



# **MINUTES**

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

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

**Minutes of the Ordinary Monthly Meeting of Lockhart Shire Council held in the Council Chambers,  
Lockhart on Monday, 15 November 2021 commencing at 5.00pm.**

## 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.

## LEAVE OF ABSENCE

Nil.

## CONFIRMATION OF MINUTES ORDINARY MEETING, 18 OCTOBER 2021

**198/21 RESOLVED** on the motion of Crs Verdon and Walker that the Minutes of the Ordinary Meeting held on Monday, 18 October 2021 as printed and circulated be taken as read and confirmed.

## DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

## MAYORAL MINUTE

Nil.

## MAYORAL REPORT

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

26 October Attended the opening of the Riverina Water filtration plant in Wagga Wagga with the General Manager.

5 November Attended the Country Mayor's Association meeting by Zoom, with the General Manager.

8 November Held a lunch meeting and update with Gordon Hinds of BET in Wagga with the General Manager.

11 November Attended the Remembrance Day commemoration at Lockhart with the General Manager and Cr Day.

On Sunday, 21 November the Mayor will be attending Lockhart Explorer's Rifle Club to present awards and on Monday, 29 November, the Mayor will attend the business session of the Local Government NSW Conference, via Zoom.

**199/21 RESOLVED** on the motion of Crs Rockliff and Day that the Mayoral Report be received.

**200/21 RESOLVED** on the motion of Crs Driscoll and Day that the Order of Business for this meeting only be altered by bringing the Closed Session of the Agenda forward to be dealt with before Questions and Statements.

## URGENT MATTERS

Nil.

## NOTICE OF MOTION

Nil.

## COMMITTEE REPORTS

### 1. MINUTES OF THE LOCKHART SHIRE COUNCIL TOURISM AND ECONOMIC DEVELOPMENT STEERING COMMITTEE (TEDSC) MEETING HELD TUESDAY 2 NOVEMBER 2021 AT LOCKHART COUNCIL CHAMBERS

#### 1. Welcome

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

#### 2. Apologies

Nil

#### 3. Leave of Absence

Jared Walker

#### 4. Declarations of Pecuniary & Non-Pecuniary Interest

Nil

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

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

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

TEDO provided a verbal update on several projects including:

- TEDSC Terms of Reference was endorsed at the October Council meeting and will come into effect in 2022.
- Visitor Information boards—Council endorsed the list of locations at our last meeting with the inclusion of one to be installed at the Lockhart Caravan Park.
- Australia Day Grant
- Lockhart Rifle Club Event in November
- Grain Corp Silo Art Policy and Guidelines
- Event Management Plan
- Destination NSW Tourism Recovery Grants
- Economic Development Forums Albury and Temora

- Esplanade Art Pleasant Hills
- Destination Management Plan – Riverina Murray
- Yerong Creek Water Tower
- Strong business enquiries

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

## 7. Actions from previous minutes

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

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

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

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

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

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

## 8. New Business

### Local Road Community Infrastructure Program (LCRI) Phase Three

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

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

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

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

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

- Town and Shire Entrance Signs - Stage Two

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

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

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

#### 9. Development Proposal 109 Green Street, Lockhart

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

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

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

#### 10. Project Updates

Verbal Update provided by TEDO.

#### 11. Questions

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

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

#### 12. Meeting Closed: 8.30pm

#### 13. Next meeting:

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

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

**201/21 RESOLVED** on the motion of Crs Douglas and Day that the Tourism and Economic Development Steering Committee minutes be received, and the recommendations therein be adopted.

## DELEGATES' REPORTS

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

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

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

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

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

<b>202/21 RESOLVED</b> on the motion of Crs Marston and Day that the information be noted.
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### 3. DELEGATES REPORT - RIVERINA REGIONAL LIBRARY ADVISORY COMMITTEE - 4 NOVEMBER 2021 AT WAGGA WAGGA

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

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

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

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

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

Peter Veneris  
**General Manager**

**Recommendation:** that the Delegate's report be received.

<b>203/21 RESOLVED</b> on the motion of Crs Verdon and Sharp that the Delegate's report be received.
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### 4. REROC AND RIVERINA JOINT ORGANISATION BOARD MEETINGS – 12 NOVEMBER 2021, WAGGA WAGGA

#### *Riverina Joint Organisation (RIVJO) – 12 November 2021 at Wagga Wagga*

I together with the General Manager attended a meeting of RIVJO in Wagga on 12 November 2021. A summary of the main issues addressed is set out below.

- The President of ALGA and Immediate Past President of LGNSW, Cr Linda Scott, was a guest speaker at the Board meeting. Cr Scott:
  - Advised that up to 60 councils are supporting the State-wide campaign to oppose the Government's legislation regarding how infrastructure contributions are levied and collected.

- Provided a summary of other Bills currently before Parliament that have implications for local government.
- Referred to new regulations applying at the local government elections particularly with respect to conducting a COVID safe election.
- Outlined LGNSW's position in relation to proposed changes to the Local Government Act that would redefine "senior staff" to only include the General Manager.
- The State Government's review of Joint Organisations has been completed and has been with the Minister for some time. It is hoped that the report will be released prior to the local government elections.
- The 2020/21 Annual Performance Statement, Audited Financial Statements and Auditor's Report were presented.
- The tenure of mayors from 4 December 2021 when the current term of office ends until a new mayor is elected was discussed. A number of councils are using the delegation power under section 377 of the Local Government Act to delegate mayoral functions to the outgoing mayor until a mayoral election is held.

In this regard the Board also resolved to delegate the role of Chair of the Joint Organisation to the current Chairman, Cr Rick Firman from 5 December 2021 until the election of a Chair takes place at the 25 February 2022 Board meeting or such other time as deemed appropriate by the Board.

