



BUSINESS PAPER

**of the
Ordinary Meeting
Held
15 November 2021**

**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: 21/14175

10 November 2021

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, 15 November 2021** commencing at **5.00pm**.

The Order of Business will be as shown overleaf.

A workshop will be held immediately prior to the Council meeting, commencing at 4pm.

Yours faithfully

GENERAL MANAGER

ORDER OF BUSINESS

OPENING WITH A PRAYER

APOLOGIES

LEAVE OF ABSENCE

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING, 18 OCTOBER 2021

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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 TUESDAY 2 NOVEMBER 2021 AT LOCKHART COUNCIL CHAMBERS

1. Welcome

Cr Derek Douglas, Peter Creek, Heather Trevaskis, Fiona Beckett, Michelle Bailey (Zoom) and Matt Holt (TEDO)

2. Apologies

Nil

3. Leave of Absence

Jared Walker

4. Declarations of Pecuniary & Non-Pecuniary Interest

Nil

5. Confirmation of minutes of the previous meeting (October 2021)

Resolved on the motion of Heather Trevaskis and Peter Creek that the minutes of the meeting held on Tuesday, 5th October 2021, as printed and circulated, be confirmed as a true and correct record of the proceedings.

6. Update from Tourism and Economic Development Officer (TEDO)

TEDO provided a verbal update on several projects including:

- TEDSC Terms of Reference was endorsed at the October Council meeting and will come into effect in 2022.
- Visitor Information boards—Council endorsed the list of locations at our last meeting with the inclusion of one to be installed at the Lockhart Caravan Park.
- Australia Day Grant
- Lockhart Rifle Club Event in November

- Grain Corp Silo Art Policy and Guidelines
- Event Management Plan
- Destination NSW Tourism Recovery Grants
- Economic Development Forums Albury and Temora
- Esplanade Art Pleasant Hills
- Destination Management Plan – Riverina Murray
- Yerong Creek Water Tower
- Strong business enquiries

Resolved by the Committee that the above project updates are noted.

7. Actions from previous minutes

a) Lockhart Shire Council - Visitor Information Boards - October 2021

Scoping still taking place, a sign will be included at the Lockhart Caravan Park as per Council resolution (180/21)

Recommended on the motion of Rach Viski and Peter Creek that the TEDO continues to investigate the above locations following the process below.

- a) Further consult and gain feedback from effected staff and members of community.
- b) Include the opportunity for local artists to have creativity space on the boards or at certain locations.
- c) Investigate options for businesses and service clubs to be on the boards
- d) Obtain quotes as per LSC guidelines.
- e) Report back in December

TEDO advised this is unlikely to be scoped and designed by December and is likely to be pushed into 2022.

Resolved by the Committee that the above update be noted.

8. New Business

Local Road Community Infrastructure Program (LCRI) Phase Three

Councillors at the October 2021 Council meeting agreed to further investigate the following projects for funding under the above funding program, with some remaining funds yet to be allocated. (Pending release of guidelines).

1. Lockhart Caravan Park – additional cabin with disabled access.
2. Lockhart Bowling Club – upgrade bowling green
3. The Rock Bowling Club – upgrade bowling green
4. Pleasant Hills Esplanade
5. Henty-Pleasant Hills Road
6. Galore Hill – upgrade access road
7. Yerong Creek – sealing of streets adjacent to water tower mural
8. Lockhart, Osborne and The Rock Recreation Grounds – sealing of internal roads
9. The Rock Recreation Ground - fencing
10. The Rock Hall and Museum – elevator

In addition to the above projects the following projects are eligible under the program which are a priority for the TEDSC.

- Avenue of Honour - (shovel ready and priority project – Council Meeting Nov 2020)
- Lockhart CBD Masterplan Components (Full masterplan adopted June 2019)

- RV and Caravan parking (Minute Number 75/21)
- Street Lighting Lockhart – CBD to Caravan Park (Minute Number 26/21)
- CWA Park – all-inclusive amenities including adult lay down facility

Another project that was/is on the TEDSC priority project list is:

- Town and Shire Entrance Signs - Stage Two

TEDO would like the TEDSC to consider recommending to Council that they support the projects listed from the October meeting but ask Council to strongly consider funding the above additional projects as they are either shovel ready or a priority project for the TEDSC and Council.

Recommended on the motion of Fiona Beckett and Heather Trevaskis that Council fund the following projects below under the Local Road Community Infrastructure Program (LCRI) Phase Three:

- Avenue of Honour - (shovel ready and priority project – Council Meeting Nov 2020)
- Lockhart CBD Masterplan Components (Full masterplan adopted June 2019)
 - RV and Caravan parking (Minute Number 75/21)
 - Street Lighting Lockhart – CBD to Caravan Park (Minute Number 26/21)
 - CWA Park – all-inclusive amenities including adult lay down facility
- Town and Shire Entrance Signs - Stage Two

9. Development Proposal 109 Green Street, Lockhart

<https://www.lockhart.nsw.gov.au/development/building-development.aspx> (bottom of page)

The above Development Application is on public exhibition until 19 November 2021. TEDO encourages members to provide any feedback to Council via mail@lockhart.nsw.gov.au addressing it to the General Manager.

Resolved by the Committee that the above project update be noted.

10. Project Updates

Verbal Update provided by TEDO.

11. Questions

TEDO answered the following questions to the best of his knowledge:

- The Rock Subdivision rezoning
- The Rock Nature Reserve Sign on Olympic Highway
- Trucks speeding through Lockhart CBD
- Mowing in Pleasant Hills (TEDO will speak to the Manager of Parks and Facilities)
- Yerong Creek Tractor Rally - TEDO to follow up

12. Meeting Closed: 8.30pm

13. Next meeting:

Members present decided that this would be the last meeting of 2021. A casual dinner will be held on Thursday 9th December 2021. Venue and Time TBC by the TEDO.

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

DELEGATES' REPORTS

2. RIVERINA WATER COUNTY COUNCIL BOARD MEETING - 26 OCTOBER 2021

To support the work of its Board members and provide regular information to its constituent councils, Riverina Water distributes a summary of the key reports from its six Board meetings per year.

The aim is to keep constituent councils informed of relevant matters including water usage, development and growth, documents and policies in development, strategies and plans and other major decisions.

The update relating to the Board meeting held on 26 October 2021 has been received and has been distributed separately to Councillors.

Recommendation: that the information be noted.

3. DELEGATES REPORT - RIVERINA REGIONAL LIBRARY ADVISORY COMMITTEE - 4 NOVEMBER 2021 AT WAGGA WAGGA

I report having attended a meeting of the Riverina Regional Library (RRL) Advisory Committee meeting as Council's delegate held in Wagga Wagga on 4 November 2021. Council's primary RRL delegate, Cr Verdon, was unable to attend. A summary of the key issues addressed at the meeting is provided below.

- The Quarterly budget review for the period 1 July to 30 September 2021 was tabled.
- The 2020/21 Annual Report was tabled.
- Coolamon Shire Council was appointed as Executive Council of the RRL commencing 1 July 2022 to replace Wagga Wagga City Council (WWCC) which has resolved to discontinue its membership of RRL and its Executive Council role upon expiry of the current RRL Deed of Agreement on 30 June 2022.

(The Executive Council role involves being the employer of RRL staff, providing financial and accounting services as well as other governance arrangements for the organisation).

- A number of funding models were presented for the Committee's consideration dealing with WWCC's impending departure from the RRL upon expiry of the current RRL Deed of Agreement and the impact on membership contributions for the remaining member councils.

(This matter is the subject of a separate report to Council - refer Item 6).

Peter Veneris
General Manager

Recommendation: that the Delegate's report be received.

4. REROC AND RIVERINA JOINT ORGANISATION BOARD MEETINGS

These meetings are being held on 12 November 2021. A delegate's report will be distributed at the Council meeting.

STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED

Status Report: Council Resolutions and Tasks to be finalised

File Ref: 21/13780

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 18 October 2021			
192/21	DCCS	<p>Audited Financial Statements – 2020/2021</p> <p>That Council certify in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.</p>	Report in this agenda (item 16) to re-present Financial Statements.
190/21	GM	<p>Riverina Water – Transfer Granting Easement – Milbrulong to Lockhart Water Main</p> <p>The Transfer Granting Easement forms relating to the granting of an easement to Riverina Water on Lot 3 DP1131760 and Lots 30 and 32 DP1185018 be executed under Council's seal.</p>	Documents executed under Council seal and returned for lodgement. Complete.
189/21	MP&B	<p>Development Application DA64/21 – Lockhart Showground Stock Pavilion</p> <p>Council grant consent to the development application, DA64/21 for "<i>Demolition of an existing stock pavilion and construction of a stock pavilion</i>" at Lockhart Showground (Lot 122 DP756429) subject to compliance with the conditions set out in the Draft Schedule of Conditions at Attachment G, subject to deletion of Condition 4.</p>	Development consent issued on 25/10/2021. Complete.
188/21	DEES	<p>Voluntary Purchase Scheme</p> <p>Council approves \$68,571.43 in its 2021-22 budget as its contribution towards the voluntary purchase of two properties, located at 53 Urana Street and 160 Green Street, Lockhart.</p>	Wrote to OEH and advised of Council resolution. Complete.

*Lockhart Shire Council
Ordinary Meeting – 15 November 2021*

Minute No:	Officer to Action	Council Resolution	Action Taken
184/21	GM/ DCCS	<p>Phase 3 – Local Roads & Community Infrastructure Grants Program</p> <p>As agreed at the Councillor Workshop held earlier in the day, Council further investigate the following projects for funding under Phase 3 of the Local Roads and Community Infrastructure grants program with a further workshop to be held at 4pm on 15 November 2021:</p> <ol style="list-style-type: none"> 1. Lockhart Caravan Park – additional cabin with disabled access. 2. Lockhart Bowling Club – upgrade bowling green 3. The Rock Bowling Club – upgrade bowling green 4. Pleasant Hills Esplanade 5. Henty-Pleasant Hills Road 6. Galore Hill – upgrade access road 7. Yerong Creek – sealing of streets adjacent to water tower mural 8. Lockhart, Osborne and The Rock Recreation Grounds – sealing of internal roads 9. The Rock Recreation Ground - fencing 10. The Rock Hall and Museum – elevator 	<p>Councillor Workshop convened for 4.00pm on 15 November 2021</p> <p>Complete.</p>
180/21	TEDO	<p>Committee Minutes – TEDSC held 5 October 2021</p> <p>Minutes of the Tourism and Economic Development Steering Committee held on 5 October 2021 be received and the recommendations contained therein be adopted with the exception that an information board be erected at Lockhart Caravan Park.</p>	<p>Information board at Caravan Park to be included in list of locations yet to be scoped.</p>
178/21	GM	<p>Mayoral Minute – Infrastructure Contributions Reforms</p> <p>Council:</p> <ol style="list-style-type: none"> 1. Calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament. 2. Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system. 3. Calls on the NSW Government to decouple the Independent Pricing and Regulatory Tribunal-led review of the rate peg to include population growth from the infrastructure contributions reforms. 	<p>Letters sent to those persons mentioned in points 4 and 5, and LG NSW (point 7) on 19/10/2021.</p> <p>11 acknowledgements have been received to date.</p> <p>Two definitive responses have been received i.e. from the Fred Nile Group and the Greens indicating that they will not be supporting the Bill.</p> <p>Complete.</p>

*Lockhart Shire Council
Ordinary Meeting – 15 November 2021*

Minute No:	Officer to Action	Council Resolution	Action Taken
		<p>4. Writes to the local State Member, the Hon Joe McGirr MP; the Premier, the Hon Dominic Perrottet MP; Treasurer, the Hon Matt Kean MP; Minister for Planning and Public Spaces, the Hon Rob Stokes MP; and Minister for Local Government, the Hon Shelley Hancock MP; seeking them to withdraw the Bill.</p> <p>5. Writes to the Shadow Treasurer. the Hon Daniel Mookhey MLC; Shadow Minister for Planning and Public Spaces, Mr Paul Scully MP; Shadow Minister for Local Government, Mr Greg Warren MP; The Greens, Mr David Shoebridge MLC; Shooters, Fishers and Farmers Party, the Hon Robert Borsak MLC; Pauline Hanson's One Nation, the Hon Mark Latham MLC; Animal Justice Party, the Hon Emma Hurst MLC; Christian Democratic Party (Fred Nile Group), the Hon Fred Nile MLC; Portfolio Committee Chair The Greens, Ms Cate Faehmann; Portfolio Committee Deputy Chair, Animal Justice Party, the Hon Mark Pearson MLC; and Committee members Liberal Party, the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC; The Nationals, the Hon Ben Franklin MLC; and Australian Labor Party, the Hon Rose Jackson MLC and the Hon Adam Searle MLC; seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.</p> <p>6. Alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.</p> <p>7. Affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities worse off.</p>	

*Lockhart Shire Council
Ordinary Meeting – 15 November 2021*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 20 September 2021			
174/21	GM	<p>Potential Property Acquisition for Community Development at The Rock</p> <p>Council authorises the General Manager to submit an offer for the purchase of Lot 2 Sec 17 DP758971 based on the independent valuation received by Council.</p>	Offer submitted.
168/21	GM	<p>LG NSW Annual Conference</p> <p>1. Appoint the Mayor as its voting delegate for the one-hour, online LGNSW Annual Conference to be held on 29 November 2021, and the LG NSW Board Election; and</p> <p>2. Refer the nomination of voting delegate and other conference attendees for the in-person LGNSW Special Conference to be held at the Hyatt Regency Sydney from 28 February to 2 March 2022 to the newly elected Council.</p>	<p>1. Mayor registered as voting delegate 22/09/2021. Complete.</p> <p>2. Report to be presented to January 2022 Council meeting.</p>
Ordinary Council Meeting held 16 August 2021			
148/21	GM	<p>Proposed “Tim Fischer Way”</p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>Correspondence has been forwarded to the Federation and Narrandera Councils, The Member for Wagga, Dr Joe McGirr MP and to Wes Fang MLC.</p> <p>Letter of support has been received from Narrandera Council. Awaiting response from Federation Council.</p>
145/21	GM	<p>Postponement of Local Government Elections & Council Meeting Schedule</p> <p>That:</p> <p>1. Council notes the revised timeline for the local government elections.</p> <p>2. A further report regarding Council's meeting schedule be tabled at the 15 November 2021 ordinary meeting of Council to consider passing a resolution to reschedule the December Council meeting to a date in early January 2022.</p> <p>3. A Councillor Workshop be convened prior to the October 2021 ordinary meeting of Council to consider potential projects for funding under Phase 3 of the Local Roads and Community Infrastructure grants program.</p>	<p>1. Complete</p> <p>2. Report to be tabled at the November ordinary meeting. (Refer agenda item 16) Complete.</p> <p>3. Workshop convened for 4.00pm on 18 October 2021. Complete.</p>

