



# **BUSINESS PAPER**

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

**A Councillor workshop will be held at 4.00pm prior to the  
Ordinary Council meeting.**

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

## **The Prayer**

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

## **Acknowledgement of Country**

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

## **Statement of Ethical Obligations**

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

### **Oath or Affirmation of Office**

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

## **Webcasting of Council Meetings**

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

## ORDER OF BUSINESS

**OPENING WITH A PRAYER**

**ACKNOWLEDGEMENT OF COUNTRY**

**OBSERVATION OF A MINUTE'S SILENCE IN HONOUR OF HER LATE MAJESTY,  
QUEEN ELIZABETH THE SECOND**

**WEBCASTING OF COUNCIL MEETING**

**APOLOGIES**

**REQUESTS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO VISUAL LINK**

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## MAYORAL MINUTE

### 1. GENERAL MANAGER'S PERFORMANCE REVIEW – CLOSED SESSION

Refer Item 16 – Closed Session – General Manager Annual Performance Review for period ending 30 June 2022.

### 2. VALE – HER MAJESTY QUEEN ELIZABETH THE SECOND – 1926 TO 2022

On behalf of the people of the Shire, Lockhart Shire Council extends its deepest sympathy on the passing of Her Majesty, Queen Elizabeth and pays tribute to Her Majesty's dignified, dedicated and life-long service.

As the United Kingdom's, and therefore the Commonwealth's and Australia's longest reigning monarch, Her Majesty served our nation for 70 years and has been a constant in an ever-changing world.

Members of the public will also be able to leave an online condolence message at [Condolence form | Department of the Prime Minister and Cabinet \(pmc.gov.au\)](#) which will be promoted on the Council's website.

The condolences will be collated and sent to Buckingham Palace. The messages will also be archived by the Commonwealth and may be displayed at its national institutions, such as the National Library of Australia, to form a lasting record of this moment in history.

Cr Greg Verdon

**Mayor**

**Recommendation:** On behalf of the people of the Shire, Lockhart Shire Council extends its deepest sympathy on the passing of Her Majesty, Queen Elizabeth and pays tribute to Her Majesty's dignified, dedicated and life-long service.

## REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

To be presented at the meeting.

## URGENT MATTERS

Nil.

## NOTICE OF MOTION

Nil.

## COMMITTEE REPORTS

### 1. MINUTES – TOURISM & ECONOMIC DEVELOPMENT STEERING COMMITTEE

<b>Date &amp; Time</b>	Wednesday 7 <sup>th</sup> September 2022 – 6.10pm	
<b>Location</b>	The Rock Regional Observatory	
<b>Attendees</b>	Erica Jones (Chair), Matt Holt (TEDO - Secretary), Cr Fran Day, Cr Ian Marston, Cr Bob Mathews, Mandy Strong, Michelle Bailey, Heather Trevaskis, and Rachel Viski.	
<b>Apologies</b>	Navneet Choujar, Cr Peter Sharp, Fiona Beckett, Brent Alexander, Jared Walker, and Sharon Lambert	
<b>Declarations of Interest</b>	Nil	
The meeting opened with a Welcome from the Chair and an acknowledgment of country.		
<b>1. Confirmation of the minutes for the meeting Wednesday 1<sup>st</sup> June 2022</b>		
<b>Item</b>	Nil	<b>Presenter/s</b>
<b>Actions</b>	Nil	Erica
<b>Resolutions</b>	<b>Recommended</b> on the motion of Michelle Bailey and Cr Ian Marston that the minutes of the meeting held on Wednesday, 4 <sup>th</sup> August 2022 as circulated, be confirmed as a true and correct record of the proceedings.	
<b>2. Action from previous minutes</b>		
<b>Item</b>	<ul style="list-style-type: none"> <li>• Code of Conduct - Complete</li> <li>• Memberships – Visit Riverina (Hold in Recess) – Complete</li> <li>• Visit Lockhart Shire Website/Maps/Brochures/Promotions Feedback received from members. Complete</li> <li>• Council has asked Essential Energy of any audits they do and about the fluorescent lights under the Verandah in Green Street Lockhart. Waiting on feedback</li> <li>• Public Amenities – Report on Agenda – Complete</li> </ul>	<b>Presenter/s</b> Erica/TEDO
<b>Actions</b>	Matt to follow up with DEES regarding Essential Energy	
<b>Resolutions</b>	<b>Recommended</b> on the motion by Cr Bob Mathews and Heather Trevaskis that the committee note the completed actions and the TEDO action the outstanding items.	
<b>3. Resignations – Sharon Lambert and Jared Walker</b>		
<b>Item</b>	TEDO has received two resignations from Sharon and Jared due to personal reasons and commitments.	<b>Presenter/s</b>
<b>Actions</b>	<ul style="list-style-type: none"> <li>• TEDO to organise letters of appreciation.</li> <li>• Members to consider if they would like to fill the two vacancies and discuss at the November meeting.</li> </ul>	TEDO
<b>Resolutions</b>	<b>Recommended</b> on the motion by Heather Trevaskis and Mandy Strong that Council accept the resignations and write a letter of appreciation to Sharon and Jared.	
<b>4. Projects Update</b>		
<b>Item</b>	Project spreadsheet in share drive.	<b>Presenter/s</b>
<b>Actions</b>	Nil.	TEDO

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<b>Resolutions</b>	<b>Recommended</b> by Cr Fran Day and Michell Bailey that the project list is updated and noted.	
<b>5. Sister City/Shire – Lockhart, Texas, USA</b>		
<b>Minutes</b>	Discussion of possible Sister City/Shire – Lockhart, Texas, USA	<b>Presenter/s</b>
<b>Actions</b>	Cr Bob Mathews to investigate further and work with TEDO to present a report for the February 2023 meeting.	Cr Mathews
<b>Resolutions</b>	<b>Recommended</b> on the motion by Mandy Strong and Heather Trevaskis that Council investigate benefits.	
<b>6. Round 5 – Stronger Country Communities Fund Update</b>		
<b>Item</b>	The funding available under Round 5 for projects in the Lockhart Shire Local Government Area is \$1,252,640. Of this, an amount \$861,190 is available to Council as the applicant with the balance of the allocation open only to eligible community organisations. Council at its August meeting allocated funding to the following projects. <ul style="list-style-type: none"> <li>• Christmas lights and decorations – Lockhart, The Rock and Yerong Creek \$100,000</li> <li>• Pleasant Hills Tennis Club – Upgrade Tennis Courts &amp; Lights \$110,000</li> <li>• Implementation of Brookong Creek Masterplan \$120,000</li> <li>• The Rock Rec. Ground Precinct – Community Centre \$531,190</li> </ul> <p>However, the Christmas Lights and Decorations have been declined by the funding body as they are not a fixed asset. Council will consider distributing this funding to the other three projects at its September Meeting.</p>	TEDO
<b>Actions</b>	TEDO to provide outcome at the next meeting.	
<b>Resolutions</b>	<b>Recommended</b> on the motion by Cr Ian Marston and Cr Fran Day that Council note the above.	
<b>7. Museum Advisor Report</b>		
<b>Item</b>	Museum Advisor Report located in Share Drive	<b>Presenter/s</b>
<b>Actions</b>	Nil	TEDO
<b>Resolutions</b>	<b>Recommended</b> on the motion of Cr Bob Mathews and Cr Fran Day that Council note the above report.	
<b>8. Questions/Comments/Feedback/Updates</b>		
	<b>Topic</b>	<b>Member</b>
<b>Question</b>	Will there be community consultation for The Rock Community Hub?	Michelle
<b>Answer</b>	Yes, through the DA process. TEDO will confirm the process with the Committee	Ian/TEDO
<b>Update</b>	The Rock Memorial Bowling Club Mural progressing well.	Cr Ian Marston
<b>Update</b>	Land/Housing/Business updates	Cr Bob Mathews
<b>Update</b>	Mosaics project progressing well	Cr Fran Day
<b>11. Next meeting: 8<sup>th</sup> November 2022 – 6pm Meeting/ 7pm Dinner - Railway Hotel Lockhart</b>		
<b>12. Meeting Closed: 8.10pm</b>		

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

## DELEGATES' REPORTS

### 1. POLICE AND COMMUNITY CONSULTATION GROUP – 23 AUGUST 2022 AT YERONG CREEK

A quarterly meeting of the Police and Community Consultation Group was held at the Yerong Creek Bowling Club on Tuesday, 23 August 2022.

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

- There has been a delay in the appointment of a Police Sergeant at Lockhart to replace Sergeant Ged Horsley however it is expected the appointment will be finalised by the date of the next Committee meeting.
- There have been more reports of copper theft along the rail corridor and the community is advised to remain vigilant.
- There has been a Police focus on domestic violence issues with Police proactively following up compliance with Apprehended Violence Orders (AVOs). A Domestic Violence team will be activated to ensure a compliance check is undertaken within 24 hours of an AVO being issued.
- The person responsible for the robbery of the Lockhart Pharmacy recently was arrested and charged the following day.
- The Police will provide some crime prevention tips regarding home safety and vehicle theft that can be included in Council's Newsletter.
- Increased visitors to the area are expected due to several forthcoming events including the Henty Machinery Field Days, local Shows, Lockhart Picnic Races, Spirit of the Land Festival and Lockhart Central School 125<sup>th</sup> Anniversary Reunion.
- The Committee was informed that the Council has allocated grant funds for the installation of CCTV cameras at Lockhart and The Rock.
- The Committee was also informed of the proposed establishment of an accommodation camp for 250 workers approximately 10km from Lockhart and the challenges and opportunities this may present for local businesses and licensed premises as well as the Police.

The next meeting will be held at Pleasant Hills on 8 November 2022.

**Cr G Verdon**  
Delegate

### 2. RIVERINA JOINT ORGANISATION BOARD MEETING AND REROC BOARD MEETING – 26 AUGUST 2022

I participated in the Riverina Joint Organisation (RIVJO) Board Meeting on 26 August 2022 together with the General Manager. The following matters were noted: -

- The JO is continuing its advocacy activities in relation to the following issues:
  - Extending the response time for the public exhibition of documents relating to major infrastructure projects (e.g. Inland Rail, Transgrid's Project EnergyConnect) to 60 days instead of the current minimum of 28 days.
  - Review of the Rate Peg Methodology by IPART
  - Delays in the Delivery of Infrastructure Projects and meeting funding deadlines
  - Recognition of RFS Assets in councils' financial statements
- A response has been received to previous representations made by the JO that the requirements relating to Audit, Risk and Improvement Committees should not apply to JOs unless their turnover exceeds a certain threshold. The Minister has advised that JOs will be subject to the ARIC regime because *"joint organisations should be subject to the same controls and accountabilities as other public sector organisations."*
- An Options Paper for transitioning to one organisation was endorsed for distribution to member councils with a request that member councils indicate their first and second preferences from the options identified in the Paper by 30 September 2022.



- The meeting was addressed by the Federal Minister for Local Government, the Hon Kirsty McBain MP. The following points were noted:
  - A forthcoming meeting of Local Government Ministers will focus on planning and housing and disaster response and recovery.
  - Constitutional recognition for Local Government is not on the agenda for the Government's first term in office.
  - The Government has confirmed its commitment to the Local Roads and Community Infrastructure (LRCI) Fund introduced by the former Government.

I also participated in the REROC Board Meeting on 26 August 2022 together with the General Manager. Points of interest arising from the meeting include the following: -

- An application for government funding has been lodged for an 18-month community resilience project aimed at mapping disaster risk areas, running education and awareness campaigns with local communities, identifying alternate traffic routes and their suitability and generally looking at ways that communities can be better prepared for natural disasters.
- The EPA has confirmed that REROC will receive \$954,895.49 over the next five-year funding period to continue to run the Waste Forum activities.
- The "Mapped Out" (spatial information) Conference will be held on 16-17 November 2022
- The "No Time to Waste" (waste management) Conference will be held on 19-20 October 2022.
- An Options Paper for transitioning to one organisation was endorsed for distribution to member councils with a request that member councils indicate their first and second preferences from the options identified in the Paper by 30 September 2022.

**Cr G Verdon**  
**Delegate**

### **3. RIVERINA WATER COUNTY COUNCIL BOARD MEETING – 24 AUGUST 2022**

**(GM: 22/11748)**

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 24 August 2022 has been received and has been distributed separately to Councillors.

### **4. RURAL FIRE SERVICE RIVERINA ZONE SERVICE AGREEMENT COMMITTEE MEETING HELD 14 SEPTEMBER 2022 AT WAGGA WAGGA**

**(GM: 22/12792)**

I report having attended the Rural Fire Service (RFS) Riverina Zone Service Agreement Committee meeting together with the General Manager. Points of interest included the following: -

- The 2021/22 Annual Report was tabled. With respect to 2021/22 RFS activities it was noted that:
  - A total of 32 incidents were responded to by Lockhart Shire rural fire brigades including 20 fire related incidents, two rescue incidents, three hazard reduction and seven service calls.
  - Of the 20 fire related incidents three involved buildings, three involved vehicles, and 14 related to vegetation.
  - The majority of incident responses (12 or 38%) involved The Rock Rural Fire Brigade.
  - In addition to the 32 incidents where Lockhart Shire rural fire brigades provided the primary response, local brigades provided a secondary response or support role in another 21 incidents.
  - The total number of incidents was less than the previous three years.
- An application for funding of hazard reduction activities by Council (roadside slashing and spraying) has been made for 2022/23.

- Preliminary works are being undertaken for a new three bay fire station at The Rock. Seed funding was provided in 2021/22 with funding for construction to be provided in 2022/23 and 2023/24.
- Funding is being sought in 2023/24 for a new single bay fire brigade station at Yerong Creek.
- A tanker replacement program continues to be implemented by the RFS with the objective of reducing the average age of fire tankers.

**Cr James Walker**  
Delegate

**Recommendation:** That the Delegates' Reports be received.

## STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED

Status Report: Council Resolutions and Tasks to be finalised

### Status Report – September 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Council Meeting held 15 August 2022</b>			
176/22	DEES	<b>Tender – Motor Grader 170-200HP</b> Council awards contract for 'Motor Grader 170-200HP' to WesTrac for the sum of \$447,140 (ex GST).	Purchase Order issued. Completed.
175/22	GM	<b>Lockhart Industrial Estate</b> Council: 1) Note the information regarding land sale negotiations at the Lockhart Industrial Estate; and 2) Authorise the General Manager to undertake the rectification works outlined in the report including a boundary adjustment with the owner of Lots 21-24 Harry Davies Drive, Lockhart.	Rectification works and boundary adjustment to be carried out in conjunction with DA for subdivision of State 3 of the Estate.  Superseded by minute no. 56/22.  Complete
174/22	GM	<b>Proposed Sale of Lot 5 Reid St, Lockhart</b> 1) Authorise the General Manager to complete the sale of Lot 5 DP758621 Reid Street Lockhart in accordance with the terms and conditions contained in the Contract of Sale and the Deed of Agreement for the Construction of a Service Station outlined in the report. 2) Authorise the General Manager to execute the Contract of Sale and the Deed of Agreement for the Construction of a Service Station.	Documents executed and contracts exchanged.  Complete.
171/22	DEES	<b>Review of Policy 2.13 Light Motor Vehicles</b> That Policy 2.13 Light Motor Vehicles be placed on public exhibition for a period of not less than 28 days and any submissions received be considered prior to the policy being reaffirmed.	Draft Policy publicly exhibited.  Refer separate report to Council (item 14).  Complete.

