



# **MINUTES**

**of the  
Ordinary Meeting  
Held  
21 October 2019**

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

**Minutes of the Ordinary Monthly Meeting of Lockhart Shire Council held in the Council Chambers,  
Green Street, Lockhart on Monday, 21 October 2019 at 5.00pm.**

## **PRESENT**

Cr R. Schirmer (Mayor), Cr M. Day OAM, 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, Acting Director Engineering and Environmental Services and Executive Assistant.

The meeting opened with a prayer.

## **APOLOGIES**

Cr G. Verdon (Deputy Mayor).

<b>274/19</b>	<b>RESOLVED</b> on the motion of Crs Rockliff and Walker that Cr Verdon's apology for the October 2019 Council meeting be accepted and leave of absence granted.
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## **LEAVE OF ABSENCE**

Cr G. Driscoll sought Leave of Absence for the November 2019 meeting.

<b>275/19</b>	<b>RESOLVED</b> on the motion of Crs Walker and Sharp that Cr Driscoll be granted Leave of Absence for the November 2019 meeting.
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The Mayor called for Standing Orders to be suspended to receive presentations from Mr Gordon Hinds of Better Energy Technology regarding Stage 1 of the Lockhart Renewable Energy Project and Mr Cory Robertson of Goanna Services Pty Ltd regarding a proposal for establishing an industry in Lockhart utilising renewable energy.

<b>276/19</b>	<b>RESOLVED</b> on the motion of Crs Day and Rockliff at 5.02pm that standing orders be suspended to receive presentations from Mr Gordon Hinds of Better Energy Technology regarding Stage 1 of the Lockhart Renewable Energy Project and Mr Cory Robertson of Goanna Services Pty Ltd regarding a proposal for establishing an industry in Lockhart utilising renewable energy.
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Cr I. Marston arrived at 5.12pm.

<b>277/19</b>	<b>RESOLVED</b> on the motion of Crs Driscoll and Walker at 6.01pm that the Council meeting be resumed.
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## CONFIRMATION OF MINUTES ORDINARY MEETING 16 SEPTEMBER 2019

**278/19** **RESOLVED** on the motion of Crs Day and Walker that the Minutes of the Ordinary Meeting held on Monday, 16 September 2019 as printed and circulated be taken as read and confirmed.

## DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS

Cr G. Driscoll, – Pecuniary Interest – Item 12, Development Applications.

## MAYORAL MINUTE

Nil.

## MAYORAL REPORT

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

Wed, 18 Sept	Attended the luncheon at the Henty Machinery Field Days.
Mon, 23 Sept	Along with General Manager Peter Veneris and Deputy Mayor, Cr Greg Verdon interviewed candidates for the position of Director Engineering and Environmental Services.
Fri, 27 Sept	Attended the National Police Remembrance Day Service at St Michaels Cathedral in Wagga Wagga.  Attended a REROC Executive meeting in Wagga Wagga.
Sun, 29 Sept	Attended and presented awards at an awards function for the Lockhart Rifle Club.
Tues, 1 Oct	Along with Councillors, Council staff and proponents attended a site visit for a proposed piggery in Munyabla.
Wed, 9 Oct	Attended the official opening of the refurbished Greens Gunyah Museum in Lockhart by the Hon. Don Harwin, Minister for the Arts.  Attended a Riverina Murray Trade Mission Welcome Dinner for Consular Representatives to the Riverina Murray in Wagga Wagga, hosted by the Hon. Steph Cooke, Parliamentary Secretary to the Deputy Premier.
Sat, 12 Oct	Attended the Spirit of the Land festival in Lockhart.
Mon, 14 to Wed, 16 Oct	Along with Cr Day and General Manager Peter Veneris attended the LGNSW Annual Conference in Sydney.

**279/19** **RESOLVED** on the motion of Crs Marston and Walker that the Mayoral Report be received.

## **URGENT MATTERS**

Nil.

## **NOTICE OF MOTION**

Nil.

## COMMITTEE REPORTS

1. **TOURISM/ECONOMIC DEVELOPMENT STEERING COMMITTEE (TEDSC) MEETING REPORT – OCTOBER 2019** (TEDO/T26-005)

**MINUTES OF THE TOURISM/ECONOMIC DEVELOPMENT STEERING COMMITTEE (TEDSC) MEETING OF LOCKHART SHIRE COUNCIL HELD AT THE ROCK MEMORIAL BOWLING CLUB ON TUESDAY, 1 OCTOBER 2019 COMMENCING AT 6.20PM.**

**PRESENT**

Councillor Gail Driscoll, Mrs Raeleen Pfeiffer, Mr John Holstein, Mr Greg Smith, Tourism/Economic Development Officer (Jennifer Connor).

**APOLOGIES**

Mrs Myra Jenkyn, Ms Sandra Johnstone, Councillor Derek Douglas.

**LEAVE OF ABSENCE**

Nil.

**PECUNIARY INTEREST**

Nil.

As there was no September meeting the TEDO updated the committee members on the report tabled to council.

1. **TEDSC Committee Member – Pleasant Hills**

Peter Creek of Pleasant Hills has confirmed his interest in joining the TEDSC Committee. Peter will be attending the November TEDSC meeting prior to a formal request by the Committee for approval by Council as per previous process.

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

<b>280/19</b> <b>RESOLVED</b> on the motion of Crs Sharp and Walker that the information be noted.
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2. **Public Art Projects**

The TEDO is continuing to seek funding for the Yerong Creek Water Tower Mural and the Milbrulong Water Tower Mural. Lockhart Progress Association is seeking funding for the Tim Fischer Statue and have been working on alternative locations if required.

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

<b>281/19</b> <b>RESOLVED</b> on the motion of Crs Marston and Driscoll that the information be noted.
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3. **Lockhart Shire Brochure**

Murrumbidgee Shire have indicated their interest in a joint brochure, with the potential for 2 further neighbouring councils to join. A meeting is planned for the end of October to further discuss and the TEDO will update the Committee for consideration on how the joint project may look and any pros and cons for Lockhart Shire.

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

<b>282/19</b> <b>RESOLVED</b> on the motion of Crs Walker and Day that the information be noted.
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**4. Business Support**

The Lockhart Shire Business Survey has received strong responses to date particularly from the farming community. An analysis of results will be presented at the November meeting. The TEDO is working to hold a business forum in Lockhart in mid-November with the assistance of BEC.

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

<b>283/19</b>	<b>RESOLVED</b> on the motion of Crs Driscoll and Walker that the information be noted.
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**5. Lockhart Shire and Town Signs**

The TEDO has put a call out for potential images for use on the signs to show to the Shire Progress Associations however has received only a few images to date.

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

<b>284/19</b>	<b>RESOLVED</b> on the motion of Crs Day and Marston that the information be noted.
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**6. Project Updates**

The TEDO provided an update on ongoing projects as follows:

Lockhart & District Historical Society	Official opening on 9 October 2019 to be attended by the Minister for Arts, Don Harwin.
The Rock Museum	The Committee are continuing to work on the layout of exhibits in the upper floor of the museum.
Yerong Creek Progress Association	Are working on a number of economic drivers for their community including two potential events.
Spirit of the Land Festival	RAAF Balloon attending, extensive numbers of markets booked.

The next TEDSC meeting will be held at Lockhart Council Chambers on Tuesday 5 November 2019 at 6:30pm.

**Recommendation:** That the report be received and noted.

<b>285/19</b>	<b>RESOLVED</b> on the motion of Crs Marston and Driscoll that the report be received and noted.
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## Delegates' Reports

### 1. REROC PARLIAMENT HOUSE CANBERRA VISIT – 12 SEPTEMBER 2019

On 12 September 2019 I, together with the General Manager, participated in REROC's visit to Parliament House Canberra where in the course of one day we had the opportunity to have discussions with a number of Australian Government Ministers. A summary of the matters raised is set out below.

#### **Michael McCormack – Minister for Infrastructure, Transport and Regional Development, Deputy Prime Minister, Member for Riverina**

- The Deputy Prime Minister referred to funding being made available under Rounds 5 and 6 of the mobile phone black spots program.  
The point was made to the Deputy Prime Minister that the funding should be based on "coverage" not "competition" and that a weighting should be given to "high risk" areas that may not otherwise be viable on a business case model or based on population.
- Member Councils noted that the Financial Assistance Grants (FAGs) to local government are now equal to 0.5% of Commonwealth tax revenue and should be reinstated to 1% of tax revenue.
- The Deputy Prime Minister drew attention to the Inland Rail project and advised that: - Whereas the project was initially premised on a \$10/t saving on transporting freight to port, the latest advice from CSIRO is that it will result in a saving of \$76/t.
  - He is consulting with State Ministers in relation to interconnecting roads/branch lines linking to Inland Rail.
  - The freight task is expected to double by 2040.
  - Inland Rail may result in a reduction of 30,000 movements on roads.
- Concerns were expressed to the Deputy Prime Minister regarding the cost of accessing the rail corridor for infrastructure purposes due to ARTC seeking a commercial return on these arrangements. The Deputy Prime Minister advised that he will follow-up the matter with ARTC.
- The Deputy Prime Minister indicated that he supports constitutional recognition of local government but noted that local Government needs to be strategic about when the question is put to the Australian people given there have been two previous failed referenda.

#### **Mark Coulton – Minister for Regional Services, Decentralisation and Local Government**

- The Minister acknowledged that the Association of Local Government Associations (ALGA) is seeking an increase to FAGs based on 1% of Commonwealth tax revenue.
- He expressed the view that he is not convinced that a straight increase on the existing formula is the best solution as it will result in significant dollar increases for large councils and lesser amounts for smaller councils. He believes that there is a need to look at a better funding model and suggested that for local government this is a higher priority than constitutional recognition.
- The Minister advised that serious discussions are being held within Government regarding its next response to the drought with more Local Government Areas (LGAs) in line for the \$1m in drought assistance funding.
- With respect to doctors in rural areas the Minister noted that there is not a doctors' shortage in general, but an imbalance in the location/distribution of doctors. In this regard he noted that 90% of graduates are still situated in metropolitan areas waiting for a training place even though there are existing training places in rural and regional areas.

#### **Michaela Cash – Minister for Employment, Skills, Small and Family Business**

- The Minister drew attention to the following funding provided by the Commonwealth government:
  - Skilling Australia Fund comprises funds provided by the Commonwealth to the States. Funds for projects have to be accessed from the State Government and she will arrange to provide information to Councils on how to approach the relevant state agencies.

- The Youth Employment Program funds can be accessed by Councils directly from the Commonwealth and further information will be provided to Councils on all Commonwealth Employment Programs.
- It was brought to the Minister's attention that the introduction of new large retail players in the Australian market has implications for rural and regional businesses. The Minister advised that this issue falls within the Treasurer's portfolio but as Small Business Minister she is happy to receive a detailed proposal from REROC to take to the Treasurer.
- With respect to drought assistance the Minister advised that assistance for small business has focussed on access to finance. The Minister also indicated that consideration is being given to initiatives that could be introduced with the next budget that allows short term assistance to be provided in response to emergencies, e.g. drought, floods, etc. that can assist small businesses to retain and not have to put off staff.
- The Minister advised that she will arrange for her Department to convene an Information Session in the REROC region that provides information to businesses on what forms of assistance and government programs are available.

**Trevor Evans – Assistant Minister for Waste Reduction and Environmental Management**

- The Minister expressed concern that the lack of harmonisation between States is undermining the opportunity to have a viable and sustainable recycling industry and confirmed that the Commonwealth Government is becoming active in this area with a \$100m investment.
- He noted that the Commonwealth Government is aspiring to obtain agreement from States and Territories for the Commonwealth to take the lead on these issues bearing in mind that States and Territories have constitutional responsibility.
- Increased emphasis is being placed on procurement and recycled content.

**David Littleproud – Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management**

- With respect to the current drought and other water management issues the Minister noted that:
  - An amount of \$2b has been rolled out so far in drought assistance.
  - The Government is consulting with Primary Health Networks regarding gaps in mental health services.
  - More announcements are anticipated shortly in relation to \$1m funding for drought affected LGA's.
  - The Deputy Prime Minister has announced an investment in relation to the establishment of a national water grid.
  - The ACCC has been requested to investigate the water market.

**Scott Buchholz – Assistant Minister for Road Safety and Freight Transport**

- The Minister advised that Commonwealth funding is being made for "roads of strategic importance", i.e. of strategic importance to the nation, not the LGA.
- The Minister suggested that REROC should make representations regarding the bringing forward of infrastructure spending to stimulate the economy. Noting that this can be done with smaller Tier 2 and Tier 3 projects instead of just the larger Tier 1 projects.

