

**MINUTES**

**of the**

**Ordinary Meeting**

**Held**

**17 October 2022**

Minutes of the Ordinary Monthly Meeting of Lockhart Shire Council held in the Council Chambers,  
Lockhart on Monday, 17 October 2022 commencing at 5.00pm.

## PRESENT

Cr G Verdon (Mayor), Cr A Rockliff (Deputy Mayor), Cr F Day OAM, Cr G Driscoll, Cr J Hunter, Cr I Marston,  
Cr R Mathews, 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, followed by an Acknowledgement of Country.

The Mayor reminded Councillors of their ethical obligations as reflected in the oath and affirmation of office,  
and the Code of Conduct.

The Mayor also informed all persons present that the proceedings of the meeting were being recorded.

## APOLOGIES

Nil.

## REQUESTS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK

Nil.

## SUSPENSION OF STANDING ORDERS

**202/22 RESOLVED** on the motion of Crs Driscoll and Marston that Standing Orders be suspended to allow  
Mr K Hogan of The Rock to address Council, the time being 5.04pm.

## RESUMPTION OF STANDING ORDERS

**203/22 RESOLVED** on the motion of Crs Driscoll and Marston that Standing Orders be resumed, the time  
being 5.10pm.

## CONFIRMATION OF MINUTES ORDINARY MEETING HELD 19 SEPTEMBER 2022

**204/22 RESOLVED** on the motion of Crs Day and Walker that the Minutes of the Ordinary Meeting held on  
Monday, 19 September 2022 as printed and circulated be taken as read and confirmed.

## DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

## MAYORAL MINUTE

Nil.

## REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

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

- 21 September Attended luncheon at Henty Field Days as guest of the Management Committee
- 25 September Attended the Lockhart Agricultural Show
- 30 September Along with Crs Marston, Mathews, Day and Hunter, attended Lockhart Picnic Race Day
- 7 October Along with Crs Marston, Mathews and Day, attended the 125yr Anniversary of Lockhart Central School
- 7 October Along with Crs Day and Mathews, attended the Awards Ceremony for Spirit of the Land Sculptures and Art
- 8 October Visited the Spirit of the Land street markets
- 11 October Chaired meeting of the RivJO Operations Working Party
- 14 October Along with the General Manager, attended a special meeting of RivJO and REROC Boards re one organisation.

Cr Driscoll verbally reported attending the LEP Review community drop-in session at The Rock on 5 October 2022.

Cr Marston verbally reported giving a television interview on 26 September on behalf of the Mayor, and attended the Police Remembrance Day commemoration in Wagga on 29 September.

Cr Hunter verbally reported attending the LEP Review community drop-in sessions at Yerong Creek on 6 October, and the Spirit of the Land Markets on 8 October.

**205/22 RESOLVED** on the motion of Crs Marston and Driscoll that the Mayoral & Councillor 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>Council Meeting held 19 September 2022</b>			
198/22	GM	<p><b>Policy Reviews</b></p> <p>The following policies, as presented, be adopted:</p> <ul style="list-style-type: none"> <li>a) Policy 1.7 Fraud Control</li> <li>b) Police 2.31 Procurement</li> <li>c) Policy 3.30 Workplace Surveillance</li> </ul>	<p>Policy Register updated. Complete.</p>
197/22	DEES	<p><b>Adoption of Policy 2.13 – Light Motor Vehicles – Following Public Exhibition</b></p> <p>That the policy be amended to include a statement to the effect that Council will investigate investing in electric vehicles.</p>	<p>Policy Register updated. Complete.</p>
195/22	GM	<p><b>Model Media Policy – Consultation Draft</b></p> <p>That the information be noted and consideration be given to adopting the Model Media Policy when Council's current Media Policy 1.2 is scheduled for review in October 2023.</p>	<p>Deferred for consideration in October 2023.</p>
194/22	GM	<p><b>Membership of Regional Organisations</b></p> <p>Council adopts the following options as its preferences for membership of regional organisations:</p> <ul style="list-style-type: none"> <li>a) First preference - REROC stands alone and RIVJO operated by Wagga Wagga City Council.</li> <li>b) Second preference - REROC stands alone and RIVJO goes into hiatus.</li> </ul>	<p>REROC and RIVJO advised of Council's preferred options. Further REROC/RIVJO Workshop scheduled for 14/10/2022.</p>
193/22	DCCS	<p><b>Audited Financial Statements – 2021/2022</b></p> <p>Council certifies in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.</p>	<p>Refer to separate Council report (Staff Report 5).</p>
191/22	DEES	<p><b>Engineering &amp; Environmental Services Report</b></p> <ul style="list-style-type: none"> <li>a) Council notes the information provided in the Engineering and Environmental Services Report, and</li> <li>b) A detailed report be brought to the next Council meeting regarding the investigations of noise and air pollution at The Rock, and what options are available, prior to the issue of a Noise Abatement Notice.</li> </ul>	<p>Refer to separate, Closed Session Council report (Staff Report 12).</p>

Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
190/22	GM	<p><b>Local Environmental Plan Review – Profile and Issues Report and Residential Land Use Study</b></p> <p>1. Council notes the community consultation proposed to be undertaken by Council’s consultants, Habitat Planning, in relation to the preparation of a Residential Land Use Study.</p> <p>2. A Councillor Workshop be convened at 4.00pm on Monday 17 October 2022 prior to the Ordinary Council meeting to consider the Draft Residential Land Use Study.</p>	<p>Community drop-in-sessions held as scheduled.</p> <p>Workshop scheduled for 4.00pm on 17/10/2022.</p> <p>Complete</p>
187/22	GM	<p><b>Inland Rail Project – Environmental Impact Statement</b></p> <p>That Council makes a submission supporting the Inland Rail project subject to appropriate noise mitigation measures being incorporated into any approval issued for the project.</p>	<p>Submission lodged.</p> <p>Complete</p>
186/22	GM	<p><b>Draft Plan of Management – Crown Reserves for Which Council is the Crown Land Manager and Council Owned Land Classified as ‘Community’</b></p> <p>That Council:</p> <p>1. Amend the Draft Plan of Management by adding “community purposes” as an authorised use for The Rock Recreation Ground, and</p> <p>2. In accordance with clause 70B of the Crown Land Management Regulation 2018 submit the amended Draft Plan of Management to the Department of Environment and Planning together with a summary of the submissions from the exhibition period and a table of corresponding amendments.</p>	<p>Draft Plan of Management has been amended. Submission to Crown Land Office currently being prepared.</p>
185/22	GM/ DCCS	<p><b>Round 5 – Stronger Country Communities Fund</b></p> <p>that Council submit the following projects for funding under Round 5 of the Stronger Country Communities Grant Program:</p> <p>1) \$120,000 Pleasant Hills Tennis Club – Upgrade Tennis Courts &amp; Lights</p> <p>2) \$140,000 Implementation of Brookong Creek Masterplan</p> <p>3) <u>\$601,190</u> The Rock Recreation Ground – Community Centre</p> <p><u>\$861,190</u></p>	<p>Application lodged.</p> <p>Complete.</p>

Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
184/22	GM/ DCCS	<p><b>Local Roads &amp; Community Infrastructure Grants Program</b></p> <p>That, in accordance with the outcome of the Councillor Workshop held on 15 August 2022, the LRCI Phase 3 Extension funds totalling \$50,000 previously allocated to the Christmas lighting and Energy Savings Plan projects, be re-allocated to Yerong Creek projects namely Stanley Galvin Park improvements, cricket oval irrigation system and chaff cart display.</p>	<p>Amended Project Nomination Form and Work Schedule lodged.</p> <p>Complete.</p>
<b>Council Meeting held 15 August 2022</b>			
161/22	DEES	<p><b>NSW Government Electric Vehicle Charging Grants</b></p> <p>1. Endorse the application for grant funding of EV destination chargers and software subscription at:</p> <ul style="list-style-type: none"> <li>– Lockhart Caravan Park</li> <li>– Lockhart Water Tower Car Park</li> <li>– The Rock Recreation Ground</li> <li>– The Rock Observatory/Golf Course/Showgrounds</li> <li>– Yerong Creek Recreation Ground</li> </ul> <p>2. Allocate \$12,000 as Council's contribution to the work.</p> <p>3. Consult with relevant Section 355 Committees to determine the most suitable location for successfully funded chargers.</p>	<p>Quotes being obtained for installation. Submissions close 11 November 2022.</p>
160/22	DCCS	<p><b>Lockhart Out of School Hours (OOSH) Care Service</b></p> <p>Council undertakes a 12-month trial period of Out of School Hours Care at Lockhart, under a single management structure for childcare services in the Shire.</p>	<p>As a result of resolution 160/22 from the August 2022 Council meeting, work is progressing with the Lockhart Central School and Dept of School Infrastructure NSW team to establish an OOSH in Lockhart. The plan is for the OOSH service to be open for the start of Term 1 2023.</p> <p>OSHC Licence Agreement received and being reviewed.</p>

Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
158/22	GM	<p><b>Stronger Country Communities Fund – Round 5</b></p> <p>Council submits the following projects for funding under Round 5 of the Stronger Country Communities Grant Program:</p> <ul style="list-style-type: none"> <li>• Christmas lights and decorations – Lockhart, The Rock and Yerong Creek \$100,000</li> <li>• Pleasant Hills Tennis Club – Upgrade Tennis Courts &amp; Lights \$110,000</li> <li>• Implementation of Brookong Creek Masterplan \$120,000</li> <li>• The Rock Rec. Ground Precinct – Community Centre <u>\$531,190</u></li> </ul> <p style="text-align: right;"><u>\$861,190</u></p>	Superseded by Minute 185/22. Complete.
<b>Council Meeting held 18 July 2022</b>			
147/22	GM	<p><b>The Rock Community Centre</b></p> <p>Council:</p> <p>a) Authorises the General Manager to purchase Lot 2, Section 17, DP758971 in accordance with the updated valuation advice received by Council, and</p> <p>b) Request the General Manager to further investigate the possible purchase of Lot 2, DP1196082 Burke Street, The Rock.</p>	<p>Council's acceptance of the asking price has been conveyed to the vendor.</p> <p>Awaiting confirmation from vendor.</p> <p>Preliminary contamination report has been provided to a suitably qualified person to advise of remediation requirements (if any) if land is used for car parking purposes only.</p>
141/22	GM	<p><b>Request for Council to Purchase Private Access</b></p> <p>Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.</p>	Quote for upgrading the access to an acceptable standard prior to transferring to Council has been prepared and forwarded to the landowners together with quotes for surveying and legal fees.

Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 16 May 2022</b>			
109/22	GM	<p><b>Tender – 109 Green Street</b></p> <p>Council declines to accept the tender received from ASCO Group (Aust) Pty Ltd for the provision of public toilets at 109 Green Street Lockhart and seek separate quotations for the individual components of the project for the following reasons:</p> <p>a) Seeking separate quotations and being able to negotiate with different contractors for the different components of the project will provide more flexibility in seeking the most cost-effective solution bearing in mind that the funding approved under Round 4 of the Stronger Country Community Fund is less than the amount for which Council applied.</p> <p>b) Accepting the one tender that has been received for the public toilets without a contract in place for the community space component of the project will prove problematic as the community space and landscaping is critical to providing access to the public toilets.</p>	<p>Unsuccessful tenderer notified of Council's decision.</p> <p>Local builder engaged for the public toilets and individual quotations currently being sought for the landscaping component.</p>
<b>Ordinary Council Meeting held 21 March 2022</b>			
56/22	GM	<p><b>Development of Lockhart Industrial Estate</b></p> <p>Council prepares a subdivision application for the development of Stage 3 of the Lockhart Industrial Estate.</p>	<p>Development application currently being prepared.</p>



Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 21 February 2022</b>			
33/22	DEES	<p><b>Flood Mitigation Review – The Rock and Yerong Creek</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the information provided in this report.</li> <li>2. Allocates \$65,000 from Council Reserves for the purchase of a mobile water pump and hoses.</li> <li>3. Awaits the outcome of works to be undertaken by Transport for NSW to clear the table drains along the Olympic Highway before determining whether additional works are required to be funded by Council.</li> <li>4. Applies to the next round of Floodplain Management grants (2022/23) to revise the Floodplain Risk Management Studies and Plan for The Rock.</li> <li>5. Applies to the next round of Floodplain Management grants (2022/23) to undertake a Floodplain Risk Management Study and Plan for Yerong Creek.</li> <li>6. Notes that a final report will not be available until after funding opportunities are finalised.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted – complete.</li> <li>2. Pump and hoses have been received - complete. Pump trailer being registered through Transport for NSW.</li> <li>3. Table drains cleaned – final section to be completed.</li> <li>4. Application lodged – complete.</li> <li>5. Application lodged – complete.</li> <li>6. Noted – complete.</li> </ol>
<b>Ordinary Council Meeting held 18 October 2021</b>			
180/21	TEDO	<p><b>Committee Minutes – TEDSC held 5 October 2021</b></p> <p>Minutes of the Tourism and Economic Development Steering Committee held on 5 October 2021 be received and the recommendations contained therein be adopted with the exception that an information board be erected at Lockhart Caravan Park.</p>	<p>Information board at Caravan Park to be included in list of locations yet to be scoped.</p> <p>New maps and signs are being progressed.</p>
<b>Ordinary Council Meeting held 16 August 2021</b>			
148/21	GM	<p><b>Proposed “Tim Fischer Way”</b></p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>Submission made to the Tourism Attractions Signs Assessment Committee.</p> <p>Plan to incorporate “Tim Fischer Way” touring route on new Visit Lockhart Shire website.</p> <p>New website now is live. Functionality to facilitate “Tim Fischer Way” touring route being developed.</p>

Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 19 April 2021</b>			
63/21	GM	<p><b>Residential Development – Lockhart</b></p> <p>2) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report.</p> <p>3) That the cost of subdividing the land be funded from the Infrastructure Reserve with the proceeds of any land sales to be returned to the Reserve.</p>	The development application for Lot 62 (westernmost lot) has been approved. The application for Lot 90 is still being processed as further investigation has been required regarding sewerage services to the site and compaction of a former dam on the site.
<b>Ordinary Council Meeting held 15 February 2021</b>			
9/21	DCCS	<p><b>The Lockhart Recreation Ground Management Committee – Request for Financial Assistance</b></p> <p>Approve an interest-free loan to the Lockhart Recreation Ground Management Committee of up to \$70,000 with repayments being Year 1 \$4,200 and the remaining 14 years will be repayments of \$4,700 to support an application to Building Better Regions Fund – Infrastructure Projects Stream – Round Five.</p>	<p>This resolution will be actioned if the application to the Building Better Regions Fund – Infrastructure Projects Stream – Round Five is successful.</p> <p>The Lockhart Football Netball Club have been advised the grant application has been successful. A report will be provided at a future Council meeting.</p>
<b>Ordinary Council Meeting held 20 July 2020</b>			
133/20	GM	<p><b>Naming of Bridges – Brookong Creek and Urana Lockhart Road</b></p> <p>1. Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge.</p> <p>2. Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gonyah Bridge, Brookong Creek.</p> <p>3. Write to Transport for NSW advising of the proposed names for the bridge on Urana Lockhart Road and the new culvert over Brookong Creek, Lockhart.</p>	<p>Written to TfNSW advising of the proposed bridge and culverts names, received response from TfNSW requesting further information. Wrote to NSW Aboriginal Land Council re proposed names. DEES also contacted TfNSW liaison officer on several occasions.</p> <p>Advice received on 3/8/22 regarding requirement for consultation with Wagga Local Aboriginal Lands Council. Information forwarded to Wagga LALC and awaiting response.</p>
<b>Ordinary Council Meeting held 20 April 2020</b>			
70/20	GM	<p><b>Review of Operational Land</b></p> <p>Council adopts the following actions in relation to the review of land classified as “operational land”:</p> <ul style="list-style-type: none"> <li>Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land.</li> </ul>	<p>Contact has been made with the adjoining landowner and information provided regarding the Council owned land in anticipation of further discussions.</p> <p>The landowner is liaising with their solicitor.</p>
<b>Ordinary Council Meeting held 19 September 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Marston: Drain – Yerong Street</b></p> <p>Asked if the drainage pipe under Urana Street, along Yerong Street, has been decommissioned as was discussed with the former Director of Engineering &amp; Environmental Services.</p>	Awaiting confirmation from contractor.

  
 CHAIRPERSON

Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<b>Cr Marston: Yerong Street – Driveways</b> Advised he has been contacted by an owner who has requested reflectors on the guardrail/culverts adjacent to their driveway to assist with entry to properties. Cr Marston also requested that reflectors be placed on the culverts at the rear lanes to improve visibility.	Work Order issued.
	DEES	<b>Cr Day: Safe Access to Main Street</b> Has been contacted by a constituent who experienced difficulty accessing the footpath from the disabled parking space adjacent to the Commercial Hotel. Cr Day has also been approached by a resident who utilises an electric wheelchair and would like to access the local laundromat. Cr Day asked how many disabled parking spaces are provided in the Shire, how many are required to be provided, and what is the criteria for a 90-degree parking space? Cr Day also asked what Council's options or requirements are for providing access to premises?	Quotes being sought to install disabled access ramp for car parking. Council exceeds requirement for disabled parking of 1 per 100 spaces. Existing premises are not required to upgrade entrances. Owner of laundromat will be contacted to discuss access.
	DEES	<b>Cr Driscoll: Old Trunk Road, The Rock</b> Advised that the 3km of this road situated in the Wagga City Council area is in an atrocious condition and asked if the matter could be raised with Wagga Wagga City Council.	Matter has been raised with Wagga Wagga City Council.
	DCCS	<b>Cr Driscoll: The Rock Observatory</b> Asked that the Observatory be considered for the same funding given to other s355 committees to assist with the running of the facility.	An allocation will be included in the first Quarterly Budget Review to be presented at November 2022 Council meeting.
	DEES	<b>Cr Mathews: Rear Lanes</b> Asked if there was a strategy in place for maintenance of these laneways.	The Director advised that, with the wet weather, focus has been on repairing the wider road network but acknowledged the laneways are becoming a more urgent priority.
	DEES	<b>Cr Walker: Carns Lane</b> Reported that due to water on the road a local resident is unable to use the road to remove grain from his property and asked what can be done. He enquired whether securing an additional grader once the weather is more suitable was an option.	The Director advised that the wet weather is having a major impact with respect to both minor repairs and heavy patching. He indicated that the structure of the engineering team is being reviewed, with the possibility of an additional grader crew being considered.
	DEES	<b>Cr Verdon: Lodge Road</b> Advised this road, which provides access to The Rock Cemetery, has broken up quite substantially and asked that repairs be made.	Work Order issued.
	DEES	<b>Cr Verdon: Laneway behind Emily Gardens</b> Asked that the potholes be filled in, and also at The Rock Medical Centre.	Work Order issued.

Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<b>Cr Verdon: Aumanns Lane</b> acknowledged that Aumanns Lane is an unconstructed road. However, local landholders require it for access and Cr Verdon asked if it can it be graded when dry.	Added to program for grading when weather permits and in line with surrounding roads.
<b>Ordinary Council Meeting held 15 August 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Walker – Vincent Road</b> Advised this road is suffering badly from the ongoing wet weather and suggested Council could consider sealing the next 3-4km to alleviate some of the issues, possibly funded by future grant programs.	To be including in next round of Fixing Country Roads program
	DEES	<b>Cr Mathews – New Gunyah Hotel</b> Asked if the owners of the property can be asked to remove the sandbags from the front of the building as it has been some time since the last threat of flood to that property.	Sandbags have been removed after request from Compliance Officer. Complete.
	DCCS	<b>Cr Marston – The Rock Recreation Ground</b> Referred to the drain behind the building at the Recreation Ground needs cleaning out, possibly as part of works for the Second Oval project. Cr Marston advised water is pooling in the drain and becoming stagnant.	DCCS asked if alternate arrangements could be made by the Committee with a local contractor/volunteer to carry out the works it would be appreciated in consideration of the already large workload Council's maintenance crews have due to the ongoing wet weather.
	DEES	<b>Cr Verdon – Rain Event, The Rock</b> Asked if any issues had been identified during the most recent rain event, particularly any caused by the Transport for NSW work.	The Director advised most issues continued to arise in Emily Street. Small washouts caused in the new works have been rectified. Culvert on the highway will be repaired by Transport for NSW when dried out. Complete.
	DEES	<b>Cr Verdon – Sealing of Roads, The Rock Recreation Ground</b> Referred to discussions which took place with the former Director of Engineering & Environmental Services regarding sealing from the sealed road (Wilson St) to the entrance of the Recreation Ground and enquired whether this was still a possibility.	Work order issued.
<b>Ordinary Council Meeting held 18 July 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS/DEES	<b>Cr Marston – The Rock Pony Club</b> Advised that pony clubs are now required to load and unload horses from their floats in an enclosed area and requested some minor improvements to facilitate this.	Meeting held with DEES, DCCS and Pony Club on 29 July. Cost estimate for minor works has been prepared.

Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 20 June 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Hunter – Yerong Creek Bowling Club</b> Advised the Bowling Club are still awaiting receipt of an Occupation Certificate for the building.	An accredited certifier for Class 2-9 buildings has been engaged to review and identify outstanding works to be completed for the issue of an Occupation Certificate. Inspection completed and report has been received. Outstanding works being costed.
	DCCS	<b>Cr Walker – Electricity Bills, The Rock Showground</b> Could the committee have some assistance in working out a split for the bill.	Electricity bills have been received and currently being analysed.
<b>Ordinary Council Meeting held 19 April 2022 – Councillor Questions &amp; Statements</b>			
Question & Statements	DEES (GM)	<b>Cr Rockliff: Tree, Galore Street</b> Referred to an email received by Council regarding a tree near 58 Galore Street, which appears to be eaten out at the bottom and could be dangerous. Cr Rockliff asked for an update on this matter.	Tree assessment has been completed in accordance with Australian Standards and landowner advised of the outcome.  Tree assessment to be reviewed.  QTRA risk assessment was Broadly Acceptable – No Further Action Required.  This specimen and many others in this area are remnant indigenous vegetation. An Environmental Assessment will be conducted before any canopy works are approved in the future.
	GM	<b>Cr Hunter: Connectivity</b> Asked if there were any outcomes from the recent meeting with the Regional General Manager of Telstra.	Council currently collating information on blackspots and connectivity issues across the Shire to provide to the NSW Telco Authority.  A survey for this purpose has been distributed to Shire residents and made available on Council's website.  The survey responses are currently being collated.
	DEES (GM)	<b>Cr Driscoll: German Church Road "Davidsons Hill"</b> Referred to the road being too narrow for heavy vehicles and the hill providing poor visibility. Cr Driscoll asked if something can be done on 500m of road in Lockhart Shire to where it meets the Wagga City Council boundary.	Cost estimate to be prepared and included in future budgets
	DEES	<b>Cr Verdon: Pedestrian Crossing</b> Brought attention to the section of Urana Street at the post office, where heavy vehicles are causing major "shoves" impeding the travel of mobility scooters.	A works request has been submitted and the matter is being attended to.



Lockhart Shire Council  
Ordinary Meeting – 17 October 2022

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

### Correspondence Received

Date sent to Councillors	From	Subject
20 Sept 2022	Executive Assistant	Forwarding ALGA news dated 19/9/2022.
20 Sept 2022	Executive Assistant	Forwarding LG NSW news dated 20/9/2022.
27 Sept 2022	Executive Assistant	Forwarding LG NSW news dated 27/9/2022.
30 Sept 2022	General Manager	Mayoral Update.
4 Oct 2022	Executive Assistant	Forwarding ALGA/LGIU Policy Roundup dated 3/10/2022.
4 Oct 2022	Executive Assistant	Forwarding LG NSW news dated 4/10/2022.

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

**206/22 RESOLVED** on the motion of Crs Hunter and Sharp that the Status Report and Correspondence Précis be received and noted.

## STAFF REPORTS

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

#### 1. AUSTRALIA DAY AWARDS 2023

(GM: 22/13437)

##### Executive Summary

The purpose of this report is to outline the arrangements for the 2023 Australia Day celebrations and the Australia Day Awards nomination process.

##### Report

Australia Day 2023 will be celebrated on Thursday 26 January 2023.

In recent years the Council's Australia Day celebrations have been held at:

2022	Pleasant Hills Recreation Ground
2021	Yerong Creek Public Hall
2020	The Rock Swimming Pool (hosted by The Rock Rec Ground Management Committee)
2019	Lockhart Swimming Pool (hosted by the Lockhart Football & Netball Club)
2018	Osborne Recreation Ground

Based on the above rotation of venues the Osborne Recreation Ground Management Committee was informally approached to gauge their interest in hosting the 2023 Australia Day event but declined the opportunity. The Lockhart Football Netball Club was then approached and they have accepted.

It is proposed that nominations be invited for the following categories by the closing date of 30 November 2022:

1. Citizen of the Year
2. Young Citizen of the Year
3. Sportsperson of the Year
4. Australia Day Award.

A notice will be placed in Council's October and November Community Newsletters, be posted on Council's website and the Lockhart Community Facebook page as well as be placed in numerous shop windows in the Shire.

  
CHAIRPERSON

It has been Council's practice to appoint an Australia Day Awards Committee to consider the nominations received and make recommendations to Council. Last year the Awards Committee comprised Councillors Sharp and Walker and former Councillor Max Day.

Council provides a subsidy to the host organisation of \$4,000 to host the event which includes a free breakfast for the community and which also provides a fundraising opportunity for the organisation.

Integrated Planning and Reporting Reference

A1: We value spending time with each other and want more opportunities to come together

A1: Facilitate and support our community to deliver vibrant and dynamic community events.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Provision has been made in Council's 2022/23 Operational Plan Budget for the hosting of the 2023 Australia Day celebrations and Awards ceremony.

Attachments

Nil.

**Recommendation:** That Council:

1. Appoint the Lockhart Football & Netball Club as host of the 2023 Australia Day celebrations; and
2. Determine the composition of the Australia Day Awards Committee for the 2023 Awards.

**207/22 RESOLVED** on the motion of Crs Walker and Mathews that Council:

1. Appoint the Lockhart Football & Netball Club as host of the 2023 Australia Day celebrations; and
2. Appoint Crs Day, Hunter, Sharp and Walker as the Australia Day Awards Committee for 2023.

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

Nil.

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

Nil.



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

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

(DEES)

#### a) **Works**

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

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

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

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

Unsealed Roads: Maintenance of Shire gravel roads has been conducted on Adams Ln, French Park Bullenbung Road, Slocums Lane, Fergusons Lane, Geddes Lane, Jim Willis Nth Road, Kilbrae Road, Meltons Lane, Munyabla Road, Munyabla Munyaplah Road, Seeligers Lane, Scheetz Lane, Sly's Lane, Willis Lane, Wolters Lane, Zwecks Lane

#### Maintenance Crews:

The concrete crew have been working on the Pleasant Hills school pedestrian/bus stop, the seal will complete the project when weather permits.

The Galore Hill summit road is well under way, excessive vegetation removed for better access, gravel spread and compacting a seal will complete the project.

The concrete crew has setup a second bitumen patching crew.

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

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

##### Athel Pine

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

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

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

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

##### Gazania

Gazania (*Gazania linearis*) is regarded as an environmental weed in Victoria, Tasmania and South Australia and as an emerging or potential environmental weed in parts of Western Australia and New South Wales.

