



**BUSINESS PAPER**  
of the  
**Ordinary Meeting**  
to be Held  
**19 February 2024**

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

## **The Prayer**

We humbly beseech Thee to vouchsafe Thy blessings on this Council.  
Direct and prosper our deliberations to the glory and welfare of the people  
of this Shire and throughout our country.

Amen

## **Acknowledgement of Country**

Lockhart Shire Council acknowledges the traditional custodians of the land,  
the Wiradjuri people, and pays respect to Elders past, present and future,  
and extends the respect to all First Nations Peoples in Lockhart Shire.

## **Statement of Ethical Obligations**

In accordance with Clause 3.21 of the Lockhart Shire Council Code of  
Meeting Practice councillors are reminded of their oath or affirmation of  
office made under section 233A of the Act and their obligations under the  
council's code of conduct to disclose and appropriately manage conflicts of  
interest.

## **Oath or Affirmation of Office**

I will undertake the duties of the office of councillor in the best interests of  
the people of Lockhart Shire and the Lockhart Shire Council and that I will  
faithfully and impartially carry out the functions, powers, authorities and  
discretions vested in me under the Local Government Act 1993 or any other  
Act to the best of my ability and judgement.

## **Webcasting of Council Meetings**

Councillors, officers and visitors in the public gallery are advised that, in  
accordance with Clause 5.33 of the Lockhart Shire Code of Meeting  
Practice, the proceedings of Council meetings are recorded, and an audio  
recording of each Council meeting is made available on the Council's  
website.

## ORDER OF BUSINESS

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## MAYORAL MINUTE

### 1. RECRUITMENT OF GENERAL MANAGER

(24/1274)

Further to the Mayoral Minute tabled at the Council meeting held on 20 November 2023 and the Councillor Workshop convened on 29 January 2024, a process and indicative timeframe has been developed for the recruitment of a General Manager to replace Peter Veneris whose resignation will take effect in July 2024.

The process and indicative timeframe are summarised in the table below. In addition to having all councillors participate in determining the position description, selection criteria and the development of a comprehensive Candidate Information Pack, it is proposed that all councillors be involved in the interviews of shortlisted candidates.

In accordance with previous practice it is proposed that a sub-committee comprising the Mayor, Deputy Mayor and one other Councillor assist the Recruitment Consultants in the shortlisting of candidates with the sub-committee continuing on to perform the role of the General Manager's Performance Review Committee.

The current members of the General Manager's Performance Review Committee are the Mayor, Deputy Mayor and Cr Driscoll.

Date	Action	By whom
29 January	Councillor Workshop to assist in determining the position description, selection criteria and the development of a comprehensive Candidate Information Pack.	Recruitment Consultants and all councillors
22 February to 18 March	Advertising and candidate search.	Recruitment Consultants
From 27 March	Review of applications and shortlisting of candidates.	Recruitment Consultants and Panel Members
27 March – 12 April	Referee checks and Hogan Personality Assessments conducted on shortlisted candidates.	Recruitment Consultants
12 April	Interviews of shortlisted candidates	Recruitment Consultants and all councillors
From 12 April	Background checks conducted on successful candidate, contract negotiation and contract preparation.	Recruitment Consultants
TBC	Report to Council.	Mayor
TBC	Council meeting and formal resolution to appoint successful candidate.	Council
TBC	Media Release.	Mayor and Recruitment Consultants
TBC	Post appointment Induction Workshop and development of General Manager's Performance Agreement.	Recruitment Consultants and all councillors

**Recommendation:** That Council:

1. Endorse the process and timeframe for the recruitment of a general manager as outlined in the Mayoral Minute.
2. Appoint the Mayor, Deputy Mayor and Cr Driscoll to the General Manager Recruitment sub-committee and General Manager's Performance Review Committee.

## REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

To be presented at the meeting.

### URGENT MATTERS

Nil.

### NOTICE OF MOTION

Nil.

### COMMITTEE REPORTS

1. MINUTES OF THE TOURISM AND ECONOMIC DEVELOPMENT STEERING COMMITTEE HELD  
8 FEBRUARY 2024 AT THE ROCK REGIONAL OBSERVATORY

(TEDO: 24/1755)

<b>Date &amp; Time</b>	Thursday 8th February 2024 – 6pm
<b>Location</b>	The Rock Regional Observatory, Lockhart - The Rock Road, The Rock
<b>Attendees</b>	Erica Jones (Chair) Michelle Bailey (Deputy Chair), Heather Trevaskis (Timekeeper), Matt Holt (TEDO - Secretary), Deputy Mayor Cr Peter Sharp, Cr Fran Day, Cr Ian Marston, Fiona Beckett, Rachel Viski, Debbie Bender, Shiree Gillies, and Joel Sim. Guest Speaker: Regional Development Australia (RDA) Riverina CEO – Rachel Whiting
<b>Apologies</b>	Cr Bob Mathews, Mandy Strong and Navneet Choujar
<b>1 &amp; 2.</b>	The meeting opened with a welcome from the Chair and an Acknowledgment of Country
<b>3. Guest Presentation.</b>	Regional Development Australia (RDA) Riverina CEO – Rachel Whiting
<b>4. Declarations of Interest</b>	Nil.
<b>5. Confirmation of the minutes for the meeting Wednesday 8th November 2023</b>	
<b>Resolution:</b>	<b>Recommended</b> on the motion of Heather Trevaskis and Fiona Beckett that the minutes of the meeting held on Wednesday 8th November 2023 as circulated, be confirmed as a true and correct record of the proceedings.
<b>6. Action from previous minutes – Cr Mathews/Matt/Cr Marston/Cr Day</b>	
<b>Minutes:</b>	<ul style="list-style-type: none"><li>Propose New Event - Indian Hawkers Festival – Cr Mathews provided an update through Matt. Although the Albury Indian community has shown interest in this festival, the level of support and potential numbers would reduce the viability of a stand-alone festival. Going to try and invite stall holders from the Indian Community to the Spirit of the Festival. <b>Complete</b></li><li>EV Chargers signage and promotions. Listed on website and brochures where applicable. Sign installed - <b>Complete</b>.</li><li>CEO of RDA Riverina to be invited to present to TEDSC in February. <b>Complete</b></li><li>Pastoral Shadows of Brookong updates, works to be undertaken in November. <b>98% Complete, waiting on a sign to be delivered to Council from Lockhart Progress - Complete</b></li><li>Bus Trip of Shire for local Business – Outstanding – <b>Consider date down the track. Complete</b></li></ul>

	<ul style="list-style-type: none"> <li>• Trucks are using air brakes along East St in Lockhart and along the Olympic Highway in The Rock, can signage be installed to encourage the limit compression breaking. Sign installed. <b>Complete</b></li> <li>• Green Gunyah Museum Parking – <b>Funded by grant with Council, area covered with crushed granite, signs on order and street line marking to take place. TBC</b></li> <li>• Terms of Reference Update and project template – <b>Complete</b></li> <li>• The Rock Railway Station – Rach Viski provided the response from Dr Joe McGirr MP. Committee agreed to keep pursuing this project. <b>Move to project list.</b></li> <li>• Water Tower Way/Tim Fischer Way – <b>Outstanding.</b></li> <li>• Galore Hill Masterplan – No update – <b>Remove.</b></li> <li>• LEP Expo – LEP needs to be adopted first - <b>Remove.</b></li> <li>• What's On Sign for Lockhart – Cr Mathews working on a proposal that is to be either brought back to TEDSC or Council directly.</li> <li>• Current projects update across Council – updates in share drive with others listed below. <b>Lockhart Solar Farm</b> – Approved with private developer looking for funding. <b>The Rock Community Hub</b> – Public exhibition closed. Cr Marston provided an update. <b>Lockhart Gym</b> - Project Committee formed. Cr Day provided an update.</li> <li>• <b>Green Street Walkway</b> – progressing, near completion.</li> </ul>
<b>Actions:</b>	Matt and members to continue to work on outstanding items and action the below.
<b>Resolution:</b>	<b>Recommended</b> on the motion by Fiona Beckett and Joel Sim that the Committee note the completed actions and the TEDO action the outstanding items.
<b>7. Current Projects – Priority 1 - TEDO</b>	
<b>Minutes:</b>	<p><b>Current Projects – Priority 1</b></p> <ul style="list-style-type: none"> <li>• Brookong Creek Masterplan – Report in Share Drive.</li> <li>• Walk of Fame – Copy with families to approve, difficulty finding appropriate images, signs to be made shortly. Wall in park needs some work, with damaged signs to be back up soon.</li> <li>• Murrumbidgee Trails – social media brought in house to be shared among Councils. Advertising Prospectus in market for businesses to advertise, with the next guide to be A5. As per feedback from advertisers and printing costs. Closes 1<sup>st</sup> March</li> <li>• Brochures – Lockhart Shire Large Scale Murals, Bird Trail, Pastoral Shadows of Brookong, The Rock Observatory and Lockhart Carvan Park in final stages – <b>In final stages of design</b></li> <li>• Former Lockhart Entrance Town signs – <b>progressing, need to track down original image.</b></li> <li>• Visitor Information Boards – with graphic designer – <b>progressing.</b></li> <li>• New Residents Information - Webpage and guide – <b>progressing.</b></li> <li>• Secure Energy Partnership Projects – <b>outstanding</b></li> <li>• Connectivity Project <ul style="list-style-type: none"> <li>○ Telstra Info Van Visited Lockhart 16<sup>th</sup> November 2023 with about 12 people visiting. Held two meetings with Telstra in Jan/Feb to continue advancing strategy.</li> <li>○ NBN together with Riverina Regional Library held a Scam Alert workshop In January with 8 people attending.</li> <li>○ NBN, meeting held 18/1 to go over final strategy.</li> <li>○ NBN 5G towers still determining potential sites.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Drought Resilience Planning Grant – successful. Meeting in Wagga 5/2/24 (\$450k over two years) at procurement stage.</li> <li>• Proposed new caravan and RV camping location at The Rock – Back on the agenda if we can find land - <b>Investigating</b>.</li> <li>• Australia Day Grant Funding - \$10,000 in acquittal stage - <b>Complete</b></li> </ul>
<b>Actions:</b>	TEDO to continue to work on outstanding items
<b>Resolution:</b>	<p><b>Recommended</b> on the motion by Cr Peter Sharp and Heather Trevaskis that Council make the following changes to the Brookong Creek Draft Masterplan in response to the community feedback, with Sections 2 to be costed first, followed by Section One, with the final Masterplan to be presented to Council in March for adoption.</p> <ul style="list-style-type: none"> <li>• Remove the dog park altogether and for Council to consider at another location.</li> <li>• Remove the proposed suggested trees/shrubs around proposed dog park area.</li> <li>• Make Hodgson Park more inclusive for people with a disability, including wheelchair accessible, to enable all residents and visitors to obtain health and wellbeing.</li> <li>• Offer to create access ways on four Voluntary Purchase Scheme blocks owned by Council so existing residents in Urana Street can have access to their backyards. (See examples)</li> <li>• Installation of drinking fountains around the Creek not just within activation areas.</li> <li>• Relocate the toilet block at 11 to 12 (south part of the Master Plan)</li> <li>• Include bench seating at intervals along all walkways.</li> <li>• Include non-native species of plants, with further indigenous consultation.</li> <li>• Realign walkway through Caravan Park.</li> <li>• Consider upgrading the concrete crossing over the Lagoon, West of the Caravan Park.</li> <li>• Consider natural stabilisation of the banks of the lagoon to stop erosion and make it safer for maintenance.</li> <li>• Consider a small aeration system for the lagoon. This could include using plants or by having a mechanical sculpture.</li> <li>• Include solar lights around the walkways.</li> <li>• Keep Lockhart Lovelocks Arch and add connecting walkway.</li> <li>• Keep Splash Park for consideration at a later date.</li> <li>• Remove White Cypress Pines and Cumbungi on plant list.</li> <li>• Remove proposed new Street trees in Brookong Street</li> <li>• Continue new Street trees along Urana Street from Railway Line to Green Street</li> <li>• Include way finding signs along the walkways.</li> <li>• Include the newly acquired property under VPS in the Masterplan (77 Urana St)</li> </ul> <p><b>Recommended</b> on the motion by Cr Fran Day and Joel Sim that the TEDO continue to work on the priority 1 projects.</p> <p><b>Recommended</b> on the motion by Fiona Beckett and Cr Fran Day that the items below be rolled over to the April meeting due to time.</p>
<b>8. Projects - Priority 2 - Share Drive</b>	
<b>9. Projects – Potential – Share drive</b>	
<b>10. News/Issues/Topics.</b>	
<b>Minutes:</b>	<ul style="list-style-type: none"> <li>• Events Support – Resources provided to The Rock Chairty Ball, The Rock Recreation Ground Committee for Aust. Day, and The Rock Triathlon. Events promoted through Visit NSW website, VLS website, VLS social media pages, print media and various memberships with Murrumbidgee Trails, Wagga, Albury, and Visit Riverina.</li> </ul>



	<ul style="list-style-type: none"><li>• Marketing Material – Visit Lockhart Shire iron-on cloth patches - these will go to the two Museums to sell. Visit Lockhart Shire wrap on the TEDO Car.</li><li>• Visit Riverina – TEDO is now Deputy Chair as of Nov 2023. Lockhart also hosted the latest meeting 1/2/24.</li><li>• Riverina Water Grants – Greens Gonyah Museum, Lockhart Golf Club and The Rock Meals on Wheels recipients.</li><li>• Spirit of the Land Festival is a finalist of Australian Street Art Competition under Festival Category.</li><li>• TEDO on leave 8 -26 April 2024.</li></ul>
<b>10. Museum Advisor Report November and End of Year</b>	
<b>11. Questions/Feedback/Updates</b>	
<b>12. Next meeting: Wednesday 3<sup>rd</sup> April 2024 – Location TBC</b>	
<b>Meeting Closed: 8.20pm</b>	

**Recommendation:** that the minutes of the Tourism and Economic Development Steering Committee meeting held on 8 February 2024 be received and the recommendations therein be adopted.

## DELEGATES' REPORTS

### 1. RIVERINA WATER COUNTY COUNCIL BOARD MEETING - 14 DECEMBER 2023

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

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

The update relating to the Board meeting held on 14 December 2023 has previously been distributed separately to Councillors.

### 2. POLICE AND COMMUNITY CONSULTATION GROUP MEETING HELD 13 FEBRUARY 2024 AT LOCKHART

(24/1791)

A quarterly meeting of the Police and Community Consultation Group was held at the Lockhart Shire Council Administration Building on Tuesday, 13 February 2024.

The meeting was attended by NSW Police and representatives of licensed premises and community organisations in the Shire. The following matters were noted:

- The local Police provided an update on policing matters and tabled statistics in relation to reported incidents since the last Committee meeting, particularly with respect to break and entering and motor vehicle theft.
- The Police indicated that comparative information will be provided at the next meeting to analyse how the current statistics compare with similar times of year in the past.
- It was noted that the offenders are generally from outside the local government area and an active investigation is in progress in relation to recent offences.
- Cr Jane Hunter's Delegates Report to Council regarding the Crime Prevention and Community Safety Conference was distributed to Committee members.
- It is proposed to invite the NSW Police Rural Crime Unit to address a future meeting of the Committee.
- The need for more street lighting in Lockhart was raised from a community safety perspective particularly in view of the aging population.
- An update was provided regarding the installation of CCTV cameras.

