action Taken
205/20	TEDO	“Tim Fischer Way” Investigate options and harness support from Federation and Narrandera Shire Councils regarding the proposed “Tim Fischer Way” and report to the Council meeting in December 2020.	Contact to be made with the Federation and Narrandera Shire Councils.
Ordinary Council Meeting held 21 September 2020			
175/20	TEDO	September Minutes of the TEDSC i) Follow up lack of fencing at Magnolia Lodge with the General Manager.	Currently being investigated.
174/20		ii) Liaise with Mr Holstein to remedy signage issue at Noskes Chinese Crossing, consistent with current signage practices.	Currently being investigated.
Ordinary Council Meeting held 20 July 2020			
134/20	DEES	Light Posts – Green Street, Lockhart Arrange for the damaged light posts be replaced, as far as possible, with like-for-like.	Wagga Iron Foundry appointed to manufacture replica lamp posts. Planter boxes 95% complete.
133/20	DEES	Naming of Bridges – Brookong Creek and Urana Lockhart Road 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 Gonyah 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.	Written to TfNSW advising of the proposed bridge and culverts names. Received response from TfNSW requesting further information. Wrote to NSW Aboriginal Land Council re proposed names.
132/20	DEES	Fixing Local Roads Funding Program 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.	Fixing Local Roads program application submitted for Prichard Place.
128/20	GM	Local Road & Community Infrastructure Program Submit the list of projects as agreed at the Councillor Workshop held on 20 July 2020 for funding under the LRCI Program.	Refer Grant Funded Projects – Quarterly Progress Report. Complete.

*Lockhart Shire Council
Ordinary Meeting – 21 December 2020*

Minute No:	Officer to Action	Council Resolution	Action Taken
123/20	GM/DCCS	<p>Land/Premises for Community Development, Lockhart and The Rock</p> <p>(i) Council endeavours to secure the purchase of the former GrainCorp premises in Green Street Lockhart for Community Development at a fair market price this financial year.</p> <p>(ii) That Council identifies and secures premises or land in The Rock for the purposes of Community Development by the end of the 2021/22 financial year.”</p>	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.
Ordinary Council Meeting held 15 June 2020			
102/20	GM	<p>Shire & Town Entrance Signs</p> <p>Arrange order and installation of approved signage.</p>	Refer Grant Funded Projects – Quarterly Progress Report separately distributed at the Council meeting. Complete
Ordinary Council Meeting held 20 April 2020			
70/20	GM	<p>Review of Operational Land</p> <p>Council adopt the following actions in relation to the review of land classified as “operational land”:</p> <p>Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land.</p>	<p>Contact has been made with the adjoining landowner and information provided regarding the Council owned land in anticipation of further discussions.</p> <p>The landowner is liaising with their solicitor.</p>
Ordinary Council Meeting held 16 September 2019			
256/19	GM	<p>Lockhart Renewable Energy Project</p> <p>a) Having secured Commonwealth government funding totalling \$1 million for the Better Energy Technology Renewable Energy Project for Lockhart Township; and</p> <p>b) Having given 28 days public notice of its intention to do so:</p> <p>c) Hereby resolves pursuant to Section 356 Local Government Act 1993 to provide financial assistance totalling \$1 million to Better Energy Technology, in the same manner, i.e. progress payments, as Council receives the funding from the Commonwealth, and for the sole purpose of undertaking Stage 1 of the Lockhart Renewable Energy Project.</p>	Gordon Hinds of Better Energy Technology will be attending the February Council meeting to provide a further update.
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>	Refer Grant Funded Projects – Quarterly Progress Report separately distributed at the Council meeting.

Lockhart Shire Council
Ordinary Meeting – 21 December 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 16 May 2016			
109/16	DCCS	<p>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) JHR has advised that Transport for NSW has agreed to vary the rent payable under the lease to \$1.00pa. Formal documentation is awaited.</p>
Ordinary Council Meeting held 16 November 2020 – Councillor Questions & Statements			
	DEES	<p>Cr Verdon – Dumping of Rubbish</p> <p>Regarding rubbish which has been left in back lane at rear of Foodworks, perhaps by tenant of nearby residence. Could Council please arrange for it to be removed?</p>	Complete.
	GM	<p>Cr Verdon – Correspondence Received</p> <p>Approached by member of CWA who has written to Council and hasn't yet received a response.</p>	Response forwarded 17 November 2020. Complete.
	DEES	<p>Cr Driscoll – Overgrown Nature Strips</p> <p>Resident concerned about long grass on nature strips opposite 32 Urana Street, The Rock. These are vacant blocks of land which have been mown but adjoining nature strips have not been done.</p>	Complete.
	DEES	<p>Cr Marston – The Rock Recreation Ground</p> <p>Requested that the internal road around the recreation ground at The Rock be graded and tidied up please.</p>	Complete.
	GM	<p>Cr Marston – Incoming Correspondence</p> <p>Made reference to copied letters included in Councillors' folders and asked if responses were being provided.</p>	Response forwarded on 25/11/20. Complete.
	DEES	<p>Cr Douglas – Storage of Materials</p> <p>Drew attention to some culverts and headwalls being stored at the intersection of Osborne Yerong Creek Road and Albury Road. The vegetation, including eucalypt saplings, is growing up around these items and requested that they be moved to a more suitable location.</p>	Programmed for removal early 2021.

*Lockhart Shire Council
Ordinary Meeting – 21 December 2020*

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Sharp – Spurrells Road Contacted by residents concerned about a section of Spurrells Road between Forcks Lane and Wallandool Access Road. Cr Sharp notes this road is on Council's works program for a maintenance later in the current financial year and asked that it be brought forward.	Repaired potholes. Reprogrammed grading. Complete.
	DEES	Cr Sharp – Roadside Weed Control Brought to Council's attention the large amounts of St Johns Wort on roadsides and asked whose responsibility it is to control these infestations.	Council is responsible for the control of St Johns Wort on roadsides. During spring, Council's spray operator endeavours to eradicate St John's wort from all roads within the shire. Complete.
Ordinary Council Meeting held 19 October 2020 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Walker – The Gap Road Investigate, liaise with RFS, to program any remedial works possible, to bring The Gap Road back to an acceptable level. It is currently impassable; the Rural Fire Service (RFS) are unable to use it in its current state.	Contacted Operations Officer Riverina Zone. Funding application has been submitted by RFS and awaiting approval. Complete.
	DEES	Cr Marston – Kings Own Hotel Could Council please follow up with the owners again to have the property cleaned up.	Contacted owner. Mowing to be completed by the end of November. Complete.
	DCCS	Cr Driscoll – Electronic Scoreboards When is delivery and installation of the scoreboards expected?	Refer Grant Funded Projects – Quarterly Progress Report separately distributed at the Council meeting.
	DEES	Cr Verdon – Footpath, Old Bank and Chemist, The Rock A small lip at the road crossing in this area is difficult for wheelchair users to navigate. Could this please be ground down?	Complete.
	DEES/ GM	Cr Verdon – Residential Land Availability Is there an opportunity to re-zone land on Braithwaites Lane at The Rock to residential from industrial, to assist with the housing shortage in the area?	Formal request received for in-principle support. Manager Planning and Building Services reviewing request. Report to December Council Meeting. Complete.
Ordinary Council Meeting held 21 September 2020 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Rockliff – Bidgeemia Water Extension Request for assistance for a Bidgeemia property owner with regard to connection costs to access the local water supply. Could Council work with Riverina Water to reduce the cost of connection to this property?	Discussions have been held with Riverina Water. Confirmation of the connection fee to be applied in this case is awaited.

Lockhart Shire Council
Ordinary Meeting – 21 December 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Rockliff – Overhanging Branches A resident has requested removal of overhanging branches to allow the proper clearance for stock crates on various Shire roads.	Scheduling a survey of roads.
	DEES	Cr Douglas – Signage Could a directional sign, indicating Yerong Creek, be installed on Albury Road at the intersection of Osborne Yerong Creek Road and Ryans Lane.	Complete.
Ordinary Council Meeting held 17 August 2020 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Schirmer – Laneway between Ferrier and Galore Streets This laneway requires further remediation following works by Riverina Water.	Works scheduled.
	DEES	Cr Schirmer – Road to Golf Club (John Grant Drive) Enquired as to the possibility of caution signs on this road drawing attention to the possibility of pedestrian traffic.	Complete.
	DEES	Cr Schirmer – St Helenas Lane Requested that the vehicle damage done to this road be repaired. Also requested that a “Dry Weather Only” sign be placed at either end.	Complete.
	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 and delivered. Installation scheduled.
	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.	Formation and gravelling completed. Complete.
	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.

*Lockhart Shire Council
Ordinary Meeting – 21 December 2020*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 20 July 2020 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Schirmer – Table Drain, Spanish Ave</p> <p>Drew attention to the table drain adjacent to Mrs McKenzie’s property in Spanish Avenue, which is still holding a large quantity of water. Requested works be undertaken to release this water to prevent mosquitos.</p>	<p>Cut V-drain. Complete.</p>
	DEES	<p>Cr Schirmer – Garbage Bins in Main Street</p> <p>Noted that liquid waste is leaking from bins onto the pavers below, causing staining. Requested that pressure-washing of the pavers beneath each bin be undertaken.</p>	<p>Pressure washing to be rescheduled due to weather and high priority maintenance activities. Complete.</p>
	DCCS	<p>Cr Driscoll – Childcare in the Shire</p> <p>Requested that Council investigate the childcare situation in the Shire and ascertain if there is a need that could be supported by any of The RockOOSH surplus.</p>	<p>Council will contact both schools in Lockhart as a starting point for feedback on demand for before & after school care.</p>
Ordinary Council Meeting held 20 April 2020 – Councillor Questions & Statements			
	DEES	<p>Cr Rockliff – Weeds</p> <p>Advised the “cat heads” and khaki weed infestations around town are causing issues for “gopher” owners, causing tyre punctures.</p>	<p>Considering clearing areas in vicinity of town centre. Scheduled for early 2021 and ongoing throughout growth period as resources are available.</p>
Ordinary Council Meeting held 16 March 2020 – Councillor Questions & Statements			
Questions & Statements	GM	<p>Cr Walker – 9-Day Fortnight</p> <p>Asked if the shorter working week has been successful.</p>	<p>Refer separate report to Council. Completed.</p>
	DEES	<p>Cr Verdon – Emily St</p> <p>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.</p>	<p>Clearing works programmed for early 2021.</p>
Ordinary Council Meeting held 3 February 2020 – Councillor Questions & Statements			
	DEES	<p>Cr Rockliff – Lawn Cemetery, Lockhart</p> <p>Advised that residents are again concerned about the care taken of plots and sprinklers not working at the Lockhart Lawn Cemetery.</p>	<p>Still issues with controller. Contractor engaged to replace controller. Bare patches were top-dressed. Broadleaf weeds have been sprayed. Waiting for parts from USA. With water restrictions irrigation will be operated manually until repairs are completed. Complete.</p>

Lockhart Shire Council
Ordinary Meeting – 21 December 2020

Minute No:	Officer to Action	Council Resolution	Action Taken
	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 \$6,000 per site. Not included in draft Budget for 2020/21. Could be considered under LRCI Program, with further consultation required with s355 management committees.
	DEES	Cr Douglas – Lockhart and The Rock Swimming Pools 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.	Royal Life Saving Australia assessments confirmed for 20-21 January 2021.
Ordinary Council Meeting held 18 November 2019 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Rockliff – Walter Day Park, Lockhart Enquired if there is a problem with the sprinklers at Walter Day Park, as large sections of grass are dying off?	Undertook some works. Engaged contractor to replace sprinkler valves. Waiting for parts from USA. Irrigation operating at reduced capacity. Complete.
Ordinary Council Meeting held 19 August 2019 – Councillor Questions & Statements			
Questions & Statements	GM/DCCS	Cr Marston – Status of Work on the Second Oval, The Rock 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.	Refer Grant Funded Projects – Quarterly Progress Report separately distributed at the Council meeting. Complete.
Ordinary Council Meeting held 15 April 2019 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Driscoll – The Rock Town Entrance Sign 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?	GHSC advised it will be done when they are doing some line marking in the area. To be replaced by new entry signage.