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Minute No:	Officer to Action	Council Resolution	Action Taken
170/22	GM	<p><b>Adoption of Policies Following Public Exhibition</b></p> <p>The following policies, as publicly exhibited, be adopted:</p> <ul style="list-style-type: none"> <li>a) Policy 2.28 Asbestos Cement</li> <li>b) Policy 2.55 Roadside Vegetation Management</li> <li>c) Policy 2.56 Mobile Food Vans</li> </ul>	<p>Policy Register updated. Complete.</p>
169/22	GM	<p><b>Policy Reviews</b></p> <p>The following policies, as presented, be adopted.</p> <ul style="list-style-type: none"> <li>1. Policy 1.21 Investment Attractions Incentives</li> <li>2. Policy 3.1 Provision of Protective Clothing/Equipment</li> <li>3. Policy 3.29 Excessive Leave</li> </ul>	<p>Policy Register updated. Complete.</p>
166/22	GM	<p><b>Local Government NSW Annual Conference</b></p> <p>Council:</p> <ul style="list-style-type: none"> <li>1. Appoints the Mayor as its voting delegate at the 2022 LGNSW Annual Conference; and</li> <li>2. Nominates Cr Sharp to attend the Annual Conference together with the Mayor and the General Manager.</li> </ul>	<p>Council's voting delegate and conference attendees have been registered. Complete.</p>
164/22	MP&B	<p><b>Variation to Lockhart Development Control Plan 2016 – DA01/23</b></p> <p>Council supports the requested variation to the Lockhart Development Control Plan 2016 and grant consent to Development Application DA01/23 for a "Shed" at 4 Watson Street, The Rock (Lot 1 Section 15 DP977904), subject to compliance with the conditions set out in the Draft Schedule of Conditions at Attachment B.</p>	<p>Approval issued. Completed.</p>

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Minute No:	Officer to Action	Council Resolution	Action Taken
161/22	DEES	<p><b>NSW Government Electric Vehicle Charging Grants</b></p> <p>1. Endorse the application for grant funding of EV destination chargers and software subscription at:</p> <ul style="list-style-type: none"> <li>– Lockhart Caravan Park</li> <li>– Lockhart Water Tower Car Park</li> <li>– The Rock Recreation Ground</li> <li>– The Rock Observatory/Golf Course/Showgrounds</li> <li>– Yerong Creek Recreation Ground</li> </ul> <p>2. Allocate \$12,000 as Council's contribution to the work.</p> <p>3. Consult with relevant Section 355 Committees to determine the most suitable location for successfully funded chargers.</p>	<p>Quotes being obtained for installation. Submissions close 11 November 2022.</p>
160/22	DCCS	<p><b>Lockhart Out of School Hours (OOSH) Care Service</b></p> <p>Council undertakes a 12-month trial period of Out of School Hours Care at Lockhart, under a single management structure for childcare services in the Shire.</p>	<p>As a result of resolution 160/22 from the August 2022 Council meeting, work is progressing with the Lockhart Central School and Dept of School Infrastructure NSW team to establish an OOSH in Lockhart. The plan is for the OOSH service to be open for the start of Term 1 2023.</p>
158/22	GM	<p><b>Stronger Country Communities Fund – Round 5</b></p> <p>Council submits the following projects for funding under Round 5 of the Stronger Country Communities Grant Program:</p> <ul style="list-style-type: none"> <li>• Christmas lights and decorations – Lockhart, The Rock and Yerong Creek \$100,000</li> <li>• Pleasant Hills Tennis Club – Upgrade Tennis Courts &amp; Lights \$110,000</li> <li>• Implementation of Brookong Creek Masterplan \$120,000</li> <li>• The Rock Rec. Ground Precinct – Community Centre <u>\$531,190</u></li> </ul> <p style="text-align: right;"><u>\$861,190</u></p>	<p>Refer separate report to Council (item 2).</p> <p>Applications currently being prepared.</p>
<b>Council Meeting held 18 July 2022</b>			
147/22	GM	<p><b>The Rock Community Centre</b></p> <p>Council:</p> <p>a) Authorises the General Manager to purchase Lot 2, Section 17, DP758971 in accordance with the updated valuation advice received by Council, and</p> <p>b) Request the General Manager to further investigate the possible purchase of Lot 2, DP1196082 Burke Street, The Rock.</p>	<p>Council's acceptance of the asking price has been conveyed to the vendor.</p> <p>Awaiting confirmation from vendor.</p> <p>Preliminary contamination report has been provided to a suitably qualified person to advise of remediation requirements (if any) if land is used for car parking purposes only.</p>

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<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
141/22	GM	<b>Request for Council to Purchase Private Access</b> Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.	Quote for upgrading the access to an acceptable standard prior to transferring to Council has been prepared and forwarded to the landowners together with quotes for surveying and legal fees.
136/22	GM	<b>Request for Financial Assistance – Explorers Rifle Club</b> Council to carry out grading of the internal access road and other minor works at the Explorers Rifle Club with the cost of the works to be funded from the 2022/23 budget allocation for Section 356 contributions.	Works undertaken. Explorers Rifle Club event held on 27/28 August 2022. Complete.
<b>Ordinary Council Meeting held 20 June 2022</b>			
116/22	GM	<b>Riverina Regional Library – Deed of Agreement 2022-2026</b> Authority be granted for the Riverina Regional Library 2022-2026 Deed of Agreement be executed under Council's seal.	The Deed of Agreement has been executed under Council's seal. Complete.
<b>Ordinary Council Meeting held 16 May 2022</b>			
109/22	GM	<b>Tender – 109 Green Street</b> Council declines to accept the tender received from ASCO Group (Aust) Pty Ltd for the provision of public toilets at 109 Green Street Lockhart and seek separate quotations for the individual components of the project for the following reasons: a) Seeking separate quotations and being able to negotiate with different contractors for the different components of the project will provide more flexibility in seeking the most cost-effective solution bearing in mind that the funding approved under Round 4 of the Stronger Country Community Fund is less than the amount for which Council applied. b) Accepting the one tender that has been received for the public toilets without a contract in place for the community space component of the project will prove problematic as the community space and landscaping is critical to providing access to the public toilets.	Unsuccessful tenderer notified of Council's decision. Local builder engaged for the public toilets and individual quotations currently being sought for the landscaping component.
92/22	GM/ TEDO	<b>Reconnecting Regional NSW – Community Events Program</b> Council applies under the Reconnecting Regional NSW – Community Events Program subject to consultation with local event organisers.	Application has been lodged and approved. Complete.

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Minute No:	Officer to Action	Council Resolution	Action Taken						
<b>Ordinary Council Meeting held 21 March 2022</b>									
59/22	DEES	<p><b>Review of Road Classification</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. establishes a Road Classification Working Group to oversee a review of road classifications in the Shire; and</li> <li>2. nominates the following Councillors to participate in the Working Group               <table style="margin-left: 20px; border: none;"> <tr> <td style="padding-right: 20px;">A Ward</td> <td>Cr Rockliff</td> </tr> <tr> <td>B Ward</td> <td>Cr Sharp</td> </tr> <tr> <td>C Ward</td> <td>Cr Verdon</td> </tr> </table> </li> </ol>	A Ward	Cr Rockliff	B Ward	Cr Sharp	C Ward	Cr Verdon	<p>Meeting held on 22 August 2022. Information being collated prior to second meeting being held.</p> <p>Complete</p>
A Ward	Cr Rockliff								
B Ward	Cr Sharp								
C Ward	Cr Verdon								
56/22	GM	<p><b>Development of Lockhart Industrial Estate</b></p> <p>Council prepares a subdivision application for the development of Stage 3 of the Lockhart Industrial Estate.</p>	<p>Development application currently being prepared.</p>						
<b>Ordinary Council Meeting held 21 February 2022</b>									
33/22	DEES	<p><b>Flood Mitigation Review – The Rock and Yerong Creek</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the information provided in this report.</li> <li>2. Allocates \$65,000 from Council Reserves for the purchase of a mobile water pump and hoses.</li> <li>3. Awaits the outcome of works to be undertaken by Transport for NSW to clear the table drains along the Olympic Highway before determining whether additional works are required to be funded by Council.</li> <li>4. Applies to the next round of Floodplain Management grants (2022/23) to revise the Floodplain Risk Management Studies and Plan for The Rock.</li> <li>5. Applies to the next round of Floodplain Management grants (2022/23) to undertake a Floodplain Risk Management Study and Plan for Yerong Creek.</li> <li>6. Notes that a final report will not be available until after funding opportunities are finalised.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted – complete.</li> <li>2. Pump and hoses have been received - complete.</li> <li>3. Table drains cleaned – final section to be completed.</li> <li>4. Application lodged – complete.</li> <li>5. Application lodged – complete.</li> <li>6. Noted – complete.</li> </ol>						
23/22	DCCS	<p><b>Lockhart – Out of School Hours Care Service</b></p> <p>Further investigation of out-of-school-hours care requirements in Lockhart be undertaken.</p>	<p>Superseded by Minute 160/22.</p> <p>Complete.</p>						

Lockhart Shire Council  
Ordinary Meeting – 19 September 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 18 October 2021</b>			
180/21	TEDO	<p><b>Committee Minutes – TEDSC held 5 October 2021</b></p> <p>Minutes of the Tourism and Economic Development Steering Committee held on 5 October 2021 be received and the recommendations contained therein be adopted with the exception that an information board be erected at Lockhart Caravan Park.</p>	<p>Information board at Caravan Park to be included in list of locations yet to be scoped.</p> <p>New maps and signs are being progressed.</p>
<b>Ordinary Council Meeting held 16 August 2021</b>			
148/21	GM	<p><b>Proposed “Tim Fischer Way”</b></p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>Submission made to the Tourism Attractions Signs Assessment Committee.</p> <p>Plan to incorporate “Tim Fischer Way” touring route on new Visit Lockhart Shire website.</p> <p>New website now is live. Functionality to facilitate “Tim Fischer Way” touring route being developed.</p>
<b>Ordinary Council Meeting held 19 April 2021</b>			
63/21	GM	<p><b>Residential Development – Lockhart</b></p> <p>1) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report.</p> <p>2) That the cost of subdividing the land be funded from the Infrastructure Reserve with the proceeds of any land sales to be returned to the Reserve.</p>	<p>The development application for Lot 62 (westernmost lot) has been approved. The application for Lot 90 is still being processed as further investigation has been required regarding sewerage services to the site and compaction of a former dam on the site.</p>
<b>Ordinary Council Meeting held 15 February 2021</b>			
9/21	DCCS	<p><b>The Lockhart Recreation Ground Management Committee – Request for Financial Assistance</b></p> <p>Approve an interest-free loan to the Lockhart Recreation Ground Management Committee of up to \$70,000 with repayments being Year 1 \$4,200 and the remaining 14 years will be repayments of \$4,700 to support an application to Building Better Regions Fund – Infrastructure Projects Stream – Round Five.</p>	<p>This resolution will be actioned if the application to the Building Better Regions Fund – Infrastructure Projects Stream – Round Five is successful.</p> <p>The Lockhart Football Netball Club have been advised the grant application has been successful. A report will be provided at a future Council meeting.</p>

Lockhart Shire Council  
Ordinary Meeting – 19 September 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 20 July 2020</b>			
133/20	GM	<p><b>Naming of Bridges – Brookong Creek and Urana Lockhart Road</b></p> <ol style="list-style-type: none"> <li>1. Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge.</li> <li>2. Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gonyah Bridge, Brookong Creek.</li> <li>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.</li> </ol>	<p>Written to TfNSW advising of the proposed bridge and culverts names, received response from TfNSW requesting further information. Wrote to NSW Aboriginal Land Council re proposed names. DEES also contacted TfNSW liaison officer on several occasions.</p> <p>Advice received on 3/8/22 regarding requirement for consultation with Wagga Local Aboriginal Lands Council. Information forwarded to Wagga LALC and awaiting response.</p>
<b>Ordinary Council Meeting held 20 April 2020</b>			
70/20	GM	<p><b>Review of Operational Land</b></p> <p>Council adopts the following actions in relation to the review of land classified as “operational land”:</p> <ul style="list-style-type: none"> <li>• Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land.</li> </ul>	<p>Contact has been made with the adjoining landowner and information provided regarding the Council owned land in anticipation of further discussions.</p> <p>The landowner is liaising with their solicitor.</p>
<b>Ordinary Council Meeting held 15 August 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Walker – Vincent Road</b></p> <p>Advised this road is suffering badly from the ongoing wet weather and suggested Council could consider sealing the next 3-4km to alleviate some of the issues, possibly funded by future grant programs.</p>	To be including in next round of Fixing Country Roads program
	DEES	<p><b>Cr Day – Heavy Vehicle Routes</b></p> <p>Asked if there is signage on Albury Road to direct heavy vehicle traffic down Reid Street.</p>	Signs have been installed. Complete.
	GM	<p><b>Cr Rockliff – Rail Bridge, Brookong Creek</b></p> <p>Asked what the status was of the representations regarding the rail bridge in Lockhart. Cr Rockliff would like to make sure it doesn't “fall off” the agenda re its impact on flooding in Lockhart township.</p>	<p>The General Manager advised that the matter was raised with the then Minister for Regional Transport and Roads, the Hon Paul Toole, with the eventual response being unfavourable.</p> <p>Renewed representations have been made to the current Minister for Regional Roads, the Hon Sam Farraway.</p> <p>Complete</p>
	DEES	<p><b>Cr Mathews – New Gonyah Hotel</b></p> <p>Asked if the owners of the property can be asked to remove the sandbags from the front of the building as it has been some time since the last threat of flood to that property.</p>	Compliance Officer has contacted owners to remove.