Lockhart Shire Council
Ordinary Meeting – 15 November 2021

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 June 2021			
101/21	DEES	<p>Lockhart Main Street Maintenance</p> <p>1. Council adopts a revised cleaning program for Lockhart town centre as follows:</p> <ul style="list-style-type: none"> a. installation of netting and application of Bird-X-Peller or similar products, subject to first obtaining permission of building owners b. ongoing maintenance of the netting and application of bird expelling products c. cleaning of the pavers with a mini sweeper each quarter d. quarterly program of motorised sweeping of gutters e. annual program of pressure washing/hand cleaning of area between vehicle stops and kerb <p>2. The 2021-22 Budget be revised to include the cost of the revised cleaning program at the time of the first Quarterly Budget Review (as at 30 September 2021) by which time the outcome of the review of the street sweeping contract with Greater Hume Council will be known.</p>	<p>1. Correspondence forwarded to building owners in Green Street Lockhart, between Matthews and Urana Street for response by 19 July 2021.</p> <p>Twenty-nine letters were sent, 19 responses were received, 15 would like netting, six do not.</p> <p>Currently procuring contractor to install netting.</p> <p>2. First Quarterly Budget Review to be tabled at the November 2021 Council meeting. No budget implications. Savings from street sweeper would be utilised for street sweeping and main street footpath cleaning. Complete.</p>
Ordinary Council Meeting held 19 April 2021			
63/21	GM	<p>Residential Development – Lockhart</p> <p>1) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report.</p> <p>2) That the cost of subdividing the land be funded from the Infrastructure Reserve with the proceeds of any land sales to be returned to the Reserve.</p>	<p>Development application has been lodged.</p>
Ordinary Council Meeting held 15 March 2021			
26/21	TEDO	<p>8a The Esplanade, Pleasant Hills: TEDO add The Esplanade on the project list for a longer-term solution and that the TEDO approach Council's Manager Parks and Facilities for any short-term solutions and request a meeting on site.</p>	<p>Onsite meeting held – project to be scoped, costs to be presented to November workshop.</p>
Ordinary Council Meeting held 15 February 2021			
22/21	GM	<p>Offer to Purchase Industrial Land</p> <p>Council authorises the General Manager to negotiate the sale of Lots 22, 23 and 24 Harry Davies Drive as outlined in the Report.</p>	<p>The completion of the DA process is awaited before progressing the negotiations.</p> <p>DA was submitted during week ending 3/09/21 and is currently being assessed.</p> <p>Refer separate report in the November Council meeting Business Paper (item 20).</p>

*Lockhart Shire Council
Ordinary Meeting – 15 November 2021*

Minute No:	Officer to Action	Council Resolution	Action Taken
12/21	GM	<p>Preparation of Plans of Management – Crown Reserves etc</p> <p>1) Council endorse the <i>Draft Lockhart Shire Council Plan of Management for Crown Land managed by Council and Council-owned land classified as ‘community’</i> for the purposes of community consultation.</p> <p>2) In the first instance, Council writes to the s.355 management committees and users groups drawing their attention to that part of the Plan of Management relevant to the reserve they manage/use and invite their feedback and input.</p> <p>3) Following consideration of any feedback received from the management committees and user groups and updating of the draft Plan of Management, the document be placed on public exhibition providing the broader community with the opportunity to comment.</p>	<p>1) Complete.</p> <p>2) Copies of the Draft Plan of Management have been forwarded to section 355 management committees and user bodies as well as to the Crown Lands Office. Complete.</p> <p>3) Pending. Crown Lands Office approval is required before Draft Plan of Management is placed on public exhibition.</p>
9/21	DCCS	<p>The Lockhart Recreation Ground Management Committee – Request for Financial Assistance</p> <p>Approve an interest-free loan to the Lockhart Recreation Ground Management Committee of up to \$70,000 with repayments being Year 1 \$4,200 and the remaining 14 years will be repayments of \$4,700 to support an application to Building Better Regions Fund – Infrastructure Projects Stream – Round Five.</p>	<p>This resolution will be actioned if the application to the Building Better Regions Fund – Infrastructure Projects Stream – Round Five is successful.</p> <p>The Lockhart Football Netball Club have been advised the grant application has been successful. A report will be provided at a future Council meeting.</p>
8/21	DCCS	<p>Lockhart Railway Building</p> <p>Council:</p> <p>a) Agrees to a vary the lease of the Lockhart Railway Station building to a nil rental and authorise the General Manager to execute the necessary documentation.</p> <p>b) Develop a scope of works to repair the old Railway Station Building with a report to Council at a future meeting.</p>	<p>a) Deed of Variation to the current lease agreement received 4/11/2021, executed and returned. Complete.</p> <p>b) Scope of works being developed. Stronger Communities Program Round 6 grant funding of approx. \$18,000 received to assist with works.</p>
6/21	DEES	<p>Recreational Vehicles (RV's) and Caravan Parking in Lockhart CBD</p> <p>Council to investigate and implement RV and Caravan Parking in locations in Green Street (Plan 3 and Plan 6 of the Lockhart Business Centre Master Plan) as well as Urana Street and Matthews Street, Lockhart, including an education program, as recommended by Council's Tourism and Economic Development Steering Committee.</p>	<p>Investigation completed. Dedicated RV parking locations in Green/Urana Street near museum completed.</p> <p>Dedicated RV parking near Shire Administration not supported (limited car parking, mobile library, NSW Government Mobile Services). Single parking space in Matthews Street supported. Implementation subject to funding. Referred to LRCI Phase 3 Workshop.</p>

Lockhart Shire Council
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Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 16 November 2020			
211/20	GM	<p>Grant Funding Opportunities</p> <p>1. Submit the following projects for funding under the Local Road and Community Infrastructure Program Phase 2:</p> <ul style="list-style-type: none"> - 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 <p>2. Progress the following projects, in priority order, to 'shovel ready' status using the funds allocated in the 2020/21 Budget for 'Grant Application Preparedness'.</p> <ul style="list-style-type: none"> - GrainCorp Building Development - Avenue of Honour - Government Dam, The Rock – Recycling Water - Brookong Creek Masterplan - Galore Hill Scenic Reserve Masterplan 	<p>1. Complete</p> <p>2. Development application for 109 Green Street Lockhart has been lodged.</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>Four REROC/RIVJO workshops have been held - a regional housing strategy has been developed. The Strategy has formed the basis of RivJO's submission to the NSW Government's Regional Housing Task Force.</p> <p>Representations have been made to the Member for Wagga Wagga.</p> <p>A Land Monitor project is being established.</p>
Ordinary Council Meeting held 21 September 2020			
174/20	TEDO	<p>September Minutes of the TEDSC</p> <p>ii) Make further inquiries to remedy signage issue at Noskes Chinese Crossing, consistent with current signage practices.</p>	<p>TEDO has placed this on TEDSC project list to further scope – including parking at the site.</p>
Ordinary Council Meeting held 20 July 2020			
133/20	DEES	<p>Naming of Bridges – Brookong Creek and Urana Lockhart Road</p> <p>1. Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge.</p> <p>2. Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gonyah Bridge, Brookong Creek.</p> <p>3. Write to Transport for NSW advising of the proposed names for the bridge on Urana Lockhart Road and the new culvert over Brookong Creek, Lockhart.</p>	<p>Written to TfNSW advising of the proposed bridge and culverts names.</p> <p>Received response from TfNSW requesting further information. Wrote to NSW Aboriginal Land Council re proposed names. DEES also contacted TfNSW liaison officer on several occasions.</p> <p>Last correspondence on 5/10/2021 26/10/2021.</p> <p>Awaiting response.</p>

*Lockhart Shire Council
Ordinary Meeting – 15 November 2021*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 20 April 2020			
70/20	GM	<p>Review of Operational Land</p> <p>Council adopts the following actions in relation to the review of land classified as “operational land”:</p> <ul style="list-style-type: none"> • Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land. 	<p>Contact has been made with the adjoining landowner and information provided regarding the Council owned land in anticipation of further discussions.</p> <p>The landowner is liaising with their solicitor.</p>
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>	<p>Update presented by Gordon Hinds of Better Energy Technology to the September 2021 Council meeting.</p>
Ordinary Council Meeting held 18 October 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Douglas: John Holland Rail</p> <p>Requested that Council contact John Holland Rail as the managers of the branch line to ask them to mow the rail corridor, as we come into the bush fire season.</p>	<p>Council's Compliance Officer requested that JHR mow the rail corridors within the townships. Mowing commenced on 5 November. Complete.</p>
	DEES	<p>Cr Rockliff: Drainage from Urana St into Brookong Creek</p> <p>Noted that this drain is becoming overgrown with debris building up and asked that it be cleaned out.</p>	<p>Complete.</p>
	DEES	<p>Cr Rockliff: Bridge on Green Street</p> <p>Noted that cumbungi and poplars are growing and becoming a bush fire concern.</p>	<p>Control of poplars as well as other environmental weeds scheduled for late summer.</p>
	DCCS	<p>Cr Rockliff: Magnolia Lodge</p> <p>Asked who has responsibility for maintenance at Magnolia Lodge as he has received enquiries from two residents regarding mowing, there are weeds and grass growing quite long.</p>	<p>Council owns units 7 to 9 and is responsible for the land on the eastern side of the access road. Respect now own and manage units 1 to 6.</p> <p>Council has provided Respect with cost estimates to mow the land Respect own.</p>

Lockhart Shire Council
Ordinary Meeting – 15 November 2021

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<p>Cr Marston: Sign, The Rock Recreation Ground</p> <p>Referred to an information sign at the recreation ground which has information on both sides but can only be read from the footpath because of access issues, asked if the sign could be relocated nearer to the playground to allow both sides to be viewed.</p>	Relocation to be programmed.
	DEES	<p>Cr Verdon: The Rock Flood Mitigation Stage 2</p> <p>Referred to the mitigation works being undertaken and asked if the flooding issue on the corner of Urana and Bretton Streets will be addressed at the same time. Cr Verdon also asked if a review of the effectiveness of Stage 1 could be undertaken as there is a great deal of water still coming down Lodge Road. (Cr Marston asked about the original proposal which was to undertake Emily Street/Lodge Road.)</p>	Proposed works should address flooding at Bretton/Urana Streets intersection. The current flood model will be reviewed once drainage works are completed. GHD review 2015 recommended not to include the Emily Street project as there is little benefit. Council undertook some works in early 2021 in Emily Street. Complete.
	DEES	<p>Cr Verdon: Yerong Street Level Crossing</p> <p>Asked if Council could approach RMS regarding a turning lane to allow proper stacking distance for B-doubles. He noted that although it is not a B-double route, many vehicles use it to access Emerald Grain.</p>	Previously raised with TfNSW. Wrote to TfNSW on 26 October requesting whether there has been any progress with this issue. Complete.
Ordinary Council Meeting held 16 August 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Walker: Doctors Surgery, The Rock</p> <p>Drew attention to the gravelled area at the front of the property and the very steep approach to the footpath. Cr Walker asked if the area could be sealed and also improve access, particularly for elderly clients. Cr Walker also mentioned that the car park adjacent to the building is full of potholes and, with the recent rain, currently a large puddle.</p>	Estimated cost to box the area out, gravel and seal it is \$10,560. To be funded from the Urban Roads budget.
	GM/ DEES	<p>Cr Walker: Sheep Pavilion, The Rock Showground</p> <p>Stated that action needs to be taken on this issue as soon as possible so that the matter can progress. Cr Walker noted that a vote was taken at The Rock Show Society's recent AGM with the decision that two bays be retained.</p>	The Rock Show Society AGM minutes not received despite repeated requests. Arrangements currently being made with contractor for demolition of the pavilion except for two bays, with signage as per compromise proposal. Contractor expected on-site on 17/11/2021 to disassemble all but two bays of the sheep pavilion.

Lockhart Shire Council
Ordinary Meeting – 15 November 2021

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 June 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Driscoll: Community Reflection Space Asked if it was possible the park across the road from The Rock Central School could be utilised as a place of quiet reflection for the town, particularly for those suffering the loss of loved ones due to suicide, which has had an impact on the community in recent years.	Park deemed appropriate for reflection space. Proponent to present proposal to Council for consideration. <i>Members of The Rock Progress have offered to attend a Council meeting to provide advice. – Mayor suggested next term of Council might be appropriate.</i>
Ordinary Council Meeting held 17 May 2021 – Councillor Questions & Statements			
Questions & Statements	TEDO	Cr Rockliff: Lockhart Caravan Park Advised it had been suggested to him that while upgrades are being undertaken at the Caravan Park could consideration be given to the installation of a permanent fixture notice board recommending places of interest across the shire i.e.: Tourist site/points of interest.	Refer to Minute No 180/21 (October 2021 TEDSC minutes) – caravan park signage to be included in list of locations. Complete.
Ordinary Council Meeting held 19 April 2021 – Councillor Questions & Statements			
Questions & Statements	GM/ DCCS	Cr Verdon – Opening of New Facilities Suggested that with all the newly completed projects perhaps Council should hold some official openings.	Proposed to liaise with relevant government departments (funding bodies) and section 355 committees regarding an appropriate ceremony(s).
Ordinary Council Meeting held 15 February 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Driscoll – Natural Gas Referred to the natural gas pipeline which runs just outside The Rock township. Mentioned previous investigations which found that connection of the town was unfeasible. Asked if investigations could take place to see if the recent growth of the town might make that connection viable, and that Council pursue any opportunities that may assist in making it a feasible project.	Contact has been made with APA (pipeline owner) and Gemena (responsible for connection). The current network is 4km out of The Rock, crossing The Rock Mangoplah Road. Both APA and Gemena indicated that they have no current plans to extend the line. However, further enquiries are being made with Gemena. The issue has also been identified for inclusion in an MoU with a tenderer for the Inland Rail project (refer separate report to Council).
Ordinary Council Meeting held 20 July 2020 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Driscoll – Childcare in the Shire Requested that Council investigate the childcare situation in the Shire and ascertain if there is a need that could be supported by any of The Rock OOSH surplus.	Council will contact both schools in Lockhart as a starting point for feedback on demand for before & after school care.

