



Minutes of the Ordinary Meeting Held 16 October 2023

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

Minutes of the Ordinary Monthly Meeting of Lockhart Shire Council held in the Council Chambers,
Lockhart on Monday, 16 October 2023 commencing at 5.00pm.

PRESENT

Cr G Verdon (Mayor), Cr P Sharp (Deputy Mayor), Cr F Day OAM, Cr G Driscoll, Cr I Marston, Cr R Mathews, and Cr J Walker.

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

The meeting opened with a prayer, followed by an Acknowledgement of Country.

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

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

APOLOGIES

174/23 RESOLVED on the motion of Crs Driscoll and Marston that the apologies from Cr Hunter and Cr Rockliff be accepted and leave of absence be granted.

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

Nil.

CONFIRMATION OF MINUTES ORDINARY MEETING HELD 18 SEPTEMBER

175/23 RESOLVED on the motion of Crs Day and Mathews that the Minutes of the Ordinary Meeting held on Monday, 18 September 2023, as printed and circulated be taken as read and confirmed.

DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

MAYORAL MINUTE

Nil.


CHAIRPERSON

REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

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

- 29 September Attended Police Remembrance Day in Wagga
- 29 September Along with Crs Sharp, Hunter and Matthews attended Lockhart Picnic Races
- 3 October Along with the General Manager and Directors, attended inspection of Secure Energy Camp at Milbrulong
- 6 October Along with General Manager and Directors attended judging of the sculptures for the Spirit of the Land Festival
- 7 October Attended turning of sod for Woodhaven Development and visiting Spirit of the Land Festival.
- 11/12 October Along with the General Manager attended the REROC meeting at Parliament House Sydney

Cr Mathews reported the following activities during the past month:

- 24 September Attended Lockhart Show
- 26 September Attended a Spirit of the Land Committee meeting
- 29 September Attended Lockhart Picnic Races
- 7/8 October Attended Spirit of the Land Festival

Cr Day verbally reported the following activities:

- 7/8 October Spirit of the Land
- 12 October Coffee with A Councillor

Cr Sharp verbally reported attending the following:

- 19 September Henty Machinery Field Days Official Lunch
- 29 September Lockhart Picnic Races
- 7 October Spirit of the Land

176/23 RESOLVED on the motion of Crs Marston and Walker that the Report on Mayoral and Councillor activities be received.

URGENT MATTERS

Nil.

NOTICE OF MOTION

Cr Fran Day has given notice that at the Ordinary Council Meeting to be held on Monday 16 October 2023, she proposes to move the following motion:

“That:

- a) *The Councillor Professional Development Program be amended to provide for any councillor who wishes to attend the Local Government NSW (LGNSW) Annual Conference to be permitted to do so for the betterment of Lockhart Shire.*

- b) Council nominates up to three councillors to attend the 2023 LGNSW Annual Conference in addition to the Mayor as voting delegate.
- c) Other Councillors wishing to attend the 2023 LGNSW Annual Conference advise the General Manager.”

General Manager Report

Section 3.11 of the Lockhart Shire Council Code of Meeting Practice states that:

“If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.”

For the purposes of Section 3.11 of the Code of Meeting Practice the following information is provided for consideration by Council:

- In 2018/19 Council adopted a program of professional development for Councillors. The program, amongst other things, provides for one additional councillor to accompany the Mayor (who is Council’s voting delegate) to the annual conference of Local Government NSW (LGNSW), local government’s peak industry body.
- At the Council meeting held on 18 September 2023 it was resolved that the Deputy Mayor, Cr Peter Sharp, attend the 2023 LGNSW Annual Conference to be held at Rosehill on 12-14 November 2023 together with the Mayor.
- Whilst Council is restricted to having only one voting delegate, Council may resolve to be represented at the Conference by additional observers/attendees.
- The registration fee for the 2023 Annual LGNSW Conference is \$1,485 incl. GST.
- The closing date for registrations is 27 October 2023.
- The 2023/24 Budget includes the following allocations for Councillors’ training and professional development:
 - Training Expenses \$13,000 (Expenditure to date \$0.00)
 - Delegates Expenses \$15,000 (Expenditure to date \$6,269.45)

MOVED by Crs Day and Mathews that:

- a) The Councillor Professional Development Program be amended to provide for any councillor who wishes to attend the Local Government NSW (LGNSW) Annual Conference to be permitted to do so for the betterment of Lockhart Shire.
- b) Council nominates up to three councillors to attend the 2023 LGNSW Annual Conference in addition to the Mayor as voting delegate.
- c) Other Councillors wishing to attend the 2023 LGNSW Annual Conference advise the General Manager.”

177/23 Moved as an **AMENDMENT** by Crs Marston and Mathews that:

- a) The Councillor Professional Development Program be amended to provide for any councillor who wishes to attend the Local Government NSW (LGNSW) Annual Conference to be permitted to do so for the betterment of Lockhart Shire.
- b) Council nominates up to three councillors to attend the 2023 LGNSW Annual Conference in addition to the Mayor.
- c) Other Councillors wishing to attend the 2023 LGNSW Annual Conference advise the General Manager.”

The mover and seconder of the **MOTION** agreed to accept the wording of the **AMENDMENT**. The amendment became the motion and, on being put to the meeting, was **CARRIED**.

COMMITTEE REPORTS

Nil.

DELEGATES' REPORTS

1. **RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) – 12 OCTOBER 2023
AT PARLIAMENT HOUSE SYDNEY**

(23/11757)

I, together with the General Manager, participated in a visit by the REROC Board to the NSW Parliament. The visit facilitated meetings with the following Ministers and officers:

- Justin Clancy MP – Member for Albury
- Dugald Saunders MP – Leader of the National Party, Shadow Minister for Regional NSW, and Shadow Minister for Agriculture and Natural Resources
- Brad Fitzmaurice – Chief of Staff to the Minister for Agriculture and Minister for Regional NSW and Western NSW
- The Hon Ron Hoenig - Minister for Local Government
- The Hon Paul Scully - Minister for Planning and Public Spaces
- The Hon Jenny Aitchison - Minister for Regional Transport & Roads
- The Hon Adam Marshall MP – Member for Northern Tablelands and author of the Private Members Bill regarding the RFS assets issue.
- The Hon Rose Jackson - Minister for Water, Housing, Homelessness, Mental Health and Youth.
- The Hon Bronnie Taylor MP – Shadow Minister for Regional Health, Shadow Minister for Trade and Shadow Minister for Seniors.

Cr Greg Verdon
Delegate

178/23 RESOLVED on the motion of Crs Sharp and Walker that the Delegate's Report be received.