**Cr P Sharp**  
Delegate

**Recommendation:** That the Delegates' Reports be received and noted.

## STATUS REPORT/PRÉCIS OF CORRESPONDENCE ISSUED

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

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 18 December 2023</b>			
235/23	GM	<p><b>Policy Reviews</b></p> <ol style="list-style-type: none"> <li>1. That the following Policies, as presented, be adopted:               <ol style="list-style-type: none"> <li>a) Policy 1.9A Records Management</li> <li>b) Policy 1.9B Records Management (Councillors)</li> <li>c) Policy 2.40 Liquid Trade Waste</li> <li>d) Policy 2.44 Street Trees</li> <li>e) Policy 2.57 Grants Management</li> </ol> </li> <li>2. That expressions of interest be invited from section 355 management committees for one representative from each committee to complete a grant writing course funded by Council.</li> </ol>	<ol style="list-style-type: none"> <li>1. Policy Register updated. Complete.</li> <li>2. EOIs to be invited at workshops proposed to be convened with Section 355 committees to roll out the updated Section 355 Committee Information Handbook and explain the Grant Guru platform. Dates in March are currently being considered in conjunction with Council's insurer who will be attending the workshops to provide information and guidance to committees on insurance matters.</li> </ol>
234/23	GM	<p><b>Policy 1.29 Closed Circuit Television (CCTV) Policy</b></p> <p>That Draft Policy 1.29 CCTV Policy, as publicly exhibited, be adopted.</p>	Policy Register updated. Complete.
231/23	DEES	<p><b>Review of Correct Spelling and Renaming of Pietches Lane</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Endorse the proposed name change from 'Pietches Lane' to 'Pietschs Lane'; and</li> <li>2. Notify NSW Spatial Services of the name change.</li> </ol>	Signs have been changed and NSW Spatial Services have been notified. Complete.

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Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 20 November 2023</b>			
211/23	DEES	<p><b>Integrated Water Cycle Management Strategy – Lockhart Sewerage Treatment Plant</b></p> <p>1) Council adopts the option as determined in the Councillor Workshop held 16 October 2023 for incorporation into the draft IWCM Strategy, that being:</p> <ul style="list-style-type: none"> <li>• Replace existing Lockhart Sewerage Treatment Plant (trickling filter) with a new oxidation pond with effluent reuse; and</li> <li>• Include the sewerage of south Lockhart</li> </ul> <p>2) That the draft IWCM Strategy be placed on public exhibition for a period of not less than 28 days.</p>	<p>IWCM currently on public exhibition until 29 February 2024.</p> <p>IWCM to be tabled at March Council meeting, together with any submissions received.</p>
198/23	GM	<p><b>General Manager’s Contract</b></p> <p>That Council invites a proposal from LG Services Group to undertake a recruitment process for the appointment of a general manager.</p>	<p>Refer Mayoral Minute (page 4). Complete.</p>
<b>Ordinary Council Meeting held 18 September 2023</b>			
163/23	GM	<p><b>Magnolia Lodge and Youth Flats</b></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. Concept plans currently being prepared.</p>
<b>Ordinary Council Meeting held 21 August 2023</b>			
148/23	GM	<p><b>Guidelines for Audit, Risk and Improvement Committees</b></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. Awaiting advice from OLG on shared employment of Chief Audit Officer.</p>

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Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 19 June 2023</b>			
100/23	DEES	<p><b>Proposed Speed Limit Changes – Green Street, Lockhart</b></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>	<p>A review has been carried out on Green St and the application for a HPAA area.</p> <p>After consideration TfNSW would not endorse this change.</p> <p>The following comments were recorded from the review:</p> <p><i>There is no records of accidents in this area.</i></p> <p><i>The roadside environment (car parking, road width, consistency with bordering roads, consistency with other block on Green St) is not reflective of HPAA place. The latest standard promotes consistency for the road user as a defining factor of speed limits.</i></p> <p>Complete.</p>
<b>Ordinary Council Meeting held 13 February 2023</b>			
26/23	GM	<p><b>Proposed Acquisition of Land</b></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>	<p>Development application has been lodged with landowner's consent and awaiting determination. Further information required. Lighting consultant engaged to prepare plan. Lighting plan has been lodged. A report will be prepared for a future Council meeting.</p>
9/23	GM	<p><b>Disaster Recovery Funding Arrangements</b></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"> <li>1. Emily Street, The Rock – drainage improvements</li> <li>2. Cole Street, Yerong Creek – drainage improvements</li> <li>3. Green Street West, Lockhart – drainage improvements</li> <li>4. Flood Detour Road – culvert installation</li> <li>5. Waste Mgt Facilities Access Roads</li> <li>6. Community information initiative (social media)</li> <li>7. Access Road – Golf Club</li> </ol>	<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>OLG have responded requesting further information. Currently being prepared.</p>
<b>Ordinary Council Meeting held 18 July 2022</b>			
141/22	GM	<p><b>Request for Council to Purchase Private Access</b></p> <p>Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.</p>	<p>Survey plan has signed by the affected landowners and now forwarded to the Mortgagee Bank for signature. Awaiting response from mortgagees' bank.</p>

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Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 16 May 2022</b>			
109/22	GM	<p><b>Tender – 109 Green Street</b></p> <p>Council declines to accept the tender received from ASCO Group (Aust) Pty Ltd for the provision of public toilets at 109 Green Street Lockhart and seek separate quotations for the individual components of the project for the following reasons:</p> <p>a) Seeking separate quotations and being able to negotiate with different contractors for the different components of the project will provide more flexibility in seeking the most cost-effective solution bearing in mind that the funding approved under Round 4 of the Stronger Country Community Fund is less than the amount for which Council applied.</p> <p>b) Accepting the one tender that has been received for the public toilets without a contract in place for the community space component of the project will prove problematic as the community space and landscaping is critical to providing access to the public toilets.</p>	George the Friesian Bull has been moved into place. Paving completed. Sealing of carpark to be completed later this year.
<b>Ordinary Council Meeting held 16 August 2021</b>			
148/21	GM	<p><b>Proposed “Tim Fischer Way”</b></p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>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 in mid-2024.</p>
<b>Ordinary Council Meeting held 19 April 2021</b>			
63/21	GM	<p><b>Residential Development – Lockhart</b></p> <p>1) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report.</p> <p>2) That the cost of subdividing the land be funded from the Infrastructure Reserve with the proceeds of any land sales to be returned to the Reserve.</p>	<p>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>
<b>Ordinary Council Meeting held 18 December 2023 – Councillor Questions &amp; Statements</b>			
Questions & Statements	MPE	<p><b>Cr Rockliff: Green Street Monument</b></p> <p>Asked for an update on the repairs to the monument.</p>	<p>Contractors have been engaged to carry out repairs and reinstate the monument.</p> <p>Complete.</p>
	DEES	<p><b>Cr Rockliff: Drain to Creek, Urana Street, Lockhart</b></p> <p>Mentioned this drain is overgrown with pine trees etc, and requires cleaning out.</p>	<p>Investigations revealed drain is located on private property.</p> <p>Complete.</p>

*Lockhart Shire Council  
Ordinary Meeting – 19 February 2024*

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<b>Cr Hunter: Streetlighting</b> Asked what Council's streetlighting costs are.	Monthly expenditure for streetlighting is approximately \$4,500 per month. Complete.
	DEES	<b>Cr Sharp: Alma Park Road/Scheetz Lane</b> Advised of quite a bad pothole near this intersection that requires attention.	Works request has been created.
	DEES	<b>Cr Mathews: Heat Havens</b> Advised that some shires are providing "heat havens" to provide respite for residents during heatwaves and asked is this something Council could look at doing?	Common locations for 'heat havens' include libraries, leisure centres and galleries. Council has nominated evacuation centres that can be used in extreme heat which are outlined in the Local Emergency Plan. Complete.
	DEES	<b>Cr Marston: Line Markings</b> Has been contacted by grain truck operators regarding the faded linemarkings at the Olympic Highway/Urana Street crossing which has lead to a few near-misses with grain trucks.	Contractor has undertaken linemarking at The Rock. Further linemarking will be complete when resealing program is completed. Complete.
	GM	<b>Cr Marston: Condolences</b> Advised of the passing of Mrs Ann Flinn and asked that Council send a message of condolence to Mr Flinn and Cr and Mr Driscoll.	Condolences sent to Mr Flinn and Cr and Mr Driscoll. Donations were made to the Heart Foundation and Australian Red Cross in lieu of floral arrangements. Complete.
<b>Ordinary Council Meeting held 20 November 2023 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Mathews: Councillor Dress</b> Suggested an option somewhere between the blazer and a polo shirt might be appropriate for attending conferences etc.	Executive Assistant is sourcing appropriate short-sleeved options. The shirt currently worn by female Councillors is no longer in production.
<b>Ordinary Council Meeting held 16 October 2023 – Councillor Questions &amp; Statements</b>			
	DEES	<b>Cr Day: W Drummond Monument</b> Asked how the matter of the damaged monument is progressing.	Superseded by Cr Rockliff's question on 18 December 2023. Complete.
191/23	DEES	<b>Cr Driscoll: Maintenance of Rear Lanes</b> 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?	Contractor quotes are being sourced.
	DCCS	<b>Cr Sharp: Pleasant Hills Tennis Courts</b> Asked if there was a timeframe for repairs to the tennis courts to be carried out?	Quotes being reviewed. Scope of works being reviewed to match funding.

Lockhart Shire Council  
Ordinary Meeting – 19 February 2024

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 18 September 2023 – Councillor Questions &amp; Statements</b>			
Questions & Statements	GM	<b>Cr Mathews: Veterinary Services</b> 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.	Enquiries have been made with the Animal Welfare League NSW mobile veterinary Animal Care Truck. Advice has been received that a trip is being planned in October to Wagga Wagga, with dates and times to be confirmed.
	DEES	<b>Cr Verdon: Lodge Road</b> Advised this road, which provides access to The Rock Cemetery, is deteriorating rapidly and requires attention.	Works request created. Will be attended to when crews in the area.
	DEES	<b>Cr Verdon: Entrance laneway, The Rock Bowling Club</b> Advised there are potholes in this laneway which require attention.	Works request created. Will be included in future sealing program.
<b>Ordinary Council Meeting held 17 April 2023 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Marston: Yerong Creek Mittagong Road Culvert – Trees Encroaching</b> 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. Contractor engaged. Trees have been trimmed. Completed.
<b>Ordinary Council Meeting held 21 November 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Hunter: Tiled Wall outside The Rock Gym</b> 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.	Tiles have been sourced and ordered, awaiting delivery. Builder's project manager advises tiles have been received, will schedule date for fitting. Builder has indicated works to start in coming weeks.
<b>Ordinary Council Meeting held 17 October 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	MP&E/ DCCS	<b>Cr Verdon: Disability Access Across the Shire</b> 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.	Meeting held Friday 17 <sup>th</sup> November with Neil Smith of BEST. Council to provide BEST list of sites. Proposed quote provided, reviewing and finalising scope of works.
<b>Ordinary Council Meeting held 20 June 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Hunter – Yerong Creek Bowling Club</b> Advised the Bowling Club are still awaiting receipt of an Occupation Certificate for the building.	Fire safety upgrades have been completed satisfactorily and a Building Information Certificate has been issued. Complete.

**Correspondence Received**

<b>Date sent to Councillors</b>	<b>From</b>	<b>Subject</b>
8 January 2024	Mayor, via General Manager	Mayoral Update
17 January 2024	General Manager	Confirmation of Workshop on 29 January 2024
9 February 2024	Mayor, via Executive Assistant	Invitation – 25 <sup>th</sup> Anniversary of Rotary Peace Town Declaration
13 February 2024	General Manager	Invitation to participate in Elecnor's Cultural Awareness Session – 18 Feb 2024.

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



## STAFF REPORTS

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

#### 1. REQUEST FOR FINANCIAL ASSISTANCE – THE ROCK AND DISTRICT MEALS ON WHEELS (GM: 24/257)

##### Executive Summary

A request for financial assistance has been received from The Rock and District Meals on Wheels which is tabled for Council's consideration.

##### Report

The following correspondence has been received from the Service Manager of The Rock and District Meals on Wheels requesting financial support for a Seniors Expo:

*"I am writing to ask if your organisation would be interested in supporting and assisting with funding for a Seniors Expo.*

*This event will be held on Tuesday 19<sup>th</sup> March at The Rock Memorial Bowling Club.*

*Late last year I applied to the Senior Week grant funding, through the government, and to gauge the level of interest I sent out an expression of interest letter to over 60 different organisations.*

*Whilst I have had a lot of interest from those I asked, we were unsuccessful with our funding application.*

*However, I would like to see this expo go ahead, as I feel that it has a lot to offer the senior members of our community along with their family and carers.*

*The objective of this expo is to have numerous businesses and government organisations set up information stalls, so that the consumers can come along and receive as much information as possible about living independently whilst remaining in their own homes.*

*I am asking if your organisation would consider making a contribution towards our expo, of \$200 or more.*

*I look forward to your reply."*

##### Integrated Planning and Reporting Reference

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

A1: Build capacity, capability and partnerships to encourage sustainable community groups and clubs.

##### Legislative Policy & 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 & Financial Aspects

Council has allocated an amount of \$52,000 in the 2023/24 Budget for the consideration of requests for financial assistance pursuant to Section 356 of the Local Government Act. An amount of \$39,430 has been expended to date.

##### Attachments

Nil.

**Recommendation:** That Council determine the amount of assistance to be provided to The Rock and District Meals on Wheels for the purposes of a "Seniors Expo".

2. REQUEST FOR FINANCIAL ASSISTANCE – YERONG CREEK PUBLIC HALL

(GM: 24/508)

Executive Summary

A request for financial assistance has been received from the Yerong Creek Public Hall Committee which is tabled for Council's consideration.

Report

Set out below is an extract from correspondence received from the Yerong Creek Public Hall Committee requesting financial support towards the hosting of a fundraising event for community organisations in the town:

*"I am writing in relation to our phone conversation today, 11th January. We discussed the upcoming performance by country music star Fanny Lumsden at Yerong Creek Hall on February 18th. The hall is hosting this event and we are hoping to make it a huge fundraiser for Yerong Creek community organisations.*

*We would appreciate the Lockhart Shire council supporting us with sponsorship of \$1000 for the day. The Yerong Creek hall has accepted a payment package of \$6000 to the event organiser which we are confident of meeting in ticket sales. We are also running a mechanical bull ride and BBQ dinner on the afternoon and council sponsorship would ensure we cover costs and hopefully make some profit from our efforts.*

*This will be a great opportunity to bring our community together for a social occasion and to experience a high quality music production. It is also a chance to showcase our great facilities at the club/hall and recreation ground.*

*As you can appreciate it is difficult to raise funds in small towns and events and sponsorships like this will enable us to maintain our facilities and give back to the community through donations, community breakfasts etc.*

*Any monetary support the council could offer would be gratefully accepted."*

Integrated Planning and Reporting Reference

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

A1: Build capacity, capability and partnerships to encourage sustainable community groups and clubs.

Legislative Policy & 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 & Financial Aspects

Council has allocated an amount of \$52,000 in the 2023/24 Budget for the consideration of requests for financial assistance pursuant to Section 356 of the Local Government Act. An amount of \$39,430 has been expended to date.

Attachments

Nil.

**Recommendation:** That Council contribute an amount of \$1,000 to the fundraising event being hosted by the Yerong Creek Public Hall.

### 3. RIVERINA REGIONAL LIBRARY – DISPUTE RESOLUTION

(GM: 24/1348)

#### Executive Summary

An update is provided in relation to the dispute between Wagga Wagga City Council (WWCC) and the remaining members of the Riverina Regional Library (RRL) regarding the distribution of assets after WWCC ceased to be a member of RRL.

#### Report

Operating since 1978, RRL is a non-profit collaborative that provides central library services to ten member Councils including Lockhart, 19 branch libraries, and a mobile library that services 21 remote and rural communities.

WWCC ceased to be a member of the library service on 30 June 2022 and, following failed attempts to reconcile how the accumulated assets of the RRL should be distributed, the parties entered into an arbitration process to resolve the dispute.

A distribution of assets was required following Wagga Wagga City Council deciding to provide all library services to its community directly and both parties agreed to limit the first stage of the arbitration to key points about whether particular terms in the RRL Deed of Agreement applied to the asset distribution.

The partial award was handed down by the arbitrator in September 2023 who found a further round of arbitration would be required to resolve the dispute unless the parties were able to negotiate an agreed position on the division of assets.

RRL member councils came to an agreement on the distribution of accumulated RRL assets when they met with WWCC on Wednesday, 24 January 2024.