- The new Audit, Risk and Improvement Committee (ARIC) guidelines also apply to JOs which will further add to their governance costs. The JO Board resolved to provide a response to the Draft ARIC Guidelines advising that JOs should not be captured by the new regime unless their core turnover (excluding tied grants) exceeds \$1 million per annum.
- The GMs of member councils continue to work on developing a regional ARIC model.

***Riverina Eastern Regional Organisation of Councils (REROC) – 12 November 2021 At Wagga Wagga***

I together with the General Manager attended the REROC AGM as well as a regular Board meeting of REROC in Wagga on 12 November 2021. A summary of the main issues addressed is set out below.

- Cr Rick Firman, Mayor of Temora Shire, was re-elected unopposed as Chair of REROC for the ensuing term.
- The Board Meeting proposed for Parliament House Canberra in October 2021 was cancelled due to COVID-19 and will now be on hold until 2022, when the Parliamentary Sitting dates are known.
- The first draft of a Land Monitor project being undertaken with RDA Riverina and the Planners Working Group to identify vacant land for development was tabled but requires further work.
- REROC will also explore creating a regional partnership with a Community Housing provider. The first step in this would be putting out an EoI for a provider interested in developing a regional project.
- REROC's annual Spatial Data Conference "Mapped Out" was postponed this year due to the COVID restrictions and has been moved to 2-3 March 2022.
- Work is continuing on a Councillor Professional Development project.
- The "No Time to Waste" Conference will be held on 9-10 March 2022.
- 1,444 Kindy Kits containing waste and recycling information have been ordered for the new Kindergarten students commencing in 2022. Lockhart Central School, Pleasant Hills Public School, St Joseph's Primary School - Lockhart and The Rock Central School will be receiving the Kits.

Cr R Schirmer  
**Delegate**

<b>204/21 RESOLVED</b> on the motion of Crs Sharp and Walker that the Delegate's Report be received.
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CHAIRPERSON

## STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED

Status Report: Council Resolutions and Tasks to be finalised

File Ref: 21/13780

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



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

*Lockhart Shire Council  
Ordinary Meeting – 15 November 2021*

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

*Lockhart Shire Council  
Ordinary Meeting – 15 November 2021*

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

*Lockhart Shire Council  
Ordinary Meeting – 15 November 2021*

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

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Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 15 February 2021</b>			
22/21	GM	<p><b>Offer to Purchase Industrial Land</b> Council authorises the General Manager to negotiate the sale of Lots 22, 23 and 24 Harry Davies Drive as outlined in the Report.</p>	<p>The completion of the DA process is awaited before progressing the negotiations.</p> <p>DA was submitted during week ending 3/09/21 and is currently being assessed.</p> <p>Refer separate report in the November Council meeting Business Paper (item 20).</p>
12/21	GM	<p><b>Preparation of Plans of Management – Crown Reserves etc</b></p> <p>1) Council endorse the <i>Draft Lockhart Shire Council Plan of Management for Crown Land managed by Council and Council-owned land classified as ‘community’</i> for the purposes of community consultation.</p> <p>2) In the first instance, Council writes to the s.355 management committees and users groups drawing their attention to that part of the Plan of Management relevant to the reserve they manage/use and invite their feedback and input.</p> <p>3) Following consideration of any feedback received from the management committees and user groups and updating of the draft Plan of Management, the document be placed on public exhibition providing the broader community with the opportunity to comment.</p>	<p>1) Complete.</p> <p>2) Copies of the Draft Plan of Management have been forwarded to section 355 management committees and user bodies as well as to the Crown Lands Office. Complete.</p> <p>3) Pending. Crown Lands Office approval is required before Draft Plan of Management is placed on public exhibition.</p>
9/21	DCCS	<p><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>
8/21	DCCS	<p><b>Lockhart Railway Building</b></p> <p>Council:</p> <p>a) Agrees to vary the lease of the Lockhart Railway Station building to a nil rental and authorise the General Manager to execute the necessary documentation.</p> <p>b) Develop a scope of works to repair the old Railway Station Building with a report to Council at a future meeting.</p>	<p>a) Deed of Variation to the current lease agreement received 4/11/2021, executed and returned. Complete.</p> <p>b) Scope of works being developed. Stronger Communities Program Round 6 grant funding of approx. \$18,000 received to assist with works.</p>

Lockhart Shire Council  
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Minute No:	Officer to Action	Council Resolution	Action Taken
6/21	DEES	<p><b>Recreational Vehicles (RV's) and Caravan Parking in Lockhart CBD</b></p> <p>Council to investigate and implement RV and Caravan Parking in locations in Green Street (Plan 3 and Plan 6 of the Lockhart Business Centre Master Plan) as well as Urana Street and Matthews Street, Lockhart, including an education program, as recommended by Council's Tourism and Economic Development Steering Committee.</p>	<p>Investigation completed. Dedicated RV parking locations in Green/Urana Street near museum completed.</p> <p>Dedicated RV parking near Shire Administration not supported (limited car parking, mobile library, NSW Government Mobile Services). Single parking space in Matthews Street supported. Implementation subject to funding. Referred to LRCI Phase 3 Workshop.</p>
<b>Ordinary Council Meeting held 16 November 2020</b>			
211/20	GM	<p><b>Grant Funding Opportunities</b></p> <p>1. Submit the following projects for funding under the Local Road and Community Infrastructure Program Phase 2:</p> <ul style="list-style-type: none"> <li>- The Rock Hall</li> <li>- Lockhart Caravan Park</li> <li>- The Rock 2nd Oval – Water and Fencing</li> <li>- Lockhart Rec Grd Amenities – Stage 2</li> <li>- Pleasant Hills Rec Grd – Tennis Courts etc</li> <li>- The Rock Observatory</li> </ul> <p>2. Progress the following projects, in priority order, to 'shovel ready' status using the funds allocated in the 2020/21 Budget for 'Grant Application Preparedness'.</p> <ul style="list-style-type: none"> <li>- GrainCorp Building Development</li> <li>- Avenue of Honour</li> <li>- Government Dam, The Rock – Recycling Water</li> <li>- Brookong Creek Masterplan</li> <li>- Galore Hill Scenic Reserve Masterplan</li> </ul>	<p>1. Complete</p> <p>2. Development application for 109 Green Street Lockhart has been lodged.</p>
206/20	TEDO	<p><b>Shortage of Residential Property to Lease</b></p> <p>Investigate options to make housing more available for existing and potential new residents, including possible incentives to attract investor-builders, land availability, workshops, and planning considerations.</p>	<p>Four REROC/RIVJO workshops have been held - a regional housing strategy has been developed. The Strategy has formed the basis of RivJO's submission to the NSW Government's Regional Housing Task Force.</p> <p>Representations have been made to the Member for Wagga Wagga.</p> <p>A Land Monitor project is being established.</p>
<b>Ordinary Council Meeting held 21 September 2020</b>			
174/20	TEDO	<p><b>September Minutes of the TEDSC</b></p> <p>ii) Make further inquiries to remedy signage issue at Noskes Chinese Crossing, consistent with current signage practices.</p>	<p>TEDO has placed this on TEDSC project list to further scope – including parking at the site.</p>

