



BUSINESS PAPER

of the Ordinary Meeting Held 16 May 2022

The meeting will be preceded by a session commencing at 4pm, with Inland Rail representatives to provide an update on the project.

**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

The Council's Guiding Principles

The following general principles apply to the exercise of functions by councils:

- Councils should provide strong and effective representation, leadership, planning and decision-making
- Councils should carry out functions in a way that provides the best possible value for residents and ratepayers
- Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community
- Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements
- Councils should work cooperatively with other councils and the State Government to achieve desired outcomes for the local community
- Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way
- Councils should work with others to secure appropriate services for local community needs
- Councils should act fairly, ethically and without bias in the interests of the local community
- Councils should be responsible employers and provide a consultative and supportive working environment for staff.

The following general principles apply to decision-making by councils (subject to any other applicable law):

- Councils should recognise diverse local community needs and interests
- Councils should consider social justice principles
- Councils should consider the long term and cumulative effects of actions on future generations
- Councils should consider the principles of ecologically sustainable development
- Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

(Section 8A Local Government Act, 1993)



Lockhart Shire Council

File Ref: PV: SJ: 22/4614

11 May 2022

The Mayor and Councillors
Lockhart Shire Council
65 Green Street
LOCKHART NSW 2656

Dear Councillors

I wish to advise that the Ordinary Monthly Meeting of Lockhart Shire Council will be held at the Council Chambers, Green Street, Lockhart on **Monday, 16 May 2022** commencing at **5.00pm**.

A representative of the Inland Rail project will present an update on the project, prior to the meeting proper.

The Order of Business will be as shown overleaf.

Yours faithfully

Peter Veneris
GENERAL MANAGER

ORDER OF BUSINESS

OPENING WITH A PRAYER

APOLOGIES

LEAVE OF ABSENCE

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING, 19 APRIL 2022

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MAYORAL MINUTE

Nil.

MAYORAL REPORT

To be presented at the meeting.

URGENT MATTERS

Nil.

NOTICE OF MOTION

Nil.

COMMITTEE REPORTS

1. MINUTES OF THE MEETING OF THE LOCKHART SHIRE COUNCIL AUDIT, RISK AND IMPROVEMENT COMMITTEE HELD AT THE LOCKHART SHIRE COUNCIL OFFICES, AND REMOTELY VIA ZOOM, ON WEDNESDAY 27 APRIL 2022 AT 9.00AM

1. Present

James Davis (Independent Chairperson) – remotely via Zoom
Luke Taberner (Independent Member) – remotely via Zoom
Cr Andrew Rockliff (Lockhart Shire Councillor) – in person

2. In Attendance

Peter Veneris (General Manager) – in person
Craig Fletcher (Director Corporate and Community Services) – in person

3. Apologies

Nil.

4. Confirmation of Minutes

It was RESOLVED that the minutes of the meeting held on 24 November 2021, as printed and circulated, be confirmed as a true and correct record of the proceedings of that meeting.

5. Business Arising

The Chairperson referred to the information provided at the last meeting regarding the preparation of 2020/21 Financial Statements and sought an update noting that an extension for the lodgement of the Statements had been granted to the Council up until 24 December 2021.

The General Manager confirmed that the 2020/21 Annual Statements were completed, and the Audit Certificates were issued, in early December 2021 and the Statements were lodged prior to the extended due date.

The General Manager also advised that, bearing in mind that Council did not meet in December 2021 due to the postponed local government elections, the Audited Financial Statements and Auditor's Report were presented to the first meeting of the new Council held in early January 2022.

6. Internal Audit Reports

6.1 Developer Contributions Methodology

It was RESOLVED that the methodology for the forthcoming internal audit review focusing on developer contributions be endorsed.

7. Prior Internal Audit Recommendations – Status Report

A report on the status of prior internal audit recommendations was tabled.

The General Manager advised that attention had now turned to the recommendations from the internal audit review of section 355 committees that had been left in abeyance pending the commencement of the new council term.

In response to a question from the Chairperson the General Manager advised that Council's Policy regarding section 355 committees has been reviewed and reaffirmed by Council following public exhibition of the Policy and the section 355 committees have been re-established and the delegations extended to them confirmed by resolution of council. He also advised that Council's Handbook for section 355 committees is to be reviewed and updated in the coming months following which it is proposed to hold briefings with the committees.

It was RESOLVED that the status of prior internal audit recommendations be noted.

8. Draft ARIC Charter and Work Plan

The General Manager explained that the Draft ARIC Charter was described as an "interim" charter as it reflected the current arrangements under the Audit Alliance of which Council is a member while it transitions to the new ARIC Guidelines released by the Office of Local Government.