Gazania have been spreading in the Shire's towns and along the roadsides for many years and have the potential to become a much bigger problem. Their seed is dispersed via wind and water. Storm water movement has resulted in a large infestation along Brookong Creek in Lockhart township. Any assistance from residents to control this weed would be appreciated, including removing it from or not planting it in your garden or naturestrip. Mowing before the flowers produce seed can also help slow the spread. Please do not cultivate or share these plants.

Gazania hybrids are very hardy and are still sold in nurseries; hybrids with sterile seed are now available, please ask the nursery before purchasing them.

For advice on controlling this weed or help with identification please contact Council's Environmental Officer.

#### Lockhart Caravan Park Entrance, Green St

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

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

#### Parks and Gardens

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

#### Weed Control

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

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

#### Mowing and Slashing

Spring growth rates are with us; slashing in towns and villages is being conducted as required and where access for machines is available. Council asks for your patience as regular rain and saturated roadsides are delaying customary scheduling. Resources have been concentrated around high-profile areas frequented during the recent shire and regional events.

Growth rates of irrigated lawns have also increased and are returning to spring scheduling.

#### Trees

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

Watering of any trees planted in the last two years has not commenced, due to regular rain. Watering requirements will be monitored as trees come back into leaf and the weather continues to warm up.

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

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

c) **Biosecurity**

Weed Control Program

Priority has been given to the control of Horehound (*Marrubium vulgare*) on roadside reserves and council managed land, and fire hazard reduction of roadside shoulders.

DrumMUSTER

The September drumMUSTER collection event occurred at Lockhart on Tuesday, 13 September. 4190 drums were inspected, raising \$1290.52 for St. Joseph's School. The Rock collection event occurred on Thursday, 15 September. During this event 2143 drums were inspected, raising \$600.04 for The Rock Men's Shed. drumMUSTER collection events have been tentatively scheduled for Tuesday, 14 March 2023 for Lockhart and Thursday, 16 March 2023 for The Rock.

Henty Machinery Field Days

Council's Environmental Officer represented Riverina WAP (Weeds Action Program) at the Henty Machinery Field Days.

The display of live plants was again present at the site, containing examples of priority weeds, environmental weeds, and biological control specimens. While the priority weed live species are always a valuable tool for identification, the inclusion of live environmental weeds was a great initiator of conversation and interaction with the general public, with large numbers of people stating that they have these plants present in their gardens.

A high volume of people visited the Riverina WAP and Murray WAP site this year. Other interactions with members of the public included: the identification of weed species, with many people bringing samples or photos; tips to distinguish between plant species that are similar; appropriate weed control and management; and successful biological controls available for various weed species.

An emerging invasive weed is spreading through the western region of the Riverina. This weed is called Wards weed (*Carrichtera annua*). Although this species prefers lower rainfall than is experienced in the Lockhart Shire, Council's Environmental Officer was warned by other weed officers that its distribution is moving towards Lockhart Shire. Having live plants within the Henty Machinery Field Days Weeds Shed display was crucial to develop identification skills to recognise this plant should it enter the Shire. Wards weed has been included as the 'Weed of the Month' in the next newsletter to alert the community to be vigilant in detecting new weeds on their properties, as well as developing identification skills within the community.

Riverina draft Regional Strategic Weed Management Plan 2023-2027

The Riverina Draft Regional Strategic Weed Management Plan 2023-2027 is available for public consultation. The draft plan comes after months of work gathering input from councils, the NSW Department of Primary Industries, land managers, and other stakeholders of the Riverina Weed Committee.

The plan identifies priority weeds for the region, outlines the roles and responsibilities for weed management and control, and details plans of action to tackle priority weeds within the Riverina. The Riverina Regional Strategic Weed Management Plan 2023-2027 builds on the collaborative planning and strategic implementation of weed management programs from the previous plan.

Spring Fox Baiting Program

Spring fox baiting commenced on 6 September with bait distribution occurring on the Galore Hill Scenic Reserve and Kincaids Reserve.

d) **Development Applications:** The following development applications were approved, with conditions, from 1 September to 30 September 2022.

DA/CDC No	Development	Applicant	Site of Development
09/23	Farm Shed	R Lowrie	610 Janetskes Ln, Henty
11/23	Garage	J Rushton	20 Station St, Milbrulong
14/23	Shed	K Edgerton	47 Galore St, Lockhart
CDC17/23	Swimming pool	Narellan Pools	57 Scott St, The Rock

Legislative Policy and Planning Implications

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

Integrated Planning and Reporting Reference

C2: Flora and Fauna are protected across the Shire.

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

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

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

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

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

<b>208/22 RESOLVED</b> on the motion of Crs Rockliff and Driscoll that Council notes the information provided in the Engineering and Environmental Services report.
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**3. REROC SUPPLY AND DELIVERY OF BITUMEN EMULSION**

**(DEES: 22/13503)**

Executive Summary

The Riverina Eastern Regional Organisation of Councils (REROC) on behalf of participating councils has undertaken a Request for Tender for the supply and delivery of bitumen emulsion. The report seeks Council endorsement to engage the preferred supplier.

Report

Under the Local Government Act, where a contract is for over \$250,000 a Request for Tender must be conducted and be considered by Council. The Riverina Eastern Regional Organisation of Councils (REROC), on behalf of participating member councils (Bland, Coolamon, Cootamundra-Gundagai, Greater Hume, Junee, Lockhart and Temora), has undertaken a formal Request for Tender (RFT) process in August 2022 to identify a suitable provider for the supply and delivery of bitumen emulsion.

REROC member councils have participated in regional contracts for the supply and delivery of bitumen emulsion since 1999, and with the existing contract due to expire in October 2022. The new contract will commence on signing.

The term of the contract is from October 2022 until October 2024.

Based upon historic bitumen emulsion procurement over the past year Council has spent approximately \$140,000 p.a.

An open Request for Tender was undertaken through the REROC eProcure Portal. The Request for Tender for the supply and delivery of bitumen emulsion opened on 23 August 2022 and closed on 21 September 2022.

Tenderers were requested to provide pricing for both a 2-year and 3-year period for fixed rates and rise and fall for the supply of the CRS60 product, Multibond SS (or equivalent) as well as any alternate products. Prices were requested for both a scheduled delivery service and an on-demand delivery as well as the cost for tank maintenance.

In addition, a rebate proposal was also requested for consideration, so as to generate a direct income stream back to REROC based upon member participation in the tender process and product usage.

In response to the advertised tender, submissions were received from 3 suppliers:

1. Fulton Hogan Industries Pty Ltd

2. Downer EDI Works Pty Ltd, and
3. Bitupave Ltd T/A Boral Asphalt NSW/ACT.

#### Tender Assessment

Submissions from each of the tenderers were sent to the nominated representatives from each of the Participating Councils prior to an evaluation meeting held on Monday 19 September.

Representatives from Coolamon, Greater Hume, Lockhart and Temora attended an evaluation meeting on Monday 19 September 2022. Following the meeting the balance of the council representatives were contacted for their views.

The representatives agreed that given current volatilities in the market that a Fixed Price option provided the best outcome for the councils.