Lockhart Shire Council
Ordinary Meeting – 21 December 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 submitted in respect of a private residential development.</p> <p>Report to be presented to the December Council Meeting.</p>

November 2020 Council Meeting - Correspondence Sent to Councillors

Date sent to Councillors	From	Subject	File Ref
16/11/2020	ALGA/LG NSW	Weekly News	SC318/SC132
20/11/2020	ALGA/LG NSW	Weekly News	SC318/SC132
27/11/2020	ALGA/LG NSW	Weekly News	SC318/SC132
4/12/2020	ALGA/LG NSW	Weekly News	SC318/SC132
8/12/2020	Mayor	Mayoral Update	
14/12/2020	ALGA/LG NSW	Weekly News	SC318/SC132

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

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. THE ROCK WEST FLOOD MITIGATION WORKS

(DEES: 20/4614)

Executive Summary

The Department of Planning, Industry and Environment advised that Council has been awarded a grant under the 2020-21 Floodplain Grants Scheme totalling \$1,901,394 for The Rock West drainage works. Council's contribution is \$316,899.

Report

In response to modelling undertaken by WMAwater in relation to flood mitigation at The Rock, GHD Pty Ltd wrote to Council on 20 November 2015 advising of the outcomes of their assessment of the modelling and recommended the following:

- a) Proceed with Strevens Street channel design.
- b) Complete detailed design for culverts under the Olympic Highway, rail line and private property.
- c) Do not implement Emily Street project as there is little benefit.
- d) Upgrade to railway culvert (opposite Hill Street) not required.
- e) Redesign the Nicholas Street basin arrangement as a channel and drain with no retardation.
- f) Complete the design of the open channel and road crossing structures along Yerong/Urana Streets.

The Strevens Street channel and culverts under the Olympic Highway, rail line and private property have been designed and constructed. The designs for the Nicholas Street basin and Yerong/Urana Streets open channel and road crossings have been completed. Costs for the project has been prepared by GHD. The estimated cost for the project was \$1,107,310 (excluding GST). Based on the GHD costing of the project, Council sought funding under the Floodplain Grants Scheme for The Rock west drainage works. Council was advised on 12 November 2019 that it has been successful in its grant application and was awarded \$862,839 towards the project.

Ground proofing of the costs prepared by GHD indicated that they have underestimated the cost of the project. As a result, Council officers liaised with the Department of Planning, Industry and Environment. Based on the outcomes of this meeting Council advertised a tender for the works which closed on Monday 2 March 2020. Council received three tenders. The tendered prices indicate a significant increase in the originally estimated costs by GHD Pty Ltd. The estimated costs for the project based on the tenders received is \$2,160,000.

A report was submitted to the Ordinary Council Meeting on March 2020 in which several options for consideration were provided. It was resolved at the Ordinary Council Meeting on March 2020 "That Council relinquish the current grant 2019-20-FM-0059 from the Floodplain Grant Scheme for \$862,839.43 and reapply based on the revised cost estimates".

A revised application was submitted, and Council has been successful in obtaining a grant under the 2020-21 Floodplain Grants Scheme totalling \$1,901,394 for The Rock West drainage works. Council's contribution is \$316,899.

Legislative Policy and Planning Implications

Nil

Integrated Planning and Reporting Reference

A2 Ensure that Lockhart Shire is well prepared to respond to adversity.

Budget and Financial Aspects

Council's contribution to The Rock West drainage works is \$316,899.

Attachment

Nil.

Recommendation: that Council:

1. Advises the Department of Planning, Industry and Environment that it accepts the funding as per the Funding Agreement; and
2. Includes \$316,899 in its 2021-22 budget as its contribution to the Rock West drainage works.

2. VOLUNTARY PURCHASE SCHEME

(DEES: 20/4612)

Executive Summary

The NSW Office of Environment and Heritage advised on 5 November 2020 that funding is available under the Voluntary Purchase Scheme to purchase and demolish three (3) more properties in Lockhart.

Report

Voluntary purchase involves the acquisition of flood affected properties, in particular those frequently inundated in high hazard areas, and demolition of the residence to remove it from the floodplain. Council identified twenty (20) properties in Lockhart and three (3) properties in The Rock for voluntary purchase (WMA Water, June 2015). The three properties in The Rock were purchased and demolished while to date four (4) properties in Lockhart were purchased and demolished.

Council applied for funding under the 2018-19 Floodplain Management Program funding round. The NSW Office of Environment and Heritage (OEH) advised on 13 December 2018 that Council has been approved access to the Voluntary Purchase (VP) pool for six properties in Lockhart within the period 1 July 2019 and 1 June 2022, to date Council has purchased and demolished one house at 69 Urana Street, Lockhart.

To expedite the process Council has written to the remaining properties earmarked for voluntary purchase to gauge their willingness to sell.

In accordance with the guidelines of the VP scheme, Council is to 'obtain a valuation in accordance with the Valuer General requirements to provide a range that is considered fair and equitable in relation to market value. The valuation is undertaken by a registered land and house valuer.'

Council engaged Egan Valuers to undertake valuations of the next five properties in order of priority that indicated to Council that they are willing to sell. Once the valuations were received, Council wrote to the owners seeking their acceptance of the valued amount subject to funding being available. Four owners replied and advised that they wish to proceed with the sale of their property at the valued amount subject to the availability of funding whilst one owner declined. The next property on the priority list was then valued and the owner accepted the valued amount.

In accordance the VP Scheme guidelines Council must "receive written confirmation from OEH that funds are still available from the VP/VHR pool as this may have altered due to the timescales involved". Council wrote to OEH and advised of the five owners' willingness to proceed with the sale of their properties. OEH advised Council on 5 November 2020 that funding is available for three properties under the Scheme.

Council submitted a work plan for the three properties with the valuations and is currently waiting for the Department to issue a funding agreement for these properties once the work plan is approved. Council cannot enter into a contract with a property owner until it has entered into a funding agreement with OEH. The funding agreement with OEH will detail the cost-sharing arrangement between the Council and OEH for the estimated amount covering eligible costs as outlined in the approved work plan.

Legislative Policy and Planning Implications

Nil

Integrated Planning and Reporting Reference

A2 Ensure that Lockhart Shire is well prepared to respond to adversity.

Budget and Financial Aspects

The total estimated cost to purchase (including legal fees, valuation fees, etc) and demolish (including disconnection of services) is \$710,000. The funding ratio is 6:1. Council's contribution for the purchase of the three properties is \$101,429.

Attachments

Nil

Recommendation: That Council:

- 1) Approves \$101,429 in its 2020-21 budget as its contribution towards the voluntary purchase of three properties in Lockhart; and
- 2) Advises the Department of planning, industry and Environment that it accepts the funding as per the Funding Agreement.

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

3. “YOUR HIGH STREET” GRANT PROGRAM

(GM: 20/4223)

Executive Summary

The Department of Planning, Industry and Environment (DPIE) has launched the “Your High Street” grant program. The Program aims to improve the amenity and functionality of high streets to support an increase in local business trading.

Report

Council has an opportunity to submit applications for funding under the recently launched “Your High Street” grant program. The grant program’s objectives are to:

- Improve/ increase the number of users over day and night period.
- Improve people’s safety and comfort.
- Improve local accessibility and connections.
- Improve business capacity for increased functionality.

Applications close on 29 January 2021 and projects must be capable of being delivered within 12 months of being approved. There is also a mandatory requirement for applications to be accompanied by a letter from the General Manager that:

- Demonstrates Council’s community consultation specific to the project.
- Mapping of all other necessary approvals for the successful completion of the project in the timeframes set.
- Where required, evidence of Council approval for the project.

Bearing in mind that the grant program is focused on the high street, there are two projects that Council could submit under the grant program i.e. The Rock Avenue of Honour Masterplan and a component of the Lockhart Central Business Area Masterplan being the improvements on the north west corner of Green Street and Urana Street including the extension of the heritage pavers in front of the Greens Gnyah Museum.

Both projects appear to meet the abovementioned criteria and are shovel ready insofar as:

- Masterplans have been prepared and adopted by Council. The Lockhart Central Business Area Masterplan was adopted by Council on 17 June 2019 (minute no. 148/2019) and The Rock Avenue of Honour Masterplan was adopted on 15 July 2019 (minute no. 176/2019).
- Both Masterplans were subject to community consultation, including the establishment of focus groups and public exhibition of the draft documents, prior to adoption by Council.
- Both projects are situated on local roads and footpaths under Council’s control and no other approvals are required.

Up to date costings need to be prepared and this can be done by the Director Engineering and Environmental Services by the closing date of 29 January 2021.

Integrated Planning and Reporting Reference

- B1 Manage and improve the appearance of our towns, in line with their desired identities
- B1 Improve the convenience and amenity of our towns

B2 Improve the image of Lockhart Shire for tourists

Legislative Policy & Planning Implications

Any upgrade works must comply with heritage requirements as well as the Disability Inclusion Act 2016 and the Roads Act 1993.

Budget & Financial Aspects

A financial contribution is not required from Council under the grant guidelines.

Attachments

Nil.

Recommendation: That Council submit applications under the “Your High Street” grant program for The Rock Avenue of Honour Masterplan and a component of the Lockhart Central Business Area Masterplan being the improvements on the north west corner of Green Street and Urana Street including the extension of the heritage pavers in front of the Greens Gunyah Museum.

4. REQUEST FOR IN-PRINCIPLE SUPPORT TO REZONE LOT 1 AND LOT 4 DP194750, THE ROCK (DEES: 20/4613)

Executive Summary

Council recently received a request from Habitat Planning, on behalf of TJ & AV Group Pty Ltd, for Council’s in-principle support to rezone two parcels of land at The Rock.

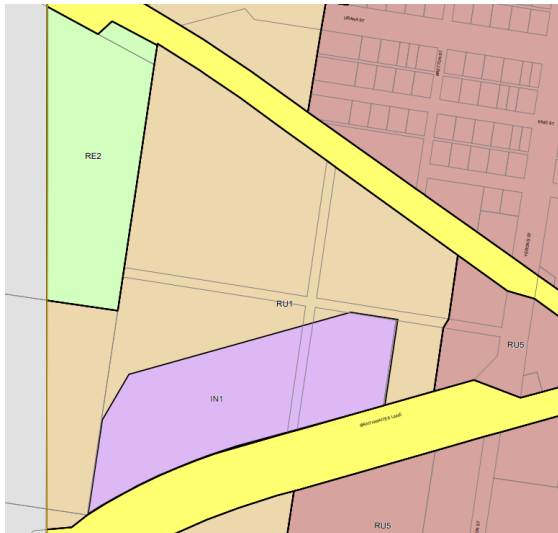
An assessment of the request from Habitat Planning is presented for Council’s consideration.

Background Information

The subject land comprises Lot 1 and Lot 4 in DP 194750, which has a total area of approximately 9.16 hectares.



The subject land is currently zoned part RU1 Primary Production (Lot 1 DP 194750) and part IN1 General Industrial (Lot 4 DP 194750). The land zoned IN1 General Industrial was rezoned from RU1 Primary Production under an amendment to the Lockhart Local Environmental Plan in December 2014.



Habitat Planning seeks Council's in-principle support to rezone the land to RU5 Village. They have submitted a concept subdivision plan that illustrates the potential lot layout.



Council's consideration is to be made for the rezoning to RU5 Village of two current land use zones - RU1 Primary Production (Lot 1 DP 194750) and IN1 General Industrial (Lot 4 DP 194750). Habitat Planning have not addressed the rezoning of Lot 1 DP 194750 from RU1 Primary Production to RU5 Village. However, they have provided the following justification for the rezoning of Lot 4 DP 194750 from IN1 General Industrial to RU5 Village:

1. *Initial investigations and market research undertaken by the proponent has revealed that there is little to no demand for industrial zoned land or industrial land uses at the subject site.*

Comments

No evidence has been submitted to verify this conclusion. Whilst the parcel of land zoned IN1 has not been developed, a recent sale campaign for Lot 3 DP194750 facing Braithwaites Lane has resulted in numerous enquiries to Lockhart Shire Council which may lead to the development of the land.