CHAIRPERSON

STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED

Status Report: Council Resolutions and Tasks to be finalised

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 18 September 2023			
170/23	GM	<p>Policy Reviews</p> <p>1. That the following Policies, as presented, be adopted:</p> <p style="margin-left: 20px;">a) Policy 1.24 Bribes, Gifts and Benefits</p> <p style="margin-left: 20px;">b) Policy 2.24 Weeds Management</p> <p style="margin-left: 20px;">c) Policy 2.46 Keeping of Animals</p> <p>2. That Policy 2.25 Bush Fire Operations, Supply and Management of Equipment be rescinded.</p> <p>3. That Policy 2.34 Refund of Development Related Fees and Policy 2.36 Refund of Fees to Community Organisations be rescinded and replaced by new policy 2.60 Refund of Application Fees.</p>	<p>Policy Register updated.</p> <p>Complete.</p>
169/23	GM	<p>NSW Public Interest Disclosures Act</p> <p>Revised Policy 1.18 Public Interest Disclosures, as presented, be adopted.</p>	<p>Policy Register updated.</p> <p>Memo issued to all Directors and Managers.</p> <p>Complete.</p>
168/23	GM	<p>LG NSW Annual Conference</p> <p>Councillor Sharp attends the Annual Conference together with the Mayor and the General Manager.</p>	<p>Registrations complete.</p>
167/23	DCCS	<p>Audited Financial Statements – 2022/2023</p> <p>Council certify in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.</p>	<p>Refer to Staff Report 11 in this Business Paper.</p>
164/23	GM	<p>Draft Plan of Management – Crown Reserves for which Council is the Crown Land Manager and Council-owned Land Classified as “Community”</p> <p>Subject to the approval of the Crown Lands Office, Council excludes that part of the Lockhart Recreation Ground on which the Pre-school is situated from the Draft PoM and place the Draft PoM on public exhibition and subsequently deal with the section on which the Pre-school is situated at a later date.</p>	<p>Public exhibition of Draft Plan of Management has been approved by the Crown Lands Office. Notice of the Public Exhibition will be published in the Daily Advertiser, Council's Newsletter, Website and Facebook Page.</p>

Lockhart Shire Council
Ordinary Meeting – 16 October 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
163/23	GM	<p>Magnolia Lodge and Youth Flats</p> <p>1) Concept plans be prepared for the development of additional accommodation on the Magnolia Lodge site in Green Street and the Youth Flats site in Drummond Street Lockhart to facilitate further investigation and negotiation with the NSW Land and Housing Corporation; and</p> <p>2) A further report be presented to Council at a future meeting regarding the Prichard Place Lockhart residential developments and the proposal to withhold from sale one or two lots for the purposes of developing them for rental accommodation.</p>	<p>NSW Land and Housing Corporation advised of Council's decision.</p> <p>Arrangements being made for the preparation of concept plans.</p>
162/23	GM	<p>Phase 4 Local Roads and Community Infrastructure Grants Program</p> <p>Improved parking arrangements at the Greens Gonyah Museum be nominated for funding under the LRCI Phase 4 grant program, in lieu of the project that has been ruled ineligible.</p>	<p>Project nomination form submitted to Department and awaiting approval.</p>
Ordinary Council Meeting held 21 August 2023			
154/23	GM	<p>Proposed Sale of Lot 5 Reid Street, Lockhart</p> <p>Council:</p> <p>1) Authorise the General Manager to negotiate the sale of Lot 5 DP758621 Reid Street Lockhart in accordance with the security of purpose conditions and the updated independent valuation outlined in the report.</p> <p>2) Authorise the Mayor and General Manager to execute the Deed of Agreement for the Construction of a Car Wash under Council's seal.</p>	<p>Advice has been received that the purchasers/developers will not be proceeding.</p>
148/23	GM	<p>Guidelines for Audit, Risk and Improvement Committees</p> <p>That Council continue to participate in the Internal Audit Alliance and transition to the requirements outlined in the <i>Guidelines for Risk Management and Internal Audit for Local Councils in NSW</i> issued by OLG.</p>	<p>To be progressively implemented in conjunction with other Internal Audit Alliance member councils.</p>
146/23	DEES	<p>Road Upgrade Program</p> <p>That Council:</p> <p>a) notes the information in the report; and</p> <p>b) an increase of \$150,000 to the annual road maintenance budget be incorporated into the first quarterly budget review for the 2023/24 year.</p> <p>c) investigates the possibility of upgrading the EF section of Commera Wilson Lane.</p>	<p>Investigation into Commera Wilson Lane upgrade is continuing, and a report will be tabled at the November 2023 Council meeting.</p>


 CHAIRPERSON

Lockhart Shire Council
Ordinary Meeting – 16 October 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 17 July 2023			
130/23	GM	<p>LG NSW Annual Conference</p> <p>1. Appoint the Mayor as its voting delegate at the 2023 LGNSW Annual Conference; and</p> <p>2. Nominates one other Councillor to attend the Annual Conference together with the Mayor and the General Manager.</p>	Superseded by minute no. 168/23. Registrations complete. Complete.
123/23	DCCS	<p>Request for Financial Assistance – Yerong Creek Recreation Ground Management Committee</p> <p>1. Council provides financial assistance in the amount of \$27,000 to the Yerong Creek Recreation Ground Management Committee and that the contribution be funded from the “Community Financial Assistance S356” internally restricted reserve, with all repairs and maintenance to be met by the Management Committee.</p> <p>2. Existing Toro zero turn mower be transported to the Lockhart Depot for Council’s mechanics to undertake an assessment of repairs required. Any repairs up to the value of \$5,000 be costed to Plant Running Expenses.</p>	<p>1. Complete.</p> <p>2. Awaiting parts.</p>
Ordinary Council Meeting held 19 June 2023			
100/23	DEES	<p>Proposed Speed Limit Changes – Green Street, Lockhart</p> <p>That Council seeks approval through Transport for NSW to introduce a 40km/h high pedestrian zone in Green Street, between Matthews Street and Day Street.</p>	Awaiting information from Transport for NSW regarding new guidelines for the high pedestrian zones. Meeting held with TfNSW to be discussed at next Local Traffic Committee meeting.
Ordinary Council Meeting held 13 February 2023			
26/23	GM	<p>Proposed Acquisition of Land</p> <p>That, subject to obtaining the landowner’s consent, Council authorises the General Manager to prepare and submit a development application for the development of a car park on the land situated at Lot 2 DP1196082.</p>	Development application has been lodged with landowner’s consent and currently being assessed. Application has been notified, one submission has been received. Additional information is being sought.


 CHAIRPERSON

Lockhart Shire Council
Ordinary Meeting – 16 October 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
9/23	GM	<p>Disaster Recovery Funding Arrangements</p> <p>In accordance with the outcome of the Councillor Workshop held earlier in the day, Council nominates the following projects for funding under the Local Government Recovery Grants Program:</p> <ol style="list-style-type: none"> 1. Emily Street, The Rock – drainage improvements 2. Cole Street, Yerong Creek – drainage improvements 3. Green Street West, Lockhart – drainage improvements 4. Flood Detour Road – culvert installation 5. Waste Mgt Facilities Access Roads 6. Community information initiative (social media) 7. Access Road – Golf Club 	<p>Projects submitted to the Office of Local Government and funds received.</p> <p>More detailed costings and work plans have been submitted and awaiting approval.</p> <p>Emily Street design has been submitted to TfNSW for comment on Olympic Highway impacts. Awaiting response.</p>
Ordinary Council Meeting held 19 September 2022			
195/22	GM	<p>Model Media Policy – Consultation Draft</p> <p>That the information be noted and consideration be given to adopting the Model Media Policy when Council's current Media Policy 1.2 is scheduled for review in October 2023.</p>	<p>Deferred for consideration in October 2023 (refer Staff Report 9) Complete.</p>
Ordinary Council Meeting held 18 July 2022			
141/22	GM	<p>Request for Council to Purchase Private Access</p> <p>Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.</p>	<p>Survey plan has signed by the affected landowners and now forwarded to the Mortgagee Bank for signature. Application for subdivision certificate has been approved and instructions issued for preparation of a contract of sale.</p>