Cr Rodger Schirmer  
Delegate

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

<b>286/19</b> <b>RESOLVED</b> on the motion of Crs Walker and Driscoll that the information be noted.
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## Status Report/Précis of Correspondence Issued

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

Res. No:	Officer to Action	Info	Action Taken
<b>Ordinary Council Meeting held 16 September 2019</b>			
272/19	GM	<p><b>Closed Council – General Manager’s 2018/19 Performance Review</b></p> <p>a) the record of performance assessment as recorded in the General Manager’s Performance Agreement Annual Review be endorsed by Council.</p> <p>b) The projects as outlined in the report be included in the 2019/2020 Agreement.</p> <p>c) the Total Remuneration Payment for Mr Veneris be increased by 3%.</p>	2018/2019 Performance Agreement completed.
270/19	GM	<p><b>Questions &amp; Statements Resolution – Jo Palmer, 2019 AgriFutures Rural Women’s Award National Winner</b></p> <p>Council forward a letter of congratulations to Jo Palmer in recognition of her being awarded the “2019 AgriFutures Rural Women’s National Award”.</p>	Congratulatory letter sent 23 September. Complete.
269/19	GM	<p><b>2019 Annual Union Picnic Day</b></p> <p>The Annual Union Picnic be held on 30 September 2019.</p>	Annual Union Picnic day held on 30 September. Council office remained open. Complete.
268/19	GM	<p><b>Review of Fraud Control Framework</b></p> <p>Policy 1.7 Fraud Control Policy and the Fraud Control Action Plan, as presented, be adopted.</p>	Policy Register updated. Complete.
267/19	GM	<p><b>IPART Review of Reporting and Compliance Burdens on Local Government</b></p> <p>Council make a submission to the Office of Local Government supporting the recommendations of the IPART review of reporting and compliance burdens on Local Government.</p>	Submission lodged with OLG.  Complete.
263/19	DEES	<p><b>Petition – Replacement of Kerb &amp; Gutter, Galore St, Lockhart</b></p> <p>The replacement of kerb and gutter in Galore St and Lockhart Shire as a whole be considered in a future capital works budget.</p>	Response forwarded to lead petitioner.  Complete.
258/19	MES	<p><b>Control of Burning under Legislation</b></p> <p>Council notify the Department of Planning, Industry and Environment of its intention to be nominated under Part 3 of Schedule 8 of the Regulation.</p>	The Department of Planning, Industry & Environment has been advised of council’s nomination to be included under Part 3 of Schedule 8 of the Regulation. Complete.

256/19	GM	<p><b>Lockhart Renewable Energy Project</b></p> <p>a) Having secured Commonwealth Government funding totalling \$1 million for the Better Energy Technology Renewable Energy Project for Lockhart Township; and</p> <p>b) Having given 28 days public notice of its intention to do so;</p> <p>c) Hereby resolves pursuant to Section 356 of the Local Government Act 1993 to provide financial assistance totalling \$1 million to Better Energy Technology, in the same manner, i.e. progress payments, as Council receives the funding from the Commonwealth, and for the sole purpose of undertaking Stage 1 of the Lockhart Renewable Energy Project.</p>	<p>Funding Agreement signed.</p> <p>Stage 1 commenced.</p> <p>Arrangements made for representatives of Better Energy Technology and a potential new industry considering locating in Lockhart to make a presentation to Council at the October meeting.</p>
255/19		<p><b>Request for Assistance – Lockhart Picnic Race Club Inc.</b></p> <p>a) Council provide financial support to a maximum of \$350 to the Lockhart Picnic Race Club Inc to assist with the cost of the water supply; and</p> <p>b) Council make representations to Riverina Water County Council requesting that it consider making a similar contribution.</p>	<p>Lockhart Picnic Races Club advised of council's decision.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 19 August 2019</b>			
237/19	GM	<p><b>Resignation of Director Engineering and Environmental Services</b></p> <p>a) Council express its appreciation to David Webb for his services whilst in the position of Director Engineering and Environmental Services and congratulate him on his new role; and</p> <p>b) The panel to interview any shortlisted candidates for the appointment of a new Director Engineering and Environmental Services comprise the Mayor, Deputy Mayor, General Manager and Human Resources Co-ordinator.</p>	<p>Appointment made.</p> <p>Successful applicant will commence duties on 9/12/19</p> <p>Complete.</p>
233/19	DCCS	<p><b>Internal Restrictions</b></p> <p>Council adopt the proposed list of internal restrictions and balances for 30 June 2019 as detailed in this report.</p>	<p>Report to August meeting.</p> <p>Complete.</p>
232/19	DCCS	<p><b>Unspent Expenditure to be Revoted to the 2019/2020 Budget</b></p> <p>List of items contained in the Report be revoted in the 2019/2020 Operational Plan Budget.</p>	<p>Report to August meeting.</p> <p>Complete.</p>
229/19	DEES	<p><b>Fixing Country Roads Grant Funding Program</b></p> <p>a) Submit a grant application under the next round of Fixing Country Roads program for the upgrade of Wattles Road and Tinamba Lane; and</p> <p>b) Place notices in the August 2019 Council Newsletter for letters of support for the project.</p>	<p>Grant application being prepared. Applications close 10 October 2019.</p> <p>Letters of support being sourced.</p>

224/19	GM	<p><b>Lockhart Renewable Energy Project</b></p> <p>a) Authorise the General Manager to enter into a funding agreement with the Commonwealth Government for the \$1 million Community Development Grant for Stage 1 of the Better Energy Technology Lockhart Renewable Energy Project;</p> <p>b) Give public notice of its proposal to pass a resolution at the Council meeting to be held on 16 September 2019, to grant financial assistance to Better Energy Technology Pty Ltd, pursuant to Section 356 of the Local Government Act, 1993, to enable it to undertake Stage 1 of the Better Energy Technology Lockhart Renewable Energy Project; and</p> <p>c) Authorise the General Manager to enter into an Agreement with Better Energy Technology, in relation to the financial assistance to be provided pursuant to Section 356, that enables Council to meet its obligations under its funding agreement with the Commonwealth.</p>	<p>Public Notice given in local newspaper, community Facebook page and Council Newsletter.</p> <p>Refer to further report to 16 September Council meeting.</p> <p>Superseded by Council minute 256/19. Complete.</p>
223/19	DEES	<p><b>Lockhart Caravan Park</b></p> <p>a) Endorses the proposed Lockhart Caravan park revised layout; and</p> <p>b) A further report be brought to Council in due course once a detailed costing can be provided.</p>	<p>Work in progress. Fire-fighting services currently being designed.</p>
220/19	GM	<p><b>Independent Living Units and Aged Care Accommodation</b></p> <p>Council continue to monitor grant funding opportunities for the development of independent living units and aged care accommodation in the Shire.</p>	<p>Ongoing.</p> <p>Complete.</p>
219/19	DEES	<p><b>Pleasant Hills Water Filling Station</b></p> <p>a) Enters into agreement with Riverina Water County Council to acquire the land at Lot 10 DP 9145 Manson Street, Pleasant Hills for the purposes of establishing a Water Filling Station;</p> <p>b) The land be categorised as Operational under the Local Government Act 1993.</p>	<p>Letter provided to Riverina Water.</p> <p>Contracts exchanged.</p> <p>Work in progress.</p>
216/19	GM	<p><b>Round 3 Stronger Country Communities Fund</b></p> <p>Council submit applications under Round 3 of the Stronger Country Communities Fund Program for the following projects:</p> <ol style="list-style-type: none"> <li>1. Life Skills for Young People program – proposed by Council's Youth Officer (\$66,000).</li> <li>2. The Rock Recreation Ground – replacement of netball courts (\$215,000).</li> <li>3. Osborne Recreation Ground – redevelopment of change room facilities (\$268,265).</li> <li>4. Lockhart Recreation Ground – upgrade of kitchen facilities (\$85,000).</li> <li>5. Pleasant Hills Public Hall – hall improvements (\$55,000).</li> <li>6. The Rock Recreation Ground – second oval (\$60,000).</li> <li>7. Yerong Creek Recreation Ground – upgrade of tennis courts (\$50,000).</li> </ol>	<p>Section 355 Committee notified of priorities determined by Council.</p> <p>Applications for the nominated projects lodged by the closing date of 27 September 2019.</p> <p>Complete.</p>

210/19	TEDO	<p><b>Minutes of the TEDSC Meeting – Tim Fischer Statue/Lockhart Railway Station</b></p> <p>Subject to agreement by the authorised managers of the Lockhart Railway Station, expressions of interest for community or commercial purposes be sought from the wider community for the Lockhart Railway Station building.</p>	Advertisement placed in the Lockhart Shire newsletter and on social media
<b>Ordinary Council Meeting held 15 July 2019</b>			
188/19	DCCS	<p><b>Disused Buildings – French Park Tennis Courts</b></p> <p>a) Dispose of the asset by Expression of Interest; b) Award to the highest bidder; and c) The successful EOI acknowledges purchasing and moving buildings in an “as is” condition and sign an agreement.</p>	<p>Correspondence to successful EOI has been posted.</p> <p>Successful EOI notified, accepted &amp; paid. Complete.</p>
177/19	DEES	<p><b>Shire and Town Entrance Signs</b></p> <p>Council:</p> <p>a) Endorses the shire entrance and town sign proofs in principle; b) Refers the signs back to Council's Tourism and Economic Development Officer for further development and liaison; and c) A further report is brought to Council in due course prior to undertaking another round of community consultation.</p>	<p>Plans referred back to TEDO for further consultation with local Progress Associations and community groups.</p> <p>Ongoing.</p>
<b>Ordinary Council Meeting held 17 June 2019</b>			
144/19	TEDO	<p><b>Minutes of the TEDSC Meeting – Public Art Projects</b></p> <p>A submission be requested from the artists Scott Nagy and Janne Birkner to undertake the Milbrulong Water Tower project subject to their quotation being within budget.</p>	In progress.
<b>Ordinary Council Meeting held 15 April 2019</b>			
87/19	GM	<p><b>Crown Land Management</b></p> <p>a) Council endorse the actions outlined in the attached list of crown reserves and authorise the General Manager to make the necessary applications b) Ratify the appointment of the Director Engineering and Environmental Services as the Council's Authorised Officer and Native Title Manager for the purposes of the Crown Land Management Act 2016.</p>	<p>Notice of Crown land categorisation and related documentation has now been lodged with the Crown Lands Office.</p> <p>A Consultant's Brief has been prepared for the purpose of engaging a consultant to prepare plans of management for the Crown reserves, as required by the new legislation, and for which government funding has been received. Proposals from consultants received and currently being assessed.</p> <p>Refer to separate report to the October meeting. Complete.</p>

77/19	DCCS	<p><b>Lockhart Medical Centre Community Services Building</b> Council support the change of use to the Lockhart Medical Centre/Community Services, on the corner of Matthews and Hebden Streets in principle and provide a letter of landowner consent to a Development Application being lodged.</p>	<p>GM &amp; DCCS met with Valmar's Coordinator - Fleet, Asset and Corporate to progress the matter with Valmar agreeing to provide plans prior to Council's providing landowners consent to lodge a DA. Valmar are in the process of putting plans with proposed works together to present to Council for approval. No updates to report.</p>
<b>Ordinary Council Meeting held 18 March 2019</b>			
66/19	DEES	<p><b>Proposed Restructure – Engineering and Environmental Services</b> Proposed restructure to include:</p> <ul style="list-style-type: none"> <li>a) Regrading the vacant Grader and Roller Operator positions to a Plant Operator and a Labourer respectively;</li> <li>b) The addition of the position of Light Vehicle Mechanic in the organisation structure;</li> <li>c) The addition of the position of Compliance Officer (permanent part time 25.5 hours per week) in the organisation structure; and</li> <li>d) Extending the position of Fixed Term Project Officer with current incumbent to continue in the role on a works as required basis until 31 December 2020.</li> </ul>	<ul style="list-style-type: none"> <li>a) New positions have been filled.</li> <li>b) Position has been filled.</li> <li>c) Position has been advertised. Currently assessing applications.</li> <li>d) To be extended at time of current term completion in October 2019. Complete.</li> </ul>
<b>Ordinary Council Meeting held 4 February 2019</b>			
25/19	DCCS	<p><b>Information Technology Systems Infrastructure</b></p> <ul style="list-style-type: none"> <li>a) Council approve the purchase of the additional information technology infrastructure up to value \$25,000; and</li> <li>b) Additional information technology infrastructure to be funded from December 2018 Quarterly Budget Review.</li> </ul>	<p>Contact has been made with selected suppliers. Tender specifications being finalised to initiate negotiations will select suppliers to continue.  Ongoing.</p>
12/19	DEES	<p><b>Integrated Water Cycle Management Strategy – Sewerage Services</b> Council apply for funding under the Safe and Secure Water Program to undertake IWCM Strategy renewal.</p>	<p>DEES in discussions with DPI about grant funding for IWCM.  Council staff working with DPI regarding the funding, which has confirmed Council is eligible for funding.  Council has received and signed funding agreement. Waiting on fully executed funding agreement . Works to commence shortly.</p>

<b>Ordinary Council Meeting held 17 December 2018</b>			
344/18	GM/ DCCS	<b>Closed Agenda – Request from Osborne Recreation Ground Management Committee</b> a) Enter into a lease agreement with Jason Webster, as adjoining landowner to the Osborne Recreation Ground to lease land as per map for \$1.00 per annum for 3 years, and b) The General Manager and Director Corporate and Community Services be authorised to sign the lease on behalf of Council.	Lease is being drafted. The matter of a 3-year lease was following up and solicitor advised a caveat stipulating Council's interest with regards to leased land can be put in place. Work is progressing and updates will be reported to Council. In the hands of Friedlieb Fox McLeod to draw up agreements & have adjoining landowner sign.
<b>Ordinary Council Meeting held 15 October 2018</b>			
261/18	TEDO	<b>Minutes of the TEDSC Meeting – Water Tower Lighting</b> Consideration be given to funding to light the Lockhart Water Tower Mural and that Council investigate possible lighting options.	Photographs of the water tower mural in the evening show it is quite well lit. Discussions in progress with Parks & Gardens regarding any potential improvements.
260/18	TEDO	<b>Minutes of the TEDSC Meeting – Water Tower Long Term Maintenance</b> An agreed amount be held in reserve to enable future maintenance of the Lockhart Water Tower as and when needed.	MoU with RWCC being discussed.
<b>Ordinary Council Meeting held 17 September 2018</b>			
252/18	DCCS	<b>Closed Agenda – Information Technology Systems – Quotations</b> a) Council approve the purchase of the Electronic Document and Records Management System (EDRMS) HPE Content Manager with initial purchase, setup and training costs to be funded from Council's Systems & IT Improvements Reserve; b) Council approve the purchase of Asset Management system AssetFinda with initial purchase, setup and training costs to be funded from Council's Systems & IT Improvements Reserve; c) Initial and ongoing cost of iPad Minis are to be incorporated and funded from Council's Operating Plan Budget at Quarterly Budget Review; and d) Year 2 and ongoing annual license fees cost are to be incorporated and funded from Council's Operating Plan Budget.	Purchase Order for AssetFinda raised, software licence received and being reviewed.  IT Server is at end of life, quotes being sort. Server requires upgrade or replacing to enable AssetFinda to be installed. Refer to item in this agenda on upgrade to server.  Purchase order raised for HPE Content Manager, Project manager from Civica has been assigned.

