



# **MINUTES**

**of the**  
**Ordinary Meeting**  
**Held**  
**20 April 2020**

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

**Minutes of the Ordinary Monthly Meeting of Lockhart Shire Council held in the Council Chambers, 65 Green Street, Lockhart on Monday, 20 April 2020 at 5:08pm.**

**PRESENT**

Cr R Schirmer (Mayor), Cr G Verdon (Deputy Mayor), Cr M Day, Cr D Douglas, Cr G Driscoll, Cr I Marston, Cr A Rockliff, Cr P Sharp and Cr J Walker.

Also in attendance were the General Manager, Director Corporate and Community Services, Director Engineering & Environmental Services, and Executive Assistant.

The meeting opened with a prayer.

**APOLOGIES**

Nil

**CONFIRMATION OF MINUTES  
ORDINARY MEETING 16 MARCH 2020**

<b>56/20</b> <b>RESOLVED</b> on the motion of Crs Rockliff and Sharp that the Minutes of the Ordinary Meeting held on Monday, 16 March 2020 as printed and circulated be taken as read and confirmed.
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**DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS**

Cr I Marston and Cr G Driscoll – Non-Pecuniary Interest – Item 3, The Rock Recreation Ground – Request for Financial Assistance.

Cr. G Driscoll – Pecuniary Interest – Item 6, Engineering & Environmental Services Report

**MAYORAL MINUTE**

**1. COVID-19**

**(H10-030)**

I am calling on Councillors to support the local government industry's campaign for assistance in dealing with the health and economic crisis caused by the COVID-19 pandemic.

I am recommending that we support the campaign, which is being coordinated on behalf of the NSW sector by Local Government NSW (LGNSW) and at a national level by the Australian Local Government Association (ALGA).

It is critical that the local government sector receives adequate funding and resources to coordinate and deliver the goods and services needed as we navigate through, and recover from, natural disasters and the new challenges presented by COVID-19 and its massive impacts on people and our local economies.

Local councils need urgent financial assistance from the Federal Government and NSW State Government to maintain infrastructure, services and employment as well as funding to give councils the capacity to provide hardship assistance to the community.

The measures listed below would be effective and simple to implement:

- Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.

- Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs. Existing Federal funding programs include the Roads to Recovery, Bridges Renewal and Road Safety Blackspots programs. State programs include Fixing Local Roads, Fixing Country Bridges and the Stronger Country Communities programs.
- Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.

**Recommendation:**

1. That Council calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
2. That Council calls for the packages to include the following measures:
  - Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.
  - Immediate financial assistance to support council employees, especially in early education and care.
  - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
  - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
3. That Lockhart Shire Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
4. That Council write to the local Federal and State Members The Hon Michael McCormack MP and The Hon Joe McGirr MP respectively, Prime Minister The Hon Scott Morrison MP, NSW Premier The Hon Gladys Berejiklian MP, Federal Treasurer The Hon Josh Frydenburg MP, NSW Treasurer The Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Minister for Local Government The Hon Mark Coultan, Federal Opposition Leader The Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
5. That Lockhart Shire Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.

**57/20 RESOLVED** on the motion of Crs Douglas and Walker:

1. That Council calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
2. That Council calls for the packages to include the following measures:
  - Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.

- Immediate financial assistance to support council employees, especially in early education and care.
  - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
  - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
3. That Lockhart Shire Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
  4. That Council write to the local Federal and State Members The Hon Michael McCormack MP and The Hon Joe McGirr MP respectively, Prime Minister The Hon Scott Morrison MP, NSW Premier The Hon Gladys Berejiklian MP, Federal Treasurer The Hon Josh Frydenberg MP, NSW Treasurer The Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Minister for Local Government The Hon Mark Coulton, Federal Opposition Leader The Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
  5. That Lockhart Shire Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.

## MAYORAL REPORT

The Mayor, Cr Schirmer, verbally reported on activities during the past month as follows:

17 March 2020 Met with the General Manager and Chair of Riverina Water for an update.

14 April 2020 Gave a presentation to the Regional Planning Panel via ZOOM.

Various ZOOM meetings of the REROC Executive throughout the month.

**58/20 RESOLVED** on the motion of Crs Walker and Sharp that the Mayoral Report be received.

## URGENT MATTERS

Nil.

## NOTICE OF MOTION

Nil.

## COMMITTEE REPORTS

Nil.

## DELEGATES' REPORTS

Nil.

## Status Report/Précis of Correspondence Issued

### Status Report: Council Resolutions and Tasks to be finalised

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 16 March 2020</b>			
51/20	GM	<p><b>Councillor Superannuation Discussion Paper</b></p> <p>Council does make a submission to the Office of Local Government in response to the Councillor Superannuation Discussion Paper supporting Option 3.</p>	Submission emailed on 19/3/2020. Complete.
50/20	GM	<p><b>Grant Application Preparedness</b></p> <p>Council determine a shortlist of projects to be developed to “shovel ready” status pending the availability of funding.</p>	Further information to be presented to the May Council meeting in conjunction with the Draft 2020/21 Budget.
49/20	GM	<p><b>Policy Development &amp; Review</b></p> <p>The following policies, as presented, have been adopted.</p> <ol style="list-style-type: none"> <li>1) Policy 1.0 Policies – Procedure for Consideration and Adoption.</li> <li>2) Policy 1.6 Statement of Business Ethics</li> <li>3) Policy 3.12 Provision of Indoor Staff Uniform.</li> <li>4) Policy 3.16 Drugs and Alcohol in the Workplace</li> </ol>	Policy Register has been updated. Complete.
48/20	GM	<p><b>Policy 1.12 Debt Recovery Procedures</b></p> <p>Council place amended Policy 1.12 Debt Recovery Procedures on public exhibition for a period of not less than 28 days.</p>	Policy 1.12 Debt Recovery Procedures has been placed on Council’s website for public exhibition.
47/20	GM	<p><b>Policy 1.24 Gifts &amp; Benefits Policy</b></p> <p>Policy 1.24 Gifts &amp; Benefits Policy, as presented, be adopted.</p>	Policy Register has been updated. Complete.
45/20	DCCS	<p><b>Magnolia Lodge – Footpath Construction</b></p> <p>Council approve the repair and replacement of damaged paths at Magnolia Lodge, to be funded by a \$13,000 transfer from Council’s internally restricted Building Reserve.</p>	Preliminary work being organised, following which a contractor will be engaged.
41/20	MES	<p><b>Variation to Development Control Plan DA37/20</b></p> <p>Grant consent for a variation to the Lockhart DCP, thereby permitting an increased building height for a proposed new shed at 33 Urana Street, The Rock.</p>	Attended to.

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<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
40/20	MES	<p><b>Lockhart Local Strategic Planning Statement</b></p> <p>Council:</p> <ol style="list-style-type: none"> <li>a. Note the report on the Draft Lockhart Shire Local Strategic Planning Statement (LSPS); and</li> <li>b. Endorse the public exhibition of the Plan for a period of 28 days.</li> </ol>	In progress.
39/20	GM/ DEES	<p><b>Drought Communities Programme Extension – Footpaths and Disability Access Improvement</b></p> <ol style="list-style-type: none"> <li>1) Council endorses the listed footpath and access improvements in Lockhart Township for inclusion in the application under the Drought Communities Program Extension.</li> <li>2) Council endorses the listed footpath and access improvements in The Rock Township for inclusion in the application under the Drought Communities Program Extension.</li> <li>3) Considers a contribution towards access improvements to business in the Lockhart and The Rock townships for inclusion in the 2020/21 Budget.</li> </ol>	<p>Drought Communities Program Extension application was submitted on 6/4/2020</p> <p>Complete.</p>
38/20	GM	<p><b>Drought Communities Programme Extension – Extension of Reticulated Water in Rural Areas</b></p> <p>Council supports the extension of the water mains along Vincents Road (4.0 km) and Bidgeemia Road (6.8km), as proposed by Riverina Water County Council, for inclusion in Council's application under the Drought Communities Program Extension.</p>	<p>Drought Communities Program Extension application was submitted on 6/4/2020</p> <p>Complete.</p>
35/20	GM	<p><b>Audit Risk &amp; Improvement Committee Meeting 11 March 2020</b></p> <p>The verbal report be received, and a further report be presented at the April Council meeting.</p>	<p>A report has been included in the 20 April 2020 Council meeting Business Paper.</p> <p>Complete.</p>
27/20	DCCS	<p><b>Tourism &amp; Economic Development Steering Committee Meeting – Wish List</b></p> <p>Consideration be given by Council to allocate funds in the annual budget to provide scope to leverage available funding for larger infrastructure grants.</p>	Will be part of budget preparations for 2020-21 draft budget.

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Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 3 February 2020</b>			
19/20	GM	<p><b>2020/21 Budget Timeline</b></p> <p>Council endorse the timeline outlined in the report for the preparation of the 2020/21 Draft Budget and Operational Plan including the conduct of Councillor Workshops on 16 March and 20 April 2020.</p>	<p>A Councillor Workshop has been convened for 16 March in accordance with the adopted timeline.</p> <p>The 20 April Workshop has been cancelled in order to minimise the amount of meeting time.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 18 November 2019</b>			
343/19	GM	<p><b>Closed Agenda – Aged Care Accommodation</b></p> <p>A more detailed report to be prepared and presented to a future meeting of Council.</p>	<p>No further action required by Council.</p> <p>Complete.</p>
292/19	DCCS	<p><b>Council Buildings – Dentist and Lockhart Museum</b></p> <p>Council approve part funding of works as detailed in the report to the Lockhart Museum building at 39 Urana St and the dentist building at 85 Green St Lockhart from Internal Reserves for Buildings for the amount of \$33,120.00.</p>	<p>Quotes have been received and purchase order has been provided to successful builder.</p> <p>Works will commence in the week after Easter, 14 April.</p>
<b>Ordinary Council Meeting held 16 September 2019</b>			
256/19	GM	<p><b>Lockhart Renewable Energy Project</b></p> <p>a) Having secured Commonwealth government funding totalling \$1 million for the Better Energy Technology Renewable Energy Project for Lockhart Township; and</p> <p>b) Having given 28 days public notice of its intention to do so:</p> <p>c) Hereby resolves pursuant to Section 356 Local Government Act 1993 to provide financial assistance totalling \$1 million to Better Energy Technology, in the same manner, i.e. progress payments, as Council receives the funding from the Commonwealth, and for the sole purpose of undertaking Stage 1 of the Lockhart Renewable Energy Project.</p>	<p>Funding Agreement signed.</p> <p>Stage 1 commenced.</p> <p>DA prepared, lodged with Council and referred to the Southern Regional planning panel for determination.</p> <p>Planning Panel meeting convened on 14 April 2020, awaiting determination.</p>
<b>Ordinary Council Meeting held 19 August 2019</b>			
223/19	DEES	<p><b>Lockhart Caravan Park</b></p> <p>a) Endorses the proposed Lockhart Caravan park revised layout; and</p> <p>b) A further report be brought to Council in due course once a detailed costing can be provided.</p>	<p>Work in progress. Fire-fighting services currently being designed.</p>