Lockhart Shire Council
Ordinary Meeting – 16 October 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 16 May 2022			
109/22	GM	<p>Tender – 109 Green Street</p> <p>Council declines to accept the tender received from ASCO Group (Aust) Pty Ltd for the provision of public toilets at 109 Green Street Lockhart and seek separate quotations for the individual components of the project for the following reasons:</p> <p>a) Seeking separate quotations and being able to negotiate with different contractors for the different components of the project will provide more flexibility in seeking the most cost-effective solution bearing in mind that the funding approved under Round 4 of the Stronger Country Community Fund is less than the amount for which Council applied.</p> <p>b) Accepting the one tender that has been received for the public toilets without a contract in place for the community space component of the project will prove problematic as the community space and landscaping is critical to providing access to the public toilets.</p>	<p>Site is being prepared, with concrete plinth seating. Toilets were accessible for Spirit of the Land Festival.</p>
Ordinary Council Meeting held 21 March 2022			
56/22	GM	<p>Development of Lockhart Industrial Estate</p> <p>Council prepares a subdivision application for the development of Stage 3 of the Lockhart Industrial Estate.</p>	<p>Development application has been lodged and is currently being assessed. Application has been notified to adjoining landowners. No submissions received.</p>
Ordinary Council Meeting held 16 August 2021			
148/21	GM	<p>Proposed “Tim Fischer Way”</p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>Proposed to incorporate “Tim Fischer Way” touring route on new Visit Lockhart Shire website.</p> <p>Phase 1 complete with new website now live. Functionality to facilitate “Tim Fischer Way” touring route being developed is part of Phase 2 of the new website to be progressed in 2023/24.</p> <p>TEDO to continue scoping the project and report back to the TEDSC either in November 2023 or February 2024.</p>

Lockhart Shire Council
Ordinary Meeting – 16 October 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 19 April 2021			
63/21	GM	<p>Residential Development – Lockhart</p> <p>2) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report.</p> <p>3) That the cost of subdividing the land be funded from the Infrastructure Reserve with the proceeds of any land sales to be returned to the Reserve.</p>	<p>The development application for Lot 62 (westernmost lot) has been approved. The application for Lot 90 has now also been approved.</p> <p>Subdivision works to be scheduled. Quotes from contractors being sought.</p> <p>Sewer design currently being prepared.</p>
Ordinary Council Meeting held 18 September 2023 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Sharp: Henty Pleasant Hills Road</p> <p>Referred to the intersection known as Figtree corner, heading south to the next intersection and advised trees are encroaching on the road. Cr Sharp asked if these could be trimmed as they will cause issues for heavy vehicles during the upcoming harvest.</p>	Works request created.
	GM	<p>Cr Mathews: RERO Energy & Innovation Conference</p> <p>Gave an overview of the conference including some opportunities which may be available to Council and the Shire. Cr Mathews advised grants are available to develop a Net Zero-carbon Masterplan for the Shire and asked that the development of such a plan be investigated.</p>	<p>The General Manager advised RERO has received funding for the development of such a plan for member councils and has employed a project officer for this purpose.</p> <p>Complete.</p>
	GM	<p>Cr Mathews: Veterinary Services</p> <p>Referred to Council's efforts to procure veterinary services for Lockhart and advised a mobile veterinary service that may be available. Cr Mathews asked if this could please be investigated.</p>	Enquiries have been made with the Animal Welfare League NSW mobile veterinary Animal Care Truck regarding scheduling a visit to Lockhart Shire and a response is awaited.
	GM	<p>Cr Day: Council's Logo</p> <p>Asked if Council could consider updating the Council logo to modernise?</p>	<p>Refer Staff Report 8.</p> <p>Complete.</p>
	DEES	<p>Cr Day: Pavement – Lockhart Pharmacy</p> <p>Referred to the pavement outside Lockhart Pharmacy and advised it requires maintenance as it is currently a trip hazard.</p>	<p>Area has been marked out. Works request has been created. Due for completion in October.</p> <p>Complete.</p>
	DEES	<p>Cr Verdon: Lodge Road</p> <p>Advised this road, which provides access to The Rock Cemetery, is deteriorating rapidly and requires attention.</p>	Works request created. Will be attended to when crews in the area.
	DEES	<p>Cr Verdon: Entrance laneway, The Rock Bowling Club</p> <p>Advised there are potholes in this laneway which require attention.</p>	Works request created. Will be included in future sealing program.


 CHAIRPERSON

Lockhart Shire Council
Ordinary Meeting – 16 October 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 August 2023 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Marston: Vincents Road Referred to grading being undertaken at the southern end of Vincents Road and asked if a culvert is going to be installed at that end to assist with drainage issues?</p>	<p>No current plans for culvert installation, will be investigated further as part of sealing works under grant program. Complete.</p>
	GM	<p>Cr Marston: Defibrillator Availability Mentioned a recent tragedy and asked if it might be possible to move the automatic defibrillator from inside the swimming pool complex to outside the gate to make it available at any hour.</p>	<p>Advice has been sought from the Royal Life Saving Society who undertake compliance audits of swimming pools to ensure that the suggested location will still be compliant. In accordance with the advice received a risk assessment will be carried out against the relevant criteria and placed on record before the defibrillator is relocated. Swimming pool contractor to be consulted.</p>
	DEES	<p>Cr Marston: Toilets, The Rock Recreation Ground Referred to the public toilets at The Rock Recreation Ground which require heavy cleaning as they are unhygienic at the moment with mould growing in places.</p>	<p>Works request issued.</p>
	DEES	<p>Cr Marston: Back Lanes, The Rock Asked if there was a similar maintenance program for the urban back lanes as there is for more major roads.</p>	<p>No current maintenance program for back lanes, current priority is storm-damaged roads.</p>
	DEES	<p>Cr Hunter: Plunkett Street, Yerong Creek Referred to the main street of Yerong Creek and asked if it was included in the current repair/maintenance program and, if so, where in the timeline it was placed.</p>	<p>Plunkett Street is on current program. Works planned for over summer period. Complete.</p>
	DEES	<p>Cr Walker: Slys Lane Advised he has received a request from the users of this road for the Earth Formed section to be formed up as it is badly washed away. The users have offered to maintain it once it is formed.</p>	<p>Earth formation section is for dry weather access only. Not included for upgrade in recent discussions. Will be graded when crews in area. Complete.</p>
	DEES	<p>Cr Verdon: Laneway Maintenance Referred to the laneway between Mixner Street and The Rock Bowling Club which has some gigantic potholes and also the laneway between Nicholas and King Street off Mixner Street which also has issues.</p>	<p>Potholes have been assessed and scheduled for maintenance based on priority. Works request created. Complete.</p>


 CHAIRPERSON

Lockhart Shire Council
Ordinary Meeting – 16 October 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 17 July 2023 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Day: International Volunteer Day, 5 December Referred to the proposal to seek funding for an event to celebrate International Day for People with a Disability on 3 December and enquired could this be combined with an event to celebrate International Volunteer Day on 5 December?	To be combined with International Day for People with Disabilities, 3 December per Res. 30/23.
Ordinary Council Meeting held 19 June 2023 – Councillor Questions & Statements			
Questions & Statements	GM	Cr Rockliff: CCTV Requested a progress report on this project, given the problems which have occurred lately, and also asked if the funds currently set aside will be enough to complete the project.	Following a delay in the supply of the equipment, installation is now scheduled to commence on 23/10/23 with testing and user/operator training to follow.
Ordinary Council Meeting held 15 May 2023 – Councillor Questions & Statements			
Questions & Statements	DCCS	Recreation Ground Lights Cr Jane Hunter: requested an update in relation to this project. Cr Gail Driscoll: asked is it possible that Council will not get the funding required and if so, can a Plan B be developed. Plan A is for the installation of LED lights. Can Plan B be making the towers safe and putting standard lights on them.	AFL funding has been approved for lighting and towers at Osborne Recreation Ground. All necessary materials have been received for The Rock Recreation Ground and a boom lift is scheduled. Contractor aiming for installation and compliance to be completed by mid November.
	DEES	Cr Sharp - South end of Lallarook Lane is a washout where water has been running over the road and not through the culvert and asked whether the culvert could be moved	Table drain clearing to be undertaken to help water flow. Additional culvert will be installed if required. Complete.
	DCCS	Cr Bob Mathews – Youth Officer: Advised that with the possibility of a sister city with Lockhart, Texas USA and the engagement through local schools, it is important that consideration be given to the appointment of a Youth Officer.	Refer to Staff Report 10 in this Business Paper.
Ordinary Council Meeting held 17 April 2023 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Marston: Yerong Creek Mittagong Road Culvert – Trees Encroaching Referred to this culvert (near the Vincents Road intersection) where trees are encroaching on the road, and asked if Council could investigate trimming these trees.	Works request created.
Ordinary Council Meeting held 13 February 2023 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Sharp: Old Building, Pleasant Hills Recreation Ground Referred to an old building, possibly change rooms dating back to the 1950's, which have become dangerous, with loose roofing sheets etc. Cr Sharp asked if it can be demolished.	Cr Sharp advised the September Meeting the building has been demolished. Complete.