*Lockhart Shire Council  
Ordinary Meeting – 19 September 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<p><b>Cr Mathews – Roads</b></p> <p>Referred to some significant problems with Albury Road, caused in part by the recent wet weather and asked how Council prioritises remediation and if additional equipment would be required.</p>	<p>The Director briefly outlined the process involved in preparing an Asset Management strategy which includes upgrade and repair priorities as well as resourcing requirements in terms of staff, plant and equipment.</p> <p>Complete.</p>
	GM	<p><b>Cr Mathews – Refugee Settlement in Regional Areas</b></p> <p>Referred to a Federal government initiative regarding settlement of refugees in regional areas and asked if Council is eligible to participate in the program?</p>	<p>The Settlement Engagement and Transition Support Program is open to service providers only and Council is ineligible.</p> <p>Complete</p>
	GM	<p><b>Cr Mathews – Domestic Violence</b></p> <p>Asked if Council could receive a report on the levels of domestic violence in the Shire to give an indication of whether the Shire is meeting related needs, e.g. women's refuges.</p>	<p>The matter was raised at the Police &amp; Community Consultation Group meeting held on 23/08/2022 (refer Delegates Reports).</p> <p>Complete.</p>
	DCCS	<p><b>Cr Marston – The Rock Recreation Ground</b></p> <p>Referred to the drain behind the building at the Recreation Ground needs cleaning out, possibly as part of works for the Second Oval project. Cr Marston advised water is pooling in the drain and becoming stagnant.</p>	<p>DCCS asked if alternate arrangements could be made by the Committee with a local contractor/volunteer to carry out the works it would be appreciated in consideration of the already large workload Council's maintenance crews have due to the ongoing wet weather.</p>
	DEES	<p><b>Cr Verdon – Rain Event, The Rock</b></p> <p>Asked if any issues had been identified during the most recent rain event, particularly any caused by the Transport for NSW work.</p>	<p>The Director advised most issues continued to arise in Emily Street. Small washouts caused in the new works to be rectified. Culvert on the highway will be repaired by Transport for NSW when dried out.</p>
	DEES	<p><b>Cr Verdon – Sealing of Roads, The Rock Recreation Ground</b></p> <p>Referred to discussions which took place with the former Director of Engineering &amp; Environmental Services regarding sealing from the sealed road (Wilson St) to the entrance of the Recreation Ground and enquired whether this was still a possibility.</p>	<p>Work order issued.</p>
	GM	<p><b>Cr Verdon – Shire Newsletter</b></p> <p>Asked if it was possible for photographs and details of some of Council's events to appear in the Shire newsletter, for example the Victory in the Pacific Day commemoration, citizenship ceremonies etc.</p>	<p>Noted.</p> <p>Yerong Creek VP Day commemoration featured in August Newsletter. Mayor's attendance at Lockhart Lions Annual Changeover to feature in September issue.</p> <p>Complete.</p>

Lockhart Shire Council  
Ordinary Meeting – 19 September 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 18 July 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS/ DEES	<p><b>Cr Marston – The Rock Pony Club</b> Advised that pony clubs are now required to load and unload horses from their floats in an enclosed area and requested some minor improvements to facilitate this.</p>	Meeting held with DEES, DCCS and Pony Club on 29 July. Cost estimate for minor works has been prepared.
	GM/ MB&P	<p><b>Cr Marston – Mural, The Rock Bowling Club</b> Provided a photo of a war memorial mural taken elsewhere in NSW and advised that The Rock RSL is considering something similar for The Rock Bowling Club and enquired as to whether a development application is required.</p>	<p>A DA may be required depending on the size and scale of the mural, i.e. surface area, further information to be obtained from applicant.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 20 June 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM/ DEES	<p><b>Cr Sharp – Jim Willis Lane</b> Referred to a previous request for a road sign at the end of this road and further advised the resident has requested gravel at the end of the lane as access has become very difficult in a normal passenger vehicle.</p>	Complete.
	DCCS	<p><b>Cr Hunter – Yerong Creek Bowling Club</b> Advised the Bowling Club are still awaiting receipt of an Occupation Certificate for the building.</p>	An accredited certifier for Class 2-9 buildings has been engaged to review and identify outstanding works to be completed for the issue of an Occupation Certificate. Inspection has been completed and report is awaited
	DCCS	<p><b>Cr Walker – Electricity Bills, The Rock Showground</b> Could the committee have some assistance in working out a split for the bill.</p>	Electricity bills have been received and currently being analysed.
	GM	<p><b>Cr Verdon – The Kings Own Hotel</b> Advised he is receiving continual complaints regarding the stalled works at this property. Asked if a meeting could be arranged with the owners to ascertain their plans for the site and asked if a clean-up order could be issued.</p>	<p>A clean up Order has been issued pursuant to the Local Government Act and works have been undertaken by the owner.</p> <p>Complete.</p>
	GM/ DEES	<p><b>Cr Verdon – Tree, John St The Rock</b> Advised he has received a complaint about a tree which has been pruned by Essential Energy and is now growing in a way which is causing the resident issues.</p>	<p>Claret Ash at 15 John St, The Rock was the only tree that fit the description. A fungal disease, Ash Dieback was discovered during assessment. Tree is not high risk but there is no cure other than removal of affected limbs to prevent further infection, causing further disfigurement in this case. Removal recommended.</p> <p>Resident has been advised in writing.</p> <p>Complete.</p>

Lockhart Shire Council  
Ordinary Meeting – 19 September 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 16 May 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM	<p><b>Cr Day: Heavy Vehicle Access, Green Street</b></p> <p>Has received comments from residents expressing concern about the number of heavy vehicles still accessing Green Street and asked what more could be done to deter B-Double operators from using Green Street.</p>	<p>The Mayor raised the issue at the Police &amp; Community Consultation Group meeting held on 24 May 2022 (refer Delegates Report).</p> <p>Cr Sharp advised that further directional signage is required on Spanish Avenue to direct vehicles to Flood Detour Road.</p> <p>Signs erected. Complete.</p>
	DEES	<p><b>Cr Rockliff: Streetsweeper</b></p> <p>Asked for an update on the purchase of a streetsweeper suitable for use on the pavers.</p>	<p>Council to resource – a mix of contractor and council staff will be used for street sweeping. Complete.</p>
<b>Ordinary Council Meeting held 19 April 2022 – Councillor Questions &amp; Statements</b>			
Question & Statements	DEES (GM)	<p><b>Cr Rockliff: Tree, Galore Street</b></p> <p>Referred to an email received by Council regarding a tree near 58 Galore Street, which appears to be eaten out at the bottom and could be dangerous. Cr Rockliff asked for an update on this matter.</p>	<p>Tree assessment has been completed in accordance with Australian Standards and landowner advised of the outcome.</p> <p>Tree assessment to be reviewed.</p>
	GM	<p><b>Cr Hunter: Connectivity</b></p> <p>Asked if there were any outcomes from the recent meeting with the Regional General Manager of Telstra.</p>	<p>Council currently collating information on blackspots and connectivity issues across the Shire to provide to the NSW Telco Authority.</p> <p>A survey for this purpose has been distributed to Shire residents and made available on Council's website.</p> <p>The survey responses are currently being collated.</p>
	DEES (GM)	<p><b>Cr Driscoll: German Church Road "Davidsons Hill"</b></p> <p>Referred to the road being too narrow for heavy vehicles and the hill providing poor visibility. Cr Driscoll asked if something can be done on 500m of road in Lockhart Shire to where it meets the Wagga City Council boundary.</p>	<p>Cost estimate to be prepared and included in future budgets</p>
	DEES	<p><b>Cr Verdon: Pedestrian Crossing</b></p> <p>Brought attention to the section of Urana Street at the post office, where heavy vehicles are causing major "shoves" impeding the travel of mobility scooters.</p>	<p>A works request has been submitted and the matter is being attended to.</p>
	DEES	<p><b>Cr Verdon: Roads Budget</b></p> <p>Asked that Council considers a widening project near "Ryans Hill" on The Rock Collingullie Road.</p>	<p>Cost estimate to be prepared and included in future budgets.</p>

Lockhart Shire Council  
Ordinary Meeting – 19 September 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 21 February 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Walker: Bulloc Hill Road</b></p> <p>Asked for an update on progress of negotiations with Wagga City Council for the works done inadvertently in WWCC area.</p>	<p>Wagga City Council's Director Infrastructure Services (DIS) advised that their General Manager is supportive of reimbursing costs. DIS to validate work. Follow up email sent 22 August 2022.</p>
<b>Ordinary Council Meeting held 10 January 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<p><b>Cr Driscoll: Technology</b></p> <p>Referred to the address via Zoom by Council's auditor and asked if the equipment in the Council chamber could be upgraded to allow better connectivity for online participation in Council meetings.</p>	<p>Upgrade currently being investigated as the projectors, which were installed during construction of the building, are now 10 years old and outdated.</p> <p>Contact has been made with a Leeton-based company and an on-site meeting is being scheduled.</p> <p>Funds allocated in the 2022/23 Operational Plan Budget.</p> <p>Quotes are being sourced.</p>
	DEES	<p><b>Cr Driscoll: Urana Street Median</b></p> <p>Enquired whether it was possible to reclassify the median strip in the road reserve of Urana Street at The Rock as recreation space so the road does not need to be closed for events such as markets.</p>	<p>Median strip forms part of the road reserve and it is not a matter of classification of the land. Whether the road needs to be closed or not, and any other traffic management issues, for any event will depend on the nature and scale of the event and would be assessed in conjunction with the lodgement of an event management plan.</p>
<b>Ordinary Council Meeting held 18 October 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Marston: Sign, The Rock Recreation Ground</b></p> <p>Referred to an information sign at the recreation ground which has information on both sides but can only be read from the footpath because of access issues, asked if the sign could be relocated nearer to the playground to allow both sides to be viewed.</p>	<p>DEES to follow up. Cr Driscoll referred to the Progress Association as the original installers. Progress Association have been contacted for location. Works programmed.</p>
<b>Ordinary Council Meeting held 21 June 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Driscoll: Community Reflection Space</b></p> <p>Asked if it was possible the park across the road from The Rock Central School could be utilised as a place of quiet reflection for the town, particularly for those suffering the loss of loved ones due to suicide, which has had an impact on the community in recent years.</p>	<p>Park deemed appropriate for reflection space. Proponent to present proposal to Council for consideration.</p> <p>Cr Driscoll met with the General Manager and Manager Parks &amp; Facilities to progress the project.</p> <p>Position agreed upon. Design to be finalised and costed.</p>

Lockhart Shire Council  
Ordinary Meeting – 19 September 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 15 February 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Driscoll – Natural Gas</b></p> <p>Referred to the natural gas pipeline which runs just outside The Rock township. Mentioned previous investigations which found that connection of the town was unfeasible. Asked if investigations could take place to see if the recent growth of the town might make that connection viable, and that Council pursue any opportunities that may assist in making it a feasible project.</p>	<p>Contact has been made with APA (pipeline owner) and Gemena (responsible for connection). The current network is 4km out of The Rock, crossing The Rock Mangoplah Road. Both APA and Gemena indicated that they have no current plans to extend the line. However, further enquiries are being made with Gemena.</p> <p>The issue has also been identified for inclusion in an MoU with a tenderer for the Inland Rail project.</p>

**Correspondence Received**

Date sent to Councillors	From	Subject
23/8/2022	Executive Assistant	Forwarding LG NSW Weekly Newsletter dated 23 August 2022.
25/8/2022	Mayor	Mayoral Update
26/8/2022	General Manager	Enclosing OLG Circulars 22-22 (Lobbying of Councillors) and 22-23 (Audit of Written Returns).
29/8/2022	Executive Assistant	Forwarding latest ALGA news dated 26 August 2022.
30/8/2022	Executive Assistant	Forwarding LG NSW Weekly Newsletter dated 30 August 2022.
5/9/2022	Executive Assistant	Forwarding latest ALGA/LGiU news dated 5 September 2022.
6/9/2022	Executive Assistant	Forwarding LG NSW Weekly Newsletter dated 6 September 2022.
7/9/2022	General Manager	Details of Councillor Workshop re REROC/RIVJO, 19 September
13/9/2022	Executive Assistant	Forwards LG NSW Weekly Newsletter dated 13 September 2022.

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

## STAFF REPORTS

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

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

(GM: 22/11642)

##### Executive Summary

At the Councillors Workshop held on 15 August 2022 it was agreed to re-allocate funds from the remaining balance of LRCI Phase 3 funding after two of the previously nominated projects were deemed ineligible. The agreement reached at the Workshop is required to be ratified by Council.

##### Report

At the Extraordinary Council meeting held on 27 June 2022 Council allocated the remaining balance available under LRCI Phase 3 as follows (Council minute no. 125/22):

- 1) \$144,000 Upgrade Lighting at Lockhart, Osborne and The Rock Recreation Grounds' main ovals
- 2) \$10,000 Public Display of Chaff Cart – Yerong Creek
- 3) \$80,000 CCTV Cameras at Lockhart, Osborne, The Rock, and Yerong Creek Recreation Grounds and Main streets in Lockhart and The Rock
- 4) \$20,000 Improved lighting – CBD to Lockhart Caravan Park
- 5) \$30,000 Christmas Lighting for towns in the Shire
- 6) \$20,000 Implementation of Council's energy savings plan, noting a contribution may also be required from Council's existing budget.

After the necessary project nomination forms were submitted in accordance with the Council resolution, the funding body advised that projects numbered 5) and 6) above totalling \$50,000 would not be approved as they did not meet the relevant criteria.

This was reported to the Council Workshop held on 15 August 2022 where a consensus was reached that the \$50,000 be re-allocated to Yerong Creek projects namely Stanley Galvin Park improvements, cricket oval irrigation system and chaff cart display.

As the decision was made at a Council Workshop, a formal Council resolution is required to endorse the decision.

##### 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, in accordance with the outcome of the Councillor Workshop held on 15 August 2022, the LRCI Phase 3 Extension funds totalling \$50,000 previously allocated to the Christmas lighting and Energy Savings Plan projects, be re-allocated to Yerong Creek projects namely Stanley Galvin Park improvements, cricket oval irrigation system and chaff cart display.

## 2. ROUND 5 – STRONGER COUNTRY COMMUNITIES FUND

(GM: 22/11650)

### Executive Summary

Council at its meeting held on 15 August 2022 nominated four projects for funding under Round 5 of the Stronger Country Communities Fund (SCCF) grant program. Council is required to review the distribution of funding available under SCCF Round 5 after advice was received that one of the four projects identified by Council does not meet the funding criteria.

### Report

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

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

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

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

A Councillor Workshop was convened on 15 August to enable projects to be discussed and agreed upon for submission under Round 5 of SCCF.

At that workshop Council resolved to submit applications for the following projects (minute no. 158/22):

- 1) \$100,000 Christmas lights & decorations – Lockhart, The Rock and Yerong Creek
- 2) \$110,000 Pleasant Hills Tennis Club – Upgrade Tennis Courts & Lights
- 3) \$120,000 Implementation of Brookong Creek Masterplan
- 4) \$531,190 The Rock Recreation Ground – Community Centre  
\$861,190

Since that time further information has been received in relation to the program guidelines and funding criteria and it has been clarified that the purchase of Christmas lights and decorations is not eligible for funding as the grant funds cannot be used for the purchase of non-fixed assets.

In the circumstances it is recommended that the amount of \$100,000 set aside for the Christmas lights and decorations be redistributed on a proportionate basis to the remaining three projects identified at the Workshop held on 15 August 2022.

### Integrated Planning and Reporting Reference

- A1: Provide support and advice to community groups, clubs, and volunteers.
- A1: Support cultural and sporting opportunities that respond to the needs of the community.
- A2: Support, or partner to provide, welcoming and well-maintained community spaces and facilities.
- B1: Manage and improve the appearance of our towns, in line with their desired identities
- D1: Our assets and infrastructure are well planned and managed to meet the needs of the community now and into the future

### Legislative Policy and Planning Implications

Nil.

### Budget and Financial Aspects

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

### Attachments

Nil.

**Recommendation:** That, Council submit the following projects for funding under Round 5 of the Stronger Country Communities Grant Program:

- 1) \$120,000 Pleasant Hills Tennis Club – Upgrade Tennis Courts & Lights
- 2) \$140,000 Implementation of Brookong Creek Masterplan
- 3) \$601,190 The Rock Recreation Ground – Community Centre  
\$861,190

**3. DRAFT PLAN OF MANAGEMENT - CROWN RESERVES FOR WHICH COUNCIL IS THE CROWN LAND MANAGER AND COUNCIL OWNED LAND CLASSIFIED AS 'COMMUNITY'**  
**(GM: 22/12140)**

Executive Summary

A Draft Plan of Management (PoM) for the Crown reserves for which Council is the Crown Land Manager and for the Council owned land that has been classified as 'community' pursuant to the Local Government Act has been publicly exhibited in accordance with statutory requirements. Council is required to consider the submissions received before formally adopting the Draft PoM.