*Lockhart Shire Council
Ordinary Meeting – 15 November 2021*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 3 February 2020 – Councillor Questions & Statements			
Questions & Statements	DCCS	<p>Cr Marston – CCTV</p> <p>With regard to the enquiry made by Cr Rockliff regarding the possible installation of CCTV at Lockhart and The Rock Swimming Pool Complexes, Cr Marston requested that Council also include Recreation Grounds in the Shire in this consideration.</p>	<p>Quotes received, minimum of \$6,000 per site. Not included in draft Budget for 2020/21.</p> <p>Consultation to be undertaken with S355 management committees.</p> <p>Feedback received indicates s355 committees are receptive if funding is available.</p> <p>Referred to LRCI Phase 3 Workshop for consideration.</p>
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>Council has resolved to support a rezoning proposal that will facilitate a private residential development at The Rock.</p> <p>Rezoning Proposal PP01/22 has been supported by Council and submitted to DPIE in accordance with minute no. 166/21.</p>

November 2021 - Correspondence Sent to Councillors

Date sent to Councillors	From	Subject	File Ref
18/10/2021	ALGA	Fortnightly news dated 15/10/2021	
26/10/2021	LG NSW	Weekly news dated 26/10/2021	
27/10/2021	General Manager	Details of LRCI Phase 3 Grant Guidelines	
3/11/2021	ALGA/LG NSW	News bulletins dated 2/11 and 3/11 respectively.	
10/11/2021	LG NSW	Weekly news dated 9/11/2021	

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

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

5. PHASE 3 – LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANTS PROGRAM

(GM:21/14419)

Executive Summary

Council, at its meeting held on 18 October 2021 identified up to 10 projects to further investigate for funding under Phase 3 of the Local Roads and Community Infrastructure (LRCI) grants program and resolved that a second Councillor Workshop be convened on 15 November 2021 to progress the matter. Since that time the Grant Guidelines for the LRCI Program have been released.

Report

In accordance with the Council resolution passed on 18 October 2021 a Councillor Workshop is being convened at 4.00pm on Monday 15 November 2021 to give further consideration to projects to be nominated for funding under the LRCI grants program Phase 3.

Since the last meeting of Council at which a list of 10 projects were identified for potential funding under the LRCI Program, the Program Guidelines have been released. A review of the Guidelines has identified specific clauses that will require the initial list of 10 projects to be reviewed at the Workshop to be convened on 15 November 2021.

In particular, Council's attention is drawn to the following clauses in the Grant Guidelines:

- Phase 3 of the LRCI Program will open from 20 October 2021. At this time, Grant Agreements will be sent to Eligible Funding Recipients to be executed, and Project Nominations can be submitted to the Department.
- The First Instalment of the Phase 3 Nominal Funding Allocation will be paid after the Eligible Funding Recipient's Work Schedule has been approved, and not before 3 January 2022.
- From 3 January 2022, the construction time period commences, and eligible payments will be made from this time. Project construction can commence once Project Nominations are approved by the Department with projects required to be physically completed by 30 June 2023.
- As with the earlier Phases of the LRCI Program, Eligible Funding Recipients can select a broad range of projects to fund so that communities can continue to be provided with the infrastructure they require. It is expected that Eligible Funding Recipients will use local businesses and workforces to deliver projects wherever possible to ensure stimulus funding flows into local communities.
- Eligible Funding Recipients will receive a grant amount called a 'Nominal Funding Allocation'.
- Co-contributions are not required under the LRCI Program, but Eligible Funding Recipients may expend their own funds on Eligible Projects.
- If an Eligible Funding Recipient has not applied for the full amount of their Phase 3 Nominal Funding Allocation in a draft Work Schedule by 30 June 2022, or savings related to Eligible Projects have not been reallocated under an Eligible Funding Recipient's Phase 3 Nominal Funding Allocation before 30 June 2023, then the Australian Government has the right to not pay the amount of the Phase 3 Nominal Funding Allocation not applied for or reallocated by the Eligible Funding Recipient.
- Only Eligible Funding Recipients are able to participate in Phase 3 of the LRCI Program. Eligible Funding Recipients will receive a letter of offer to participate in Phase 3 of the LRCI Program.
- General applications by other organisations will not be accepted. Applications by Eligible Funding Recipients reasonably understood to be on behalf of, or for the benefit of another otherwise ineligible organisation, will not be accepted.
- Eligible Funding Recipients can nominate discrete later stages of projects that are already receiving funding under the LRCI Program. The Phase 3 nomination must be a new, separate and previously unfunded project stage.

Integrated Planning and Reporting Reference

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

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

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

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

Attachments

Nil.

Recommendation: That, as agreed at the Councillor Workshop held earlier in the day, Council prepare and submit Project Nominations forms and Work Schedules for the following projects for funding under Phase 3 of Local Roads and Community Infrastructure grants program:

[list to be inserted]

6. RIVERINA REGIONAL LIBRARY

(GM: 21/14500)

Executive Summary

The Wagga Wagga City Council (WWCC) resolved at its meeting held on 13 September 2021 not to continue its membership of the Riverina Regional Library (RRL) after the expiry of the current Deed of Agreement on 30 June 2022.

A draft 2022/23 RRL Budget has been prepared and presented to the RRL Advisory Committee showing the financial impact on the remaining member councils.

Report

The current Deed of Agreement between member councils of the RRL expires on 30 June 2022.

The WWCC has resolved not to continue its membership of the RRL after the expiry of the current Deed of Agreement on 30 June 2022 opting to provide library services in its local government area on a stand-alone basis.

The implications of the discontinuation of WWCC's membership of RRL were considered by a Working Party appointed at the Extraordinary Meeting of the RRL Advisory Committee held on 22 July 2021. The Working Party developed a number of financial models based on various scenarios which were presented to a meeting of the RRL Advisory Committee held on 4 November 2021.

The recommended model endorsed by the RRL Advisory Committee is based on increased contributions for all remaining member councils and a reduced organisation structure in order to remain financially viable. Under the proposed revised structure, no changes are proposed to the level of service provided by the mobile library to Lockhart Shire communities.

Based on the model endorsed by the RRL Advisory Committee Lockhart Shire Council's contribution to the RRL in 2022/23 will be \$128,575. This is an increase of \$5,652 compared to Council's current 2021/22 contribution of \$122,923.

Lockhart is the only RRL member council that does not have a branch library, relying solely on the RRL mobile library service.

There are still a number of processes and formalities that need to be completed before the proposed member contributions for 2022/23 are confirmed including the adoption of a 2022/23 budget for the RRL.

Integrated Planning and Reporting Reference

- A1 Facilitate and support programs and projects within the community to make them accessible to people with all abilities
- A1 Support cultural and sporting opportunities that respond to the needs of the community

Legislative Policy & Planning Implications

The current Deed of Agreement between member councils of the RRL expires on 30 June 2022. The next Deed of Agreement will commence on 1 July 2022.

Budget & Financial Aspects

Based on the financial model endorsed by the RRL Advisory Committee Council's membership contribution will increase by \$5,652 to \$128,575 in 2022/23.

Attachments

Nil.

Recommendation: That Council express its support for the funding model endorsed by the Riverina Regional Library Advisory Committee at its meeting held on 4 November 2021 and confirm its continued membership of Riverina Regional Library beyond the expiration of the current Deed of Agreement on 1 July 2022.

7. YERONG CREEK BOWLING CLUB – REQUEST FOR FINANCIAL ASSISTANCE

(GM: 21/14729)

Executive Summary

A request for financial assistance has been received from the Yerong Creek Bowling Club and is tabled for Council's consideration.

Report

The following request for financial assistance has been received from the Yerong Creek Bowling Club.

“Yerong Creek Bowling Club need to upgrade the ditch area of our bowling green and are asking the Lockhart Shire Council for financial assistance.

The rubber on the back of the ditch is very old and has gone hard and cracked and the concrete strip at the top is getting very rough, both are original parts of our green, so approx 60yrs old.

We are looking to put synthetic grass over it all, from the edge of the concrete, down where the rubber is and along the bottom, approx 1 metre wide x 150 mts around the green. I have attached two quotes for material delivered, two photos of the ditch now and two photos I took at The Rock as an indication of the finished job.

When completed it will make it safer as the concrete will be covered, the old rubber [which needs replacing anyway], will be gone and the bottom of the ditch [now sand] will look a lot better as 'grass'.

Thank you for your consideration”

The photographs referred to in the above letter from the Yerong Creek Bowling Club are shown below. The lower of the two quotes provided by the Club amounts to \$4,016 including GST.





Integrated Planning and Reporting Reference

- A1 Build capacity, capability and partnerships to encourage sustainable community groups and clubs.
- A1 Provide support and advice to community groups, clubs and volunteers.
- A1 Within financial means support and fund section 355 committees to manage and maintain council facilities.

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Council has allocated an amount of \$52,000 in the 2021/22 budget to accommodate requests for financial assistance and accordingly there is a sufficient amount in the budget to approve the request from the Yerong Creek Bowling Club.

Attachments

Nil.

Recommendation: That Council provide financial assistance in the amount of \$4,016 including GST to the Yerong Creek Bowling Club and that the contribution be funded from the 2021/22 budget allocation for Section 356 contributions.

8. LABOURER POSITION PARKS AND URBAN MAINTENANCE THE ROCK

(DEES: 21/14764)

Executive Summary

This report seeks Council's support to appoint an additional Parks and Urban Maintenance labourer at The Rock.

Background Information

Council's Parks and Urban Maintenance team currently consists of four employees in Lockhart and three employees at The Rock. The Lockhart Parks and Urban Maintenance team services the Lockhart, Osborne, Pleasant Hills villages while The Rock Parks & Urban Maintenance team services The Rock, Milbrulong, and Yerong Creek villages.

Council currently employs a contractor to clean amenities at The Rock and Stan Galvin Park, Yerong Creek. Feedback received from the community indicates that the service provided is not adequate. Council has been looking for some time to source a cleaning contractor, and they would preferably reside in either The Rock or Yerong Creek communities. This has now progressed to bringing this service back inhouse, and this will also enable Council to clean more often providing an improved level of service to these important facilities Council provides.

Council's waste facilities are identified as a key risk in Council's Risk Management Plan. Council currently employs one Waste Supervisor who manages all waste facilities and attend The Rock and Lockhart waste facilities. A part time employee attends the Yerong Creek and Pleasant Hills waste facilities. During periods when current waste employees are not available, employees from the Works team are utilised to attend waste facilities. This impacts civil works operations.

The Rock Parks and Urban Maintenance team's workload will also increase with the additional maintenance of the Tootool Park, Yerong Creek water tower gardens, new oval at The Rock and future extension of landscaping at the Avenue of Honour.

It is intended that the new Parks and Urban Maintenance labourer position be primarily responsible for cleaning of amenities at The Rock while also assisting with attending Council's waste facilities and providing additional support to The Rock Parks and Urban Maintenance team.

Legislative Policy and Planning Implications

Nil.

Integrated Planning and Reporting Reference

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

E3 Council responds collectively and responsively to community needs.

Budget and Financial Aspects

The cost savings from the previous contract cleaners will partly fund the position in providing an increased level of service to clean amenities at The Rock and Stan Galvin Park, Yerong Creek.

It is proposed the remaining cost of the Labourer position for 2021-22 be funded within the Quarterly Budget Review, with the intention to incorporate the full cost of this position in the budget for 2022-23.

Attachments

Nil.

Recommendation: That Council approves an additional Parks and Urban Maintenance labourer position.

9. LOCKHART RECREATION GROUND MANAGEMENT COMMITTEE – REQUEST FOR FINANCIAL ASSISTANCE

(GM: 21/14849)

Executive Summary

A request for financial assistance has been received from the Lockhart Recreation Ground Management Committee and is tabled for Council's consideration.

Report

The following request for financial assistance has been received from the Lockhart Recreation Ground Management Committee.

"I am writing on behalf of the Lockhart Recreation Ground Committee to discuss the possibility of some financial assistance from section 356 for the topdressing of the Lockhart Recreation Ground.

Throughout the season we have had some feedback from our main user body, Lockhart Football Netball Club outlining some issues with the playing surface that are exposing some safety issues.

The ground now requires topdressing and after careful discussions, inspections and consideration we have received a quote from Riverina Sporting Services, see attached totalling \$13,860 incl GST. We selected Riverina Sporting Services as they are one of very few organisations that use AFL approved topdressing sand.

Unfortunately if we proceed with the suggested maintenance of the playing surface, the full cost of the quote will reduce our ability to fund watering of the oval throughout the summer period. This will impact heavily on 3 of our "summer" user bodies, Little Athletics, Cricket and AFLW which will be devastating for these community groups.

The Lockhart Rec Ground has the capacity to pay 50% of the costs, is there a possibility Council may be able to assist with the remaining costs through their section 356 fund ?

Any consideration and assistance would be very much appreciated.”

Based on the above request the Lockhart Recreation Ground Management Committee is seeking financial assistance in the amount of \$6,930 including GST.

Integrated Planning and Reporting Reference

- A1 Build capacity, capability and partnerships to encourage sustainable community groups and clubs.
- A1 Provide support and advice to community groups, clubs and volunteers.
- A1 Within financial means support and fund section 355 committees to manage and maintain council facilities.

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Council has allocated an amount of \$52,000 in the 2021/22 budget to accommodate requests for financial assistance and accordingly there is a sufficient amount in the budget to approve the request from the Lockhart Recreation Ground Management Committee.

Attachments

Nil.

Recommendation: That Council provide financial assistance in the amount of \$6,930 including GST to the Lockhart Recreation Ground Management Committee and that the contribution be funded from the 2021/22 budget allocation for Section 356 contributions.

10. HIRE OF COUNCIL FACILITIES

(DCCS: 21/14932)

Executive Summary

It is proposed that a new fee for the hire of Council facilities is presented for Council's consideration.

Report

Council from time to time receive requests to hire Council facilities and that the fee be waived.

The facilities would be limited to the Lockhart Memorial Hall, Lockhart Railway Station and meeting rooms in Council's administration building. The usage of these premises is currently very low.

It is proposed that requests from not for profit groups and/or service organisations to waive the adopted fees or charges to hire any of the facilities named above, that a new fee of zero dollars be adopted and included Council's Fees and Charges for 2021-22.

The not for profit groups and/or service organisations request would need to demonstrate that they are providing a community benefit and that there would be no cover charge to attendees. Any requests to waive the hire fee would also be limited to those bookings of half a day or less.

This does not preclude any requests still being reported to Council, if deemed appropriate.

Integrated Planning and Reporting Reference

- A1 Build capacity, capability and partnerships to encourage sustainable community groups and clubs.
- A1 Provide support and advice to community groups, clubs and volunteers.
- A1 Within financial means support and fund section 355 committees to manage and maintain council facilities.

Legislative Policy & Planning Implications

Fees and Charges are required to be presented to Council for adoption after being placed on exhibition for 28 days under the Local Government Act 1993.

Budget & Financial Aspects

Budget impact would be minimal, as usage is already low and any foregone income would be insignificant to the budget.