Lockhart Shire Council  
Ordinary Meeting – 15 November 2021

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 20 July 2020</b>			
133/20	DEES	<p><b>Naming of Bridges – Brookong Creek and Urana Lockhart Road</b></p> <ol style="list-style-type: none"> <li>Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge.</li> <li>Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gonyah Bridge, Brookong Creek.</li> <li>Write to Transport for NSW advising of the proposed names for the bridge on Urana Lockhart Road and the new culvert over Brookong Creek, Lockhart.</li> </ol>	<p>Written to TfNSW advising of the proposed bridge and culverts names.</p> <p>Received response from TfNSW requesting further information. Wrote to NSW Aboriginal Land Council re proposed names. DEES also contacted TfNSW liaison officer on several occasions.</p> <p>Last correspondence on <del>5/10/2021</del>. 26/10/2021.</p> <p>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 16 September 2019</b>			
256/19	GM	<p><b>Lockhart Renewable Energy Project</b></p> <ol style="list-style-type: none"> <li>Having secured Commonwealth government funding totalling \$1 million for the Better Energy Technology Renewable Energy Project for Lockhart Township; and</li> <li>Having given 28 days public notice of its intention to do so:</li> <li>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.</li> </ol>	<p>Update presented by Gordon Hinds of Better Energy Technology to the September 2021 Council meeting.</p>
<b>Ordinary Council Meeting held 18 October 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Douglas: John Holland Rail</b></p> <p>Requested that Council contact John Holland Rail as the managers of the branch line to ask them to mow the rail corridor, as we come into the bush fire season.</p>	<p>Council's Compliance Officer requested that JHR mow the rail corridors within the townships. Mowing commenced on 5 November. Complete.</p>
	DEES	<p><b>Cr Rockliff: Drainage from Urana St into Brookong Creek</b></p> <p>Noted that this drain is becoming overgrown with debris building up and asked that it be cleaned out.</p>	<p>Complete.</p>

Lockhart Shire Council  
Ordinary Meeting – 15 November 2021

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<b>Cr Rockliff: Bridge on Green Street</b> Noted that cumbungi and poplars are growing and becoming a bush fire concern.	Control of poplars as well as other environmental weeds scheduled for late summer.
	DCCS	<b>Cr Rockliff: Magnolia Lodge</b> Asked who has responsibility for maintenance at Magnolia Lodge as he has received enquiries from two residents regarding mowing, there are weeds and grass growing quite long.	Council owns units 7 to 9 and is responsible for the land on the eastern side of the access road. Respect now own and manage units 1 to 6. Council has provided Respect with cost estimates to mow the land Respect own.
	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.	Relocation to be programmed.
	DEES	<b>Cr Verdon: The Rock Flood Mitigation Stage 2</b> Referred to the mitigation works being undertaken and asked if the flooding issue on the corner of Urana and Bretton Streets will be addressed at the same time. Cr Verdon also asked if a review of the effectiveness of Stage 1 could be undertaken as there is a great deal of water still coming down Lodge Road. (Cr Marston asked about the original proposal which was to undertake Emily Street/Lodge Road.)	Proposed works should address flooding at Bretton/Urana Streets intersection. The current flood model will be reviewed once drainage works are completed. GHD review 2015 recommended not to include the Emily Street project as there is little benefit. Council undertook some works in early 2021 in Emily Street. Complete.
	DEES	<b>Cr Verdon: Yerong Street Level Crossing</b> Asked if Council could approach RMS regarding a turning lane to allow proper stacking distance for B-doubles. He noted that although it is not a B-double route, many vehicles use it to access Emerald Grain.	Previously raised with TfNSW. Wrote to TfNSW on 26 October requesting whether there has been any progress with this issue. Complete.
<b>Ordinary Council Meeting held 16 August 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Walker: Doctors Surgery, The Rock</b> Drew attention to the gravelled area at the front of the property and the very steep approach to the footpath. Cr Walker asked if the area could be sealed and also improve access, particularly for elderly clients. Cr Walker also mentioned that the car park adjacent to the building is full of potholes and, with the recent rain, currently a large puddle.	Estimated cost to box the area out, gravel and seal it is \$10,560. To be funded from the Urban Roads budget.