Report

Lockhart Shire Council is the Crown Land Manager for a number of crown reserves in the Shire. The Crown Land Management Act imposes a number of obligations on councils that are crown land managers, most notably, the requirement to have a PoM in place for the crown reserves. In addition to this, Council has an obligation pursuant to the Local Government Act to prepare a PoM for land owned by Council which is classified as 'community'.

The NSW Government has provided financial assistance to councils to help them prepare compliant PoMs for the crown reserves. Lockhart Shire Council has received a grant of \$73,880 for this purpose.

After inviting expressions of interest from suitably qualified persons to prepare the PoM for both the crown reserves for which Council is the Crown Land Manager, as well as for the Council owned land classified as 'community' Council, at its meeting held on 21 October 2019, resolved to accept the proposal from the Albury based consultancy firm, Habitat Planning.

The consultants, together with assistance from Council officers, have prepared a Draft PoM and Council, at its meeting held on 20 June 2022, resolved to place the Draft Plan on public exhibition in accordance with statutory requirements.

The Draft PoM details the purpose and use of each parcel of land under Council's control, including permitted activities. The PoM reflects the current uses and activities and does not propose any significant changes.

Four submissions were received in response to the public exhibition of the Draft PoM, three of which related to the one issue.

The Rock Recreation Ground Management Committee, The Rock Progress Association and The Rock Yerong Creek Football Netball Club have made submissions that "community purposes" should be added as an authorised use for the Recreation Ground. Currently, the only authorised use for the Crown reserve is "public recreation" which is the reserve's gazetted purpose.

Adding "community purposes" as an authorised use will facilitate a broader range of uses and would also enable the establishment of a community centre on the land. The establishment of a community centre at The Rock is one of the objectives of the Lockhart Shire Community Strategic Plan 2022-2032 and the Council's Delivery Plan 2022-2025 and the Council has also resolved to make application for funding of a community centre under Round 5 of the Stronger Country Communities Fund.

In view of the circumstances outlined above, the submissions made by The Rock Recreation Ground Management Committee, The Rock Progress Association and The Rock Yerong Creek Football Netball Club are supported and it is recommended that the Draft PoM be amended to add "community purposes" as an authorised use for The Rock Recreation Ground.

The fourth submission is from Council's own Tourism and Economic Development Officer who has suggested that references be included in the PoM noting that Council endeavours to create a master plan for Brookong Creek and Galore Hill Scenic Reserve for future planning and upgrades.

Council is required to submit the final draft PoM incorporating any changes agreed to by Council following the consideration of submissions to the Department for the purposes of obtaining the Minister's



consent in accordance with clause 70B of the Crown Land Management Regulation 2018. The final draft PoM must be accompanied by a summary of the submissions from the exhibition period and a table of corresponding PoM amendments. If the changes made are considered significant Council may be required to re-exhibit the Draft PoM.

#### Integrated Planning and Reporting Reference

- 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: Strategically plan for our sports and recreation infrastructure, as well as cemeteries.
- E1: Meet all governance and regulatory requirements in the conduct of Council operations.

#### Legislative Policy and Planning Implications

The Crown Land Management Act 2016 came into force on 1 July 2018. Under the legislation councils are required to prepare PoMs for those crown reserves under their control.

A PoM is also required to be prepared for council owned land that has been classified as 'community' pursuant to the Local Government Act.

Following the public exhibition of the Draft PoM, Council must submit the final draft PoM to the Crown Land Office to obtain Minister's consent prior to adoption by Council, as required by clause 70B of the Crown Land Management Regulation 2018.

#### Budget and Financial Aspects

Council has received funding in the amount of \$73,880 to assist with the preparation of PoMs for crown reserves for which Council is the Crown Land Manager and will be sufficient to complete the exercise.

#### Attachments

1. Submission – The Rock Recreation Ground Management Committee
2. Submission - The Rock Progress Association
3. Submission – The Rock Yerong Creek Football Netball Club
4. Submission – Tourism and Economic Development Officer

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

1. Amend the Draft Plan of Management by adding "community purposes" as an authorised use for The Rock Recreation Ground, and
2. In accordance with clause 70B of the Crown Land Management Regulation 2018 submit the amended Draft Plan of Management to the Department of Environment and Planning together with a summary of the submissions from the exhibition period and a table of corresponding amendments.

#### [Next Item](#)

**Item 3: Attachment 1 – Submission, The Rock Recreation Ground Management Committee**

The Secretary  
The Rock Recreation Management Committee  
32 Urana St,  
The Rock NSW 2655  
22<sup>nd</sup> August, 2022

General Manager  
Lockhart Shire Council  
65 Green St,  
Lockhart NSW 2656

Dear Peter,

The Rock Recreation Ground Management Committee would like to put forward an amendment to the gazetted purpose of the reserve. At the present time it is stated that it is used for public recreation. The amendment we are suggesting would be for community purposes.

The reserve has had several upgrades over the years that have increased the community participation. A new park and improved amenities have encouraged the community to make more use of the reserve, not only for sporting events.

In future there may be further opportunities to increase the community use to further promote the liveability of shire and small town.

Thank you for considering this amendment,

*Gail Driscoll*

Gail Driscoll  
Secretary  
The Rock Recreation Ground Management Committee

**Item 3: Attachment 2 – Submission, The Rock Progress Association**

28<sup>th</sup> August 2022

Dear Peter,

I am writing on behalf of The Rock Progress Association to express our support to have the draft Plan of Management for The Rock Recreational Reserve name to include 'Community Purposes'.

There are several reasons as to why this name change is important to the current facility.

Firstly, the area has been used for specific community purposes over the years by various organisations as outlined as follows.

1. The Rock Central School has used the room for extra curricula activities for its students, holding leadership and peer support classes for year groups to build student skills and mental health. It also has used the facility for visiting dance, gymnastic and performing arts activities as the school does not have a hall to access.
2. The Rock Central School P and C Association have used the facility to hold cultural dinner nights as fundraisers for the school.
3. During the horrific fires in 2019/20 our association used the rooms as a base for donations to support those affected by the fires. Many community members came and supported making packages and shipping them to those in need. We could not have done this without the space available to us in the rooms.
4. Christmas Carols were held at the grounds prior to COVID 19 and again the rooms used for food, toilet access and respite from the weather. We look forward to again using the facilities this year.
5. The rooms have been accessed by parents to bring out dance instructors for the local children rather than travelling to Wagga.

Secondly, the area has the infrastructure and utilities available in place to access. Its central proximity to town, toilets, play facilities and surrounding space make it a perfect location for community area. Many local business people working from home have been requesting a facility in which they can access to hold meetings and have an alternative workspace which is available to our regional and city counterparts. Recently the local Playground folded as the building they were using was sold. As a developing and growing town, it would be an asset to have a room available for young families to meet and socialise.

The Rock Progress Association fully supports the name change and development of the existing building to incorporate a space that can be used by all community members and agencies. We would also like to offer some financial support in seeing the development of this space.

I look forward to seeing the name changed to community purposes as it already is serving this function well in the community.

Kind Regards,

Traci Driscoll

Chairperson

The Rock Progress Association

**Item 3: Attachment 3 – Submission, The Rock Yerong Creek Football Netball Club**



P.O Box 2  
THE ROCK NSW 2655  
Phone: 0438229155  
Email: trittonj@bigpond.com  
ABN 28 137 550 830

**President: M Driscoll/D Pieper  
Secretary: John Tritton  
Treasurer: Anthea Driscoll**

Peter Veneris  
General Manager  
Lockhart Shire Council  
65 Green St  
Lockhart 2656  
Email: pveneris@lockhart.nsw.gov.au

**Submission by The Rock Yerong Creek Football/Netball Club – Draft Plan of Management for Community Land.**

Dear Peter,

I am writing on behalf of The Rock Yerong Creek Football/Netball Club in support of the amendment of The Rock Recreation Ground, a designated Public Recreation area, to include it being an area designated for Community Purposes.

The area in which the Recreation Ground encompasses has many facilities which are open to and used by a number of local community groups, in particular the football/netball club, the touch football association and the aquatic centre. These facilities are primarily focused on sporting and social activities and attract a limited range of participants from throughout the local community. By the very nature of the infrastructure already in place at the grounds, there is an opportunity to expand the use of the area to include other groups within the community to take advantage of the site.

The features already in place include a toilet and shower block, expansive car parking areas, a modern children's playground as well as connected electricity and water. By amending the gazetted purpose of Recreational Ground to one including 'Community Purpose' it would open up the area to a greater section of the local and surrounding communities and make better use of the available facilities.

It is therefore my submission that an amendment be made to the Draft Plan of Management for Community Land that The Rock Recreation Ground include Community Purposes as being an authorized use.

Yours faithfully

John Tritton  
Club Secretary  
4 September 2022

**Item 3: Attachment 4 – Submission, Tourism & Economic Development Officer**

**From:** [Matthew Holt](#)  
**To:** [Peter Veneris](#)  
**Subject:** Submission - Draft Plan of Management - Crown Land Managed by Council  
**Date:** Monday, 5 September 2022 4:24:21 PM

---

Dear Peter

I congratulate Council on such a in depth Plan of Management of our Crown Reserves.

Please find below my submission for additions in reference to Galore Hill Scenic Reserve and Brookong Creek Masterplans

**Galore Hill Scenic Reserve**

- *Lockhart Shire Council endeavours to develop a masterplan for future planning and upgrades* – please include this under community involvement and management on pages 40, 44, 45 or where relevant.

**Brookong Creek Masterplan**

- *Lockhart Shire Council endeavours to develop a masterplan for future planning and upgrades* - please include this under community involvement and management on pages 47 or where relevant.

If you have any questions, please don't hesitate to contact me

Kind regards

Matt

**Matt Holt**

Tourism and Economic Development Officer

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

Lockhart Shire Council, 65 Green Street (PO Box 21) Lockhart, NSW, 2656

Council: +61 2 6920 5305

Mobile: 0419 944 616

Email: [mholt@lockhart.nsw.gov.au](mailto:mholt@lockhart.nsw.gov.au)

[Council Website](#) • [Tourism Website](#)

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

### **4. INLAND RAIL PROJECT – ENVIRONMENTAL IMPACT STATEMENT**

(GM: 22/11695)

#### Executive Summary

The Environmental Impact Statement for the Inland Rail Project (Albury to Illabo section) has been placed on public exhibition.

#### Report

As previously reported Inland Rail extends 1,700km, from Tottenham in Victoria to Acacia Ridge in Queensland and will enable the use of double-stacked, 1,800m long trains with a 21-tonne axle load at a maximum speed of 115km/h.

Whilst the work involving the lowering of tracks or raising of bridges to enable double stacked trains will impact significantly in other local government areas, the work required to be undertaken at The Rock and Yerong Creek will be carried out predominantly within the rail corridor.

The Environmental Impact Statement (EIS) for the Inland Rail Project (Albury to Illabo section) has been placed on public exhibition. For the purposes of the EIS the Albury to Illabo section includes five Local Government Areas (LGAs) divided into three precincts namely:

- 1) Albury
- 2) Greater Hume and Lockhart
- 3) Wagga Wagga
- 4) Junee

According to the EIS the project is expected to be fully operational in 2025. Currently there is an average of up to 12 freight train movements a day. About 18 freight train services per day are estimated in 2025 and this is likely to increase to an average of 20 freight trains per day in 2040.

For much of the construction period the workforce is expected to average up to about 50 to 90 people in each precinct.

Annual freight tonnages are estimated to increase in parallel from approximately 13 million tonnes in 2025 to about 19 million tonnes per year in 2040.

The complete EIS and associated documents and technical papers can be accessed online at <https://www.planningportal.nsw.gov.au/major-projects/projects/inland-rail-albury-illabo>.

Extracts from the Summary of Findings document relating to the Greater Hume and Lockhart precinct outlining the traffic, transport and access issues, noise and vibration issues and the landscape and visual impacts of the proposal are attached.

In particular, it is noted that predictive modelling indicates the increase in frequency and size of freight trains and the adjustments to the track may result in exceedances of operational rail noise criteria set by the *NSW Rail Infrastructure Noise Guidelines*.

In Lockhart LGA one non-residential receiver, being the Yerong Creek Public School, near the Yerong Creek track clearances is predicted to experience operational rail noise exceedances. The document also outlines the measures proposed to be undertaken to mitigate the impact of noise (refer page 19).

It is also noted from attending meetings of the Inland Rail Community Consultative Committee, established as part of the project's community engagement initiatives, that Inland Rail is consulting directly with the Yerong Creek Public School regarding noise mitigation measures.

The EIS is on public exhibition from 17 August to 28 September 2022 during which time submissions can be made.

The Inland Rail project is consistent with the objectives of the Lockhart Shire Community Strategic Plan 2022-2032 and the Council's Delivery Plan 2022-2025 with respect to the following:

*"B1: Improve services and infrastructure that supports our rural businesses.*

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

It is also consistent with the Council's advocacy over a period of years for the upgrade of The Rock to Boree Creek rail line to the same standard (axle loading) as the main Sydney to Melbourne rail line. The

branch line is currently described as 'light rail' meaning that wagons cannot be loaded to their maximum axle weight.

Whilst this upgrade has not progressed Council has supported it due to the potential benefits including reduced freight costs for producers, improved safety for road users and reduced maintenance costs for Council in relation to its road network.

In view of the above it is recommended that Council make a submission supporting the Inland Rail project subject to appropriate noise mitigation measures being incorporated into any approval issued for the project.

#### Integrated Planning and Reporting Reference

B1: Improve services and infrastructure that supports our rural businesses.

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

#### Legislative Policy & Planning Implications

The Inland Rail project has been declared State Significant Infrastructure.

#### Budget & Financial Aspects

Nil.

#### Attachments

- Extracts – Inland Rail (Albury to Illabo) Summary of Findings (EIS)

**Recommendation:** That Council make a submission supporting the Inland Rail project subject to appropriate noise mitigation measures being incorporated into any approval issued for the project.

## **5. PREPARATION OF A STRATEGIC BUSINESS CASE FOR THE ROCK TO BOREE CREEK RAIL LINE**

**(GM: 22/12074)**

#### Executive Summary

An update is provided in relation to the business case being prepared for The Rock to Boree Creek rail line under the Inland Rail Interface Improvement Program.

#### Report

Council has over a period of years advocated for the upgrade of The Rock to Boree Creek rail line to the same standard (axle loading) as the main Sydney to Melbourne rail line. The branch line is currently described as 'light rail' meaning that wagons cannot be loaded to their maximum axle weight.

In September 2020 it was reported to Council that with the advent of the Inland Rail project the opportunity was taken to once again make representations regarding the branch line. This was done through the Inland Rail Interface Improvement Program (II Program) which aims to assist in the development of project ideas that have the potential to boost the benefits that flow from the Inland Rail project.

In May 2021 it was reported to Council that the Department of Infrastructure, Transport, Regional Development, Communications and the Arts confirmed that the proposal submitted by Council was assessed as eligible for the II Program. The proposal was included in a list of 15 project proposals announced by the Australian Government to receive support under the II Program.

The assistance came in the form of a specialist business case advisor, appointed, managed and paid for by the Department, to work with Council to develop the proposal. In addition to the specialist business case advisor, Ernst & Young, a number of other consultants have been involved each focusing on a specialised component of the business case including the following:

- Cost estimation
- Demand analysis
- Stakeholder engagement
- Regulatory and environmental issues
- Infrastructure and operational issues

The preparation of the business case progressed under a Gateway Assessment Process with the following decision points or "Gates".