<b>Ordinary Council Meeting held 19 March 2018</b>			
68/18	GM	<p><b>Closed Agenda – Green Street West Lockhart – Price Review</b></p> <p>a) Council adopt the following asking process for lots remaining unsold in the residential subdivision at Green Street West, Lockhart:</p> <p style="margin-left: 20px;">a. \$25,000 Lots 1, 6, 7, 9, 10, 23, 24, 25, 27, 28, 29, 30, 31, and 32</p> <p style="margin-left: 20px;">b. \$27,500 Lots 12, 16, 17 and 18</p> <p style="margin-left: 20px;">c. \$44,000 Lots 11 and 34</p> <p>b) That in relation to Lots 6-7, 9-10, 23-25 and 28-31, the price of two adjoining lots sold in a single transaction, i.e. one contract of sale, be reduced to \$22,000 each or a total contract price of \$44,000.</p> <p>c) That Lot 8 Rockliff Court in the Green Street West Residential Estate be taken off the Market whilst cost estimates are prepared for converting the allotment into a local park.</p> <p>d) That the GM be authorised to negotiate with project home builders for establishment of a display home at Green Street West with any incentives to be offered to be subject to approval by Council.</p>	<p>Council's agent has been informed of the revised selling prices adopted by Council.</p> <p>Council's agent is contacting all builders on its data base regarding incentives that might encourage the construction of a spec/display home.</p> <p>A cost estimate for converting an allotment into a park is currently being prepared. The project has been referred to the Councillor Workshop to be held on 19 August 2019 to consider projects for funding under Round 3 of the SCCF Grants program.</p>
51/18	GM	<p><b>Lockhart Renewable Energy Project</b></p> <p>a) Project update provided by Better Energy Technology Pty Ltd noted,</p> <p>b) Lockhart Renewable Energy Project Information Brochure endorsed for distribution to Lockhart premises.</p>	<p>Phase 1 funding for the project has been announced by the Australian Government. A separate report has been included in the agenda for the 16 September 2019 Council meeting.</p> <p>Superseded by Council minute no. 256/19. Complete.</p>
<b>Ordinary Council Meeting held 18 April 2017</b>			
72/17	DEES	<p><b>Caravan Parks</b></p> <p>a) Information noted pending a furthermore detailed report</p> <p>b) Council has determined as a matter of policy that caravan parks be short term (holiday park) stays; and</p> <p>c) Expressions of Interest (EOI) be invited for Management of the Lockhart Caravan Park for 1 July 2017 to 30 June 2018 with option of 2 x 12-month extensions on mutual agreement.</p>	<p>More detailed report to be presented at a future Council meeting.</p> <p>Items (b) &amp; (c) are complete. Staff currently compiling information to put together further report to come to Council shortly. Report to August 2019 Council meeting. See item 223/19.</p>
<b>Ordinary Council Meeting held 16 May 2016</b>			
109/16	DCCS	<p><b>Old Lockhart Railway Station Building</b></p> <p>Council to:</p> <p>a) Seek to find a suitable use/tenant for the building</p> <p>b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.</p>	<p>Ongoing. No potential tenants have enquired. Promoting venue as a regional meeting site. Very little activity to date. Lockhart Central School has used for 2018 HSC exams. No enquiries for a permanent tenant. Correspondence forwarded to JHR to ascertain whether it would enforce the lease and require the lease to be paid out in full if Council was to terminate the Agreement.</p>

Ordinary Council Meeting held 16 September 2019 – Councillor Questions & Statements			
Councillor's Questions	GM	<b>Cr Verdon – Opportunities for Trainees in Lockhart Shire</b> – Enquired if it would be possible to identify possible opportunities for trainees in Lockhart Shire.	GM advised that during a recent visit to Canberra REROC delegates met with the Minister for Employment, The Hon Mikaela Cash MP, who undertook to provide information on all Commonwealth Government funding opportunities and subsidies that are available, and that following receipt of this information consideration will be given to opportunities that could apply to Lockhart Shire. REROC has also indicated that it will host an information session for member councils once the information is received from the Minister's office.
	GM	<b>Cr Day – Motor Bikes in the Common, Lockhart</b> – Enquired about motor bikes seen in the Common and Community Forest and enquired as to whether this land was under Council's control.	The Council is the Crown land manager of the Reserve for Community Forrest. It is NOT the Crown land manager for the Common. The issue of motor bike riders on the Reserve(s) will be brought to the attention of Police at the forthcoming Police and Community Consultation Group. Complete.
	GM	<b>Cr Day – Cars at Property in Galore St and Anglican Church, Lockhart</b> – Advised that the number of car bodies in Lockhart township is steadily increasing and that he had recently received 8 complaints from concerned residents. Advised that he would be happy to liaise with the new Anglican Bishop to investigate a solution.	GM advised that Council's Compliance Officer has been made aware of the issue. Complete.
	GM	<b>Cr Driscoll – LGNSW Water Management Conference 2019</b> – Following attendance at the LGNSW Water Management Conference and responding to the advice that our water supply will be under stress for many years to come, asked Council to consider the strategies to increase water collection in our Shire to water our public areas. Suggested looking for suitable funding to develop the Government Dam in The Rock to expand the dam and make it viable for watering our Parks and Gardens and for recreational use.	GM advised that grant funding programs are monitored and any opportunities that meet the criteria will be brought to Council's attention. Complete.
	GM	<b>Cr Driscoll – The Rock Observatory</b> – Enquired how negotiations are progressing with Charles Sturt University regarding work on The Rock Observatory?	A meeting has been held with representatives of CSU who have expressed support for the project and a MoU has been prepared. Refer separate report to the October meeting. Complete.



Councillor's Questions	A/DEES	<b>Cr Marston – Emily Street, The Rock</b> – Enquired if vegetation on the corner of Emily Street and the Olympic Highway, The Rock could be mowed/whipper-snipped?	Acting DEES advised that he will investigate and take appropriate action.
	DCCS	<b>Cr Rockliff – Lockhart Golf Club</b> – Advised the Lockhart Golf Club is currently struggling with membership numbers and enquired if the possibility of the Club becoming a 355 Committee of Council could be investigated.	DCCS advised that he will investigate and advise.
	DCCS	<b>Cr Sharp – Pleasant Hills Community Hotel Financial Statements</b> – Enquired if the Hotel had forwarded a copy of their 2018/19 financial statements to Council?	DCCS advised that the Hotel had not sent a copy of their Financial Statements as yet and he would follow up with the Hotel.

**Ordinary Council Meeting held 19 August 2019 – Councillor Questions & Statements**

Councillor's Questions	GM/ DCCS	<b>Cr Marston – Status of Work on the Second Oval, The Rock</b> – Enquired about the status of the work for the second oval at The Rock particularly with respect to commencing the project within 12 months of the grant being approved.	Arrangements being made to prepare the area at the western end of the Recreation Reserve for temporary use by the Pony Club to enable works to commence on the 2 <sup>nd</sup> oval.
	DEES	<b>Cr Marston – 'Weed of the Month' in the Council Newsletter</b> – Enquired if a suggested treatment could also be included with the 'Weed of the Month' in the Council Newsletter?	DEES advised that he will investigate and advise. Council, staff have looked at this before and on advice with other councils do not advise treatment in the newsletter as it can vary from situation to situation. Residents should contact Council staff for advice on their particular property. Complete.
	DEES	<b>Cr Rockliff – Possibility of Residents Living in a Shed on a Property in South Lockhart</b> – Advised that it had come to his attention that it may be possible that residents are living in a shed on a property in South Lockhart?	DEES advised that he will investigate and take appropriate action. Council staff are investigating.
	DEES	<b>Cr Rockliff – New Shop Owners in Green Street Planning on Living in the Shopfront</b> – Advised that it had come to his attention that new shop owners in Green St, Lockhart CBD could be planning on living in the shop fronts.	DEES advised that he will investigate and take appropriate action. Council staff are investigating.
	DEES	<b>Cr Douglas – Tenison Lane, Lockhart</b> – Enquired if Tenison Lane could have a maintenance grade before the harvest season?	DEES advised he will investigate and advise. Tenison Lane to be graded when resourcing permits.
	DEES	<b>Cr Douglas – Nursery, The Rock</b> – Enquired if staff had received the letter of concern from Leo Driscoll regarding the nursery in The Rock?	DEES advised that staff were currently investigating the matter and will respond accordingly. Council staff are investigating.

**Ordinary Council Meeting held 15 July 2019 – Councillor Questions & Statements**

	DEES	<b>Cr Marston – Creek Crossing on Jaegers Lane</b> – advised that the creek crossing on Jaegers Lane is washed out.	DEES advised that he will investigate and noted that the creek crossing might not be in Lockhart Shire. DEES has investigated and interim works to occur shortly.
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<b>Ordinary Council Meeting held 17 June 2019 – Councillor Questions &amp; Statements</b>			
Councillor's Questions	DEES	<b>Cr Rockliff – Farrells Lane</b> – Has been advised that there wash-outs across Farrells Lane at the crossing.	DEES advised he will investigate and take appropriate action. Investigations have determined work is required on the table drains. Timing to be confirmed.
	DEES	<b>Cr Day – Compliance Officer</b> – Enquired as he had noticed that the Compliance Officer position is to be advertised?	DEES advised as the position is now to become a permanent position it must be readvertised, which will be done in the next few months. Position has been advertised. Currently assessing applications.
<b>Ordinary Council Meeting held 20 May 2019 – Councillor Questions &amp; Statements</b>			
Councillor's Questions	DEES	<b>Cr Douglas - Carns Lane</b> – Requested that the drainage along Carns Lane be investigated and improved as the water does not seem to be getting away.	DEES advised he will investigate and take appropriate action. DEES has inspected the road and maintenance grading to occur shortly which should address most drainage issues. Carns Lane is currently being graded.
	DCCS	<b>Cr Sharp - Pleasant Hills Hall Public Toilet</b> – Enquired if the Director Corporate and Community Services has determined if the Pleasant Hills Hall public toilets were on the public toilet register?	DCCS advised that he was still investigating the matter, but in the meantime had paid for the cistern repairs and toilet paper supply. Complete.
	DEES	<b>Cr Verdon - Drain at Western End of Wilson Street and also Corner of Bretton and Urana Streets, The Rock</b> – Requested if these drains could be cleared?	DEES advised he will investigate and take appropriate action. Works have been planned to concrete the ends of the drains to improve water movement.
<b>Ordinary Council Meeting held 15 April 2019 – Councillor Questions &amp; Statements</b>			
Councillor's Questions	DCCS	<b>Cr Verdon - Public Toilets at The Rock Recreation Ground</b> – Advised that The Rock Recreation Ground toilets often do not have sufficient toilet paper supply left at the end of the week to cater for campers and/or home football games.	DCCS advised he will investigate and take appropriate action. Complete.
	DEES	<b>Cr Day – Brookong Reserve Signs on Urana Road, Lockhart</b> – Enquired if these signs could be replaced?	DEES advised he will investigate and take appropriate action. Staff are investigating what can be done regarding the signage as this is not a Council reserve.
	GM	<b>Cr Driscoll – Lockhart Shire Council Block of Land, Scott Street, The Rock</b> – Enquired of Council was planning to sell the block of land in Scott St, The Rock?	GM advised that an expression of interest has been received in relation to another parcel of land not currently listed for sale that will be the subject of a report to a future meeting of Council which can also include consideration of the block of land in Scott St, The Rock.

	DEES	<b>Cr Driscoll – The Rock Town Entrance Sign –</b> Advised that The Rock town entrance sign re-instated south of The Rock on the Olympic Hwy is a lot further south than its original position and enquired if it could be relocated back closer to The Rock?	DEES advised he will investigate and take appropriate action. DEES has discussed with GHSC and they are looking at if sign can be moved closer to the town.
<b>Ordinary Council Meeting held 19 November 2018 – Councillor Questions &amp; Statements</b>			
Councillor's Questions	DEES	<b>Cr Verdon – Council Contribution – The Rock Recreation Ground –</b> Advised The Rock Recreation Ground receives an annual contribution funding of \$12,500 from Council and with electricity currently costing \$12,000 p.a., was wondering if Council could do and audit or assist in any way?	DEES advised there may be some upcoming opportunities for grant funding for solar and battery storage for Council buildings and he will investigate further and advise. DEES has been in contact with OEH about opportunities. Council to provide information to OEH. DEES still in discussions with OEH. This will be a work in progress.
<b>Ordinary Council Meeting held 21 May 2018 – Councillor Questions &amp; Statements</b>			
	DEES	<b>Cr Rockliff – Water going into Back Yards between Green &amp; Hebden Sts, Lockhart –</b> Advised he has been approached by 2 residents regarding water going into back yards between Green and Hebden Sts, Lockhart.	DEES advised he is aware of the issue and will investigate when time and resourcing permits.
<b>Ordinary Council Meeting held 20 November 2017 – Councillor Questions &amp; Statements</b>			
Councillor's Questions	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.
<b>Ordinary Council Meeting held 17 July 2017 – Councillor Questions &amp; Statements</b>			
	COUNCIL LORS	<b>Cr Schirmer – Councillor Relaxed Visits throughout Shire –</b> Thanked Councillors who attended recent Friday night at the Pleasant Hills Pub and advised the visit was well received by the locals with positive feedback being given.	Councillors attended the Friday fish & chips night at Yerong Creek on 6 July 2018.