2. *There is no desire from the owner and developer of the land to facilitate industrial land development due to the extensive and prohibitive costs associated with infrastructure provisioning and land holding costs.*

Comments

No evidence has been submitted to verify this conclusion. Development of the land for residential use will incur significant costs associated with infrastructure provisioning and land holding costs. The costs of rezoning will also be borne by the developer.

3. *It is further considered that the land is inappropriate for General Industrial zoning for reasons summarised below:*

- a) *Lack of Infrastructure – the land lacks basic infrastructure including water, electricity, and road access, all of which are required to service industrial development. The provision and necessary upgrades of any of the required utilities and infrastructure for industrial development is cost prohibitive, particularly for the scale and relative demand of the industrial zoned land*

Comments

No evidence has been submitted to verify that the provision of the utilities and infrastructure for industrial development is cost prohibitive. Development of the land for residential use will require the provision of infrastructure including water, electricity, and road access.

- b) *Incompatibility with surrounding land uses – the subject land has a direct abuttal to existing residential development placing the Industrial zoned land in close proximity to this development and is at odds with the desired character of the rural village zone.*

Comments

The existing industrial zoned land adjoins land zoned RU1 Primary Production. An existing dwelling is located on one parcel (Lot 1 DP782280) which, given the location of the dwelling, has a buffer to the industrial zoned land.

The proposed rezoning would bring residential land into close proximity with the existing industrial land. Such close proximity is considered likely to generate significant potential for conflict between the industrial and residential land uses.

- c) *Demand for low density residential property – Initial market research has confirmed that there is sufficient demand for vacant low-density residential land in this location that warrants the land owner to pursue residential development options to achieve a Lot yield of approximately 18 development lots.*

Comments

No evidence has been submitted to verify this conclusion.

- d) *Natural Hazards – The site is mostly unencumbered of any significant natural hazards including bushfire and flooding, and subsequently lends itself to habitable residential living.*

Comments

The same attributes would apply to the development of the subject land for industrial purposes.

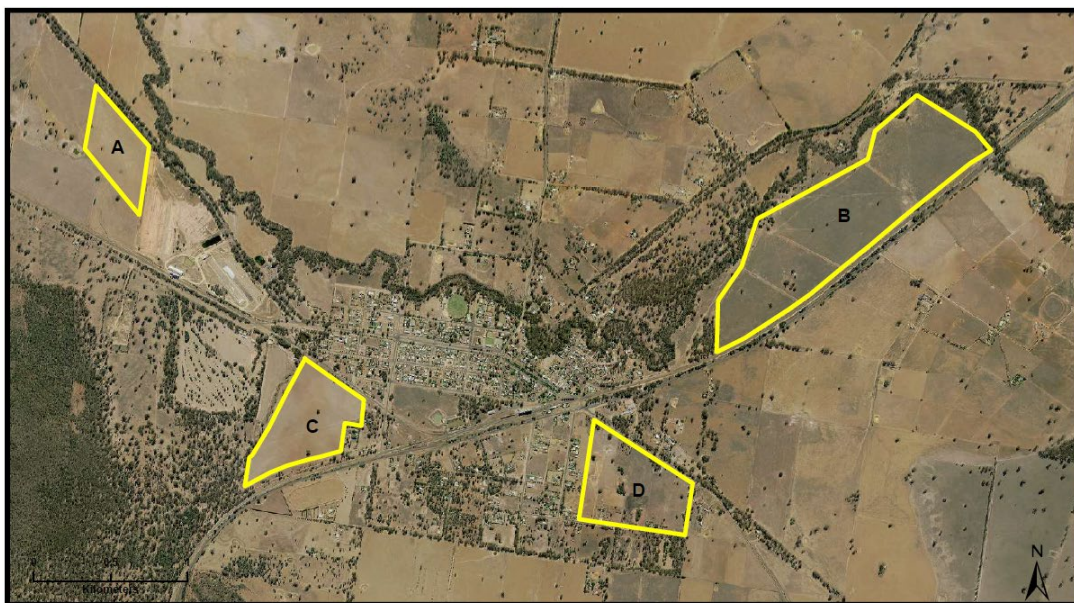
- e) *Braithwaites Lane vegetation and biodiversity values – Braithwaites Lane contains significant native vegetation, habitat, and biodiversity values. Upgrades required to facilitate industrial development would compromise the value of this vegetation and important corridor.*

Comments

The vegetation, habitat, and biodiversity values within Braithwaites Lane is not considered to be detrimental to the development of the existing land zoned for industrial use.

Booth Associates Study

As part of the rezoning process a study was commissioned from Booth Associates to identify and analyse potential sites for industrial land uses at The Rock. Booth Associates considered a number of potential industrial sites around The Rock township, and chose four for closer consideration, including the land subject to the Habitat Planning proposal (Parcel C below).



The key attributes by which the potential sites were evaluated included:

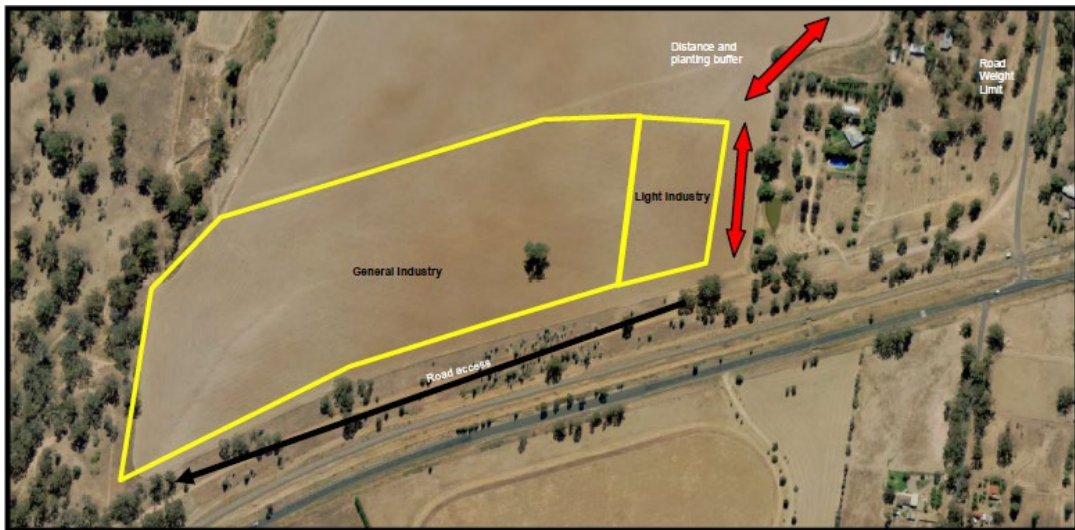
- The land should be free of major constraints such as flooding, bushfire potential and native vegetation.
- The land should be relatively flat but well drained.
- The land should have excellent and safe transport links to a major road and preferably rail. Ideally the land should access the main road without heavy vehicles travelling through urban areas.
- The land should be located some distance from other urban land to minimise disturbance from noise and dust created by industry.
- The land should ideally be located in one parcel and ownership to enable more efficient development.

Areas B and D had significant constraints and were not supported as potential sites. Area A appeared to have some merit but was not supported as it did not have visibility and direct access to the Olympic Way and there would be additional heavy traffic through the main street of The Rock. Area A was also considered to not have the potential to achieve the strategic goal of attracting out of town businesses to the Shire and The Rock.

Area C was considered the preferred site for industrial zoned land for the following reasons:

1. It is separated from the main urban area by The Rock/Oaklands rail line.
2. The land is gently undulating and drains to the north.
3. The land is able to be seweraged and provided with reticulated water and electricity.
4. The land is presently used for mixed farming and previous uses are not known to have generated any contamination issues.
5. The land is not flood prone.
6. The land is clear of significant native vegetation.
7. An existing connection to the Olympic Way is available from Yerong Street with an existing at grade crossing (with signalled boom gates) over the railway line.
8. From Yerong Street access to the land would best be gained from Braithwaites Lane.
9. The land has sufficient length adjacent to the main railway line to provide a rail siding for an appropriate business opportunity.
10. The overall land area is sufficient for local business and larger transport based businesses who wish to locate along the Highway.
11. The potential impacts on the adjacent residential properties can be mitigated by the creation of a buffer area of no development or a restriction to light industrial uses.
12. Area C has the potential to achieve the strategic goal of attracting out of town businesses to the Shire and The Rock.

Booth Associates' final recommendation was for Council to consider the rezoning of a portion of Area C (below) to IN1 General Industry and IN2 Light Industry. Consequently, the land was rezoned from RU1 Primary Production to IN1 General Industrial under an amendment to the Lockhart Local Environmental Plan in December 2014.



Local Strategic Planning Statement (LSPS)

The Local Strategic Planning Statement is a 20-year vision for the local government area and sets the land use framework for Lockhart Shire Council's economic, social and environmental land use needs. It addresses the planning and development issues of strategic significance to the Council through planning priorities and actions, spatial land use direction and guidance. The LSPS gives effect to the Riverina Murray Regional Plan 2036 implementing the directions and actions at a local level. It is also informed by other State-wide and regional policies including Future Transport Plan 2056 and the NSW State Infrastructure Strategy 2018 – 2038.

The planning priorities and actions contained in the LSPS provide the rationale for decisions about how we will use our land to achieve the community's broader goals and what updates are required to the Local Environmental Plan (LEP) and Development Control Plan (DCP). This work will also inform future iterations of Council's Operational Plan and will be an integral element of the Integrated Planning and Reporting Framework.

As such, the proposed rezoning is considered to be inconsistent with Planning priority 2 within the LSPS.

Planning priority 2 – Promote opportunities for local employment

Rationale

Our industrial land at Lockhart contributes greatly to our local economy, and we strive to emulate that at The Rock. Freight corridors are essential to the success of the agribusiness sector, and the integration of these corridors into industrial precincts provides further opportunities to maximise the efficiency of freight movements from the region.

Action

- *Review the Lockhart DCP to improve controls for intensive farming enterprises*
- *Maintain development controls prohibiting residential development within the CBD areas of Lockhart and The Rock*
- *Investigate rezoning of central business districts of Lockhart and The Rock from RU5 to Business through development of a residential land study*
- *Preserve and explore greater connection of industrial land with regional freight networks including road and rail*

Further to the LSPS, the proposed rezoning is considered to be inconsistent with Council's economic development initiatives that seek to attract industrial businesses to the shire. In particular, it is noted that the industrial zoned land at The Rock is strategically located to possibly benefit from the Inland Rail project.

Conclusion:

Consideration of the request from Habitat Planning has been made and it is determined that rezoning of the land cannot be supported in-principle for the following reasons:

1. The land was rezoned to IN1 General Industrial in December 2014 in response to Council's efforts to identify land that could be made available for industrial uses. The reasons for the rezoning, set out in the Booth Associates Study, are considered to be still valid.
2. The proposed rezoning is inconsistent with Council's Local Strategic Planning Statement.

Integrated Planning and Reporting Reference

- B1 Our Shire is attractive and welcoming to businesses, industry, residents and visitors.
D2 Our planning and development controls work to attract new residents and investment.

Legislative Policy and Planning Implications

To rezone the land, the Lockhart Local Environmental Plan 2012 is required to be amended, in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979*.

Budget and Financial Aspects

Nil.

Attachment

- Habitat Planning letter dated 16 October 2020

Recommendation: that Council:

1. Notes the information contained in this report, and
2. Advises Habitat Planning that rezoning of the land is not supported.

5. PARLIAMENTARY COMMITTEE INQUIRY – INLAND RAIL PROJECT

(GM: 20/4597)

Executive Summary

The Legislative Assembly Committee on Investment, Industry and Regional Development has commenced an inquiry into the Inland Rail project and regional NSW. Council has an opportunity to make a submission to the inquiry before the closing date of 5 February 2021.