- Gate 1 Initial Selection  
(Proposal details, problem definition, options considered, stakeholders identified, indicative costs and benefits)
- Gate 2 Pre-feasibility  
(Clear definition of problem, initial stakeholder consultation, further assessment of options, estimates of costs and benefits, initial regional economic impacts, environmental, heritage and planning issues, risks identified)
- Gate 3 Feasibility  
(Refined definition of problem, options prioritised, further stakeholder consultations, working estimates of costs and benefits, preliminary assessment of environmental, heritage and planning issues, risks and mitigations refined)
- Gate 4 Strategic Business Case  
(Firm estimate of costs and benefits, regional economic analysis, financial analysis – total and ongoing costs, environmental, heritage and planning strategy, risks and mitigations finalised, post proposal monitoring and assessment plan)

At each decision point the information gathered and progress made is assessed against the relevant criteria to determine whether or not the project will proceed through to the next phase.

The project progressed through Gates 1 and 2. However, following the submission of the Gate 3 Report the Department has written to advise that the criteria for progressing to the next phase has not been met. Specifically, the Department advised that:

*“Your proposal has been assessed by the Department and its independent Assurance and Technical Advisor and was found ineligible to progress to the next gate (Gate 4) to develop a Strategic Business Case.*

*While your proposal indicated it has potential to support efficiencies on the Rock to Boree Creek line that could increase rail’s competitiveness and deliver freight cost savings to regional grain producers. Without strong support from the rail asset owner and a low Benefits Cost Ratio—meaning the proposal would come at a significant net cost to the community—the proposal did not meet the requirements of the Program’s Assessment Framework.”*

Whilst the development of a strategic business case will not be proceeding further, Council will be able to use, reproduce, communicate and publish material produced as part of the Inland Rail Interface Improvement Program and Council will also be permitted to share the Feasibility study or use the information it contains to develop further documents or supporting material if it wishes to continue its advocacy efforts.

#### Integrated Planning and Reporting Reference

- B1: Improve services and infrastructure that supports our rural businesses.  
B1: Lobby to increase the use of rail for agricultural transportation.

#### Legislative Policy & Planning Implications

The Australian Government has committed \$44 million to II Program to assist in the development of project ideas that have the potential to boost the benefits that flow from Inland Rail.

The II Program supports the development of ideas for more productive rail-based supply chains and improvements to capacity on key country rail lines that intersect with Inland Rail.

These ideas can come from industry, local operators, governments and the community, or others that are interested in taking advantage of the long-term benefits of Inland Rail.

#### Budget & Financial Aspects

The services of a business case advisor were provided at no cost to Council and the specialist business case advisor was appointed and managed by the Department.

#### Attachments

Nil.

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



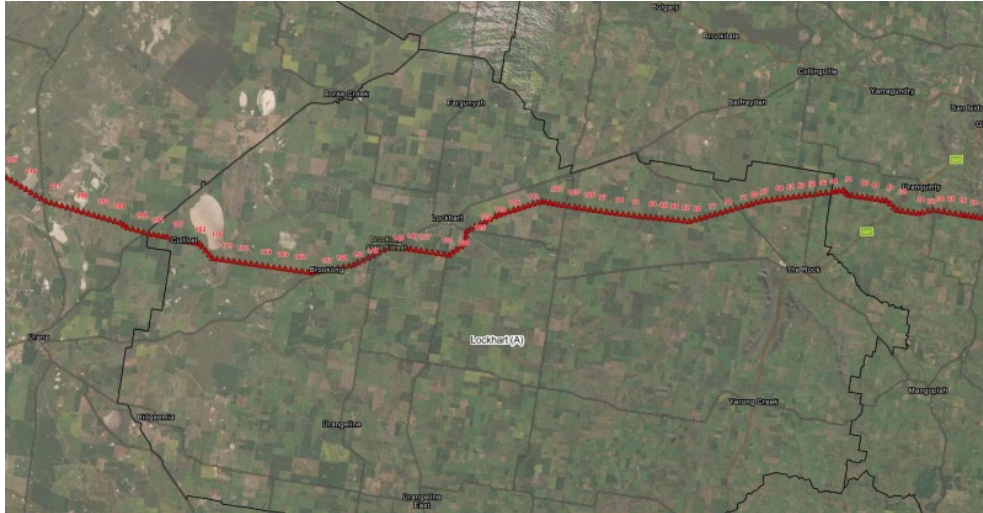
## **STRATEGIC DIRECTION C: An Environment that is Respected and Protected**

### **6. ENERGYCONNECT PROJECT**

**(DEES: 22/12693)**

#### Executive Summary

Information report regarding the EnergyConnect project which will be upgrading transmission lines within Lockhart Shire.

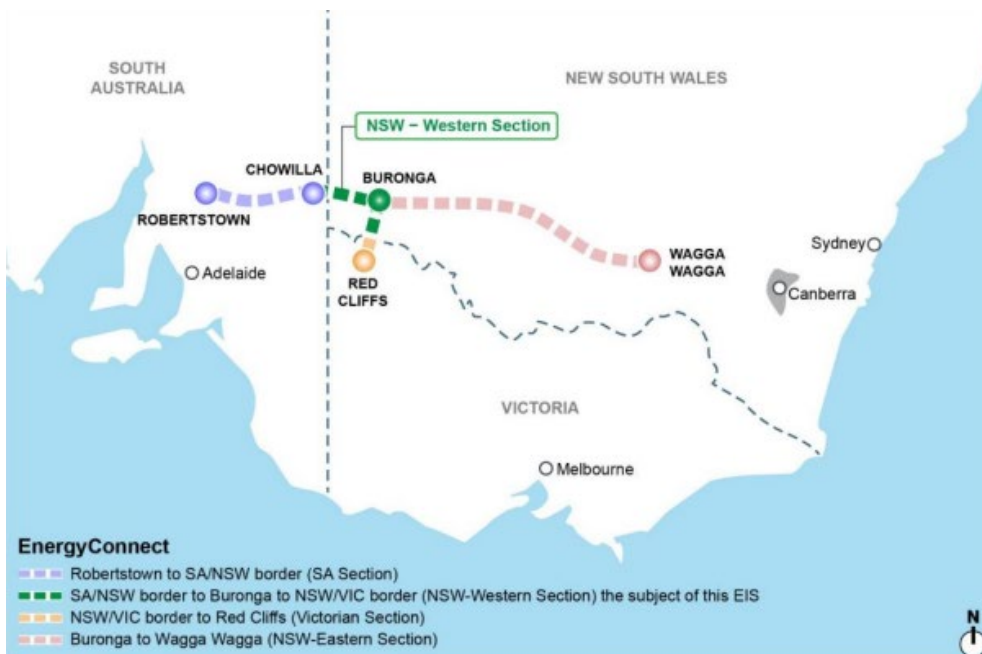


**Location of the Transmission Line Upgrade**

#### Background

On 29 August 2019, the New South Wales (NSW) Minister for Planning and Public Spaces declared the NSW component of EnergyConnect to be critical State significant infrastructure (CSSI) under the Environmental Planning and Assessment Act 1979 (EP&A Act) on the basis that it is critical to the State for environmental, economic or social reasons. Within NSW, EnergyConnect is therefore subject to assessment under Part 5, Division 5.2 of the EP&A Act.

Approval for the project under the EP&A Act was granted by the NSW Minister for Planning (Infrastructure Approval SSI-9172452). Approval for the project under the EPBC Act was granted by the Australian Minister for the Environment. Transgrid have engaged SecureEnergy, a joint venture between Elecnor and Clough Projects Australia Pty Ltd to design and construct their portion of the EnergyConnect project.



**Project Map EnergyConnect**

## Report

In accordance with condition D51 of the Infrastructure Approval, management plans must be prepared in consultation with the relevant authorities and councils including Lockhart Shire. In this regard SecureEnergy has forwarded Council three draft documents for comment; the Accommodation Camp Management Plan – Lockhart; the Traffic and Transport Management Plan; and the Out of Hours Work Protocol. Copies of the documents can be circulated if required however a summary is provided below.

### *Accommodation Camp Management Plan*

A total of five construction compounds will be constructed for the project with one located within Lockhart Shire, at County Boundary Road. The accommodation camp will accommodate 250 project personal as well as food and catering facilities, fitness and recreational facilities, parking, first aid facilities, chemical storage, sediment basin and a wastewater treatment plant. The operation of the camp will be for 24 hours per day, 7 days per week. Water will be purchased and transported to site; wastewater will be reused; waste will be transported to council's waste facility and connection to power will be made. The accommodation plan outlines emergency procedures and training for employees at the site.



**Proposed location of accommodation camp in Lockhart Shire at County Boundary Road.**

### *Traffic and Transport Management Plan*

The plan has identified the roads with Lockhart Shire that will be used as part of the project. As a condition of consent, SecureEnergy must undertake dilapidation surveys to assess the condition of the roads being used prior to work, within one month of completion and/or on an annual basis. They must also repair any damage to the roads on the routes if the survey identifies they have damaged the road.

## ARAN- High Speed Data Collection (Visual and Laser)

### POSITIONING - GPS

Every ARAN is equipped with a GPS and is integrated with other subsystems, so that if the receiver cannot lock on to enough satellites to determine its position, the ARAN DMI and the ARAN Inertial Reference System will fill in the gaps.

### RIGHT-OF-WAY VIDEO

The ARAN is fitted with HDTV cameras which capture right-of-way images allowing you to virtually view the road from the comfort and safety of your office.

### ROUGHNESS

The Laser SDP is a longitudinal profile measurement system which provides road profile data capture and real-time roughness index calculation using a combination of high-speed lasers and accelerometers.



### TEXTURE

Smart Texture utilises high-frequency lasers to measure the mean profile depth of road surface macrotexture.

### PAVEMENT DISTRESS

With the ARAN's pavement imaging system, planar-view digital pavement images are recorded directly to disk for 100% of the driven lane.

### RUTTING

The Laser Transverse Profiler uses dual scanning lasers to accurately measure the transverse profile of the road with 1280 points over 4m.

### POSITIONING - DMI

The Distance Measuring Instrument measures ARAN chainage and linear distance travelled.

### Road Dilapidation Survey Vehicle

#### *Out of Hours Work (OOHW) Protocol*

Standard construction hours may only be carried out between:

- 7 am to 6 pm – Monday to Friday
- 8 am to 1 pm – Saturdays; and
- at no time on Sundays and NSW public holidays
- unless the Planning Secretary agrees otherwise.

Work can occur outside the standard hours if:

- Delivery of materials out of hours if required by Police
- Emergency works
- Negotiated agreements with sensitive receivers
- Inaudible activities
- Access points required by ROL (Road Occupancy Licence) to occur outside of standard hours; or
- Undertaken in accordance with OOHW Protocol.

#### Integrated Planning and Reporting Reference

C1: Ensure responsible development practices are exercised.

#### Legislative Policy & Planning Implications

Nil.

#### Budget & Financial Aspects

Nil.

#### Attachments

Nil.

**Recommendation:** That Council notes the report.

7. LOCAL ENVIRONMENTAL PLAN REVIEW - PROFILE AND ISSUES REPORT AND RESIDENTIAL LAND USE STUDY

(GM: 22/12727)

Executive Summary

The *Environmental Planning and Assessment Act 1979* (EP&A Act), requires all councils to periodically review their local environmental plans (LEPs) and determine if those LEPs should be amended following such a review. Council has resolved to undertake a review of its LEP and an update is provided in relation to the review.

Report

At the Council meeting held on 18 July 2022 a summary of the proposed steps and anticipated timeframes for completion of the LEP review was provided.

The initial step involved the preparation of a Profile and Issues Report by Habitat Planning, the consultants engaged by Council to assist in undertaking the LEP review followed by a Residential Land Use Study.

The Profile and Issues Report assists in establishing the baseline issues and position for Lockhart Shire and providing an understanding of the Lockhart Shire context from which future strategic work will be built upon.

The Report is a factual document that involves information and data gathered from a myriad of sources that contributes to the understanding of the Local Government Area. The report will also be a key document to be used for engagement with the community, stakeholders and government agencies and shape and inform the LEP Review.

Habitat Planning has advised that a Draft Profile and Issues Report has been completed. Due to the recent release of census data by the Australian Bureau of Statistics (ABS) Habitat Planning was able to include updated population statistics and projections and other relevant information in the Paper. It is also proposed to share the document with the Department of Planning and Environment (DPE) to obtain their comments.

The Draft Report will be distributed to Councillors as soon as it is received from Habitat Planning. In the meantime Habitat Planning has advised of some of the key issues identified in the Local Profile and Issues Paper that require further consideration through the development of the Housing and Land Use Strategy and which are summarised below.

*“Population and Demographics*

- *The population of Lockhart LGA as a whole has grown slightly over the past 2 census periods, however individual towns have experienced different growth rates. Lockhart has decreased in population over the past 2 periods, whereas The Rock has increased its population over the same period.*
- *Approximately 80% of Lockhart’s population predominantly reside in the two main towns of Lockhart and The Rock. However, The Rock now accounts for 46% of the Shire’s total population with Lockhart having 34%.*
- *The population of Lockhart Shire is ageing which creates pressure on housing, community and other services.*

*Housing*

- *There is a high proportion of lone person and couple only households and the proportion of the total housing for this occupancy type has been increasing over the recent census periods. This indicates the identified trends of an ageing population and reducing household sizes.*
- *Single detached housing stock make up the vast majority of the total housing stock for the Shire, comprising some 96% of total housing.*
- *Lockhart LGA has a high proportion of dwellings which are fully owned (no mortgage) which indicates a level of relatively housing affordability when compared to other surrounding LGA’s.*
- *There is a significant gap in the servicing cost to construct new residential development areas in relation to sale costs of land. Given this cost, it will remain more cost effective for persons to purchase existing dwellings or seek opportunities to occupy existing properties within village areas (i.e. infill).*

*Employment*

- *The Agriculture, Forestry and Fishing sector has dominated employment sector of Lockhart for a long time, however this is declining largely because of the consolidation of farming land and efficiency in production (i.e. technology advancement).*

- *Health Care and Social Services, Construction and Administrative industries are the fastest growing employment industries within Lockhart Shire.*
- *A number of industries have been affected by the COVID pandemic. Accommodation and Food Services appear to have been most affected in Lockhart.*

*Industry*

- *The Rock and Yerong Creek are located on the alignment of the Olympic Highway and have location advantages for industry attraction. The Rock already has a zoned industrial area which is accessible to the Highway.*
- *The Rock and Yerong Creek are located on the existing Great Southern Railway alignment. The Inland Rail route will also be constructed on this alignment through both towns.*
- *Lockhart Shire is not within the Renewable Energy Zone, but is traversed by the major 330kV electrical network which makes the LGA a possible candidate for renewable energy investment.*

*Agriculture*

- *There are significant areas of valuable agricultural land within the Lockhart Shire which represent significant contributors to the economy.*
- *retail, education, and training amongst other industries even when they have been heavily impacted by COVID-19.”*

Habitat Planning has advised that it is also well advanced with the preparation of the Residential Land Use Study which is being prepared in accordance with the Local Housing Strategy template prepared by DPE. Habitat Planning has sought and obtained DPE’s comments on this approach and DPE has agreed that the best approach is to follow this structure.

Prior to finalising the Residential Land Use Study Habitat Planning proposes to undertake community consultation with any feedback received from the community being incorporated into a Draft Residential Land Use Study that will be presented to Council.