Lockhart Shire Council  
Ordinary Meeting – 15 November 2021

Minute No:	Officer to Action	Council Resolution	Action Taken
	GM/ DEES	<p><b>Cr Walker: Sheep Pavilion, The Rock Showground</b></p> <p>Stated that action needs to be taken on this issue as soon as possible so that the matter can progress. Cr Walker noted that a vote was taken at The Rock Show Society's recent AGM with the decision that two bays be retained.</p>	<p>The Rock Show Society AGM minutes not received despite repeated requests.</p> <p>Arrangements currently being made with contractor for demolition of the pavilion except for two bays, with signage as per compromise proposal.</p> <p>Contractor expected on-site on 17/11/2021 to disassemble all but two bays of the sheep pavilion.</p>
<b>Ordinary Council Meeting held 21 June 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Driscoll: Community Reflection Space</b></p> <p>Asked if it was possible the park across the road from The Rock Central School could be utilised as a place of quiet reflection for the town, particularly for those suffering the loss of loved ones due to suicide, which has had an impact on the community in recent years.</p>	<p>Park deemed appropriate for reflection space. Proponent to present proposal to Council for consideration.</p> <p><i>Members of The Rock Progress have offered to attend a Council meeting to provide advice. – Mayor suggested next term of Council might be appropriate.</i></p>
<b>Ordinary Council Meeting held 17 May 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	TEDO	<p><b>Cr Rockliff: Lockhart Caravan Park</b></p> <p>Advised it had been suggested to him that while upgrades are being undertaken at the Caravan Park could consideration be given to the installation of a permanent fixture notice board recommending places of interest across the shire i.e.: Tourist site/points of interest.</p>	<p>Refer to Minute No 180/21 (October 2021 TEDSC minutes) – caravan park signage to be included in list of locations.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 19 April 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM/ DCCS	<p><b>Cr Verdon – Opening of New Facilities</b></p> <p>Suggested that with all the newly completed projects perhaps Council should hold some official openings.</p>	<p>Proposed to liaise with relevant government departments (funding bodies) and section 355 committees regarding an appropriate ceremony(s).</p>
<b>Ordinary Council Meeting held 15 February 2021 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<p><b>Cr Driscoll – Natural Gas</b></p> <p>Referred to the natural gas pipeline which runs just outside The Rock township. Mentioned previous investigations which found that connection of the town was unfeasible. Asked if investigations could take place to see if the recent growth of the town might make that connection viable, and that Council pursue any opportunities that may assist in making it a feasible project.</p>	<p>Contact has been made with APA (pipeline owner) and Gemena (responsible for connection). The current network is 4km out of The Rock, crossing The Rock Mangoplah Road. Both APA and Gemena indicated that they have no current plans to extend the line. However, further enquiries are being made with Gemena.</p> <p>The issue has also been identified for inclusion in an MoU with a tenderer for the Inland Rail project (refer separate report to Council).</p>

Lockhart Shire Council  
Ordinary Meeting – 15 November 2021

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 20 July 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Driscoll – Childcare in the Shire</b> Requested that Council investigate the childcare situation in the Shire and ascertain if there is a need that could be supported by any of The RockOOSH surplus.	Council will contact both schools in Lockhart as a starting point for feedback on demand for before & after school care.
<b>Ordinary Council Meeting held 3 February 2020 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Marston – CCTV</b> With regard to the enquiry made by Cr Rockliff regarding the possible installation of CCTV at Lockhart and The Rock Swimming Pool Complexes, Cr Marston requested that Council also include Recreation Grounds in the Shire in this consideration.	Quotes received, minimum of \$6,000 per site. Not included in draft Budget for 2020/21. Consultation to be undertaken with S355 management committees. Feedback received indicates s355 committees are receptive if funding is available. Referred to LRCI Phase 3 Workshop for consideration.
<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. Council has resolved to support a rezoning proposal that will facilitate a private residential development at The Rock. Rezoning Proposal PP01/22 has been supported by Council and submitted to DPIE in accordance with minute no. 166/21.

**November 2021 - Correspondence Sent to Councillors**

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

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

**205/21 RESOLVED** on the motion of Crs Walker and Rockliff that the Status Report and Correspondence Précis be received.

  
 CHAIRPERSON

## STAFF REPORTS

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

#### **5. PHASE 3 – LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANTS PROGRAM (GM:21/14419)**

##### Executive Summary

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

##### Report

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

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

Attachments

Nil.

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

[list to be inserted]

**206/21 RESOLVED** on the motion of Crs Sharp and Douglas that:

- a) as agreed at the Councillor Workshop held earlier in the day, Council prepare and submit Project Nominations forms and Work Schedules for the following projects for funding under Phase 3 of Local Roads and Community Infrastructure (LRCI) grants program:
  - The Rock Avenue of Honour
  - Lockhart Caravan Park – additional cabin with disabled access
  - Pleasant Hills Esplanade – beautification
  - Henty Pleasant Hills Road – seal one kilometre
  - Galore Hill – upgrade internal access roads
  - Yerong Creek Water Tower – sealing surrounding streets
  - Shire and town entrance signs – additional locations
  - Lockhart, Osborne and The Rock Recreation Grounds - Sealing of internal roads
  - The Rock Recreation Ground – fencing of oval and Wilson Street boundary
- b) the unallocated amount of LRCI Phase 3 funding of \$369,122 be referred to the incoming council for determination having regard to the outcome of Council's applications under Round 4 of the Stronger Country Communities Fund.
- c) the unexpended amount of \$75,000 from Phase 2 of the LRCI program be reallocated to improvements at the Pleasant Hills Recreation Ground.

6. RIVERINA REGIONAL LIBRARY

(GM: 21/14500)

Executive Summary

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

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

Report

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

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

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

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

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

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

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

Integrated Planning and Reporting Reference

A1 Facilitate and support programs and projects within the community to make them accessible to people with all abilities

A1 Support cultural and sporting opportunities that respond to the needs of the community

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

Nil.