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<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
210/19	TEDO	<p><b>Minutes of the TEDSC Meeting – Tim Fischer Statue/Lockhart Railway Station</b></p> <p>Subject to agreement by the authorised managers of the Lockhart Railway Station, expressions of interest for community or commercial purposes be sought from the wider community for the Lockhart Railway Station building.</p>	Advertisement placed in the Lockhart Shire newsletter and on social media.
<b>Ordinary Council Meeting held 15 July 2019</b>			
177/19	DEES	<p><b>Shire and Town Entrance Signs</b></p> <p>Council:</p> <p>a) Endorses the shire entrance and town sign proofs in principle;</p> <p>b) Refers the signs back to Council's Tourism and Economic Development Officer for further development and liaison; and</p> <p>c) A further report is brought to Council in due course prior to undertaking another round of community consultation.</p>	<p>Plans referred back to TEDO for further consultation with local Progress Associations and community groups.</p> <p>Ongoing.</p>
<b>Ordinary Council Meeting held 17 June 2019</b>			
144/19	TEDO	<p><b>Minutes of the TEDSC Meeting – Public Art Projects</b></p> <p>A submission be requested from the artists Scott Nagy and Janne Birkner to undertake the Milbrulong Water Tower project subject to their quotation being within budget.</p>	<p>Funding secured.</p> <p>Art design is in progress.</p>
<b>Ordinary Council Meeting held 15 April 2019</b>			
77/19	DCCS	<p><b>Lockhart Medical Centre Community Services Building</b></p> <p>Council support the change of use to the Lockhart Medical Centre/Community Services, on the corner of Matthews and Hebden Streets in principle and provide a letter of landowner consent to a Development Application being lodged.</p>	<p>GM &amp; DCCS met with Valmar's Coordinator - Fleet, Asset and Corporate to progress the matter with Valmar agreeing to provide plans prior to Council providing landowners consent to lodge a DA.</p> <p>Valmar are in the process of putting plans with proposed works together to present to Council for approval.</p> <p>Valmar have provided their proposed changes. Letters have been sent to property owners around the Matthews St premises informing them of the proposed change of use, with no replies received to date.</p>
<b>Ordinary Council Meeting held 15 October 2018</b>			
260/18	TEDO	<p><b>Minutes of the TEDSC Meeting – Water Tower Long Term Maintenance</b></p> <p>An agreed amount be held in reserve to enable future maintenance of the Lockhart Water Tower as and when needed.</p>	A draft MoU has been prepared and referred to RWCC for comment following which it will be presented to Council for consideration.



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Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 16 May 2016</b>			
109/16	DCCS	<p><b>Old Lockhart Railway Station Building</b> Council to:</p> <p>a) Seek to find a suitable use/tenant for the building</p> <p>b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.</p>	<p>No potential tenants have enquired. Promoting venue as a regional meeting site. Very little activity to date. Lockhart Central School has used for 2019 HSC exams. No enquiries for a permanent tenant.</p> <p>Correspondence forwarded to JHR to ascertain whether it would enforce the lease and require the lease to be paid out in full if Council was to terminate the Agreement.</p> <p>Variation to Lease being pursued to reduce rental.</p>
<b>Ordinary Council Meeting held 16 March 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM	<p><b>9-Day Fortnight</b> Cr Walker asked if the shorter working week has been successful.</p>	<p>The General Manager advised that the six-month trial is currently under way and further advised that extended office opening hours have also been implemented. Picnic Race days and days between Christmas and New Year now must be taken from existing leave. Whilst a review of the trial period has not yet been undertaken, the General Manager reported that it was working satisfactorily at this stage.</p>
	DEES	<p><b>Roads in the Mittagong Area</b> Cr Walker requested that the Director of Engineering and Environmental Services inspect Tootool Mittagong Road, Mittagong Yerong Creek Road and others in the vicinity as water ponding is becoming an issue.</p>	<p>DEES advised that he will investigate and program any necessary works.</p> <p>Road inspected and included in grading program.</p>
	DEES	<p><b>Curries Lane</b> Cr Sharp notes is that Curries Lane is Earth Formation however, he would like the drainage and table drains investigated as a local resident could not access property after recent rain and had to travel a considerable distance to access the property from the north side instead.</p>	<p>DEES advised that he will investigate and program any necessary works.</p> <p>Inspected. Do not propose any works. Completed.</p>
	DEES	<p><b>Lockhart Urana Road</b> Cr Rockliff conveyed concerns regarding the shoulder-widening works being carried out on this road, particularly water ponding issues during the recent rain.</p>	<p>DEES advised he was aware of the issue; he believes it is due to moisture in the surface. A third-party assessment is being carried out in the coming days.</p> <p>Issues have been addressed. Completed.</p>
	DEES	<p><b>Walter Day Park</b> Cr Rockliff reports gates on the playground are not latching. Bindii and khaki weed also growing around playground.</p>	<p>DEES advised he will investigate and take appropriate action.</p> <p>May require realigning fence. Area has been sprayed. Completed.</p>

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CHAIRPERSON

*Lockhart Shire Council  
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<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
	DEES	<b>Main street</b> Questions regarding bird droppings. Cr Rockliff notes attempts have been made to control the issue however requests that further action be taken as the matter is quite unpleasant.	DEES advised he will investigate and take appropriate action. Inspected. Exploring more effective measures.
	DEES	<b>Hollies Road and Krauses Lane</b> Cr Rockliff has received numerous complaints regarding the state of these roads.	DEES advised that he would investigate and program any necessary works. Hollies Road completed. Inspected Krauses Lane, no immediate action required. Completed.
	DEES	<b>Rods Road Signage</b> Cr Marston reported that the signage keeps going missing, could it be replaced please. It presents an issue for emergency services.	DEES advised he would investigate and take appropriate action. Matter referred to GHSC for action.
	DEES	<b>Wattles Road</b> Cr Day travelled this road recently and noted it is in quite an ordinary state with corrugations and needs some attention.	DEES advised that he would investigate and program any necessary works. Investigated and included in grading program.
	DEES	<b>Emily St</b> Cr Verdon notes that any flood mitigation works in this area is unfunded but asked if Council had plans to clean it up, to allow water to flow, especially towards the southern end, near Semmens Rd as residents are concerned.	DEES advised he would investigate and take appropriate action. Liaised with Crown Land regarding works.
	DCCS	<b>Toilet Paper</b> Cr Verdon asked if there had been any reports to Council of toilet paper going missing from Council's public facilities.	DCCS advised Council will monitor the situation and take any necessary action. Investigated, no damage caused & refilled.
	GM	<b>COVID-19</b> Cr Verdon enquired as to what Council's contingency is for COVID-19.	The General Manager advised that activities include: <ul style="list-style-type: none"> <li>• Staying informed of the latest advice being issued by the relevant agencies and distributing information to staff regarding COVID-19 including information regarding personal hygiene and strategies for preventing the spread of the virus;</li> <li>• Reviewing all non-essential work-related travel e.g. travel to training courses, seminars and conferences;</li> <li>• Arranging for Council's contract cleaners to increase the level of cleaning of workplaces; and</li> <li>• For the purposes of being prepared, should it become</li> </ul>

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Minute No:	Officer to Action	Council Resolution	Action Taken
			<p>necessary for Council to escalate its response, identifying roles that can be performed by employees from home and making arrangements for remote access of Council's records should any staff member be required to work from home.</p> <p>A further update has been provided in the 20 April Council meeting Business Paper.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 3 February 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Shipping Containers and Car Bodies in The Rock</b> – Cr Verdon requested that Council investigate the number of unauthorised shipping containers that have been installed on properties in The Rock township and also investigate the recent increased number of car bodies in Park St, The Rock.	<p>Chapter for inclusion in Development Control Plan being prepared for Council's consideration.</p> <p>Some existing shipping containers are approved, however pre-date development controls.</p>
	DEES	<b>Risk of Falling Tree Limbs at The Rock Recreation Ground</b> – Advised of current danger imposed on campers regarding possible falling tree limbs at The Rock Recreation Ground and enquired who is responsible for trimming these limbs to ensure public safety.	<p>Facilities Officer will seek an arborist report on the trees and arrange for any required trimming.</p> <p>Trimming scheduled for later in the year.</p>
	DEES	<b>Lawn Cemetery, Lockhart</b> – Cr Rockliff advised that residents are again concerned about the care taken of plots and sprinklers not working at the Lockhart Lawn Cemetery.	<p>Still issues with controller. Contractor engaged to test and possibly replace controller prior to the next irrigation season.</p>
	DEES	<b>Lockhart and The Rock Swimming Pools</b> – Cr Rockliff advised that the Lockhart Swimming Pool had recently sustained damage during a break-in and requested Council consider the installation of CCTV to identify and deter from this reoccurring.	<p>Quotes received, to be considered for inclusion in 2020/21 budget.</p>

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Questions & Statements	DEES	<b>CCTV</b> – With regard to the enquiry below made by Cr Rockliff regarding the possible installation of CCTV at Lockhart and The Rock Swimming Pool Complexes, Cr Marston requested that Council also include Recreation Grounds in the Shire in this consideration.	Quotes received, to be considered for inclusion in 2020/21 budget.
	DEES	<b>Lockhart and The Rock Swimming Pools</b> – Cr Douglas commented that the new pools are great facilities for the Shire but he believes the contractor at each pool is being put at risk if working by themselves and he would like Council to consider hiring additional staff for security and safety reasons. Cr Douglas asked if going forward Council could consider amending contractual arrangements to stipulate that two people be present at all times during pool opening hours.	DEES has been in contact with Royal Lifesaving NSW and has reviewed Council's contractual arrangements.  To undertake a risk assessment prior to establishing lifeguard ratios in accordance the 'Guidelines for Safe Pool Operation'.
	DEES	<b>Overgrown Trees on County Boundary Road</b> – Cr Sharp advised that visibility is poor at Suzanne Forck's driveway on County Boundary Rd (where the school bus turns around) as you cannot see if the road is clear going south to Pleasant Hills due to overgrown vegetation between the table drain and the edge of the tar.	Removed vegetation. Completed.
<b>Ordinary Council Meeting held 16 December 2019 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Day – Bridge over Brookong Creek, Lockhart and also New Culvert on Urana Rd</b> – Wished to clarify that he was actually asking for naming of the new culvert on Urana Rd to be named, but is also happy to add a request for Council to also consider naming the bridge over Brookong Creek, Lockhart (at the end of Green St) because of its proximity to the Greens Gonyah Museum.	DEES advised that he will investigate and provide a report to Council at a future meeting.
	DEES	<b>Cr Rockliff – Visibility Concerns at Intersection of Bidgeemia and Western Roads</b> – Advised that this intersection is currently dangerous and of concern due to poor visibility caused by overgrown vegetation.	DEES advised that he will investigate and advise. Road Safety Officer undertook safety assessment which was considered by the Traffic Committee. Works to be programmed.
<b>Ordinary Council Meeting held 18 November 2019 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Rockliff – Mobility Scooters in Lockhart Township</b> – After observing a mobility scooter attempting to negotiate a railway crossing, enquired if Council could provide pathways for mobility scooters to safely negotiate railway crossings in the Shire townships?	Referred to rail manager for advice.