He also noted that the need for a Committee Charter, and a Work Plan that is linked to Council's Risk Register, has been raised by the Audit Office of NSW in Audit Management Letters.

The Chairperson referred to the Work Plan and suggested that the Committee's activities will be undertaken within available Council resources and suggested that it may be appropriate to note that on the Work Plan.

It was RESOLVED that the Draft ARIC Charter and Work Plan be endorsed by the Committee and recommended for adoption by Council.

9. Notice of Reportable Incidents

The General Manager advised that there were no incidents to report.

10. General Business

The Chairperson enquired as to whether the Council will be lodging an application for a special rate variation under the one-off streamlined additional special variation (ASV) process announced by IPART.

The General Manager confirmed that Council has resolved to seek a 2% ASV for 2022/23 and that the application was currently being prepared.

11. Date of Next Meeting

Wednesday 6 July 2022.

There being no further business the meeting closed at 9.40am.

James Davis
Chairperson

Recommendation: that the Minutes of the Lockhart Shire Council Audit, Risk and Improvement Committee be received and noted.

DELEGATES' REPORTS

1. RIVERINA REGIONAL LIBRARY ADVISORY COMMITTEE MEETING – 30 MARCH 2022 AT WAGGA WAGGA

(GM: 22/4852)

I attended a meeting of the Riverina Regional Library Advisory Committee in Wagga Wagga on 31 March 2021 as Council's alternate delegate together with the General Manager. Key issues arising from the meeting are summarised below.

- Cr Pam Haliburton of Junee Shire Council was elected Chair of the Committee and Cr Aaron Nicholls of Federation Council was elected Deputy Chair.
- The quarterly budget review for the quarter ending 31 December 2021 was tabled.
- Greater Hume Council has confirmed its continuing membership of RRL but has also given notice of its intention to withdraw from the RRL Mobile Library service effective 30 June 2024.
- Administration of the RRL is being transitioned to Coolamon Shire Council due to Wagga City Council's departure from the RRL as the current Administration Council.
- A draft RRL Management Plan for 2022-2023 was endorsed incorporating a revised membership contributions formula.
- Mobile library Loans for Lockhart Shire service points totalled 1,247 for the July to December 2021 period.
- A revised Mobile Library schedule for the period 1 July 2022 to 30 June 2024 has been developed as a consequence of Wagga City Council's departure from RRL.
- Leeton Shire Council has agreed to join the RRL from 1 July 2022.

Cr Peter Sharp
Alternate Delegate

2. RIVERINA JOINT ORGANISATION (RIVJO) – 22 APRIL 2022 AT WAGGA WAGGA

(GM: 22/5036)

I, together with the General Manager, attended a meeting of RIVJO in Wagga on 22 April 2022. A summary of the main issues addressed is set out below.

- Workshops will be held to hold discussions in relation to the future of both organisations i.e. REROC and RIVJO and the transition to a single organisation.
- A RIVJO meeting at Parliament House Sydney is planned for 11/12 May 2022. The Ministers that have accepted to attend are as follows:
 - Hon Paul Toole MP – Minister for Regional NSW
 - Hon Steph Cook MP – Minister for Emergency Services
 - Hon Bronnie Taylor MLC – Minister for Regional Health
 - Hon Anthony Roberts MP – Minister for Planning and Housing
 - Hon Wendy Tuckerman MP – Minister for Local Government
- At the meeting of JO Chairs held at Parliament House on 28 March, a number of Chairs again raised the financial sustainability issue. However, the Government's approach appears unchanged and there will be no on-going core funding provided to JOs.
- The issue of delays in the delivery of grant-funded infrastructure projects was raised at the JO Chairs meeting with a number of the Chairs indicating that there were problems with delivery because of rising costs, materials shortages and skilled labour shortages. It was agreed that each JO would gather information from their own region with a view to sending correspondence to both the State and the Federal Governments seeking extensions for delivery, increased contingency arrangements for funding and possibly additional funding.
- RIVJO will write to the Minister for Local Government to reiterate the JO's position that the ARIC Framework should only apply to JOs with a minimum turnover of \$1.5 million.
- A presentation was given by the Pro Patria Property Trust which is seeking to establish a world class Integrated Treatment Centre for Veterans and Emergency Support Personnel at Wagga.

3. RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) – 22 APRIL 2022 AT WAGGA WAGGA

(GM: 22/5036)

I, together with the General Manager, attended the REROC Board meeting in Wagga on 22 April 2022. A summary of the main issues addressed is set out below.