Attachments

Nil.

Recommendation:

1. That Council approve a new fee of zero dollar value for the hire of facilities as listed in this report.
2. That the new fee be endorsed and placed on exhibition for 28 days.

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

Nil.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

11. PROJECT ENERGYCONNECT UPDATE

(GM:21/14427)

Executive Summary

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

Report

Transgrid has provided a further update in relation to Project EnergyConnect which is summarised below for Council's information.

Landholder Engagement

Transgrid is continuing to work with landholders in the Local Government Area (LGA) on a range of issues, including easement compensation and ongoing design work associated with potential transmission tower placement and design.

On matters of design, Transgrid has been working with landholders regarding the proposed mix of transmission structures, including some designs involving the use of structures supported by guy wires.

This consultation is ongoing and focussed on identifying and resolving on-property issues, including matters related to land use impact and safety in construction and operation.

Separately, Transgrid is holding community engagement activities across the project area in November, with public notifications in local media. Within Lockhart Shire a drop-in community information session will be held at the Lockhart Memorial Hall on 18 November from 9am to midday.

Community Partnerships

The most recent round of Transgrid's Community Partnerships Program closed on 7 November 2021. The Program was advertised publicly to encourage community or not-for-profit groups within the LGA to make an application.

Preparatory Works

Transgrid's contractor, SecureEnergy JV, is expecting to commence early works in mid to late November at various locations between Buronga and Wagga Wagga, including areas within Lockhart Shire. These works are expected to be completed in the first quarter of 2022.

During these early works, nearby residents and businesses can expect very little disruption, with most works being undertaken on private property.

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

Early works will commence with the following activities:

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

SecureEnergy's early works teams, and their associated subcontractors, will be following all NSW Health Covid guidelines. Transgrid advises that the continued health of regional communities is important to both Transgrid and the SecureEnergy JV and its subcontractors.

As a precaution SecureEnergy's team (expected to be 12 people maximum at peak) will undertake Covid testing no less than seven days prior to mobilisation and then again every seven days or less thereafter.

If any member of the team tests positive they will follow the direction of NSW Health. If close or casual contact occurs, they will follow NSW Health advice regarding testing and isolation.

Integrated Planning and Reporting Reference

C1 Ensure responsible development practices are exercised.

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Nil.

Attachments

Nil.

Recommendation: That the information be noted.

12. STATE OF THE ENVIRONMENT REPORT

(DEES: 21/14545)

Executive Summary

The Lockhart Shire Council State of Environment (SoE) Report is presented to Council for adoption. The SoE report responds to the environmental goals in Council's Community Strategic Plan.

Background Information

A SoE Report is an important management tool which aims to provide the community and local council with information on the condition of the environment in the local area to assist with decision making.

Changes to the NSW legislation means that councils are no longer required to produce SoE reports each year, but only once every four years, in the year of a Council election.

Section 406 of the *Local Government Act 1993* allows for the Departmental Chief Executive to establish integrated planning and reporting guidelines and councils must ensure that the requirements of the guidelines are complied with.

According to Section 6.5 of the 'Integrated Planning and Reporting Manual for local government in NSW' the content and format of SoE reports is up to councils but the minimum requirement is to measure and report on the progress of the environmental goals in Council's Community Strategic Plan.

The Lockhart Shire Community Strategic Plan 2017-2027 includes the following environmental objectives:

C: AN ENVIRONMENT THAT IS RESPECTED AND PROTECTED

C1. Our environmental practices are sustainable.

C2. Flora and fauna are protected across the Shire.

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

Legislative Policy and Planning Implications

Section 406 of the *Local Government Act 1993* allows for the Departmental Chief Executive to establish integrated planning and reporting guidelines and councils must ensure that the requirements of the guidelines are complied with.

Integrated Planning and Reporting Reference

C1 Our environmental practices are sustainable.

C2 Flora and fauna are protected across the Shire.

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

Budget and Financial Aspects

There are no budget implications.

Attachment

- Lockhart Shire Council State of the Environment Report – provided separately.

Recommendation: That Council adopts the Lockhart Shire Council State of the Environment Report as attached.

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

13. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT

(DEES: 21/14857)

Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

a) **Works:**

Wattles Road/Tinamba Lane: Final seal completed. TfNSW approved final intersection designs. Construction of the intersection at Lockhart-Collingullie Road is complete and construction of the Lockhart Kywong Road intersection has commenced.

Prichard Place: Extension of existing sealed section by 400 metres. The design is complete and currently with Transport for NSW for approval.

Lockhart Kywong Road (MR370) North: The section starts at 1.25km North of Slocums Lane and ends short of Seberys Lane. The design is complete and currently with Transport for NSW for approval.

Lockhart Kywong Road (MR370) North: The section starts at 170m North of Spanish Avenue and ends 520m South of Boree Creek Road. Council successfully secured funding through the Regional Roads Repair Program to upgrade this section of road. The design is complete and currently with Transport for NSW for approval.

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

Grading and minor gravelling of unsealed roads: Completed grading of Broughtons Lane, Schultz Lane, Haberechts Maffra Lane, Fargunyah Lane, Dunlevys Lane, and Slocums Lane.

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

b) **Major Projects:**

Flood Mitigation Construction: Excel Gray Bruni has been appointed to undertake the flood mitigation works at The Rock, being the drainage works along Nicholas, Yerong and Urana Streets. Letters were posted to properties directly impacted. Contractor has established on site. Site set out and the relocation of services are complete. Construction commenced.

Lockhart Caravan Park: Construction is mostly completed with only the disabled toilet and laundry to be constructed and some minor works to be completed. Modus advised that production of the new disabled toilet was delayed. However, construction commenced on 10 November. The caravan park opened on Saturday 11 September. Council is in the process of procuring an on-line booking system for the caravan park.

c) **Road Safety:**

A part-time Road Safety Officer position is being advertised. Applications close on Monday, 15 November.

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

The last meeting of the Lockhart LEMC was held on Friday 10 September 2021. The next LEMC meeting is scheduled for Friday 10 December 2021.

e) **Fleet:**

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

f) **Compliance:**

Letters were sent to property owners for overgrown properties at Lockhart, The Rock, Yerong Creek and Pleasant Hills. Half of the properties have been slashed and cleared to date.

g) **Biosecurity and Environment:**

Property Inspections

Inspections were carried out on residential, agricultural, and commercial properties, which were selected due a change in ownership.

The weeds most found were St John's wort (*Hypericum perforatum*), Prickly pear (*Opuntia sp.*), Privet (*Ligustrum sp.*), Horehound (*Marrubium vulgare*), Asparagus weeds (*Asparagus sp.*), Bridal creeper (*Asparagus asparagoides*), Green cestrum (*Cestrum parqui*), Blackberry (*Rubus fruticosus sp. aggregate*), Giant reed (*Arundo donax*), and Wild radish (*Raphanus raphanistrum*).

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
42	18	0	0	0	0	0

Control Program

Priority has been given to the control of Horehound (*Marrubium vulgare*) and Bridal creeper (*Asparagus asparagoides*), African boxthorn (*Lycium ferocissimum*), St John's wort (*Hypericum perforatum*), and Wild radish (*Raphanus raphanistrum*) on roadside reserves and council managed land.

Common White Snail Baiting Program

Snail baiting application occurred on Fairview Lane on 25 October.

h) **Parks and Gardens:**

Pools

Swim season commenced and both pools are open. Lockhart and The Rock parks and Facilities teams worked diligently to ensure the grounds and gardens of both pools were immaculate before handing them over to our contractors for the season.

Yerong Creek Water Tower

Landscaping around the base of the tower is almost completed. The bulk of the planting was done with the assistance of local volunteers. The plants will be hand watered to aid their establishment over their first summer. All the paths have been constructed. The last of the planting and mulching is scheduled as resourcing allows.

Parks and Gardens

Routine garden maintenance is being conducted including regular weeding, spraying, pruning, deadheading, and mulching. Irrigation systems are being maintained and times adjusted for the spring growth season.

Weed Control

Weed control by mechanical and chemical methods are undertaken regularly in urban areas. Pesticides commonly used are Glyphosate and Dicamba. Signage is placed at property entrance when spraying is in progress. Freehand herbicide is trialed to test its ability to suppress the germination of khaki weed and Caltrop (bindi, cathead) seed. The active ingredient dimethenamid-P combined with pendimethalin in Freehand can be used in ornamental landscapes for pre-emergent weed control of annual grasses, susceptible sedge species and many small-seeded broadleaf weeds. It controls over 60 common weeds. If the trial is successful application will be extended to other known problem areas.

Mowing and Slashing

The Spring mowing schedule is in full swing after recent rain events and warmer temperatures have accelerated growth rates. Access to some urban road reserves has been hindered by wet

drainage areas. As growth rates increase, mowing of irrigated lawns returned to a fortnightly schedule. Some areas, including The Rock and Lockhart recreation grounds, require weekly maintenance.

Trees

Grinding of stumps from previously removed trees has been conducted this month. Watering of trees planted in the last two years will be conducted as temperatures increase.

Lockhart Shire's Street Tree Policy 2.44 states 'Council is responsible for the planting and maintenance of street trees, including the selection of species, regular health and safety checks, pruning, and removal and replanting requirements.

Issues presented to residents regarding street trees, including species selection, maintenance and/or removal should be made in writing and addressed to the General Manager. Such issues will be resolved based on financial and time restraints.

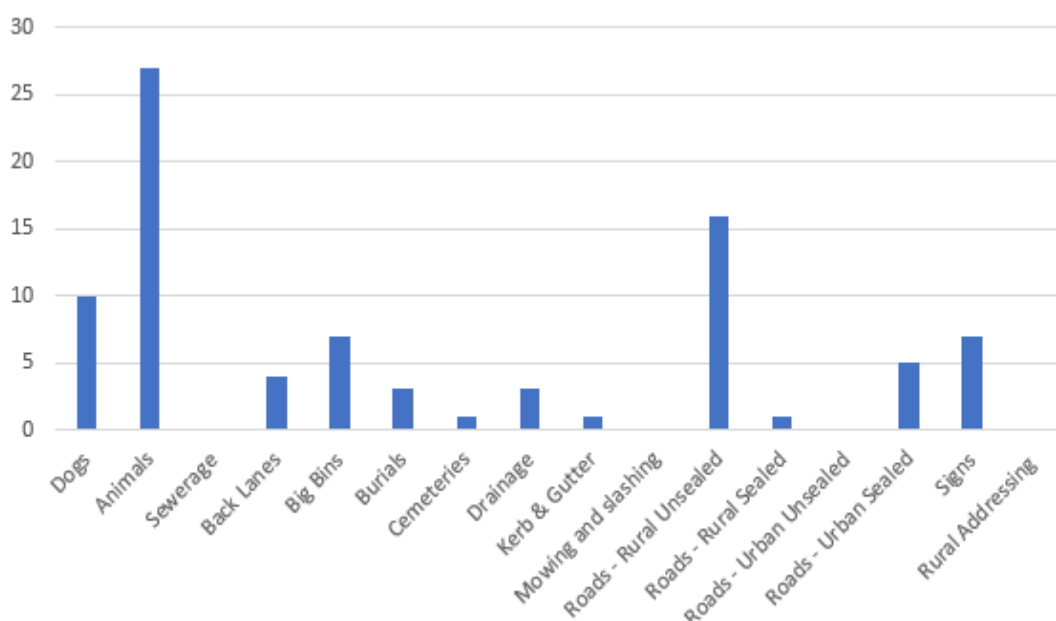
- i) **Development Applications:** The following development applications were approved, with conditions, from 1 October 2021 to 31 October 2021.

DA No	Development	Applicant	Site of Development
CDC15/22	Swimming Pool	T Flood	386 Bulloc Hill Road, The Rock
DA21/22	Shed	E Annetts	8 Macconochie Street, Yerong Creek
CDC22/22	Swimming Pool	R Collins	15 King Street, The Rock
DA25/22	Alteration & addition to existing dwelling	B Whiteley	9B Milne Road, The Rock
CDC26/22	Swimming Pool	J Vennell	3034 Lockhart The Rock Road, Tootool
DA28/22	Demolition of buildings	M Davies	52 Barton Street, Lockhart

It was requested at the Ordinary Council Meeting held on 21 June 2021 that Councillors be updated on the progress of the service station at The Rock on a regular basis. The service station is still under assessment with additional information provided by the applicant on 7 July 2021 referred to Transport for NSW for consideration.

- j) **Customer requests:**

More than 40% of all customer requests in the period 1 July 2021 to 30 September 2021 were for stray or barking dogs and trapped or feral cats. Approximately 19% of customer requests received during the same period were requests for works on unsealed roads.



Legislative Policy and Planning Implications

Applications are processed under the provisions of the *Environmental Planning & Assessment Act 1979*. Weed inspections and associated activities are carried out in accordance the *Biosecurity Act 2015* and associated regulations.

Integrated Planning and Reporting Reference

- C2 Flora and Fauna are protected across the Shire.
- D1 Our assets and infrastructure are well planned and managed to meet the needs of the community now and into the future.
- D2 Our Planning and development controls work to attract new residents and investment.

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

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

Recommendation: That Council notes the information provided in the Engineering and Environmental Services report.

STRATEGIC DIRECTION E: Strong Leadership and Governance

14. INVESTMENT AND BANK BALANCES REPORT – 31 OCTOBER 2021

(DCCS: 21/14749)

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		1,229,278.45
Add: Total Receipts		
Rates	213,304.57	
Debtors	7,587.83	
Miscellaneous	37,218.21	
Interest	433.68	
Apprenticeship Incentives	16,120.57	
Library Subsidy	66,305.00	
Restart NSW - Upgrade Urana Lockhart Rd	279,347.48	
		620,317.34
Less: Total Payments		785,682.20
New Investments	0	
Closing Combined Cashbook Balance		<u>1,063,913.59</u>
Closing Bank Statement Balance		
Bendigo Bank		304,597.50
Macquarie Bank		715,764.56
Bendigo Bank-Prichard Trust		31,655.83
		1,052,017.89
Add: Outstanding Deposits		13,411.06
		1,065,428.95
Less: Outstanding Cheques		1,515.36
Closing Combined Cashbook Balance		<u>1,063,913.59</u>
Investments:	Interest Rate per Annum	Amount Invested
Bendigo	0.30	500,000.00
Bendigo	0.30	500,000.00
Bendigo	0.30	400,000.00
Bendigo	0.10	50,000.00
Bendigo	0.10	50,000.00
Bendigo	at call	100,000.00
CBT	0.22	250,000.00
CBT	0.24	500,000.00
CBT	0.20	500,000.00
CBT	0.26	500,000.00
NAB	0.27	500,000.00
NAB	0.30	500,000.00
NAB 231101546	0.25	500,000.00
T Corp	at call	1,000,000.00
		5,850,000.00
		AMOUNT
General (PTD)	1490-3000-0000	-1,232,024.79
Combined Sewerage	8490-3000-0000	2,264,282.55
Trust Fund	9991-3000-0000	31,655.83
		1,063,913.59
		1,063,913.59
TOTAL FUNDS HELD ARE:		<u>6,913,913.59</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 2021/22 Operational Budget has forecast a total of \$33,750 income from interest on investments for General Fund & Sewer Fund combined. For the period of July to Oct 2021, the average end of month balance of funds invested has been \$6.24 million and the average return on invested funds has been 0.24%. On these year to date figures, Council's budgeted income on investments will be under budget for the General Fund and Sewer Fund.