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Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<b>Cr Rockliff – Walter Day Park, Lockhart</b> – Enquired if there is a problem with the sprinklers at Walter Day Park, as large sections of grass are dying off?	Undertook some works. Further quotes received and works scheduled for later this year.
	DEES	<b>Cr Rockliff – Water Damaged Laneway, Lockhart</b> – Advised that the last laneway heading east at the corner of Urana and Day Streets have been left suffering water damage following recent pipe replacement works by Riverina Water.	Riverina Water addressed issue. Completed.
	DCCS	<b>Cr Douglas – Surrounds of Magnolia Lodge, Lockhart</b> - Advised there is currently cracked pathways, etc. surrounding Magnolia Lodge and asked if these could be attended to in the interest of public safety.  Cr Douglas also asked how work is progressing on the fire damaged unit at Magnolia Lodge?	DCCS advised that Council's Finance Officer had recently attended Magnolia Lodge with a concreter to obtain a quote to repair the pathways. Quotes received.  With regards to the damaged unit, DCCS advised that work is progressing. Preliminary work being organised, following which a contractor will be engaged.
	DEES	<b>Cr Walker – Tootool Mittagong Road</b> – Advised he had received complaints from residents regarding the condition of the Tootool- Mittagong Rd, with large rocks currently coming up through the road.	Investigated and included in grading program.
<b>Ordinary Council Meeting held 16 September 2019 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Rockliff – Lockhart Golf Club</b> – Advised the Lockhart Golf Club is currently struggling with membership numbers and enquired if the possibility of the Club becoming a Section 355 Committee of Council could be investigated.	DCCS advised that he will investigate and advise.  Council staff have met with the Golf Club Treasurer. The Golf Club have not had a meeting to discuss and advise Council.
<b>Ordinary Council Meeting held 19 August 2019 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM/ DCCS	<b>Cr Marston – Status of Work on the Second Oval, The Rock</b> – Enquired about the status of the work for the second oval at The Rock particularly with respect to commencing the project within 12 months of the grant being approved.	Arrangements being made to prepare the area at the western end of the Recreation Reserve for temporary use by the Pony Club to enable works to commence on the 2 <sup>nd</sup> oval.  Crown Lands have advised that the TSR on Old Trunk Rd is subject to an Aboriginal Land Claim. Council has made contact with NSW Aboriginal Land Council, awaiting response.
	DEES	<b>Cr Rockliff – Possibility of Residents Living in a Shed on a Property in South Lockhart</b> – Advised that it had come to his attention that it may be possible that residents are living in a shed on a property in South Lockhart?	DEES advised that he will investigate and take appropriate action.  Council staff are investigating.

*Lockhart Shire Council  
Ordinary Meeting – 20 April 2020*

<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
	DEES	<b>Cr Douglas – Tenison Lane, Lockhart –</b> Enquired if Tenison Lane could have a maintenance grade before the harvest season?	Tenison Lane to be graded when resourcing permits. Material placed in washouts by owner. Completed.
	DEES	<b>Cr Douglas – Nursery, The Rock –</b> Enquired if staff had received the letter of concern from Leo Driscoll regarding the nursery in The Rock?	Council staff investigated and confirmed that a letter was received from Leo Driscoll regarding a private water supply pipe. DEES contacted owner and met on site 9/03 – advised that pipe be undergrounded – issued Road Opening Permit for submission.  Received ROP and currently being assessed.
<b>Ordinary Council Meeting held 15 July 2019 – Councillor Questions &amp; Statements</b>			
Quest ions & State	DEES	<b>Cr Marston – Creek Crossing on Jaegers Lane</b> –advised that the creek crossing on Jaegers Lane is washed out.	City of Wagga Wagga undertook works. Completed.
<b>Ordinary Council Meeting held 20 May 2019 – Councillor Questions &amp; Statements</b>			
Quest ions & State	DEES	<b>Cr Verdon - Drain at Western End of Wilson Street and also Corner of Bretton and Urana Streets, The Rock –</b> Requested if these drains could be cleared?	Wilson Street cleared. Urana/Bretton Streets to be cleared.
<b>Ordinary Council Meeting held 15 April 2019 – Councillor Questions &amp; Statements</b>			
Quest ions & State	GM	<b>Cr Driscoll – Lockhart Shire Council Block of Land, Scott Street, The Rock</b> – Enquired of Council was planning to sell the block of land in Scott St, The Rock?	A review of Council owned land classified as “operational land” (including the Scott St block) has been completed.  A report is being prepared for the 20 April 2020 Council meeting.
Quest ions & State	DEES	<b>Cr Driscoll – The Rock Town Entrance Sign</b> – Advised that The Rock town entrance sign re-instated south of The Rock on the Olympic Hwy is a lot further south than its original position and enquired if it could be relocated back closer to The Rock?	DEES advised he will investigate and take appropriate action.  DEES has discussed with GHSC and they are looking at if sign can be moved closer to the town.
<b>Ordinary Council Meeting held 19 November 2018 – Councillor Questions &amp; Statements</b>			
Quest ions & State	DEES	<b>Cr Verdon – Council Contribution – The Rock Recreation Ground</b> – Advised The Rock Recreation Ground receives an annual contribution funding of \$12,500 from Council and with electricity currently costing \$12,000 p.a., was wondering if Council could do and audit or assist in any way?	DEES advised there may be some upcoming opportunities for grant funding for solar and battery storage for Council buildings and he will investigate further and advise.  DEES has been in contact with OEH about opportunities. Council to provide information to OEH.  DEES still in discussions with OEH. This will be a work in progress.

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

### 20 April 2020 Council Meeting - Correspondence Sent to Councillors

Date sent to Councillors	From	Subject	File Ref
24/03/2020	Local Govt NSW	LG NSW "The Weekly" dated 20/03/2020	S20-020
24/03/2020	ALGA	ALGA Weekly News dated 20/03/2020	A75-005
24/03/2020	Lockhart Shire Mayor	Council's Response to COVID-19 to date	H10-030
27/03/2020	Local Govt NSW	LG NSW "The Weekly" dated 27/03/2020	S20-020
31/03/2020	ALGA	ALGA Weekly News dated 27/03/2020	A75-005
06/04/2020	ALGA	ALGA Weekly News dated 3/04/2020	A75-005
06/04/2020	Local Govt NSW	LG NSW "The Weekly" dated 3/04/2020	S20-020
14/04/2020	ALGA	ALGA Weekly News dated 9/04/2020	A75-005
14/04/2020	Local Govt NSW	LG NSW "The Weekly" dated 9/04/2020	S20-020

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

<b>59/20</b> <b>RESOLVED</b> on the motion of Crs Driscoll and Rockliff that the information be noted.
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## Staff Reports

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

#### 1. CORONAVIRUS (COVID-19) UPDATE

(GM/H10-030)

##### Executive Summary

The purpose of this report is to provide an update in relation to Council's response to the Coronavirus (COVID-19) health risk.

##### Report

Council has been responding to the current health crisis both in terms of its obligations as an employer and its responsibilities as a local government authority.

In meeting its obligations as an employer to provide a safe and healthy workplace Council has undertaken the following activities:

- Distributed information to staff regarding COVID-19 including information regarding personal hygiene and strategies for preventing the spread of the virus and held regular staff meetings and briefings;
- Increased the availability of sanitiser in the workplace;
- Reviewed all non-essential work-related travel e.g. travel to training courses, seminars and conferences;
- Arranged for Council's contract cleaners to increase the level of cleaning of workplaces;
- Introduced protocols for appropriate social distancing for outdoor staff particularly with respect to travelling to and from work sites.
- Identified any staff who, due to an existing medical condition, may be considered vulnerable or compromised in the current circumstances;
- Identified roles that can be performed by employees from home; and
- Made arrangements for remote access of council records for staff required to work from home.

With respect to Council's broader role as a local government authority the following actions have been taken:

- Arranged for Council's contract cleaners to increase the level of cleaning of public facilities e.g. public toilets etc;
- Kept Section 355 committees that manage Council facilities such as public halls and recreation grounds informed of Government imposed restrictions on the number of people that can gather at events and the closure of indoor sporting venues;
- Revised plans for forthcoming Council events e.g. annual business excellence awards;
- Closed the Visitor Information Centre and Greens Gonyah Museum at Lockhart and The Rock Museum and The Rock Community Gym to the public from 23 March 2020. The Mobile Library service has been suspended by the Riverina Regional Library;
- In accordance with a Public Health Order made by the Minister for Health, closed caravan parks and camping grounds in the Shire to the public from 26 March 2020;
- Closed playground and outdoor gyms from 30 March 2020.

Councils have been urged to keep children's services open and in accordance with that advice the Rock OOSH has remained open as have the waste management facilities as they are considered an essential service.

As a precautionary measure to ensure the safety of both our community and Council staff, face-to-face customer service was suspended from Thursday 26 March 2020 at the Council Administration building and people encouraged to transact business with council over the phone, online or by appointment.



The Office of Local Government (OLG) has also advised that with respect to council meetings, councils are not exempted from the Public Health (COVID-19 Gatherings) Order 2020 and must comply. The Public Health Order, amongst other things, stipulates that in a given occupied space, there must be a density of no more than one person per four square metres of floor space.

Having regard to the size of the Council Chamber and bearing in mind that there is generally a very small public gallery (if any) that attends Council meetings, it is considered that Council can comply with the Order.

In view of the rapidly evolving COVID-19 issue, OLG has also strongly encouraged councils to review their delegations to ensure that decisions can be made quickly in response to any developments outside of the normal meeting cycle. In this regard it is noted that one of the roles of the Mayor is to exercise, in cases of emergency, the policy making functions of the governing body of the council between meetings of council. Whilst this is outlined in the Local Government Act some councils elect to reinforce this through a formal delegation from the governing body.

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

The Minister for Planning and Public places has advised that Councils across the State are to support communities through this period by adopting a flexible and pragmatic approach to enforcement and compliance action during the period while any Orders under the *Public Health Act 2010* to deal with public health risk of COVID-19 apply. This includes taking appropriate and necessary measures to respond to the issues arising in these exceptional circumstances including:

- Relaxing time restrictions and movement caps for deliveries in existing development consents for retailers such as supermarkets and other key service providers;
- Relaxing restrictions on the use of footpaths for food premises to facilitate effective social distancing of patrons.

The Office of Local Government (OLG) has advised that during this time it is important to recognise that council compliance officers require a level of flexibility and discretion to do their job effectively based on local circumstances. OLG has prepared and distributed guidelines for councils when exercising their regulatory functions.

#### Budget & Financial Aspects

Some additional costs may be incurred particularly with respect to the additional responsibilities imposed on Council's cleaning contractors and this will be reported at the time of the next Quarterly Financial Review.

More information regarding the budgetary impacts of the COVID-19 Pandemic are outlined in Item 12, Preparation of 2020/21 Operations Plan and Budget.

#### Attachments

Nil.

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

1. The update regarding Council's response to the COVID-19 virus issue be noted; and
2. Council delegate to the Mayor, the authority to exercise the policy making functions of the governing body of the Council between meetings of the Council.

**60/20 RESOLVED** on the motion of Crs Verdon and Day that:

1. The update regarding Council's response to the COVID-19 virus issue be noted; and
2. Council delegate to the Mayor, the authority to exercise the policy making functions of the governing body of the Council between meetings of the Council.