**21 October 2019 Council Meeting - Correspondence Sent to Councillors**

Date to Councillors	From	Subject	File Ref
16/09/19	ALGA News Editor	ALGA News 13 September 2019	A75-005
16/09/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 12 September 2019	S20-007
23/09/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 20 September 2019	S20-007
23/09/19	ALGA News Editor	ALGA News 20 September 2019	A75-005
30/09/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 26 September 2019	S20-007
30/09/19	ALGA News Editor	ALGA News 27 September 2019	A75-005
04/10/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 3 October 2019	S20-007
08/10/19	ALGA News Editor	ALGA News 4 October 2019	A75-005
11/10/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 10 October 2019	S20-007
15/10/19	ALGA News Editor	ALGA News 11 October 2019	A75-005

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

<b>287/19</b> <b>RESOLVED</b> on the motion of Crs Sharp and Walker that the information be noted.
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## Staff Reports

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

#### 1. AUSTRALIA DAY CELEBRATIONS AND AWARDS 2020

(GM/C15-005)

##### Executive Summary

The purpose of this report is to outline the arrangements for the 2020 Australia Day celebrations and the Australia Day Awards nomination process.

##### Report

Australia Day 2020 will be celebrated on Sunday 26 January 2020.

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

- 2019 Lockhart Swimming Pool (hosted by the Lockhart Football & Netball Club)
- 2018 Osborne Recreation Ground
- 2017 Yerong Creek Hall and Recreation Ground
- 2016 Pleasant Hills Recreation Ground
- 2015 The Rock Swimming Pool.

Bearing in mind that the Australia Day celebrations are rotated around the Shire, and based on the locations of the previous four Australia Day celebrations, it would appear that the 2020 celebrations should once again be held in The Rock. Accordingly, it is proposed to invite expressions of interest through Council's Newsletter from The Rock based community organisations to host the 2020 celebrations. One option under consideration is to invite a local community organisation to cater for the event at the new swimming pool complex. The 2019 Australia Day celebrations were successfully held at the new Lockhart swimming pool complex.

Council provides a subsidy to the host organisation of \$4,000 to put on the event which is also supposed to provide a fundraising opportunity for the organisation.

It is proposed that nominations be invited for the following categories by the closing date of 29 November 2020:

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

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

It has been Council's practice to appoint an Australia Day Awards Committee to consider the nominations received and make recommendations to Council. Last year the Awards Committee comprised Councillors Driscoll, Schirmer and Sharp.

##### Integrated Planning and Reporting Reference

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

##### Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Provision has been made in Council's 2019/20 Operational Plan Budget for the hosting of the 2020 Australia Day celebrations and Awards ceremony.

Attachments

Nil.

**Recommendation:** That Council:

- a) Invite expressions of interest from The Rock based community organisations to host the 2020 Australia Day celebrations in The Rock.; and
- b) Determine the composition of the Australia Day Awards Committee for the 2020 Awards.

<b>288/19</b>	<b>RESOLVED</b> on the motion of Crs Rockliff and Sharp that: <ol style="list-style-type: none"><li>a) Council invite expressions of interest from The Rock based community organisations to host the 2020 Australia Day celebrations in The Rock; and</li><li>b) The composition of the Australia Day Awards Committee for the 2020 Awards be Crs Day, Sharp and Walker.</li></ol>
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**2. THE ROCK REGIONAL OBSERVATORY PROJECT**

**(GM/G10-005)**

Executive Summary

An update is provided in relation to The Rock Regional Observatory Project including the latest developments arising from discussions with Charles Sturt University (CSU).

Report

Council will be aware that The Rock Progress Association previously received grant funding for the construction of a building to house a telescope and dome at the Reserve for Showground and Racecourse at The Rock. Council expressed in principle support for the project and subsequently secured funding under Round 2 of the Stronger Country Communities Fund (SCCF) grant program to add an educational space or lecture theatre to the building which is to be constructed to house the telescope.

In a previous report to Council it was noted that Council's SCCF grant project cannot commence until The Rock Progress Association's project has been completed. It was noted that delays had been experienced by the Progress Association with its project, as it pursued a partnership arrangement with Charles Sturt University which has the necessary astronomical equipment for such a project.

The delays resulted in the Progress Association not being able to meet the milestone dates under its funding agreement. Consequently, The Rock Progress Association was advised by the funding body that it will only provide an extension to the completion date if the grant was transferred to Council. The Council, at its meeting held on 20 May 2019 resolved to accept a transfer of the grant funds from The Rock Progress Association with the approval of the funding body.

Since that time further discussions have been held with representatives of CSU. CSU has been identified as a suitable partner for this project due to:

- The project's educational component;
- CSU's status as the pre-eminent tertiary institution in the region;
- CSU's access to a telescope and other astronomical equipment;
- Lockhart Shire Council and The Rock Progress Association's access to funding for a building to house the telescope as well as for an educational space/lecture theatre; and
- Lockhart Shire Council and The Rock Progress Association's access to a suitable site, free of light pollution and in relatively close proximity to the CSU campus.
- The proposed site is Crown land and as such carries none of the risks associated with privately owned land, e.g. it cannot be sold or otherwise disposed of.

CSU has now expressed its support for the project and willingness to be involved including making available its astronomical equipment for the project. Whilst more formal legal agreements will need to be prepared in due course, as an interim step a non-binding Memorandum of Understanding (MoU) has been prepared as a statement of intent by the Progress Association, Council and CSU to co-operate with each other for the purposes of this project. A copy of the MoU is attached.

Integrated Planning and Reporting Reference

A1 - Provide or partner to provide cultural and sporting participation opportunities.

B2 - Create a thriving tourism economy in Lockhart Shire.

B2 - Develop partnerships that support our tourism industry.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

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

Attachments

1. Memorandum of Understanding – Charles Sturt University, Lockhart Shire Council and The Rock Progress Association.

**Recommendation:** That Council enter into the Memorandum of Understanding with Charles Sturt University and The Rock Progress Association for the purposes of The Rock Regional Observatory project.

<b>289/19</b>	<b>RESOLVED</b> on the motion of Crs Douglas and Driscoll that Council enter into the Memorandum of Understanding with Charles Sturt University and The Rock Progress Association for the purposes of The Rock Regional Observatory project.
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**3. INQUIRY INTO SUPPORT FOR DROUGHT AFFECTED COMMUNITIES IN NSW (GM/A30-005)**

Executive Summary

The Legislative Assembly Committee on Investment, Industry and Regional Development is conducting an Inquiry into support for drought affected communities in NSW.

Report

The opportunity exists to make a submission to the Inquiry. The closing date for submissions is 29 November 2019.

The Terms of Reference for the Inquiry are set out below:

*“The Committee on Investment, Industry and Regional Development inquire into and report on the impacts of drought on regional NSW and identify potential government action with particular reference to regional businesses, economies and communities including:*

- a) population loss and loss of key trades, skills and businesses, and community services such as schools and medical services;*
- b) business debt finance and responses of financial companies to the impact of drought;*
- c) direct and indirect impacts of drought on businesses and industries;*
- d) transition and recovery from drought when drought conditions begin to improve;*
- e) preparedness for future drought events;*
- f) assessment of current Government programs;*
- g) temporary relief from state taxes, charges and levies for drought affected businesses;*

- h) capacity and coordination of town water supplies and further recycling opportunities;  
and
- i) any other related matter.”

In announcing the Inquiry, Chair of the Committee and member for Albury, Justin Clancy MP, stated that the Committee wants to ensure communities are not only supported during drought conditions, but also as they transition to recovery when conditions improve. He said that *“we will be looking at how drought impacts on businesses, industries and communities, what support is currently available in NSW, and what is needed”*.

Integrated Planning and Reporting Reference

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

A2 - Lobby government, business and service providers to provide accessible services to meet the needs of the community.

B1 - Strive to assist development of strong farming businesses.

Legislative Policy and Planning Implications

The Committee on Investment, Industry and Regional Development is a current standing committee of the NSW Legislative Assembly, established on 18 June 2019.

The Committee has the following portfolio responsibilities: Premier; Treasury; Public Service and Employee Relations; Finance and Small Business; Jobs, Investment, Tourism and Western Sydney; Sport; Innovation and Better Regulation; Regional New South Wales, Industry and Trade; Water and Property; Small Business; Agriculture and Western New South Wales; and the Arts.

The Committee can scrutinise laws and look at the financial performance and annual reports of government departments.

Budget and Financial Aspects

Nil.

Attachments

Nil.

**Recommendation:** That Council identify any issues it wishes to raise in a submission to the Legislative Assembly Committee on Investment, Industry and Regional Development’s Inquiry into support for drought affected communities in NSW.

<b>290/19</b>	<b>RESOLVED</b> on the motion of Crs Rockliff and Marston that Council identify any issues it wishes to raise in a submission to the Legislative Assembly Committee on Investment, Industry and Regional Development’s Inquiry into support for drought affected communities in NSW.
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4. UPGRADE CRICKET WICKETS IN THE LOCKHART SHIRE

(DCCS/C70-035)

Executive Summary

Council has been approached to provide a financial contribution to the upgrade of two cricket wickets in the Shire.

Report

In July 2018 Council was contacted by Cricket Albury Wodonga regarding a letter of support for a grant application to upgrade a number of cricket wickets in the local government areas (LGA) in the Southern Riverina. For the Lockhart LGA it was proposed to upgrade the wickets at the Osborne Recreation Ground and the Lockhart Recreational Ground.

The grant application is to replace the existing concrete wickets with new Cricket Australia (CA) recommended wickets which will incorporate the new CA endorsed artificial bi-directional synthetic grass 9mm test quality. It is noted that some of the wickets are over 20 years old and upgrading the wickets will result in more balls in play for junior cricketers (male and female) and enhance safety for the batsmen, bowlers and fielders (male and female junior and senior).

The proposal to submit the grant application and Council's contribution, if successful, was raised at the budget workshop in April this year.

In the event of the grant application being successful it is noted that the upgrade of the two wickets situated in the Lockhart Shire Council area is proposed to occur in the next two financial years, i.e. Osborne in 2019/20 and the Lockhart wicket in 2020/21.

The grant application was successful, and the Osborne wicket has been installed and completed.

Integrated Planning and Reporting Reference

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

A2 - Plan, develop and maintain facilities, parks and gardens that respond to the needs of the community.

Legislative Policy and Planning Implications

Pursuant to section 356 of the Local Government Act a 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 and Financial Aspects

The cost to upgrade each wicket is estimated at \$15,000 per wicket. Each LGA is being requested to contribute \$3,750.00 plus GST per wicket, being 25% to each wicket upgrade.

Attachments

Nil.

**Recommendation:** That Council:

- a) Approve a contribution of \$3750.00 (ex GST) for the upgrade to the Osborne cricket wicket from S356 Contributions 2019-20 allocation.
- b) Approve a contribution of \$3750.00 (ex GST) for the upgrade to the Lockhart cricket wicket to be funded from S356 Contributions 2020-21 budget allocation.

<b>291/19</b>	<b>RESOLVED</b> on the motion of Crs Douglas and Walker that Council: <ol style="list-style-type: none"><li>a) Approve a contribution of \$3750.00 (ex GST) for the upgrade to the Osborne cricket wicket from S356 Contributions 2019-20 allocation.</li><li>b) Approve a contribution of \$3750.00 (ex GST) for the upgrade to the Lockhart cricket wicket to be funded from S356 Contributions 2020-21 budget allocation.</li></ol>
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5. COUNCIL BUILDINGS – DENTIST AND LOCKHART MUSEUM

(DCCS/I13-005)

Executive Summary

There are two Council buildings, the dentist premises at 85 Green St, Lockhart and the Lockhart Museum, require repairs and maintenance to be funded.

Report

Council buildings as detailed above require asbestos to be removed and other repairs and maintenance.

**Dentist Building**

As part of the project to repair and paint a number of the shop fronts in the main street of Lockhart under the Heritage Near Me Local Heritage Strategic Projects grant fund the Dentist building is one of those buildings. However, before the painting could be done the building needs some well overdue repairs and maintenance. The fins on the Matthews street facade need replacing and being rather unique it has been challenging and timely getting quotes to replace them. In this process it was unearthed that the fins and fascia of the dentist building contain asbestos.

Below is a table summary of works involved and the funding of those works:

<b>Works</b>	
Replace fins	\$ 18,920.00
Remove asbestos	\$ 8,000.00
Re-sheet fascia etc	\$ 8,000.00
Painting	\$ 5,000.00
	<u>\$ 39,920.00</u>

<b>Funding</b>	
Heritage Near Me Local Heritage Strategic Projects	\$ 8,000.00
Offices & Leases R&M 5664-2330	\$ 3,000.00
Internal Reserves - Buildings	\$ 28,920.00
	<u>\$ 39,920.00</u>

**Lockhart Museum**

The original Doris Golder Gallery building at 39 Urana Street is one of the buildings to be painted also under the Heritage Near Me Local Heritage Strategic Projects.