The interest on investments has been adjusted for the 1st Quarterly Budget Review to reflect reduction in income from this source.

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 October 2021 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

15. QUARTERLY BUDGET REVIEW – SEPTEMBER 2021

(DCCS: 21/14810)

Executive Summary

In accordance with the Local Government Act, 1993, a review of Council's Budget position as at 30 September 2021 has been undertaken and the following is submitted for Councillors consideration.

Report

General Fund

When Council adopted the 2021-2022 Operational Plan Budget in June 2021 Council budgeted for a surplus of **\$8,420.00**. The Budget Review at 30 September 2021 indicated an estimated **SURPLUS of \$89,423.00** as at 30 June 2022 after taking into account movements in revenue and expenditure for the first quarter.

Financial Assistance Grant (FAGS): the current FAGS allocation for 2021-22 available online as provided by the Australian Government, provide an additional \$163,261 in General Purpose FAGS and an additional \$72,292 in Local Roads FAGS, an overall total of \$235,553 more than Council's adopted budget.

Carry Forwards: these are expenditure items budgeted for in 2020-21, which were not expended in 2020-21 and still require to be expended that are not included in the 2021-22 budget.

- Tourism & Economic Development Budget \$ 22,947

The total unspent expenditure to be carried forward is \$22,947 to be funded from Reserves.

Adjustments of note in the first Quarterly Review Budget:

Reduction in income general ledger:

- 1040-1231-0000 Interest on Investment \$ 16,000
- 5540-1150-0000 Caravan Park – Rent \$ 30,000

Increase in income general ledger:

- Env Services - Building Inspection Fees \$ 20,000

Increases in expenditure general ledgers:

- 1020-2220-0000 Consultants \$ 25,000
- 3680-2000-0000 Parks & Facilities – Salaries \$ 25,000

Insurance

The budget allocations to cover all insurance has increased, mainly in the areas of professional indemnity, S355 facilities and Council properties. Also, depot insurance costs have been moved to the

administration insurance general ledger in order to keep insurance costs separate and easier to identify when reporting to the Office of Local Government.

Depreciation

Council's depreciation for most asset classes for this budget review has been amended as a result of the final depreciation amounts as per Council's draft Audited Statements for 2020-21.

The nett amendment being an increase of \$783,000 for all asset classes adjusted. While depreciation is a non-cash transaction, the total depreciation impacts of some Local Government specific industry sustainability ratios.

Fees and Charges

Sewer onsite Inspection Fee: in the Fees and Charges for 2021-22 as adopted by Council at its Council meeting dated, 21 June 2021, the Sewer Onsite Inspection Fee was incorrectly displayed as \$200, and the intended fee should have been \$120.

Companion Animal Fees for 2021/22: at the time Council's Fees and Charges 2021-22 were adopted the new Companion Animal Statutory fees had not been published. The new and changing fees are provided by the Office of Local Government Circular to Councils 21-15 dated 30 June 2021 as an attachment to this report.

Voluntary Purchase Scheme

The NSW Office of Environment and Heritage advised on 16 September 2021 that funding is available under the Voluntary Purchase scheme to purchase and demolish two (2) more properties in Lockhart.

Council resolved at its Council meeting held on 18 October 2021, to fund Council's contribution of \$68,571.43. This has been included in the September Quarterly Budget Review and it is proposed that it be funded within the current budget allocations.

•	2020-1411-0000	Voluntary Purchase Grant	\$ 411,429
•	2020-2340-0000	Voluntary Purchase Expenses	<u>\$ 480,000</u>
			\$ 68,571

Labourer Position Parks and Urban Maintenance, The Rock

There is a separate report, Item 7, in this agenda for an additional Parks and Urban Maintenance labourer at The Rock. For the remainder of the 2021-22 financial year budget, it is proposed the position be funded from the cost savings resulting from discontinuing the previous contract cleaners, and budget surplus from this Quarterly Budget Review.

Magnolia Lodge

With the handover of Magnolia Lodge units 1 to 6 officially occurring on 1 July 2021, and in preparation for the 2021-22 budget there was an oversight in that the 3 remaining units owned by Council were not included in the 2021-22 budget.

This is being rectified by inclusion in the September 2021 Quarterly Budget Review. With the nett effect on the budget being a deficit of \$794.

Sewer Fund

When Council adopted the 2021-2022 Operational Plan Budget in June 2021 Council budgeted for a surplus of \$10,206.00 for the Sewer fund operations. For the Budget Review at 30 September 2021 there were some minor budget adjustments resulting in an estimated **SURPLUS of \$2,795.00** as at 30 June 2022 after taking into account movements in revenue and expenditure for the first quarter.

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.

Legislative Policy & Planning Implications

Clause 203 (1) of the Local Government (General) Regulation states that "not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.

Budget & Financial Aspects

Fund	Adopted Budget @ 1 July 2021	Amendments @ 30 Sept 2021	Revised Estimates @ 30 June 2022
General Fund- Net of Inc & Exp and Capital Budget	\$ 8,420.00	\$ 80,503.00	\$ 88,923.00
Sewerage Fund	\$ 10,206.00	(\$7,411.00)	\$ 2,795.00
Net Consolidated Budget Surplus/(Deficit)	\$ 18,626.00	\$ 73,092.00	\$ 91,718.00

Attachments

1. Quarterly Budget Review Statement for the period 01/07/21 to 30/09/21 will be provided under separate cover.
2. Office of Local Government Circular to Councils 21-15 A779149

Recommendation: That:

- a) The information be noted, and
- b) The adjustments in income, expenditure and reserves in the September 2021 Quarterly Budget Review be adopted, and
- c) The carried forward as reported to be funded from Reserves be adopted, and
- d) The Sewer Onsite Inspection Fee of \$120 be adopted and amended in Council's Fees & Charges 2021-22, and
- e) The statutory Companion Animal Fees for 2021-22 as reported be noted.

[Next Report](#)

Item 15 – Attachment 2: Office of Local Government Circular 21-15 A779149



Office of
Local Government

Circular to Councils

Circular Details	21-15 / 30 June 2021 / A779149
Previous Circular	20-27 / 13-54
Who should read this	Councillors / General Managers / Council finance staff / Companion Animal Enforcement and Administration Officers
Contact	Program Delivery Team – (02) 4428 4100 or 1300 134 460 pets@olg.nsw.gov.au
Action required	Council to Implement

Introduction of free lifetime registration for rescued pets and increases to companion animal fees for 2021/22

What's new or changing

- From 1 July 2021, the NSW Government is introducing free lifetime registration for people who adopt a rescue pet from council pounds and animal shelters, and rehoming organisations.
- All registration and annual permit fees have been adjusted for 2021/22.
- The 2021-22 registration and permit fees effective from 1 July 2021 are prescribed below:

Registration Category	New fee amount
Dog – Desexed (by relevant age)	\$66
Dog – Desexed (by relevant age eligible pensioner)	\$27
Dog – Desexed (sold by pound/shelter)	\$0
Dog – Not Desexed or Desexed (after relevant age)	\$224
Dog – Not Desexed (not recommended)	\$66
Dog – Not Desexed (recognised breeder)	\$66
Dog – Working	\$0
Dog – Service of the State	\$0
Assistance Animal	\$0
Cat – Desexed or Not Desexed	\$56
Cat – Eligible Pensioner	\$27
Cat – Desexed (sold by pound/shelter)	\$0
Cat – Not Desexed (not recommended)	\$56
Cat – Not Desexed (recognised breeder)	\$56
Registration late fee	\$18
Annual permit category	New fee amount
Cat not desexed by four months of age	\$81
Dangerous dog	\$197
Restricted dog	\$197
Permit late fee	\$18

Strengthening local government

- Councils must continue to register eligible pound/shelter animals through the NSW Companion Animals Register. Free registration for these animals does not mean that registration is not required. The established process of 'flagging' an animal as being purchased from an eligible pound/shelter is required to validate a free registration.
- When processing a registration for an eligible pensioner whose pet has been recommended by a vet to not undergo desexing (either temporarily or permanently), select the new "not desexed (not recommended – pensioner)" category. This will allow the eligible pensioner to claim the discounted registration.

Key points

- The *Companion Animals Regulation 2018* has been amended so that
 - cl.18(2)(a) sets the baseline registration fee for a dog at \$66; and
 - cl.18(2)(c) has been removed and replaced by a new clause under section 18(4) to prescribe that no registration fee is payable for a companion animal that is desexed and sold to the owner by a rehoming organisation.
- Clause 18(2)(b) is unchanged in that the registration fee for a cat would remain at \$10 less than the registration fee for a dog (\$56). However, to avoid doubt, a new clause prescribed as 18(6C) sets out the registration fee for a dog and cat at \$66 and \$56. The amounts include the CPI adjustment.
- The regulation amendments override the registration fee for a dog notified in the [Companion Animals \(Adjustable Fee Amounts\) Notice 2021](#) that was gazetted on 3 June 2021.
- The CPI adjusted registration fee for pensioners, the additional fee for a non-desexed dog, late fee and permit fees remain as per the notice (as outlined in the table above).
- The Companion Animals Register will be modified to allow councils to apply the new lifetime registration and permit fees from 1 July 2021, including the use of the existing pound/shelter registration categories that will now have a \$0 fee.
- The NSW Pet Registry will be updated to include the new fees for online registration and permit payments made by pet owners from 1 July 2021.
- Both the old and new fee structures will be maintained on the Companion Animals Register to allow councils to correct registration details for existing records and catch up on data entry backlogs (i.e. where fees have been received before 1 July 2021 but not entered on the Register).
- As advised in [Circular to Councils 21-03](#), the annual permit fee (cats) or the additional registration fee (dogs) does not apply if the new owner purchases the animal from a pound/shelter/approved rehoming organisation. A late fee also cannot be applied.

Where to go for further information

- A list of registration categories, current fees and the new fees for 2021/22 is provided on the Office of Local Government's (OLG) website at www.olg.nsw.gov.au/public/dogs-cats/nsw-pet-registry/microchipping-and-registration.
- Information relating to the processing of registration fees is available in *Companion Animals Guideline 1 – Registration Agents*, available on OLG's website at www.olg.nsw.gov.au/councils/responsible-pet-ownership/nsw-pet-registry/the-cat-and-dog-register.



Kiersten Fishburn
Coordinator General
Planning Delivery and Local Government

16. AUDITED FINANCIAL STATEMENTS – 2020/2021

(DCCS: 21/14917)

Executive Summary

The purpose of this report is to address the requirement for Council and Management to make a statement as to the preparation and content of the General Purpose and Special Purpose Financial Statements for the 2020-21 financial year.

Report

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

The Act also requires Council to resolve prior to submission to the external auditor that the accounts have been prepared in accordance with the Act and the Australian Accounting Standards to fairly represent Council's financial position. Senior staff are also required to certify the accounts to this effect. General Purpose Financial Statements and Special Purpose Financial Statements are to be signed by Councillors and Management after being adopted at the Council meeting to be held on 15 November 2021.

This report is to present updated financial statements to those provided to Council at the 18 October 2021 meeting. During the audit process, if there are any amendments required that are deemed material, it is a requirement that the financial statements be re-presented to Council for adoption and signing.

The Local Government Code of Accounting Practice and Financial Reporting and AASB 137 Provisions, Contingent Liabilities and Contingent Assets requires Councils to make an assessment for a provision for the future revegetation and rehabilitation of gravel pits and waste management sites.

In Council's assessment of its obligations to rehabilitate gravel pits and waste management sites, it has been concluded that Council's obligation to rehabilitate gravel pits is currently not material and no provision is required for the 2020-21 financial statements. However, Council's assessment of its obligation to rehabilitate its tips has been considered material and therefore a provision has been recorded. The amended statements incorporating the provision are re-presented to Council.

Integrated Planning and Reporting Reference

E1 Continue to develop sound financial management policies and practices.

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

Legislative Policy & Planning Implications

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

Section 418 of the Local Government Act states that:

- 1) *“As soon as practicable after a council receives a copy of the auditor's reports--*
 - a) *it must fix a date for the meeting at which it proposes to present its audited financial reports, together with the auditor's reports, to the public, and*
 - b) *it must give public notice of the date so fixed.*
- 2) *The date fixed for the meeting must be at least 7 days after the date on which the notice is given, but not more than 5 weeks after the auditor's reports are given to the council.”*

In order to comply with Section 418 (2) the Audited Financial Statements will need to be presented to the first meeting of the newly elected Council to be held on 10 January 2022.

Budget & Financial Aspects

Reporting on Council's financial performance for the 2020-2021 financial year.

Attachments

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

1. Statement by Councillors and Management – General Purpose Statements.
2. Statement by Councillors and Management – Special Purpose Statements.
3. Schedule of restricted funds by Council as at 30 June 2021.

4. Draft General Purpose and Special Purpose Financial Statements:
 - a) Income Statements
 - b) Balance Sheet/Financial Position
 - c) Cash Flow.

Recommendation: That Council:

1. Certify in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.
2. Give public notice via its website that the Audited Financial Statements will be presented to the Council meeting to be held on 10 January 2022.

**17. REMOVAL OF HEAVY VEHICLE ROUTE – GREEN STREET AND URANA STREET LOCKHART
(DEES: 21/14543)**

Executive Summary

This report seeks Council support to apply to the National Heavy Vehicle Regulator (NHVR) to have Green Street and Urana Street removed from the road network for all heavy vehicle classes.

Background Information

A report presented by the Director Engineering and Environmental Service at the ordinary monthly meeting of the Lockhart Shire Council on 18 June 2018 proposed that *“Consideration should be given to un-gazetting Urana Street, Lockhart once a suitable heavy vehicle bypass is constructed at Lockhart.”*

A heavy vehicle permit is required to travel on a road outside the approved heavy vehicle network. The NHVR processes all heavy vehicle permit applications for travel within and between the Australian Capital Territory, New South Wales, Queensland, South Australia, Tasmania, and Victoria through the NHVR Portal. NHVR will request the road manager to consider the route to be included as a route approved.