2. INTERNAL AUDIT REPORT - SECTION 355 COMMITTEES

(GM/A65-011)

Executive Summary

The recommendations of the internal audit review of the operation of Section 355 Committees are presented for Council's consideration.

Report

Council's internal audit function includes three internal audit reviews being carried out each year by Council's contracted Internal Auditor. Following each review, the Internal Auditor's report and recommendations is tabled at a meeting of the Audit, Risk and Improvement Committee together with management's response to the recommendations.

To date all recommendations made by the Internal Auditor have been accepted by the Committee and management has implemented, or is in the process of implementing, the recommendations. A Status Report on the implementation of Internal Audit recommendations is also tabled at each Audit, Risk and Improvement Committee meeting.

The most recent internal audit review focusing on the operation of Section 355 Committees was presented to the Audit, Risk and Improvement Committee at its meeting held on 11 March 2020. A copy of the minutes of the meeting is attached. It will be noted from the minutes that concern was expressed at the meeting by Council's delegates that some of the recommendations, if adopted, will have the effect of discouraging volunteers from participating on Section 355 Committees. The Committee resolved as follows: -

*"That the Internal Audit Report on Section 355 Committees at Lockhart Shire Council be received and that the General Manager provide a report to Council to assist in Council's consideration of the recommendations contained in the report".*

The majority of committees established by Council pursuant to Section 355 of the Local Government Act have been delegated care, control and management of a council facility, such as a recreation ground or public hall, or the performance of some other Council function. It is a requirement of the Local Government Act that all delegations are reviewed within 12 months of a council election.

Set out in the table below is a summary of the internal audit recommendations emanating from the Internal Auditor's report and management's response.

No.	Internal Audit Recommendation	Management's Response
1	The Council's Operational Manual for Section 355 Committees Handbook and the Terms of Reference for individual Committees be reviewed at least once during each Council term.	Agreed. The handbook was launched in July 2018 and last reviewed in August 2019. It is proposed that it be reviewed again within 12 months of the next council election in accordance with the legislative requirement for all delegations to be reviewed within 12 months of a council election i.e. by September 2021.
2	When copies of the Manual and Terms of Reference are provided to community members of these Committees, an acknowledgement be provided to Council to attest to the fact that the community members have received these documents.	Agreed. A template form will be prepared for this purpose to make it easier for committee members to complete.
3	At the expiration of the Council term, review operations of all Section 355 Committees to ensure they continue to be fit for purpose, and their functions and expenditures align with the goals of the incoming Council's Delivery Program.	Agreed. It is a requirement that all delegations are reviewed within 12 months of a council election and this recommendation will be implemented as part of that review due by September 2021.

<b>No.</b>	<b>Internal Audit Recommendation</b>	<b>Management's Response</b>
4	At the expiration of the Council term and upon the community members of Council's Section 355 Committees ceasing to hold office, Council publicly invite expressions of interest from persons interested in becoming members of these Committees with the decision on who to appoint to these Committees being made at an open Council Meeting.	Bearing in mind that Section 355 committees are all comprised of volunteers, committees often have difficulty in filling all positions. In many cases the committees are made up of representatives of the various bodies using the particular facility. There is a concern that if this recommendation is adopted and implemented that Council will not receive sufficient expressions of interest to re-establish the committees.
5	The proceedings of meetings of all Section 355 Committees be minuted with copies of the minutes of all of these meetings being presented to the Council at a formal Council Meeting.	At present the Tourism and Economic Development Steering Committee is the only section 355 Committee whose minutes are tabled at Council meetings. This is appropriate as that Committee's charter is to provide advice and make recommendations to Council in relation to tourism and economic development matters.  An alternative to tabling all other Section 355 committee meeting minutes as recommended by the Internal Auditor would be to have a Council delegate appointed to each committee who can report relevant matters back to council. Council's delegates will be reviewed immediately following the next council elections scheduled in September 2021.
6	A briefing be scheduled preferably soon after the appointment of community members of the Council's Section 355 Committees to provide these community members with guidance on the operation of the Committees and to confirm the Council's expectations for the Committees with particular emphasis on the Code of Conduct	Agreed. This was done when the Operational Manual for Section 355 Committees Handbook was first launched in July 2018. It is proposed that a briefing be held again within 12 months of a council election following the review of delegations by council in accordance with the Local Government Act.
7	An appropriately experienced staff member be nominated as the point of contact for Section 355 Committees.	Agreed and in place. Council's Finance Officer is the nominated point of contact for Section 355 committees and this will be reinforced in the briefings referred to above.
8	In relation to those Section 355 Committees that operate financial accounts in respect of Council facilities:  a) Procedures be implemented to ensure that these documents are submitted to Council, either audited or for audit, to facilitate lodgement of Council's BAS and for inclusion in Council's financial statements; and  b) Council impress upon these Committees the importance for them to provide advice of any proposed amendments to their fees and charges in sufficient time for Council staff to be able to include this information in Council's Schedule of Fees and Charges when the Council's Annual Budget is being formulated.	a) Agreed and in place - all committees are currently required to submit to Council a summary and a copy of all invoices issued and paid on the 7 <sup>th</sup> of each month. These are audited by Council before inclusion in Council's BAS and financial statements.  b) Agreed. Section 355 Committees will be consulted during the process of preparing Council's Draft Budget and Fees and Charges so that, where possible, any relevant fees and charges are incorporated into the documents that are placed on public exhibition and adopted by Council. This may prove difficult where the timing of committee meetings where such fees are set are not aligned with the Council's budgetary process.

No.	Internal Audit Recommendation	Management's Response
9	Copies of Council's Code of Conduct and any other relevant Council policies and procedures be provided to all community members of Council's Section 355 Committees with these community members to provide an acknowledgement that they have received these documents.	Agreed. A template form will be prepared for this purpose to make it easier for committee members to complete.
10	The community members of Council's Section 355 Committees be reminded of the need for them to appropriately declare any conflicts of interest that may occur during meetings of these Committees with the minutes of those meetings to record any such disclosures.	Agreed. This is included in the Council's Operational Manual for Section 355 Committees Handbook and will be reinforced in the scheduled briefings referred to above.
11	Appropriate arrangements be introduced by Council to enable it to review the performance of its Section 355 Committees.	Agreed. The legislative requirement that all delegations are reviewed within 12 months of a council election provides a mechanism to facilitate such a review.

It will be noted from the above information that many of the recommendations will be implemented in the normal course of business and mostly in conjunction with the review of all delegations that is required by legislation to occur within 12 months of a council election. With respect to recommendations 4) and 5) it is recommended that the status quo be maintained.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Committees may be established for the purpose of exercising Council's functions by a resolution of Council pursuant to section 355 of the Local Government Act. The Council may dissolve any such Committee at any time. Each such appointment and delegation is to be reviewed in the first twelve months of each term of office.

Budget & Financial Aspects

Lockhart Shire Council relies on volunteers to assist with the provision of services and the management of Council facilities through the establishment of Section 355 committees. If not for the valuable contribution of volunteers the provision of these services and management of council facilities would result in considerable cost to Council.

Attachments

Minutes of the Audit, Risk and Improvement Committee meeting held on 11 March 2020.

**Recommendation:** That Council adopt the recommendations of the internal audit review of Section 355 committees outlined in the report with the exception of recommendations numbered 4) and 5) in which case the status quo be maintained.

**61/20 RESOLVED** on the motion of Crs Douglas and Walker that Council adopt the recommendations of the internal audit review of Section 355 committees outlined in the report with the exception of recommendations numbered 4) and 5) in which case the status quo be maintained.

**Cr I Marston and Cr G Driscoll declared a non-pecuniary interest in the following item and vacated the chamber at 5.20pm.**

**3. THE ROCK RECREATION GROUND – REQUEST FOR FINANCIAL ASSISTANCE (GM/C70-035)**

Executive Summary

A request for financial assistance has been received from The Rock Recreation Ground Management Committee.

Report

The Rock Recreation Ground Management Committee has written to Council advising that it has been approached by the Recreation Ground's user bodies i.e. The Rock/Yerong Creek Football Netball Club (TRYCFNC) and The Rock and District Touch Association (TRADTA) with a request to top dress and upgrade the main oval.

More specifically, the upgrade of the oval would include removing the cricket pitch and appropriately disposing of the concrete and laser levelling the oval. Top dressing the oval would be undertaken by applying approximately 750 tons of washed sand to the playing surface.

According to the Management Committee the estimated cost of completing the works is \$29,700.00 and TRYCFNC and TRADTA have pledged to contribute \$10,000 and \$5,000.00 respectively towards the project. Local contractor, Campo's Earthworks, has undertaken to arrange for the removal of the cricket pitch and disposal of the concrete, supply and deliver the sand and laser level the field at cost price. The Management Committee for its part advises that it will assist with spraying, seeding and fertilising the oval as well as the ongoing care and attention the oval will require over the coming months.

After taking the abovementioned contributions into account a shortfall of \$14,700 remains for which the Management Committee is seeking a donation from Council to enable the project to proceed. In requesting the donation, the Management Committee advises that it has lost the income it would normally receive from the public due to the COVID-19 pandemic i.e. fees from the user bodies, fees from the community gym and donations from campers.

In support of its request the Management Committee has also stated that:

*"This is a project that a grant could be applied for to cover costs, but this could take some months to come to fruition. Now is the opportune moment when the oval may be vacant for 6 months or more to do this project. In these times of isolation, it would be fantastic to see that Lockhart Shire Council and residents are forerunners in turning this negative situation into a positive. Personnel using the oval before the isolation will definitely want to use it after the isolation has lifted".*

Council's 2019/20 budget allocation for donations and contributions is \$52,100 of which \$28,351 has been spent to date. Accordingly, there is scope within the budget to approve the request.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

There are sufficient funds within Council's 2019/20 Budget allocation for financial assistance granted pursuant to Section 356 of the Local Government Act, to accede to this request.

Attachments

Nil.

**Recommendation:** That Council contribute an amount of \$14,700 towards the upgrading of the main oval at The Rock Recreation Ground and that the contribution be funded from the 2019/20 budget allocation for Section 356 contributions.

**62/20 RESOLVED** on the motion of Crs Rockliff and Walker that Council contribute an amount of \$14,700 towards the upgrading of the main oval at The Rock Recreation Ground and that the contribution be funded from the 2019/20 budget allocation for Section 356 contributions.

**Crs Marston and Driscoll returned to the Chamber and re-joined the meeting at 5.24pm**

**4. DROUGHT COMMUNITIES PROGRAMME EXTENSION**

**(GM/G10-005)**

Executive Summary

An application for funding under the Drought Communities Programme Extension has been lodged in accordance with resolutions passed at the December 2019 and March 2020 Council meetings. A preliminary assessment of Council's application has identified that one of the projects nominated in Council's application will not be approved and Council has been given an opportunity to reallocate the funds.

Report

At the Council meeting held on 16 December 2019 Council identified a number of projects for which it resolved to submit applications under the Drought Communities Programme Extension. These projects included:

1. Adverse Event Plan;
2. Extension of the reticulated water supply;
3. Footpath and disabled access construction;
4. Employment of a Drought Support Officer;
5. Feasibility study into water recycling at The Rock;
6. Yerong Creek Water Tower mural;
7. Second oval at The Rock;
8. Electronic scoreboards at Lockhart, Osborne and The Rock Recreation Grounds.