A joint statement was issued at the time noting that *“WWCC and RRL member councils are very pleased with the equitable outcome of negotiations and, more importantly, that the RRL organisation can now move forward and continue to provide valuable library services to the region.”*

#### Integrated Planning and Reporting Reference

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

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

#### Legislative Policy & Planning Implications

The operation of the RRL is governed by a Deed of Agreement executed by all member councils. Council granted authority for the current RRL 2022-2026 Deed of Agreement to be executed under Council's seal on 20 June 2022.

#### Budget & Financial Aspects

Council pays an annual membership contribution to the RRL for the provision of library services in the Shire which is provided for in the 2023/24 Budget.

#### Attachments

Nil.

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

### 4. DECLARATION OF LOCKHART AS A PEACE TOWN – 25<sup>TH</sup> ANNIVERSARY

(GM: 24/1358)

#### Executive Summary

Lockhart was declared a Peace Town on 23 February 1999 as part of a broader Rotary International initiative. The 25<sup>th</sup> anniversary of the declaration will occur on 23 February 2024 and an event is being planned to mark the occasion.

#### Report

The concept of Rotary District D9700 Community Peace Cities/Towns was conceived in Wagga Wagga by Rotarian Tony Quinlivan. The City became the first Peace Community on 23 February 1993 with the

Community Peace Monument being unveiled by Past Rotary World President Royce Abbey and then Mayor Cr Pat Brassil.

There are now more than 60 peace counties, cities and towns in 20 different countries around the world. Lockhart was declared a Rotary Peace town on February 23, 1999.

The declaration of Lockhart as a Peace Town was commemorated by the unveiling of a plaque at Hodgson Park with the following inscription:

*Rotary Peace Town  
Rotary Club of Lockhart  
The town of Lockhart was declared a Rotary Peace Town on 23 February 1999  
by Mayor of Lockhart Councillor Rob Yates  
Dedicated to the memory of Francis Arvan Prichard  
Past District Governor, Paul Harris Fellow Former Shire Engineer  
"A man of peace"  
His wife Del Paul Harris Fellow  
A Rotary International District 9700 Australia Project*

It is proposed to have a small event at Hodgson Park on Friday 23 February 2024 to mark the 25<sup>th</sup> anniversary of the declaration. Representatives of Rotary Clubs in the region, specifically Wagga where this international movement was initiated, have been invited along with local parliamentarians and other guests. A morning tea will be provided.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

The event will be held within existing budgetary allocations.

Attachments

Nil.

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

**5. REGIONAL DROUGHT RESILIENCE PLANNING PROGRAM**

**(GM: 24/1552)**

Executive Summary

It was reported at the October 2023 Council meeting that a joint application had been lodged with Wagga Wagga City Council (WWCC) under the Regional Drought Resilience Planning Program. Lockhart Shire Council together with WWCC have been successful in securing funding in the amount \$450,000 under the Program over a two-year period, with WWCC to be the project lead.

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 WWCC for the purposes of the funding. It was reported at the October 2023 Council meeting that a joint application was lodged with WWCC.

Confirmation has now been received that Lockhart Shire Council together with WWCC have been successful in securing funding in the amount \$450,000 over a two-year period, with WWCC agreeing to be the project lead. The funding deed has been signed, work has commenced on the procurement process for the engagement of a suitably qualified consultant to undertake the community consultation process and development of a Regional Drought Resilience Plan and a project group is being established that will steer the project.

The 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).

The applicant councils will be required to consider the CSIRO feedback and incorporate it into the Regional Drought Resilience Plan prior to its finalisation.

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.

#### Integrated Planning and Reporting Reference

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

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

#### Legislative Policy & Planning Implications

WWCC has agreed to be the lead council for the project including being responsible for engaging the consultant, administering the grant funds and executing the funding agreement.

#### 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.

## **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**

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

#### Executive Summary

Monthly report on engineering and environmental services matters.

#### Background Information

- Staff shortages have affected operational tasks particularly in parks and gardens and works. Recruitment is under way to fill vacancies.
- Linemarking of give way and stop lines has been undertaken at The Rock and Lockhart.
- Council's Jetpatcher is back on-line after a short breakdown.
- New footpath has been completed in O'Connell and Hayes Street under state government Get Active NSW funding.
- Solar panels have been installed on The Rock and Lockhart Swimming pools which will reduce Councils electricity bills. Further installation to occur at The Rock Sewerage Treatment Plant.
- A replacement program for sewer assets is being prepared on a criticality basis for future budgets.
- Similarly, a program for Council's pools is also being prepared and costed.
- The consultant for The Rock Flood Study is preparing consultation material to go out to the community. Flood model has been updated with latest rainfall and runoff data and incorporating flood works undertaken by Council. Floodplain management committee will meet following consultation period.

#### **a) Works**

**(24/1862)**

#### Local Sealed Roads

Western Rd and The Rock Mangoplah Rd shoulder widening are now complete. Boree Creek Kywong Rd shoulder widening has commenced.

Drainage improvements and shoulder widening on the Yerong Creek Mangoplah Rd is now complete.

Culvert widening on the Mittagong Yerong Creek Rd is well under way, with the northern culvert completed.

#### Unsealed Roads

Maintenance of Shire gravel roads has been conducted on: Carns Lane, Dan Gleasons Lane, McLellands Lane, McKintys Lane, Osborne Pleasant Hills Road, Thomas Lane, Jim McDonnells Lane, Pat Gleasons Lane, Pietchs Lane, Ferndale Road, Jack Blights Lane and Schneiders Lane.

#### Maintenance Crews

Bitumen crew have been kept busy with routine maintenance on our Local and Regional Roads.

Maintenance crews have been assisting with the shoulder widening on the Western Rd and The Rock Mangoplah Rd.

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

#### Lockhart

Paving of 109 Green Street has been completed. Access has been opened and bollards at rear have been installed. Mowing of parks and entrances have been affected by staff shortages, watering activities for street trees and gardens maintained over the break.

#### The Rock

Staff shortages have also affected work at The Rock, watering and mowing undertaken with available staff. Concrete slab has been poured at the Avenue of Honour.

**c) Biosecurity**

**(24/1758)**

WEEDS

*Property Inspections*

Inspections were carried out on residential properties, rural properties and State government-managed properties. The majority of properties were selected due to a change in ownership.

The only weed found was Wild radish (*Raphanus raphanistrum*).

No. 1 <sup>st</sup> Inspections	No. Re-inspections required	No.2 <sup>nd</sup> Inspections	No. Biosecurity Undertakings Accepted	No. Biosecurity Directions Issued	No.3 <sup>rd</sup> Inspections	No.4 <sup>th</sup> Inspections
7	0	0	0	0	0	0

*Control Program*

Priority has been given to the control of St. John's wort (*Hypericum perforatum*) on roadside reserves and council managed land. Due to continued rainfall events, multiple germinations of St. John's wort have occurred.

The following roads were inspected for St. John's wort and herbicide application was administered where appropriate: Albury Road, Bakes Lane, Bankvale Lane, Bidgeemia Road, Clancys Lane, Clontarf Lane, County Boundary Road, Edgehill Stock Route, Fargunyah Lane, Fletts Lane, Forcks Lane, French Park Bullenbong Road, Henty Pleasant Hills Road, Henty Ryan Road, Edgehill Lane, Hollies Road, Jaegars Lane, Klemkes Road, Krauses Lane, Lallarook Lane, Lockhart Kywong Road, Lockhart The Rock Road, Munyabla Road, Munyabla Munyaplah Road, Munyaplah Boundary Road, Ryan Stock Route, Scheetz Lane, Schneiders Lane, Scotts Lane, Seberry's Lane, Slocums Lane, Soldier Settlement Road, Tinamba Lane, Urana Lockhart Road, Wallendoon Access Road, Western Road, Wolters Lane, and Zwecks Lane.

Priority has also been given to the control of Silverleaf nightshade (*Solanum elaeagnifolium*) on roadside reserves and council-managed land. Also due to continued rainfall events, infestations have increased in density, area and population. Silverleaf nightshade was controlled on Albury Road, Barracluffs Road, Bidgeemia Road, French Park Bullenbong Road, Hendersons Lane, Lockhart Kywong Road, Old French Park Bullenbong Road, Urana Lockhart Road and Western Road.

Bathurst burr (*Xanthium spinosum*) was controlled on Farrells Lane, French Park Bullenbong Road, McRaes Lane, and Soldier Settlement Road.

Clockweed (*Oenothera curtiflora*) was controlled on Urana Lockhart Road.

Feathertop Rhodes grass (*Chloris virgata*) was controlled on Albury Road, Lockhart Collingullie Road, Lockhart The Rock Road, and Urana Lockhart Road.

Horehound (*Marrubium vulgare*) was controlled on Albury Road, French Park Bullenbong Road, Lallarook Lane, Lockhart The Rock Road, Schneiders Lane and Soldier Settlement Road.

Spiny burrgrass (*Cenchrus spinifex*) red guidepost sites were sprayed on County Boundary Road.

St. Barnaby's thistle (*Centaurea colstitialis*) was controlled on Jaegars Lane, Klimpschs Lane, and Yuluma Road.

Yellow-flowered devil's claw (*Ibicella lutea*) was controlled on Soldier Settlement Road.

*Railway Corridor Weed Infestations*

In November, Council's Environmental Officer contacted ARTC to discuss the weed infestations present on the main branch railway line within Lockhart Shire, from the shire boundary northeast of The Rock to the shire boundary north of Henty. Positive correspondence has occurred and control of priority weeds, as well as environmental weeds, has been established.

Also in November, Council's Environmental Officer contacted UGL Regional Linx Pty Ltd to discuss the weed infestations present on the regional branch railway line within the Lockhart Shire from The Rock to the shire boundary, southeast of Boree Creek. Council's Environmental Officer was informed that UGL Regional Linx Pty. Ltd. only spray weeds that are state priority weeds and regional priority weeds. St. John's wort (*Hypericum perforatum*) is prevalent on this railway corridor, which is a local priority weed within Lockhart Shire. Landholders that are adjacent to this regional railway corridor were invited by Council's Environmental Officer to provide written correspondence, detailing the location and weed species of greatest concern, to be forwarded to UGL Regional Linx Pty. Ltd. Council's Environmental

Officer will continue to seek advice on this matter, and continue communication with UGL Regional Linx Pty. Ltd. and Transport for NSW to resolve this matter.

*Khaki Weed Control by Community Effort*

With Khaki weed (*Alternanthera pungens*) being widespread in townships, Lockhart Shire Council encourages residents to be vigilant in its control. Bearing in mind that Khaki weed is not considered a priority weed in the Shire, Council does not have the resources to attend to all infestations with the townships of the Shire before the plant produces seed. If residents are attentive to their own property, as well as the adjacent nature strip and back lanes, greater control can be achieved. On rural properties, regularly check directly under your mailbox and around electricity meters.

*Weed of Concern – Bristly Ox-Tongue*

Following the discovery of Bristly ox-tongue (*Helminthotheca echinoides*) on private property within the Shire, this species was chosen as the weed of the month in the December 2022 – January 2023 Council newsletter. Roadside inspections in spring of 2023 and summer of 2024 have shown that this species is quite widespread within the Shire, with small patches being present on many roads. It has the ability to remain undetected by looking similar to many other common weeds. To prevent this weed becoming a major problem within the Shire, locations will be monitored, and control methods will be investigated.

*DrumMUSTER Collection Events*

March drumMUSTER collection events have been scheduled. The Lockhart drumMUSTER event is scheduled to occur on Tuesday, 12 March, and will be managed by St. Joseph’s School. The Rock drumMUSTER event is scheduled for Thursday, 14 March, and will be managed by The Rock Men’s Shed.

**ENVIRONMENTAL MATTERS**

*Bird Sightings at Tootool Wetlands and Milbrulong Forest*

Council’s Environmental Officer would like to extend her appreciation to The Murrumbidgee Field Naturalists for providing a copy of their December 2023 newsletter, ‘The Murrumbidgee Naturalist’. During December 2023, members with expertise in bird identification, visited the Tootool Wetlands and Milbrulong Forest. The newsletter contains a list of species sighted at these locations.

At Tootool Wetlands, sightings included: Australian king parrot (*Alisterus scapularis*), Southern boobook (*Ninox novaeseelandiae*), Brown treecreeper (*Climacteris picumnus*), Fan-tailed cuckoo (*Cacomantis flabelliformis*), Yellow-billed spoonbill (*Platalea flavipes*) including a pair displaying synchronization behaviour, and over fifty sightings of Fairy Martin (*Petrochelidon ariel*), which were displaying behaviour suggesting nest building.

At Milbrulong Forest, sightings included: Brown treecreeper (*Climacteris picumnus*), Eastern yellow robin (*Eopsaltria australis*) and Jacky Winter (*Microeca fascians*), one of which was an adult on a nest.

This is greatly appreciated information, which is essential in establishing the habitat health of these natural areas, as well as extending the native species list.

**d) Development Activity Report – Period Ending 31 January 2024 (24/1504)**

This report advises of the Development Application Approvals for the December 2023 & January 2024.

Development Activity Table

DA/CDC No.	Development	Site of Development	Applicant	Value
DA59/22	Subdivision of land creating two allotments	6 Hill St, The Rock	M Arts	N/A
DA17/24	Continued use of existing transportable office building	18 Urana St, Lockhart	A Rockliff	\$25,000
DA25/24	New 4-bedroom single dwelling with attached garage	7 Prichard Pl, Lockhart	JT & KL McDonnell	\$548,000
DA27/24	Removal of existing shed & construction of new detached shed with attached awning	79 Ferrier St, Lockhart	S Hounsell	\$64,000
DA30/24	Install a manufactured home	20 Carson Rd, The Rock	C Kendall	\$431,300
DA31/24	Construction of new single dwelling	6 Crown St, The Rock	JD & EA Matheson	\$500,000
DA32/24	Subdivision of One Lot into Three Lots	Ryan St, Pleasant Hills	A Kim	N/A



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DA/CDC No.	Development	Site of Development	Applicant	Value
DA34/24	Removal of existing shed & construction of new detached shed with attached awning	60 Ferrier St, Lockhart	K Goodwin	\$73,000
DA35/24	New 4-bedroom single dwelling with attached garage and detached shed	Treasure St, Lockhart	S Hounsell	\$840,000
DA37/24	Demolition of existing dwelling and installation of new manufactured home	179 Eulenstein Rd, Henty	C Kendall	\$337,040
CDC39/24	New inground swimming pool	329 Urana Lockhart Rd, Lockhart	TI & DA Bender	\$56,000
DA41/24	New 9m x 9.5m Carport	1 Treasure St, Lockhart	AM Schilling	\$42,236
<b>Total</b>	<b>12</b>			<b>\$2,916,576</b>

LEP Review Update

A draft Planning Proposal for the proposed changes to residential components of the Lockhart LEP was sent to the Department of Planning, Housing and Infrastructure and relevant agencies late last year for preliminary comments. Comments have since been received and several areas are required to be addressed prior to the submission of a Planning Proposal. Flooding and biodiversity at The Rock are the main areas of concern that need further investigation and reporting prior to the submission of a Planning Proposal. With the review of The Rock Flood Study due to be completed later this year, this will address the additional information that is required for flooding. A draft Planning Proposal for the proposed LEP residential changes at The Rock will be resubmitted once the Flood Study Review has been completed. This will also give time for the biodiversity concerns that were raised to be addressed also.

In the meantime, a draft planning proposal will be completed and sent to the Department and relevant agencies for the proposed residential amendments for Lockhart. This is due to the flooding and biodiversity concerns being minimal for the proposed Lockhart residential amendments. This draft Planning Proposal will be presented to a council meeting in the coming months, prior to it being placed on public exhibition.

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.

**7. REVIEW OF POOL OPENING HOURS**

**(DEES: 24/882)**

Executive Summary

Residents of The Rock community have requested an increase to pool opening hours through unsupervised access. Unsupervised access can be permitted under certain circumstances.

Background

Council operates two swimming pools, at Lockhart and The Rock.