#### Tender Assessment Criteria

The selection criteria advertised and used in selecting the successful respondents were:

- Price
- Experience/Ability to Service
- Performance Record
- Q/A Documentation and Record

This is a price-driven supply; therefore the price of the product carried the strongest weight followed by experience and performance record. The assessment compared the relative annual cost to Participating Councils of both the CRS60 and Multibond SS products from all tenderers on a fixed price basis over two years for scheduled deliveries.

It is noted that Bitupave Ltd did not provide any Fixed Price options.

For both products Fulton Hogan provided the most favourable pricing.

Despite Downer EDI submitting identical prices for scheduled delivery prices as on demand (unscheduled) delivery, there is a significant price differential. Therefore, although Fulton Hogan's on demand pricing is \$0.05 dearer than its scheduled supply, it is still better than what was provided by Downer.

#### Integrated Planning and Reporting Reference

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

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

#### Legislative Policy & Planning Implications

The Request for Tender process undertaken by REROC on behalf of participating councils complies with the tendering requirements of the Local Government Act and Council's own Procurement Policy.

#### Budget & Financial Aspects

Expenditure on bitumen emulsion is accounted for within Council's existing budget allocations.

#### Attachments

Nil.

**Recommendation:** That Council accept and sign a contract with Fulton Hogan Industries Pty Ltd for the supply and delivery of bitumen emulsion on a Fixed Price basis for a period of two (2) years.

<b>209/22 RESOLVED</b> on the motion of Crs Walker and Marston that Council accept and sign a contract with Fulton Hogan Industries Pty Ltd for the supply and delivery of bitumen emulsion on a Fixed Price basis for a period of two (2) years.
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## STRATEGIC DIRECTION E: Strong Leadership and Governance

### 4. INVESTMENT AND BANK BALANCES REPORT – SEPTEMBER 2022

(DCCS: 22/13901)

#### Executive Summary

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

#### Report

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

#### Cash at Bank

<b>Opening Combined Cashbook Balance</b>			2,167,477.56
Add: Total Receipts			
	Rates	176,305.80	
	Debtors	25,219.24	
	Miscellaneous	69,600.20	
	Interest	23,857.70	
	Transport NSW - Supplementary Grant	50,500.00	
	Transport NSW - Traffic Facility	36,500.00	
	Transport NSW - Block Grant	466,500.00	
	Transport NSW - RRRP	26,269.06	
	Apprenticeship Incentives	56,000.00	
	Dept Regional NSW - SCCF4 - 0246 AND 0453	341,912.00	
	Dept Regional NSW - SCCF4 - 0252	136,000.00	
	Sale of Plant	50,100.78	
			1,458,764.78
Less: Total Payments			1,064,774.22
	New Investments	0	1,500,000.00
<b>Closing Combined Cashbook Balance</b>			<b><u>2,561,468.12</u></b>
<b>Closing Bank Statement Balance</b>	Bendigo Bank	2,488,239.31	
	Macquarie Bank	430,606.36	
	Bendigo Bank-Prichard Trust	31,680.07	
			2,950,525.74
Add: Outstanding Deposits			714.54
			2,951,240.28
Less: Outstanding Cheques			389,772.16
<b>Closing Combined Cashbook Balance</b>			<b><u>2,561,468.12</u></b>
	<b>Interest Rate per</b>	<b>Amount</b>	
<b>Investments:</b>	<b>Annum</b>	<b>Invested</b>	<b>% of Total</b>
Bendigo	at call	100,000.00	1.21
Bendigo	3.75	500,000.00	6.06
Bendigo	3.55	500,000.00	6.06
Bendigo	3.55	500,000.00	6.06
Bendigo	2.85	400,000.00	4.85
Commonwealth	2.00	500,000.00	6.06
Commonwealth	3.39	250,000.00	3.03
Commonwealth	3.01	500,000.00	6.06
Commonwealth	3.39	500,000.00	6.06
Commonwealth	3.44	500,000.00	6.06
MACQUARIE BANK	2.75	500,000.00	6.06
MACQUARIE BANK	3.60	500,000.00	6.06
MACQUARIE BANK	2.30	500,000.00	6.06
NAB	3.01	500,000.00	6.06
NAB	2.83	500,000.00	6.06
NAB	3.50	500,000.00	6.06
NAB	3.55	500,000.00	6.06
NAB	3.46	500,000.00	6.06
		<b>8,250,000.00</b>	<b>100.00</b>
			<b>AMOUNT</b>
General (PTD)	1490-3000-0000	132,963.04	
Combined Sewerage	8490-3000-0000	2,396,825.01	
Trust Fund	9991-3000-0000	31,680.07	
		<b>2,561,468.12</b>	<b>2,561,468.12</b>
	<b>TOTAL FUNDS HELD ARE:</b>	<b>10,811,468.12</b>	

  
CHAIRPERSON



Integrated Planning and Reporting Reference

- E1 Council is strong, sustainable and able to stand alone.
- E1 Plan for the long-term sustainability of the Shire.
- E1 Meet all governance and regulatory requirements in the conduct of Council operations.

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

Council's 2022/23 Operational Budget has forecast a total of \$39,750 income from interest on investments for General Fund & Sewer Fund combined. For the period of July 2022 to September 2022, the average end of month balance of funds invested has been \$8.25 million and the average return on invested funds has been 2.45%. On these year to date figures, Council's budgeted income on investments will be achieved for the General Fund and Sewer Fund.

This will be monitored and adjusted at the 1st Quarterly Budget Review.

Responsible Accounting Officer Statement

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

**Recommendation:**

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

**210/22 RESOLVED** on the motion of Crs Walker and Sharp:

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

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

**(DCCS 22/13906)**

Executive Summary

The purpose of this report is to address the requirement for Council and Management to make a statement as to the preparation and content of the General Purpose and Special Purpose Financial Statements for the 2021-22 financial year.

Report

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

The Act also requires Council to resolve prior to submission to the external auditor that the accounts have been prepared in accordance with the Act and the Australian Accounting Standards to fairly represent Council's financial position. Senior staff are also required to certify the accounts to this effect. General Purpose Financial Statements and Special Purpose Financial Statements are to be signed by Councillors and Management after being adopted at the Council meeting to be held on 17 October 2022.

This report is to present updated financial statements to those provided to Council at the 19 September 2022 meeting. During the audit process, if there are any amendments required that are deemed material, it is a requirement that the financial statements be re-presented to Council for adoption and signing.

The changes that have been deemed material to the Audited Statements as presented to Council at the 19 September 2022 meeting are:

- Income Statement, Total Expenses from Continuing Operations has increased by \$617,000.
- Note C1-6 Infrastructure, Property, Plant and Equipment changes as a result of the requirement to index some of Council's Asset classes due to currently high CPI.

The amended statements incorporating updates are re-presented to Council.

Integrated Planning and Reporting Reference

E1: Continue to develop sound financial management policies and practices.

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

Legislative Policy & Planning Implications

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

Section 418 of the Local Government Act states that:

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

In order to comply with Section 418 (2) the Audited Financial Statements will need to be presented to the first meeting of the newly elected Council to be held on 21 November 2022.