More detailed information including specific proposals regarding the water supply extension and footpath construction projects was tabled at the March Council meeting and endorsed by Council, following which the grant application was finalised and lodged.

The Government department responsible for assessing the applications has now provided initial feedback following a preliminary assessment of Council's application. Council has been advised that all project activities included in Council's application appear to be within the program guidelines with the exception of the feasibility study into recycling water at The Rock. The Department has advised that the grant program cannot be used to fund investigations, feasibility studies and the like.

A total of \$1 million is being sought by Council under the grant program. The amount allocated to the feasibility study into recycling water at The Rock was \$50,000. Council has been given the opportunity to reallocate the funds to one of the other projects already included in the application or to a new project.

As previously reported, Council can submit only one application under the Drought Communities Programme Extension. This means all of the unrelated projects nominated by Council have to be bundled into one application and none of the individual projects can proceed until the application is approved. All projects have to be completed by 31 December 2020.

In view of the circumstances it is recommended that Council reallocate the \$50,000 to one of the other nominated projects as including a new additional project will require a scope of works and costings to be prepared, quotations obtained and other preparatory work which will cause further delays.

The footpaths and disabled access project can be easily extended to include additional works to a value of \$50,000. The report tabled at the March Council meeting in fact identified additional footpath works over and above those endorsed by Council for inclusion in the original application.

Bearing in mind that the current footpath and disabled access project totalling \$205,000 includes \$133,000 for Lockhart and \$72,000 for The Rock, it is suggested that the additional \$50,000 be directed towards the following works at The Rock:

Location	Start	Finish	Works	
Urana St	Mixner St	Cornwall St	Construct 2m wide shared path	Access to local residences
Urana St	Mixner St	Mixner St	Install pram ramps	Access to proposed footpaths
Urana St	Mixner St	Cornwall St	Remove trees	10 trees – 5 large

Integrated Planning and Reporting Reference

- A2: Ensure that Lockhart Shire is well prepared to respond to adversity.
- A2: Provide and advocate for services that respond to the needs of our community.
- B1: Improve services and infrastructure that supports our rural business.
- B1: Provide business support to our community.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Co-funding is not mandatory for any projects nominated for funding under the Drought Communities Programme Extension however applicants must ensure they have adequate funds to meet the costs of any ineligible expenditure associated with the project.

Attachments

Nil.

**Recommendation:** That Council amend its application under the Drought Communities Programme Extension by deleting the request for \$50,000 for a feasibility study into recycling water at The Rock and reallocating the funds to the construction of footpaths and disabled access project and increasing the scope of works for that project as outlined in this report.

<b>63/20</b> <b>RESOLVED</b> on the motion of Crs Verdon and Day that Council amend its application under the Drought Communities Programme Extension by deleting the request for \$50,000 for a feasibility study into recycling water at The Rock and reallocating the funds to the construction of footpaths and disabled access project and increasing the scope of works for that project as outlined in this report.
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**STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy**

NIL



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

### **5. POLICY 2.35 COLLECTION OF FIREWOOD FROM COUNCIL ROAD RESERVES AND DEAD STANDING TREES (DEES/R40-107)**

#### Executive Summary

The review of *Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees* is presented for Council's consideration.

#### Report

As part of Council's review of policies, consideration is given to Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees. On this occasion, however, Council staff are exploring the value of retaining this policy, and our obligations under the NSW *Biodiversity Conservation Act 2016*.

It is noted that an increasing number of councils within the Murrumbidgee area are discontinuing the approval of permits for residents to collect firewood on public roadsides and reserves. The mechanisms that are driving these decisions are the associated liability with this activity on public land and the increased protection of ecosystems under the *Biodiversity Conservation Act 2016*, in conjunction with the Commonwealth *Environmental Planning and Assessment Act 1979*.

As stated in the Local Government NSW Environment Policy Position Statements – Biodiversity Position Statement, "Councils' planning and approval processes are a key influence on local biodiversity management. The *Environmental Planning and Assessment Act 1979* includes objectives to encourage 'the protection of the environment, including the protection and conservation of native animals and plant, including threatened species, populations and ecological communities, and their habitats' as well as reference to 'ecologically sustainable development'". Local Government NSW also advocates for "8.5 Policies and practices that maximise biodiversity and the protection of threatened and endangered species, including the development and maintenance of these areas."

In accordance with Schedule 4 of the *Biodiversity Conservation Act 2016*, the removal of dead wood and dead trees is considered to be a Key Threatening Process. Section 4.32 of the *Biodiversity Conservation Act 2016* defines a Key Threatening Process as a process that adversely affects threatened species or ecological communities or could cause species or ecological communities that are not threatened to become threatened. By approving permits, Council is effectively endorsing the adverse activity of this key threatening process.

Council currently regulates the collection of firewood within roadside reserves by supplying applicants with a map that illustrates the roads where firewood can be collected, that is, those roads nominated as being of low or no conservation value. Advantageously to the Shire's environmental status, the majority of roadside reserves are considered to be of high or medium conservation value, and as such, firewood collection is prohibited on these roads. Consequently, as the availability of firewood dwindles on low or no conservation value roads, collectors often resort to collecting from roads where collecting is prohibited.

The landscape of the Shire area is estimated to be 93% cleared and has been assigned an over-cleared status. Due to extensive clearing for agricultural purposes, roadside reserves may be the only remaining intact natural environment, providing invaluable wildlife habitats and corridors. Considerable pressures are experienced by the ecosystems on roadside reserves from adjacent agricultural activities and the infrastructures contained within the reserve, including road, rail, electricity, communication and water. Degradation often occurs during the maintenance of these infrastructures. The activity of firewood collection also disturbs wildlife habitats and provides a mechanism for the introduction of weed species, through the use of vehicles, trailers, chainsaws and garden implements, with little thought given to vehicle and equipment hygiene.

The health and safety of our members of the community are paramount in every aspect of Council's decisions. Council's insurers have previously indicated that Council may be open to litigation if permits are approved for individuals whom are not adequately trained in the use of chainsaws, who are not using appropriate personal protective equipment, who may cause damage to property during the firewood collecting process, and lastly, may unintentionally impact on the integrity of an Ecological Endangered Community or habitat of a threatened species. The additional cost associated with obtaining the Chainsaw Operation and Maintenance accreditation, as well as purchasing adequate personal

protective equipment and obtaining public liability insurance, would make the exercise of firewood collection uneconomical to the average household.

Integrated Planning and Reporting Reference

C3 – Flora and fauna are protected across the Shire.

Legislative Policy and Planning Implications

Environmental decisions are carried out in accordance with the Commonwealth *Environmental Planning and Assessment Act 1979*, NSW *Biodiversity Conservation Act 2016*, and associated regulations.

Budget and Financial Aspects

Currently, permits are assigned without a charge to the application. However, expenses are incurred by Council to regulate these permits, including administration, regulation and patrolling of activities.

Attachments

1. Local Government NSW Environment Policy Position Statement – Biodiversity Position Statement.
2. Lockhart Shire Roadside Conservation Values Map.

**Recommendation:** that Council rescind and give notice in the local newspaper of the rescission of Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees under Section 165 of the *Local Government Act 1993*.

	<b>MOVED</b> by Cr Sharp and <b>SECONDED</b> by Cr Walker that Council rescinded and give notice in the local newspaper of the rescission of Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees under Section 165 of the Local Government Act 1993.
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<b>64/20</b>	<b>MOVED</b> as an <b>AMENDMENT</b> by Cr Verdon and <b>SECONDED</b> by Cr Rockliff that Council maintain the status quo.
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	On being put to the vote the amendment was <b>CARRIED</b> , became the motion and was again <b>CARRIED</b> .
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## **STRATEGIC DIRECTION D: Infrastructure for the Long-Term Needs of the Community**

Cr G Driscoll declared a non-pecuniary interest in the following item and vacated the chamber at 5.34pm.

### **6. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT (DEES/T10-005)**

#### Executive Summary

Monthly report on engineering and environmental services matters.

#### Background Information

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

*Urana Lockhart Road (MR 59):* Approximately 9 kilometres of Urana road shoulder widening works completed to date. Also completed table drains, batters and sealing.

*Flood Detour Road:* Culverts have been installed. Base and sub-base as well as drainage works mostly completed.

*Western Road (R2R):* 3.3km of Western Road sealing has been completed with batters and signage installed in February 2020. Another 2.5km have been gravelled with primer seal to be applied in late April subject to weather conditions.

*Henty Pleasant Hills Road (R2R):* Completed.

*The Rock Mangoplah Road:* Contractor commenced rehabilitation work in early March. Currently applying pavement material.

*Urana Lockhart Road and Narrandera Road Intersection:* Transport for NSW have approved designs. Contractor to be appointed.

*HVSPP culvert upgrades:* Culverts installed at Flood Detour Road and culverts ordered and delivered to site at Grubben Road, Lockhart-The Rock Road and The Rock Bullenbong Road. Quotes received for the installation of culverts on Grubben Road. Anticipate commencement of installation in early May.

*Grading and minor gravelling of unsealed roads:* Continuing in accordance with the 12-month programme. Recently completed grading on Hollies Road and Slocums Lane.

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

##### b) **Major Projects:** Council is currently undertaking several major projects and the status of each of these is as follows:

*Demolition of Voluntary Purchase Properties:* Demolition of 69 Urana Street has been completed.

*Flood Mitigation Construction-Lockhart:* Work on the rail culverts is completed.

*Flood Detour Road Rail Culvert Construction-Lockhart:* Work on the culverts is completed.

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

##### c) **Road Safety:**

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

*Road Safety Strategy:* Drafting a Road Safety Strategy that will underpin the annual road safety action plan from 2021.

*Communication:* Investigating new opportunities to communicate with the community during COVID-19. Regularly posting community FaceBook messages from NSW GOV to ensure road user information is available during COVID-19. Regularly liaising with NSW Police during COVID-19 to ensure that drink driving, and speed doesn't become a community concern which has been identified in other LGA's.

**Bridge Renewal Program:** Investigating potential projects for the Bridge Renewal Program. Applications close 29 May 2020.

**Crash Data:** Analysing latest available 5-year crash data to support future infrastructure and behavioural projects.

d) **Traffic Committee:**

Nil

e) **Lockhart Local Emergency Management Committee:** A LEMC COVID-19 video conference was held on 3 April. The LEMO also participates in as many REMC and Riverina Murray (East) REMO-LEMC COVID-19 video conferences as possible. The Riverina Murray (East) REMO-LEMC video conference includes the LEMCs of Albury City, Bland, Coolamon & Junee, Greater Hume, Leeton, Lockhart, Narrandera, Temora and Wagga Wagga councils. LEMCs have been issued with a task request process and request for assistance form.

f) **Fleet:** Orders have been placed for all the plant replacement in accordance with the adopted 2019/20 budget. The remaining plant (bobcat and light vehicle) has been delivered with inductions held. One light vehicle has been ordered in February with delivery still pending.

g) **Biosecurity and Environment:**

**Weeds:** Property Inspections were carried out on residential, rural and commercial properties, which were selected due a change in ownership or to assess the effectiveness of applied control methods.