Council employs contractors on a fixed term to operate, run and staff each pool at Lockhart and The Rock. The contractors must have the pool open for certain times each day (see table below) with lifeguards on duty.

Council has had a request from residents from The Rock requesting increased access to the pool via unsupervised sessions. This would increase the usage rates of the pool.

Current opening hours of each pool complex are as follows:

<b>Lockhart Swimming Pool Operating Hours</b>	
<i>During School Term</i>	<i>Opening Times</i>
Monday to Friday	6am – 8am
	1pm – 7pm
Saturday and Sunday	11am – 7pm
<i>School Holidays</i>	<i>Opening Times</i>
Monday to Friday	6am – 8am
	11am – 7pm
Saturday and Sunday	11am – 7pm
<b>CHRISTMAS AND BOXING DAY</b>	<b>CLOSED</b>

Report

The Royal Life Saving Society Association “*Guidelines for Safe Pool Operations*” makes recommendations in relation to the minimum supervision requirements for public pool facilities. The guidelines explicitly address pool supervision under section 1.2.1 “*Supervision should be in place for all swimming pools...situated, constructed or installed, on any non-residential premises occupied by the Crown, public authority...*”

There are other councils in the surrounding areas who have unsupervised pool hours, including Federation Shire Council and Carrathool Shire Council. Acting in accordance with section 1.2.1 of the *Guidelines for Safe Pool Operations*, the Council pools were underutilised due to an inability to provide adequate supervision. The Councils advertised for staff, contacted labour hire companies and specialist pool contractors yet were still unable to provide adequate supervision. The Councils made use of internal staff at overtime rates and were only open for 2 hours each weekday and 7.5 hours on weekends. Considering the inability to open their facilities with adequate supervision, and the unavoidable costs of operating the facilities such as chemicals and testing, those Councils chose to undertake a risk assessment to implement unsupervised pool access. Capital upgrades to the pools were required as well as waiver forms from patrons and increased age limits. Indicative costs are shown below:

Initial capital costs:

PA Gate Magnetic Lock Gate	\$15,000
Signs for Remote Supervision	\$2,000
Camera System	\$5,000
Public Access Defibrillator	\$3,000
Integriti system	\$11,500
Internet access for Integriti system	\$1000
<b>Total With Integriti system</b>	<b>\$37,500</b>

In comparison to Federation Shire and Carrathool Shire, the current opening hours of each facility in Lockhart Shire is 8 hours per weekday on school days, 10 hours per weekday during school holidays and 8 hours per day on weekends all season. Furthermore, Council has received advice from our insurer Statewide Mutual as follows:

*“Whilst the Guidelines are not explicitly referred to as a legislative requirement, it is suggested if there were ever an accident involving the operation of an unsupervised pool, SafeWork NSW, a court and/or a coroner would almost certainly defer to the Guidelines when considering the reasonableness of any decision of a council to make public pool facilities available on an unsupervised basis as part of an investigation or hearing.*

*It is also suggested that a court, SafeWork NSW or a coroner would also likely reasonably expect that pool facility operators have obtained access to the Guidelines and are familiar with their content.*

*Having regard to the above, it is certainly clear that any operation of public swimming pool facilities on an unsupervised basis involves a significant degree of inherent risk from a liability and WH&S perspective. Indeed, if a future liability claim were to arise involving these circumstances, it is suggested that the reasonable care condition would be a significant consideration by the supporting insurers as to whether an indemnity could even be extended, and in the very least the prospects for a successful defence would likely be extremely limited.”*

Based on the advice from Councils insurer regarding liability in the event of an accident, and the current opening hours, introducing unsupervised access is not supported.

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

Nil.

#### Budget & Financial Aspects

Nil.

#### Attachments

Nil.

**Recommendation:** That the status quo be retained in relation to the operation of Council’s public swimming pool complexes with respect to supervision and operating hours.

## 8. **DA29/24 – SUBDIVISION OF TWO LOTS INTO SIX LOTS AT 50 EMILY STREET, THE ROCK (MPE: 24/1639)**

### Executive Summary

Council have received a Development Application for a residential subdivision of two existing allotments into six allotments at 50 Emily Street, The Rock. The application was notified to landowners along Emily Street and one submission was received throughout the notification period.

### Report

A Development Application has been submitted with Council for the residential subdivision of two allotments into six allotments at 50 Emily Street, The Rock. Upon receipt of the application landowners along Emily Street were provided notification of the development and given opportunity to make a submission regarding the development in accordance with the notification of development controls provided in the *Lockhart Shire Development Control Plan 2016*.

Throughout the notification period one submission was received and is attached to this report. The submission advised of concerns regarding the impact of the proposed development on the drainage along Emily Street and the impact of the proposed development on the road network. Council staff have undertaken an assessment of the development and provide the following regarding the concerns raised in the submission:

- To minimise the potential increase to street drainage along Emily Street, Council can condition the Development Consent to require a suitably worded legal mechanism (such as an instrument

created pursuant of section 88B of the *Conveyancing Act 1919*) be created requiring that any future dwellings constructed on the allotments be provided with a minimum 20,000L on-site rainwater tank, with the overflow from the rainwater tank(s) being discharged into on-site absorption trenches.

- The proposed new property access points to be installed to service the development will be required to be designed by a Hydraulic Engineer and approved by Council via the issuing of a Section 138 Road Opening Permit prior to any access works commencing. Furthermore, these access points will be required to be installed at full cost to the applicant.
- The existing road seal along Emily Street is five metres wide which allows one lane each way. The impact of the potential additional traffic will be consistent with a residential area and there is no history of any accidents on Emily Street. The road pavement is designed to accommodate vehicles associated with the proposed lots.

The proposed development is permissible with consent under the *Lockhart Local Environmental Plan 2012* and complies with the relevant clauses and controls listed in the *Lockhart Local Environmental Plan 2012* and *Lockhart Shire Development Control Plan 2016*. For more detailed information regarding compliance with the applicable clauses and controls please refer to the attached 4.15 Assessment report.

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

- Environmental Planning & Assessment Act 1979
- Lockhart Local Environmental Plan 2012.
- Lockhart Shire Development Control Plan 2016

#### Budget & Financial Aspects

Nil.

#### Attachments

- Subdivision Plan
- Section 4.15 Assessment (under separate cover)
- Submission Letter

**Recommendation:** That Council approves Development Application 29/24 for the subdivision of two lots into six lots at 50 Emily Street, The Rock, subject to conditions as outlined in the attached Section 4.15 Assessment Report.

[Next Item](#)

Staff Report 8: Attachment 1 – Subdivision Plan



**Staff Report 8: Attachment 3 – Submission**

Charles & Kim Webb-Wagg  


12<sup>th</sup> December 2023

Peter Veneris  
Lockhart Shire Council

Dear Peter,

**RE: Notification of Proposed Development – DA29/24**

As per the letter we received from Lockhart Shire Council dated 6<sup>th</sup> December 2023, please find below the concerns we have about the proposed development in Emily St The Rock.

I am sure you are aware of the flooding issue Emily St residents have had to endure over the past few years. We feel the proposed 5 new lots will only exacerbate the current flooding issue. The concern is that once development on these lots take place it will push the water more to the side of Emily St we reside on. If this is the case it will only cause more damage to our home, sheds, and surrounding area.

The other concern we have is the road in Emily St. It is currently only wide enough for one car. If there were 5 new residences in Emily St, it could mean up to 10 to 15 more vehicles on the road. This does not sound like many, however when there are children playing or residence out walking it can only add to the chances of someone being hit. There is also the wear at tear on the road itself as I'm sure it not designed to have that much traffic on it.

We understand there is a current housing shortage, plus having more residence in The Rock can only strengthen our community. If the above 2 issue were dealt with before any development takes place on the lots, we would be more than happy for the proposed 5 new lots to go ahead.

Regards,

Charles & Kim Webb-Wagg

**9. COMMUNITY ENERGY UPGRADES FUND**

**(DEES: 24/1656)**

Executive Summary

The Federal Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) is partnering with local governments through the Community Energy Upgrades Fund (CEUF). Endorsement is sought to apply for a grant through the program.

Background

The CEUF is a targeted, competitive grant program that provides co-funding for energy upgrades at existing local government facilities.

Grants between \$25,000 and \$2.5 million will be awarded on a merit basis.

The program aims to help local governments to:

- make their facilities more energy efficient
- lower their greenhouse emissions and energy bills.

Grants cover 50% of eligible expenditure including EV charging infrastructure and rooftop solar with storage.

Report

In September 2021 Council received an energy savings action plan developed by ChargeWorks. The plan considered five sites: Lockhart Swimming Pool, The Rock Swimming Pool, Lockhart Sewerage Treatment Plant (STP), The Rock STP (and depot) and Lockhart Caravan Park.

Council has completed solar upgrades to three of the five sites this year, with Lockhart STP to be completed as part of the IWCM update. Other sites eligible for solar systems were not considered. One such site not included is Council's Depot in Reid Street, Lockhart. The depot is currently home to Council's electric mower, with further transition to electric vehicles (utilities, trucks, heavy plant) to occur when models become available. As these vehicles are mostly used during the day, a solar system with battery storage would allow charging overnight when vehicles are garaged. Similarly, battery storage at sites with existing solar can be considered in the one application. Council's site at 109 Green Street is a suitable location, which has EV charging and lighting which can be covered by a small scale solar and battery system.

As the current allocation for energy savings projects this financial year has been expended, Council will need to approve the 50% co-contribution if a grant is acquired through the program.

It is proposed to apply for funding at Lockhart Depot to:

- install a 20kW solar system (\$32,000)
- install battery storage (\$20,000)
- install EV charging infrastructure (\$15,000)

Solar and battery storage for 109 Green Street (\$22,000) will be included in the submission. Other sites can be included or, conversely, 109 Green Street could be excluded.

If the grant application as proposed is successful, Council will need to fund 50% namely, \$44,500. The earliest start date for the project is September 2024, which means Council can allocate funds in the 2024/25 budget if needed.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Nil.

Attachments

Nil.

**Recommendation:** That Council

- a) endorse a submission under the Community Energy Upgrades Fund to install energy saving infrastructure at Council's Lockhart Depot and 109 Green Street, and
- b) if successful include Council's 50% contribution in the 2024/25 budget.

## 10. MATTHEWS STREET BUS STOP

(DEES: 24/1680)

### Executive Summary

Council has been asked to consider reinstating the access ramp in Matthews Street for the Post Office. Due to the current location of the bus zone reinstatement is not appropriate. Relocating the bus stop from in front of the Post Office would be required. Community feedback is sought prior to implementing any changes.

### Background

Approximately eight years ago Council received funding to replace the existing 'J-pole' bus stop in Matthews Street with a bus shelter. As part of the work Council removed a pedestrian ramp adjacent to the post office rear gate. New signs were installed stating 'Bus Zone' and an additional sign was installed stating 'Mail Contractors excepted'. The second sign was installed due to the fact that, under the Australian Road Rules, vehicles other than buses are not permitted to stop within a bus zone. Once a mail contractor vehicle is stopped, they use the pedestrian ramp at the corner of Matthews and Green Street, toward the front of the Post Office.

### Report

The bus stop is used by the Monday – Friday school bus and also Monday, Wednesday, Friday, Sunday, Wagga Wagga to Echuca Countrylink bus service.

The kerb and gutter in front of the post office is planned for replacement. The Lockhart Post Office have requested the reinstatement of the pedestrian ramp. As it is a bus zone, the reinstatement of the ramp access for the post office is not appropriate at the old location. However, if the bus zone was relocated the ramp could be reinstated as part of the kerb and gutter works.

The proposed site for consideration is in front of the Lockhart Memorial Hall. This would allow the ramp to be reinstated and any vehicles would be permitted to stop in front of the Post Office. The two trees within the roadway would need to be removed to accommodate the entry/exit of the bus. If supported the proposal will go to the next meeting of the Lockhart Local Traffic Committee (LTC). The LTC comprises local police, Transport for NSW and the Local Member of Parliament.

Before considering the matter at the LTC consultation will be undertaken with residents, bus operators and bus users. In this regard a notice is planned for the Council newsletter and social media sites. Bus Operators and schools will be contacted directly.

### Integrated Planning and Reporting Reference

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

### Legislative Policy & Planning Implications

Nil.

### Budget & Financial Aspects

Nil.

### Attachments

Nil.

**Recommendation:** That Council seeks feedback from all stakeholders on a proposal to relocate the bus stop and shelter in Matthews Street, Lockhart.



**11. TOOTOOL ROADSIDE REST STOP**

**(DEES: 24/1886)**

Executive Summary

Council has received a request to take over maintenance of the Tootool Roadside Rest Stop.

Background

The Tootool Roadside Rest Stop has been maintained by a committee of local residents.

Report

The Tootool Roadside Rest Stop Committee have requested that Council take over maintenance over the rest stop. This includes regular mowing, weeding, spraying and whipper snipping. The committee have made the request due to ill health of the volunteers who have maintained the area for over 20 years.

If Council is to take over the maintenance additional resources will be needed as it estimated it will require 4 hours and 2 staff once a fortnight average over the year to maintain to an acceptable standard.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Nil.

Attachments

Nil.

Recommendation: That Council:

- a) Dissolves the Tootool Roadside Stop Section 355 Management Committee and take over mowing of the Tootool Roadside Rest Stop;
- b) Increases the Parks and Gardens budget by \$10,400 from March 2024 quarterly review.

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

### 12. INVESTMENT AND BANK BALANCES REPORT – DECEMBER 2023

(DCCS: 24/1730)

#### 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 – December 2023

<b>Opening Combined Cashbook Balance</b>		3,198,998.90	
Add: Total Receipts			
	Miscellaneous	7,600.59	
	Rates	247,813.82	
	Debtors	354,110.40	
	Interest on Investments	26,938.54	
	Caravan Park Takings	6,837.00	
	Pensioner Concession Rebate 23/24	42,133.21	
	Pickles Auctions - Sale of Plant	36,617.83	
	Sale of Steel	54,577.70	
	Rockoosh Grant	14,850.00	
	Rockoosh CCS Payments	5,608.56	
	Development Applications	22,376.90	
	Rockoosh Payments	2,250.79	
	Return of Investments	500,000.00	
	Rockoosh Inclusion Support Program	1,299.50	
	Safety and Wellbeing Incentive 2023/2024	15,161.88	
	DEFT Downloads	50,000.00	
	Tip Fees	9,050.00	
		1,387,226.72	
Less: Total Payments		4,293,114.88	
	New Investments	0	
<b>Closing Combined Cashbook Balance</b>		<b>293,110.74</b>	
<b>Closing Bank Statement Balance</b>			
	Bendigo Bank	255,004.76	
	Macquarie Bank	4,186.22	
	Bendigo Bank-Prichard Trust	31,838.76	
		291,029.74	
Add: Outstanding Deposits		2,110.00	
		293,139.74	
Less: Outstanding Cheques		29.00	
<b>Closing Combined Cashbook Balance</b>		<b>293,110.74</b>	
	<b>Interest Rate per</b>		
<b>Investments:</b>	<b>Annum</b>	<b>Amount Invested</b>	<b>% of Total</b>
Bank of Queensland	5.00	700,000.00	5.38
Bank of Queensland	5.20	1,000,000.00	7.68
Bendigo Bank	4.59	250,000.00	1.92
Bendigo Bank	4.59	1,000,000.00	7.68
Bendigo Bank	4.95	500,000.00	3.84
Bendigo Bank	at call	66,072.20	0.51
Commonwealth Bank	4.75	1,000,000.00	7.68
Commonwealth Bank	4.78	1,000,000.00	7.68
Commonwealth Bank	4.81	500,000.00	3.84
Commonwealth Bank	4.83	500,000.00	3.84
IMB Ltd	4.85	500,000.00	3.84
Macquarie Bank	4.80	500,000.00	3.84
Macquarie Bank	4.76	500,000.00	3.84
Macquarie Bank	4.96	1,000,000.00	7.68
Macquarie Bank	4.96	500,000.00	3.84
National Australia Bank	5.00	500,000.00	3.84
National Australia Bank	5.07	500,000.00	3.84
National Australia Bank	5.00	500,000.00	3.84
National Australia Bank	5.05	500,000.00	3.84
National Australia Bank	5.00	500,000.00	3.84
National Australia Bank	5.10	1,000,000.00	7.68
		<b>13,016,072.20</b>	100.00
			<b>AMOUNT</b>
	1490-3000-0000	(2,296,154.37)	
	8490-3000-0000	2,557,426.35	
	9991-3000-0000	31,838.76	
		<b>293,110.74</b>	<b>293,110.74</b>
Combined Sewerage			
Trust Fund			
<b>TOTAL FUNDS HELD ARE:</b>		<b>13,309,182.94</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 2023/24 Operational Budget has forecast a total of \$401,000 income from interest on investments for General Fund & Sewer Fund combined. For the period July 2023 to December 2023, the average end of month balance of funds invested has been \$12.82 million and the average return on invested funds has been 4.86%. 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 31 December 2023 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

**13. INVESTMENT AND BANK BALANCES REPORT – JANUARY 2024**

**(DCCS: 24/1731)**

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.