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

<p><b>207/21 RESOLVED</b> on the motion of Crs Rockliff and Walker that Council express its support for the funding model endorsed by the Riverina Regional Library Advisory Committee at its meeting held on 4 November 2021 and confirm its continued membership of Riverina Regional Library beyond the expiration of the current Deed of Agreement on 1 July 2022.</p>
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7. YERONG CREEK BOWLING CLUB – REQUEST FOR FINANCIAL ASSISTANCE

(GM: 21/14729)

Executive Summary

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

Report

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

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

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

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

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

*Thank you for your consideration”*

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





Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

Nil.

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

**208/21 RESOLVED** on the motion of Crs Douglas and Walker that Council provide financial assistance in the amount of \$4,016 including GST to the Yerong Creek Men's Bowling Club and that the contribution be funded from the 2021/22 budget allocation for Section 356 contributions.

**8. LABOURER POSITION PARKS AND URBAN MAINTENANCE THE ROCK**

**(DEES: 21/14764)**

Executive Summary

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

Background Information

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

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

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

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

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

#### Legislative Policy and Planning Implications

Nil.

#### Integrated Planning and Reporting Reference

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

E3 Council responds collectively and responsively to community needs.

#### Budget and Financial Aspects

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

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

#### Attachments

Nil.

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

<b>209/21 RESOLVED</b> on the motion of Crs Verdon and Douglas that Council approves an additional Parks and Urban Maintenance labourer position.
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## 9. LOCKHART RECREATION GROUND MANAGEMENT COMMITTEE – REQUEST FOR FINANCIAL ASSISTANCE

(GM: 21/14849)

### Executive Summary

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

### Report

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

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



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

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

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

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

Any consideration and assistance would be very much appreciated."

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

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

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

#### Budget & Financial Aspects

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

#### Attachments

Nil.

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

<b>210/21 RESOLVED</b> on the motion of Crs Douglas and Rockliff that Council provide financial assistance in the amount of \$6,930 including GST to the Lockhart Recreation Ground Management Committee and that the contribution be funded from the 2021/22 budget allocation for Section 356 contributions.
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## 10. HIRE OF COUNCIL FACILITIES

(DCCS: 21/14932)

### Executive Summary

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

### Report

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

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

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

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

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

Nil.

**Recommendation:**

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

**211/21 RESOLVED** on the motion of Crs Verdon and Walker:

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

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

Nil.

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

### **11. PROJECT ENERGYCONNECT UPDATE**

(GM:21/14427)

#### Executive Summary

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

#### Report

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

#### **Landholder Engagement**

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

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

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

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

#### **Community Partnerships**

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

#### **Preparatory Works**

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

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

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

Early works will commence with the following activities:

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

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

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

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

Integrated Planning and Reporting Reference

C1 Ensure responsible development practices are exercised.

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Nil.

Attachments

Nil.

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

<b>21/21</b> RESOLVED on the motion of Crs Verdon and Marston that the information be noted.
--

**12. STATE OF THE ENVIRONMENT REPORT**

**(DEES: 21/14545)**

Executive Summary

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

Background Information

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

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

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

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

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

*C: AN ENVIRONMENT THAT IS RESPECTED AND PROTECTED*

*C1. Our environmental practices are sustainable.*

*C2. Flora and fauna are protected across the Shire.*

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

Legislative Policy and Planning Implications

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

Integrated Planning and Reporting Reference

- C1 Our environmental practices are sustainable.
- C2 Flora and fauna are protected across the Shire.
- C3 Our open space and natural environment are protected for future generations.

Budget and Financial Aspects

There are no budget implications.

Attachment

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

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

<b>213/21</b> <b>RESOLVED</b> on the motion of Crs Driscoll and Sharp that Council adopts the Lockhart Shire Council State of the Environment Report as attached.
---

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

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

(DEES: 21/14857)

Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

a) **Works:**

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

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

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

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

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

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

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

b) **Major Projects:**

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

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

c) **Road Safety:**

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

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

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

e) **Fleet:**

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

f) **Compliance:**

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

g) **Biosecurity and Environment:**

**Property Inspections**

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

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

No. 1 <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
42	18	0	0	0	0	0

**Control Program**

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

**Common White Snail Baiting Program**

Snail baiting application occurred on Fairview Lane on 25 October.

h) **Parks and Gardens:**

**Pools**

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

**Yerong Creek Water Tower**

Landscaping around the base of the tower is almost completed. The bulk of the planting was done with the assistance of local volunteers. The plants will be hand watered to aid their

establishment over their first summer. All the paths have been constructed. The last of the planting and mulching is scheduled as resourcing allows.

#### *Parks and Gardens*

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

#### *Weed Control*

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

#### *Mowing and Slashing*

The Spring mowing schedule is in full swing after recent rain events and warmer temperatures have accelerated growth rates. Access to some urban road reserves has been hindered by wet drainage areas. As growth rates increase, mowing of irrigated lawns returned to a fortnightly schedule. Some areas, including The Rock and Lockhart recreation grounds, require weekly maintenance.