Works required is removing asbestos cement sheeting from fascia, awning and parapet. Then replace sheeting, paint and install new signage.

Below is a table summary of works involved and the funding of those works:

<b>Works</b>	
Remove asbestos	\$ 1,500.00
Re-sheet fascia	\$ 3,200.00
Painting	\$ 3,200.00
New signage	\$ 1,500.00
	<u>\$ 9,400.00</u>

<b>Funding</b>	
Heritage Near Me Local Heritage Strategic Projects	\$ 3,200.00
Lockhart & District Historical Society	\$ 2,000.00
Internal Reserves - Buildings	\$ 4,200.00
	<u>\$ 9,400.00</u>

With the rationalisation of Internal Reserves as reported to Council and adopted at its June 2018 meeting, there is now one Internal Reserve for buildings. The aim was to provide greater flexibility for Council to direct funding to those buildings as and when required to maintain Council's buildings.

In the 2018-19 financial year Council's repairs and maintenance budget allocation was under budget by approximately \$19,000 which was transferred to Internal Reserves for buildings.

Integrated Planning and Reporting Reference

A3 - A Connected and Resilient Community.

E1 - Plan for the long-term sustainability of the Shire.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

As detailed in the report, there is a total of \$49,320.00 of works being undertaken. Council is seeking that \$33,120.00 of these works be funded from Council's Internal Reserves – Buildings.

This will bring the balance of buildings internal reserve to \$100,880.00.

Below is a table summary of the combined works involved and the funding of those works:

Total cost of works	\$ 49,320.00
Heritage Near Me Local Heritage Strategic Projects	\$ 11,200.00
Offices & Leases R&M 5664-2330	\$ 3,000.00
Lockhart & District Historical Society	\$ 2,000.00
Internal Reserves - Buildings	\$ 33,120.00
	\$ 49,320.00

Attachments

Nil.

**Recommendation:** That Council approve part funding of works as detailed in the report to the Lockhart Museum building at 39 Urana St and the dentist building at 85 Green St Lockhart from Internal Reserves for Buildings for the amount of \$33,120.00.

<b>292/19</b>	<b>RESOLVED</b> on the motion of Crs Day and Driscoll that Council approve part funding of works as detailed in the report to the Lockhart Museum building at 39 Urana St and the dentist building at 85 Green St Lockhart from Internal Reserves for Buildings for the amount of \$33,120.00.
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**STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy**

Nil.

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

### 6. BIOSECURITY AND ENVIRONMENTAL REPORT

(DEES/N10-025)

#### Executive Summary

Monthly report on priority weeds and environmental matters.

#### Report

#### **Weeds**

##### ***Property Inspections***

Inspections were carried out on both rural and residential properties, which were selected due to a change of ownership, or to assess the implementation of control measures.

The weeds most commonly found were Bridal Creeper (*Asparagus asparagoides*), Privet (*Ligustrum* sp.), Asparagus weed (*Asparagus* sp.), Sweet briar (*Rosa rubiginosa*), Horehound (*Marrubium vulgare*), Wild radish (*Raphanus raphanistrum*), Prickly pear (*Opuntia* sp.) and Giant reed (*Arundo donax*).

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
3	1	10	0	0	0	0

##### ***Control Program***

Priority has been given to the control of Spiny burrgrass (*Cenchrus spinifex*), St John's wort (*Hypericum perforatum*), Wild radish (*Raphanus raphanistrum*), Bridal creeper (*Asparagus asparagoides*), and Horehound (*Marrubium vulgare*) on roadside reserves.

##### ***Riverina LLS Regional Weeds Committee Meeting***

Council's Environmental Officer attended the Riverina Local Lands Service (LLS) Regional Weeds Committee Meeting, held on 3 September, in Narrandera.

A representative from Roads and Maritime Services (RMS) attended as a guest speaker, discussing the roles and responsibilities of weed control under the Biosecurity Act, and improvements in correspondence between RMS and local control authorities regarding the control of priority weeds and traffic control.

The development of the next Weeds Action Program for 2020-2025 was also discussed in detail, yet the guidelines have not been finalised by the NSW Department of Primary Industries to enable local control authorities to initiate planning.

The discovery of Serrated tussock (*Nassella trichotoma*) within two neighbouring shires is also of great concern, being found in both the Wagga Wagga City Council and the Junee Shire Council.

##### ***drumMUSTER***

Two successful collection events occurred in the Shire. St Joseph's School managed the collection event held on 10 September at Lockhart, inspecting 4816 drums, resulting in a fundraising total of \$1324.40. The Rock collection event, held on 12 September, was managed by The Rock Men's Shed. These volunteers inspected 3291 drums, raising \$822.75 for The Rock Men's Shed. The next collection will occur in March 2020.

##### ***Henty Machinery Field Days***

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

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

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

#### **Pests**

##### ***Common White Snail Baiting Program***

Snail baiting application occurred on Fairview Lane on 19 September.

##### Integrated Planning and Reporting Reference

C2 – Flora and fauna are protected across the Shire.

C2.1 – Increase the amount of native flora, fauna and protect threatened species.

C2.2 – Decreased occurrence, spread and impact of weeds and pests throughout the Shire.

##### Legislative Policy and Planning Implications

Weed inspections and associated activities are carried out in accordance with the Biosecurity Act 2015 and associated regulations.

##### Budget and Financial Aspects

Will be conducted within Council's allocated budget.

##### Attachments

Nil.

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

<b>293/19</b> <b>RESOLVED</b> on the motion of Crs Sharp and Douglas that the information be noted.
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## **7. IPART REVIEW OF LOCAL GOVERNMENT COMPLIANCE AND ENFORCEMENT (GM/I05-005)**

### Executive Summary

The Final Report of the Independent Pricing and Regulatory Tribunal's (IPART) Review of local government compliance and enforcement has been released. Submissions are being invited by the Office of Local Government (OLG) in relation to IPART's recommendations and will be received up until 15 November 2019.

### Report

This is the last of a series of IPART reports recently released for consultation. At the September 2019 Council meeting a report was tabled regarding IPART's review of the compliance and reporting burdens placed on local government. Whereas that review focused on matters that councils were required to comply with and the burden of compliance, this report focuses on the role of councils in regulating activity and enforcing compliance within their respective local government area, e.g. planning and building regulation, dog control, environmental control, food safety, swimming pool fencing, etc.

The Terms of Reference issued by the NSW Government required IPART to examine local government compliance and enforcement activity, including regulatory powers conferred or delegated under NSW legislation, and provide recommendations to reduce regulatory burdens for business and the community. The Government had set a target of \$750 million in reduced red tape costs for business and the community and to help achieve that target engaged IPART to undertake this review.

In undertaking the review IPART found that councils have 121 regulatory functions, involving 309 separate regulatory roles, emanating from 67 State Acts, which are administered by approximately 31 State agencies.

According to IPART, the recommendations contained in its final report are expected to:

- Reduce red tape to business and individuals by at least \$177.7 million per year;
- Save councils an estimated \$41.9 million per year;
- Save the NSW Government an estimated \$1.3 million per year; and
- Provide an estimated \$220 million per year in net benefits to the community of NSW.

Whilst the IPART report has only now been released for consultation purposes, the report was finalised and delivered to the Government in 2014 and therefore the above estimates would now be somewhat out of date. Also, as Council will be aware, since that time more regulatory functions have been conferred on local government, most notably the regulation of underground petroleum storage tanks.

In general, IPART's recommendations relate to improving the existing regulations currently in force and preventing the imposition of new regulations which do not result in a net benefit to NSW.

An extract of the report summarising IPART's recommendations and findings is attached. Whilst most of the recommended changes and potential savings relate to councils' planning and building regulatory functions, Council's attention is also drawn to Recommendation No. 30 (Swimming Pools Act 1992) and Finding No. 16 (onsite sewerage management systems) which have relevance to Council.

#### Integrated Planning and Reporting Reference

C1 - Ensure responsible development practices are exercised.

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

#### Legislative Policy and Planning Implications

The IPART review of local government compliance and enforcement is one of a number of reviews undertaken by IPART in recent times and forms part of a broader local government reform program that commenced some years ago and included work undertaken by the Independent Local Government Review Panel.

#### Budget and Financial Aspects

According to IPART its recommendations, if implemented, could save councils an estimated \$41.9 million per year.

#### Attachments

1. List of recommendations and findings - IPART Final Report on the review of local government compliance and enforcement.

**Recommendation:** That Council make a submission to the Office of Local Government supporting the recommendations of the IPART review of local government compliance and enforcement.

<b>294/19</b>	<b>RESOLVED</b> on the motion of Crs Day and Sharp that Council make a submission to the Office of Local Government supporting the recommendations of the IPART review of local government compliance and enforcement.
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**8. FOGO PROCESSING FACILITY AND COLLECTION**

**(MES/W05-050)**

Executive Summary

Establishment of an organics processing facility at the Lockhart landfill, in preparation for the rollout of a Food and Garden Organics kerbside collection service for Shire residents.

Report

At the ordinary meeting of Council in September 2019, an update was provided on the status of implementation of the upcoming Food Organics and Garden Organics (FOGO) kerbside collection, scheduled to commence on 1 April 2020.

More information was requested at the meeting regarding the implication on status and operations of existing landfill sites, particularly Lockhart, where an organics processing facility is proposed to be established. Indeed, one of the main aims of introducing a Food Organics and Garden Organics (FOGO) kerbside collection is to achieve a reduction in volume of waste to landfill.

Based on the 2018-19 annual waste reports for the Shire, Council receive approximately 240 tonne of self-haul greenwaste across the four operating landfill sites, with much of this material segregated and shredded, generally for re-use as bark chip around each landfill for landscaping. Meanwhile, a large volume of greenwaste is sent to landfill via the general waste bin collected as part of the kerbside collection service, and it is therefore contaminated with putrescible waste. This material is sent straight to the cell and buried, with poor environmental consequences. As part of the FOGO kerbside collection service, residents are supplied with a bin, collected weekly from their kerbside, for the segregation and collection of food and garden organics waste. The FOGO service not only eliminates the need for residents to self-haul greenwaste, but also provides an avenue for greenwaste to be kept separate from putrescible waste, thereby capturing a cleaner organic product, which can be re-used, rather than treated as 'waste'.

Currently, there are approximately 1084 households/premises that will be able to use the FOGO collection service. Using averages from domestic kerbside waste and recycling audit in NSW (2011), it is estimated that garden waste collected via the FOGO bin will start and remain constant at 8.1kg/week/household, equating to 456 tonnes per annum. Following integration of food into the organics collection bin, it is estimated a total of 633 tonnes per annum of FOGO material will be diverted from landfill. It may take 1-2 years to achieve this optimal level of diversion, and will only be achieved with a thorough and ongoing education campaign. It is anticipated that this material will be composted on site, and will be mixed with approximately 120 tonnes of self-haul greenwaste which will continue to be transported from Council's other landfills, coming to 750 tonnes in total.

By applying a NSW EPA approved composting method, FOGO material will break down and reduce in volume. Using the Coolamon Shire FOGO and Composting Case Study, the input to output ratio of 100 tonnes of incoming organics reduces to 45 tonnes of compost and mulch produces. As such, it is estimated that after 2 years of operation approximately 660 tonnes of compost will be generated. Currently, Council use approximately 245 tonnes of organic mulch and compost per year to support new and existing public facilities. Any surplus product will be sold back to the general public via the resource recovery and re-use shop which currently operates from the Lockhart waste facility (adjacent to the Lockhart Community Recycling Centre). Council staff have been conducting composting trials with existing greenwaste stockpiles at the Lockhart site for many years, and with positive results. The composted material produced is high in carbon value, and the nutrient value will be further improved with the integration of food waste.

Council has applied for funding under the NSW Environmental Trust Waste Less Recycle More Organics Infrastructure grants program, (in partnership with the NSW Environment Protection Authority) for the establishment of the organics processing facility at Lockhart. If funded, works will not only help establish the organics processing facility, but will also generate improvements to the existing landfill site, particularly with respect to leachate and stormwater management. These improvements will further assist Council in working towards operating a small, unlicensed landfill at the industry standard expected of a licensed site. In the event that Council are unsuccessful for funding, Coolamon Shire Council have agreed to accept and process the FOGO material, until such time that the Lockhart organics processing facility can be established.



Establishment of the organics processing facility requires development consent, and Council's Manager Environmental Services is in the process of pulling together all required information. NSW EPA are the licensing authority with respect to organics processing sites such as that proposed, and the development application is therefore deemed integrated development.

Integrated Planning and Reporting Reference

C1 - Our environmental practices are sustainable.

Legislative Policy and Planning Implications

Waste management and associated services are regulated by the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 2014.

Budget and Financial Aspects

Council has applied for funding under the NSW Environmental Trust Waste Less Recycle More Organics Infrastructure grants program, (in partnership with the NSW Environment Protection Authority). Establishment of the organics processing facility will form part of the activities funded by the grant.

Attachments

Nil.

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

<b>295/19</b> <b>RESOLVED</b> on the motion of Crs Walker and Sharp that the information be noted.
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## **STRATEGIC DIRECTION D: Infrastructure for the Long Term Needs of the Community**

### **9. ENGINEERING REPORT**

(A/DEES/T10-005)

#### Executive Summary

Monthly report on engineering matters.