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 as 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 Legislative Assembly Committee on Investment, Industry and Regional Development has commenced an inquiry into the Inland Rail project and regional NSW. Council has an opportunity to make a submission to the inquiry before the closing date of 5 February 2021. According to the Terms of Reference the inquiry will particularly focus on:

- a) economic development opportunities arising from the project.
- b) infrastructure required to ensure regional communities benefit from the project.
- c) engagement with regional communities to identify opportunities.
- d) alignment of the project with the NSW Freight and Ports Plan 2018-2023 and State Infrastructure Strategy 2018-2038.
- e) any other related matters.

In the past Council has made representations regarding the economic benefits of upgrading the Boree Creek to The Rock branch line. The branch line is currently light weight rail which will not allow wagons to be loaded to their maximum axle weight. Upgrading the rail line to the same axle weight as the main line will create productivity efficiencies as well as reduce the amount of grain transported on local roads.

The Legislative Assembly Committee's inquiry into the Inland Rail project presents a further opportunity for Council to raise the issue, particularly with respect to a) above i.e. *"economic development opportunities arising from the project"*.

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.

Parliamentary committees are groups of members of Parliament appointed to assist the Parliament in the performance of its functions. Committees can be appointed by either or both Houses to examine issues in more detail than is possible if the matter were considered in the House.

Committees increase public awareness and debate on issues under consideration by Parliament. They benefit the community by reviewing proposed laws, facilitating more informed policy-making and ensuring greater government accountability.

Committees can call for written submissions, conduct hearings where witnesses give evidence and seek advice from experts. They provide a forum for the public to have their say on issues before the Parliament. Committees report their findings and recommendations for government action to the Parliament.

Budget & Financial Aspects

Nil.

Attachments

Nil.

Recommendation: That Council make a submission to the Legislative Assembly Committee on Investment, Industry and Regional Development inquiry into the Inland Rail project and regional NSW regarding the economic benefits of upgrading the Boree Creek to The Rock branch line.

6. YERONG CREEK WATER TOWER MURAL

(GM: 20/4683)

Executive Summary

The purpose of this report is to update Council on the progress of the Yerong Creek Water Tower mural project and the selection of a preferred design for the mural.

Report

The painting of a high quality, large scale mural on the Yerong Creek Water Tower is one of a number of projects nominated by Council for funding under the Australian Government's Drought Communities Programme Extension grant.

An Expressions of Interest (EOI) document was prepared in consultation with the Yerong Creek Progress Association for the purpose of inviting proposals from selected artists. Once endorsed by the owner of the Water Tower, Riverina Water, and in accordance with Council's Procurement Policy, the EOI document was issued to three artists who were invited to submit a design by 28 September 2020 responding to the following four broad themes showing changes over time:

1. Transport (travel to school: foot, horse, train, car etc).
2. Education (life at school: playing marbles in the playground, using different types of technology etc). School colours are blue and white.
3. Sport (action-oriented: cricket, football, tennis, and bowls). Sporting colours are blue and white.
4. Agriculture (sheep, wool, cropping).

Consistent with previous practice a selection panel was established to review the submissions received, comprising representatives of Lockhart Shire Council, Riverina Water, the local community and Eastern Riverina Arts. Council, at its meeting held on 17 August 2020, nominated Cr Walker as its representative on the selection panel.

Only two of the three artists who were invited to submit an EOI responded to the brief. The Yerong Creek residents were consulted in relation to the two designs and feedback was also sought from members of Council's Tourism and Economic Development Steering Committee (TEDSC). The feedback obtained from the community and TEDSC members was provided to the selection panel when it met on 3 December 2020 to review the designs. The panel has selected the design submitted by, HEESCO a copy of which is attached, as its preferred design for the mural, subject to requesting a number of minor changes so that the design better reflects the project brief. The changes include removing the depiction of a school crossing with a school crossing supervisor and enhancing the military theme in the design, amongst other things.

Planning approval is required for the mural project and a development application based on the preferred design, once the requested amendments have been made, will be submitted with Riverina Water's consent. The development application will be placed on public exhibition for a period of 14 days. The preferred design is within the budget available for the project.

Subject to development approval being issued it is anticipated that the painting of the mural will commence in early 2021 subject to the artist's availability and weather conditions.

Integrated Planning and Reporting Reference

- B2 Improve the image of Lockhart Shire for tourists.
- B2 Develop partnerships that support our tourism industry.
- B2 Support and develop infrastructure for our tourism sector
- D2 Our built heritage and our public art are enhanced to support our strong town and village identities.

Legislative Policy & Planning Implications

The preferred design for the Yerong Creek Water Tower mural will form the basis of a development application that will have to be publicly exhibited, assessed and approved by Council. The consent of Riverina Water, as the owner of the Water Tower, will be required for lodgement of the development application.

Budget & Financial Aspects

Funding for the Yerong Creek Water Tower mural has been secured under the Drought Communities Programme Extension grant program. Co-funding is not mandatory for any projects nominated for funding under the Drought Communities Programme Extension however applicants must ensure they have adequate funds to meet the costs of any ineligible expenditure associated with the project.

Attachments

Mock-up of the preferred design of the Yerong Creek Water Tower mural.

Recommendation: That Council endorse the selection panel's preferred design for the Yerong Creek Water Tower mural.

Item 6: Attachment – Mock-up of preferred design, Yerong Creek Water Tower Mural



STRATEGIC DIRECTION C: An Environment that is Respected and Protected

7. MURRAY DARLING ASSOCIATION – PROPOSED NAME CHANGE

(GM: 20/4680)

Executive Summary

The Murray Darling Association is consulting its member councils regarding a proposed name change for the organisation.

Report

Council is a financial member of Region 9 of the Murray Darling Association (MDA). The MDA is an incorporated body which aims to provide effective representation of local government and communities at state and federal level in the management of the Murray Darling Basin's resources. It seeks to achieve this by providing information, facilitating debate and seeking to influence government policy.

At its 2020 Annual General Meeting, the MDA membership resolved to consult with its members on affirming the identity of the association as a representative of local government by incorporating the words local government into its name. The objective of this name change is to clearly identify the MDA as a local government association representing the interests of councils and communities across the Murray-Darling Basin to support Basin governments to deliver on their commitment to put Basin communities at the heart of the Basin Plan.

According to the MDA it is considering a change of name to Murray-Darling Local Government Association (Murray-Darling LGA) because consistent feedback from members and stakeholders in recent years has identified that the MDA needs to:

- Reduce confusion of identity between the Murray Darling Association (MDA) and the Murray Darling Basin Authority (MDBA).
- Clarify its identity as an association that represents the interests of local government at state and federal level in the management of Basin resources (Purpose - Part 3 of the Constitution).
- Better reflect and describe the role, purpose, context and work of the association.
- Accurately identify the MDA as an inter-jurisdictional association of councils operating across the Murray-Darling Basin.
- Build membership of councils
- Support the association's ability to compete for grant and project funding
- Support regional and state LGA's by further elevating regional and state priorities to the Basin and National scale.

Integrated Planning and Reporting Reference

C1 Our environmental practices are sustainable

C3 Our open space and natural environment are protected for future generations.

C3 Promote the protection of our water catchment and riparian zones.

Legislative Policy & Planning Implications

There is no legal impediment to the name change, with approval granted in 2019 by the Australian Securities and Investment Commission on advice from the Minister for Local Government for the Murray Darling Association to change their name to the Murray-Darling Local Government Association.

Whilst it is not a procedural requirement, The MDA has requested that the matter be brought to Council's attention.

Budget & Financial Aspects

Council pays an annual membership fee which is incorporated in the annual budget and which will not be affected by the proposed name change.

Attachments

Nil

Recommendation: That Council support the proposal for the Murray Darling Association to change its name to Murray-Darling Local Government Association (Murray-Darling LGA).

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

8. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT

(DEES: 20/5007)

Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

a) **Works:**

Urana Road (MR 59): Approximately 10.7km kilometres of Urana road shoulder widening works is completed to date. A further 7.0km primer sealed. Further 1.8km gravelled. Council also completed the table drains and batters.

Western Road (R2R): Widening of an additional section up to Pat Gleasons Lane completed.

Wattles Lane: Subgrade completed. Culverts ordered.

Albury Road: Commenced earthworks and drainage works.

HVSPP culvert upgrades: Culverts are installed at Flood Detour Road, Grubben Road, Lockhart The Rock Road and The Rock Bullenbong Road. Post Completion Report and Milestone Certification issued to Department of Infrastructure, Transport, Regional Development and Communications.

Grading of unsealed roads: Council will recommence grading program early next year (after harvest traffic).

Resheeting: Council will recommence resheeting program early next year (after harvest traffic).

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

b) **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. Council was advised on 18 November 2020 that it was successful in obtaining a grant of \$1,901,394 for The Rock West drainage works.

c) **Road Safety:**

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.

National Safety Week: Install yellow bows on sculptures and held several morning teas and BBQs.

Road Safety Facebook: Shared relevant road safety content/material on Lockhart Community Facebook page. Safe holiday driving posts are scheduled for the Christmas break.

d) **Traffic Committee:** The Road Safety Officer prepared a report on bus parking at The Rock Central School. The report was submitted to the Lockhart Traffic Committee for consideration.

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

The previous LEMC meeting was held on 16 October 2020. The key focus areas included COVID-19 and operational readiness. The next LEMC meeting is scheduled for 12 February 2021. The LEMO regularly participates in Riverina Murray (East) REMO-LEMC COVID-19 video conferences as possible.

f) **Fleet:**

Obtaining quotes and issued tender for plant replacement in accordance with the adopted 2020/21 budget. Currently reviewing and benchmarking Council's plant hire rates.

g) **Biosecurity and Environment:**

Weeds: Inspections were carried out on residential, rural, and commercial properties, which were selected due to a change in ownership or to assess the effectiveness of applied control methods. The weeds most found were Bridal creeper (*Asparagus asparagoides*), Lippia (*Phyla canescens*), Privet (*Ligustrum sp.*), Prickly pear (*Opuntia sp.*), Horehound (*Marrubium vulgare*), Asparagus weed (*Asparagus sp.*), Scotch broom (*Cytisus scoparius subsp. scoparius*), Green cestrum (*Cestrum parqui*), Coolatai grass (*Hyparrhenia hirta*), and African boxthorn (*Lycium ferocissimum*).

No. 1 st Inspections	No. Re-inspections required	No. 2 nd Inspections	No. Biosecurity Undertakings Accepted	No. Biosecurity Directions Issued	No. 3 rd Inspections	No. 4 th Inspections
22	7	0	0	0	0	0

Control Program: Priority has been given to the control of all vegetation on roadside shoulders for fire hazard reduction purposes, as well as the control of Spiny burrgrass (*Cenchrus spinifex*) and St. John's wort (*Hypericum perforatum*).

Common White Snail Baiting Program: Snail baiting application occurred on Fairview Lane on 11 November.

h) **Parks and Gardens:**

Milbrulong Water Tower: A natural bushland track has been completed to enable visitors to wander under the trees to observe the recently installed nesting boxes and various wildflowers.

Swimming Pools: The swim season is well underway with all activities including swimming lessons, and school visits operating within COVID-19 safety guidelines.

Parks and Gardens: The newly built and existing planter boxes in Green street have been planted with Petunia for some summer colour. Routine garden maintenance is being conducted including regular weeding, spraying, deadheading and mulching. Regular checks and maintenance of irrigation systems will continue throughout summer. Weed control in urban areas is ongoing.

Mowing and Slashing: The summer mowing schedule has begun at Pleasant Hills and Milbrulong. Mowing of all urban areas is planned before Christmas. Extreme weather conditions will be considered when scheduling slashing. A contractor was employed to assist with the excessive growth this year and to reduce fuel loads where possible.

Fortnightly mowing and edging will be scheduled for most irrigated areas during the growth season.

Trees: Trial planting of 10 Geijera parviflora, commonly known as wilga has taken place in south Lockhart to assess their suitability for more extensive use. Wilga is an attractive small to medium size evergreen native, endemic to inland parts of eastern Australia. Regular watering of establishing street trees has recommenced.

i) **Compliance:** The focus in November was on properties with overgrown vegetation. Seventy-five letters were issued with 95% compliance to date.

j) **Development Applications:** The following development applications were approved, with conditions, from 1 November 2020 to 30 November 2020.