#### *Trees*

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

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

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

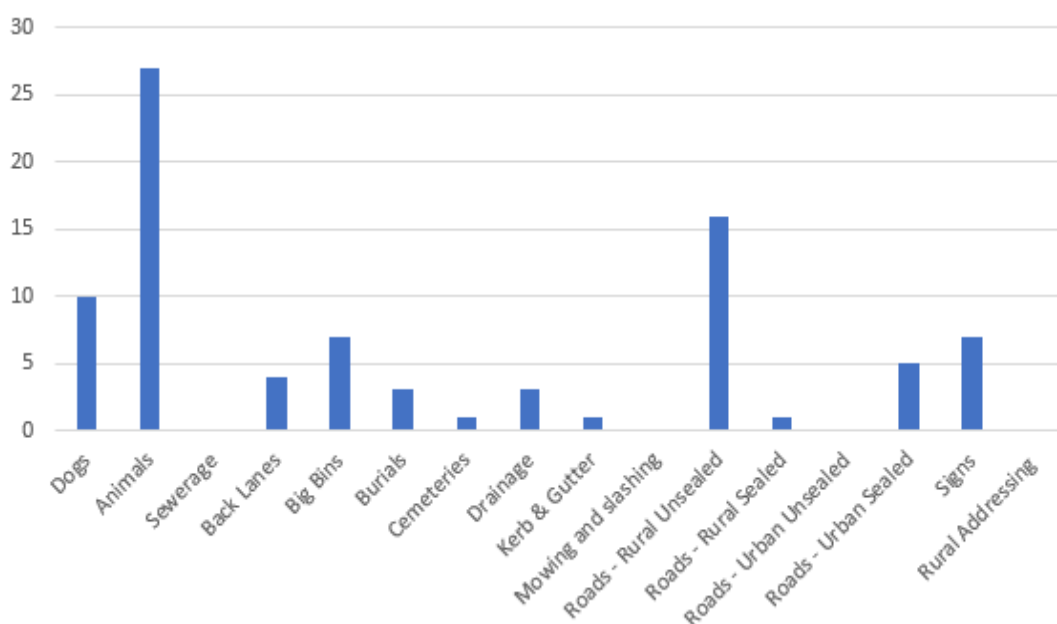
- i) **Development Applications:** The following development applications were approved, with conditions, from 1 October 2021 to 31 October 2021.

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

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

- j) **Customer requests:**

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



#### Legislative Policy and Planning Implications

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

#### Integrated Planning and Reporting Reference

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

#### Budget and Financial Aspects

Will be conducted within Council's allocated budget.

#### Attachment

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

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

**214/21 RESOLVED** on the motion of Crs Marston and Driscoll that Council notes the information provided in the Engineering and Environmental Services report.



## STRATEGIC DIRECTION E: Strong Leadership and Governance

### 14. INVESTMENT AND BANK BALANCES REPORT – 31 OCTOBER 2021

(DCCS: 21/14749)

#### Executive Summary

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

#### Report

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

#### Cash at Bank

<b>Opening Combined Cashbook Balance</b>		1,229,278.45
Add: Total Receipts		
Rates	213,304.57	
Debtors	7,587.83	
Miscellaneous	37,218.21	
Interest	433.68	
Apprenticeship Incentives	16,120.57	
Library Subsidy	66,305.00	
Restart NSW - Upgrade Urana Lockhart Rd	279,347.48	
		620,317.34
Less: Total Payments		785,682.20
New Investments	0	
<b>Closing Combined Cashbook Balance</b>		<b><u>1,063,913.59</u></b>
<b>Closing Bank Statement Balance</b>		
Bendigo Bank		304,597.50
Macquarie Bank		715,764.56
Bendigo Bank-Prichard Trust		31,655.83
		1,052,017.89
Add: Outstanding Deposits		13,411.06
		1,065,428.95
Less: Outstanding Cheques		1,515.36
<b>Closing Combined Cashbook Balance</b>		<b><u>1,063,913.59</u></b>
<b>Investments:</b>	<b>Interest Rate per Annum</b>	<b>Amount Invested</b>
Bendigo	0.30	500,000.00
Bendigo	0.30	500,000.00
Bendigo	0.30	400,000.00
Bendigo	0.10	50,000.00
Bendigo	0.10	50,000.00
Bendigo	at call	100,000.00
CBT	0.22	250,000.00
CBT	0.24	500,000.00
CBT	0.20	500,000.00
CBT	0.26	500,000.00
NAB	0.27	500,000.00
NAB	0.30	500,000.00
NAB 231101546	0.25	500,000.00
T Corp	at call	1,000,000.00
		<b>5,850,000.00</b>
		<b>1,063,913.59</b>
General (PTD)	1490-3000-0000	-1,232,024.79
Combined Sewerage	8490-3000-0000	2,264,282.55
Trust Fund	9991-3000-0000	31,655.83
		<b>1,063,913.59</b>
		<b>1,063,913.59</b>
<b>TOTAL FUNDS HELD ARE:</b>		<b><u>6,913,913.59</u></b>

#### Integrated Planning and Reporting Reference

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

  
CHAIRPERSON

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

Council's 2021/22 Operational Budget has forecast a total of \$33,750 income from interest on investments for General Fund & Sewer Fund combined. For the period of July to Oct 2021, the average end of month balance of funds invested has been \$6.24 million and the average return on invested funds has been 0.24%. On these year to date figures, Council's budgeted income on investments will be under budget for the General Fund and Sewer Fund.

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

Responsible Accounting Officer Statement

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

**Recommendation:**

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

**215/21 RESOLVED** on the motion of Crs Douglas and Walker:

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

**15. QUARTERLY BUDGET REVIEW – SEPTEMBER 2021**

**(DCCS: 21/14810)**

Executive Summary

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

Report

**General Fund**

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

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

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

- Tourism & Economic Development Budget \$ 22,947

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

Adjustments of note in the first Quarterly Review Budget:

Reduction in income general ledger:

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

Increase in income general ledger:

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

Increases in expenditure general ledgers:

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

### Insurance

The budget allocations to cover all insurance has increased, mainly in the areas of professional indemnity, S355 facilities and Council properties. Also, depot insurance costs have been moved to the administration insurance general ledger in order to keep insurance costs separate and easier to identify when reporting to the Office of Local Government.

### Depreciation

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

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

### Fees and Charges

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

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

### Voluntary Purchase Scheme

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

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

- 2020-1411-0000 Voluntary Purchase Grant \$ 411,429
- 2020-2340-0000 Voluntary Purchase Expenses \$ 480,000
- \$ 68,571

### Labourer Position Parks and Urban Maintenance, The Rock

There is a separate report, Item 8, in this agenda for an additional Parks and Urban Maintenance labourer at The Rock. For the remainder of the 2021-22 financial year budget, it is proposed the position be funded from the cost savings resulting from discontinuing the previous contract cleaners, and budget surplus from this Quarterly Budget Review.