Since the completion of the heavy vehicle bypass along Spanish Avenue and Flood Detour Road, Council has not approved any NHVR applications for the use of Green Street and Urana Street, Lockhart unless they have an origin/destination on these roads. However, several heavy vehicles continue to use Green Street and Urana Street, mainly because of permits issued prior to 2020. To reduce the use of Green Street and Urana Street by any class of heavy vehicle will require removing the routes from the network or applying additional conditions to these routes. Removal of access is subject to a 28-day consultation period following the change being published in the Government Gazette (this consultation is managed by the NHVR). The removal of the routes come into effect when the relevant maps are updated.

The use of Green Street and Urana Street by heavy vehicles causes several amenity, safety, and infrastructure issues. Both Green Street and Urana Street traverses residential, recreation, education, and commercial land uses with high pedestrian activity.

Council will also complete the Wattles Road/Tinamba Lane heavy vehicle bypass in the current calendar year. This will provide two route options for heavy vehicles to bypass the Lockhart township.

Legislative Policy and Planning Implications

Heavy Vehicle National Law Sections 119 & 142 & MDL Regulation Section 15

Integrated Planning and Reporting Reference

E3 Council responds collectively and responsibly to community needs.

Budget and Financial Aspects

There are no financial implications.

Attachment

- NHVR Classes of Heavy Vehicles

Recommendation: That Council supports an application to the National Heavy Vehicle Regular to remove Green Street and Urana Street, Lockhart for all heavy vehicle classes.

Item 17 – Attachment: NHVR Classes of Heavy Vehicles



National Heavy Vehicle Regulator
Classes of Heavy Vehicles
in the Heavy Vehicle National Law

Disclaimer: The Heavy Vehicle National Law (HVNL) provides for three classes of heavy vehicle as a means of managing access for different types of heavy vehicles. This chart shows some of the most common heavy vehicle combinations that are part of each vehicle class as defined in the Heavy Vehicle National Law (HVNL). It is not a comprehensive representation of the entire Australian heavy vehicle fleet. Other heavy vehicle configurations are used which are not represented. This fact sheet illustrates some common examples from the three different classes of heavy vehicles and is provided for guidance only. Definitions listed within the chart can be found under relevant sections in the Heavy Vehicle National Law (HVNL). For further information, contact the NHVR at 1300 MYNHVR (1300 696 467) or info@nhvr.gov.au or www.nhvr.gov.au/contact-us

Class 1 Heavy Vehicles (examples for illustration purposes)		February 2019
Special Purpose Vehicle (SPV)		Oversize Overmass Vehicles (OSOM)
1	All Terrain Crane	15 Prime Mover and Low Loader (Gooseneck)
2	All Terrain Crane with Dolly	16 Prime Mover and Low Loader with Dolly (Gooseneck)
3	Pick and Carry Crane	17 Prime Mover and Platform Trailer (Gooseneck)
4	Truck Mounted Crane	18 Prime Mover and Extendable Trailer
5	Truck Mounted Drill Rig	19 Block Truck towing Drawn Platform
6	Truck Mounted Concrete Pump	20 Two Block Trucks towing Drawn Platform with Push Block Truck
7	Prime Mover Towing Drill Rig Trailer	
8	Grader	HVNL Definitions
9	Firetruck	HVNL s116 (1) (1) A heavy vehicle is a class 1 heavy vehicle if it, together with its load, does not comply with a prescribed mass requirement or prescribed dimension requirement applying to it, and— (a) it is a special purpose vehicle; or (b) it is an agricultural vehicle other than an agricultural trailer, or a Note—See subsection (2) for agricultural trailers. (c) it— (i) is a heavy vehicle carrying, or designed for the purpose of carrying, a large indivisible item, including, for example, a combination including a low loader, but (ii) is not a road train or B-double, or carrying a freight container designed for multi-modal transport. (2) An agricultural trailer is a class 1 heavy vehicle, irrespective of whether it, together with its load, does or does not comply with a prescribed mass requirement or prescribed dimension requirement applying to it. NHVR Notes: Not all SPV's and agricultural vehicles are Class 1 heavy vehicles. SPV's and agricultural vehicles (except agricultural trailers) which comply with prescribed mass and dimension requirements are general access vehicles.
Agricultural Vehicles (including implements and trailers)		HVNL s116 (4) Special purpose vehicle means— (a) A motor vehicle or trailer, other than an agricultural vehicle or a tow truck, built for a purpose other than carrying goods; or (b) a concrete pump or fire truck. HVNL s5 Agricultural vehicle means an agricultural implement or agricultural machine. HVNL s5 Agricultural trailer means a trailer that is designed to carry a load and used exclusively to perform agricultural tasks, but does not include a semitrailer. HVNL s5 Oversize vehicle means a heavy vehicle that does not comply with a dimension requirement applying to it. Overmass Vehicle: A heavy vehicle or combination that does not comply with a prescribed mass requirement applying to it (including gross mass, axle or axle group mass).
10	Combine Harvester	
11	Tractor	
12	Grain Auger	
13	Chaser Bin	
14	Cane Haul Out Truck	

Class 2 Heavy Vehicles (examples for illustration purposes)		Vehicles Exceeding 4.3m in Height (up to 4.3m high as per Schedule 6 of Heavy Vehicle (Mass, Dimension and Loading) National Regulation) (MDL)
Freight Carrying Vehicles		
21	B-double	37 Vehicle Carrier
22	A-double	38 A-double (Livestock)
23	B-triple	39 B-triple (Livestock)
24	AB-triple	HVNL Definitions
25	A-triple	HVNL s136 A heavy vehicle is a class 2 heavy vehicle if— (a) it— (i) complies with the prescribed mass requirements and prescribed dimension requirements applying to it; and (ii) is— (A) a B-double; or (B) a road train; or (C) a bus, other than an articulated bus, that is longer than 12.5m; or (D) a combination designed and built to carry vehicles on more than 1 deck that, together with its load is longer than 19m or higher than 4.3m; or (E) a motor vehicle, or a combination, that is higher than 4.3m and is built to carry cattle, sheep, pigs or horses; or (b) it is a PBS vehicle. HVNL s5 B-double means a combination consisting of a prime mover towing 2 semitrailers, with the first semitrailer being attached directly to the prime mover by a fifth wheel coupling and the second semitrailer being mounted on the rear of the first semitrailer by a fifth wheel coupling on the first semitrailer. NHVR Notes: B-doubles: Despite the shorter length, 19m B-doubles are classified as Class 2 Vehicles. General freight carrying vehicles that are longer than 19m require specific networks that are capable of handling these larger vehicles. This is usually managed by declaring route networks in gazette notices, but where a network does not exist, an operator may apply for a permit. Buses: A bus, other than an articulated bus, that is longer than 12.5m but less than 14.5m, that complies with prescribed mass and dimension requirements is a class 2 heavy vehicle. These vehicles are also known as a 'Controlled Access Bus'
26	BAB-Quad	HVNL s5 B-triple means a combination consisting of a prime mover towing 3 semitrailers, with— (a) The first semitrailer being attached directly to the prime mover by a fifth wheel coupling; and (b) The second semitrailer being mounted on the rear of the first semitrailer by a fifth wheel coupling on the first semitrailer; and (c) The third semitrailer being mounted on the rear of the second semitrailer by a fifth wheel coupling on the second semitrailer. HVNL s5 road train means— (a) A B-triple; or (b) A combination, other than a B-double, consisting of a motor vehicle towing at least 2 trailers, excluding any converter dolly supporting a semitrailer. HVNL s5 PBS vehicle means a heavy vehicle that is the subject of a current PBS vehicle approval under Part 1.4. HVNL s5 PBS vehicle approval means a current approval issued for a heavy vehicle by the Regulator under section 23. Vehicle carriers: A vehicle carrier is a combination designed and built to carry vehicles on more than one deck that together with its load is longer than 19m or higher than 4.3m. Livestock vehicles: A livestock vehicle is a heavy vehicle, or a combination, that may be higher than 4.3m and is built to carry cattle, sheep, pigs or horses. Performance Based Standards: [PBS] An alternative compliance scheme for heavy vehicles setting minimum performance levels for safe and efficient operation (as opposed to standard prescriptive rules). Greater access is generally afforded for higher performance.
27	ABB-Quad	
28	Rigid Truck and 2 Dog Trailers	
Performance Based Standards (PBS)		
32	Prime Mover and Quad Axle Semitrailer	
33	Rigid Truck and 5 Axle Dog Trailer	
34	B-double with Quad Axle Groups (up to 30m)	
35	A-double (up to 30m)	
Buses		
36	Controlled Access Bus	

Class 3 Heavy Vehicles (examples for illustration purposes)		HVNL Definitions	NHVR Notes:
40	Rigid Truck and Dog (over 42.5 tonnes GCM)	HVNL s116 (3) (3) A heavy vehicle is a class 3 heavy vehicle if— (a) it, together with its load, does not comply with a prescribed mass requirement or prescribed dimension requirement applying to it; and (b) it is not a class 1 heavy vehicle.	A truck and dog trailer combination whose dimensions and mass do not exceed prescribed mass and dimension requirements is a general access vehicle. If its mass or dimension limits exceed prescribed requirements, this combination is classified as a Class 3 vehicle. Examples of Class 3 vehicles include: • A truck and dog trailer combination consisting of a rigid truck with 3 or 4 axles towing a dog trailer with 3 or 4 axles weighing more than 42.5t is an example of a class 3 heavy vehicle. • Other examples might include a B-double or road train transporting a load wider than 2.5m.
41	Prime Mover and Semitrailer towing Converter Dolly		
42	B-double towing Converter Dolly		
43	Underhook/Underlift Tow Truck		

18. 2020/21 ANNUAL REPORT

(GM: 21/10787)

Executive Summary

Council is required, within five months after the end of each financial year, to prepare an annual report for that year reporting as to its achievements in implementing its delivery program. In the year in which an ordinary election of Councillors is held the annual report must include a State of the Environment Report and an End of Term Report.

A draft 2020/21 Lockhart Shire Council Annual Report and 2016-2021 End of Term Report is tabled for Council's endorsement.

Report

Section 428 of the Local Government Act provides that Council must prepare an annual report within five months after the end of each financial year i.e., by 30 November. The annual report must include the following information:

- 1) A report on Council's achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed;
- 2) A copy of the Council's audited financial reports prepared in accordance with the *Local Government Code of Accounting Practice and Financial Reporting* published by the Department, as in force from time to time;
- 3) In the year in which an ordinary election of Councillors is held the annual report must include a report as to the state of the environment in the local government area (State of the Environment Report, refer Item 10);
- 4) In the year in which an ordinary election of Councillors is held the annual report must include a report as to the council's achievements in implementing the community strategic plan over the previous 4 years (End of Term Report); and
- 5) Such other information or material as the regulations or the guidelines under section 406 may require.

With respect to 5) above, the Local Government Regulation specifies the following information to be included in Council's annual report:

- a) Details of any overseas visits undertaken by councillors, council staff or other persons representing the Council.
- b) Total cost of the payment of expenses and provision of facilities to councillors in relation to their civic functions.
- c) Details of each contract in excess of \$150,000 awarded by the Council during the year (whether as a result of a tender or otherwise).
- d) Amounts incurred by the council during the year in relation to legal proceedings taken by or against the Council.
- e) Resolutions made by Council during the year under section 67 (3) of the Local Government Act concerning work carried out on private land.
- f) The total amount contributed or otherwise granted under section 356 of the Local Government Act.
- g) A statement of all external bodies that during the year exercised functions delegated by the Council.
- h) A statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies (whether or not incorporated) in which the Council held a controlling interest or participated in.
- i) Activities undertaken by Council during the year to implement its equal employment opportunity management plan.
- j) The total remuneration comprised in the remuneration package of the general manager during the year.
- k) Total remuneration comprised in the remuneration package of all senior staff members (other than the general manager).

- l) Activities undertaken by Council in relation to enforcing and ensuring compliance with the Companion Animals Act 1998 and regulations made under that Act.
- m) Rates and charges written off during the year.
- n) Information regarding training and professional development activities provided to the mayor and councillors.
- o) Details of fraud control activities undertaken during the year.

A copy of the Draft 2020/21 Annual Report incorporating Parts 1), 3), 4) and 5) described above has been separately distributed to Councillors.

An extension has been granted by the Office of Local Government to Council for the finalisation of the audited financial reports which will be the subject of a separate report to Council once the Auditor's Report has been issued.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Section 428 of the Local Government Act provides that Council must prepare an annual report within five months after the end of each financial year i.e., by 30 November.

A copy of the Council's annual report must be posted on the Council's website and provided to the Minister and such other persons and bodies as the regulations may require.

Budget & Financial Aspects

Nil.

Attachments

A Draft 2020/21 Annual Report and 2016-2021 End of Term Report has been separately distributed to Councillors.

Recommendation: That the 2020/21 Annual Report and 2016-2021 End of Term Report, be endorsed and the General Manager be authorised to forward a copy of the Reports to the Minister for Local Government.

19. LOCAL GOVERNMENT ELECTIONS UPDATE AND COUNCIL MEETING SCHEDULE

(GM: 21/10786)

Executive Summary

Council at its meeting held on 16 August 2021 resolved that a report regarding Council's meeting schedule be tabled at the 15 November 2021 ordinary meeting of Council to consider passing a resolution to reschedule the December Council meeting to a date in early January 2022.

Report

Further to previous reports to Council, a final update is provided in relation to the forthcoming local government elections to be held on 4 December 2021.

Candidates

Nominations for the forthcoming local government elections closed at 12 noon on Wednesday, 3 November 2021.

As at the close of nominations there were four candidates nominated for each of A and B Wards. There were only three candidates nominated for C Ward, which means a ballot will not be required for that Ward.

A ballot paper draw to determine the order of candidates on the ballot paper was held on Thursday, 4 November. Set out below is the final list of candidates in order as they will appear on the ballot paper.

A Ward

Deborah Anne Bender

Frances Anne Day

Robert John Mathews

Andrew James Rockliff

B Ward

Vikki Jane Hunter

Barbara Anne Salter

Peter Gregory Sharp

James Alexander Walker

C Ward

Gail Maree Driscoll – elected

Ian Richard Marston – elected

Gregory Thomas Verdon – elected

Contractual Arrangement with Electoral Commissioner

At the Council meeting held on 4 February 2019 Council resolved that an election arrangement be entered into by contract for the NSWEC to administer the local government elections. A contract was subsequently signed based on a cost estimate provided by the NSWEC at the time.