#### Background Information

- (a) *Works Report:* Grader crews are undertaking maintenance grading and gravel re-sheets in accordance with the new 12-month programme. Work has commenced on the Urana Lockhart Road widening project and is progressing as planned. Western Road widening is scheduled to commence in November 2019. Traffic delays should be expected on all the construction jobs once commenced.

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

Concrete crew is continuing with the last stage of the HML bridges project being the triple culvert system on Henty Pleasant Hills Road. It is anticipated that the project will be completed by end of October 2019. Once completed the crew will then undertake culvert works as part of the Flood Detour Road upgrade. This will then be followed by causeway replacement of Lockhart The Rock Road and Bullenbung Road, then major culvert replacement on Grubben Road. All culverts have been ordered and due to be delivered to site in the coming months.

- (b) *Flood Mitigation:* Refer to Major Projects update.
- (c) *Road Safety Officer:* The Road Safety Officer is continuing with the safety audit of all roads within the Shire. The audit will form the basis of Council's Strategic Road Safety Plan and will be used for grant applications in the future.
- (d) *Traffic Committee:* Nil to report.
- (e) *Lockhart Local Emergency Management Committee:* Next LEMC meeting is scheduled for February 2020.
- (f) *Fleet:* Orders have been placed for all the plant replacement in accordance with the adopted 2019/20 budget. The first of the new vehicles has been delivered along with the new water tanker. The remaining vehicles and truck body modifications are due to be delivered in the next few months and the heavy plant in early 2020.

#### Legislative Policy and Planning Implications

Nil.

#### Integrated Planning and Reporting Reference

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

#### Budget and Financial Aspects

Will be conducted within Council's allocated budget.

#### Attachment

1. New 12-month Works Programme (to be handed out separately at the meeting).

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

<b>296/19</b> <b>RESOLVED</b> on the motion of Crs Rockliff and Walker that the information be noted.
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**10. MAJOR PROJECTS UPDATE – OCTOBER 2019**

**(DEES/T10-005)**

Executive Summary

Update on Council's current major projects.

Report

Council is currently undertaking a number of major projects and the status of each of these is as follows:

- (a) *Swimming Pools Upgrade*: The Rock pool upgrade works continues to progress very well with the contractor now removing equipment from site and due to fill the new pools in the coming weeks. Council staff have ordered all materials required and have commenced installation works and as well as the new fencing. It is anticipated that the works will be fully completed by mid-October 2019, with opening date set for Saturday 26 October 2019.
- (b) *Demolition of Voluntary Purchase Properties*: Council has been successful with its grant application to continue the Voluntary Purchase of properties in Lockhart for the next three years, commencing 1 July 2019. Council has secured another property and have signed contracts for the purchase, with settlement due late October 2019. Demolition works will occur in early 2020.
- (c) *Flood Mitigation Construction-Lockhart*: Council has been successful with the grant application for Stage 2 flood mitigation works in Lockhart, being the drainage system east of the Industrial Park. Council has engaged Mitchell Constructions (NSW) P/L to undertake the project, who have now completed the main drain component of the project. The new culverts have been delivered to the Albury Road site & installation has commenced. A side-track has been put in place and some delays are expected. Once these works are completed the contractor will be moving to the Lockhart The Rock Road site to commence the installation of the new culverts. Staff are continuing to work with John Holland Rail regarding finalising the approval for the culverts under the branch line, along with the culverts as part of the Flood Detour Road upgrade. This project is expected to be completed prior to Christmas 2019.
- (d) *Flood Mitigation Construction-The Rock*: A grant application has been submitted for Stage 2 flood mitigation works at The Rock, being the drainage works along Nicholas, Yerong and Urana Streets. It is not anticipated to hear any outcome on this application until late 2019.
- (e) *Playground – The Rock Recreation Ground*: Council has been successful in gaining \$75,000 from the NSW Government's 'Everyone Can Play' grant, with Council also contributing \$75,000 to the project. The playspace has been designed and approved for the grant funding body. The location is set to be near the netball courts at the current entrance to the Recreation Ground, with a new entrance to be constructed to the east as part of the swimming pool upgrade works along Wilson Street. Works are expected to commence in November 2019 and completed in February 2020.

Council has also been successful in gaining a further \$25,000 funding for the project from the Federal Government's Community Development Grant programme. The funding agreement has been finalised and signed by Council.

- (g) *Lockhart Renewable Energy Project*: Council has also been successful in gaining \$1M funding from the Federal Government's Community Development Grant programme to undertake Stage 1 of the project. Stage 1 entails the detailed design, financial modelling, DA applications, and connection agreements with Essential Energy. It is proposed that the project proponent will be in attendance at the October Council meeting to provide an update.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Nil.

#### Budget & Financial Aspects

- (i) Pools – total refurbishment costs estimated to be \$4.7M for both pools
- (ii) VP Demolition – The purchase and demolition of properties over the next three years is anticipated to cost \$930,000 with the NSW Government to fund \$797,000.
- (iii) Flood Mitigation Construction - Funding for Stage 2 at Lockhart is \$741,612 with total project value of \$1,031,662. Stage 2 at The Rock total project value is \$1.0M.
- (iv) Playground at The Rock Recreation Ground budget is \$175,000 with the addition of \$25,000 from the Federal Government.
- (iv) Stage 1 of the Lockhart Renewable Energy project is \$1M, with the overall project budget being approximately \$30M.

#### Attachments

Nil.

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

<b>297/19</b> <b>RESOLVED</b> on the motion of Crs Walker and Driscoll that the information be noted.
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## 11. **PARKS AND GARDENS REPORT**

**(DEES/P10-005)**

### Executive Summary

Monthly report on parks and gardens.

### Report

#### **The Rock Pool**

The new playground equipment has been installed by suppliers; Council staff have spread bark softfall and are fitting edging to retain it.

The new irrigation system has also been installed and turf laid.

#### **Inclusive Playground**

\$75000 has been granted to Council from the NSW Govt. Everyone Can Play initiative to partially fund a new playground for The Rock. Council's financial commitment to this project will be included in the 2019/20 budget. Council representatives met with community groups and interested parties recently to discuss location, equipment and creative ideas. The revised plan has been accepted by the focus group and grant administrators. Quotes have been sorted and received to supply and install playground equipment. The successful company will then work with Council on the final design details.

Inclusive playspaces consider as many needs as possible. Playspaces should be welcoming and comfortable, easy to navigate and interesting. They should offer a range of physical challenges, a variety of landscape settings and provide opportunities to connect with others.

The new playground will be installed at The Rock Recreation ground and will follow the design principles to create a playspace for everyone, regardless of age, ability (both physical and mental) or cultural background.

#### **Trees**

Watering of street trees planted in the last two years has recommenced.

#### **Mowing and Slashing**

The spring mowing schedule has focused on prominent areas for upcoming events in and around the Shire including; Henty Field Days, the Picolight Fly-in, Lockhart Show, Spirit of the Land Festival and Lockhart Picnic Races.

Fortnightly mowing and edging will be scheduled for most irrigated areas during the growth season.

#### **Weed Control**

Regular weed control is being conducted on Council property including hand spraying and weeding of gardens. Spraying lawns for broadleaf weeds especially clover is being conducted.

### **Parks and Gardens**

Irrigation systems are being checked and adjusted. Running times will be increased as weather warms up.

Routine garden maintenance is being conducted including regular weeding, spraying, pruning and mulching.

### **General Maintenance**

Regular duties include inspections of parks and public facilities to remove litter, clean BBQ's, check for damage or vandalism, clear footpaths and empty public and roadside bins. Most areas undergo inspections twice per week, including Galore Hill, where crews also clean and check the toilet facilities. Contract cleaners attend to the public toilet facilities in Lockhart, The Rock and Yerong Creek. Playgrounds in the Shire are being inspected regularly as per Australian Standards, with any maintenance being noted and completed as necessary.

### Integrated Planning and Reporting Reference

D1 – Infrastructure that facilitates an active community.

### Legislative Policy and Planning Implications

Nil.

### Budget and Financial Aspects

Will be conducted within Council's allocated budget.

### Attachments

Nil.

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

<b>298/19</b>	<b>RESOLVED</b> on the motion of Crs Rockliff and Day that the information be noted.
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**Cr Driscoll declared a pecuniary interest in the following item and vacated the Chambers for its duration.**

## **12. DEVELOPMENT APPLICATIONS**

**(MES/P25-010)**

### Executive Summary

Monthly report on development applications approved by the Council.

### Report

The following development applications were approved, with conditions, from 1 September to 30 September 2019.

<b>DA No</b>	<b>Development</b>	<b>Applicant/Owner</b>	<b>Site of Development</b>
7/20	Subdivision	TJ Hinchcliff & Associates	109 Urana St, The Rock
9/20	Steel framed carport	Jarrold Higginson	93 King St, The Rock

### Integrated Planning & Reporting Reference

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

### Legislative Policy and Planning Implications

Applications are processed under the provisions of the Environmental Planning & Assessment Act 1979.

### Budget and Financial Aspects

Nil.

Attachments

Nil.

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

<b>299/19</b>	<b>RESOLVED</b> on the motion of Crs Walker and Marston that the information be noted.
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**13. VARIATION TO DEVELOPMENT CONTROL PLAN DA13-20**

**(MES/P25-010)**

Executive Summary

Council have received an application for development involving the construction of a new colorbond shed at 3 Drummond Street, Lockhart NSW. The proposed development is inconsistent with the Lockhart Development Control Plan 2016 and therefore presented for Council's consideration.

Report

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

As part of this application, the developer proposes a shed height of 3.6m to the gutter (0.5m higher than what the DCP permits), with an overall shed height of 0.3m greater than the DCP. A written statement from the applicant confirms that the increased shed height will allow for storage of a caravan (among other things). The shed is proposed to be set back in the rear yard, only 3 metres from the rear access lane and 3 metres from the eastern property boundary.

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

**Streetscape**

The site of development is at the end of a cul-de-sac, is predominantly residential, and with frontage to Drummond Street. Being located in the rear yard, the proposed building will be easily visible from East street, which is a main traffic thoroughfare for traffic. The land is also serviced by rear lane access, to which the applicant intends to make full use by providing vehicular access into the proposed building. The Drummond Street road reserve is wide and open, and there is ample screening from street trees and established gardens.

**Precedence**

In September 2018, Council granted a request for variation to shed height restrictions on the adjoining allotment at 7 Drummond Street, Lockhart, to allow the applicant to store a caravan and personal belongings. Sheds on all other allotments comply with the height restrictions set by the Council DCP.

**Objectives of the control requirements**

With the taller walls and low-pitched roof design, the proposed new shed is, at its highest point, 0.3m higher than what the DCP permits. The building will be of a low-reflective, pre-finished material which is consistent in design with all other shed buildings in the locality. Once, constructed, noise issues are unlikely as the building is for storage, and existing services remain unaffected.

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

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

The development as proposed requires a variation to Council's Development Control Plan 2016.

Budget and Financial Aspects

Nil.

Attachments

1. Letter from applicant.
2. Elevation plans.
3. Photographs of proposed site.

**Recommendation:** That Council grant consent for a variation to the Lockhart DCP, thereby permitting an increased building height for a proposed new shed at 3 Drummond Street, Lockhart.

**300/19**

**RESOLVED** on the motion of Crs Douglas and Day that Council grant consent for a variation to the Lockhart DCP, thereby permitting an increased building height for a proposed new shed at 3 Drummond Street, Lockhart.

The decision was unanimous.

## **STRATEGIC DIRECTION E: Strong Leadership and Governance**

### 14. INVESTMENT AND BANK BALANCES REPORT – 30 SEPTEMBER 2019 (DCCS/F10-010)

#### Executive Summary

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) Regulations 2005 and Section 625 of the Local Government Act 1993 to provide the Council with a written report each month detailing all money that Council has invested.

#### Cash at Bank

<b>Opening Combined Cashbook Balance</b>		1,637,286.24
Add: Total Receipts		
	Rates	245,655.25
	Debtors	462,741.40
	Interest	15,946.03
	Redeemed Investment	500,000.00
	June BAS Refund	5,287.00
	Miscellaneous	42,235.44
	Grants:	
	Milbrulong Road - 18-19 FM-038	116,550.19
	Stage 1 Better Energy Technology	100,000.00
	Sale of Carson Road	96,213.72
	Traineeship Incentive	1,500.00
		1,586,129.03
Less: Total Payments		1,747,091.59
	New Investments	500,000.00
	1490-3015-0001	500,000.00
<b>Closing Combined Cashbook Balance</b>		<b><u>1,476,323.68</u></b>
<b>Closing Bank Statement Balance</b>		
	Bendigo Bank	438,567.07
	Macquarie Bank	1,003,102.76
	Bendigo Bank-Prichard Trust	31,659.34
		1,473,329.17
Add: Outstanding Deposits		8,332.47
		1,481,661.64
Less: Outstanding Cheques		6,337.96
<b>Closing Combined Cashbook Balance</b>		<b><u>1,475,323.68</u></b>

Investments:	Interest Rate per Annum	Amount Invested	% of Total
AMP RIM	1.90	250,000.00	3.76
AMP/RIM	1.65	500,000.00	7.52
Bankwest	1.50	500,000.00	7.52
Bankwest	1.65	400,000.00	6.02
Bankwest	at call	500,000.00	7.52
BENDIGO	1.95	250,000.00	3.76
BENDIGO	1.75	100,000.00	1.50
BENDIGO	1.75	250,000.00	3.76
Bendigo	1.65	500,000.00	7.52
Bendigo	1.65	400,000.00	6.02
BENDIGO	1.70	500,000.00	7.52
NAB	1.72	500,000.00	7.52
NAB	1.72	500,000.00	7.52
NAB	1.72	500,000.00	7.52
T Corp	at call	1,000,000.00	15.04
		<b><u>6,650,000.00</u></b>	100.00

#### **General Ledger Balances as at Month End**

FUND		AMOUNT
General (PTD)	1490-3000-0000	1,148,030.36
Combined Sewerage	8490-3000-0000	295,633.98
Trust Fund	9991-3000-0000	31,659.34
		<b><u>1,475,323.68</u></b>
<b>TOTAL FUNDS HELD ARE:</b>		<b><u>8,125,323.68</u></b>



Integrated Planning and Reporting Reference

E1 - Council is strong, sustainable and able to stand alone.