 CHAIRPERSON

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Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 November 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Hunter: Tiled Wall outside The Rock Gym Referred to a problem with tiles on the external wall of The Rock Pool near the gym and asked what was being done to rectify the issue.	Builders have been unable to source the yellow tile and recommend using mini orb on that section of wall. Awaiting company information and quote from Management committee who have sourced tile from a supplier in Queensland.
Ordinary Council Meeting held 17 October 2022 – Councillor Questions & Statements			
Questions & Statements	MP&E	Cr Verdon: Disability Access Across the Shire Referred to Kurt Fearnley's speech at the recent Lockhart Community Bank branch birthday celebrations. The speech was a reminder that people with disabilities are entitled to access. Cr Verdon suggested an audit be carried out, with a view to improving access across the Shire, making sure all Council facilities are accessible to all residents.	Audit will be undertaken when resources permit. Scope of works being put together to include the buildings and open spaces to be audited. <i>In discussion with Neil Smith of BEST to undertake scope of works. Complete by March 2024? Premises across the Shire, not just Council facilities. New proposal to be brought to Council on cost.</i>
Ordinary Council Meeting held 18 July 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS/ DEES	Cr Marston – The Rock Pony Club Advised that pony clubs are now required to load and unload horses from their floats in an enclosed area and requested some minor improvements to facilitate this.	Complete.
Ordinary Council Meeting held 20 June 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Hunter – Yerong Creek Bowling Club Advised the Bowling Club are still awaiting receipt of an Occupation Certificate for the building.	Majority of work has been completed. Additional fire extinguishers being sourced by Club. When installed, final fire safety inspection will be scheduled.

Correspondence Received

Date sent to Councillors	From	Subject
2 October	Mayor (via General Manager)	Email Update

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

179/23 RESOLVED on the motion of Crs Sharp and Day that the Status Report and Correspondence Précis be received.


 CHAIRPERSON

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. AUSTRALIA DAY AWARDS 2024

(GM: 23/11218)

Executive Summary

The purpose of this report is to outline the arrangements for the 2024 Australia Day celebrations and the Australia Day Awards nomination process.

Report

Australia Day 2024 will be celebrated on Friday, 26 January 2024.

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

- 2023 Lockhart Swimming Pool (hosted by the Lockhart Football & Netball Club)
- 2022 Pleasant Hills Recreation Ground
- 2021 Yerong Creek Public Hall
- 2020 The Rock Swimming Pool (hosted by The Rock Recreation Ground Management Committee)
- 2019 Lockhart Swimming Pool (hosted by the Lockhart Football & Netball Club)

Based on the above rotation of venues The Rock Recreation Ground Management Committee was informally approached to gauge their interest in hosting the 2024 Australia Day event. The Rock Recreation Ground Management Committee has agreed to host the event at The Rock Swimming Pool.

It is proposed that nominations be invited for the following categories by the closing date of 30 November 2021:

1. Citizen of the Year
2. Young Citizen of the Year
3. Sports person 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 Day, Hunter, Sharp and Walker.

Council provides a subsidy to the host organisation of \$3,500 to put on the event which also provides a fundraising opportunity for the organisation.

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Provision has been made in Council's 2023/24 Operational Plan Budget for the hosting of the 2024 Australia Day celebrations and Awards ceremony.

Attachments

Nil.

Recommendation: That Council:

1. Appoint The Rock Recreation Ground Management Committee as host of the 2024 Australia Day celebrations; and
2. Determine the composition of the Australia Day Awards Committee for the 2024 Awards.

180/23 RESOLVED on the motion of Crs Sharp and Walker that Council:

1. Appoint The Rock Recreation Ground Management Committee as host of the 2024 Australia Day celebrations; and
2. That the Australia Day Awards Committee comprise Cr Walker, Cr Sharp, Cr Day and Cr Hunter.

2. REGIONAL DROUGHT RESILIENCE PLANNING PROGRAM

(GM: 23/11768)

Executive Summary

Applications for funding under the Regional Drought Resilience Planning Program opened on 4 September and closed on 25 September 2023. The Program is being funded by the Australian Government's Future Drought Fund and the NSW Government.

Report

The Regional Drought Resilience Planning Program aims to build capability and empower regional communities to plan and act early to reduce and respond to drought risks. Funding is being provided under the Program with the objective of creating local drought resilience plans that:

- Grow the self-reliance and drought resilience of regional communities, including the agricultural sector.
- Improve natural capital of agricultural landscapes for better environmental outcomes.
- Strengthen the wellbeing and social capital of rural, regional, and remote communities.

A unique aspect of the Program is that applications could only be lodged by a consortium of two or more councils as grouped for the purposes of the Program. According to the Program Guidelines drought resilience planning is being undertaken as consortia and not individual councils because "...Drought affects everyone and requires a region-wide response. Small consortia of between 2-6 councils will allow collaboration on regional issues and solutions."

Lockhart Shire Council has been grouped with Wagga Wagga City Council (WWCC) for the purposes of the funding. A joint application was lodged with WWCC by the due date.

Successful and unsuccessful applicants will be notified from 20 November 2023.

If successful funding will be provided in two phases as follows:

- Phase 1: Develop a Regional Drought Resilience Plan.
- Phase 2: Begin implementing some activities from the Plan.

Regional Drought Resilience Plans will be independently reviewed by CSIRO after they are submitted to the Department of Regional NSW (DRNSW).

Regional Drought Resilience Plans must be submitted for review by 31 May 2024. The applicant councils will be required to consider the CSIRO feedback and incorporate it into the Regional Drought Resilience Plan prior to its finalisation. The Regional Drought Resilience Plans must be completed by 24 October 2024. This includes addressing feedback received from CSIRO.

All Regional Drought Resilience Plans will need to be cleared by DRNSW, the Minister for Regional NSW and the Federal Minister for Agriculture, Fisheries and Forestry. All plans will be shared publicly.

Actions funded with implementation money i.e. Phase 2, must be completed by 30 May 2025.

Integrated Planning and Reporting Reference

A2: Work with stakeholders to ensure our community is safe and well prepared to respond to adversity.


CHAIRPERSON

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

Legislative Policy & Planning Implications

Council's Community Engagement Strategy will apply in the development of a Regional Drought Resilience Plan (Phase 1) and the Procurement Policy may apply when implementing some activities from the Plan (Phase 2).

Budget & Financial Aspects

A cash contribution is not required from Council under the Regional Drought Resilience Planning Program.

Attachments

Nil.