*Lockhart Shire Council*  
*Ordinary Meeting – 19 February 2024*

Cash at Bank – January 2024

<b>Opening Combined Cashbook Balance</b>		293,110.74
Add: Total Receipts		
	Miscellaneous	19,232.99
	Rates	358,979.86
	Debtors	247,491.87
	Interest on Investments	82,248.21
	Caravan Park Takings	13,461.00
	Transport for NSW - Flood Grant	289,679.08
	Apprenticeship Incentive Subsidy	5,382.38
	Rockoosh CCS Payments	6,464.81
	Development Applications	43,182.86
	Rockoosh Payments	4,617.49
	Return of Investments	1,750,000.00
	November BAS Refund	45,864.95
	December BAS Refund	47,569.00
	Rockoosh Inclusion Support Program	3,662.75
	Tip Fees	3,145.00
		2,920,982.25
Less: Total Payments		2,015,515.15
	New Investments	0
<b>Closing Combined Cashbook Balance</b>		<b>1,198,577.84</b>
<b>Closing Bank Statement Balance</b>		
	Bendigo Bank	1,148,737.22
	Macquarie Bank	18,775.43
	Bendigo Bank-Prichard Trust	31,849.58
		1,199,362.23
Add: Outstanding Deposits		1,389.50
		1,200,751.73
Less: Outstanding Cheques		2,173.89
<b>Closing Combined Cashbook Balance</b>		<b>1,198,577.84</b>

<b>Investments:</b>	<b>Interest Rate per</b>	<b>Amount Invested</b>	<b>% of Total</b>
	<b>Annum</b>		
Bank of Queensland	5.00	700,000.00	6.21
Bank of Queensland	5.20	1,000,000.00	8.88
Bendigo Bank	at call	66,072.20	0.59
Bendigo Bank	4.95	500,000.00	4.44
Bendigo Bank	4.90	1,000,000.00	8.88
Commonwealth Bank	4.89	500,000.00	4.44
Commonwealth Bank	4.92	1,000,000.00	8.88
IMB	4.90	500,000.00	4.44
Macquarie Bank	4.80	500,000.00	4.44
Macquarie Bank	4.96	1,000,000.00	8.88
Macquarie Bank	4.96	500,000.00	4.44
Macquarie Bank	4.76	500,000.00	4.44
National Australia Bank	5.00	500,000.00	4.44
National Australia Bank	5.07	500,000.00	4.44
National Australia Bank	5.00	500,000.00	4.44
National Australia Bank	5.05	500,000.00	4.44
National Australia Bank	5.00	500,000.00	4.44
National Australia Bank	5.10	1,000,000.00	8.88
		<b>11,266,072.20</b>	100.00
			<b>AMOUNT</b>
			1490-3000-0000 (1,411,628.12)
Combined Sewerage			8490-3000-0000 2,578,356.38
Trust Fund			9991-3000-0000 31,849.58
		<b>1,198,577.84</b>	<b>1,198,577.84</b>
	<b>TOTAL FUNDS HELD ARE:</b>	<b>12,464,650.04</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 2023/24 Operational Budget has forecast a total of \$401,000 income from interest on investments for General Fund & Sewer Fund combined. For the period July 2023 to January 2024, the average end of month balance of funds invested has been \$12.59 million and the average return on invested funds has been 4.87%. 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 31 January 2024 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

## **14. EXTERNAL AUDIT ARRANGEMENTS – 30 JUNE 2024 AND BEYOND**

**(GM: 24/442)**

### 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 Australia (Crowe), part of the Findex Group, on behalf of the AONSW.

A report was tabled at the October 2023 Council meeting noting that advice had been received from the AONSW regarding the audit arrangements for Lockhart Shire Council for the financial year ending 30 June 2024 and beyond. In particular it was noted that 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 and that the AONSW will commence a competitive, open tender process inviting audit firms to tender for the audit of the council.

In relation to audit fees the AONSW advised at the time 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."*

The competitive tender process that was foreshadowed at the time has now been completed and the outcome has been advised to Council by the AONSW as follows:

- The Auditor-General has appointed Crowe to conduct Lockhart Shire Council's audit for the years ending 30 June 2024 to 30 June 2026 with an option to extend for a further two years.
- The audit fee for next year's audit will be \$73,500, an increase of 41% compared to the 2022/23 audit fee.

In the last ten years Council's audit fees have increased from \$17,000 in 2013/14 to \$73,500 in 2023/24. The latest increase outstrips CPI, the rate peg or any other reasonable benchmark.

In the meantime IPART has announced a review of the Local Government financial model which is the subject of a separate report (refer Staff Report 17, page 41). The draft Terms of Reference for the review include "Has the Audit Mandate been successful in providing a consistent view on the accounting and risk management practices of councils?"

It is recommended that Council make a submission to the IPART review at the appropriate time and, express concern at the spiralling audit fees in addition to any other matters to be raised in the submission.

#### 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.

#### Budget & Financial Aspects

The increase in audit fees for the 2023/24 financial statements audit will impact on the 2024/25 budget.

Council will need to incorporate the increase in audit fees in the 2024/25 budget when preparing the budget later this year.

#### Attachments

Nil.

**Recommendation:** That Council make a submission to the IPART review of the Local Government financial model at the appropriate time and express concern at the spiralling audit fees in addition to any other matters to be raised in the submission.

## 15. DELIVERY PROGRAM 2022-2025 PROGRESS REPORT

(GM: 23/13808)

### Executive Summary

Provision of a six-monthly progress report on the implementation of the Delivery Program.

### Report

Section 404 of the Local Government Act states the General Manager must ensure that regular progress reports are provided to the Council reporting as to its progress with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every 6 months.

The 2022-2025 Delivery Program was adopted by the newly elected Council on 19 April 2022 (minute no. 85/22) for the period 1 July 2022 to 30 June 2025. This is the third six monthly progress report for this Delivery Program.

- Whilst this six-monthly report relates to the period 1 July to 31 December 2023, the strategies and actions which are being pursued relate to the Delivery Plan for the period 1 July 2022 to 30 June 2025. A new Delivery Plan will have to be prepared and adopted by the new Council following the September 2024 local government elections.
- Whilst some strategies and actions have been marked as achieved or complete, particularly as far as the current financial year is concerned, the nature of the strategy or action is such that it is continuous or ongoing.

### Integrated Planning and Reporting Reference

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

### Legislative Policy & Planning Implications

It is a legislative requirement that regular progress reports are provided to Council.

Budget & Financial Aspects

Not applicable.

Attachments

Lockhart Shire Council 2022-2025 Delivery Program Progress Report has been separately distributed to Councillors.

**Recommendation:** That the report on the progress of the 2022-2025 Delivery Program for the period 1 July to 31 December 2023 be received and noted.

**16. 2024 LOCAL GOVERNMENT ELECTIONS UPDATE**

**(GM: 23/15764)**

Executive Summary

Local Government NSW (LGNSW) is offering to host Pre-Election Candidate Information Briefing Workshops for councils in the lead up to the Local Government Elections to be held in September 2024.

Report

The next Local Government Elections will be held on Saturday 14 September 2024.

LGNSW is offering to conduct both online and in-person candidate briefings in 2024 to ensure that candidates for the upcoming elections are fully aware of the role and responsibilities of elected members.

The aim of these Candidate briefings is to ensure that candidates are aware of:

- The role and responsibilities of councillors and the role of the governing body of a council under the *Local Government Act 1993*.
- The framework in which councils operate.
- The operational role of the General Manager and the strategic role of the mayor and councillors.
- The time commitment required of a councillor in terms of their participation in council meetings and other council activities, and more.

LGNSW was invited to submit a proposal for hosting a Candidate Briefing Session for Lockhart Shire. The proposal provides for the following options:

Option 1: Face-to-face

One 3.5-hour Candidate briefing session onsite for a total of \$4,590 ex GST. The total cost includes the session delivery, travel related expenses and workshop notebooks.

Option 2: Face-to-face (consecutive dates)

Two consecutive 3.5-hour Candidate briefing sessions onsite for a total of \$7,180 ex GST or \$3,590 per workshop. These can be held on an evening and morning, afternoon and evening, over consecutive days at selected times most suitable for council.

Option 3: Online

One 3.5-hour Candidate briefing session online for a total of \$3,180 ex GST) per workshop. The total cost includes the session delivery and workshop notebooks.

An extract of the LGNSW proposal outlining the content, structure and learning outcomes of the workshops is attached.

Determining whether or not to engage LGNSW to conduct the Pre-Election Candidate Information Briefing Workshops, and the most appropriate method of delivery, would be made easier if the level of interest in attending such briefings by prospective candidates was known.

Council could invite expressions of interest from persons considering nominating for council to determine whether or not there is sufficient interest to warrant engaging LGNSW.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Council has entered into a service contract with the NSWEC for the conduct of the 2024 elections.

Legislative provisions regarding the conduct of Local Government Elections, including rules about the information that candidates and their supporters can publish or distribute, are contained in the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Budget & Financial Aspects

Provision will be made in the 2024/25 budget for the conduct of the council elections based on an estimate to be provided by the NSWEC.

Whilst the 2023/24 Budget does not include a provision for the conduct of Pre-Election Candidate Information Briefing Workshops, there are sufficient funds in the budget allocation for Councillor Training to cover the cost of the Workshops should Council decide to proceed.

Attachments

- Extract – LGNSW proposal to conduct Pre-Election Candidates Briefing Session for Lockhart Shire Council.

**Recommendation:** That Council invite expressions of interests from persons considering nominating for Council in attending a Pre-Election Candidate Information Briefing Workshop.

[Next Item](#)



## Staff Report 16: Attachment – Extract – LGNSW proposal to conduct Pre-Election Candidates Briefing Session for Lockhart Shire Council



# CANDIDATE BRIEFINGS

## OVERVIEW

This program will enable those interested in becoming a councillor to gain a better understanding of the role and responsibilities as an elected member of council.

Councillors can play a key role in making decisions that influence both the short-term concerns and long-term strategic direction of their local community. It is a big commitment, and prospective councillors need to know what will be expected of them – the challenges, responsibilities and opportunities.

This briefing is designed to provide those interested in being a candidate with the information they will need to make a considered decision.

### LEARNING OUTCOMES:

At the end of the workshop, participants will be able to:

- Identify the key requirements for becoming a candidate
- Identify the legislated role of a councillor, mayor and as a member of the governing body
- Recognise how the councillor role fits in with other roles and various levels of government
- Address their key expectations and potential challenges in becoming a councillor
- Understand a councillor's and council role fits in with the local government Integrated Planning and Reporting framework
- Identify key elements of council meetings, code of conduct and conflict of interest

## CONTENT

- The benefits and importance of Local Government
- Understanding the role of Council, the role of the Councillor and Mayor
- A typical council structure
- Challenges of the role and how to meet them
- The importance of diverse representation on Council
- Representing community representation, speaking on key issues and how to do this confidently
- Meeting procedures and rules of debate
- Support available including information, networks and professional development
- Introduction to local government jargon and what it means
- Putting it together: making the commitment
- Q& A

## PROCESS

The facilitator will use powerpoint presentations, discussion sessions and group work with participants. Depending on local requirements our facilitator can also add Electoral Commission materials and local content.

We would suggest that these briefings are conducted over three hours, which can be during the day, evening or on a Saturday

17. IPART REVIEW OF LOCAL GOVERNMENT FINANCIAL MODEL

(GM: 24/1352)

Executive Summary

The Independent Pricing and Regulatory Tribunal (IPART) is inviting feedback on the Draft Terms of Reference for its review of the NSW local government financial model.

Report

As Councillors will be aware a report was tabled at the last Council meeting held on 18 December 2023 noting that IPART had released its final report on the review of the rate peg methodology with changes to apply from the rate peg for the 2024-25 financial year.

That report also noted that an outcome of the review of the rate peg methodology was IPART's view that it would be timely for the NSW Government to initiate an independent investigation into the financial model for councils in NSW, including broader issues highlighted in the consultation process throughout the rate peg methodology review and had recommended that the NSW Government commission such a review.

IPART has now received a draft Terms of Reference from the NSW Government to investigate and make recommendations on the NSW council financial model.

The draft Terms of Reference asks IPART to review councillor and community visibility over financial and operational performance of their councils, whether current budget and financial processes deliver value for money and whether the current funding model will sustainably support the needs of communities.

IPART are inviting feedback on the draft Terms of Reference by 15 March 2024. A copy of the draft Terms of Reference is attached.

As far as the review process is concerned it is noted that:

- IPART will consider all feedback and may recommend the Premier make changes to the Terms of Reference for the review as a result of submissions it receives.
- IPART is required to consult publicly as part of the review including publishing a Draft Report for comment and undertaking a public hearing prior to finalising its report.
- IPART will provide a final report to the Minister for Local Government within 12 months of receiving the final Terms of Reference and the final report will be tabled in Parliament.

The review has been cautiously welcomed by local government industry bodies.

The President of Local Government NSW (LGNSW) stated that *"Financial sustainability has long been a primary advocacy priority of LGNSW and was a focus of LGNSW's 2023 election priorities, so we are pleased to see this initiative progress. The financial sustainability of councils has been undermined by rate-pegging, cost shifting onto local government, and state and federal funding arrangements that are no longer fit for purpose."*

The Chair of the Country Mayors Association of NSW (CMA) welcomed the review albeit with some reservations and noted that *"This review has been a long time coming"*.

Council will have the opportunity to make a submission to the Review as part of IPART's consultation process once the Terms of Reference have been finalised.

Integrated Planning and Reporting Reference

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

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

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

Legislative Policy & Planning Implications

This review was recommended by IPART late last year as part of its review of the rate peg methodology and supported by the Minister for Local Government.

Budget & Financial Aspects

The implications of the review on councils' finances will depend on the recommendations contained in IPART's final report as well as the NSW Government's response i.e. the extent to which the Government accepts and implements any of the recommendations.

Attachments

- Draft Terms of Reference – IPART review of the NSW local government financial model.

**Recommendation:**

1. That the information be noted.
2. That Council make a submission to the IPART review of the NSW local government financial model at the appropriate time.

[Next Item](#)

## Staff Report 17: Attachment – Draft Terms of Reference – IPART Review of NSW Local Government Financial Model

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### DRAFT TERMS OF REFERENCE

#### Investigation of council financial model in NSW

I, the Hon. Christopher John Minns MP, Premier, under section 12A of the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), request the Independent Pricing and Regulatory Tribunal (IPART) to investigate and report on the financial model for councils in NSW.