The weeds most commonly found were Bathurst burr (*Xanthium spinosum*), Privet (*Ligustrum* sp.), African boxthorn (*Lycium ferocissimum*), Coolatai grass (*Hyparrhenia hirta*), Green cestrum (*Cestrum parqui*), Silverleaf nightshade (*Solanum elaeagnifolium*), Bridal creeper (*Asparagus asparagoides*), Cape broom (*Genista monspessulana*), and Willow (*Salix* sp.).

No. 1 <sup>st</sup> Inspections	No. Re-inspections required	No. 2 <sup>nd</sup> Inspections	No. Biosecurity Undertakings Accepted	No. Biosecurity Directions Issued	No. 3 <sup>rd</sup> Inspections	No. 4 <sup>th</sup> Inspections
8	1	6	0	0	0	0

**Control Program:** Priority has been given to the control of Bathurst burrs (*Xanthium spinosum*), Feathertop Rhodes grass (*Chloris virgata*), and Silverleaf nightshade (*Solanum elaeagnifolium*) on roadside reserves.

**drumMUSTER:** The March drumMUSTER collection event occurred at Lockhart on Tuesday, 10 March. 1938 drums were inspected, raising \$532.95 for St. Joseph's School. The Rock collection event occurred on Thursday, 12 March. During this event 334 drums were inspected, raising \$83.50 for The Rock Men's Shed. drumMUSTER collection events have been tentatively scheduled for Tuesday, 15 September for Lockhart and Thursday, 17 September for The Rock.

**Common White Snail Baiting Program:** Snail baiting application occurred on Fairview Lane on 12 March. Herbicide was also applied to all vegetation to remove any source of nutrition or habitat for the snails.

**Autumn Fox Baiting Program:** Fox baiting commenced on 16 March on the Galore Hill Scenic Reserve and Kincaids Reserve. All replacement baits have been depleted.

h) **Parks and Gardens:**

**Swimming Pools:** The pools closed mid-March. Both pools recorded attendances of around 11000 patrons for the season, well above historic averages of approximately 8000. It has been a very successful season, especially considering the relatively cool start and end. The complexes continue to receive ample praise and a few out of shire schools have already booked their rewards day for next season.

**Inclusive Playground, The Rock Recreation Ground:** The footpaths are completed, the BBQ has been installed and power connected, water connected, water fountain installed, and park furniture installed. Finishing touches are being completed including landscaping, planting and finally installation of the perimeter fence.

**Mowing and Slashing:** The autumn mowing schedule is well underway. All areas are growing quickly due to the recent rain. The fortnightly mowing schedule of irrigated areas continue until the onset of cooler temperatures toward the end of autumn.

**Weed Control:** Khaki and Cathead are being chipped and sprayed in known problem areas; recent rain has renewed growth and many areas will require follow up treatment. Any assistance from residents in the form of reporting infestations or controlling outbreaks adjacent to their properties is appreciated. Regular spraying and weeding of urban areas will continue throughout April.

**Trees:** The watering schedule of street trees has been relaxed due to recent rain and cooler temperatures. Many of the trees are starting to enter their dormancy period. Pruning of street trees and lanes will commence over the next month, focusing on the peppercorns in Lockhart's CBD first.

- i) **Development Applications:** The following development applications were approved, with conditions, from 1 March 2020 to 31 March 2020.

DA No	Development	Applicant	Site of Development
37/20	New shed	Betta Sheds	33 Urana St, The Rock
38/20	Shipping container	Gail Driscoll, The Rock Progress Association	The Rock Showground, 3778 Lockhart The Rock Rd, The Rock
41/20	New dwelling and detached shed	Jay Koehler	4 Carson Rd, The Rock
42/20	Carport	Robert Turner	36 Osborne St, Lockhart

- j) **Other:** The Rock Triathlon and Tolland Cycle Club events were held on 23 February 2020. Lockhart Shire Council provided a gravel access in consultation with the triathlon organisers.

#### 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

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

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

<b>65/20</b> <b>RESOLVED</b> on the motion of Crs Douglas and Walker that the information provided in the Engineering & Environmental Services report be noted.
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**Cr Driscoll returned to the Chamber and re-joined the meeting at 5.40pm**

**7. VARIATION TO DEVELOPMENT CONTROL PLAN DA43/20**

**(MES/P25-010)**

Executive Summary

Council have received an application for development involving the construction of a new Colorbond shed at 39 Green Street, Lockhart. The proposed development is not consistent with the Lockhart Development Control Plan 2016 and therefore presented for Council's consideration.

Background Information

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

As part of this application, the developer proposes a shed wall height of 3.6 metres to the gutter (0 metres higher than what the DCP permits), with an overall shed height being 4.9 metres (thereby exceeding the DCP allowance by 0.4 metres). A written statement in form of an application for variation from the applicant confirms that the increased shed height will allow for storage of a caravan (among other things). The shed is proposed to be set back in the rear yard 1 metre from the rear access lane and 1 metre from the western side boundary.

In determining this request Council need to consider a number of variables which may influence the development.

**Streetscape**

The site of development is predominantly residential, and with frontage to Green Street. Being located in the rear yard on a large block the proposed building doesn't appear to dominate the landscape being located behind the dwelling. The land is also serviced by rear lane access, to which the applicant intends to make full use by providing vehicular access into the proposed building. The Green Street road reserve is wide and open, and there is ample screening from street trees and established gardens.

**Precedence**

There are no sheds within the immediate vicinity of the dwelling house that have been approved for construction beyond the building height restrictions of the DCP.

**Objectives of the control requirements**

The building will be of a low-reflective, pre-finished material which is consistent in design with all other shed buildings in the locality. Once, constructed, noise issues are unlikely as the building is for storage, and existing services remain unaffected.

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

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

The development as proposed requires a variation to Council's Development Control Plan 2016. In accordance with Sec 4.15 of the Environmental Planning and Assessment Act 1979, Council are to consider, as with all development applications, the likely impacts of that development, and the suitability of the site for the development.

Budget and Financial Aspects

Nil.

Attachment

1. Application for variation from applicant
2. Elevation and site plans

**Recommendation:** that Council grant consent for a variation to the Lockhart DCP, thereby permitting an increased building height for a proposed new shed at 39 Green Street, Lockhart.

**66/20 RESOLVED** on the motion of Crs Douglas and Rockliff that Council grant consent for a variation to the Lockhart DCP, thereby permitting an increased building height for a proposed new shed at 39 Green Street, Lockhart.

## 8. TRANSFER OF CROWN ROAD RESERVES TO COUNCIL

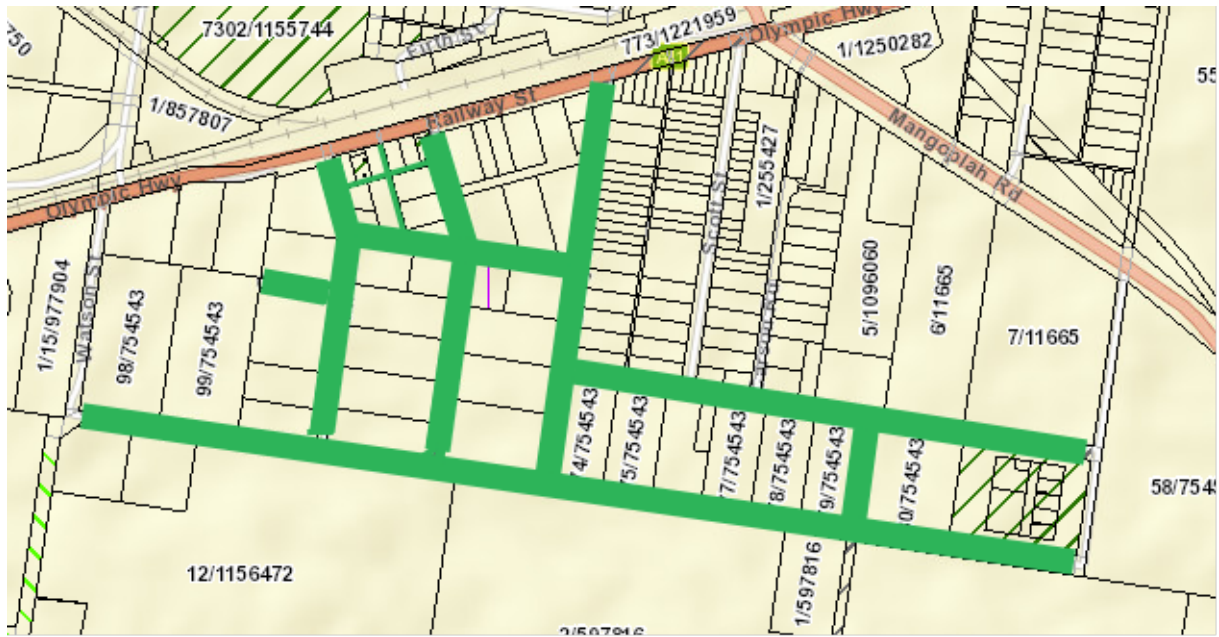
(DEES/A60-025)

### Executive Summary

Several roads within The Rock, east of Olympic Highway, are located within reserves (Crown roads) managed by Crown Land, Department of Planning, Industry and Environment. This requires consultation with Crown Land regarding works and/or activities proposed on Crown roads. Transfer of Crown roads into Council's ownership will reduce the need to consult with Crown Land and allow for more effective management of these roads.

### Report

Currently several roads within The Rock, east of Olympic Highway are Crown roads managed by Crown Land (see map below – Crown roads showed in green).



Council is the designated road manager for most roads within the Lockhart Shire Council area. Transport for NSW (previously Roads and Traffic Authority) is legislated as the organisation responsible for the control of traffic on all roads in New South Wales. The most effective way of dealing with the number and range of traffic related matters, particularly those which arise on regional and local roads, is to deal with them at a local level. Transport for NSW has therefore delegated certain aspects of the control of traffic on regional and local roads to councils. However, in the case of Crown roads, Council would not be the road manager and as a result cannot effectively manage traffic without Crown Land approval.

The Transport for NSW delegations does not cover route approvals for heavy freight vehicles as they are subject to separate delegation. Currently, Council approves heavy vehicles access via the NHVR portal for all roads located within the Shire boundary and in Council's ownership or under its management. Council cannot approve access to roads not owned and/or managed by Council.

Council received numerous requests to manage roads and roadsides within The Rock, east of Olympic Highway. Each of these requests requires consultation with Crown Land prior to any works being undertaken.

Council's Director Engineering and Environmental Services contacted Crown Land to enquire about their responsibilities in managing Crown roads as well as the authorisation processes applicable to allow Council to undertake works and/or activities on Crown roads. Crown Land contacted Council in early April and suggested that the best way to deal with Crown roads are to transfer these into Council's ownership.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

The *Roads Act 1993* deals with the regulation of traffic on public roads.

The *Transport Administration Act 1988* confers the following powers to Transport for NSW:

- to exercise the functions relating to safety and traffic management set out in Section 52A;
- to delegate its functions to other public agencies such as councils (Section 50).