E1 - Plan for the long-term sustainability of the Shire.

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

Legislative Policy and Planning Implications

Local Government Act 1993 Section 625 Investments.

Local Government (General) Regulation Clause 212.

Budget and Financial Aspects

Council's 2019/20 Operational Budget has forecast a total of \$165,000 income from interest on investments, being split between General Fund of \$145,000 and Sewer Fund of \$20,000. For the months of July 2019 to September 2019, the average end of month balance of funds invested has been \$6.75 million and the average return on invested funds has been 1.93%. On these year to date figures, Council's budgeted income on investments is **NOT** forecast to be achieved for the General Fund and Sewer Fund. This will be reviewed at the first Quarterly Budget Review and adjusted if required.

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 the Local Government (General) Regulations and Council's Investment Policy. The Internal and External Reserve amounts and Unrestricted Funds are estimate values only, they are subject to change and review in part with the annual audit of Council's Financial Statements and each Quarterly Budget Review.

**Recommendation:** That:

- a) The September 2019 Investment and Bank Balances Report be received and noted.
- b) The Responsible Accounting Officer Statement be noted, and the report be adopted.

**301/19**

**RESOLVED** on the motion of Crs Rockliff and Sharp that:

- a) The September 2019 Investment and Bank Balances Report be received and noted.
- b) The Responsible Accounting Officer Statement be noted, and the report be adopted.

**15. AUDITED FINANCIAL STATEMENTS – 2018/2019**

**(DCCS/A45-010)**

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 2018-19 financial year.

Report

The Local Government Act (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 to this effect. The proposed Statements by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements are to be signed after being adopted at Council's meeting on Monday 21 October 2019.

Council applied to the Office of Local Government (OLG) for an extension of time to lodge its 2018-19 Audited Financial Statement, normally due on 31 October 2019. Council's request was granted, and Council has until 31 December 2019. This extension is only for the lodgement of Council's 2018-19 Audited Financial Statement and does not apply to Council's Annual Report timeline. The 2018-19 financials that will be included in Council's Annual Report will most likely be watermarked as "Draft" or "Unaudited", depending on the status of Council's Financial Statements audit at the time of the Annual Report being finalised.

Having regard to the legislative requirements that the date fixed for the Council meeting to present its audited financial reports must be not more than 5 weeks after the auditor's reports are given to the Council. Council has held discussions with its external auditors, Crowe Australasia as appointed under contract by the Audit Office of NSW, who have had experience with similar situations in the past with other client councils. The following timeline has been agreed with the external auditors:

21 October 2019 Ordinary meeting of Council	In accordance with section 413 of the Act the 2018-19 Financial Statements are presented for the purposes of obtaining a statement in the approved form by the Council as to its opinion on the general purpose financial report.
22 October 2019	Draft financial Statements are referred to external auditors.
28 October 2019	Audit commences and includes on-site audit during 29 to 31 October 2019.
18 November 2019 Ordinary meeting of Council	Draft Annual Report is presented to Council for adoption. The Annual Report will include a copy of the unaudited financial statements endorsed by Council at its meeting held on 21 October 2019.
16 December 2019 Ordinary meeting of Council	Audited financial statements and auditor's reports are presented to the public in accordance with section 418 of the Act.

The above timeline will enable Council's Annual Report to be uploaded to the Council website and forwarded to the Minister by the legislative deadline of 30 November 2019. It will also ensure the presentation of the audited financial statements and auditor's reports to the public will meet the requirements of section 413 of the Act as well as the extended deadline of 31 December 2019 for lodgement of the financial statements to the Office of Local Government.

Integrated Planning and Reporting Reference

E4.2.1a - Continue to develop sound financial management policies and practices that help ensure Council's long term financial sustainability.

Legislative Policy & Planning Implications

Compliance with Section 413 (2c) Local Government Act 1993.

Budget & Financial Aspects

Reporting on Council's performance for 2018-2019 financial year.

Attachments

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 2019
4. Draft General Purpose and Special Purpose Financial Statements:
  - Income Statements
  - Balance Sheet/Financial Position
  - Cash Flow – General Purpose Statements.

**Recommendation:** That:

- a) 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.
- b) The funds as listed in the schedule be reported as internally restricted in Council's accounts as at 30 June 2019.

**302/19**

**RESOLVED** on the motion of Crs Douglas and Walker that:

- a) 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.
- b) The funds as listed in the schedule be reported as internally restricted in Council's accounts as at 30 June 2019.

**16. RETURNS DISCLOSING INTERESTS OF COUNCILLORS AND DESIGNATED PERSONS**

**(GM/LD5)**

Executive Summary

The Register of returns disclosing interests by councillors and designated persons is tabled in accordance with Section 450A of the Local Government Act.

Report

A councillor or designated person holding that position at 30 June in any year must complete and lodge with the general manager within 3 months after that date, i.e. by 30 September, a return in the form prescribed by the regulations. For the purposes of lodging a disclosure of interests return the designated persons include the General Manager, Director Engineering and Environmental Services and Director Corporate and Community Services.

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

The returns lodged by Councillors and designated persons before the legislative deadline of 30 September 2019 have been recorded in the Register and the Register will be tabled at the meeting in accordance with the Local Government Act.

In the meantime, the Office of Local Government (OLG) released Circular No. 19-21 on 26 September 2019 advising that the Information and Privacy Commission (IPC) has finalised and issued, "*Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons*" (Guideline 1).

Guideline 1 states that councillors' and designated persons' returns of interests must be made publicly available free of charge on councils' websites, unless there is an overriding public interest against disclosure of the information contained in them or to do so would impose unreasonable additional costs on the council.

This issue was debated at the Local Government NSW (LGNSW) Annual Conference held on 14-16 October 2019 and the following motion was carried:

*"That LGNSW:*

- 1) Strongly objects to the requirement for Returns of Interest Disclosures being published on any website as proposed by the Information Privacy Commissioner's Guideline;*
- 2) Urges relevant authorities including but not limited to the Office of Local Government/IPC and Ministers to reverse the Information Privacy Commissioner's requirement to publish Returns of Interest Disclosure on any website and ask the Premier to intervene for the protection and safety of councillors and staff."*

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Section 450A provides that the General Manager must maintain a register of returns required to be lodged and that the register must be tabled at the first Council meeting after the last day for lodgement of the returns.

Section 6 of the GIPA Act provides for the mandatory proactive release by NSW public sector agencies (including councils) of open access information. The GIPA Act provides that open access information must be made publicly available free of charge on a website maintained by the agency.

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

Budget and Financial Aspects

Nil.

Attachments

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

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

<b>303/19</b> <b>RESOLVED</b> on the motion of Crs Driscoll and Day that the tabling of the Register of Disclosure of Interests Returns be noted.
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**17. LOCAL GOVERNMENT ELECTIONS UPDATE**

**(GM/E15-020)**

Executive Summary

The purpose of this report is to provide an update regarding the next local government elections scheduled to be held in September 2020 following recent announcements by the Minister for Local Government and the issue of relevant circulars by the Office of Local Government (OLG).

Election Date

The next local government ordinary elections are to be held on 12 September 2020.

Cost of Administering the Election

As reported to the Council meeting held on 15 July 2019, the NSW Government asked the Independent Pricing and Regulatory Tribunal (IPART) to recommend a robust methodology for allocating the costs incurred by the NSW Electoral Commission (NSWEC) in administering local government elections.

Lockhart Shire Council's 2016 election bill for services provided by the NSWEC was \$18,000. It should be noted that there was not a contested election in all three wards which would have contained the costs to this amount.

The indicative bill Council expected to receive for the 2020 elections under the NSWEC's proposal was \$24,000. However, if the recommendations contained in IPART's final report were adopted the indicative bill Council will receive for the 2020 elections is \$34,000, an increase of \$10,000 or 41%.

It appears that the NSW Government has stopped short of adopting the funding model proposed by IPART. The Minister for Local Government has announced that in its response to IPART's review and recommendations it has agreed to meet part of the costs of council elections by funding the NSWEC's core costs. Under the new funding model costs will be allocated as follows:

1. Direct (or marginal) costs – are those costs that would not be incurred if an election was not held, e.g. staffing, ballot paper printing, polling place venue hire, etc. These costs are to be recovered from councils on a direct allocation and per elector basis.

2. Core costs – are defined as head office costs that the NSWEC must incur to maintain its capacity to conduct local government elections, e.g. election security, project management, staff payroll, training, IT system development and maintenance and ongoing voter roll maintenance. These costs are to be funded by the NSW Government.

The NSWEC has recently advised that as a result of the Government's announcement it's now in a position to provide a cost estimate to Council for conducting the 2020 elections. The cost estimate provided to Lockhart Shire is \$41,548. This is even higher than the indicative cost based on the IPART recommendations and prior to the Government's announcement that it will be funding the NSWEC's core costs. Councils across NSW are all reporting significant increases after having received their cost estimate from the NSWEC. LGNSW, in an email to General Managers has advised that;

*"Thanks all for raising this matter – LGNSW is aware of this issue. In the last week a number of councils have contacted LGNSW to advise they have received significantly increased cost estimates from the NSW Electoral Commission (NSWEC) that cannot be explained by CPI increases or population growth.*

*This is surprising given the NSW Government's 18 September commitment to alleviate the costs of local government elections, in light of IPART's review accepting that there was scope for significant efficiency savings from the NSWEC and that the total efficient costs of local government elections should be far lower."*

*This morning, LGNSW raised this matter in a meeting with the Office of the Minister for Local Government. The Minister's staff were very concerned about this as the government's funding contribution was intended to help alleviate cost impacts for councils. LGNSW is certainly continuing to strongly advocate that councils cannot be left out of pocket and we will keep you informed.*

LGNSW has been informed of the specific increases for Lockhart Shire Council. An explanation has also been sought from the NSWEC.

Whilst LGNSW is advocating on behalf of all councils it is considered appropriate that Lockhart Shire Council also make representations through its local member and direct to the Minister for Local Government.

#### Conduct of the Election

At the Council meeting held on 4 February 2019 it was reported that Council was required to resolve by 11 March 2019 either:

- a) To enter into an election arrangement with the NSW Electoral Commissioner (NSWEC) to administer all the council's elections, polls and constitutional referenda; or
- b) That the council's elections are to be administered by the General Manager of the council.

It was further reported that if the council failed to resolve to engage the NSWEC to administer its elections by 11 March 2019 it will not be able to engage the NSWEC to administer the 2020 elections and will be required to administer its own elections. Where a council resolved to enter into an arrangement with the NSWEC the contract with the NSWEC had to be finalised no later than 15 months before the next ordinary election (i.e. by 11 June 2019).

At its February 2019 meeting Council resolved that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council. However, shortly after the resolution was passed the IPART review referred to above was announced and no further action was taken regarding the contractual arrangements with NSWEC pending the finalisation of the IPART review. The previously advised deadline of 11 June 2019 has been extended.

Now that the IPART review has been finalised and the NSW Government has determined its response to the review, councils that have resolved to enter into a contractual arrangement with the NSWEC have until 1 January 2020 to do so. This matter will now be progressed as soon as a cost estimate based on the new funding model is received from the NSWEC.

#### Ward Boundary Review

Under section 211 of the Local Government Act councils that are divided into wards must keep the ward boundaries under review to ensure the difference in elector numbers between wards do not exceed 10%. Where ward boundaries are required to be amended the council must consult the NSWEC and the Australian Statistician as well as prepare and publicly exhibit a plan detailing any proposed alteration. The closing date for notifying the NSWEC of ward boundary changes for the next ordinary elections is 9 December 2019.

The current enrolments in each of the Lockhart Shire Council's wards are as follows:

Ward	Enrolments
A	765
B	804
C	815
Total	2,384

The current enrolments do not vary by more than 10% and therefore there is no legal requirement for Council to amend its ward boundaries.

#### Referendums and Polls

Under section 16 of the Local Government Act a council must obtain the approval of its electors at a constitutional referendum to do either of the following:

- Divide a council area into wards or abolish wards;
- Change the number of councillors;
- Change the method of electing the mayor (by the councillors or by popular vote);
- Change the method of election for councillors where the council's area is divided into wards (by all electors for the area or by all electors for the ward).

Council's Improvement Action Plan (CIAP) developed in response to the Fit for the Future process originally contained a proposal to reduce the number of councillors however this proposal was removed from the CIAP by resolution of Council. Accordingly, there is no need to notify the NSWEC of any constitutional referenda to be held in conjunction with the next local government elections.

#### Integrated Planning and Reporting Reference

E1 - Advocate and prepare for the long-term sustainability of our Shire.

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 operations.