More recently the NSWEC provided an amended agreement incorporating an updated schedule of services to be provided by NSWEC. The updated schedule makes provision for the inclusion of iVote (technology assisted voting for eligible voters) and services for the delivery of a COVID safe election.

The costs associated with iVote voting services and specific COVID safe arrangements will not be charged to councils. The amended agreement is based on the same cost estimate as the original agreement and on this basis the amended agreement has been signed and returned to the NSWEC.

Council Meeting Schedule

According to the key dates listed on the NSW Electoral Commission (NSWEC) website, the return of postal ballot papers will be received up until 17 December 2021 and the declaration of results will take place 21-23 December 2021. This means that the December Council meeting will not be able to proceed as scheduled on the third Monday of the month i.e. 20 December 2021.

Councils that elect their mayor (as opposed to councils that have a popularly elected mayor) are required to hold a mayoral election within three weeks of the election results being declared. This means that a council meeting will have to be scheduled for no later than 11-13 January 2022 depending on the actual date the results for Lockhart Shire Council are declared.

Council's Code of Meeting Practice does not provide for an ordinary council meeting in January. However, Clause 3 of the Code does allow for the date and time of a scheduled ordinary meeting to be changed. Clause 3.1 (c) states that:

“The scheduled date and time of an ordinary council meeting may be changed by a resolution of council. Notice will be given to the public of any change to the scheduled date of an ordinary council meeting”

The following matters will be dealt with at the first meeting after the election:

- All councillors will be required to take an oath or make an affirmation of office. Councillors are not permitted to participate in meetings until they have done so.
- An election for Mayor and Deputy Mayor will be conducted.
- Consideration to be given to passing a resolution declaring that casual vacancies occurring in the office of councillor within 18 months of the election are to be filled by a countback of votes cast at the election. Councils that do not pass such a resolution at the first meeting following an election will be required to fill any casual vacancies using a by-election.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Council has previously entered into a service contract with the NSWEC for the conduct of the 2020 elections prior to their postponement.

Rules about the information that candidates and their supporters can publish or distribute are prescribed under the *Local Government (General) Regulation 2005*.

Budget & Financial Aspects

Provision has been made in the 2021/22 budget for the conduct of the council elections based on an estimate provided by the NSWEC.

The NSW Government has provided additional funding to the NSWEC to cover any increased costs associated with conducting a COVID safe election so that these costs are not passed on to councils.

Attachments

Nil.

Recommendation: That Council give public notice that an ordinary meeting of Council will be held on Monday, 10 January 2022 in order to comply with the Local Government Act which requires councils to hold a mayoral election within three weeks of local government election results being declared.

20. LOCAL GOVERNMENT ELECTIONS UPDATE AND DELEGATIONS

(GM: 21/14502)

Executive Summary

Council has an opportunity to put in place appropriate delegations to cover the period from 4 December 2021, when the current term of office expires, and the second week of January 2022 when the first meeting of the new Council will be held to elect a Mayor and Deputy Mayor.

Report

Council elections will be held on 4 December 2021. The return of postal ballot papers for the election will be received by the NSW Electoral Office up until 17 December 2021 and the declaration of results will take place 21-23 December 2021. This means that the December Council meeting will not be able to proceed as scheduled on the third Monday of the month i.e., 20 December 2021.

Councils that elect their mayor (as opposed to councils that have a popularly elected mayor) are required to hold a mayoral election within three weeks of the election results being declared. This means that a council meeting will have to be scheduled for no later than 11-13 January 2022 depending on the actual date the results for Lockhart Shire Council are declared.

As previously reported the Office of Local Government (OLG) has prepared a *Pre-Election Guide for Councils*. The Guide provides updated and comprehensive guidance to councils on key tasks that need to be completed prior to the council election. An extract from the Guide is reproduced below.

“The Office of Local Government is aware that some councils that elect their mayors have expressed a preference that the outgoing mayor should continue to exercise the functions of mayor in the period between election day and the holding of the mayoral election after the election.

There is nothing to prevent councils from authorising the outgoing mayor to continue to exercise the civic and ceremonial functions normally exercised by the mayor during this period in the absence of a mayor should they wish to do so, (even though the outgoing mayor will have ceased to hold any civic office in the council as of the day of the election).

Given the possibility that the outgoing mayor may not be re-elected at the election and may therefore cease to be accountable to the council and the community, councils should refrain from making any delegations to the outgoing mayor.”

Council is able to delegate the civic and ceremonial functions to an outgoing mayor even though they no longer hold any civic office i.e., whilst they are a private citizen, because section 377 of the Local Government Act provides that “*council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act...*”

Councils across the state have expressed concern at being without a mayor for up to six weeks from the day of the local government elections to the day that the first meeting of the new council is held to elect a mayor. This is because the mayor plays an important community leadership role, particularly during emergencies as occurred in significant parts of the State during the same time 12 months ago.

It is already known that some candidates have been elected unopposed in which case their term of office commences on 4 December 2021 and there is no need to wait for the declaration of the election results as is the case for a contested election. 4 December 2021 is when the term of the current mayor expires.

In order to overcome the concerns expressed by OLG regarding delegating functions to an outgoing mayor that is not re-elected at the election and may therefore cease to be accountable to the council and the community, Council may wish to consider delegating the mayoral functions to a councillor who has been elected unopposed. Whilst such a person will not have been elected as mayor by the new council, they will have been elected as a representative of the community and will be a holder of civic office, rather than a private citizen, during the period of the delegation until the mayoral election is held.

Integrated Planning and Reporting Reference

- E1 Promote the increased participation of local people in local government and the community.
- E1 Meet all governance and regulatory requirements in the conduct of council's operation.

Legislative Policy & Planning Implications

Section 77 of the Local Government Act states that:

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

According to section 226 of the Act the role of the mayor is as follows:

- a) “to be the leader of the council and a leader in the local community,
- b) to advance community cohesion and promote civic awareness,
- c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- e) to preside at meetings of the council,
- f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- i) to promote partnerships between the council and key stakeholders,
- j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- l) to carry out the civic and ceremonial functions of the mayoral office,
- m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- n) in consultation with the councillors, to lead performance appraisals of the general manager,
- o) to exercise any other functions of the council that the council determines.

Budget & Financial Aspects

Not applicable.

Attachments

Nil.

Recommendation: That Council consider delegating the mayoral functions in accordance with Section 226 (a) (b) (l) and (m) listed below, to an elected councillor whose term of office commences on 4 December 2021, with the delegation to remain in force until such time as a mayoral election is held by the newly elected council:

- “to be the leader of the council and a leader in the local community,
- to advance community cohesion and promote civic awareness,

- to be the spokesperson of the governing body, including representing the views of the council as to its local priorities,
- to carry out the civic and ceremonial functions of the mayoral office,
- to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level.

21. WORK HEALTH AND SAFETY POLICIES

(GM: 21/14501)

Executive Summary

A number of work health and safety related policies have been reviewed and are tabled for Council's consideration.

Report

As part of the ongoing process of reviewing Council's policies, the following work health and safety related policies have been reviewed and are tabled for Council's consideration. The policies were last reviewed in November 2018.

Policy 3.5 Return to Work Program

The Policy has regard to the Guidelines for Workplace Return to Work Programs issued by the State Insurance Regulatory Authority. Council is a Category 1 employer for the purposes of the Workers Compensation Regulation 2016 and as such is responsible for:

- a) Appointing a Return-to-Work Co-ordinator
- b) Ensuring the Return-to-Work Co-ordinator is provided with the necessary training to perform the role
- c) Developing a Return-to-Work program
- d) Consulting workers and unions
- e) Implementing the Return-to-Work program.

Policy 3.6 Work Health and Safety

Council's statement of commitment to work health and safety is contained in this Policy which also allocates responsibilities and outlines the obligations for persons within the organisation for work health and safety.

Policy 3.9 Training

The Training Policy contains Council's statement of commitment to training and development of its employees and reflects the current arrangements, particularly with respect to the preparation of the annual training plan.

Policy 3.10 Equal Employment Opportunity

The Policy is consistent with the Local Government Act and the forms of discrimination identified in the Policy are in accordance with the NSW Anti-Discrimination Act.

Policy 3.17 Work Health and Safety Consultation

This Policy reflects Council's obligations under the relevant legislation and outlines the mechanisms for consulting with workers.

Integrated Planning and Reporting Reference

- E1 Meet all governance and regulatory requirements in the conduct of Council operations.
- E1 Minimise Council's exposure to risk and promote a strong risk management culture within Council.
- E1 Attract and retain a quality workforce.

Legislative Policy & Planning Implications

The subject policies have been updated having regard to relevant legislation including the Local Government Act, Work Health and Safety Act and Anti-Discrimination Act.

Budget & Financial Aspects

The Policy changes will have no impact on Council's Budget.

Attachments

1. Policy 3.5 Return to Work Program.
2. Policy 3.6 Work Health and Safety
3. Policy 3.9 Training
4. Policy 3.10 Equal Employment Opportunity
5. Policy 3.17 Work Health and Safety Consultation

Recommendation: That the revised Policies listed below, as presented, be adopted.

1. Policy 3.5 Return to Work Program.
2. Policy 3.6 Work Health and Safety
3. Policy 3.9 Training
4. Policy 3.10 Equal Employment Opportunity
5. Policy 3.17 Work Health and Safety Consultation

Next Report

Item 21 – Attachment 1: Policy 3.5 Return-to-Work Program

3.5 Return-to-Work Program

POLICY TITLE: RETURN-TO-WORK PROGRAM

FILE REF: SC278

EXPIRY DATE: NOVEMBER 2024

OBJECTIVES

To provide guidelines for ensuring that Council and staff comply with the Workers Compensation Act 1987, Workplace Injury Management and Workers Compensation Act (1998) and the Workers Compensation Regulation 2016, and to support the concept of injury management to assist in the early return to work of injured or ill employees.

STATEMENT OF COMMITMENT

Lockhart Shire Council is committed to the rehabilitation of employees who are injured or develop an illness or disease during the course of their employment. In the event that employees are injured or develop an illness or disease due to other circumstances, sympathetic consideration may be given to the rehabilitation of the employee under Council's Return-to-Work Program. Council is committed to:

- 1) The prevention of injury and illness through providing a safe and healthy working environment.
- 2) Developing and implementing a Return-To-Work Program in consultation with its employees and their representatives, which is consistent with its insurer's Injury Management Program.
- 3) The early commencement of rehabilitation of an injured worker to encourage an early return to work.
- 4) Ensuring that all reasonable efforts are made to provide meaningful and suitable duties consistent with medical judgment. Return-to-Work Plans for individuals will be devised to support Council's commitment to rehabilitation and minimise the effects of the injury or illness on employees.
- 5) Ensuring that no employee is disadvantaged whilst participating in Return-to-Work Plans and expects its employees to cooperate with Council's rehabilitation efforts
- 6) Council's Return to Work Coordinator is Council's Human Resources/ Work Health and Safety Co-ordinator Officer.

RESPONSIBILITIES

1) Council's (Employer's) Responsibilities

Council is a Category 1 employer for the purposes of the Workers Compensation Regulation 2016 and as such is responsible for:

- a) Appointing a Return to Work Co-ordinator;
- b) Ensuring the Return to Work Co-ordinator is provided with the necessary training to perform the role;
- c) Developing a return to work program;
- d) Consulting workers and unions
- e) Implementing the return to work program.

2) Return-to-Work Coordinator Responsibilities

- a) Developing and implementing the Return-to-Work Program, educating the workforce, keeping injury and return to work statistics and developing policies for the consideration of Management and Council to improve systems.
- b) Providing information on the return to work process and associated workers compensation benefits to injured workers.
- c) Obtaining the injured worker's consent before obtaining or releasing rehabilitation information about the worker.
- d) Determining the injured worker's needs by discussion with the worker, the nominated treating doctor and other treatment practitioners.
- e) Working with the insurers as they develop an injury management plan for the injured worker.

- f) Identifying appropriate suitable duties and assisting the injured worker to return to work as soon as possible.
- g) Supporting the redeployment of workers into suitable employment when they cannot return to their pre-injury duties;
- h) Preparing a Return-to-Work Plan to document suitable duties and work restrictions so that all parties are informed and managing the return-to-work process.

3) Rehabilitation Provider's Role

- a) Council engages fully accredited rehabilitation providers who are available to assist in the rehabilitation of those workers who suffer a workplace injury or illness at Lockhart Shire Council.
- b) Notwithstanding that the Council has appointed its own Rehabilitation Provider(s), an injured or ill employee will retain the right to nominate an accredited Provider(s), of his/her own choice.
- c) Council will facilitate reasonable access to the workplace by any accredited Rehabilitation Provider(s) involved in rehabilitation at this workplace, so as to enable familiarity with the workplace.
- d) Council will ensure ready access to any injured or ill employees nominated accredited Rehabilitation Provider(s) at all stages of rehabilitation, including the initial workplace assessment.

4) Management Responsibilities

A crucial element of the Council's Return-to-Work Program is the prevention of injury or illness to our employees. To this end, Council is committed to:

- a) Ensure the health, safety and welfare of all workers.
- b) Develop, implement and review the Return-to-Work Program in consultation with workers and relevant unions.
- c) Assist injured or ill employees return to pre-injury occupation or suitable alternatives without prejudice.
- d) Encourage rehabilitation at the work place through the provision of modified or suitable duties where practicable and consistent with stated medical judgment.
- e) Display a summary of the program prominently at the Council Administration building, Lockhart Works Depot and The Rock Works Depot.
- f) Provide employees with adequate information on rehabilitation and workers compensation.
- g) Appoint and train a Return-to-Work Coordinator.
- h) Notify the insurer within the prescribed timeframe(s) when the worker has an injury.
- i) Provide suitable employment for injured workers for as long as is practicable.
- j) Participate and cooperate in the establishment of an injury management plan for an injured worker.
- k) Comply, to the fullest extent practicable, with obligations on the employer in the Injury Management Plan written by the insurer.

5) Employee's Responsibilities

- a) To take all necessary care in the performance of work with a view to preventing work related injuries to themselves and fellow employees.
- b) To actively co-operate in the specific Return-to-Work Plan designed as part of their recovery process.
- c) To actively co-operate in the specific Return-to-Work Plan designed as part of a fellow employee's recovery process.
- d) To report all injuries/illnesses promptly to allow corrective action to be implemented.
- e) To specify one nominated doctor or medical practitioner who is prepared to participate in the development of any injury management and Return-to-Work Plan.
- f) To provide their consent for information regarding their injury management and recovery at work to be shared between the insurer, employer, nominated treating doctor, treating practitioner providers and the State Insurance Regulatory Authority.
- g) To participate and co-operate in the establishment of an injury management plan.
- h) To comply with obligations in any Injury Management Plan written for them.
- i) To make all reasonable efforts to recover at work.