Recommendation: That the information be noted.

181/23 RESOLVED on the motion of Crs Walker and Marston that the information be noted.

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

Nil.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

Nil.

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

3. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT

(DEES)

Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

a) Works

Rural Sealed Roads: The Regional and Local Roads Repair Program (RLRRP) has commenced. Heavy patching is well under way on County Boundary Road, Albury Road, and The Rock Mangoplah Road. Works include stabilisation and primer sealing; a second seal will be applied when the weather warms up.

Unsealed Roads: Unsealed Road Maintenance of Shire gravel roads has been conducted on Healys Lane, Napier Road, Clancy's Lane, Illets Lane, Hogans Lane, Forks Lane, Terlichs Lane. Table drain clearing on Vincents Lane, Rawson Park Road, The Rock Mangoplah Road. Shoulder grading on Henty Pleasant Hills Road.

Maintenance Crews: Bitumen crew have been kept busy with an increase of pavement failures due to the weather, routine maintenance has continued on our Local and Regional Roads. The crew have attended to damaged signs and culvert installation. Works crews also assisted in kerbside waste collection.

b) Parks & Gardens

(23/12248)

Ave. of Honour Extension, The Rock

The hard landscaping, including granite surfaces, steel garden bed edging, drip irrigation, walk bridge and dry creek bed have been completed. Planting of the garden beds will be done by Council staff as resources are available.

A concreter will be employed to install pram ramps to allow wheeled access to the new gardens and to change the existing driveway on the opposite side of Urana St into pedestrian access only.

Esplanade Upgrade, Pleasant Hills

Construction of the granite footpath has been completed. Ordering of furniture has been postponed due to NSW RFS notification stating their intention to conduct a low intensity burn within the project area.

Stan Galvin Park, Yerong Creek - New Footpaths

Quotes have been received for the construction of the new paths.

109 Green St, Lockhart - Landscaping

Alterations to the landscape plan have received approval. Delivery of materials is imminent; installation will commence shortly afterward.

Weed Control

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

Trees

Under-pruning of Council's street trees and pruning of limbs protruding into urban lanes is being conducted as resourcing allows.

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

Resident concerns regarding street trees, including species selection, maintenance and/or removal should be made in writing and addressed to the General Manager. Such issues will be resolved based on risk and available budget and resources.

c) Biosecurity

(23/12250)

WEEDS

Control Program

Priority has been given to the control of Bridal creeper (*Asparagus asparagoides*), Coolatai grass (*Hyparrhenia hirta*), Horehound (*Marrubium vulgare*) and Wild Radish (*Raphanus raphanistrum*) on roadside reserves and council managed land, and fire hazard reduction of roadside shoulders. Known infestation sites of Spiny burrgrass (*Cenchrus spinifex*) were also controlled.

DrumMUSTER

The September drumMUSTER collection event occurred at Lockhart on Tuesday, 12 September, 5382 drums were inspected, raising \$1,657.66 for St. Joseph's School. The Rock collection event occurred on Thursday, 14 September. During this event 1778 drums were inspected, raising \$497.84 for The Rock Men's Shed. drumMUSTER collection events have been tentatively scheduled for Tuesday, 12 March 2024 for Lockhart and Thursday, 14 March 2024 for The Rock.

Henty Machinery Field Days

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

The display of live plants was again present at the site, containing examples of priority weeds, environmental weeds, and biological control specimens. While the priority weed live species are always a valuable tool for identification, the inclusion of live environmental weeds was a great initiator of conversation and interaction with the public, with large numbers of people stating that they have these plants present in their gardens, such as Foxtail fern (*Asparagus densiflorus*), Prickly pear (*Austrocylindropuntia* sp., *Cylindropuntia* sp., and *Opuntia* sp.), and Gazania (*Gazania* sp.).

Griffith's weed officer brought a collection of prickly pear species for the live species display, proving worthwhile when a visitor to the shed stated she had almost every species within her cactus garden, including the highly invasive Hudson pear (*Cylindropuntia pallida*). Bland's weed officer brought a piece of Hudson pear that had been sitting on his desk for 12 months, still alive and developing roots.

Weed officers received offers to purchase plants such as Foxtail fern (*Asparagus densiflorus*), Cape broom (*Genista monspessulana*) and Mother-of-millions (*Bryophyllum* sp.), initiating correspondence regarding the invasiveness of these species, and the legality regarding selling priority weed species.

PESTS

Spring Fox Baiting Program

Spring fox baiting will commence on 10 October with bait distribution occurring on the Galore Hill Scenic Reserve and Kincaids Reserve.

Common White Snail

Snail baiting occurred on Fairview Lane on 25 September.

d) Development Approvals

(23/12031)

The following table advises of the Development Application Approvals for the month of September 2023.

DA/CDC No.	Development	Site of Development	Applicant	Value
DA07/24	Detached colorbond shed	23 King St, The Rock	Craig Burkinshaw	\$ 54,000
DA13/24	Demolition of existing carport & construction of a new steel shed	89 Urana St, The Rock	Paul Taylor	\$ 44,000
CDC14/24	New inground swimming pool	17 Davidson St, The Rock	Michael Ryan	\$ 41,980
DA15/24	Farm machinery shed	179 Wattles Rd, Lockhart	Mark Bender	\$ 196,526
DA16/24	Partial enclosed carport	28 O'Connell St, Lockhart	Jim Quee	\$ 13,000
Total				\$ 349,506

e) Lockhart Local Environmental Plan Review

A scoping report has been submitted to the Department of Planning and Environment, following the completion of the Local Housing and Employment Strategy. The Department have since provided their comments on the scoping proposal. Habitat Planning, in consultation with Council staff, will address the comments and obtain further required information requested by the Department and will then submit the planning proposals for the proposed Local Environmental Plan amendments.

f) The Rock Flood Study Review

Council has provided the consultant with plans for all updated capital improvements at The Rock. The consultant has started to calibrate the model to reflect the changes. New storm intensities will then be modelled. In accordance with previous practice, it is proposed that a Flood Study Committee be established, comprising the three "C" Ward councillors, relevant staff and up to six community representatives. Expressions of Interest will be invited from interested community members in the next Council newsletter.

Legislative Policy and Planning Implications

Development applications are processed under the provisions of the *Environmental Planning & Assessment Act 1979*.

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

Integrated Planning and Reporting Reference

C2: Flora and fauna are protected across the Shire.

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

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

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

Nil

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

<p>182/23 RESOLVED on the motion of Crs Day and Driscoll that Council notes the information provided in the Engineering and Environmental Services report.</p>

STRATEGIC DIRECTION E: Strong Leadership and Governance

4. INVESTMENT AND BANK BALANCES REPORT – 30 SEPTEMBER 2023

(DCCS: 23/12235)

Executive Summary

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

Report

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

Cash at Bank

Opening Combined Cashbook Balance	960,011.07
Add: Total Receipts	
	Rates 227,273.00
	Debtors 66,969.62
	Miscellaneous 179,747.80
	Interest 110,703.40
	Return of Investments 404,940.30
	BAS - August 2023 21,237.92
	Sale of Plant #1515 9,118.63
	Sale of Plant #1815 23,999.83
	EVDC Grant 9,090.79
	LCRI Round 4 Grant 533,951.00
	1,607,689.77
Less: Total Payments	1,751,676.84
New Investments	0
Closing Combined Cashbook Balance	816,024.00
Closing Bank Statement Balance	
	Bendigo Bank 768,400.38
	Macquarie Bank 18,418.05
	Bendigo Bank-Prichard Trust 31,807.03
	818,625.46
Add: Outstanding Deposits	608.70
	819,234.16
Less: Outstanding Cheques	3,210.16
Closing Combined Cashbook Balance	816,024.00