#### The task

IPART should review and recommend improvements on the following matters:

- 1. The visibility of councillors and the community over the financial and operational performance of their councils**
  - Are the mechanisms for reporting on council performance clear and understood. Does the accounting code for local government provide meaningful financial information to enable councillors to understand and influence the financial and budget performance of their council. Is there a need to update the performance indicators to make them more useful for 'real time' monitoring.
  - Are councillors receiving timely and appropriate information to enable decisions on allocation of public funds in an efficient and cost effective way.
  - Are there benefits to moving to dedicated budget or expenditure review committee models to ensure budget decisions are understood by councillors and the communities they serve?
- 2. Whether the current budget and financial processes used by councils are delivering value-for-money for ratepayers and residents**
  - Is the Integrated Planning and Reporting process, currently used by councils to make budget decisions, effective in allowing councillors to engage with the community on the challenges in setting a budget and meeting service level expectations
  - How well Councils are setting service delivery standards that match revenue, managing their expenses within allocated budgets, and what opportunities exist for improvement in efficiency, service quality and sustainability.
  - How to visibly boost elected councillor accountability for council budgets and expenditure to the community
- 3. Whether the current funding model will sustainably support the needs of communities**
  - How do councils balance cash flow to manage the different (and sometimes uncertain), timeframes for revenue and grants money (including Financial Assistance Grants), coming into council
  - How effective are councils in identifying and using other revenue sources beyond grants and rates to support the needs of communities and sustainably provide services required to be delivered by councils.
  - Identify measures to put downward pressure on rates through other 'own source' revenue or closer scrutiny of expenditure.
  - Consider the needs of diverse communities and councils and protect the interests of current and future ratepayers from unnecessary impact on their cost of living

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4. **Whether councils (both councillors and staff) have the financial capacity and capability to meet current and future needs of communities.**
  - Are councils equipped with the right internal capabilities to deliver on the services which their community requires?
  - Has the Audit Mandate been successful in providing a consistent view on the accounting and risk management practices of councils?
  - Are there opportunities to look at long term expenditure and service delivery improvements by insourcing services? Where outsourcing models have been used, do they provide an efficient and effective means of meeting community needs?
  - What examples of best practice capability building and innovation could be implemented more widely?
5. **How can better planning and reporting systems improve long term budget performance, transparency and accountability to the community?**
  - How effective councils are in managing their assets and planning for future growth and renewal of assets.
  - Whether current community engagement allows for effective long-range planning and sustainable funding.
  - Whether the current framework of reporting and compliance is appropriate and effective.
6. **Any other matters IPART considers relevant.**

#### **The review process and timeline**

IPART is required to consult publicly as part of this review, including publishing a Draft Report for comment and undertaking a public hearing prior to finalising its Final Report. IPART may undertake other methods, including targeted consultation, that it considers appropriate.

IPART will provide the final report to the Minister administering the Independent Pricing and Regulatory Tribunal Act 1992 (IPART Act) and the Minister for Local Government within 12 months of receiving the final terms of reference.

The Minister administering the IPART Act will table the final report in each House of Parliament and forward a copy to the Parliamentary Librarian in accordance with section 19 of the IPART Act. Once the final report has been tabled in Parliament or earlier if requested by the Minister administering the IPART Act, IPART will publish a copy of the report on its website.

**The Hon. Christopher John Minns MP**  
Premier

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## 18. POLICY REVIEWS

(GM: 23/15845)

### Executive Summary

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

### Report

At its meeting held on 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 now due for review in accordance with the scheduled three-year cycle referred to in Policy No. 1.0:

- Policy 3.14 Complaints Management
- Policy 3.15 Incident/ Accident Investigation
- Policy 3.22 Gathering Information

No significant changes have been made to the Policies, copies of which are attached.

### Integrated Planning and Reporting Reference

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

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

### Legislative Policy & Planning Implications

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

### Budget & Financial Aspects

Nil.

### Attachments

1. Policy 3.14 Complaints Management
2. Policy 3.15 Incident/Accident Investigation
3. Policy 3.22 Gathering Information

**Recommendation:** That the following policies, as presented, be adopted:

1. Policy 3.14 Complaints Management
2. Policy 3.15 Incident/Accident Investigation
3. Policy 3.22 Gathering Information

### [Next Item](#)

## Staff Report 18: Attachment 1 – Policy 3.14 Complaints Management

### 3.14 Complaints Management

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POLICY TITLE: COMPLAINTS MANAGEMENT

FILE REF: SC95

EXPIRY DATE: FEBRUARY 2027

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#### OBJECTIVE

The objective of this Complaints Management Policy is to improve customer service in all areas.

#### POLICY STATEMENT

Lockhart Shire Council aims to promote integrity, ethical conduct and accountability.

In pursuing this aim, one of Council's responsibilities is to receive and act upon complaints from external sources, which relate to any aspect of Council's operations or services.

Council will handle complaints in a professional, respectful and timely manner in order to resolve the issues raised by complainants.

Council will support fully any investigations by external agencies such as the Independent Commission Against Corruption (ICAC), the NSW Ombudsman and Office of Local Government.

#### PROCEDURE

##### Lodging Complaints

Complaints may be lodged with Council in the following ways:

- a) By telephone
- b) In person
- c) In writing including by facsimile, email or other electronic means.

##### Recording of Complaints

- a) All complaints received by Council will be recorded in Council's Electronic Document Management System or Customer Requests Management System.
- b) When a complaint is made in person, subject to the gravity of the complaint, staff and volunteers in the field will advise the complainant to contact Council's office by formal means.
- c) When a complaint is made in person to a Councillor, the Councillor should assess the gravity of the situation and contact the General Manager.
- d) Where a complainant is requesting a service, and there are no prior indications of failure to provide that service to the complainant, the request will be recorded as an 'action request' rather than a complaint.

##### Complaint Handling

- a) Complaints received by Council concerning Council affairs will be referred to the appropriate staff member at Director or Supervisor level to investigate in the first instance.
- b) Should the processes undertaken by the Director or Supervisor fail to resolve the complaint, or the outcome be regarded as unsatisfactory to the complainant, the Director or Supervisor will refer the complaint to the General Manager for further review.
- c) Council may seek to use alternative dispute resolution methods to resolve the complaint in circumstances where such a course of action is deemed appropriate by the General Manager.
- d) The General Manager may authorise internal investigations and notification to external agencies where appropriate.
- e) Council may engage external assistance to undertake the investigation where the initial investigation discloses a serious or complex situation beyond the Council's resources and investigative capabilities.

Communication with Complainant

- a) Within seven working days of receipt of a complaint, in circumstances where a complainant has provided his/her name, address and contact details, the staff member responsible for handling the complaint will provide acknowledgement of receipt of the complaint to the complainant. Such acknowledgement may be by telephone or in writing as appropriate.
- b) The staff member responsible for handling the complaint will ensure that the complainant is kept informed of progress regarding investigation and resolution of the complaint.
- c) The staff member responsible for handling the complaint will provide written advice to the complainant as to the outcome of investigations. Where appropriate the complainant will also be advised of any measures taken to minimise chances of the issue(s) underlying the complaint occurring again.

Confidentiality

- a) Council will ensure that confidentiality is maintained in regard to complaints received.
- b) Staff receiving and recording complaints alleging corrupt conduct, pecuniary interest, maladministration or improper use of positions must ensure that all allegations contained therein, are not discussed other than with the Public Officer and/or General Manager.
- c) Council will take all care that reporting of complaints about Council activities will not result in the complainant experiencing any form of victimization or retribution as a result of the complaint.

Malicious, Frivolous and Vexatious Complaints

- a) All complaints received by Council will be treated with the utmost seriousness. However if, following investigation, a complaint is found to be malicious, frivolous, or vexatious, Council will take no further action on the complaint.
- b) A decision to take no further action will be made by a member of staff at the level of Director or General Manager and the complainant will be informed of the decision in writing.

SPECIFIC TYPES OF COMPLAINTS

- a) Policy 1.18 Public Interest Disclosures and Reporting System provides a clear procedure for Councillors and staff of Lockhart Shire Council to follow so that corrupt conduct, and maladministration, serious and substantial waste of public money and government information contravened can be revealed, investigated and dealt with by appropriate corrective action.
- b) 'Corrupt conduct' is defined in the Independent Commission Against Corruption Act (s.8). The definition used in the Act is intentionally quite broad – corrupt conduct is defined to include the dishonest or partial exercise of official functions by a public official. Conduct of a person who is not a public official, when it adversely affects the impartial or honest exercise of official functions by a public official, also comes within the definition.
- c) 'Maladministration' is defined in the Public Interests Disclosures Act as conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.
- d) 'Serious and Substantial waste' is the uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which could result in a loss/wastage of local government money. This includes all revenue, loans and other money collected, received or held by, for or on account of council.
- e) A 'government information contravention' is a failure to properly fulfil functions under the Government Information (Public Access) Act.
- f) Policy 1.18 Public Interest Disclosures and Reporting System also outlines how these types of complaints can be reported internally within Lockhart Shire Council or externally to the relevant agencies as outlined below.
  - Independent Commission Against Corruption (ICAC) — for corrupt conduct
  - Ombudsman — for maladministration
  - Office of Local Government — for serious and substantial waste in local government
  - Information and Privacy Commissioner — for disclosures about a government information contravention.

RELATED DOCUMENTS

This Policy should be read in conjunction with the following documents:

- Policy 1.4 Code of Conduct
- Policy 1.5 Privacy Plan and Privacy Code of Practice



- Policy 1.6 Statement of Business Ethics
- Policy 1.7 Fraud Control Policy
- Policy 1.18 Public Interest Disclosures and Reporting
- Policy 1.24 Bribes, Gifts and Benefits Policy
- Policy 3.3 Bullying and Harassment

*Adopted by Council – 19 February 2024  
Refer Minute No. No. xxx/24*

*Adopted by Council – 15 February 2021  
Refer Minute No. No. 17/21*

*Confirmed by Council 17 August 2009  
Refer Minute No. 283/09*

*Adopted by Council – 19 February 2001  
Refer Minute No. 22516*

## **Staff Report 18: Attachment 2 – Policy 3.15 Incident/ Accident Investigation**

### **3.15 Incident/Accident Investigation**

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POLICY TITLE: INCIDENT/ACCIDENT INVESTIGATION

FILE REF: SC278

EXPIRY DATE: FEBRUARY 2027

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#### OBJECTIVES

To provide guidelines to assist Council comply with its obligations under the Work Health and Safety Act 2011 and support the concept of risk management so as to minimise accidents and incidents in the workplace.

#### POLICY STATEMENT

Lockhart Shire Council will carry out a preliminary review of all incidents, accidents, near misses and hazards which occur at its place of work within two (2) working days of being given notice by the employee or other third parties with a view to determining whether a more comprehensive investigation is warranted.

Council will apply the principles of risk management in performing its investigations. Council's Incident/Accident Investigation Procedure will be used to conduct all investigations associated with these occurrences.

It is the responsibility of the relevant Director to ensure all investigations are carried out in accordance with the Incident and Reporting Investigation Procedure.

#### PROCEDURE

1. The employee involved in the incident/accident or near miss MUST notify their immediate Supervisor IMMEDIATELY after the occurrence.
2. In the event of a death/serious workplace incident SafeWork NSW must be notified IMMEDIATELY by phoning 131 050 and the area around the incident must not be disturbed except to assist any injured persons and to avoid further injuries and problems.
3. Serious workplace incidents are also to be reported to the Police.
4. The employee(s) involved in an incident/accident which involves injury or property damage is/are required to complete Council's Injury/ Incident/ Near Miss Report Form and forward it to the relevant Director within 24 hours of the occurrence. In the event that they are unable to complete the Injury/ Incident/ Near Miss Report Form either a witness or Supervisor MUST complete it on their behalf and forward it to the relevant Director within 24 hours of the occurrence.
5. All 'near misses' and hazards identified MUST be reported by the employee(s) involved using Council's Incident Report Form. This report must be forwarded to the relevant Director within 24 hours of the occurrence.
6. The relevant Director (or a person delegated by them) will conduct a preliminary review within two (2) working days of receiving an Injury/ Incident/ Near Miss Report Form from an employee with a view to determining whether a more comprehensive investigation is warranted.
7. It is the responsibility of the relevant Director to ensure that a thorough investigation is conducted into all incidents, accidents, near misses, and/or reported hazards that occur at Council's place of work. In conducting these investigations a risk management approach shall be exercised in determining the most appropriate controls to minimise the risk associated with workplace hazards.
8. On completion of an incident/accident investigation process, corrective action and a specified time frame for corrective action SHALL be recommended by persons undertaking the investigation using the Injury/ Incident/ Near Miss Report Form.
9. The relevant Director is responsible for ensuring that appropriate corrective action is implemented within the specified time frame indicated on the report form. This will assist in eliminating and/or reducing the risk associated with the workplace hazard identified on the Injury/ Incident/ Near Miss Report Form. In the event that resources are not immediately available to the Director to enable corrective action the matter will forthwith be reported to the General Manager with appropriate recommendations for consideration.

WORK HEALTH & SAFETY COMMITTEE

1. The Work Health & Safety Committee can, in consultation with the relevant Director, carry out an inspection of Council's place of work at any time following an accident or possible hazardous situation which is brought to the attention of the Committee.
2. The Work Health & Safety Committee can make recommendations to Council to ensure the health and safety of persons at that place of work.
3. It is the objective of Council that persons required to conduct Incident/Accident Investigations will have completed an accredited Accident Investigation training course.

*Adopted by Council – 19 February 2024  
Refer Minute No. xxx/24*

*Adopted by Council – 15 February 2021  
Refer Minute No. 17/21*

*Confirmed by Council 17 August 2009  
Refer minute 283/09*

*Amendments Adopted by Council – 20 June 2005  
Refer Minute No. 24669*

*Adopted by Council – 18 June 2001  
Refer Minute No. 22703*

## Staff Report 18: Attachment 3 – Policy 3.22 Gathering Information

### 3.22 Gathering Information

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POLICY TITLE: GATHERING INFORMATION

FILE REF: SC228

REVIEW DATE: FEBRUARY 2027

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#### OBJECTIVE

The purpose of this policy is to formulate a systematic approach for collection and retrieval of accurate, relevant information, necessary to protect Council in the defence of public liability and professional indemnity claims and ensure that it constitutes admissible evidence, and that Council has acted in a manner which has fulfilled its duty of care to the public.

Council has prepared a set of procedures based on current Best Practice to assist with this and protect Council's financial position through risk management. The objectives of these procedures are to: -

- Ensure that data recorded on relevant documentation used by Council satisfies the minimum data required under current Best Practice.
- Implement a flowchart that represents a systematic approach to the steps involved in Council's incident reporting procedure.
- Establish a list of all internal and external documentation that may be used in the information gathering process and for the preparation of reports.
- To give Council an effective system, implementing a clear audit trail for investigators to follow as they attempt to reconstruct Council's response to a particular event or activity.
- To assist Council with an effective tool to discourage potential claimants from seeking redress in the courts.

#### POLICY STATEMENT

Lockhart Shire Council is committed to adopting procedures for gathering and documenting information and developing information systems. This policy provides the minimum data standards for the gathering of information. It is aimed at reducing the information supplied by Council to its lawyers that would otherwise be inadmissible or of little value in the defence of a potential claim.

Council officers will comply with the Best Practice Manual – 'Gathering Information' (issued by Statewide Mutual) and will have a simple systematic and readily useable system for hazard and incident reporting, investigation and remediation. Council and staff will:

- Ensure accurate and systematic recording of relevant data and information; and
- Comply with the minimum data standards for the gathering of information as contained in this policy.

The checklist should be used to ensure that all the appropriate data is gathered and contains the appropriate information. Relevant information must be appropriately recorded in Council's Electronic Document and Records Management System, Content Manager, and in accordance with the State Records Act 1998. Council will, within its budgetary constraints and using existing information systems available, endeavour to ensure accurate and systematic information is gathered.