Budget and Financial Aspects

Currently, Council maintains all roads located in the part of The Rock located east of Olympic Highway. Hence, no additional costs associated with managing these roads is likely to be incurred.

Crown Land indicated that the road reserves can be transferred to Council at no cost.

Attachments

Nil

**Recommendation:** Council writes to Crown Land, Department of Planning, Industry and Environment requesting the transfer of the Crown roads located in The Rock, east of Olympic Highway and identified in this report, to Lockhart Shire Council at no cost.

<p><b>67/20 RESOLVED</b> on the motion of Crs Day and Driscoll that Council writes to Crown Land, Department of Planning, Industry and Environment requesting the transfer of the Crown roads located in The Rock, southeast of Olympic Highway and identified in this report, to Lockhart Shire Council at no cost.</p>
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## **STRATEGIC DIRECTION E: Strong Leadership and Governance**

### **9. INVESTMENT AND BANK BALANCES REPORT – 31 MARCH 2020**

**(DCCS/F10-010)**

#### Executive Summary

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

#### Report

It is required under Clause 212 of the Local Government (General) Regulations 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>		1,005,735.56
Add: Total Receipts		
	Rates	112,947.85
	Debtors	216,534.90
	Miscellaneous	38,204.41
	Interest	13,661.13
	Redeemed Investment	900,000.00
	Macquarie Transfer	500,000.00
	Roads to Recovery Grant	734,838.00
	18-19 FM 0037	199,553.00
	Community Child Care Fund Program	14,850.00
	Sale of Plant	25,718.95
	BAS Refund	20,885.00
	Sale of Land	21,468.76
		2,798,662.00
Less: Total Payments		1,590,079.61
	New Investments	0.00
	1490-3015-0001	0.00
<b>Closing Combined Cashbook Balance</b>		<b>2,214,317.95</b>
<b>Closing Bank Statement Balance</b>		
	Bendigo Bank	1,641,866.10
	Macquarie Bank	53,557.33
	Bendigo Bank-Prichard Trust	31,675.11
		1,727,098.54
Add: Outstanding Deposits		2,990.27
		1,730,088.81
Less: Outstanding Cheques		15,770.86
<b>Closing Combined Cashbook Balance</b>		<b>1,714,317.95</b>

Investments:	Interest Rate per Annum	Amount Invested	% of Total
AMP RIM	1.75	500,000.00	10.64
AMP RIM	1.40	250,000.00	5.32
AMP/RIM	1.75	500,000.00	10.64
AMP/RIM	1.75	500,000.00	10.64
Bendgio	at call	50,000.00	1.06
BENDIGO	1.55	250,000.00	5.32
BENDIGO	1.55	500,000.00	10.64
Bendigo	1.20	400,000.00	8.51
bendigo	at call	50,000.00	1.06
CBT	1.43	500,000.00	10.64
NAB	1.72	500,000.00	10.64
NAB	1.60	500,000.00	10.64
T Corp	at call	200,000.00	4.26
		<b>4,700,000.00</b>	

#### General Ledger Balances as at Month End

FUND		AMOUNT
General (PTD)	1490-3000-0000	1,477,370.82
Combined Sewerage	8490-3000-0000	205,272.02
Trust Fund	9991-3000-0000	31,675.11
		1,714,317.95
	<b>TOTAL FUNDS HELD ARE:</b>	<b>6,414,317.95</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.  
Government (General) Regulations Clause 212.

Budget and Financial Aspects

Council's 2019/20 Operational Budget has forecast a total of \$165,000 income from interest on investments, being split between General Fund of \$145,000 and Sewer Fund of \$20,000. For the period of July 2019 to Mar 2020, the average end of month balance of funds invested has been \$5.967 million and the average return on invested funds has been 1.74%. Council's budgeted income on investments was adjusted down to a total of \$135,000 for the December 2019 Quarterly budget review. Further review will be undertaken for the third 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) Regulations 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 March 2020 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

**68/20 RESOLVED** on the motion of Crs Verdon and Rockliff that

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

**10. LOCAL GOVERNMENT ELECTIONS UPDATE**

**(GM/E15-020)**

Executive Summary

The purpose of this report is to provide an update regarding the next local government elections.

Report

Councillors will be aware that legislation, comprising a range of emergency measures in response to the COVID-19 health crisis, was passed recently in the NSW Parliament. The wide-ranging measures included a provision giving the Minister for Local Government the power to postpone the local government elections scheduled to be held in September 2020 if the Minister believed it was reasonable to do so.

The Minister for Local Government, The Hon Shelley Hancock MP, has now advised that, in order to provide certainty to councils, communities and potential candidates, the NSW Government has made the decision to postpone the September local government elections in the face of the COVID-19 crisis. According to the Minister the decision was necessary to ensure the health and safety of voters, NSW Electoral Commission staff and election candidates.

It is the Government's intention that the council elections will be held in September 2021. The Minister has further advised that the postponement of the next elections will not change the future schedule of council elections, and the subsequent elections will still proceed in September 2024.

Current councillors and popularly elected mayors will continue to hold their civic offices until the rescheduled local government elections are held. Mayoral elections will need to be held for mayors elected by councillors in September 2018 when their two-year terms expire this year.

Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

Further advice is awaited from the NSW Government however other legislative policy and planning implications potentially include the following:

- Council's next annual report would have also included an end of term report however this may not be required until the 2020/21 annual report.
- At the beginning of a new council term it is necessary to review, in consultation with the community, Council's integrated planning and reporting documents including the Community Strategic Plan and Delivery program. This also may be deferred for 12 months.
- The amendments to the Local Government Act regarding Audit, Risk and Improvement Committees and councils' risk management framework are scheduled to commence six months following the next council election. This means the amendments may now not take effect until March 2022.

#### Budget & Financial Aspects

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

#### Attachments

Nil.

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

<b>69/20</b> <b>RESOLVED</b> on the motion of Crs Walker and Marston that the information be noted.
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## 11. REVIEW OF OPERATIONAL LAND

(GM/A60-020)

### Executive Summary

A review of "operational land" has been undertaken to determine whether there are any Council owned properties classified as "operational land" that are surplus to requirements and able to be disposed of with the proceeds redirected to the provision of other services.

### Report

In May 2017 Council considered an offer received from a non-resident ratepayer to transfer ownership of a vacant property in Scott Street, The Rock to Council for nil consideration. At that time Council resolved to accept the offer to acquire the subject property for \$1.00 and that each party meet their own legal costs.

Section 25 of the Local Government Act requires all land vested in Council to be classified as either "community land" or "operational land". The purpose of classification is to identify clearly that land which should be kept for use by the general public (community) and that land which need not (operational). The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means.

"Community land" must not be sold and must not be leased or licensed for more than 21 years and may only be leased or licensed for more than five years if public notice of the proposed lease or licence is given and, in the event that an objection is made to the proposed lease or licence, the Minister's consent is required. No such restrictions apply to "operational land".

At its meeting held in July 2017 Council resolved to classify the land in Scott Street, The Rock as "operational land". As Council had not determined the future use of the land, it was considered to be in

Council's best interests to classify the land as "operational land" so as to leave all options open regarding its future use, including sale of the land.

A review of all land classified as "operational" has now been undertaken to determine whether there are any properties considered surplus to requirements and able to be disposed of as this can release funds for use in the provision of other services. The review focussed on properties classified as "operational land" that:

- 1) Are not already on the market such as the Green Street West and Bond Street Lockhart and Carson Road, The Rock residential blocks; and
- 2) Are not required for operational purposes such as Council's administration building, sewerage treatment plants, pumping stations, waste management facilities, works depot etc.

The review of operational land, a copy of which has been separately distributed to all Councillors, includes property details, background information and aerial photographs of each parcel, as well as recommendations regarding retention or disposal of each of the individual properties identified. Attention is drawn to the following parcels of land in particular:

Lot 2 DP255427, 55 Scott Street, The Rock

Area: 919.6sqm

Zoning: RU5 – Village

This land was acquired by Council for \$1 without any security of purpose conditions. Situated in a residential area and suitable for a residential dwelling. Previously suggested as a site for a park in close proximity to Council's Carson Road subdivision. Council's real estate agent who has sold the nearby Carson Road lots has been requested to provide a market appraisal for the land.

Lot 89 DP754558, Benders Lane Milbrulong (Corner of Lockhart The Rock Rd)

Area: 8,094sqm

Zoning: RU1 – Primary production

The site of the old Milbrulong School, this land was purchased by Council in 1997 from the Department of Education because the alignment of Benders Lane encroached on the site. The land is heavily treed. Due to its size and zoning it has no development potential. The only potential options are to offer it for sale to the adjoining owner or explore opportunities for biodiversity offsets due to the quality of the vegetation on the site.

Lot 62 DP1015278 and Lot 90 DP756417 Prichard Place, Lockhart

Area: 1.48ha and 1.012ha

Zoning: RU5 – Village

This land appears to be surplus to requirements and could be offered for sale. Alternatively, it could provide a land development opportunity for Council. The Green Street West (Rockliff Court) smaller lots have proved difficult to sell. However, the larger Green Street West (Prichard Place) lots and the larger lots created in the Bond Street subdivision have proven more popular. A feasibility study will help determine whether the market value of the developed lots will be sufficient to carry the cost of any development.

All lots in the Bond St, Lockhart, and Carson Road, The Rock, subdivisions have now been sold.

Lot 47 DP17939, 2410 Albury Road, Urangeline

Area: 1,012m<sup>2</sup>

Zoning: RU1 – Primary Production

This lot appears to have been enclosed with the adjoining farmland. Due to its location and zoning selling the land to the adjoining owner appears to be the only realistic option, noting that the conveyancing costs could exceed the value of the land.

Integrated Planning and Reporting Reference

- E1: Plan for the long-term sustainability of the Shire.
- E1: Continue to enhance sound financial management policies and practices.
- E1: Continue the development of asset management strategy and plans.

#### Legislative Policy & Planning Implications

Council is required, pursuant to Section 25 of the Local Government Act, to classify all land vested in Council as either “community land” or “operational land”.

Before a council acquires land, or within three months after it acquires land, a council may resolve that the land be classified as “community land” or “operational land”. Any land acquired by a council that is not classified at the end of the period of three months is taken to have been classified as “community land”.

#### Budget & Financial Aspects

In some cases, but not all, the disposal of surplus land can be a source of funds for use in the provision of other services. It should be noted that in some cases the value of the land may not be sufficient to cover the conveyancing costs involved.

#### Attachments

Review of Operational Land separately distributed.

**Recommendation:** That Council adopt the following actions in relation to the review of land classified as “operational land”:

1. List for sale the vacant property situated at 55 Scott Street, The Rock;
2. Explore opportunities for biodiversity offsets in respect of the former Milbrulong School site situated on the corner of Benders Lane and the Lockhart The Rock Rd;
3. Investigate the feasibility of undertaking a large-lot residential subdivision on Lot 62 DP1015278 and Lot 90 DP756417 Prichard Place, Lockhart before determining whether or not to dispose of the land; and
4. Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land.