Investments:	Interest Rate per	Amount Invested	% of Total
	Annum		
Bank of Queensland	5.00	700,000.00	5.38
Bendigo	4.59	250,000.00	1.92
Bendigo	4.59	1,000,000.00	7.68
Bendigo	4.95	500,000.00	3.84
Bendigo	at call	66,072.20	0.51
Commonwealth	4.78	1,000,000.00	7.68
Commonwealth	4.83	500,000.00	3.84
Commonwealth	4.87	500,000.00	3.84
Commonwealth	4.75	1,000,000.00	7.68
Commonwealth	4.81	500,000.00	3.84
IMB	4.85	500,000.00	3.84
MACQUARIE BANK	4.80	500,000.00	3.84
MACQUARIE BANK	4.81	500,000.00	3.84
MACQUARIE BANK	4.67	500,000.00	3.84
MACQUARIE BANK	4.73	500,000.00	3.84
MACQUARIE BANK	4.76	500,000.00	3.84
NAB	4.90	500,000.00	3.84
NAB	5.00	500,000.00	3.84
NAB	5.07	500,000.00	3.84
NAB	5.10	1,000,000.00	7.68
NAB	4.95	500,000.00	3.84
NAB	4.85	500,000.00	3.84
NAB	5.05	500,000.00	3.84
		13,016,072.20	100.00
			AMOUNT
	1490-3000-0000		(1,812,341.08)
Combined Sewerage	8490-3000-0000		2,596,558.05
Trust Fund	9991-3000-0000		31,807.03
		816,024.00	816,024.00
TOTAL FUNDS HELD ARE:		13,832,096.20	

This is page 21 of the Minutes of the Ordinary Monthly Meeting of the Lockhart Shire Council held in the Council Chamber, 65 Green Street, Lockhart – 16 October 2023.


 CHAIRPERSON

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

Council's 2023/24 Operational Budget has forecast a total of \$39,750 income from interest on investments for General Fund & Sewer Fund combined. For the period July 2023 to September 2023, the average end of month balance of funds invested has been \$13.28 million and the average return on invested funds has been 4.84%. On these year to date figures, Council's budgeted income on investments will be achieved for the General Fund and Sewer Fund.

Responsible Accounting Officer Statement

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

Recommendation:

- a) That the September 2023 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

183/23 RESOLVED on the motion of Crs Walker and Driscoll:

- a) That the September 2023 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

5. RETURNS DISCLOSING INTERESTS OF COUNCILLORS AND DESIGNATED PERSONS

(GM: 23/9185)

Executive Summary

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

Report

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

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

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

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

The returns lodged by Councillors and designated persons before the deadline of 30 September 2023 have been recorded in the Register and the Register will be tabled at the meeting in accordance with the Local Government Act.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

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

Budget & Financial Aspects

Nil.

Attachments

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

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

184/23 RESOLVED on the motion of Crs Day and Mathews that the tabling of the Register of Disclosure of Interests Returns be noted.

6. EXTERNAL AUDIT ARRANGEMENTS – 30 JUNE 2024 AND BEYOND

(GM: 23/11049)

Executive Summary

Advice has been received from the Audit Office of NSW (AONSW) regarding the audit arrangements for Lockhart Shire Council for the financial year ending 30 June 2024 and beyond.

Report

Pursuant to section 422 of the Local Government Act, the Auditor-General is the auditor for NSW councils. The AONSW undertakes some council audits directly whilst in other cases it engages a private audit firm as its Audit Service Provider (ASP) to undertake the audit on its behalf. Where an ASP is appointed to conduct the audit, it is done so under the AONSW's oversight and the AONSW maintains overall responsibility for the audit and signing of the independent auditor's report.

In recent years the audit of Lockhart Shire Council's financial statements has been undertaken by an ASP namely Crowe Audit, part of the Findex Group, on behalf of the AONSW.

Advice has now been received from the AONSW regarding the audit arrangements for Lockhart Shire Council for the financial year ending 30 June 2024 and beyond as follows:

- The Auditor-General has decided to continue to use a private audit firm, as ASP, to assist in delivering the audit of the Lockhart Shire Council's financial statements for a period of up to five years from the year-ending 30 June 2024.
- The current arrangement between the Audit Office and Crowe Audit expires at the conclusion of the 30 June 2023 audit.
- The AONSW will commence a competitive, open tender process shortly, inviting audit firms to tender for the audit of the council. The current ASP will be invited to participate in this tender.
- As the Lockhart Shire Council is one of several local government entities that will have its financial statements audit delivered with the support of an ASP, the AONSW plan on combining a number of local government entities into a single Request for Tender (RFT) based on geographic location.
- As an independent agency, the AONSW's financial audits are conducted on a cost recovery basis and are not subsidised.


CHAIRPERSON

In relation to audit fees the AONSW advises that:

“We set our fees to ensure the audit is conducted in accordance with Australian Auditing Standards. Our audit effort is commensurate with professional requirements and accommodates specific factors unique to each audit, including risks and the different levels of financial reporting maturity, systems and governance arrangements.

Based on recent market experience when tendering for audits, and general feedback we have been receiving from existing ASPs, it is possible that audit firms may price your audit at an amount higher than the current audit fee. We hope the open tender approach will create competitive tension to keep fee increases to a minimum. The Audit Office also has access to historical data which will be used to benchmark the proposed fees before awarding a contract.”

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

Pursuant to section 422 of the Local Government Act, the Auditor-General is the auditor for NSW councils.

The existing arrangement between the AONSW and its ASP, Crowe Audit, expires at the conclusion of the 30 June 2023 audit. The ASP for the audits of Lockhart Shire Council for the five-year period commencing with the 30 June 2024 audit will be determined following a tender process by the AONSW.

Budget & Financial Aspects

Council's annual budget makes provision for the cost of both internal and external audit functions.

Attachments

Nil.

Recommendation: That the information be noted.

185/23 RESOLVED on the motion of Crs Marston and Walker that the information be noted.

7. DRAFT MODEL CONTAMINATED LAND POLICY

(MP&E: 23/12234)

Executive Summary

This report presents the Draft Model Contaminated Land Policy, post exhibition, to Council for adoption.

Report

In line with Council's resolution from the August 2023 Council meeting the Draft Model Contaminated Land Policy was placed on public exhibition for a 28-day period.

No submissions were received throughout the exhibition period.

Implications on Council

The draft Model Policy does not present any new implications on Council regarding the management of contaminated land. Contaminated land clauses remain unchanged with exception to those related to changes in the regulatory landscape that Council has already implemented.

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Nil.

Recommendation: that Council adopts the Draft Model Contaminated Land Policy in full and without change.

186/23 RESOLVED on the motion of Crs Sharp and Walker that Council adopts the Draft Model Contaminated Land Policy in full and without change.

8. POLICY REVIEWS

(GM: 23/11777)

Executive Summary

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

Report

At its meeting held on 20 March 2023, Council endorsed “Policy No. 1.0 Policies – Procedure for Consideration and Adoption” which set out a process for the systematic review of Council policies and the development of new policies.

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

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

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

The following policies are presented for review in accordance Policy No. 1.0:

- 1) Policy 1.10 Investment Policy
- 2) Policy 1.14 Use of Council’s Corporate Logo
- 3) Policy 1.15 Presentations at Council meetings
- 4) Policy 1.16 Donations/Contributions to Community Groups and Individuals
- 5) Policy 2.33 Pensioner Concession
- 6) Policy 3.7 Rental of Staff Dwellings
- 7) Policy 3.8 Conference Expenses – Senior Officers

No changes have been made to Policies 1.10, 1.14, 3.7 and 3.8.