RETURN TO WORK PROGRAM

- 1) A Return to Work Program shall be developed and maintained that complies with the Workers Compensation Act 1987, Workplace Injury Management and Workers Compensation Act (1998), Workers Compensation Regulation 2016 and the Guidelines for Workplace Return to Work Programs issued by the State Insurance Regulatory Authority.
- 2) The Return to Work Program will cover the following aspects:
 - a) Leadership and commitment;
 - b) Workplace arrangements;
 - c) Rights and obligations;
 - d) After an incident;
 - e) Support for the worker;
 - f) Recovery at work;
 - g) Dispute prevention and resolution;
 - h) Administration.
- 3) The Work Health and Safety Committee will be consulted on the initial development of the Return to Work Program and any significant changes to the Program.

*Revised by Council 15 November 2021
Refer Minute No. xxx/2021*

*Revised by Council 19 November 2018
Refer Minute No. 320/2018*

*Amended by Council 17 August 2009
Refer Minute No. 283/09*

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

*Amendments adopted by Council – 17 July 2000
Refer Minute No. 22273*

Item 21 – Attachment 2: Policy 3.6 Work Health & Safety

3.6 Work Health & Safety

POLICY TITLE: WORK HEALTH & SAFETY

FILE REF: SC278

EXPIRY DATE: NOVEMBER 2024

COMMITMENT STATEMENT

Council's commitment is to the provision of a safe and healthy work environment for all of its employees, volunteers, contractors, visitors and persons that may be affected by works undertaken by Council, through the elimination or minimisation of risks, whilst meeting its legislative obligations under the Work Health and Safety Act (2011) and the Work Health and Safety Regulation (2011), and other Work Health and Safety legislation as it applies.

Council's commitment to work health and safety (WHS) will be demonstrated by:

- Ensuring that employees, volunteers, visitors and contractors comply with appropriate WHS standards, codes of conduct and workplace directions to ensure their own and others health and safety at work.
- Promoting a culture where harm to our people through work is unacceptable.
- Consultation between management, employees, volunteers, visitors and contractors on WHS issues.
- Establishing measurable objectives and targets to ensure continuous improvement.
- Allocating necessary resources to meet commitments, and by developing and implementing health and safety standards that exceed the minimum legislative requirements.
- Adopting a risk management approach to achieve compliance with all NSW Work Health and Safety related legislation to ensure the health and safety of employees, contractors, volunteers and visitors to its workplaces.
- Ensuring that plant, equipment and substances are safe and without risk to health and safety of employees.
- Investigating all accidents, incidents, and occurrences with control measures implemented and reviewed to ensure elimination of initial breakdown.
- Communicating WHS through instruction, training and supervision to improve individuals' understanding of workplace hazards, including safe work practices and emergency procedures.
- Providing adequate systems and resources to effectively manage rehabilitation and return to work processes.
- Implementing, maintaining and reviewing the Health and Safety Management System.

RESPONSIBILITIES

While the obligation for each person is different, all persons must ensure that the way they carry out their work does not interfere with the health and safety of themselves and other persons at the place of work.

Duty Holders

Person conducting business or undertaking (Council)

Council must ensure, so far as is reasonably practicable, the health and safety of:

- Workers engaged, or caused to be engaged by the person, and
- Workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.

The General Manager has ultimate responsibility for the implementation of Council's WHS protocol and regularly reviewing overall organisational health and safety performance.

Officer duties

Officers of Council have a duty to exercise 'due diligence' to ensure that Council complies with its duty to reasonably ensure health and safety. Officers are defined as a person who makes, or participates in making, decisions that affect the whole or a substantial part of a business or undertaking.

Council shall fulfill these responsibilities through the appointed General Manager, Directors, and Managers who are responsible and accountable for the safety of workers including contractors, volunteers and Council property under their control.

All workers

All workers have responsibility for:

- Taking reasonable care for their own health and safety;
- Taking reasonable care that their acts or omissions do not adversely affect the health and safety of other persons;
- Following all WHS legislation, Council safety requirements and relevant Codes of Practice;
- Cooperating with management in the support of promotion of Health and Safety in the workplace;
- Not undertaking any task without the relevant induction, training or competency;
- Promptly reporting all hazards, injuries and safety incidents;
- Presenting for work in a fit state that does not prevent them carrying out their duties in a safe and responsible manner.

Compliance with health and safety requirements

Council employees must observe Council's health and safety policies, protocols, procedures and instructions. If a breach occurs, it may be necessary for disciplinary action to be undertaken in accordance with disciplinary procedures under the Local Government (State) Award 2020.

WORK HEALTH AND SAFETY WORKPLACE COMMITTEE

The Work Health and Safety Committee will provide a forum for consultation on WHS related matters and will endeavour to reach consensus on all aspects of the organisation's WHS Policy and Program. To this end, each committee meeting will be attended by employer representatives who have the necessary authority to make recommendations / decisions on behalf of Council for each of the matters discussed.

RELATED POLICIES

This Policy should be read in conjunction with the following Council Policies:

- Policy 2.3 Response to Incidents Involving Hazardous Materials
- Policy 2.28 Asbestos
- Policy 3.1 Provision of Protective Clothing/Equipment
- Policy 3.3 Bullying and Harassment
- Policy 3.5 Return to Work
- Policy 3.11 Smoke Free Workplace Policy
- Policy 3.15 Incident/Accident Investigation
- Policy 3.16 Drugs & Alcohol in the Workplace
- Policy 3.17 Work, Health and Safety Communication
- Policy 3.21 Risk Management Plan
- Policy 3.26 Remote and Isolated Work

*Revised by Council – 15 November 2021
Refer Minute No. xxx/21*

*Lockhart Shire Council
Ordinary Meeting – 15 November 2021*

*Revised by Council – 19 November 2018
Refer Minute No. 320/18*

*Amendments adopted by Council - 14 October 2014
Refer Minute No. 292/14*

*Confirmed by Council 17 August 2009
Refer Minute No. 283/09*

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

*Amendments adopted by Council – 17 March 2003
Refer Minute No 23508*

Item 21 – Attachment 3: Policy 3.9 Training

3.9 Training

POLICY TITLE:	TRAINING
FILE REF:	SC284
EXPIRY DATE:	NOVEMBER 2024

OBJECTIVES

To ensure that Council, through the provision of appropriate training and development, maintains a workforce that has the knowledge, skills and attitudes necessary for the efficient performance of individual jobs and effective functioning of the organisation.

POLICY STATEMENT

- 1) Council is committed, within its financial capacity to the provision of ongoing training, both on and off-the-job, for all its employees.
- 2) Core training is designated to be an essential requirement of a particular job and employment with Council.
- 3) Attendance and participation in core training is regarded as part of an employee's prescribed duties and responsibilities. Therefore non-attendance, without a reasonable excuse, may present grounds for disciplinary action as per the award.
- 4) There will be no discrimination in access to training and development.
- 5) It is the prime responsibility of every director, manager and supervisor to ensure that employees under their control receive the appropriate induction, training and development to enable them to perform their duties effectively. Each employee has a responsibility to make their management/supervisor aware of their training and development needs.

TRAINING PLAN

- 1) Training and development needs for individual employees will be identified through:
 - a) Recruitment and induction processes;
 - b) Annual performance reviews undertaken for all permanent employees; and
 - c) Consultation with individual employees.
- 2) Training and development needs identified through 1) above will be incorporated into an annual Training Plan and categorised as "high", "medium" or "low" priority.
- 3) A "high" priority will be given to training that is related to work health and safety or involves mandatory licensing and accreditation requirements relevant to the employee's position.
- 4) The Training Plan will include both personalised training and development opportunities for individual employees as well as generic organisation wide training relating to matters such as WHS, governance and integrity management issues.
- 5) Accurate records of all training activities, including on the job and induction, will be maintained.
- 6) All employees required by Council to attend training will be consulted and given reasonable notice prior to attending the training requirements.

TRAINING COSTS

- 1) Council shall pay course fees for employees required by the employer to undertake training.
- 2) Council shall, for employees required by it to undertake training, either provide transport, or pay reasonable travelling expenses to attend course requirements as per the Local Government (State) Award.
- 3) Council will pay the full cost of accommodation where necessary. Accommodation will be booked and approved by Council and will be of a suitable standard.
- 4) Reasonable sustenance expenditure will be reimbursed by Council on presentation of receipt(s) to the Accounts Payable/ Payroll Officer.

- 5) An employee who attends training outside their normal working hours will not be paid overtime however reasonable time in lieu may be granted by Council.

*Revised by Council 15 November 2021
Refer minute xxx/21*

*Revised by Council 19 November 2018
Refer minute 320/18*

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

*Amendments adopted by Council – 17 July 2000
Refer Minute No. 22273*

Item 21 – Attachment 4: Policy 3.10 Equal Employment Opportunity

3.10 Equal Employment Opportunity

POLICY TITLE: EQUAL EMPLOYMENT OPPORTUNITY

FILE REF: SC287

EXPIRY DATE: NOVEMBER 2021

OBJECTIVES

To prevent employment discrimination and to promote equal employment opportunity thereby ensuring compliance with the Anti-Discrimination Act, 1977 and the Local Government Act, 1993.

POLICY STATEMENT

Equal Employment Opportunity (EEO) means that all employees receive fair and equitable treatment in the workplace.

In the policies and practices of Council there shall be no discrimination in respect of age, sex, marital or domestic status, race or ethno-religious background, disability, homosexuality, transgender, or carers' responsibilities.

Selection of individuals for employment, promotion or advancement, training and staff development will be on the basis of personal merit in fair and open competition according to the skills, abilities, qualifications, experience, knowledge and efficiency relative to the position.

No employee of Council shall be impaired in or detracted from performing their day to day activities through discriminatory practices or ideals.

This policy on Equal Employment Opportunity reflects the desire of Council and senior management to enjoy a workplace free of discrimination where each individual has the opportunity to progress to the extent of his or her ability.

EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN

EEO is fundamental to good human resource management. Council in accordance with the Local Government Act (1993) has prepared an Equal Employment Opportunity Management Plan.

This Management Plan states the objectives, actions and targets to achieve Council's overall strategy for equal employment opportunity in the workplace. It complements this Policy and ensures compliance with the Policy.

EQUAL EMPLOYMENT OPPORTUNITY OFFICER

The Equal Employment Opportunity Officer has the overall responsibility for the implementation and co-ordination of the Equal Employment Opportunity Management Plan.

The EEO Officer for Lockhart Shire Council is the incumbent Human Resources/ Work Health and Safety Coordinator, however, Council recognises that EEO is the responsibility of all persons in the Council and as such will ensure advice on EEO matters is available on an ongoing basis to all staff.

All employees of Council have a legal and moral responsibility to treat each other fairly and are expected to fulfil these responsibilities as a condition of employment.

*Revised by Council 21 November 2021
Refer minute xxx/21*

*Revised by Council 19 November 2018
Refer minute 320/18*

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

*Amendments adopted by Council – 17 June 2002
Refer Minute No. 23118*

Item 21 – Attachment 5: Policy 3.17 Work Health & Safety Consultation

3.17 Work Health & Safety Consultation

POLICY TITLE: WHS CONSULTATION

FILE REF: SC278

EXPIRY DATE: NOVEMBER 2021

OBJECTIVES

Lockhart Shire Council is committed to the process of consultation with employees to improve decision making on matters that affect their health, safety and welfare at work. This Policy aims to ensure that Lockhart Shire Council complies with the Work, Health and Safety Act 2011.

LEGISLATIVE BASIS

Duty to Consult

The person conducting a business or undertaking must, so far as is reasonably practicable, consult with workers who carry out work for the business or undertaking who are, or are likely to be, directly affected by a matter relating to work health or safety.

Nature of Consultation

Consultation requires:

- 1) That relevant information about the matter is shared with workers, and
- 2) That workers be given a reasonable opportunity:
 - a) To express their views and to raise work health or safety issues in relation to the matter, and
 - b) To contribute to the decision-making process relating to the matter, and that the views of workers are taken into account by
- 3) The person conducting the business or undertaking, and
- 4) That the workers consulted are advised of the outcome of the consultation in a timely manner.

If the workers are represented by a health and safety representative, the consultation must involve that representative.

When Consultation is Required

Consultation is required in relation to the following health and safety matters: -

- 1) When identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out by the business or undertaking,
- 2) When making decisions about ways to eliminate or minimise those risks,
- 3) When making decisions about the adequacy of facilities for the welfare of workers,
- 4) When proposing changes that may affect the health or safety of workers,
- 5) When making decisions about the procedures for:
 - a) Consulting with workers, or
 - b) Resolving work health or safety issues at the workplace, or
 - c) Monitoring the health of workers, or
 - d) Monitoring the conditions at any workplace under the management or control of the person conducting the business or undertaking, or
 - e) Providing information and training for workers, or
 - f) When carrying out any other activity prescribed by the regulations for the purposes of this section.

POLICY STATEMENT

Commitment Statement

Council is committed to consulting with its workers in relation to WHS matters.

Council will achieve this by:

- 1) Promoting and supporting a consultative process to ensure that employees contribute to the making of decisions affecting their health, safety and welfare at work.
- 2) Sharing relevant WHS information and providing opportunities for employees to express their views and contribute to the resolution of WHS and welfare issues before decisions are made.
- 3) Consulting with employees on the type of consultative arrangement they wish to have at their place of work, i.e.:-
 - a) WHS Committees;
 - b) Health and Safety Representatives; or
 - c) Other arrangements agreed by the employer and employees;

Responsibilities

In the event that a WHS issue arises in the workplace the Director, Manager and/or Supervisor will respond and act immediately. This will involve:

- a) Consulting with Supervisors and employees on the WHS issue;
- b) Providing satisfactory information and feedback to Supervisors/Employees regarding the WHS issue

Employees are encouraged to provide feedback to Managers and/or Supervisors regarding WHS issues that arise in the workplace.

Work Health and Safety Workplace Committee

The Work Health and Safety Workplace Committee will endeavour to reach consensus on all aspects of the organisation's Work Health and Safety Policy and Program through the process of joint consultation. To this end, each committee meeting will be attended by employer representatives who have the necessary authority to make recommendations / decisions on behalf of Council for each of the matters discussed.

*Revised by Council 21 November 2021
Refer minute xxx/21*

*Revised by Council 19 November 2018
Refer minute 320/18*

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

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

*Adopted by Council – 17 March 2003
Refer Minute No. 23507*

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.

22. AUSTRALIA DAY AWARDS 2022

(GM: 21/14503)

23. OFFER TO PURCHASE INDUSTRIAL LAND

(GM: 21/14750)

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

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