Budget & Financial Aspects

Reporting on Council's financial performance for the 2021-2022 financial year.

Attachments

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

1. Statement by Councillors and Management – General Purpose Statements.
2. Statement by Councillors and Management – Special Purpose Statements.
3. Schedule of restricted funds by Council as at 30 June 2022.
4. Draft General Purpose and Special Purpose Financial Statements:
  - a) Income Statements
  - b) Balance Sheet/Financial Position
  - c) Cash Flow.

**Recommendation:** That Council:

1. Certify in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.
2. Give public notice via its website that the Audited Financial Statements will be presented to the Council meeting to be held on 21 November 2022.



**211/22 RESOLVED** on the motion of Crs Day and Mathews that Council:

1. Certify in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.
2. Give public notice via its website that the Audited Financial Statements will be presented to the Council meeting to be held on 21 November 2022.

## 6. RETURNS DISCLOSING INTERESTS OF COUNCILLORS AND DESIGNATED PERSONS

(GM: 22/9577)

### Executive Summary

The Register of returns disclosing interests by councillors and designated persons is tabled in accordance with Clause 4.25 of the Code of Conduct.

### Report

Pursuant to Clause 4.21 of the Code of Conduct a councillor or designated person must make and lodge with the general manager a return in the form set out in Schedule 2 of the Code, disclosing the councillor's or designated person's interests as specified in Schedule 1 of the Code within 3 months after becoming a councillor or designated person, and 30 June of each year.

Therefore councillors and designated persons holding that position at 30 June in any year must complete and lodge the disclosure of interest return with the general manager within 3 months after that date, i.e. by 30 September.

For the purposes of lodging a disclosure of interests return the designated persons include the General Manager, Director Engineering and Environmental Services and Director Corporate and Community Services.

Returns required to be lodged with the General Manager must be tabled at the first Council meeting held after the last day for lodgement.

The returns lodged by Councillors and designated persons before the deadline of 30 September 2022 have been recorded in the Register and the Register will be tabled at the meeting in accordance with the Local Government Act.

### Integrated Planning and Reporting Reference

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

### Legislative Policy & Planning Implications

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

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

### Budget & Financial Aspects

Nil.

### Attachments

- The Register of Disclosure of Interests Returns will be tabled at the meeting.

**Recommendation:** That the tabling of the Register of Disclosure of Interests Returns be noted.

**212/22 RESOLVED** on the motion of Crs Marston and Walker that the tabling of the Register of Disclosure of Interests Returns be noted.

**7. OFFICE CLOSURE – CHRISTMAS/NEW YEAR PERIOD AND UNION PICNIC DAY**

(GM: 22/13436)

Executive Summary

It is proposed to close Council's office over the Christmas – New Year period.

Report

It has been Council's practice to close its office for the three working days between Christmas and New Year. Industrial arrangements in place provide for staff to work up the time for these days through time accrued for rostered days off.

In accordance with previous practice Council's office will be closed from 4.30pm, Friday, 23 December 2022 to Monday, 2 January 2023 and will re-open for business on Tuesday, 3 January 2023.

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

Council is also advised that this year the Union Picnic Day will be held on Monday 7 November 2022. The Local Government (State) Award provides that:

*“Union Picnic day shall for the purposes of this Award be regarded as a holiday for employees who are financial members of the Union.*

*“Employees who are not financial members of the Union and who are required to work on the day shall be paid ordinary pay for their normal working day.”*

Employees who are not financial members of the Union will be required to work on the day or alternatively take annual leave.

There is a sufficient number of employees who are not Union members to enable Council's office to remain open on this day.

Integrated Planning and Reporting Reference

E.1: Meet all governance and regulatory requirements in the conduct of Council's operations.

Legislative Policy & Planning Implications

The office closure over the Christmas - New Year period is in accordance with existing industrial arrangements.

Union Picnic Day is a Local Government (State) Award entitlement only for Council employees who are financial members of a relevant union.

Budget & Financial Aspects

Nil.

Attachment

Nil.

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

<b>213/22 RESOLVED</b> on the motion of Crs Sharp and Walker that the information be noted.
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**8. REVIEW OF POLICY 2.32 DISPOSAL OF SURPLUS MATERIALS**

(GM: 22/12812)

Executive Summary

Policy 2.23 Disposal of Surplus, Obsolete, Scrap Materials, Stores, Equipment, Plant and Vehicles is due to be reviewed in accordance with the three-year cycle referred to in Policy No. 1.0 Policies – Procedure for Consideration and Adoption.

### Report

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

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

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

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

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

Policy 2.23 Disposal of Surplus, Obsolete, Scrap Materials, Stores, Equipment, Plant and Vehicles is now due for review.

No changes to the existing policy are proposed.

### Integrated Planning and Reporting Reference

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

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

### Legislative Policy & Planning Implications

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

### Budget & Financial Aspects

Nil.

### Attachments

- Policy 2.23 Disposal of Surplus, Obsolete, Scrap Materials, Stores, Equipment, Plant and Vehicles

**Recommendation:** That Policy 2.23 Disposal of Surplus, Obsolete, Scrap Materials, Stores, Equipment, Plant and Vehicles, as presented, be adopted.

<b>214/22 RESOLVED</b> on the motion of Crs Mathews and Day that Policy 2.23 Disposal of Surplus, Obsolete, Scrap Materials, Stores, Equipment, Plant and Vehicles, as presented, be adopted.
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## 9. 2023/24 RATE PEG

(GM: 22/13495)

### Executive Summary

The Independent Pricing and Regulatory Tribunal (IPART) has announced the rate peg for 2023/24.

### Report

IPART has set the 2023-24 rate peg at 3.7%.

The rate peg is the maximum percentage amount by which a council may increase its general income for the year. It applies to general income in total, and not to individual ratepayers’ rates. This means that councils may increase categories of rates by more than, or less than the rate peg, as long as the total increase in general income remains within the rate peg.

Local Government NSW (LGNSW) has responded to the announcement saying that the rate cap announcement by IPART is further proof of how the rating methodology is fundamentally broken.

LGNSW noted that IPART has set the rate cap for 2023/24 at a baseline of 3.7%, despite inflation currently sitting at 6.1% and expected to rise over the coming months.

IPART is currently reviewing the methodology it will use to set the rate peg from 2024-25.

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 operations.

Legislative Policy & Planning Implications

When considering the 2023/24 budget Council will not be able to increase its total general income by more than 3.7% over the 2022/23 total general income.

Budget & Financial Aspects

The 2023/24 rate peg as a determined by IPART will be factored into the draft budget reports that will be presented to Council in the first half of 2023

Attachments

Nil.