DA No	Development	Applicant	Site of Development
14/21	Farmstay accommodation	Phil Lumsden	1825 Bullenbong Road, The Rock
24/21	Inground swimming pool	S Flinn	2294 Lockhart The Rock Rd, French Park
26/21	New Dwelling and detached shed	S Hounsell	7 Rockliff Court, Lockhart
27/21	Farm shed	P Zweck	164 Zwecks Ln, Pleasant Hills

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.

STRATEGIC DIRECTION E: Strong Leadership and Governance

9. INVESTMENT AND BANK BALANCES REPORT – 30 NOVEMBER 2020

(DCCS: 20/4997)

Executive Summary

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

Report

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

Cash at Bank

Opening Combined Cashbook Balance			2,838,534.20
Add: Total Receipts			
	Rates	510,491.13	
	Debtors	17,333.00	
	Miscellaneous	58,104.47	
	Interest	4,277.57	
	October BAS Refund	13,870.00	
	Sale of Plant	23,718.95	
	Redeemed Investment	500,000.00	
	Roads to Recovery Grant	401,800.00	
	Urana/Lockhart Rd MR59-370 Flood Detour Grant	1,545.00	
	2020-21 - Pensioner Concession Subsidy Payment	48,314.46	
	Financial Assistance Grant - 2nd Qtr	462,554.25	
			2,042,008.83
Less: Total Payments			1,936,038.26
	New Investments	1490-3015-0001	0.00
Closing Combined Cashbook Balance			<u>2,944,504.77</u>
Closing Bank Statement Balance	Bendigo Bank	1,344,670.46	
	Macquarie Bank	1,437,692.93	
	Bendigo Bank-Prichard Trust	31,641.36	
			2,814,004.75
Add: Outstanding Deposits			131,141.31
			2,945,146.06
Less: Outstanding Cheques			641.29
Closing Combined Cashbook Balance			<u>2,944,504.77</u>
	Interest Rate	Amount	% of Total
Investments:	per Annum	Invested	
AMP RIM	0.55	500,000.00	7.52
AMP/RIM	0.55	500,000.00	7.52
Bendgio	0.50	50,000.00	0.75
Bendigo	0.50	400,000.00	6.02
BENDIGO	0.45	500,000.00	7.52
BENDIGO	0.80	500,000.00	7.52
bendigo	0.50	50,000.00	0.75
BOQ	0.70	500,000.00	7.52
CBT	0.61	500,000.00	7.52
CBT	0.63	500,000.00	7.52
CBT	0.64	250,000.00	3.76
NAB	0.82	500,000.00	7.52
NAB 231101546	0.70	500,000.00	7.52
NAB 231245881	0.70	500,000.00	7.52
T Corp	at call	900,000.00	13.53
		<u>6,650,000.00</u>	100.00
FUND			AMOUNT
General (PTD)	1490-3000-0000		638,372.72
Combined Sewerage	8490-3000-0000		2,274,490.69
Trust Fund	9991-3000-0000		31,641.36
		<u>2,944,504.77</u>	<u>2,944,504.77</u>
	TOTAL FUNDS HELD ARE:		<u>9,594,504.77</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 Nov 2020, the average end of month balance of funds invested has been \$6.550 million and the average return on invested funds has been 0.71%. On these year to date figures, Council's budgeted income on investments will be under budget for the General Fund and Sewer Fund. This will be monitored and has been adjusted in the 1st Quarterly Budget Review.

If further adjustments are required they will be adjusted for the 2nd 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 November 2020 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

10. LOCAL GOVERNMENT ELECTIONS UPDATE

(GM: 20/4111)

Executive Summary

A \$56.8 million funding package has been included in the NSW Government's 2020/21 Budget for the NSW Electoral Commission to prepare for COVID-safe full attendance voting at the September 2021 Local Government elections (in lieu of universal postal voting).

Report

It has previously been reported to Council that the Minister for Local Government had advised that, in order to provide certainty to councils, communities and potential candidates, the NSW Government has made the decision to postpone the September local government elections in the face of the COVID-19 pandemic.

The date of the next local government elections will now be 4 September 2021.

More recently the following advice has been received from the Minister for Local Government, the Hon Shelley Hancock MP regarding the elections:

"The COVID-19 pandemic has presented significant challenges for our local communities. The NSW Government has worked tirelessly to ensure the health and safety of our citizens throughout the pandemic including investing significant funds to support our health workforce as well as to kick start our economy.

The Government's response also involved some difficult decisions, including the postponement of the September 2020 Local Government elections. The additional time between the elections gave me the opportunity to discuss with you how best we can deliver elections for our local communities, including the consideration of a proposal from the NSW Electoral Commissioner for mandatory universal postal voting.

I have considered your feedback on this important matter and I recognise there are many views on the best way to conduct Local Government elections. In direct response to calls from the Local Government sector, I have instructed the NSW Electoral Commissioner to prepare for full attendance voting at the September 2021 Local Government elections.

If COVID-19 is still impacting our communities next year, the cost of holding elections in a full attendance model will increase to meet a substantial rise in the electoral staff and polling booths needed to comply with physical distancing and sanitising requirements.

*I recognise this decision may result in significant financial challenges to councils, which is why I have also secured a **\$56.8 million funding package** as part of the NSW Government's 2020/21 Budget.*

*The Government will provide the NSW Electoral Commission with this additional funding to hold COVID-Safe elections **if required**, so councils will only be billed for the cost of holding elections in a normal environment.*

As the Minister for Local Government my job is to listen to the sector and deliver for councils so they can deliver for their communities. I will always strive to listen and deliver for you".

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

At the beginning of a new council term it is necessary to review, in consultation with the community, Council's integrated planning and reporting documents including the Community Strategic Plan and Delivery program. This requirement will also be deferred for 12 months;

The amendments to the Local Government Act regarding Audit, Risk and Improvement Committees and councils' risk management framework are scheduled to commence six months following the next council election. This means the amendments will now not take effect until March 2022.

Budget & Financial Aspects

Council has been transferring to an election reserve an amount of \$6,000 per annum for the elections held every four years, anticipating a total cost of \$24,000 for the 2020 elections if an election is held in all three wards. A cost estimate had been received from the NSWEC in the amount of \$30,000. Provision for the cost of the elections will now be included in the 2021/2022 financial year budget. The cost of new councillor induction sessions as part of a councillor professional development program will now also be included in the 2021/2022 financial year budget instead of 2020/2021.

Attachments

Nil.

Recommendation: That the information be noted.

11. AUDIT OFFICE OF NSW – LOCAL GOVERNMENT PERFORMANCE AUDIT

(GM: 20/4224)

Executive Summary

As previously reported Lockhart Shire Council is one of a cross section of six councils selected for the purposes of a performance audit conducted by the Audit Office of NSW (AONSW) focusing on procurement management in Local Government. The AONSW's report on the performance audit has now been publicly released.

Report

As previously reported to Council, the amendments to the Local Government Act that made the Auditor-General of NSW the Auditor of local councils in NSW, also provided the Auditor-General with a mandate for the conduct of 'performance audits'.

Performance audits are designed to assess whether selected activities are carried out efficiently, effectively and economically. The State Government has resourced the AONSW to conduct two or three performance audits on local government each year.

Lockhart Shire Council is one of a cross section of six councils selected for the purposes of a performance audit conducted by the AONSW focusing on procurement management in Local Government. The other selected councils for this audit were Cumberland City Council, Georges River Council, Tweed Shire Council, Waverley Council and Wollongong City Council. They were selected to provide a mix of councils of different geographical classifications, sizes, priorities and levels of resourcing as well as recently merged councils.

The report includes a number of findings in relation to the six councils that were selected for the performance audit and also provides insights and opportunities to strengthen procurement management in the local government sector more broadly. A copy of the report has been separately distributed to all Councillors. Two specific recommendations have been made in relation to Lockhart Shire Council i.e. that it should immediately:

1. *Include additional information in the council's contract register to ensure compliance with Section 29 (b) (c) (f) (g) (h) and (i) of the Government Information (Public Access) Act (GIPA Act).*
2. *Ensure contract values are consistent between the contract register and the annual report.*

With respect to 1) above it was noted that Council's procurement practices complied with the relevant provisions of the Local Government Act, Local Government (General) Regulation and the Tendering Guidelines issued by the Office of Local Government. However, non-compliance has been identified with certain provisions of the GIPA Act.

The GIPA Act requires Council to maintain a register of contracts awarded by Council containing certain information and make it available on its website. Council's contract register is available on the Council website and includes the name and address of the contractor, the contract value, a short description of the contract, the date the contract commences and the contract duration. However, the GIPA Act requires certain other information to also be included in the register such as:

- The particulars of any related body corporate or private sector entity in which the contractor has an interest, that will be involved in carrying out any of the contractor's obligations or will receive a benefit under the contract.
- A description of any provision under which the amount payable to the contractor may be varied.
- A description of any provision regarding renegotiation of the contract.
- If the contract arose from a tender process, the method of tendering and a summary of the assessment criteria.
- A description of any provisions under which it is agreed that the contractor is to receive payment for providing operational or maintenance services.

Council's contract register will be updated to incorporate, where applicable, the additional information required by the GIPA Act that is not currently included in the register.

In addition to the provisions of the GIPA Act relating to the contract register, the Local Government Act and regulations require that Council include in its annual report a list of contracts awarded by Council greater than \$150,000 in value. Some inconsistencies were identified between the contract values contained in the contract register and those listed in the annual report. This was because the contract register recorded the value of the contract as reflected in the Council resolution at the time the contract was awarded, whereas the annual report quoted the actual amount paid to the contractor in that particular reporting period. This approach led to inconsistencies between the two documents where contract payments extended over more than one financial year or where variations were agreed to in accordance with the terms and conditions of the contract.

The annual report is required to include a list of contracts that were awarded and these inconsistencies were addressed in the preparation of the 2019/20 annual report tabled at the 16 November 2020 Council meeting.

In addition to the two specific recommendations discussed above, the report provided the following assessment of Council's procurement policies and procedures:

- ✓ Procurement policy and procedures in place
- ✓ Contract management policy in place
- Centralised contract register
- Documented justification of procurement needs
- ✓ Segregation of duties
- × Procurement training
- ✓ Managing conflicts of interest
- ✓ Established approach to tender assessment
- Assessment of supplier performance
- × Evaluation of contract outcomes and value for money.

Key:

✓ = covered

O = partially covered

× = not covered

Provision for procurement training is being made in the 2020/21 staff training plan and consideration is being given to addressing the other items assessed above as “not covered”.

Integrated Planning and Reporting Reference

E6.1.1 Meet all governance and regulatory requirements in the conduct of Council's operations.

Legislative Policy & Planning Implications

Section 422 of the Local Government Act states that the Auditor-General is to be the auditor for a council.

Section 421B of the Act provides that:

- 1) *“The Auditor-General may, when the Auditor-General considers it appropriate to do so, conduct an audit of all or any particular activities of 1 or more councils to determine whether the councils are carrying out those activities effectively and doing so economically and efficiently and in compliance with all relevant laws.*
- 2) *A performance audit is separate from, and does not affect, any other audit required by or under this or any other Act.*
- 3) *The Auditor-General is to report to the Departmental Chief Executive, the councils concerned and the Minister as to the following:*
 - a) *the result of a performance audit,*
 - b) *any other matters that the Auditor-General considers call for special notice.”*

Budget & Financial Aspects

Council's budget allocation for audit fees relates to the external audit of the annual financial statements. No additional fees will be payable as a result of Council's involvement in the local government performance audit of procurement activities.

Attachments

Nil.

Recommendation: That Council note the NSW Auditor-General's Report on the Performance Audit on Procurement Management in Local Government and accept the recommendations contained therein.