### Magnolia Lodge

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

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

### Sewer Fund

When Council adopted the 2021-2022 Operational Plan Budget in June 2021 Council budgeted for a surplus of \$10,206.00 for the Sewer fund operations. For the Budget Review at 30 September 2021

there were some minor budget adjustments resulting in an estimated **SURPLUS of \$2,795.00** as at 30 June 2022 after taking into account movements in revenue and expenditure for the first quarter.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

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

**Recommendation:** That:

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

**216/21 RESOLVED** on the motion of Crs Verdon and Douglas that:

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

**16. AUDITED FINANCIAL STATEMENTS – 2020/2021**

**(DCCS: 21/14917)**

Executive Summary

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

### Report

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

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

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

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

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

### Integrated Planning and Reporting Reference

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

### Legislative Policy & Planning Implications

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

Section 418 of the Local Government Act states that:

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

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

### Budget & Financial Aspects

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

### Attachments

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

- 1. Statement by Councillors and Management – General Purpose Statements.
- 2. Statement by Councillors and Management – Special Purpose Statements.
- 3. Schedule of restricted funds by Council as at 30 June 2021.
- 4. Draft General Purpose and Special Purpose Financial Statements:
  - a) Income Statements
  - b) Balance Sheet/Financial Position
  - c) Cash Flow.

**Recommendation:** That Council:

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

**217/21 RESOLVED** on the motion of Crs Sharp and Walker that Council:

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

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

Executive Summary

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

Background Information

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

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

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

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

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

Legislative Policy and Planning Implications

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

Integrated Planning and Reporting Reference

E3 Council responds collectively and responsibly to community needs.

Budget and Financial Aspects

There are no financial implications.

Attachment

- NHVR Classes of Heavy Vehicles

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

**218/21 RESOLVED** on the motion of Crs Rockliff and Day that Council supports an application to the National Heavy Vehicle Regulator to remove Green Street and Urana Street, Lockhart for all Class 2 and 3 heavy vehicles.

**18. 2020/21 ANNUAL REPORT**

**(GM: 21/10787)**

Executive Summary

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

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

Report

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

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

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

- a) Details of any overseas visits undertaken by councillors, council staff or other persons representing the Council.
- b) Total cost of the payment of expenses and provision of facilities to councillors in relation to their civic functions.
- c) Details of each contract in excess of \$150,000 awarded by the Council during the year (whether as a result of a tender or otherwise).
- d) Amounts incurred by the council during the year in relation to legal proceedings taken by or against the Council.
- e) Resolutions made by Council during the year under section 67 (3) of the Local Government Act concerning work carried out on private land.
- f) The total amount contributed or otherwise granted under section 356 of the Local Government Act.

- g) A statement of all external bodies that during the year exercised functions delegated by the Council.
- h) A statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies (whether or not incorporated) in which the Council held a controlling interest or participated in.
- i) Activities undertaken by Council during the year to implement its equal employment opportunity management plan.
- j) The total remuneration comprised in the remuneration package of the general manager during the year.
- k) Total remuneration comprised in the remuneration package of all senior staff members (other than the general manager).
- l) Activities undertaken by Council in relation to enforcing and ensuring compliance with the Companion Animals Act 1998 and regulations made under that Act.
- m) Rates and charges written off during the year.
- n) Information regarding training and professional development activities provided to the mayor and councillors.
- o) Details of fraud control activities undertaken during the year.

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

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

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

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

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

#### Budget & Financial Aspects

Nil.

#### Attachments

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

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

**219/21 RESOLVED** on the motion of Crs Driscoll and Verdon that the 2020/21 Annual Report and 2016-2021 End of Term Report, be endorsed and the General Manager be authorised to forward a copy of the Reports to the Minister for Local Government.

## **19. LOCAL GOVERNMENT ELECTIONS UPDATE AND COUNCIL MEETING SCHEDULE**

**(GM: 21/10786)**

### Executive Summary

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



## Report

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

## **Candidates**

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

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

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

### A Ward

Deborah Anne Bender

Frances Anne Day

Robert John Mathews

Andrew James Rockliff

### B Ward

Vikki Jane Hunter

Barbara Anne Salter

Peter Gregory Sharp

James Alexander Walker

### C Ward

Gail Maree Driscoll – elected

Ian Richard Marston – elected

Gregory Thomas Verdon – elected

## **Contractual Arrangement with Electoral Commissioner**

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

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

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

## **Council Meeting Schedule**

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

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

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

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

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

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

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

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

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

#### Budget & Financial Aspects

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

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

#### Attachments

Nil.

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

<p><b>220/21 RESOLVED</b> on the motion of Crs Douglas and Sharp that Council give public notice that an ordinary meeting of Council will be held on Monday, 10 January 2022 in order to comply with the Local Government Act which requires councils to hold a mayoral election within three weeks of local government election results being declared.</p>
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## 20. LOCAL GOVERNMENT ELECTIONS UPDATE AND DELEGATIONS

(GM: 21/14502)

### Executive Summary

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

### Report

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

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

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

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

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

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

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

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

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

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

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

Section 77 of the Local Government Act states that:

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

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

- a) “to be the leader of the council and a leader in the local community,
- b) to advance community cohesion and promote civic awareness,
- c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- e) to preside at meetings of the council,
- f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,

- g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- i) to promote partnerships between the council and key stakeholders,
- j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- l) to carry out the civic and ceremonial functions of the mayoral office,
- m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- n) in consultation with the councillors, to lead performance appraisals of the general manager,
- o) to exercise any other functions of the council that the council determines.

Budget & Financial Aspects

Not applicable.

Attachments

Nil.