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

<b>215/22 RESOLVED</b> on the motion of Crs Driscoll and Walker that the information be noted.
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## QUESTIONS AND STATEMENTS

Cr Rockliff

- i) **Disabled Parking and Access – Valmar Services, Green Street:** Cr Rockliff advised Valmar were unable to have a designated disabled parking space in front of their building because there is no ramp access from the street to the footpath and asked if access could be given.
- ii) **Streetlighting on Green Street, near Magnolia Lodge:** Cr Rockliff advised there is no streetlighting on the western end of Green Street, compared to what is in place in the newer streets, Prichard Place and Rockliff Court and asked that the installation of additional lighting be investigated.
- iii) **Management Policy - Roadside Drainage:** Cr Rockliff stated there is a need for a management policy for maintenance of Council's roadside drainage, including table drains.
- iv) **Wilson's Crossing "S" bends on Urana Lockhart Road:** Cr Rockliff advised there are trees blocking sight for vehicles travelling along Urana Lockhart Road, creating a possible hazard.

Cr Walker

- i) **Compliment – Gravel Roads in Shire:** Cr Walker complimented Council staff on the state of gravel roads in The Rock area and how efficiently the grader crews seem to be working.

Cr Hunter

- i) **Drainage Issue, Yerong Creek Mangoplah Road:** Cr Hunter referred to an issue with blocked drainage on Yerong Creek Mangoplah Road which caused problems in the rain event on Friday, 14 October and asked what action had been taken.

Response – Director of Engineering & Environmental Services

The Director advised that the Works Officer had inspected the area on Friday and that further investigation will take place.

**Cr Sharp**

Nil.

**Cr Mathews**

- i) **Minimising Social Isolation:** Cr Mathews referred to a recent grant opportunity and advised he has spoken with some elderly residents who believe a lack of transport within Lockhart township, i.e. to access the supermarket etc, is a contributing factor to social isolation. Valmar have advised Cr Mathews they are unable to provide the service due to restrictions of the funding stream from Transport for NSW. Cr Mathews asked if there could be discussion with TfNSW to see if this might change.

Response – Director of Corporate & Community Services

The Director advised he would be happy to make representations to Valmar, and that a joint request to TfNSW could be possible. The Director also advised he could investigate other possible funding.

- ii) **Bins for Blokes:** Cr Mathews referred to this initiative, which provides disposal for men's incontinence products in public amenities and asked about the possibility of provision of this service within the Shire.

Response – Director of Corporate & Community Services

The Director advised he will investigate with Council's current provider.

- iii) **Voluntary Purchase Scheme (VPS):** Cr Mathews referred to a recent radio programme which discussed the flood mitigation options of property buy backs or building up and asked if that was considered for Lockhart as an alternative to the VPS which requires demolition of the homes.

Response – Executive Assistant

The Executive Assistant advised that, during the Flood Study process, it was deemed unsuitable for a Voluntary House Raising program in Lockhart due to the homes being situated within the flood way and the risk that volunteer rescuers could be exposed to in a flooding situation.

**Cr Driscoll**

Nil.

**Cr Day**

- i) **Masterplan for Lockhart Recreation Ground:** Cr Day referred to the current building projects at the Lockhart Recreation Ground and asked if there was a masterplan in place which made provision for an exercise area/gymnasium. Cr Day asked if it would be possible for Council to write a business plan to see this happen?

Response – Mayor

The Mayor suggested any strategic plan should come from the sec. 355 management committee, and funding be applied for as it becomes available.

- ii) **ALGWA Conference:** Cr Day asked if it was possible to find out when the next conference would be held.

Response – General Manager

The General Manager advised the next conference will be held 18-20 May 2023 on the Mornington Peninsula.

- iii) **"Red Fleet" Assets:** Cr Day asked if there was any update on the government's stance on the recognition of "Red Fleet" trucks in Council's financial statements.

Response – General Manager

The General Manager advised the Auditor General's position has not changed. The auditor will present their report to the November council meeting and is expected they will give a modified opinion. Bland Shire Council recently made a GIPA application and received a copy of an opinion from a government-contracted consultant which expressed the view that the assets should be recognised by NSW RFS, not councils.

### Cr Marston

- i) **Lease Arrangements – The Rock Public Watering Place (PWP):** Cr Marston referred to the lease currently in place for the PWP and amendments made to allow Council to carry out drainage works. Cr Marston asked, now that works are complete, if a fence is going to be put in place, and further requested that the lessees receive a further amended lease, or clarification of requirements.

#### Response – Director of Corporate & Community Services

The Director advised he would take the question on notice, will provide further information after some investigation.

### Cr Verdon

- i) **Road Maintenance:** Cr Verdon thanked the Director of Engineering & Environmental Services for sending the Jetpatcher to The Rock to carry out some much-needed repairs.
- ii) **Drain in Recreation Ground:** Cr Verdon referred to a drain in The Rock Recreation Ground and asked that it be cleaned out.
- iii) **Disability Access Across the Shire:** Cr Verdon referred to Kurt Fearnley's speech at the recent Lockhart Community Bank branch birthday celebrations. The speech was a reminder that people with disabilities are entitled to access. Cr Verdon suggested an audit be carried out, with a view to improving access across the Shire, making sure all Council facilities are accessible to all residents.

### General Manager

The General Manager informed councillors that the auditors will be presenting their report at the November Council Meeting and that there will be a presentation at the December meeting by Eastern Riverina Arts. He also advised that there has been a positive response to representations regarding mobile phone coverage at Yerong Creek with Telstra advising that it will be installing a small cell solution to improve coverage at the village.

### Director of Engineering & Environmental Services

The Director of Engineering & Environmental Services acknowledged Council staff who worked hard to have Lockhart looking good for recent events including Lockhart Show, Lockhart Picnic Races and the Spirit of the Land Festival.

## **CLOSED SESSION**

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

<b>216/22 RESOLVED</b> on the motion of Crs Driscoll and Marston that Council close the meeting to the public as per section 10A(2)(c) of the Local Government Act 1993.
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The meeting moved into Closed Session at 6.17pm.

<b>217/22 RESOLVED</b> on the motion of Crs Driscoll and Marston that Council move into Open Session.
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The meeting moved into Open Session at 6.50pm.

## OPEN COUNCIL

The resolutions of Council, relating to Items 10, 11 and 12, passed while the meeting was closed to the public, were read to the meeting by the General Manager.

### 10. OPPORTUNITY TO PURCHASE COMMERCIAL PROPERTY

**218/22 RESOLVED** on the motion of Crs Driscoll and Day that the information regarding the opportunity to purchase property in Green Street Lockhart be noted and a more detailed report be presented to the November 2022 Council meeting.

### 11. TENDER – SPRAY SEALING SERVICES


**219/22 RESOLVED** on the motion of Crs Rockliff and Walker that Council accepts the tender for spray sealing services from Bitupave Ltd T/A Boral Asphalt as per the attached schedule of rates.

### 12. NOISE & AIR POLLUTION COMPLAINTS – THE ROCK

**220/22 RESOLVED** on the motion of Crs Day and Sharp that Council proceeds with the Notice of Intent to Issue a Notice under the *Protection of the Environment Operations Act 1997*.

The meeting concluded at 6.52 pm.

The minutes of the meeting held on Monday, 17 October 2022, were confirmed as a true and accurate record at the Ordinary Council Meeting held on Monday, 21 November 2022, at which time the signature was hereunto subscribed.



CHAIRPERSON



CHAIRPERSON