12. EVALUATION OF NINE-DAY FORTNIGHT TRIAL PERIOD

(GM: 20/4222)

Executive Summary

A six month trial period for the introduction of a 9-day fortnight for permanent full-time indoor staff commenced in January 2020. The trial period was extended for a further six months due to the impact of the COVID-19 pandemic. An evaluation of the trial period has now been completed

Report

In December 2019 Council resolved that a 9-day fortnight be introduced for permanent full-time staff, whose Award hours are 35 hours per week, for a trial period of six months with the arrangement to be reviewed prior to the end of the trial period. The proposal was supported bearing in mind that:

- Council's permanent full-time staff whose Award hours are 38 hours per week, which predominantly includes Council's outdoor staff, as well as a small number of office-based staff, already work a 9 day fortnight and have done so for over 30 years. As the overwhelming majority of permanent full-time staff employed by Council already work a 9-day fortnight, extending this arrangement to the remaining staff was considered appropriate in terms of consistency and fairness.
- If a 9-day fortnight was not introduced the affected staff could, in any event, request a more flexible working arrangement under Clause 22 of the Local Government (State) Award. The Award encourages employers to develop and promote flexible work and leave arrangements to enable

their employees to better manage their work and family responsibilities (refer extract of Clause 22 of the Award below).

- Under the 9-day fortnight proposal the service to the community is enhanced. Reception opening hours have increased to 8:30am to 4:30pm Monday to Friday. Under the previous arrangements the reception closed to the public at 4.00pm. Telephone Hours under the nine-day fortnight proposal are 8:30am to 5:00pm Monday to Friday (previously 8.30am to 4:47pm).
- Under the 9-day fortnight proposal the Council's office will also remain open on the day of the Lockhart Picnic Races. Under the previous industrial arrangement Council's office closed at 12 noon on the day of the Races.
- Under the 9-day fortnight proposal staff are required to take annual leave or used accrued rostered days off for the non-public holidays during the Christmas-New Year office closure. This was not required under the previous industrial arrangement.

The trial period commenced in January 2020. However, during the initial six month trial period a number of staff worked from home and Council's office was closed to the public due to the COVID-19 pandemic which made it difficult to properly evaluate the impacts of the nine-day fortnight.

For this reason, the trial period was extended for a further six months to December 2020. A review of the 9 day fortnight proposal has now been completed and focused on the following:

Survey of staff subject to the 9-Day Fortnight Agreement

Staff on the new 9-day fortnight arrangement all expressed the view that they have benefited from a better work/life balance, access to services not available on weekends etc. The majority did not report any disadvantages with respect to workload, meeting deadlines or difficulties in complying with the conditions of the 9-day fortnight agreement.

Survey of staff NOT subject to the 9-Day Fortnight Agreement (part-time, casual employees)

The majority of staff not able to access the 9-day fortnight indicated that the 9-day fortnight has had a positive impact on the workplace. No staff reported that the 9- day fortnight has had a negative impact.

Impacts on the Payroll Officer

The Payroll Officer reported no negative impacts following the introduction of the 9-day fortnight. Conversely, the Payroll Officer suggested that it resulted in a benefit in terms of monitoring and maintaining records relating to RDOs as a result of modifying the Time Sheet for the purposes of the 9-Day Fortnight.

Impacts on the Customer Service Officer

The Customer Services Officer has indicated that the extension of opening hours to the public from 4.00pm to 4.30pm has not led to a particularly large uptake in customers and that it has placed some added pressure on the end of day procedures.

Compliance with conditions of the 9 Day Fortnight Agreement

Particular attention has been paid as to whether staff are complying with the 9-day fortnight agreement and taking their rostered day off (RDO) when it falls due and not accruing excess RDOs. At the time of completing the review employees were compliant with the 9-day fortnight agreement.

As the 9-day fortnight proposal has not had an adverse impact on the amount of accrued RDO's and, having regard to the review of the trial period, it is recommended that it be retained.

Integrated Planning and Reporting Reference

E1 Attract and retain a quality workforce.

Legislative Policy & Planning Implications

Clause 22 of the Local Government (State) Award provides that:

"In recognition of the commitment to provide flexibility for work and family responsibilities and the need to retain skills and experience within the industry, employers are encouraged to develop and promote flexible work and leave arrangements to enable their employees to better manage their work and family responsibilities.

An employee may request a change in working arrangements if:

- a) *The employee is the parent, or has responsibility for the care, of a child who is of school age or younger;*

- b) *The employee is a carer (within the meaning of the Carer Recognition Act 2010);*
- c) *The employee has a disability;*
- d) *The employee is 55 or older;*
- e) *The employee is experiencing violence from a member of the employee's immediate family;*
- f) *Such other circumstances where an employee can demonstrate a genuine need for flexible work and leave arrangements to attend to work and family responsibilities."*

Of the 10 affected staff members, six are over 55 or are parents of school age children, and therefore are in a position to request a change in working arrangements as outlined above in any event. A council can only refuse a request for a change in working arrangements on reasonable business grounds.

Budget & Financial Aspects

Under the proposal staff will be required to work the same total of Award hours as before, albeit spread over 9 days per fortnight instead of ten. The 9-day fortnight proposal will therefore not have any discernible impact on Council's budget.

Attachments

Nil.

Recommendation: That the 9-day fortnight, introduced in January 2020 for permanent full-time staff whose Award hours are 35 hours per week, be retained.

13. OFFICE CLOSURE – CHRISTMAS/NEW YEAR PERIOD

(GM: 20/4271)

Executive Summary

In accordance with previous practice, it is proposed to close Council's office over the Christmas – New Year period.

Report

It has been Council's practice to close its office for the three working days between Christmas and New Year.

In accordance with previous practice Council's office will be closed from 4.30pm, Thursday 24 December 2020 and will re-open for business on Monday 4 January 2021

Under the new 9-day month arrangement staff will be required to use their annual leave or accrued RDOs for the non-public holidays that the office was closed. This was not the case under the previous industrial arrangements.

Public notice will be given of the office closure and as is routinely the case, staff will be available to cover for any emergencies which may occur over this period.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Nil.

Attachment

Nil.

Recommendation: That Council's office close from 4.30pm, Thursday 24 December 2020 and re-open for business on Monday 4 January 2021.

14. STRONGER COMMUNITIES PROGRAM

(GM: 20/3702)

Executive Summary

A letter received from the Mayor of Canterbury Bankstown Council is tabled for Council's information.

Report

Correspondence addressed to the Mayor has been received from the Mayor of Canterbury Bankstown, pursuant to a Mayoral Minute passed by the Council, regarding the Stronger Communities Program.

Not to be confused with the Stronger Country Communities Fund under which Lockhart Shire Council has received grant funding along with all other regional NSW councils, the Stronger Communities Program was originally established by the NSW Government in 2016 and designed to provide newly amalgamated councils with funding to kickstart the delivery of projects, improve local infrastructure, services and support community groups. The grant program was repurposed after the government abandoned its policy of council mergers.

Lockhart Shire Council has not been a recipient of any grants under the Stronger Communities Program.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Lockhart Shire Council has not been a recipient of any grants under the Stronger Communities Program.

Attachments

Letter from Mayor of Canterbury Bankstown Council dated 4 November 2020

Recommendation: That the information be noted.

Item 14: Attachment – Letter from Mayor, Canterbury Bankstown Council



Khal Asfour

Clr Khal Asfour
MAYOR



4 November 2020

Ref: COMM-12-5480

Please reference in all correspondence

Clr Rodger Schirmer
Mayor
Lockhart Shire Council
PO Box 21
LOCKHART NSW 2656

File No:	
Log:	
INFO REPLY REPORT	
GM	
DCCS	
Rec'd	10 NOV 2020
DEES	
MES	
HR	
TEDO	

Dear Clr Schirmer

I write to you, on a very serious issue, following the adoption of my Mayoral Minute at Council's Ordinary Meeting on 27 October 2020, in which I called for the Local Government industry to come together to hold the NSW Government to account.

We have recently seen incredible revelations about the distribution of funding under the Stronger Communities Program. But did you know that many councils, mine included, requested additional funding to assist our communities, only be told there was nothing for us?

At the same time, we have since heard that the Mayor of Hornsby Shire, the Hon Philip Ruddock, in the space of only days, received \$90m and what I understand to be a pre-filled application from the Office of Local Government. And they didn't even go through the trauma of a merge!

It is no secret, yours, mine and many other communities across the State were rorted out of millions of dollars. The NSW Government's appropriation of grants and spending practices under the Stronger Communities Fund scheme has been shown to be lacking in all those things we expect from Government, of any persuasion and at any level: transparency, equity, accountability.

I have made my position very clear and I won't be backing down in standing up for my community and indeed all communities across our State that have been robbed of the opportunity to receive much needed funding.

I have, through various media appearances, writing to the NSW Government, and calling on the Auditor General and the ICAC to investigate, never wavered from this task. More recently, I gave evidence before a Parliamentary Inquiry into the Integrity, Efficacy and Value for Money of NSW Government Grant Programs.

As a result of all of this, Council has sought legal advice from, and had some initial discussions with Mr Bret Walker SC, on the possibility of challenging this enormous injustice. We await written advice, however at this time I am now seeking to gauge

CANTERBURY-BANKSTOWN COUNCIL
ABN 45 985 891 846 E. council@cbcicity.nsw.gov.au
W. cbcicity.nsw.gov.au P. 9707 9000 F. 9707 9700



your interest in joining Canterbury Bankstown Council in holding this Government to account, through the courts. Collectively, we have a better chance of taking the fight up to the Government.

If you are interested in joining with us, I would ask you to contact my Office on 9707 9823. At a later date, following receipt of the written advice, I will then hold more formal discussions with those councils that have expressed an interest.

We need to exhaust all avenues to uphold the integrity of the grants scheme and to ensure that this does not happen again.

I look forward to your prompt reply and seek your full support.

Yours sincerely

A handwritten signature in blue ink that reads "Khal Asfour".

Clr Khal Asfour
MAYOR

15. RECORDS MANAGEMENT POLICIES

(GM: 20/2508)

Executive Summary

A revised Records Management Policy and a new Records Management (Councillors) Policy are presented for consideration and adoption by Council.

Report

Council's Records Management Policy is overdue for review. The Policy was not reviewed in accordance with the established Policy Review Timetable but was deferred pending implementation of a new Electronic Document Records Management System (EDRMS) in accordance with a previous Council resolution.

Implementation of the new EDRMS occurred over a period of months with the new system 'going live' in August 2020. Training was provided to staff throughout the implementation phase, with follow-up refresher training provided in October 2020.

Council's Records Management Policy has been revised having regard to the new EDRMS and a copy is attached.

In the meantime, an Internal Audit Review focusing on records management was carried out by the Internal Auditor in August 2020. The Internal Auditor's Report was tabled at the meeting of the Lockhart Shire Council's Audit Risk and Improvement Committee (ARIC) held on 4 November 2020. The minutes of the ARIC meeting were tabled at the Council meeting held on 16 November 2020.

The Internal Auditor recommended, amongst other things, that:

"A policy be developed which sets out clearly the obligations for Councillors to arrange to register into Council's records management system, those documents both hard copy and electronic of an official nature that may pass through their hands with the policy supported with specific training."

The recommendation has been made bearing in mind that:

- Public offices are bound by the State Records Act 1998 which establishes rules for best practice for recordkeeping in NSW Government, encouraging transparency and accountability. Councils are identified as public offices under section 3 (1) of the Act. When discharging functions of Council, Councillors are subject to the State Records Act when they create or receive "State records".
- Records of Council business that are created or received by Councillors (with the exception of those sent to or received from Council as they are already captured) should be saved into official Council recordkeeping systems as soon as is practicable so that Council can assist with their long term management.

Accordingly, a new Policy 1.9B Records Management (Councillors) Policy has been developed and a copy is attached. An information brochure titled "Record Keeping Fundamentals for Councillors" issued by NSW State Archives is also attached.

The Policy has regard to the fact that, unlike employees, Councillors do not have direct access to Council's physical and electronic records and do not have the ability to register documents into, or retrieve documents from, Council's EDRMS. Therefore, the Policy provides guidance and support in ensuring that where appropriate, records created and received by Councillors are captured, registered, stored and managed in accordance with relevant legislation, most notably the State Records Act 1998.

Integrated Planning and Reporting Reference

E1 Maintain and develop a Records Management System that meets the needs of the organisation, the community and legislative requirements.

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.

The Council's records are a major component of its corporate memory. They are a vital asset that supports ongoing operations and provides valuable evidence of business activities and transactions over time.