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

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

**221/21 RESOLVED** on the motion of Crs Schirmer and Rockliff that Council delegate the mayoral functions in accordance with Section 226 (a) (b) (l) and (m) listed below, to Cr Greg Verdon whose term of office commences on 4 December 2021, with the delegation to remain in force until such time as a mayoral election is held by the newly elected council:

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

**21. WORK HEALTH AND SAFETY POLICIES**

(GM: 21/14501)

Executive Summary

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

Report

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

**Policy 3.5 Return to Work Program**

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

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

**Policy 3.6 Work Health and Safety**

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

**Policy 3.9 Training**

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

**Policy 3.10 Equal Employment Opportunity**

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

**Policy 3.17 Work Health and Safety Consultation**

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

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

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

Attachments

1. Policy 3.5 Return to Work Program.
2. Policy 3.6 Work Health and Safety
3. Policy 3.9 Training

4. Policy 3.10 Equal Employment Opportunity
5. Policy 3.17 Work Health and Safety Consultation

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

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

**222/21 RESOLVED** on the motion of Crs Verdon and Marston that the revised Policies listed below, as presented, be adopted.

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

## 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.

**223/21 RESOLVED** on the motion of Crs Douglas and Marston that Council close the meeting to the public as per section 10A(2)(c) of the Local Government Act 1993.

The meeting moved into Closed Session at 5.55pm.

**224/21 RESOLVED** on the motion of Crs Marston and Douglas that Council move into Open Session

The meeting moved into Open Session at 6.03pm.

### 22. AUSTRALIA DAY AWARDS 2022

(GM: 21/14503)

**225/21 RESOLVED** on the motion of Crs Sharp and Day that Council endorse the recommendations of the Australia Day Awards Committee regarding the 2022 Australia Day Awards.

### 23. OFFER TO PURCHASE INDUSTRIAL LAND

(GM: 21/14750)

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

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

**226/21 RESOLVED** on the motion of Crs Day and Verdon that authorise the General Manager to negotiate the sale of lots 21-24 in Stage 2 of the Lockhart Industrial Estate for a combined contract price of \$222,000 ex GST.

## QUESTIONS AND STATEMENTS

### Cr Verdon

- i) **Vote of Thanks** – wishes the retiring councillors all the best and thanked them for their contribution over this last term especially. He also thanked the Mayor for his leadership over the term and wished all those standing for re-election all the best.

### Cr Day

- i) **Control of Gazanias** – Cr Day drew attention to the gazania flowers in town and along the roadsides which appear to be becoming quite a problem, competing with native vegetation. Cr Day asked if Council could promote control of this plant by residents, in the newsletter.
- ii) **Vote of Thanks** – Cr Day thanked the Mayor for his guidance and fellow councillors for their work over his time on Council. Cr Day also congratulated the staff.

### Cr Driscoll

- i) **Vote of Thanks** – Cr Driscoll thanked everybody for an enjoyable term with Council. Cr Driscoll said that she is looking forward to representing the Shire for the next three years.

### Cr Marston

- i) **Queen Street, The Rock** – Cr Marston drew attention to this road, which travels past the recreation ground towards Burkes Creek and which is overgrown. Cr Marston advised it needs levelling out to allow mowing by local residents. Cr Marston also enquired as to the status of the section which runs parallel to the creek and asked if it can be graded.

#### Response – Director of Engineering & Environmental Services

The Director advised he would investigate the status of the road and arrange for appropriate action to be taken.

- ii) **Main Street of Yerong Creek** – Cr Marston advised that many potholes are developing in the main street of Yerong Creek.
- iii) **School Speed Zone, Yerong Creek** – Cr Marston advised that when entering the Olympic Highway from Yerong Creek's main street you enter into a 50km zone but, due to their positioning, are unable to see when the school speed zone lights are on until they are behind you. Cr Marston asked if a solution to this could be investigated.

#### Response – Director of Engineering & Environmental Services

The Director advised he will consult the Traffic Committee on the matter and advise of any remedial action which can be taken.

- iv) **Vote of Thanks** – Cr Marston thanked the Mayor for his leadership over his term. Cr Marston also thanked the General Manager and Directors for their guidance and advised that he is looking forward to the next term.

### Cr Rockliff

Nil

### Cr Douglas

- i) **Vote of Thanks** – Cr Douglas thanked the General Manager, Directors and staff for their assistance and thanked the councillors for their efforts. Cr Douglas conveyed his appreciation of the independent nature of councillors and the collegiate manner in which they worked.

### Cr Sharp

- i) **Vote of Thanks** – Cr Sharp gave his thanks to the Councillors, General Manager and Directors. Cr Sharp also expressed his hope to continue learning things in a councillor role and to see the Shire carry on in the same direction.

**Cr Walker**

- i) **Rail Corridor, Yerong Creek** – Cr Walker asked if there had been any progress regarding the possible clean-up of this area.

Response – General Manager

The General Manager advised that representations have been made and a response received. He advised that the site is outside the scope of the project for Inland Rail. However, Inland Rail have raised the issue with ARTC, who have provided reassurance that a site inspection will be carried out and a maintenance plan drawn up.

- ii) **Vote of Thanks** – Cr Walker conveyed his thanks to the Councillors and staff.

**Cr Schirmer**

- i) **Vote of Thanks** – Cr Schirmer thanked councillors for their efforts representing their constituents and the Shire, their collegiate mindset, and independence. Cr Schirmer noted the significant achievements of the current council. Cr Schirmer thanked the General Manager, Directors and staff.

The meeting concluded at 6.22pm.

The minutes of the meeting held on Monday, 15 November 2021, were confirmed as a true and accurate record at the Ordinary Council Meeting held on 10 January 2022, at which time the signature was hereunto subscribed.

A handwritten signature in black ink, appearing to be 'RS SQ.', is written over a horizontal line. The signature is contained within a rectangular box that is slightly tilted.

**CHAIRPERSON**

A handwritten signature in black ink, appearing to be 'RS SQ.', is written over a horizontal line. The signature is contained within a rectangular box that is slightly tilted.

**CHAIRPERSON**