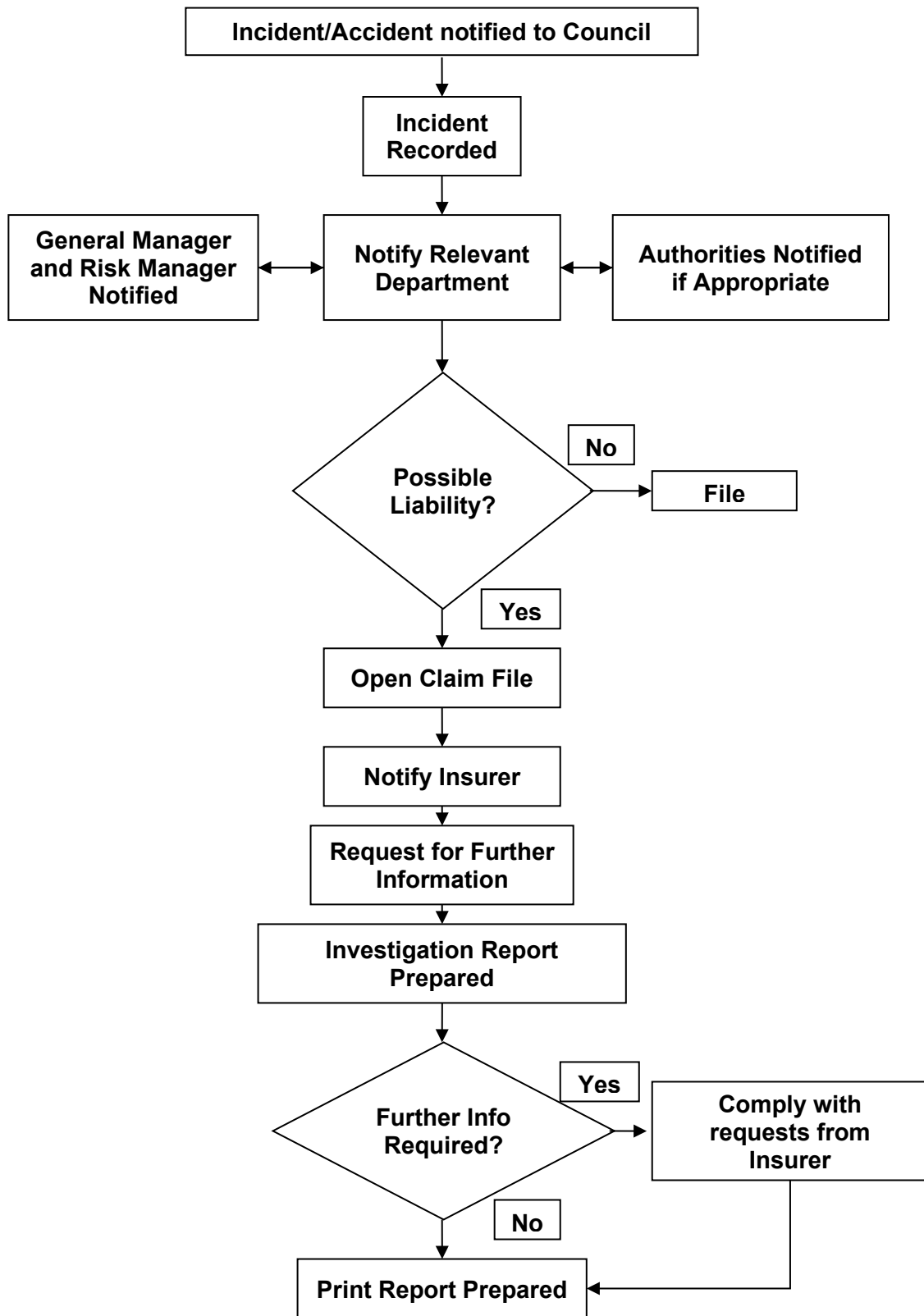
#### RELATED DOCUMENTATION

Attached as follows:

1. Appendix A: Incident Procedure Flowchart
2. Appendix B: Minimum Data required to be recorded.
3. Appendix C: Information Gathering Checklist

APPENDIX A

INCIDENT PROCEDURE FLOWCHART



**APPENDIX B**

MINIMUM DATA REQUIRED TO BE RECORDED

The following attachment is a table representing the minimum data that should be recorded on various types of information, both internally and externally, that is gathered to defend an action in court. This data is believed to be the minimum data that appears on all records, plans, notes or statements. Adopting this minimum set of data will assist Council, Insurers and their defence lawyers.

The need for Council to collect and retrieve accurate information is critical in the defence of a Public Liability Claim. A well organised, comprehensive, and well documented work management system is required. Before this can happen, Council needs to ensure all sources of information used to make decisions are useful.

INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS
1. Works Program	A strategic document that prioritises works, linking timeframe and resources for individual capital works, projects and/or maintenance activities.	Used to highlight Council's level of commitment to its infrastructure relative to its financial strength. Could be used to defend a statement claiming inaction by Council.	Financial year and date of preparation Version number and date of preparation Council minute of change (if appropriate)
2. Action Request (Work or Service Request)	A document requesting work to be completed by Council as a result of a potential risk found by an employee or a member of the public.	Used to highlight Council's identification of risks programme. Could be used to defend a statement claiming inaction by Council.	Date Name of originator Specific location Unique identifier Referred to Priority ( <i>currently being developed</i> ) Action taken Date action taken Name and signature of person completing action ( <i>currently only when physical works carried out</i> )
3. Inspection Record	A pro-forma document used by Council Officers to report on the general condition of the infrastructure and assets of Council.	Used to highlight Council's identification of risks programme. Could be used to show that Council was there, has inspected and made recommendations including repair, thus able to defend a statement claiming negligence by Council	Date Name of inspecting officer Signature of inspecting officer Inspecting officer's position and department Specific location Unique identifier ( <i>currently based on date of repair</i> ) Recoverable List of recommendations
4. Maintenance Management System	MMS is used for the planning, organising, directing and controlling of maintenance work.	Work scheduling can be used to defend a statement claiming inaction by Council. The system can also record the type of maintenance activity performed at any given time and location. This data could be used to defend a statement claiming inaction or negligence.	Daily running sheet recoverable Date Name and signature of originator ( <i>this will not appear on this document, it will be linked to the request or inspection record</i> ) List of employees in gang Activity Number of employees Work achieved Location Audit trail
5. Environmental Due Diligence Programmes	A strategic document, dealing primarily with environmental management issues that prioritises works and sets out a timetable for completion.	Used as a defence in the case of a breach under the Protection of the Environment Operations Act (POEO Act) or a third party action claiming negligence or inaction by Council.	Date Name of originator Signature of originator Endorsed by Council Action plan with timetable for completion
6. Time and Plant Sheets	System of recording and allocating labour and plant costs, primarily for the purpose of payroll and project costing.	Useful in verifying the location of staff and resources on a particular day. Can assist in defending a statement claiming negligence by Council.	Date All changes crossed out are to be initialed Signature of employee All relevant data to be completed

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INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS
7. Diary Entries	Diary entries are often used to record details of the scene of an incident and are regularly the basis of the "Initial Council Report". They can be a source for information such as weather, times, locations etc. as well as staff attendances.	Used for evidence of staff attendances and actions taken or not taken. Could be used to defend a statement claiming negligence by Council.	Name Date Department Unique identifier Black Ink (preferable) Photocopy should show book binding Legible writing All entries signed and dated (full date dd/mm/yy) All activities noted
8. Work Practices/ Procedures	Written procedures produced by Council used to standardise Council's response to a particular task.	Used in verifying that the work undertaken by Council is routine and is performed to a prescribed level of quality. Could be used to defend a statement claiming negligence by Council.	Recoverable Details of implementation Dates
9. Photographs	Pictures of specific locations or job.	Used to provide evidence of the physical appearance of a defect or work at a particular point in time. Could be used to defend a statement claiming negligence by Council.	Date taken recorded preferably on the photograph Photographer and signature Claim Number Location and direction facing at location Colour 35 mm
10. Training Records	A detailed record of the training activities of all members of staff.	Used to verify Council's commitment to ensuring that staff are well trained. Could be used to defend a claim of negligence.	Name of employee Name of trainer Employer of trainer Date of training Title of course(s) Brief course outline Duration of course Indication of successful completion Any results, certificates, licenses etc
11. Standards/ Specifications	A predetermined "benchmark" by which results or performance is measured. The "benchmark" can be set either by the particular industry or Council.	Used to highlight Council's commitment to best practice within its resources. Could be used to defend a statement claiming negligence by Council.	Name of standard Citation number of standard Name of issuing standards organisation Date standard approved/implemented Full copy of standard
12. Site Visits	Routine site inspection documented by the inspecting officer, noting conditions found at the site.	Used to produce a detailed description of the condition of the site at a given point in time. Could be used to defend a statement claiming negligence and/or inaction by Council	Date of visit Location, address of site Name of inspector Names of any additional inspectors, escorts etc. Field notes, photographs, diagrams all to be dated, signed
13. Interviews	As a result of a claim a recorded discussion between the relevant Council employees and the interviewing officer.	This is used to extract fact which dictates the course of the investigation. Could be used to defend a statement claiming negligence and/or inaction by Council.	Name of interviewer Name of individual being interviewed Job title of staff being interviewed Date of interview Time of interview Location interview taken Witness to interview Typed format for interview notes
14. Statements	Is a first party testimony of fact.	It can be used as a record of an individual's account of the event. Could be used to defend a statement claiming negligence and/or inaction by Council.	Name of individual making statement Job title of staff making statement Date of statement Time of statement Location statement taken Witness to statement Signature (black pen) of person making statement Signature of person taking statement and witness Typed format for statement

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INFORMATION SOURCE	DESCRIPTION	TYPICAL USE	REQUIREMENTS
15. Annual Budget	A financial statement that details the projected income and expenditure for a financial year. It indicates the amount of financial resources able to be allocated to each function/project of Council.	Used to highlight Council's level of commitment to its infrastructure relative to its financial strength. Could be used to defend a statement claiming inaction by Council.	Date of report Version of report Financial year of report Date of Adoption or Budget Review
16. Drawings or plans	A graphical representation of the work area, work method or location of the incident.	Visually shows evidence of the work planned. Shows standards to which the work is to be performed. Could be used to defend a statement claiming professional negligence, inaction or design failure.	Legible format (size) A legend indicating name of draftsman, architect, company etc. Reference to related drawings Total number of drawings in set Index number of drawing Direction of north recorded on drawing Drawing scale Date of drawing or plan
17. Maps	Defines the exact location of the event.	Visually shows the location of the incident. Could be used to defend a statement claiming responsibility for an event where Council may not even be liable.	Date map was made Person/organisation drafting map (source) Direction of north recorded on map Scale of map Area depicted by map Legible format
18. Phone logs	Chronological record of calls made or received by Council officers.	Used as a record of proceedings, conversations and advice given over the phone. Could be used to defend a statement claiming negligence and/or inaction by Council.	Contained in book with binding (manual) Name of log book user (manual) Page numbers (manual) Date of call (manual & TRIM) Time of call (manual & TRIM) Name of caller (manual & TRIM) Summary of call (manual & TRIM)
19. Medical reports	Is a written summary from an attending physician summarising the patient's condition.	Used to establish the degree of injury and disability and thus challenge punitive damages.	Name of examining physician Date of examination Reason for examination Type written format Signed by attending physician
20. Loss Adjuster reports	A written formal independent summary of the facts of the claim.	Used to verify the facts. Could be used in the determination of liability and negligence.	Name of loss adjusting firm Name of loss adjuster Claim reference number Date of all inspections Names and dates of all interviews Numbered pages in report Clear annotations to document, photographs, etc.
21. Expert reports	A written formal summary of certain circumstances of the claim, prepared by a specialist in the field of the incident.	Used to verify the specific facts of the incident by an expert with the relevant experience. Could be used to justify action or inaction.	Name of expert CV of expert List of publications by expert Reference number Signature of expert Date of investigation
22. Weather reports	A record of the weather conditions that prevailed at a given time and location.	Used to verify the conditions at the time of the incident.	Date of event Date of inquiry Name of weather service Symbol of authority (letterhead, stamp) Contact telephone number of issuing authority
23. E-mails	Records of requests or details made or received by Council Officers.	Used as a record of proceedings, conversations and advice received by e-mail. Could be used to defend a statement claiming negligence and/or inaction by Council.	Date and Time sent Name of person sent from Name of person sent to Name of person copy sent to Subject summary/title Details



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<b>INFORMATION SOURCE</b>	<b>DESCRIPTION</b>	<b>TYPICAL USE</b>	<b>REQUIREMENTS</b>
24. Facsimiles	Records of requests or details made or received by Council Officers.	Used as a record of proceedings, conversations and advice received by facsimile. Could be used to defend a statement claiming negligence and/or inaction by Council.	Name of person sent to Name of company (if applicable) Facsimile number sent to Total number of pages sent Name of person sent from Date sent: Facsimile number sent from Contact Council telephone number Subject summary/title Details
25. Incident report	Records of incidents recorded in the field, in person or over the telephone.	Used as a record of incidents. Could be used to defend a statement claiming negligence and/or inaction by Council.	Minimum requirements should comply with the guidelines inserted into the front cover of each incident report book and in accordance with the type of incident being recorded.
26. File Notes /Memos	Records of requests, phone calls, informal meetings or other details made or received by Council Officers.	Used as a record of proceedings, conversations and advice received by Council Officer. Could be used to defend a statement claiming negligence and/or inaction by Council.	File Number: Name of person composing note: Date: Time: Subject summary/title: Details: Signature (black pen) and date (full date dd/mm/yy) Legible writing or typed on standard form template  *signed file notes must be scanned into TRIM for signature storage
27. Council Policies	Is a formally written general statement of the governing body (Council).	Used as a record of proceedings, conversations and advice received by Council Officer. Could be used to defend a statement claiming negligence and/or inaction by Council.	Date adopted Minute number File number Title Responsible Office Background Objective Principles Policy Statement
28. Management Directives	Is formally written and refers to a staff related matter, on the day-to-day administration of the Council.	Used as a record of proceedings, conversations and advice received by Council Officer. Could be used to defend a statement claiming negligence and/or inaction by Council.	Date adopted File number Title Responsible Office Background Objective Principles Statement

**ATTACHMENT B**

INFORMATION GATHERING CHECKLIST

The attached checklist can be used to ensure that all the appropriate information has been gathered at the scene of an incident.

INFORMATION	SPECIFIC REQUIREMENTS
Photographs – There may be only one chance to gain photographs at the scene of the incident. Remember, there can never be too many photographs.	(a) Total working area from all points of the compass. (b) Examples of the environmental conditions including rivers, drains, approaches, verges, vegetation, shadows, etc. (c) Close ups of all the damaged area, property, approaches, road conditions, any other factors, etc. (d) Ensure that the photographs of close ups have a size reference point e.g. ruler or pen. (e) Warning signs and general signs positioned by Council. (f) The damaged property from all angles.
Description of scene	Record as accurately as possible each photograph that has been taken. Also add a brief description of the scene. This will help to paint the overall picture.
Time	Day, Month, Year and Time in 24 hour clock, e.g. 6:00am is 0600 hours while 6:00pm is 1800 hours, i.e. no confusion.
Weather conditions	Record as accurately as possible the weather conditions. Include wind direction, wet or dry, light or dark, fog or no fog, ice or snow, etc.
Measurements – These can be useful to determine the actual facts of the situation e.g. “the one that got away”	Record all measurements as accurately as possible. These may include heights, lengths or widths of objects, obstructions, holes, etc.
Description of damage	Record as accurately as possible the type, nature and extent of the damage.
Property involved	Itemize all the property that has been damaged. This includes both third party property and Council property.
Registration numbers	Record the registration numbers of all vehicles involved in the incident whether damaged or not. Also include their exact location.
Description of any injuries  This is only an indication. Council staff are not medically trained nor are they expected to be involved with the treatment of any injuries.	Record the type of injuries people have received: (a) Minor – walked away from the scene. (b) Moderate – required medical attention. (c) Severe – was transported away from the scene by ambulance. (d) Unknown.
Witness	If possible, record the name and address of any witnesses.
Statements made by third party	Record any statements uttered by third parties.
Council employees	Name of all employees working within the area of the incident.
Type of work	Record the actual activity being undertaken by Council at the time of the incident.
Police	Record the name and station of any Police in attendance.
SafeWork NSW	Record the name and region of any SafeWork NSW Inspectors in attendance.
Signs	Record the place of erection, the day of erection, the day of last inspection, etc. of all general and warning signs displayed by Council. Record any other signs in the area that may have been erected by other authorities.