#### Legislative Policy & Planning Implications

Council has until 1 January 2020 to enter into an election arrangement with the NSWEC. Councils have until December to notify the NSWEC of any changes to its ward boundaries, Councils must also advise the NSWEC of any intention to conduct a constitutional referendum in conjunction with the ordinary election.

#### Budget & Financial Aspects

Lockhart Shire Council's 2016 election bill for services provided by the NSWEC was \$18,000. It should be noted that there was not a contested election in all three wards which would have contained the costs to this amount.

Council is transferring to an election reserve an amount of \$6,000 per annum for the elections held every four years and therefore its current budgeting would cover a total cost of \$24,000 for the 2020 elections. A cost estimate is currently awaited from the NSWEC.

#### Attachments

Nil.

**Recommendation:** That Council:

- a) Note that:
- The next ordinary election of Council will be held on Saturday 12 September 2020;
  - Council has until 1 January 2020 to finalise its contractual arrangements with the NSWEC for the conduct of the 2020 council election;
  - The current enrolments in the Council's three wards do not vary by more than 10% and therefore there is no requirement to amend the ward boundaries.
- b) Make representations to the Minister for Local Government regarding the cost estimate provided by the NSWEC for the conduct of the 2020 local government elections.

**304/19**

**RESOLVED** on the motion of Crs Douglas and Walker that Council:

- a) Note that:
- The next ordinary election of Council will be held on Saturday 12 September 2020;
  - Council has until 1 January 2020 to finalise its contractual arrangements with the NSWEC for the conduct of the 2020 council election;
  - The current enrolments in the Council's three wards do not vary by more than 10% and therefore there is no requirement to amend the ward boundaries.
- b) Make representations to the Minister for Local Government regarding the cost estimate provided by the NSWEC for the conduct of the 2020 local government elections.

**18. POLICY 1.4 – CODE OF CONDUCT – MONETARY THRESHOLD FOR GIFTS (GM/C70-025)**

Executive Summary

The Minister for Local Government is inviting comment from councils on the monetary value identified in the Code of Conduct as the cap on the value of gifts that may be accepted by councillors.

Report

The Local Government (General) Regulation may prescribe a Model Code of Conduct applicable to councillors, members of staff and delegates of councils. Council must adopt a code of conduct that incorporates the provisions of the Model Code.

A new Model Code of Conduct was released by the Office of Local Government and prescribed on 14 December 2018 after a Draft Code had previously been released for comment. Council at its meeting held on 4 February 2019 adopted the new Model Code.

The new Model Code of Conduct set for the first time a monetary threshold on the value of gifts that may be accepted by council officials. The Minister for Local Government has now written to all councils in relation to the monetary threshold stating that:

*“The Office of Local Government (OLG) consulted with councils and integrity agencies such as the NSW Ombudsman and the Independent Commission Against Corruption, in setting that threshold at \$50. The threshold now applies uniformly to all council officials including both councillors and council staff.*

*Out of the 95 submissions received in response to the consultation draft of the Model Code of Conduct, only 5 raised concerns about the \$50 cap on the value of gifts that may be accepted by council officials.*

*I have since been approached by a number of mayors and councillors, who have raised concerns with me about the appropriateness of the \$50 cap on the value of gifts that may be accepted by councillors. In particular, it has been suggested that the cap on the value of gifts that may be accepted by councillors should be raised to \$500.*

*I am interested to hear the views of other councils on this matter. In particular, I would be interested to hear councils' views on the following:*

- a) *Whether \$50 is an appropriate monetary value for the cap on the value of gifts that may be accepted by councillors.*
- b) *If the \$50 cap on the value of gifts that may be accepted by councillors is not appropriate, at what value should it be set?*
- c) *If it is suggested that the cap on the value of gifts that may be accepted should be raised, should it be raised uniformly for all council officials, or should it just be raised for councillors and the \$50 cap retained for other council officials such as council staff.*
- d) *If it is suggested that the cap on the value of gifts that may be accepted should be raised for councillors and not for other council officials such as council staff, why does your council believe that councillors should be subject to a different standard than the one that applies to other classes of council officials in relation to the acceptance of gifts."*

Submissions will be received by OLG up until 8 November 2019.

At the time of the Draft Model Code being released for comment Lockhart Shire Council did not make a specific comment in relation to the monetary value of gifts to councillors. However, Council did resolve to make a submission to the effect that councillors should not be held to a higher standard than other elected representatives.

In this regard it is noted that the Code of Conduct for members of the NSW Parliament does not set a monetary threshold. In relation to gifts the Code states as follows; -

"Gifts

- a) Members must declare all gifts and benefits received in connection with their official duties, in accordance with the requirements for the disclosure of pecuniary interests.
- b) Members must not accept gifts that may pose a conflict of interest or which might give the appearance of an attempt to improperly influence the Member in the exercise of his or her duties.
- c) Members may accept political contributions in accordance with part 6 of the *Election Funding Act 1981*."

Whilst the above Code relates to elected representatives, the following guidance is provided to NSW Government departments and agencies in relation to establishing monetary thresholds;

Establish value thresholds, if appropriate

Consider whether it is appropriate to establish value thresholds, both single instance and cumulative:

- Below which a gift or benefit can be accepted without the approval of a manager, or its being recorded in the register;
- Above which a gift or benefit must be declined - or, where this is not practicable - accepted, registered and then donated to charity.

The Audit Office of NSW suggests, as a guide, that the first threshold be \$25 and the second \$100. However, these thresholds could vary, depending on the specific functions and operating environment of the department/agency.

Integrated Planning and Reporting Reference

E6.1.1 - Meet all governance and regulatory requirements in the conduct of council's operation.



Legislative Policy & Planning Implications

Section 440 of the Local Government Act 1993 provides that Council must adopt the Code of Conduct that incorporates the provisions of the Model Code of Conduct prescribed by the Regulations.

Budget & Financial Aspects

Not applicable.

Attachment

Nil.

**Recommendation:** That Council reiterate its previously stated view that there should be consistency between the standards set for councils and other levels of government and that councillors should not be held to a higher standard than those set for elected representatives at a State and Federal level.

**305/19**

**RESOLVED** on the motion of Crs Douglas and Marston that Council reiterate its previously stated view that there should be consistency between the standards set for councils and other levels of government and that councillors should not be held to a higher standard than those set for elected representatives at a State and Federal level.

**19. POLICY 2.32 DISPOSAL OF SURPLUS, OBSOLETE OR SCRAP MATERIALS, STORES, EQUIPMENT, PLANT AND VEHICLES (GM/C70-025)**

Executive Summary

A revised Policy 2.32 "Disposal of Surplus, Obsolete or Scrap Materials, Stores, Equipment, Plant and Vehicles" is presented for Council's consideration.

Report

At its meeting held on 19 August 2019 Council reviewed its Procurement Policy. The Policy review was prompted by amendments to the Local Government Act. Included in the legislative amendments was an increase in the threshold for determining when a public tender process must be used by councils when procuring goods and services. This threshold has been increased from \$150,000 to \$250,000 (including GST).

Councillors will be aware from a previous report to Council that Lockhart Shire Council is one of a cross section of councils selected for the purposes of a performance audit to be conducted by the Audit Office of NSW (AONSW) focusing on procurement.

During the course of the performance audit it was noted that whilst the Procurement Policy has been amended to reflect the new and increased threshold of \$250,000, Policy 2.32 "Disposal of Surplus, Obsolete or Scrap Materials, Stores, Equipment, Plant and Vehicles" has not been reviewed. Policy 2.32 still incorporates the now superseded threshold of \$150,000.

Accordingly, a revised Policy 2.32 incorporating the increased tender threshold consistent with the recent legislative amendments has been prepared and a copy of the updated Policy is attached.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

- Section 55 of the Local Government Act sets out the requirements for tendering.
- Section 55 (3) (n) (3) states that the tendering requirements do not apply to contracts involving an estimated expenditure or receipt of an amount of less than \$100,000 or such other amount as may be prescribed by the regulations.
- The amount prescribed by the regulations was previously increased to \$150,000 and has more recently being increased again to \$250,000.

Budget & Financial Aspects

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

Attachment

1. Policy 2.32 Disposal of Surplus, Obsolete or Scrap Materials, Stores, Equipment, Plant and Vehicles.

**Recommendation:** That Policy 2.32 Disposal of Surplus, Obsolete or Scrap Materials, Stores, Equipment, Plant and Vehicles, as presented, be adopted.

<b>306/19</b>	<b>RESOLVED</b> on the motion of Crs Day and Sharp that Policy 2.32 Disposal of Surplus, Obsolete or Scrap Materials, Stores, Equipment, Plant and Vehicles, as presented, be adopted.
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**20. SUMMARY OF CUSTOMER REQUESTS REPORT**

**(DEES/C98-005)**

Executive Summary

Summary of customer requests received by Council.

Report

Council receives customer requests for numerous reasons such as road repairs, stormwater issues, trees, noisy dogs, new garbage bins and burials. Council has a system to collect and monitor where any request may be up to at any time, assess for trends, as well as look at response times.

Customer requests are monitored weekly with most requests dealt with in a timely manner.

Integrated Planning and Reporting Reference

E2 – Accessible and responsive service delivery.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Included in annual operational budget.

Attachments

1. Summary of Customer Requests Report as at 30 September 2019.

**Recommendation:** For Council's information.

<b>307/19</b>	<b>RESOLVED</b> on the motion of Crs Marston and Walker that the information be noted.
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## Questions and Statements

### Cr Day

- (i) **Little Athletics Carnival, Lockhart** – Advised Council of the success of the recent Little Athletics Carnival held at the Recreation Ground in Lockhart with 280 entrants, representing 17 towns (as far away as Gundagai, Young and West Wyalong) with an estimated 1000 people in attendance.

### Cr Driscoll

- (i) **Spirit of the Land Festival, Lockhart** – Congratulated all staff involved in the recent Spirit of the Land Festival – great for the community and great for the Shire.
- (ii) **Carson Road Development, The Rock** – Requested that the Carson Road Development in The Rock be mowed as it is looking very untidy.

Response – Acting Director Engineering and Environmental Services  
Acting DEES advised that he will investigate and take appropriate action.

### Cr Marston

Nil.

### Cr Rockliff

- (i) **Public Toilets in Shopping Precinct, Green St, Lockhart** – Enquired if the potential for a public toilet block in the shopping precinct of Green Street Lockhart was still on Council's agenda as he believes toilets in this location are needed for travellers.

Response – General Manager  
GM advised that he will provide a report to Council for the December Business Paper.

### Cr Douglas

- (i) **New Director Engineering and Environmental Services** – Enquired where Council is up to with the commencement of the newly appointed Director Engineering and Environmental Services?

Response – General Manager  
The GM advised that the new DEES will be commencing on Monday, 9 December 2019.

### Cr Sharp

- (i) **Disused Culverts on the Henty-Pleasant Hills Road** – Enquired if the disused culverts on the Henty-Pleasant Hills Road could be made available for purchase to do private works on private properties? Also wished to thank Council staff for the work done at these culverts.

Response – Acting Director Engineering and Environmental Services  
Acting DEES advised that the culverts can be made available for sale and will be advertised in the Council Newsletter. Price per unit will be inclusive of loading by Council staff onto private trucks.

- (ii) **Long Grass on Urana Road** – Enquired if the wild oats/rye on Urana Road which is up to 1mtr high in some places could be slashed/sprayed as it is posing a danger to drivers and looks unsightly?

Response – Acting Director Engineering and Environmental Services  
Acting DEES advised that he will investigate and take appropriate action.

- (iii) **Spirit of the Land Festival, Lockhart** – Commented on the outstanding success of this year's Spirit of the Land Festival and the fantastic result experienced by stallholders.

**Cr Walker**

- (i) **Roadside Tree Trimming Program** – Enquired if this program was still in progress and could it be extended to other roads in the Shire?

Response – Acting Director Engineering and Environmental Services

Acting DEES advised that the operator had experienced a slight hold-up. Tree trimming for other Shire roads could be provided as funding permits.

**Cr Schirmer**

- (i) **Spirit of the Land Festival, Lockhart** – Congratulated the President on the success of the recent Spirit of the Land Festival in Lockhart and also commended Council staff for the incredible set-up/clean-up work performed.
- (ii) **Flood Mitigation Works Grant Announcement in The Rock** – Thanked Councillors Verdon, Driscoll, Sharp and Walker for attending, at short notice, the Flood Mitigation Works grant announcement in The Rock last Saturday by the Hon. David Elliot MP, Minister for Police and Emergency Services.

## CLOSED SESSION

**308/19 RESOLVED** on the motion of Crs Marston and Walker that Council close the meeting to the public as per section 10(A)(2)(a) of the Local Government Act 1993.

The meeting moved into Closed Session at 7.01pm.

**310/19 RESOLVED** on the motion of Crs Walker and Douglas that Council move into Open Council.

The meeting moved into Open Session at 7.12pm.

## OPEN COUNCIL

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.

The resolution of Council, relating to Item 16, passed while the meeting was closed to the public, was read to the meeting by the Mayor.

### 21. PREPARATION OF PLANS OF MANAGEMENT

(GM/L05-020)

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.

**309/19 RESOLVED** on the motion of Crs Marston and Walker that the proposal received from Habitat Planning for the preparation of plans of management for the crown reserves of which Council is the crown land manager, as for the land owned by Council which is classified as "Community" land, be accepted.

The meeting concluded at 7.13pm.

The minutes of the meeting held on Monday, 21 October 2019 were confirmed as a true and accurate record at the Ordinary Council Meeting held on 18 November 2019 at which time the signature was hereunto subscribed.

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CHAIRMAN