Budget & Financial Aspects

The implementation of an Electronic Document Records Management System and associated training is in accordance with Council's resolution and within budgetary limits.

Attachments

1. Policy 1.9A Records Management Policy
2. Policy 1.9B Records Management (Councillors) Policy
3. "Record Keeping Fundamentals for Councillors" issued by NSW State Archives

Recommendation:

That the following policies, as presented, be adopted

1. Policy 1.9A Records Management Policy
2. Policy 1.9B Records Management (Councillors) Policy

Item 15: Attachment 1 - Policy 1.9A Records Management

1.9A Records Management

POLICY TITLE: RECORDS MANAGEMENT

FILE REF: SC67

EXPIRY DATE: DECEMBER 2023

PURPOSE

This policy sets out a framework for the creation and management of records within the Lockhart Shire Council. The Council is committed to establishing and maintaining recordkeeping practices that meet its operational needs, accountability requirements and legislative requirements.

POLICY STATEMENT

1. The Council's records are a major component of its corporate memory. They are a vital asset that supports ongoing operations and provides valuable evidence of business activities and transactions over time.
2. The Council recognises its regulatory responsibilities as a public agency and is committed to the principles and practices set out in the Australian Standard for Records Management (AS ISO 15489) to the extent appropriate for the organisation.
3. The Council is committed to implementing appropriate recordkeeping practices and systems to ensure the creation, maintenance and protection of accurate and reliable records. All practices concerning recordkeeping within the Council are to be in accordance with this policy and its supporting procedures.

SCOPE

1. This policy applies to all Lockhart Shire Councillors and employees.
2. It applies to records which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of all Council's business and all business applications used by Council to create records including email, database applications and websites.

LEGISLATIVE AND POLICY CONTEXT

1. Council will maintain recordkeeping systems that capture and maintain records with appropriate evidential characteristics in accordance with its obligations under applicable legislation including the following:
 - a) Copyright Act 1968 (Cth)
 - b) Electronic Transactions Act 2000 (Cth)
 - c) Evidence Act 1995 (NSW)
 - d) Government Information (Public Access) Act 2009 (NSW)
 - e) Local Government Act 1993 (NSW)
 - f) Privacy & Personal Information Protection Act 1998 (NSW)
 - g) State Records Act 1998 (NSW)
2. This Policy should be read in conjunction with the following Council policies:
 - a) 1.5 Privacy Plan and Privacy Code of Practice
 - b) 1.23 Information Systems Security
 - c) 3.22 Gathering Information
 - d) 3.26 Computer, Internet, Email and Social Media Policy

RECORDKEEPING SYSTEMS

1. The Council's primary recordkeeping system is the HPE Content Manager (CM) Electronic Document and Records Management System (EDRMS).
2. Where appropriate, paper-based records sent or received by the organisation are captured within this system through digital imaging. Relevant electronic communications (email) sent or received by the Council are also recorded in Content Manager.
3. The Council has three secondary systems that are used to manage specific electronic records as follows:
 - a) Practical – financial and accounting system which maintains information on financial transactions and reporting including local government rates and charges.
 - b) MapInfo – Geographic Information System.
 - c) Bizeassets – Asset Management System
4. The recordkeeping systems manage the following processes:
 - a) the creation or capture of records within the recordkeeping system
 - b) the storage of records
 - c) the protection of record integrity and authenticity
 - d) the security of records
 - e) access to records
 - f) the disposal of records
5. A Quick Reference Guide provided by HPE Content Manger as well as Business Rules and Naming Conventions developed by Council facilitate the efficient and effective use of the Content Manager EDRMS.

STORAGE AND SECURITY

1. Council hardcopy files are stored both on site at Council's Administration Building and offsite at the Lockhart Railway Station building. Files from 2008 onwards are kept on the premises with older files stored at the Lockhart Railway Station building. With respect to the records physically stored on site:
 - a) Files from 2008 onwards are kept in the Strong Room.
 - b) Original certificates of title, legal documents, Confidential Council meeting agenda and minutes prior to 2016 and former employee personnel files are kept in a locked section in the Strong Room.
 - c) Confidential Council meeting agenda and minutes post 2016 are kept in a locked cabinet by the Executive Assistant to the General Manager.
 - d) Open Council meeting agenda and minutes are kept in the Strong Room.
 - e) Current employee files are kept in a locked filing cabinet in the Human Resources Co-ordinator's office.

RESPONSIBILITIES

1. Council
Council is responsible for the adoption and regular review of the Records management policy and for providing the resources required for the protection, safe custody and return of all State records under its control, ensuring accessibility to all equipment or technology dependent records.
2. General Manager
The General Manager is responsible for implementing Council's Records Management Policy and ensuring Council's compliance with the requirements of the NSW State Records Act 1998.
3. Director Corporate and Community Services
The Director Corporate and Community Services is operationally responsible for the efficient management of Council records (physical and electronic) including the effective management and system administration of the EDRMS and for providing advice and training in relation to Council's records management policies and procedures.

4. Directors and Managers

Each Director and Manager are responsible for ensuring that their staff:

- a) Respond to correspondence and action requests in a timely manner and that this information is also recorded in the EDRMS.
- b) Comply with Council's Records Management Policy.
- c) Receive training on records management and use of Council's EDRMS (Content Manager).
- d) Who have access to information of a confidential nature, are instructed as to their rights and obligations when dealing with such matters.

5. All Staff

- a) The State Records Act 1998 requires public officials to *"make and keep full and accurate records' of their business activities."*
- b) The Ombudsman's Good Conduct and Administrative Practice Guidelines for Public Authorities 2017 states that:
"Public officials must make and keep full and accurate records of their official activities. Agencies and their staff must create and maintain records as evidence of business activities and transactions."
- c) The Model Code of Conduct for Local Councils in NSW 2020 states that -
"Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures."
- d) Accordingly, all staff are responsible for:
 - i. Creating records that document:
 - Decisions made.
 - Verbal decisions and instructions or commitments given, including telephone conversations.
 - Business activities they are involved in.
 - Meetings and other events.
 - ii. Registering records into the EDRMS in accordance with the Business Rules and naming Conventions applying from time to time.
 - iii. Ensuring all corporate emails are registered to the EDRMS.
 - iv. Handling hard copy records and information sensibly and with care, so as to avoid damage to the records.
 - v. Not relinquishing control over, damaging, altering, destroying or losing records of Council.
 - vi. Accessing records from within the EDRMS.
 - vii. Maintaining confidentiality of records they have access to, in accordance with Council's Code of Conduct, and the requirements of the Government Information (Public Access) Act, and Privacy and Personal Information Protection Act.

DISPOSAL OF RECORDS

1. Records must be protected, maintained, findable, and useable for their entire retention period, as outlined in the General Authority 39 (GA 39), Local Government Records.
2. Records cannot be disposed of other than in accordance with the State Records Act 1998 and GA 39.
3. Records cannot be disposed of without the concurrence of the Director Corporate and Community Services.
4. If files have been classified as State Archives they are transferred to the State Records Authority in accordance with relevant guidelines e.g. open or closed access provisions.
5. Physical destruction of records shall be undertaken by methods appropriate to the confidentiality or otherwise of the records.
6. An auditable trail documenting all destruction of records shall be maintained by the Records Section.
7. If destruction is undertaken by third parties, then certificates of destruction shall be obtained for all destruction undertaken.

MONITORING AND COMPLIANCE

1. Council shall demonstrate that recordkeeping systems are designed and operating according to best practice, its records are captured in the corporate system, and all systems are performance tested on a regular basis to ensure that the objectives of the system are being met.
2. Compliance with the Records Management Policy, and its related policies and procedures, throughout the Council, shall be monitored by the Director Corporate and Community Services.
3. The monitoring of compliance with the Records Management Policy, and its related policies, shall be subject to internal audit and related evaluations from time to time.
4. Council shall make its records available to meet accountability requirements, such as auditors, regulatory authorities and investigative bodies.
5. Ensure the quality of information captured into the corporate system is maintained.

GLOSSARY

Archive means the whole body of records of continuing value of an organisation, sometimes called 'corporate memory'.

Business activities is an umbrella term covering all the functions, processes, activities and transactions of an organisation and its employees.

Capture is a deliberate action which results in the registration of a record into a recordkeeping system. For certain business activities, this action may be designed into electronic systems so that the capture of records is concurrent with the creation of records.

Classification is the systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods and procedural rules represented in a classification system.

Disposal refers to a range of processes associated with implementing records retention, deletion or destruction of records in or from recordkeeping systems. They may also include the migration or transmission of records between recordkeeping systems, and the transfer of custody or ownership of records.

Disposal Authority is a formal instrument that defines the retention periods and consequent disposal actions authorised for classes of records which are described in it.

Document refers to recorded information or object which can be treated as a unit.

Electronic Records are records communicated and maintained by means of electronic equipment.

Recordkeeping is the making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

Recordkeeping systems are information systems that capture, manage and provide access to records through time.

Records are the information created, received, and maintained as evidence and information by an organisation or person in pursuance of legal obligations or in the transaction of business.

Records Management is the field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, including processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records.

Registration is the act of giving a record a unique identifier on its entry into a system.

*Confirmed by Council 21 December 2020
Refer minute xxx/20*

*Confirmed by Council 17 August 2009
Refer minute 283/09*

*Adopted by Council – 17 September 2007
Refer Minute No. 296/07*

Item 15: Attachment 2 – Policy 1.9B Records Management (Councillors)

1.9B Records Management (Councillors)

POLICY TITLE: RECORDS MANAGEMENT

FILE REF: SC67

EXPIRY DATE: OCTOBER 2023

PURPOSE

1. The purpose of this document is to ensure that full and accurate records of the activities and decisions of Councillors, in the course of their official duties for Council, are created, managed and disposed of appropriately to meet the Council's organisational needs and accountability requirements.
2. HPE Content Manager is the Electronic Data Records Management System (EDRMS) adopted by Council to manage all of Council's corporate documents. A record management program has been established by Council in accordance with section 12 (2) of the State Records Act 1998. This document provides part of the framework for that program and should be read in conjunction with Policy 1.9A Records Management Policy.

SCOPE

1. This document has been specifically developed to assist Councillors in meeting their recordkeeping responsibilities. Council employees should refer to Council's Policy 1.9A Records Management Policy.
2. All Councillors must comply with this document in their conduct of official business for Council. Official business includes business relevant to the performance of the function and duties of the office of Councillor. This document applies to records in all formats, including electronic records.

POLICY STATEMENT

1. Records are a vital asset to council. Many records created and received by Councillors have the potential to:
 - a) support the work of Councillors and Council's program delivery, management and administration.
 - b) help Councillors and Council to deliver customer services in an efficient, fair and equitable manner.
 - c) provide evidence of Councillors' actions and decisions and establish precedents for future decision making.
 - d) protect the rights and interests of the Council, Councillors and its clients and rate payers.
2. Unlike employees, Councillors do not have direct access to Council's physical and electronic records and do not have the ability to register documents into, or retrieve documents from, Council's designated EDRMS, Content Manager. This policy provides guidance and support in ensuring that where appropriate, records created and received by Councillors are captured, registered, stored and managed in accordance with relevant legislation, most notably the State Records Act 1998.

STATE RECORDS

1. Public offices are bound by the State Records Act 1998 which establishes rules for best practice for recordkeeping in NSW Government, encouraging transparency and accountability. Councils are identified as public offices under section 3 (1) of the Act. When discharging functions of Council, Councillors are subject to the State Records Act when they create or receive "State records".
2. A "State" record is 'any record made and kept or received and kept, by any person in the course of the exercise of official functions in a public office, or for any purpose of a public office, or for the use of a public office'.
3. Examples of State records that may be created or received by Councillors in the course of their official duties for Council include (but are not limited to):
 - a) correspondence, including emails, regarding Council matters.
 - b) a petition received from a community group.
 - c) declarations concerning a Councillor's pecuniary interests.