It is suggested that a Councillor Workshop be held prior to the October Ordinary Council meeting to discuss the Draft Residential Land Use Study. Representatives of Habitat Planning will be available to attend the workshop to discuss the issues raised in the Draft Residential Land Use Study.

For the purposes of the community consultation Habitat Planning proposes to devote one full day each in Lockhart and The Rock structured as follows:

*10am–3pm – 1-on-1 and group meetings with identified stakeholders*

*4pm–6pm – Open Community Drop-in Session (venue TBC)*

The following dates are proposed for the community consultation which will be promoted on social media, Council’s website, the September Council Newsletter and through notices placed at various locations e.g. Council’s office, post offices and community notice boards around the Shire.

<b>Town</b>	<b>Location</b>	<b>Date</b>
Lockhart	Council Chambers, 65 Green St, Lockhart	4 October 2022 – 4pm–6pm
The Rock	Town Hall, 138 Urana St, The Rock	5 October 2022 – 4pm–6pm
Yerong Creek	Yerong Creek Community Hall, 35 Cole St, Yerong Creek	6 October 2022 – 4pm–6pm
Pleasant Hills	Pleasant Hills Community Hall, Ryan St, Pleasant Hills	6 October 2022 – 12pm–2pm

The community consultation outlined above is for the purposes of the Rural Land Use Study and there will be more consultation in relation to other aspects of the LEP review as the review progresses.

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

#### Budget and Financial Aspects

Council has allocated \$72,000 in its 2022/23 budget to complete the LEP review.

#### Attachment

The Draft Profile and Issues Report will be separately distributed to Councillors.

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

1. Council notes the community consultation proposed to be undertaken by Council's consultants, Habitat Planning, in relation to the preparation of a Residential Land Use Study.
2. A Councillor Workshop be convened at 4.00pm of Monday 17 October 2022 prior to the Ordinary Council meeting to consider the Draft Residential Land Use Study.

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

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

(DEES)

#### Executive Summary

Monthly report on engineering and environmental services matters.

#### Background Information

##### a) **Works**

*Floods November 2021 and January 2022:* Emergency works for the November 2021 flood event is completed with emergency works for the January 2022 flood event nearing completion.

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

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

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

##### *Unsealed Roads*

Maintenance of Shire gravel roads has been conducted on Ledheys Lane, Dick Knobels Lane, Robertsons Lane, Scheuners Lane, Wallace Brownes Road, Schneiders Lane, Osborne Pleasant Hills Road, Alf Freemans Lane, Wrathal School Lane, Illets Lane, Terlichs Lane, Fletts Lane, Vennells Lane Bankvale Rd C2, Neuhaus Lane, Janetskes Lane, Eulensteins Lane and Broughtons Lane.

##### *Maintenance Crews*

The concrete crew have completed culvert extensions on Ryan Stock Route, installed awning at the Lockhart cemetery, the Pleasant Hills school pedestrian/bus stop is well under way a seal when weather permits will complete the project.

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

##### b) **Parks & Gardens**

##### *Athel Pine*

Athel Pine (*Tamarix aphylla*), a Weed of National Significance, is a fast-growing tree with serious impacts along waterways in arid and semi-arid Australia. It is regarded as one of the worst weeds in Australia because of its invasiveness, potential for spread, and economic and environmental impacts. It increases surface soil salinity changing ecosystems, shades and competes with desirable species.

This species was used as a street specimen by Council many years ago; most have been removed due to poor health and aesthetics but there are still a small number on Council-controlled land.

Athel pine is a declared weed in Lockhart Shire, removal is not required but seedlings must be controlled. While there has not been evidence of these specimens spreading, after full consideration of their impact on the surrounding environment all Athel Pine on Council-controlled land including approximately 19 along East Street, Lockhart (Albury Rd) will be removed and replaced with a more suitable species when conditions and resources permit.

Enquiries regarding identification or control of this species on private property can be directed to Council's Manager Parks & Facilities or Environmental Officer.

#### *Lockhart Caravan Park Entrance, Green St*

Replacement of the old granite path with paving has been completed and the pebble surface has been replaced with pea granite.

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

#### *Parks and Gardens*

Ongoing garden maintenance including weeding, spraying, pruning, deadheading, and mulching is being conducted to prepare Council facilities for spring and the event season.

#### *Weed Control*

Weed control by mechanical and chemical methods is being conducted within urban areas as conditions allow. Pesticides commonly used are Glyphosate and Dicamba. Signage will be placed at property entrance when spraying is in progress.

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

#### *Mowing and Slashing*

Growth rates have started to increase; slashing in towns and villages is being conducted as required and where access for machines is available. Many roadsides are still quite saturated and difficult to get machines on without the risk of bogging.

Properties completed recently include Lockhart Airstrip, Milbrulong and Osborne Recreation Grounds, Clem Gooden Oval, Yerong Creek Cemetery and Lockhart Showground.

Growth rates of irrigated lawns is also increasing and being monitored.

The September schedule will focus on town entrances and other high-profile areas in preparation for upcoming events.

#### *Trees*

The tree maintenance program has continued, with a focus on under pruning old tree and formative pruning of younger street trees.

Watering of any trees planted in the last two years has ceased due to regular rain, cooler temperatures, and dormancy of many species. Watering requirements will be monitored as trees come back into leaf and the weather starts to warm up.

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

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

c) **Biosecurity**

*Control Program*

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

*DrumMUSTER*

Expressions of interest to run the upcoming drumMUSTER collection events closed on 19 August. Council received two submissions from shire-based community groups, both of which have managed collection events previously. St Joseph's School is the successful applicant for managing the collection event at Lockhart on 13 September, and The Rock Mens' Shed is the successful applicant for managing the collection event at The Rock on 15 September.

*WeedSCAN*

It is difficult to manage what you can't identify. WeedScan is being developed by the Centre for Invasive Species Solution, CSIRO and the NSW Department of Primary Industries to help overcome this barrier. WeedScan is an app and website for identifying, reporting and managing priority weeds in Australia.

This new tool will provide state and national governments, natural resource management groups, graziers, farmers and communities with an easy-to-use digital tool enabling priority weeds to be identified quickly without expert knowledge; easy access to best practice management information; and action either at the individual enterprise level or as part of a community-led regional WeedScan network.

d) **Environmental Matters**

*TransGrid Project Energy Connect (PEC)*

Following correspondence relating to environmental concerns, Lockhart Shire Council has been directed to revised documents including the EnergyConnect (NSW – Eastern Section) Revised Biodiversity Development Assessment Report, and the EnergyConnect (NSW – Eastern Section) Revised Aboriginal Cultural Heritage Assessment Report. Within these documents, project impacts have been identified for threatened species, ecological endangered communities, and items of Aboriginal culture and heritage. Mitigation and management measures have been considered, and offsetting biodiversity impacts have been calculated for both ecosystem credits and species credits, which will be purchased through the NSW Biodiversity Conservation Trust.

e) **Development Approvals**

The following development applications were approved, with conditions, from 1 August to 31 August 2022.

DA/CDC No	Development	Applicant	Site of Development
DA01/23	Shed	Mr D Shaw	4 Watson St, The Rock
DA06/23	Dwelling house & shed	Mr G Hartman	6 Cape St, Milbrulong
DA07/23	Patio & carport	Ms G Schmarr	29 Norman St, The Rock
DA10/23	Dwelling house	Ms L Metcalfe, Moshude P/L	3 Prichard Pl, Lockhart
DA12/23	Farm shed	Mr W Holding	1363 Vincents Rd, Yerong Creek
CDC13/23	Inground swimming pool	Mr P Clancy	2548 Albury Rd, Urangeline East

f) **Compliance Activities**

Council's Compliance Officer has been in discussions with the Department of Planning and Environment for some time regarding the Crown land on the corner of Federal and Treasure Streets, Lockhart. As a result of those discussions the Department has accepted a quote from Council to clean up the land including the removal and disposal of tyres, landscape materials, dumped cement, bricks, timber, pipes



and other rubbish. The work will be undertaken by Council at the Department's cost in the coming weeks.

As a result of complaints received in relation to noise and air pollution at The Rock over an extended period of time, information has been collected by Council which, following consultation with the EPA, will lead to the issuing of a Noise Abatement Notice pursuant to the Protection of the Environment and Operations Act.

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

### 9. INVESTMENT AND BANK BALANCES REPORT – 31 AUGUST 2022

(DCCS: 22/12717)

#### Executive Summary

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

#### Report

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

#### Cash at Bank

<b>Opening Combined Cashbook Balance</b>			1,319,889.73
Add: Total Receipts			
	Rates	1,135,712.05	
	Debtors	19,311.82	
	Miscellaneous	103,099.44	
	Interest	12,089.47	
	July BAS Return	9,646.00	
	Apprenticeship Incentives	15,743.12	
	Roads to Recovery Grant	183,771.00	
	Financial Assistance Grant	307,427.00	
	Dept Regional NSW - Reconnection Regional NSW95860.80	95,860.80	
	Dept Regional NSW - SCCF2 -0472 - Milestone 3	34,000.00	
	Drummaster	5,933.02	
	Heritage Grant	3,000.00	
			1,925,593.72
Less: Total Payments			1,078,005.89
	New Investments	0	1,500,000.00
<b>Closing Combined Cashbook Balance</b>			<b><u>2,167,477.56</u></b>
<b>Closing Bank Statement Balance</b>	Bendigo Bank	1,902,979.67	
	Macquarie Bank	340,201.74	
	Bendigo Bank-Prichard Trust	31,672.31	
			2,274,853.72
Add: Outstanding Deposits			119,208.67
			2,394,062.39
Less: Outstanding Cheques			226,584.83
<b>Closing Combined Cashbook Balance</b>			<b><u>2,167,477.56</u></b>
	<b>Interest Rate per</b>	<b>Amount</b>	
<b>Investments:</b>	<b>Annum</b>	<b>Invested</b>	<b>% of Total</b>
Bendigo	2.20	500,000.00	6.06
Bendigo	2.20	500,000.00	6.06
Bendigo	3.55	500,000.00	6.06
Bendigo	at call	100,000.00	1.21
Bendigo	2.85	400,000.00	4.85
Commonwealth	1.71	500,000.00	6.06
Commonwealth	2.31	250,000.00	3.03
Commonwealth	2.00	500,000.00	6.06
Commonwealth	2.31	500,000.00	6.06
Commonwealth	3.01	500,000.00	6.06
MACQUARIE BANK	2.75	500,000.00	6.06
MACQUARIE BANK	1.77	500,000.00	6.06
MACQUARIE BANK	2.75	500,000.00	6.06
NAB	1.75	500,000.00	6.06
NAB	2.60	500,000.00	6.06
NAB	2.83	500,000.00	6.06
NAB	2.26	500,000.00	6.06
NAB	2.05	500,000.00	6.06
		<b>8,250,000.00</b>	<b>100.00</b>
			<b>AMOUNT</b>
General (PTD)	1490-3000-0000		-256,995.15
Combined Sewerage	8490-3000-0000		2,393,065.40
Trust Fund	9991-3000-0000		31,672.31
		<b>2,167,742.56</b>	<b>2,167,742.56</b>
	<b>TOTAL FUNDS HELD ARE:</b>		<b><u>10,417,742.56</u></b>

#### Integrated Planning and Reporting Reference

- E1 Council is strong, sustainable and able to stand alone.
- E1 Plan for the long-term sustainability of the Shire.

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

Legislative Policy and Planning Implications

- Local Government Act 1993 Section 625 Investments.
- Local Government (General) Regulation Clause 212.

Budget and Financial Aspects

Council's 2022/23 Operational Budget has forecast a total of \$39,750 income from interest on investments for General Fund & Sewer Fund combined. For the months of July to August 2022, the average end of month balance of funds invested has been \$8.25 million and the average return on invested funds has been 2.41%. On these year to date figures, Council's budgeted income on investments will be exceeded for the General Fund and Sewer Fund. This will be monitored and adjusted at the 1st Quarterly Budget Review.

Responsible Accounting Officer Statement

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

**Recommendation:**

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

**10. AUDITED FINANCIAL STATEMENTS – 2021/2022**

**(DCCS 22/12712)**

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 2021-22 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 19 September 2022.

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

The NSW Audit Office have advised this approach will likely result in a qualified audit opinion.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

### Budget & Financial Aspects

Reporting on Council's financial performance for the 2021-2022 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 2022
4. Draft General Purpose and Special Purpose Financial Statements:
  - a) Income Statements
  - b) Balance Sheet/Financial Position
  - c) Cash Flow

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

## 11. MEMBERSHIP OF REGIONAL ORGANISATIONS

(GM: 22/12098)

### Executive Summary

Council is currently a member of the Riverina Eastern Regional Organisation of Councils (REROC) and the Riverina Joint Organisation of Councils (RIVJO). The respective Boards of REROC and RIVJO have been considering transitioning to a single regional organisation and have resolved that member councils be requested to determine their preferences from several options identified for the purposes of making that transition. A Workshop has been convened to take place prior to the Council meeting to discuss and consider those options.

### Report

Lockhart Shire Council has been a long-standing member of REROC which was established in 1999. In December 2017 the Local Government Act was amended to provide a legislative framework for the formation of Joint Organisations of councils (JOs). Pursuant to a resolution passed on 5 February 2020 Lockhart Shire Council is now a member of the Riverina JO (RIVJO) with seven other local councils.

The RIVJO member councils initially took a cautious approach to the transition from REROC to the JO whereby REROC would continue to operate, and after a period of eighteen months (i.e. by 30 June 2020), an independent review of the operations of REROC and RIVJO would be carried out. The cautious approach was adopted due to concerns regarding the cost of operating JOs and their financial viability.

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

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

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

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

Now that the period of two years has elapsed the issue of transitioning to a single organisation is again being considered. The respective Boards of REROC and RIVJO have identified the following options for making that transition and have resolved that member councils determine their first and second preference in relation to those options:

1. REROC stands alone and RIVJO folds
2. RIVJO stands alone and REROC goes into hiatus
3. REROC stands alone and RIVJO operated by Wagga Wagga City Council (operating separately from each other)
4. REROC stands alone and RIVJO goes into hiatus

The REROC and RIVJO Boards have also endorsed an Options Paper for distribution to member councils which outlines the pros and cons of each of the above options. The Options Paper has been separately distributed to councillors together with other relevant information.

A Councillor Workshop has been convened to take place prior to the Council meeting to discuss and consider the options outlined in the One Organisation Options Paper with the outcome to be endorsed by a Council resolution.

#### Integrated Planning and Reporting Reference

E1: Implement “Fit For The Future” improvement action plans, i.e. continue involvement with REROC/JO.

#### Legislative Policy & Planning Implications

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

#### Budget & Financial Aspects

The 2022/23 Budget has made provision for both the REROC and RIVJO Membership fee.

#### Attachments

Nil.

**Recommendation:** That Council endorse the outcome of the Councillor Workshop held prior to the Council meeting regarding transitioning to a single regional organisation.

## 12. MODEL MEDIA POLICY – CONSULTATION DRAFT

(GM: 22/12079)

### Executive Summary

The Office of Local Government (OLG) has issued a consultation draft of a *Model Media Policy* and is seeking the views of councils and other stakeholders on the consultation draft prior to finalising the model policy.

### Report

OLG has issued a consultation draft of a *Model Media Policy* which it has been developed by drawing on best practice across the local government sector.