*Adopted by Council – 19 February 2024  
Refer Minute No. xx/24*

*Adopted by Council – 15 February 2021  
Refer Minute No. 17/21*

*Adopted by Council – 21 September 2009  
Refer Minute No. 282/09*

19. LOCAL GOVERNMENT CODE OF ACCOUNTING PRACTICE

(GM: 24/1354)

Executive Summary

The Office of Local Government (OLG) has updated the Local Government Code of Accounting Practice and Financial Reporting (the Code) and the revised Code will apply to the preparation of the 2023/24 Financial Statements. The changes introduced have implications for the recognition of the Rural Fire Service (RFS) assets in Council's Financial Statements.

Report

The Code prescribes the forms of financial statements approved by the OLG. The Code applies to each NSW council in respect of its general purpose financial statements, special purpose financial statements and special schedules.

The Code is intended to facilitate the practical and effective implementation of the Australian Accounting Standards and aims to provide:

- a basis for providing assistance in the interpretation and application of management reporting, accounting, auditing and financial reporting requirements of Chapter 13 of the Local Government Act 1993.
- a mechanism which will ensure that appropriate accounting policies and practices are implemented by all councils.
- a basis for audit and review functions to be undertaken in the context of comprehensive and approved accounting standards.
- reliable, comparable and readily comprehensible financial information which will be invaluable for making and evaluating decisions about the allocation of scarce resources, and which will assist in assessing the performance, financial position, finances and investments of councils.
- enhanced accountability of councils to the community.

The Code is reviewed and updated from time to time and the most recent version released by the OLG in December 2023 will apply to the Council's 2023/24 Financial Statements.

An important aspect of the external audit of Council's Financial Statements is to ascertain that the financial statements have been prepared in accordance with the Code.

Council will be aware that the Audit Office of NSW (AONSW) issued a qualified audit opinion in relation to the 2021/22 and 2022/23 Financial Statements because Council did not recognise the RFS mobile assets i.e. the red fleet in its accounts.

The AONSW issued a qualified audit opinion because it was "...unable to determine the carrying values of rural firefighting equipment assets and related amounts that should be recorded and recognised in the council's financial statements."

Council on the other hand maintained that the position it adopted in not recognising the RFS red fleet was consistent with the Code which, at the time, stated as follows:

*"Councils need to assess whether they control any rural firefighting equipment in accordance with Australian Accounting Standards..."*

However, the OLG in its latest review of the Code has amended the references relating to RFS assets. The updated Code now reads as follows:

*"Rural firefighting equipment*

*22. Under Section 119 of the Rural Fire Services Act 1997 (NSW), 'all firefighting equipment purchased or constructed wholly or from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the firefighting equipment has been purchased or constructed'.*

*23. The NSW Government has confirmed its view that these assets are not controlled by the NSW Rural Fire Services or the State.*

*24. Councils should recognise material rural firefighting equipment in their financial statements. Councils derive benefits from the rural firefighting equipment's service potential on the basis they have delegated their legal responsibilities for bushfire prevention, under Part 4 Bush Fire Prevention of the RF Act, to prevent the transmission of fire from council landholdings (particularly asset protection zones) to private land holdings through the District Service Agreements with the RFS."*

Whilst to date there has been a difference of opinion between some councils including Lockhart and the AONSW as to who controls the RFS assets, by amending the Code in this way the OLG has made the issue one of compliance as Council is required by the Local Government Act and Regulations to prepare its Financial Statements in accordance with the Code.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Section 206 of the Local Government (General) Regulation requires that accounting records and practices must accord with the Code. Section 214 of the Regulation specifies that any matters required by the Code to be included in a council's financial reports are prescribed matters.

Budget & Financial Aspects

Recognising the RFS assets will have an impact on the Annual Financial Statements if depreciation on the RFS assets is brought to account.

Attachments

Nil.

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

**20. QUARTERLY BUDGET REVIEW – DECEMBER 2023**

**(DCCS: 24/1789)**

Executive Summary

In accordance with the Local Government Act, 1993, a review of Council's Budget position as at 31 December 2023 has been undertaken and the following is submitted for Council's consideration.

Report

**General Fund**

When Council adopted the 2023-2024 Operational Plan Budget in June 2023 Council budgeted for a deficit of **\$72,666.00**. The Budget Review as at 31 December 2023 indicates an estimated **SURPLUS of \$82,878.00** as at 30 June 2024 after taking into account movements in revenue and expenditure for the second quarter.

Adjustments of note in the second Quarterly Review Budget:

Increase in **Income** general ledgers:

- 1040-1231-0000 Interest on Investment \$60,000
- 5662-1125-0000 Private Works Income \$115,000

Increases in **Expenditure** general ledgers:

- 5662-2375-0000 Private Works Expense \$120,000

**Interest on Investments** – will exceed adopted budget estimate due to a combination of steadily improving interest rates and an increase in available funds to invest. Council has been approved \$5.8M under the Regional and Local Roads Repair Program (RLRRP). These grant funds have been paid in advance to Council and as Council has only just started to expend these funds there are significantly more available funds to invest than Council estimated.

**Private Works** – there has been a significant increase in demand for gravel, mainly from rural land owners.

**Roads “Disaster” Funding:** Council has been approved in excess of \$11M of funding for road repair works. Under the **Disaster Recovery Funding Arrangements (DRFA) Assistance** program Council has received funding for events that occurred in January 2022 and September 2022.

		Timeline to Spend
<b>AGRN 1001 Event January 2022</b>	<b>2,462,307.87</b>	30 March 2025
<b>AGRN 1034 Event September 2022</b>	<b>2,718,260.38</b>	30 June 2025
<b>Fixing Local Roads Pothole Repair Round (PRR)</b>	<b>457,066.18</b>	Spent & Acquitted
<b>Regional and Local Roads Repair Program (RLRRP)</b>	<b>5,828,675.00</b>	31 October 2027
<b>TOTAL</b>	<b>11,466,309.43</b>	

As stated above Council has received all of the RLRRP funding in advance even though it does not have to be fully expended until 2027 (hence the additional interest on investments). The PRR funds have been received and expended in full.

For both the AGRN events Council receives the approved funding only after submitting claims once works have been completed and expended.

### Sewer Fund

When Council adopted the 2023-2024 Operational Plan Budget in June 2023 Council budgeted for a surplus of **\$11,044.00** for the Sewer fund operations. For the Budget Review at 31 December 2023 the budget adjustments resulted in an estimated **SURPLUS of \$9,356.00** as at 30 June 2024 after taking into account movements in expenditure and revenue for the second quarter.

### Integrated Planning and Reporting Reference

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

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

### Legislative Policy & Planning Implications

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

### Budget & Financial Aspects

Fund	Adopted Budget @ 1 July 2023	Amendments @ 30 Sept 2023	Amendments @ 31 Dec 2023	Revised Estimates @ 30 June 2024
<b>General Fund</b>	(\$72,366.00)	\$ 158,252.00	(\$3,008.00)	<b>\$ 82,878.00</b>
<b>Sewerage Fund</b>	\$ 11,044.00	\$ 4,704.00	(\$6,392.00)	<b>\$ 9,356.00</b>
<b>Net Consolidated Budget Surplus/(Deficit)</b>	<b>(\$61,322.00)</b>	<b>\$ 162,956.00</b>	<b>(\$9,400.00)</b>	<b>\$ 92,234.00</b>

### Attachments

- Quarterly Budget Review Statement for the period 01/10/23 to 31/12/23 will be provided under separate cover.

### **Recommendation:** That:

- a) The information be noted, and
- b) The adjustments in income, expenditure and reserves in the December 2023 Quarterly Budget Review be adopted.

## 21. REVIEW OF ORGANISATION STRUCTURE

(GM: 24/156)

### Executive Summary

The purpose of this report is to finalise the transition to a three-directorate organisation structure that was foreshadowed by Council at its meeting held on 19 December 2022.

### Report

Council may review and re-determine the organisation structure at any time but must review it within 12 months of an ordinary election. The last ordinary election of Council was held in December 2021 and Council last reviewed its organisation structure in December 2022 at which time Council resolved:

*“That, subject to the successful recruitment of a Director Planning and Environment, Council adopt the three-directorate organisation structure based on the distribution of functions as shown in the attached organisation chart”.*

The factors contributing to the Council’s resolution included:

- a) Increased population growth
- b) Increased development activity
- c) Increased revenues (e.g. DA income)
- d) Increased recurrent grant funding (Financial Assistance Grants)
- e) Skill shortages and recruitment challenges

With respect to e) above Lockhart Shire, like many councils, experiences difficulty in attracting skilled staff particularly in the engineering, planning and health and building fields. At the time of the organisation structure review in December 2022 the position of Manager Planning and Building Services remained vacant after two recruitment attempts and by elevating the position to Director Planning and Environment and adopting a three-directorate structure it was hoped that it would enhance Council’s chances of recruiting a suitably qualified person.

Whilst a suitably qualified person was recruited at the time the successful candidate did not have previous managerial experience. For this reason the successful candidate was employed as Manager Planning and Environment with a view to elevating the position to Director status and transitioning to a three-directorate structure once the successful candidate had the opportunity to complete appropriate training and professional development.

Since commencing duties with Council, the Manager Planning and Environment has completed the following external training and professional development:

1. Local Government Professionals Australia (NSW) - Aspiring Leaders Program
2. Leading Roles (local government specialist human resource advisory services) - Leading from the Front Program

In terms of internal professional development opportunities the Manager Planning and Environment has, together with the General Manager and existing Directors, participated in Management Executive (Manex) meetings and attended Council meetings on a regular basis irrespective of whether the Manager had a specific report on the Business Paper.

The Manager Planning and Environment has been a valuable addition to Council’s staff and it is considered an appropriate time to formalise the transition to a three-directorate structure, first agreed upon in December 2022, by elevating the position of Manager Planning and Environment to Director Planning and Environment.

It is also proposed that the Director Planning and Environment be appointed a Disclosure Officer for the purposes of Policy 1.18 Public Interest Disclosures Policy, Key Management Personnel for the purposes of Policy 1.20 Related Party Disclosures Policy and a Designated Person for the purposes of Section 4.8 of the Code of Conduct. This will bring the position into line with the other director positions and impose obligations such as the requirement to submit annual disclosure of interest returns.

### Integrated Planning and Reporting Reference

- E1: Meet all governance and regulatory requirements in the conduct of council’s operation.
- E1: Plan for the long-term sustainability of the Shire.
- E1: Attract and retain a quality workforce.

Legislative Policy & Planning Implications

Section 332 of the Local Government Act states that:

- 1) A council must, after consulting the general manager, determine the following--
  - a) the senior staff positions within the organisation structure of the council.
  - b) the roles and reporting lines (for other senior staff) of holders of senior staff positions.
  - c) the resources to be allocated towards the employment of staff.
- 2) The general manager must, after consulting the council, determine the positions (other than the senior staff positions) within the organisation structure of the council.
- 3) The positions within the organisation structure of the council are to be determined so as to give effect to the priorities set out in the strategic plans (including the community strategic plan) and delivery program of the council.

Section 333 provides that the organisation structure may be re-determined from time to time and that the council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.

Budget & Financial Aspects

The impact of the change on the 2023/24 Budget is approximately \$12,000 and will be reported to Council as part of the Quarterly Budget Review Statement as at 31 March 2024.

Attachment

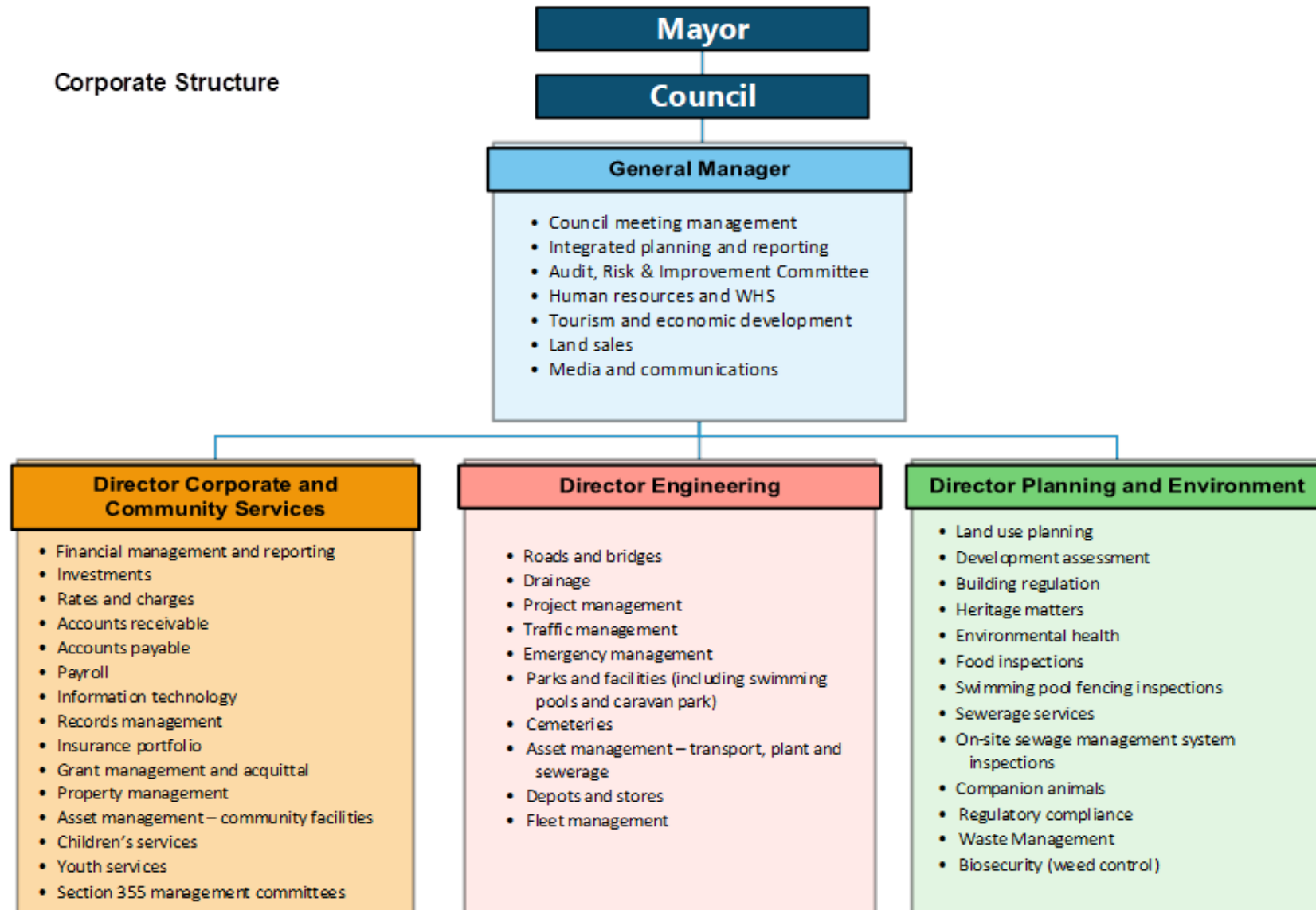
- Organisation structure listing the areas of responsibility under the General Manager and three directors.

**Recommendation:** That:

1. Council adopts a three-directorate organisation structure based on the distribution of functions as outlined in the report.
2. The position of Manager Planning and Environment be reclassified as Director Planning and Environment, and
3. The Director Planning and Environment be:
  - a) A Disclosure Officer for the purposes of Policy 1.18 Public Interest Disclosures Policy.
  - b) Key Management Personnel for the purposes of Policy 1.20 Related Party Disclosures Policy, and
  - c) A Designated Person for the purposes of Section 4.8 of the Code of Conduct.

[Next Item](#)

**Staff Report 21: Attachment – Organisation structure listing the areas of responsibility under the General Manager and three directors**





## QUESTIONS AND STATEMENTS

### CLOSED SESSION

#### Agenda

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

**22. TENDER – SPRAY SEALING SERVICES**

**(DEES: 24/1671)**