With respect to Policy 1.14 it is noted that the matter of Council’s logo was raised in “Questions and Statements” at the last Council meeting held on 18 September 2023 with a request that Council consider updating the Council logo with a view to modernising it.

A search of Council’s records revealed that updating Council’s logo was last considered in 2010. On that occasion Council resolved to engage a communications consultant to develop options for a new logo as the first step of a rebranding process. The consultant worked with a committee established by Council for the project which comprised three councillors, the Manager Corporate Services and Executive Assistant. The preferred option for a new logo unanimously agreed by the committee was referred to Council on 20 September 2010 however at that meeting it was resolved “...that no further action be taken at this time.”

Provision for undertaking a review of Council's logo has not been included in Council's 2023/24 budget and if Council wishes to pursue a rebranding process an appropriate budget allocation will need to be made.

Policy 1.15 deals with presentations at Council meetings. It is considered unnecessary to maintain a separate policy for this issue as the arrangements for making presentations at Council meetings are now contained in Council's Code of Meeting Practice (Section 4 Public Forums). Accordingly it is recommended that Policy 1.15 be rescinded.

Policy 1.16 which relates to financial assistance provided to community organisations and individuals is also considered superfluous. Policies are useful for setting parameters for council staff to operate within thereby overcoming the need to refer every instance to a council meeting. However, section 356 of the Local Government Act, pursuant to which councils can financially assist others, requires each decision to be supported by a resolution of council. Therefore the practice has been to refer all requests for financial assistance to council for determination with each request considered on its individual merits. In the circumstances it is recommended that Policy 1.16 also be rescinded.

Policy 2.33 outlines the eligibility criteria and process for eligible pensioners claiming a rates concession. These matters are all subject to legislation, specifically sections 575 to 584 of the Local Government Act. Policy 2.33 merely reflects the relevant legislation which Council is not able to alter. Therefore, Policy 2.33 does not serve any other purpose and can be rescinded.

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects.

No changes are proposed to any of the policies that will have a discernible impact on Council's budget.

Attachments

1. Policy 1.10 Investment Policy
2. Policy 1.14 Use of Council's Corporate Logo
3. Policy 1.15 Presentations at Council meetings
4. Policy 1.16 Donations/Contributions to Community Groups and Individuals
5. Policy 2.33 Pensioner Concession
6. Policy 3.7 Rental of Staff Dwellings
7. Policy 3.8 Conference Expenses – Senior Officers

Recommendation:

1. That the following Policies, as presented, be adopted:
 - a) Policy 1.10 Investment Policy
 - b) Policy 1.14 Use of Council's Corporate Logo
 - c) Policy 3.7 Rental of Staff Dwellings
 - d) Policy 3.8 Conference Expenses – Senior Officers
2. That the following Policies be rescinded:
 - a) Policy 1.15 Presentations at Council Meetings
 - b) Policy 1.16 Donations/Contributions to Community Groups and Individuals
 - c) Policy 2.33 Pensioner Concession

187/23 RESOLVED on the motion of Crs Driscoll and Mathews:

1. That the following Policies, as presented, be adopted:
 - a) Policy 1.10 Investment Policy
 - b) Policy 1.14 Use of Council's Corporate Logo
 - c) Policy 3.7 Rental of Staff Dwellings
 - d) Policy 3.8 Conference Expenses – Senior Officers
2. That the following Policies be rescinded:
 - a) Policy 1.15 Presentations at Council Meetings
 - b) Policy 1.16 Donations/Contributions to Community Groups and Individuals
 - c) Policy 2.33 Pensioner Concession

9. MODEL MEDIA POLICY

(GM: 23/11797)

Executive Summary

Council, at its meeting held on 19 September 2023, resolved that consideration be given to adopting the Model Media Policy issued by the Office of Local Government when Council's current Media Policy 1.2 is scheduled for review in October 2023.

Report

The Office of Local Government (OLG) previously issued a *Model Media Policy* for consideration by councils. At the time Council resolved to defer consideration of the matter until the existing Media Policy 1.2 is scheduled for review in October 2023

Releasing a Model Policy for consideration by councils is a similar approach taken by the OLG in relation to the Code of Conduct and the Code of Meeting Practice. More recently Council adopted a Model Public Interest Disclosures Policy issued by the NSW Ombudsman's office.

The *Model Media Policy* is not mandatory, and councils are free to choose whether to use the policy or to adapt it for their own purposes. If adopted, the policy will operate to supplement the provisions of councils' adopted codes of conduct.

The Model Media Policy is not inconsistent with Council's existing Media Policy 1.2. According to the Model Media Policy issued by OLG:

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

When engaging with the media councillors:

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

Whilst not inconsistent with the Model Media Policy, Council's existing Media Policy has been amended so as to incorporate the same wording as the OLG Model Media Policy whilst retaining other aspects of the existing Policy. A copy of the amended Policy is attached.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

Nil.

Attachments

Policy 1.2 Media Policy (amended).

Recommendation: That Policy 1.2 Media, as presented, be adopted.

188/23 RESOLVED on the motion of Crs Marston and Walker that Policy 1.2 Media, as presented, be adopted.

10. YOUTH AND COMMUNITY SERVICES OFFICER POSITION

(DCCS: 23/12236)

Executive Summary

The purpose of this report is to present to Council a new position to resource and replace the previously shared Youth Officer position Council had in place with Greater Hume Shire Council.

Report

Further to the report item 4 as presented at the August 2023 Council meeting, a summarised recap is provided:

- *The Youth Officer position/resource has been discussed at Manex, and moving forward Manex would be recommending that this position/resource be broadened to encompass more than just Youth activities.*
- *It would be recommended that the Youth Officer budget be used to create a Community Services Officer position, which could incorporate into this position such events as International Volunteers Day and International Day for People with Disabilities as examples.*

Council has developed a draft position description for a Youth and Community Services Officer. This position would report to the Director Corporate and Community Services. The position will be a part time position, starting at two, to two and a half days per week, to be reviewed in 12 months' time.

The position description will be entered into OO-Soft for assessment. OO-Soft is a Human Resource and Compensation Management system for NSW Local Government. This will grade the position to determine the salary for the Youth and Community Services Officer position.

Council is seeking endorsement for the Youth and Community Services Officer to be added to Council's staffing structure and to proceed with determining a salary grade, which will progress to recruitment.

Integrated Planning and Reporting Reference

A3: People of all ages, abilities, and backgrounds participate in community life.

- Support our children and young people.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

The 2023/24 Budget provides a budget allocation of \$25,000 for a Youth Officer. Any budgetary implications greater than the existing budget will be incorporated into the first Quarterly Budget Review to be presented at the November 2023 Council meeting.

Attachments

Draft position description for the Youth and Community Services Officer.

Recommendation: That Council:

1. Endorse new position for a part time Youth and Community Services Officer position being added to Council's staffing structure.
2. The position will be located in the Corporate and Community Services team and report to the Director Corporate and Community Services.

189/23 RESOLVED on the motion of Crs Day and Sharp that Council:

1. Endorse new position for a part time Youth and Community Services Officer position being added to Council's staffing structure.
2. The position will be located in the Corporate and Community Services team and report to the Director Corporate and Community Services.

11. AUDITED FINANCIAL STATEMENTS – 2022/2023

(DCCS: 23/12237)

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 2022-23 financial year.