The model policy will not be mandatory, and councils will be free to choose whether to use the policy or to adapt it for their own purposes. If adopted, the policy will operate to supplement the provisions of councils’ adopted codes of conduct.

OLG is inviting submissions from councils and other stakeholders on the consultation draft of the Model Media Policy. Submissions should be made before **26 October 2022**.

A copy of the Model Media Policy is available on the OLG website at <https://www.olg.nsw.gov.au/councils/governance/best-practice-governance-policies-consultations/>. A copy of the Model Media Policy has also been separately distributed to Councillors.

Council currently has its own Media Policy (Policy 1.2). With respect to its application to councillors, the Model Media Policy is not inconsistent with Council’s existing Media Policy 1.2. According to the Model Media Policy issued by OLG:

*“As a member of the governing body and as a representative of the community, councillors are free to express their personal views to the media.*

*When engaging with the media councillors:*

- must not purport to speak for the Council unless authorised to do so*
- must clarify when speaking to the media that they are expressing their personal views as an individual councillor and that they are not speaking for the Council (unless authorised to do so)*
- must uphold and accurately represent the policies and decisions of the Council”*

Council’s Media Policy 1.2 is next scheduled for review in October 2023. At that time consideration could be given to adopting the OLG Model Media Policy in its place if it is finalised in the meantime.

#### Integrated Planning and Reporting Reference

- E1: Meet all governance and regulatory requirements in the conduct of Council operations
- E2: Provide effective community engagement practices with the community
- E3: Ensure the community is informed by improving access to information

#### Legislative Policy and Planning Implications

OLG is developing a suite of best practice governance policies. These model policies use a “best of breed” approach to existing council policies and reflect what OLG sees as best practice in the local government sector.

The Model Media Policy will not be mandatory, and councils will be free to choose whether to use the policy or to adapt it for their own purposes

#### Budget and Financial Aspects

Nil.

#### Attachments

A copy of the Model Media Policy has also been separately distributed to Councillors.

**Recommendation:** That the information be noted and consideration be given to adopting the Model Media Policy when Council’s current Media Policy 1.2 is scheduled for review in October 2023.

### **13. OFFICE OF LOCAL GOVERNMENT AUDIT OF DISCLOSURE OF INTERESTS RETURNS (GM: 22/12090)**

#### Executive Summary

The Office of Local Government (OLG) has advised that it will be undertaking an audit of written returns of interests lodged by councillors and designated persons.

#### Report

Councillors and designated persons are required to lodge written returns of interest in accordance with the requirements set out in their council’s code of conduct.

Councillors and designated persons are required to lodge a new return with their council’s general manager no later than 30 September 2022.

A failure to correctly lodge and/or disclose interests is misconduct and can result in disciplinary action being taken.

The OLG has advised that councillors, administrators, and other council officials (general managers, senior staff and other ‘designated persons’) should note that their written returns of interests may be subject to review as part of an OLG audit.

The audit will take place after the due date for the annual returns to be lodged i.e. 30 September. Advance notice of the audit is being given by OLG to allow councillors, administrators, and designated persons the opportunity to ensure their returns are accurate and complete.

#### Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Clause 4.24 states that the general manager must keep a register of returns disclosing interests that are required to be lodged with the general manager under a code of conduct. Pursuant to Clause 4.25 of the Code, Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgement.

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

Budget and Financial Aspects

Nil.

Attachments

Nil.

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

**14. ADOPTION OF POLICY 2.13 – LIGHT MOTOR VEHICLES POLICY FOLLOWING PUBLIC EXHIBITION**

**(DEES: 22/12716)**

Executive Summary

Policy 2.13 Light Motor Vehicles Policy is tabled for adoption by Council having been publicly exhibited for a period of 28 days.

Report

Policy 2.13 Light Motor Vehicles Policy was tabled for Council's consideration at its meeting held on 15 August 2022:

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

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

Integrated Planning and Reporting Reference

C1: Our environmental practices are sustainable

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

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

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

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

Attachments

Nil.

**Recommendation:** That Policy 2.13 Light Motor Vehicles Policy, as publicly exhibited, be adopted.

## 15. POLICY REVIEWS

(GM: 22/11625)

### Executive Summary

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

### Report

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

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

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

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

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

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

- Policy 1.7 Fraud Control
- Policy 2.31 Procurement
- Policy 3.30 Workplace Surveillance

The Procurement Policy was recently amended as part of a review of the Local Preference Purchasing Policy. No other significant changes are proposed to the above policies.

Policy 3.30 was referred to the Local Government Award Staff Consultative Committee for consultation purposes.

### Integrated Planning and Reporting Reference

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

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

### Legislative Policy & Planning Implications

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

### Budget & Financial Aspects

Nil.

### Attachments

1. Policy 1.7 Fraud Control
2. Policy 2.31 Procurement
3. Policy 3.30 Workplace Surveillance

**Recommendation:** that the following policies, as presented, be adopted.

- a) Policy 1.7 Fraud Control
- b) Policy 2.31 Procurement
- c) Policy 3.30 Workplace Surveillance

### [Next Item](#)



## Item 15: Attachment 1 – Policy 1.7 Fraud Control

### 1.7 Fraud Control

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POLICY TITLE: FRAUD CONTROL

FILE REF: SC67

REVIEW DATE: SEPTEMBER 2025

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#### 1. PRINCIPLES

This policy is applicable to Councillors, staff and delegates. It is designed to protect public funds and assets, protect the integrity, security and reputation of the Council and its staff, and maintain a high level of services to the community.

There are four (4) elements to Council's Policy namely:

- i. Prevention
- ii. Detection
- iii. Reporting and
- iv. Investigation

Fraud control is the protection of Council's assets from fraudulent exploitation. The desired outcome of this fraud control policy is elimination of cases of fraud involving staff and elimination, by all possible efforts, of fraud against Council generally.

#### 2. DEFINITIONS

For the purpose of this Policy, the Australian Standard 8001-2008 on fraud and corruption control's definition of fraud has been adopted. Specifically, fraud is defined as:

“Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity.”

Some examples of fraud include:

- Unauthorised use of Council plant and equipment or other Council resources;
- Private use of Council's inventory and stores;
- Claiming unworked overtime on time sheets;
- Providing confidential Council information to unauthorised persons or bodies;
- Allowing contractors to not fully meet contract requirements
- Improper use of information for personal benefit;
- Deliberate falsification, concealment or use of falsified documentation.

“Corrupt conduct” is defined by Section 8 of the Independent Commission Against Corruption (ICAC) Act 1988 as:

- a) “Any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority, or;
- b) any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her official functions, or;
- c) Any conduct of a public official or former public official that constitutes or involves a breach of public trust, or;
- d) Any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.”

### 3. RESPONSIBILITY

All Councillors and Management personnel are responsible for fostering an environment, within their areas of control, which makes active fraud control a responsibility of all staff and for issuing clear standards and procedures to encourage the minimisation and deterrence of fraud. More specifically the division of responsibility is as follows:

- a) Council – responsible for ensuring appropriate policies are in place and reviewed regularly including:
  - Fraud Control Policy;
  - Code of Conduct;
  - Statement of Business Ethics;
  - Public Interest Disclosure and Reporting Policy;
  - Reporting on fraud control activities in the Annual Report
- b) General Manager – responsible for:
  - Ensuring a Fraud Risk Assessment is undertaken;
  - Developing a Fraud Control Action Plan;
  - Arrange fraud awareness training for all staff at regular intervals;
  - Authorising internal investigations of suspected fraud;
  - Keeping the Mayor informed of any internal fraud investigations.
- c) Directors – responsible for:
  - Advising the General Manager of any reports of suspected fraud or corruption;
  - Promoting an ethical climate and maintaining awareness amongst staff of their obligation to always act honestly, in accordance with Council's Codes and Policies and in compliance with the law.
- d) All staff – responsible for:
  - Acting ethically, in accordance with Council's Codes and Policies and in compliance with the law;
  - Reporting any suspicions of fraud or corrupt conduct to their Director.
  - Participating in fraud awareness training arranged by Council.
  - "Signing-off" on the Code of conduct on an annual basis.

### 4. PREVENTION

Council is committed to preventing fraud at its origin. Fraud flourishes in an environment where there are insufficient controls to prevent waste, abuse and mismanagement. Council believes that an emphasis on fraud prevention, rather than fraud investigation, will lead to a reduction of these opportunities for waste, abuse and mismanagement.

In this regard a Fraud Risk Assessment will be undertaken with mitigation measures identified and implemented to minimise the risk of fraud and increase the likelihood of detection.

Council recognises that fraud prevention requires the maintenance of an ethical climate, which encourages all staff to be active in protecting Council's funds and assets, and in reporting any breaches of accepted standards. Directors and managers must be mindful of their responsibility to foster and develop in their areas the highest standards of ethical behaviour and commitment to a highly ethical workforce culture.

Awareness and education is also important for the prevention of fraud. In this regard Council's Information for New Employees Handbook and induction procedures will contain information regarding Council's Values, Business Ethics, Code of Conduct, Fraud Control Policy and Public Interest Disclosures and Reporting Policy.

### 5. DETECTION

Detection relies on having appropriate internal controls and reporting mechanisms in place including the following:

- A Fraud Risk Assessment identifying mitigation measures to minimise the risk of fraud and increase the likelihood of detection.
- An independent check by Council's Internal Auditor that the mitigation measures identified in the Fraud Risk Assessment are in place and working effectively.
- A strategic and tactical Internal Audit Plan with Internal Audit reviews focusing on selected areas of activity.
- A system for reporting suspected fraud or corrupt conduct and making protected disclosures.

## 6. REPORTING

### Internal Reporting

Any suspected instances of fraud or corruption from either internal or external sources should be reported by staff to their Director.

Any suspicions of fraud or corrupt conduct involving a Director should be reported to the General Manager.

Any suspicions of fraud or corrupt conduct involving the General Manager should be reported to the Mayor.

The information provided in each case should include wherever possible:

- Details of and relating to the suspected offence; and
- Details of the suspected offender(s) where known.

For a report of any wrong-doing to be a protected disclosure in accordance with the Public Interest Disclosures Act, the report has to be made to a person or position prescribed in Policy 1.18 - Public Interest Disclosures and Reporting System.

Management recognises that the reporting of fraud is a sensitive issue (especially against work colleagues). To affirm the integrity of this function, therefore, management will ensure the confidentiality of information passed to any member of the Management Executive. It will achieve this by maintaining the confidentiality of both the complainant and suspect, and by avoiding rumours, morale problems and the possibility of willful destruction of evidence.

### External Reporting

In determining whether a particular matter, fraudulent or otherwise, is of sufficient seriousness that it should be referred to an external agency for investigation, a preliminary assessment/investigation of the alleged case of fraud will be undertaken to ensure that sufficient facts have been disclosed from which there is a reasonable cause to believe an offence has been committed, or attempted to be committed, and the matter is of a fraudulent nature within the terms of the definition of fraud given in Section 2;

In the event that there is a reasonable suspicion that, in a particular matter, an offence has occurred, and that the matter may have implications for another organisation, then a report on that matter, excluding personal information unless prima facie evidence exists, will be provided to the relevant organisation at the earliest opportunity.

External agencies to which wrong-doing can be reported include;

- NSW Independent Commission Against Corruption - for corrupt conduct;
- NSW Ombudsman – for maladministration;
- NSW Office of Local Government – for serious and substantial waste in local government;
- NSW Information Commissioner for disclosures about a government information contravention;
- NSW Police – for criminal matters.

### Annual Reporting

The Council will report on its fraud control activities in its Annual Report prepared pursuant to Section 428 (1) of the Local Government Act, 1993.

## 7. INVESTIGATION

The General Manager is responsible for authorising internal investigations and informing external persons or bodies are appropriately notified.

Where the initial investigation discloses a serious or complex situation beyond the Council's resources and investigative capabilities, the General Manager may, in consultation with the Mayor, engage external assistance to undertake the investigation.

In the case of any instance of alleged fraud, any such accusations shall be brought to the attention of the person against which such allegations are made at the earliest opportunity and any such person shall, in a case of an investigation in to any such alleged conduct, be entitled to obtain independent Union and/or legal advice regarding such matters.

Council recognises that in such circumstances where the allegation of fraud carries the imputation of criminal conduct, then such employees' right to silence shall be recognised.

## 8. RELATED DOCUMENTS

Policy 1.4 - Code of Conduct

Policy 1.6 - Statement of Business Ethics

Policy 1.18 - Public Interest Disclosures and Reporting System

*Lockhart Shire Council  
Ordinary Meeting – 19 September 2022*

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Adopted by Council on 19 September 2022  
Refer Minute No. XXX/22

Adopted by Council on 16 September 2019  
Refer Minute No. 268/19

Adopted by Council on 19 June 2017  
Refer Minute No. 147/17

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

Adopted by Council – 21 August 2006  
Refer Minute No. 268/0

## **Item 15: Attachment 2 – Policy 2.31 Procurement**

### **2.31 Procurement**

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POLICY TITLE:       PROCUREMENT  
FILE REF:            SC67  
EXPIRY DATE:        SEPTEMBER 2025

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#### OBJECTIVES

The objectives of this Policy are to:

- 1) Obtain the best value for the community through effective, responsible, ethical and transparent procurement methods.
- 2) Ensure compliance with the legislative framework including the Local Government Act 1993 and the Local Government (General) Regulation 2005.
- 3) In accordance with section 8A (b) of the Local Government Act, "... carry out functions in a way that provides the best possible value for residents and ratepayers".
- 4) Encourage and support local suppliers and support local economic activity within the Lockhart Shire, where it is efficient to do so, while achieving Council's overall "value-for-money" objectives.

#### GENERAL PRINCIPLES

- 1) Council's "value-for-money" objectives will be pursued having regard to legislative compliance, consideration for the environment, work health and safety and the achievement of Council's community, social and economic policies.
- 2) Best value for money does not automatically mean the lowest price. Council will balance all relevant factors including initial cost, whole-of-life costs, quality, reliability and timeliness in determining true value for money.
- 3) Part of obtaining best value also includes ensuring all our business relationships are honest, ethical, fair and consistent. In this regard Councillors and Council officers shall:
  - a) Deal fairly, honestly and ethically with all individuals and organisations
  - b) Avoid any conflicts of interest (whether real or perceived).
  - c) Treat all suppliers with impartiality and fairness and ensure they are given equal access to information and opportunities to submit bids
  - d) Fully and clearly document all procurement activities and decisions to provide an effective audit trail and to allow for effective performance review of contracts.
  - e) Purchase, wherever reasonably possible, energy efficient equipment, products containing recycled materials and environmentally friendly products.
  - f) Have regard to the health and safety of Council employees when purchasing machinery and equipment or other goods or services to be used by staff in the course of their employment.
  - g) Not invite tenders unless the Council has a firm intention to proceed to contract.
  - h) Not disclose confidential or proprietary information.
- 4) Goods and services shall only be purchased by staff authorised to place orders within their financial delegation approved by the General Manager or alternatively, with the support of a Council resolution as outlined in Schedule 1.

#### COLLABORATIVE ARRANGEMENTS

Council may participate join with other Councils and regional organisations such as REROC and the Riverina Joint Organisation and participate in other aggregated purchasing arrangements such as the Local Government Procurement Service, in the acquisition or sale of goods and services.