- d) speech notes made for addresses given at official Council events.
 - e) complaints, suggestions or enquiries by residents and ratepayers about Council services.
4. Conversely, records which are created, sent or received by Councillors when they are not discharging functions of Council are not considered to be State records for the purposes of the State Records Act 1998.
5. Examples of records that are not State records include (but are not limited to): -
- a) records relating to political or electoral issues e.g. lobbying for votes, supportive emails from members of the community regarding elections or political stances.
 - b) communications regarding matters of personal/general interest rather than Council interest e.g. information from environmental or other interest groups not specific to issues being considered by Councillors or Council.
 - c) records relating to attendance at sports functions, church fetes, community functions when the Councillor is not representing Council.
 - d) personal records of councillors such as personal emails, character references for friends, nomination for awards, letters to local newspapers etc that are not related to Council business.
6. The official email address established for Councillors (i.e. @lockhart.nsw.gov.au) should be used in the course of carrying out official duties for Council and only for this purpose. A councillor's private email address should be used when not discharging functions of Council.

CAPTURE AND REGISTRATION OF RECORDS

Records of Council business that are created or received by Councillors (with the exception of those sent from Council as they are already captured) should be saved into official Council recordkeeping systems as soon as is practicable so that Council can assist with their long term management as follows:

1. Paper records – Records created or received in paper format should be forwarded to Council by post or handed in to the General Manager or at the front counter of the Administration Building marked "Attention - Executive Assistant". This could be done on a monthly basis on Council meeting days. If records are of a sensitive or confidential nature, the Councillor should alert the General Manager or Director of Corporate and Community Services to this fact prior to sending so that appropriate security controls can be applied.
2. Email and Electronic Records – Email and other electronic records should be forwarded to Council promptly for registration. Emails should be forwarded to councillorrecords@lockhart.nsw.gov.au. If records are of a sensitive or confidential nature, the Councillor should alert the General Manager or Director of Corporate and Community Services to this fact prior to sending so that appropriate security controls can be applied.
3. Records received from Councillors for registration will be registered into Council's designated EDRMS, Content Manager in accordance with Policy 1.9A Records Management and the relevant Business Rules and Naming Conventions.
4. Mail addressed to Councillors and received at Council's Administration building is placed in the Councillors tray for delivery with business papers and other correspondence. Paper based mail which is clearly marked for councillors is not opened. Mail for councillors which is not clearly marked will be opened and re-addressed as appropriate.

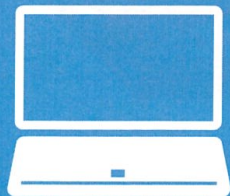
ACCESS TO COUNCIL RECORDS

1. Unlike employees, Councillors do not have direct access to Council's physical and electronic records and do not have the ability to register documents into, or retrieve documents from, Council's designated EDRMS, Content Manager.
2. Councillors and Council staff are bound by the Code of Conduct, preventing unauthorised access or disclosure of Council records. Council has adopted the Model Code of Conduct notified in the Government Gazette (No. 172) on 7 August 2020. Section 8 of the Code of Conduct deals with access to information and Council resources.
3. Councillors need to have access to information held by Council to help them make informed decisions on matters under their consideration. This information should be relevant and appropriate to the discharge of their obligations. As a first step, Councillors should contact the Director in whose area the matter is administered. If the Director is not able to give access, then contact the Public Officer (Director of Corporate and Community Services) or the General Manager.

4. Councillors wishing to access records in relation to a matter of personal interest have the same rights as other members of the public. Access may be obtained, for example, under:
- a) the Privacy and Personal Information Protection Act 1998
 - b) the Health Records and Information Privacy Act 2002
 - c) the State Records Act 1998, or
 - d) the Government Information (Public Access) Act 2009

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

Item 15: Attachment 3 – “Record Keeping Fundamentals for Councillors” issued by NSW State Archives



Recordkeeping Fundamentals for Councillors



What is Recordkeeping?

WHAT IS A STATE RECORD?

A State record is any record created, received and kept by any person in the course of exercising official functions of a public office.

WHY ARE RECORDS IMPORTANT?

Records tell us **what**, **where** and **when** something was done or **why** a decision was made. They also tell us **who** was involved and under what authority. In other words, records provide evidence of government and individual activity.

Records are an indispensable ingredient for accountable Local Government. Poor recordkeeping results in inefficiencies and poor decision-making. **Councillors** are subject to the *State Records Act 1998* when they are undertaking business on behalf of the Council.

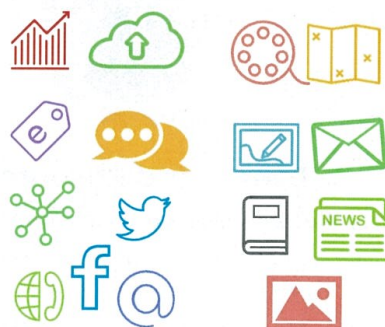
A RECORD CAN BE ANY FORMAT



Digital



Physical





Common Record Groups



Correspondence

Records that document communications between council employees, and between council employees and community members.
E.g. emails and letters.



Core Business Docs

Records that document core business processes such as reports, briefing notes, plans, agendas, minutes, working papers, and more.



Financial Records

Documentation of financial activity, such as financial reports, budgets, estimates, receipts, contracts, tenders, invoices, statements, and more.



Events and Resources

Records of events your council hosts or attends may be required as a record. All content that your council produces, publishes, and/or circulates are State records.



Social Media

If your council (or you in an official capacity) has a presence on social media, all content and communication (including reactions to posts, comments, tweets, etc.), published/transmitted via these platforms are State records.



Your Responsibilities

The *State Records Act 1998* establishes a number of responsibilities for every council. While the Council's General Manager, Senior Responsible Officer, and records unit are responsible for meeting requirements of the Act, Councillors also have responsibilities as a public official.

They can be summarised into 6 key points.

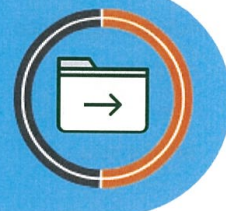
Create Records Routinely



Records should be created as part of your daily routine. If the activity doesn't automatically create a record, then you must do so (e.g. minutes of meetings)

Use Official Systems

Use the council's official recordkeeping system. Do not hoard records in your own private store/drive.



Know Your Policy



Know your council's recordkeeping policy. Every Council is required to have one.

Prevent Unauthorised Access

Records can contain personal and confidential information. Ensure records are kept secure and shared according to your council's policies.



Approved Destruction Only



Never destroy a record without approval. The Senior Responsible Officer (SRO) can authorise disposal of records. Be sure to know who your SRO is.

Treat With Care

Prevent loss and damage of records by storing physical records away from hazards and dampness. Store digital records with secure backups.



The **Councillor Handbook** contains further information on recordkeeping responsibilities.

Useful Extras



INFORMATION & RESOURCES

See our website for recordkeeping advice, guidance, and recordkeeping information.



TRAINING & EDUCATION

We run regular recordkeeping courses, but in the mean time see our online training modules.



NSW OMBUDSMAN

The *Good Conduct and Administrative Practice* (2017) publication, establishes detailed guidelines for proper recordkeeping practices.



FAQ

A fantastic resource for those new to recordkeeping. It provides answers on many subjects.

CONTACT US



Visit our website for additional advice and resources



Our Future Proof blog has more information on digital recordkeeping



For more advice get in touch via email
E: govrec@records.nsw.gov.au



Keep your finger on the pulse, follow us on social media

WWW.RECORDS.NSW.GOV.AU



State Archives & Records

Issued March 2018

16. GRANTS MANAGEMENT POLICY

(GM: 20/4675)

Executive Summary

A new Grants Management Policy has been developed and is presented for consideration and adoption by Council.

Report

An Internal Audit Review focusing on grants management was carried out by the Internal Auditor in October 2020. The Internal Auditor's Report was tabled at the meeting of the Lockhart Shire Council's Audit Risk and Improvement Committee (ARIC) held on 4 November 2020. The minutes of the ARIC meeting were tabled at the Council meeting held on 16 November 2020.

The Internal Auditor recommended, amongst other things, that:

- Council develop clearly worded policies and/or procedures to clearly enunciate the steps that are generally to be followed to search out, apply for, accept, manage, report, acquit, claim for reimbursement, sign-off and finalise the processing of any grant.
- That Council develop its own suite of internal controls to assist it to manage grant expenditures it receives from external providers.
- That Council give consideration to including in its Grants Policy & Procedure a requirement that the General Manager will provide a report indicating the financial impact of the acquisition of a new asset on its Annual Operating budget, and Long-term Financial Plan.

Accordingly, a new Policy 2.57 Grants Management has been developed and a copy is attached.

Integrated Planning and Reporting Reference

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

B1 Our shire is attractive and welcoming to businesses, industry, residents, and visitors.

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

E1 Council is strong, sustainable and able to stand alone.

Legislative Policy & Planning Implications

Grants are an important source of revenue and can assist Council in meeting the objectives contained in the Community Strategic Plan.

Budget & Financial Aspects

The attached Policy provides that where a grant application requires a contribution from Council that is not incorporated in Council's adopted budget, the matter will be reported to Council.

Attachments

Policy 2.57 Grants Management

Recommendation: That Policy 2.57 Grants Management, as presented, be adopted.

Item 16: Attachment – Grants Management Policy

2.57 Grants Management

POLICY TITLE: GRANTS MANAGEMENT

FILE REF: SC153

EXPIRY DATE: DECEMBER 2023

PURPOSE

The purpose of this policy is to clearly enunciate the steps that are generally to be followed to search out, apply for, accept, manage, report, acquit, claim for reimbursement, sign-off and finalise the processing of any government grant.

The policy also aims to assist Council in monitoring the progress of grant funded projects and managing the expenditure of grant it receives from external sources.

POLICY STATEMENT

Council will aim to maximise its opportunities to seek out and apply for grants that are relevant to its functions and within its capacity to deliver. Council acknowledges that grants are an important source of revenue and can assist Council in meeting the objectives contained in the Community Strategic Plan including the following: -

- Our community services and facilities meet the needs of the community.
- Our shire is attractive and welcoming to businesses, industry, residents, and visitors.
- Our assets and infrastructure are well planned and managed to meet the needs of the community now and into the future.
- Council is strong, sustainable and able to stand alone.

SCOPE

This policy applies to grant programs which are announced from time to time and require Council to submit applications and/or project proposals for independent assessment against relevant criteria and grant program guidelines.

This policy does not apply to long established, recurring, and predetermined grants received by Council on an annual basis e.g. Financial Assistance Grants, Roads to Recovery grants, Regional Roads Block grants, Weeds Action Plan grants and the like.

GRANT MANAGEMENT PROCEDURES

Council will keep abreast of grant opportunities by subscribing to and/or receiving circulars from the Australian Local Government Association, Local Government NSW and Office of Local Government, media releases from government ministers, local parliamentarians and government departments, and specific grant platforms such as GrantGuru.

The Director of Community and Corporate Services will be responsible for maintaining a data base of community based not-for-profit organisations, including Council's section 355 committees, that will be used for distributing information regarding grant opportunities that may be applicable to community organisations.

Each Directorate within Council will be responsible for seeking out, applying for and, if successful, submitting progress reports and otherwise managing grants received from external sources that are relevant to the Directorate's functions.

Where a grant application requires a contribution from Council that is not incorporated in Council's adopted budget, the matter will be reported to Council.

Where the grant will result in the acquisition of a new asset, the report will include the financial impact of the acquisition on the Council's Annual Operational Plan and Budget, and Long-term Financial Plan.

RECORD KEEPING

Where Council has been successful in securing a grant, a new Special Container will be created in Council's Electronic Document and Records Management System, Content Manager for the purposes of registering and recording all relevant documentation relating to that grant.

MONITORING AND COMPLIANCE

The General Manager will be responsible for maintaining a 'Grant Funded Projects Status Report' for the purposes of:

- Monitoring progress of grant funded projects.
- Monitoring and controlling expenditure of the grant funds.
- Ensuring compliance with any funding agreement and conditions of the grant funding.

The 'Grant Funded Projects Status Report' will be a standing agenda item for meetings of the Council's Management Executive (MANEX) and be tabled at a Council meeting on a quarterly basis.

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

QUESTIONS AND STATEMENTS

CLOSED SESSION

Agenda

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

17. AUSTRALIA DAY AWARDS

(GM: 20/4799)