<p><b>70/20</b>    <b>RESOLVED</b> on the motion of Crs Driscoll and Walker that Council adopt the following actions in relation to the review of land classified as “operational land”:</p> <ol style="list-style-type: none"><li>1. List for sale the vacant property situated at 55 Scott Street, The Rock;</li><li>2. Explore opportunities for biodiversity offsets in respect of the former Milbrulong School site situated on the corner of Benders Lane and the Lockhart The Rock Rd;</li><li>3. Investigate the feasibility of undertaking a large-lot residential subdivision on Lot 62 DP1015278 and Lot 90 DP756417 Prichard Place, Lockhart before determining whether or not to dispose of the land; and</li><li>4. Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land.</li></ol>
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## **12. PREPARATION OF THE 2020/21 OPERATIONAL PLAN AND BUDGET      (GM/I13-005/C70-005)**

### Executive Summary

In the absence of convening a Budget Workshop prior to the Council meeting as originally proposed, an update is provided in relation to the preparation of the 2020/21 Operational Plan and Budget. Furthermore, in order to comply with the legislative deadlines contained in the Local Government Act, for public exhibition and subsequent adoption of the 2020/21 Operational Plan and Budget, it will be necessary to reschedule the June Ordinary Council meeting.

### Report

The preparation of the 2020/21 Operational Plan and Budget is proceeding. A number of additional costs that were anticipated to be incurred next financial year, and which were highlighted at the Budget Workshop held on 16 March 2020, are now not expected to eventuate in 2020/21. This is because the costs were related to the local government elections which were scheduled to be held in September

2020 and have now been postponed until September 2021 because of the COVID-19 outbreak. These costs include:

- A review of Council's Integrated Planning and Reporting documents in consultation with the community, most notably the Community Strategic Plan;
- The engagement of a suitably qualified firm to undertake a community satisfaction survey to inform the Community Strategic Plan review;
- New councillor inductions programs;
- Implementation of the Audit Risk and Improvement Committee and Risk Management Framework provisions of the Local Government Act (to commence within six months of the next council election).

The impact of the COVID-19 health and economic crisis on Council's finances at this stage has been limited. According to media reports other councils, predominantly larger regional and city-based councils are experiencing significant falls in revenue. This is because larger councils have greater revenue streams from fees and charges (own source revenue) such as parking fees and parking fines as well as revenue from facilities such as museums, art galleries, entertainment centres, airports, swimming pools and the like. These facilities, many of which have been directed to close due to the COVID-19 outbreak, are serviced by council employees which presents a further challenge.

In Lockhart Shire Council's case however, the impacts have so far been more limited. Council's swimming pools for instance are managed by contractors and were closing as scheduled due to the end of the swimming season when the Public Health Order directing them to close was issued. Museums, community gyms and the majority of other Council-owned facilities in the Shire that have also been directed to close to the public are managed by volunteers on section 355 management committees and Council does not receive any revenues from these facilities in any case.

The Lockhart Caravan Park which is owned and operated by Council is the one exception. Whilst it has been required to close to the public, exemptions are provided for overnight travellers, travellers who have nowhere else they can go to and persons working in the area. This means that Council still has the expense of managing the park but with reduced patronage and reduced revenue due to the restrictions that have been imposed. This will be reflected in the draft budget that is being prepared for Council's consideration.

The Rock OOSH is another Council facility that had the potential to be impacted. However, due to financial assistance packages for childcare centres announced by the Federal and State governments, this will not be the case.

In the meantime, Local Government NSW and the relevant unions have agreed to a Local Government (COVID-19) Splinter Award. This Award is designed to help preserve jobs and provide councils with more flexibility in redeploying employees who are unable to perform their regular role due to COVID-19 Orders issued by the Government.

Prior to adopting the Operational Plan by 1 July, the Council must prepare a draft Operational Plan and give public notice of the draft indicating that submissions may be made to the Council at any time during the period (not less than 28 days) that the draft is to be on public exhibition.

It has been Council's practice to present a Draft Budget at the May Council meeting at which time Council endorses the draft document for placing on public exhibition for a period of 28 days. Any submissions received during the exhibition period are then considered by Council at the June meeting at which time the Budget is adopted.

This year however the June Council meeting date falls earlier in the month than normal with the third Monday of the month being 15 June 2020. This creates difficulties in complying with the requirement for a 28-day public exhibition period and consideration of any submissions received.

#### Integrated Planning and Reporting Reference

- E1: Advocate and prepare for the long term sustainability of our Shire.
- E1: Continue to enhance sound financial management policies and practices.
- E1: Meet all governance and regulatory requirements in the conduct of council's operations.

Legislative Policy and Planning Implications

In order to comply with the legislative deadlines contained in the Local Government Act, and ensure the Draft Operational Plan and Budget is publicly exhibited for at least 28 days, it will be necessary to reschedule the June Council meeting to the fourth Monday of the month.

Budget and Financial Aspects

The Draft Budget and Operational Plan will be prepared by Council officers within existing resources.

Attachments

Nil.

**Recommendation:** That the date for the June 2020 Council meeting be rescheduled to the fourth Monday of the month i.e. 22 June 2020, and that Council give public notice of the change of meeting date.

In the absence of any motion being moved in relation to this item, the status quo is retained.
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## LATE ITEM

### 13. ROUND 3 – STRONGER COUNTRY COMMUNITIES FUND

(GM/G10-005)

#### Executive Summary

The NSW Government has announced the successful applications under Round 3 of the Stronger Country Communities Fund (SCCF) Program.

#### Report

In August 2019 Council considered projects for funding made available under Round 3 of the SCCF Program. A total of \$763,834 was made available for the Lockhart Shire local government area. In Round 3 other community organisations in addition to the local council were given the opportunity to make application for the grant funding. Round 3 of the SCCF Program also had a particular focus on youth.

Council at that time invited its section 355 management committees to submit project proposals and, based on the proposals it received, Council subsequently resolved to submit grant applications for the following projects:

1. Life Skills for Young People program – proposed by Council's Youth Officer (\$66,000).
2. The Rock Recreation Ground – replacement of netball courts (\$215,000).
3. Osborne Recreation Ground – redevelopment of change room facilities (\$268,265).
4. Lockhart Recreation Ground – upgrade of kitchen facilities (\$85,000).
5. Pleasant Hills Public Hall – hall improvements (\$55,000).
6. The Rock Recreation Ground – second oval (\$60,000).
7. Yerong Creek Recreation Ground – upgrade of tennis courts (\$50,000).

Council has received advice that all the above projects have been successful with the exception of The Rock Recreation Ground replacement of netball courts (\$215,000) and second oval (\$60,000).

All the relevant management committees that were subject to applications submitted through Council will be notified of the outcome.

It is understood that non-council related successful applications submitted directly by other organisations will be announced on Monday 20 April 2020.

#### Integrated Planning and Reporting Reference

- A1: Support cultural and sporting opportunities that respond to the needs of the community.  
A3: Support our children and young people.  
A3: Provide young residents with greater access to youth services.

#### 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 the information be noted.

<b>71/20</b> <b>RESOLVED</b> on the motion of Crs Rockliff and Walker that the information be noted and that Council seek clarification on the successful applicants of the funds.
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## Questions and Statements

### Cr Walker

- i) **Drovers on Shire Roads** – Cr Walker has received a complaint about drovers on the road and asked who is responsible for compliance in these matters?

Response – Director of Engineering & Environmental Services

Confirmed that Local Land Services (LLS) are the permit issuers and are responsible for compliance. LLS notifies Council (Council's Environmental Officer) when permits are issued.

- ii) **Roaming Cats** – Cr Walker referred to the letter received from Mrs Jenkyn regarding cats, what is Council's response to this?

Response – Director of Engineering & Environmental Services

Under the Companion Animals Act and Council's policy, the responsibility rests with owners to ensure cats are microchipped and registered. Cats must be housed securely to prevent roaming. Council would issue a notice under normal circumstances and cat traps are available for use.

Cr Schirmer suggested possibly supplying free collars with bells.

### Cr Sharp

- i) **Road signs** – Cr Sharp advised approaching the T-junction of Bidgeemia Road and Albury Rd at night, the black and white chevron signs are very faded.

Response – Director of Engineering & Environmental Services

Will investigate and take necessary action.

- ii) **Road Signs** – Cr Sharp similarly notes that on County Boundary Road, northern-most corner – the yellow directional (chevron) signs are also very faded.

Response – Director of Engineering & Environmental Services

Will investigate and take necessary action.

### Cr Rockliff

- i) **Verandahs in Lockhart** – Cr Rockliff advised that despite control efforts so far, the problem birds have moved from once place to another and something more needs to be done. The birds have moved on from Lockhart Building Supplies to the Medical Centre and Newsagency, almost to "Ginge & Fluffs" second-hand store.

- ii) **Parks & Gardens** – Cr Rockliff noted nature strips in Ferrier St and quite a few other places have grass which would be over the top of a car bonnet.

- iii) **Weeds** – Cr Rockliff advised the "cat heads" and khaki weed infestations around town are causing issues for "gopher" owners, causing tyre punctures.

### Cr Marston

- i) **Rods Road Street Blade** – Cr Marston enquired as to the progress of replacing this sign.

Response – Director of Engineering & Environmental Services

Advised this matter has been referred to Greater Hume Shire as it sits on the Olympic Highway and GHSC hold the contract for maintenance. DEES will follow up with Greater Hume Shire again.

**Cr Driscoll**

- i) **Community Centre for The Rock** – Cr Driscoll advised the local Seventh Day Adventist church is for sale at \$139,000 for the church building and meeting hall and enquired if it is possible for this property to be considered as a community centre and perhaps look at a concept plan?

Response – General Manager

Will investigate and advise.

**Cr Day**

- i) **Dentist Building** – Cr Day asked when repairs were due to start?

Response – Director of Corporate & Community Services:

Advised works were to commence during the week after Easter however some issues with availability for asbestos removal have caused a delay.

- ii) **Lockhart South Common** – Cr Day asked if there was a fire danger risk on the South (Cattle) Common, as there are currently no cattle on the Common to keep the grass down?

Response – Director of Engineering & Environmental Services

The Director has met with Cr Day on site and does not believe there is an issue at this point. Discussion with management committee has taken place, barriers have been in place to restrict cattle from the levy bank whilst re-seeding was under way.

**Cr Verdon**

- i) **Resident Enquiry** – Cr Verdon has been approached by the owner of Lots 1-2 Emily St, The Rock asking if it was possible to discover when the residence was built.

Response – Director of Engineering & Environmental Services

Will investigate and advise the owner.

- ii) **ZOOM Meeting Capability** – Cr Verdon would like Council to investigate the possibility of ZOOM meetings in the short term, and as a potential option for Councillors to attend meetings post COVID-19 if people are away, on business for example. Cr Verdon believes Council should be setting an example with social distancing.

Response – General Manager

Will investigate and advise.

**Cr Schirmer**

- i) **Extended Council Term** – Cr Schirmer expressed his positive feeling about the extended Council term as he believes the Councillor group works very well together.

**Closed Session**

Nil.

The meeting concluded at 6.14pm.

The minutes of the meeting held on Monday, 20 April 2020, were confirmed as a true and accurate record at the Ordinary Council Meeting held on 18 May 2020, at which time the signature was hereunto subscribed.

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**CHAIRMAN**