BEST VALUE PROCEDURES

- 1) Procurement procedures include obtaining verbal quotes, obtaining written quotes, selective tendering and open tendering.
- 2) The appropriate procurement procedure, including the number of quotations to be obtained, will depend on the circumstances and the value of the goods or services being acquired. The minimum requirements for adopting the appropriate procurement procedure are set out in Schedule 1.

Quotations

- 1) For all quotations, clear criteria for assessment and specifications must be conveyed equally to each supplier quoting for the materials/service. Such criteria may include price, quality and value for money, delivery time, warranty, supplier ability, local knowledge, environmental and safety issues.
- 2) When assessing quotations received, the criteria used must be the same as those originally stipulated to the suppliers invited to quote.
- 3) Goods or services may be purchased without first obtaining the minimum number of quotations outlined in Schedule 1, in the following circumstances:
  - a) The goods or services are required for an emergency event and the immediate non-supply of the goods or service may pose a health, safety or financial risk to the Council and/ or the community.
  - b) There is only one suitable supplier for the particular good or service.
  - c) An insufficient number of quotations were received after publicly inviting quotations or expressions of interest.

In all such circumstances the reasons for not obtaining the required number of quotations set out in Schedule 1 shall be properly documented. The form attached as Schedule 2 may be used for this purpose.

Public Tender

- 1) Notwithstanding the above, the purchase of goods or services for which the estimated expenditure is \$250,000 or more (inclusive of GST) **MUST** be undertaken by public tender in accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005.
- 2) The \$250,000 tender threshold applies to the total estimated value of the contract, i.e. the amount estimated to be paid or received over the full term of the contract including estimated extras, additions and extensions. Contracts must not be “split” to avoid the \$250,000 threshold.
- 3) Whenever Council is required by section 55 of the Act to invite tenders before entering into a contract, the Council must decide which of the following tendering methods is to be used.
  - a) Open tendering method by which tenders for the proposed contract are invited by public advertisement.
  - b) Selective tendering method by which invitations to tender for a particular proposed contract are made following a public advertisement asking for expressions of interest.
  - c) Selective tendering method by which recognised contractors selected from a list prepared or adopted by the council are invited to tender for proposed contracts of a particular kind.
- 4) The tender documents must include, in addition to the matters identified in the Local Government (General) Regulation 2005, criteria for selection and may include assessment of the tenderer’s capability, qualifications, experience, technical compliance with the specification, financial capacity, cost (including whole of life costing where necessary) and environmental, health and safety issues. Consideration should be given, where practical, to the possible benefit to be gained from a tenderer whose geographical location may offer improved communication, response times, after sales service, reduced freight costs and local knowledge of conditions and sites.
- 5) The weighting points to be applied to each criterion should not be stated on the contract documentation nor revealed to tenderers. However, they must be determined by Council assessment staff prior to the opening of tenders. A sample Tender Evaluation form is attached as Schedule 3.
- 6) If a council amends tender documents after they have been issued to persons, it must take all reasonably practicable steps to inform those persons of the amendments.

PROCUREMENT METHODS

- 1) The Council's standard methods for procuring goods and services shall be by one of the following:
  - a) Petty cash and other reimbursement systems.
  - b) Credit or debit card.
  - c) Purchase order
  - d) Contract or other legal agreement
  - e) Other arrangements authorised by the Council or the General Manager on a needs basis or as required in abnormal circumstances such as emergencies.
- 2) The appropriate procurement method will depend on the circumstances and the value of the goods or services being acquired. The minimum requirements for adopting the appropriate procurement method are set out in Schedule 1.
- 3) All of the abovementioned procurement methods must be supported by relevant documentation.

REFERENCE DOCUMENTS

This policy should be read in conjunction with:  
Policy 1.4 Code of Conduct  
Policy 1.6 Statement of Business Ethics  
Policy 1.19 Local Preference Purchasing Policy  
Policy 3.18 Credit Card Use.

Reviewed by Council 19 September 2022  
Refer Minute No. xxx/22

Reviewed by Council 19 August 2019  
Refer Minute No. 236/19

Reviewed by Council 18 March 2019  
Refer Minute No. 45/19

Reviewed by Council 17 December 2018  
Refer Minute No. 340/18

Changes adopted by Council 20 May 2013  
Refer Minute No. 146/13

Adopted by Council 17 August 2009  
Refer Minute No. 290/09

Adopted by Council – 21 August 2006  
Refer Minute No. 268/06

**SCHEDULE 1**

Value of Purchase (GST Exclusive)	Procurement Procedure	Procurement Method	Approval & Authorisation
Less than \$3,000	1 verbal quote	Up to \$50 petty cash. Credit or debit card Purchase order	Staff with delegated authority
More than \$3,000 and less than \$15,000	2 verbal quotes	Credit or debit card Purchase order	Staff with delegated authority
More than \$15,000 and less than \$250,000	3 written quotes	Purchase order Acceptance letter Contract document	Staff with delegated authority or Council resolution
\$250,000 and more	Public tender – Open tendering – Selective tendering	Purchase order Acceptance letter Contract document	Council resolution



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## Item ??: Attachment 3 – Policy 3.30 Workplace Surveillance

### 3.30 Workplace Surveillance

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POLICY TITLE: WORKPLACE SURVEILLANCE

FILE REF: SC67

EXPIRY DATE: SEPTEMBER 2025

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#### 1. PURPOSE

The Workplace Surveillance Act 2005 (Act) requires that employees are made aware of workplace surveillance undertaken by Lockhart Shire Council (Council).

This policy was developed to ensure Council meets its obligations under the Act by informing/ notifying employees of surveillance devices in the workplace and to provide a framework under which Council's Workplace Surveillance will be managed to ensure continued legislative compliance.

#### 2. STATEMENT

Council recognises its obligations to ensure, where reasonably practicable, a safe and healthy workplace for its workers and others.

Technology advances now mean that most mobile devices have the functionality which includes that of camera, computer and tracking surveillance devices. Council in the course of its business uses these devices. Individual employees have similar capabilities with a Council supplied mobile device or their personal mobile device.

An employee is at work for the purposes of this policy when the employee is:

- At a Council workplace whether or not the employee is actually performing work at the time; or
- At any other place while performing work for Council; or
- Using Council vehicle, plant or equipment in the course of performing work for Council.

The use of certain surveillance devices by Council:

- Provides the potential to identify the geographical location of an employee or Council vehicle or plant and equipment;
- Provides the potential to deter vandalism, assault or other criminal activity and reduce the risks associated for employees and others and capture evidence of criminal activity;
- Allows for monitoring to manage the risks associated with non-compliance of Council's Code of Conduct and Work Health and Safety (WHS) requirements;
- Assists management to optimise performance, improve efficiency and improve customer service.

In accordance with the Act, this policy addresses the following types of surveillance in the workplace:

- Camera surveillance
- Computer surveillance
- Tracking surveillance.

#### 3. DEFINITIONS

Camera Surveillance	Surveillance by means of a camera that monitors or records visual images of activities on premises or in any other place.
Computer Surveillance	Surveillance by means of software or other equipment that monitors or records the information input or output, or other use, of a computer (including but not limited to the sending and receiving of emails and the accessing of internet websites).
Employee	Has the same meaning as the Industrial Relations Act and includes a person performing voluntary work.
Tracking Surveillance	Surveillance by means of an electronic device the primary purpose of which is to monitor or record geographical information or movement.
Workplace	Means premises, or any other place where employees work or any part of such premises or place.

#### 4. PROVISIONS

##### 4.1. Camera Surveillance

Council may require designated areas to be under camera surveillance for operational, security and/or protection/ safety reasons.

Council's CCTV cameras which operate in public places, as defined under the Local Government Act (1993) are included in this policy. However, access to surveillance information captured by these CCTV cameras are subject to the Street Safety Cameras Policy and Public Access to Council Information Policy.

Where Council intends to introduce surveillance cameras in the workplace, employees working in the designated area or areas shall be advised in writing (which could be email) fourteen (14) days prior to its commencement in accordance with the Act. For any cameras in existence at the time of adoption of this policy, staff will be duly notified by being advised in writing of the adoption of this policy.

Council will put in place visible signs informing people who enter or leave a workplace or public place that camera surveillance is being carried out.

CCTV camera surveillance is continuous and ongoing.

Council may from time to time require employees who work in hazardous activities (for example in field regulatory roles) to have an on-person camera to reduce the risk associated with such activities. The requirement for these devices will be based on a risk assessment process. The employee will be notified of the installation and intent of these devices and the public will be advised. Surveillance is intermittent but ongoing.

##### 4.2. Computer and mobile device surveillance

Computer resources are provided for business purposes related to an employee's duties. However reasonable personal use is permitted in accordance with the Computer, Internet, Email and Social Media Policy.

Use of Council's computers and associated systems is governed by the following policies which prescribe conditions of employee access to and use of Council's information technology facilities, services and systems:

- Computer, Internet, Email and Social Media Policy

Computer surveillance is undertaken for the general security of Council property and assets, the protection of Council related information and to ensure that Council's computer resources are not misused. Surveillance is carried out in conjunction with the abovementioned policies.

Council's corporate email system will automatically block some emails. This blocking is to ensure the integrity of the system and to reduce the risk from malware/viruses to Council's network. The email recipient will receive a notification that the email has been blocked.

Access logs are automatically created, and facilities exist to review the Internet addresses visited by each user. Access may be blocked to some sites that represent a threat to the corporate IT environment.

Computer surveillance is continuous and ongoing. Council will investigate alleged breaches of the law or Council policies by staff using Council IT equipment and systems and this may involve accessing the employee's computer and electronic records.

##### 4.3. Tracking Devices

###### (i) Plant & Motor Vehicles

Increasingly Council's fleet is being fitted with an electronic tracking device such as a GPS (Global Positioning System) to collect, interpret and record/ store data including geographical location, movement and or plant/vehicle function or activity.

Council will install visible signs in all vehicles fitted with tracking devices to inform all vehicle users that surveillance tracking is being carried out.

This surveillance is continuous and ongoing.

At the time of drafting this policy current technology does not allow for the devices to be disabled outside of business hours and therefore until the technology advances to allow such devices to be disabled will not be installed in Council leaseback vehicles.

###### (ii) Security Alarm & Swipe Card Access Systems

For security purposes when a staff member arms or disarms an alarm system for a Council premise through entering security access code or using swipe card technology to access a facility the information is recorded.

Council may access and monitor staff use of the security alarm and swipe card access systems in the following ways:

- for the purpose of determining, as part of an investigation, whether there has been unacceptable access to premises by an employee constituting a breach of Council's policies or misconduct by the employee;
- for the purposes of legal requirement or other lawful investigation.

Security alarm and swipe card access systems surveillance is continuous and ongoing.

(iii) GPS enabled mobile devices

Council may from time to time require employees who work alone, in remote locations or in hazardous activities to use a tracking device (including but not limited to two way radio, man down, distress alarm) to reduce the risk associated with and to identify the location of the employee should an emergency response be required. The requirement for these devices will be based on a risk assessment process. The employee will be notified of the installation and intent of the tracking devices.

Surveillance is intermittent but ongoing.

4.4. Phone & fuel records

Records in relation to the use of Council provided mobile phones and fuel cards remain the property of Council. These records are monitored on an ongoing basis for unusual or high-volume activity, but Council may also access and review these records as part of a workplace investigation into alleged misuse of Council assets and/ or misconduct by an employee or another person.

4.5. Covert Surveillance

Council may apply to a Magistrate for an authority authorising covert surveillance of an employee only for the purpose of establishing whether or not one or more employees are involved in an unlawful activity while at work.

4.6. Prohibited Surveillance

Surveillance of an employee will not be carried out in any change room, toilet facility or shower facility at a workplace.

Surveillance of any employee will not be carried out when the employee is not at work. The exception is that surveillance records may be used as part of an investigation if it is to investigate an allegation of inappropriate use by the employee of equipment or resources provided by or at Council's expense.

4.7. Notification to Employees

Notification to employees will be in writing (which includes the use of email) for the purpose of complying with the Act.

Existing employees of Council shall be notified of the installation and intent of surveillance measures through written advice of the adoption of this policy (and of any significant changes to the policy in the future).

Workers yet to commence with Council shall be given notification of this Workplace Surveillance Policy as part of their offer of employment. By accepting employment with Council, the employee will be consenting to the conduct of surveillance in accordance with this policy, immediately upon the commencement of employment with Council.

4.8. Access, use and disclosure of Surveillance Records

Instances in which the use and disclosure of surveillance records might occur include:

- Identifying the location of Council property or employees while at work (if not possible by other means) for operational or safety purposes including during emergency and significant weather events;
- If there is an assault or suspected assault of a person;
- If theft of Council property is suspected;
- Criminal damage to Council equipment or facilities has occurred;
- Allegations of breaches of Council's Code of Conduct;
- Allegations of unacceptable conduct;
- A serious WHS incident;
- Verify contracted hours are worked;
- Where required under legislation such as to a law enforcement agency in connection with an environmental offence or alleged environmental offence, a criminal or alleged criminal offence or in connection with actual or potential legal proceedings
- As reasonably believed to be necessary to avert an imminent threat of serious violence or substantial damage to property.

Whilst information obtained from surveillance devices will not be used solely for this purpose, it may be used by Council as part of workplace investigation into an employee's alleged misconduct or breach of a Council policy that may result in disciplinary action in accordance with the disciplinary provisions within the Award and Council policies and procedures.

Information gathered from GPS installed in Council's vehicles will not be used as the primary source of information to initiate performance management or disciplinary actions. This information may however be used by Council as a secondary measure in workplace investigations in relation to managing performance, misconduct or breach of Council policy dealt with under the disciplinary provisions of the Award and Council's policies and procedures.

Council employees shall, at all times, exercise duty of confidentiality. Data shall only be released in compliance with the Act and other legislation and as prescribed by this policy. Non-compliance with duty of confidentiality requirements may render the employee liable to disciplinary action.

All documents created in relation to this policy will be kept in accordance with the State Records Act 1998 (NSW).

Persons, including members of the public can make application to access Council's data in accordance with the Government Information Public Access (GIPA) Act 2009 and the Privacy and Personal Information Protection Act (PPIPA) 1998.

5. IMPLEMENTATION

General Manager & Directors

- Responsible for ensuring effective implementation of this Policy within areas of responsibility
- Responsible for ensuring adequate controls are implemented and maintained to safeguard privacy
- Have and approve access to information collected by workplace surveillance systems
- Maintain and ensure the security and integrity of surveillance systems and information
- Coordinate and administer the installation, removal and replacement of tracking surveillance for plant and equipment in accordance with this policy and Vehicle and Plant GPS Tracking Policy.

Section Managers

- Responsible for making staff aware of this policy and their compliance
- Must comply with the requirements of this Policy
- Have access to information collected by workplace surveillance systems.

Human Resources

- Ensure compliance with the requirements of the Act with respect to notice of surveillance to employees
- Support and guide managers and supervisors to ensure compliance with the requirements of the Act

6. REVIEW

This Policy will be reviewed by the General Manager initially after the first twelve months of adoption and then every three years, or earlier should circumstances arise including legislative change to warrant revision.

*Adopted by Council – 19 September 2022*

*Refer minute No. xxx/22*

*Adopted by Council – 15 July 2019*

*Refer minute No. 194/19*

## QUESTIONS AND STATEMENTS

### CLOSED SESSION

#### Agenda

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

- 16. GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW FOR PERIOD ENDING 30 JUNE 2022**