Report

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

The Act also requires Council to resolve prior to submission to the external auditor that the accounts have been prepared in accordance with The Act and the Australian Accounting Standards to fairly represent Council's financial position. Senior staff are also required to certify the accounts to this effect. General Purpose Financial Statements and Special Purpose Financial Statements are to be signed by Councillors and Management after being adopted at the Council meeting to be held on 20 November 2023.

This report is to present updated financial statements to those provided to Council at the 18 September 2023 meeting and to seek Council's endorsement to seek an extension for the lodgement of Council's 2022/23 financial statements. During the audit process, if there are any amendments required that are deemed material, it is a requirement that the financial statements be re-presented to Council for adoption and signing.

Going back to the audit of Council's 2020/21 financial statements, Council engaged an external valuer to conduct a full revaluation of Council's roads and associated infrastructure assets, which includes culverts. As part of Council's due diligence in reviewing the data of the external valuer, in the sample testing for culverts the data provided was not consistent with the culvert in the road for the samples selected. As a result of the anomalies in the sample testing, the culverts revaluations were not taken up in the financial statements for that year. Council, over the next 18 months, conducted a full inspection of every culvert in the Shire. Photos and dimensions of every culvert was recorded including geospatial data.

What was also unearthed in the inspection of Council's entire culverts network, was there were a number of culverts in the ground that were not in Council's asset register. These "found assets" generally create what is called a Prior Period Error (PP Error). In Lockhart's case the current replacement cost of the found culvert assets is approximately \$20M, which is over Council's threshold for materiality. This adds to the complexity of reporting a PP Error in Council's financial statements currently being prepared.

A PP Error also requires Council's 2022/23 financial statements to go to the NSW Audit Office Technical Issues Committee, which Council has been advised is not a quick process. The due date for lodgement of audited financial statements is 30 October, and as Council's financial statements have not reached the NSW Audit Office at this stage, Council's contract auditors, Crowe, have advised Council to seek an extension for submitting its 2022/23 financial statements.


CHAIRPERSON

Council has engaged Univeris Assets to navigate through the required calculations and workings to effectively unwind Council's culverts assets register back to 1 July 2021 and associated calculations to 30 June 2023.

The amended statements incorporating the prior period error are re-presented to Council.

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Reporting on Council's financial performance for the 2022-2023 financial year.

Attachments

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

1. Statement by Councillors and Management – General Purpose Statements.
2. Statement by Councillors and Management – Special Purpose Statements.
3. Schedule of restricted funds by Council as at 30 June 2023.
4. Draft General Purpose and Special Purpose Financial Statements:
 - a) Income Statements
 - b) Balance Sheet/Financial Position
 - c) Cash Flow.

Recommendation: That Council:

1. Council endorses seeking an extension to lodge its 2022/23 financial statements by Friday December 15, 2023.
2. Certify that, 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.

The Director of Corporate and Community Services advised that the draft 2022/2023 financial statements were not ready for certification and proposed that an extraordinary council meeting be held on 30 October 2023 for the purpose of certifying the financial statements.

190/23 RESOLVED on the motion of Crs Walker and Sharp that Council:

1. Council endorses seeking an extension to lodge its 2022/23 financial statements by Friday December 15, 2023.
2. An Extraordinary Council Meeting be held on 30 October 2023 at 5pm, via audio-visual link to represent the draft Audited Financial Statements for the 2022-2023 financial year.

QUESTIONS AND STATEMENTS

Cr Marston

Nil.

Cr Day

- i) **Honour Boards – Memorial Hall:** Cr Day asked when the honour boards currently displayed in the Memorial Hall will be moved to mitigate further water damage?

Response – Director of Corporate & Community Services

The Director of Corporate & Community Services advised Council staff have struggled to find a suitable tradesperson to carry out the work. Council's Heritage Adviser and the Finance Officer are working towards a resolution.

- ii) **W Drummond Monument:** Cr Day asked how the matter of the damaged monument is progressing.

Response – Director of Engineering and Environmental Services

The Director of Engineering & Environmental Services advised he is sourcing quotes for repairs to the stonework and lantern. He further advised he has received a request from Lockhart Progress Association to install a temporary Christmas decoration in the roundabout in place of the monument.

Cr Driscoll

- i) **Lockhart OOSH:** Cr Driscoll ask how the service is going?

Response – Director of Corporate & Community Services

The Director advised there has been no real change in usage since his last, verbal update. There is only one attendee, utilising only 3 to 4 of a possible 10 sessions per week. An advertisement to encourage use of the service has been included in Council newsletters and on social media.

- ii) **Back Lanes:** Cr Driscoll asked if there is going to be any kind of grading maintenance carried out on rear lanes, especially at The Rock? Cr Driscoll advised the lane at the rear of Coronation Park is particularly bad. Cr Driscoll asked if there is a priority list?

Response – Director of Engineering & Environmental Services

The Director of Engineering & Environmental Services advised that there is no priority list at this stage. He further advised a contractor would be required to carry out any works as Council's crews are engaged in repairs on more highly utilised roads. An assessment can be done to prioritise according to usage and risk.

191/23 RESOLVED on the motion of Crs Driscoll and Day that Council carry out an assessment and works be prioritised.

Cr Mathews

- i) **Event Signage:** Cr Mathews advised he has been approached by community groups regarding the possibility of a "What's On" electronic board, to tell the local community what events are coming up. The local show society approached Bendigo Bank who deemed it unsuitable for funding. Cr Mathews asked if it is possible for Council to identify potential locations for such a sign, to have this "shovel-ready" to enable grant applications?

Response – General Manager

The General Manager advised that, in its most recent meeting, the Tourism and Economic Development Committee (TEDSC) agreed to further investigate inclusive, static boards utilising QR codes for up-to-date information across the Shire, instead of electronic touch screens. The Mayor advised that Council requires a concept plan and suggested locations for the proposed electronic sign so it can be considered.

- ii) **Artificial Intelligence (AI):** Cr Mathews asked if a study was being done on what impact or influence AI might have on local government?

Response – General Manager

The General Manager advised he is not aware of any studies being done but the question could be asked at the next REROC meeting.

- iii) **Benchmarking:** Cr Mathews referred to a recent Office of Local Government newsletter advising that the “Your Council 2021/22” website data is now available online and asked if Council uses this information?

Response – Director of Corporate & Community Services

The Director of Corporate & Community Services advised Council benchmarks against Office of Local Government data for certain parameters, which is included in Council’s Annual Report, under criteria set by the Office of Local Government.

Cr Sharp

- i) **Pleasant Hills Tennis Courts:** Cr Sharp asked if there was a timeframe for repairs to the tennis courts to be carried out?

Response – Director of Corporate & Community Services

The Director of Corporate & Community Services advised the outgoing Project Officer had organised for two contractors, one from Sydney and one from Melbourne, to assess the courts, one of which has inspected the courts. The Director will follow up with him and report back to Council.

Cr Walker

Nil.

Cr Verdon

- i) **Lockhart Central School Presentation Day:** Cr Verdon advised he is unable to attend this function and asked if another councillor was available to represent him.

Response

Cr Mathews advised he would be able to represent the Mayor on 8 December.


- ii) **Spirit of the Land Festival:** Cr Verdon gave his congratulations to the General Manager, Director of Corporate & Community Services and Cr Mathews for their involvement in the Spirit of the Land, and to all the volunteers involved. Cr Verdon expressed his opinion that it is the stand-out event for the Shire.

CLOSED SESSION

Nil.

The meeting concluded at 6.30 pm.

The minutes of the meeting held on Monday, 16 October 2023, were confirmed as a true and accurate record at the Ordinary Council Meeting held on 20 November 2023, at which time the signature was hereunto subscribed.



CHAIRPERSON



CHAIRPERSON