- Consideration will be given to offering councillor training on specific topics after surveying member councils on their preferred topics.
- The Energy Conference which was cancelled earlier this year will now be held on September 14-15, 2022.
- The Mapped Out conference which was cancelled earlier this year will now be held on 16-17 November 2022.
- The Eaton Gorge Theatre Company toured the region in early March, visiting schools in Jindera, Holbrook, Henty, Pleasant Hills and Lockhart. The Lockhart shows focused on FOGO and the Greater Hume shows focused on Recycling. REROC received positive feedback from the participating schools.

Cr G Verdon
Delegate

4. RIVERINA WATER COUNTY COUNCIL BOARD MEETING – 27 APRIL 2022

(GM: 22/5320)

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 27 April 2022 has been received and has been distributed separately to Councillors.

Recommendation: that the Delegates' Reports be received and the information 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
Ordinary Council Meeting held 19 April 2022			
84/22	GM	Superannuation Payments to Councillors That Lockhart Shire Council make superannuation contribution payments to its councillors from 1 July 2022.	Memo distributed to all councillors inviting them to submit details of their nominated superannuation fund. Complete.
76/22	GM/ DEES	Hollies Road Petition That Council submits a grant application under the next round of the Fixing Local Roads program for the raising of the causeway on Hollies Road and associated roadworks.	Lead petitioner advised of Council's decision. Complete.

*Lockhart Shire Council
Ordinary Meeting – 16 May 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 March 2022			
67/22	GM	<p>Local Orders Policy – Premises not in a Safe or Healthy Condition</p> <ol style="list-style-type: none"> 1. Place “Draft Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition” on public exhibition for a period of not less than 28 days; 2. Accept submissions in relation to the Draft Local Policy for a period of 42 days after the date on which the Draft Local Policy is placed on public exhibition. 	<p>Placed on public exhibition on 22/3/2022.</p> <p>Tabled at the 16 May 2022 Council meeting for adoption (refer item Staff Report 9).</p> <p>Complete.</p>
62/22	GM	<p>2022/23 Operational Plan & Budget – Special Rate Variation</p> <p>That Council apply for a special variation in general income of 2% for the 2022/23 financial year on the following basis:</p> <ul style="list-style-type: none"> • The application is for a permanent special variation pursuant to section 508(2) of the Local Government Act; and • The additional income that council will receive if the special variation of 2% is approved is estimated to be \$52,000; and • The special variation is required because: <ul style="list-style-type: none"> – When exhibiting the Draft 2021/22 Operational Plan and Budget Council’s forward budget estimates incorporated an increase in ordinary rate income of 2% in 2022/23, 2023/24 and 2024/25. – The budget estimates as adopted by Council following public exhibition at the time forecast budget surpluses of \$9,186, \$10,263 and \$9,350 for 2022/23, 2023/24 and 2024/25 respectively with a 2% increase in ordinary rate income. – Council requires the additional income of \$52,000 that would be generated by a special variation based on a permanent increase of 2% otherwise Council will incur sustained deficits in future years or be forced to cut services to the community; and • The council has considered the impact on ratepayers and the community in 2022-23 and, in future years if the special variation is approved and considers that it is reasonable. 	<p>Application submitted.</p> <p>Complete.</p>

*Lockhart Shire Council
Ordinary Meeting – 16 May 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
60/22	DEES/ DCCS	<p>Local Environmental Plan Review</p> <p>Council:</p> <ol style="list-style-type: none"> Notes the information provided in the report regarding the review of the Lockhart Local Environmental Plan; and allocates \$62,000 (excluding GST) in its 2022/23 (\$42,000) and 2023/24 (\$20,000) budgets to complete the review of the Lockhart Local Environmental Plan. 	<ol style="list-style-type: none"> Complete Draft Budget to be tabled at May Council meeting (refer Staff Report 5).
59/22	DEES	<p>Review of Road Classification</p> <p>That Council:</p> <ol style="list-style-type: none"> establishes a Road Classification Working Group to oversee a review of road classifications in the Shire; and nominates the following Councillors to participate in the Working Group <p>A Ward Cr Rockliff B Ward Cr Sharp C Ward Cr Verdon</p>	Currently recruiting for the position of Director Engineering and Environmental Services with road classification review to commence after an appointment has been made.
56/22	GM	<p>Development of Lockhart Industrial Estate</p> <p>Council prepares a subdivision application for the development of Stage 3 of the Lockhart Industrial Estate.</p>	Request for Quote being prepared.
48/22	DEES	<p>Public Access – Plums Lane, The Rock</p> <p>Council agrees to maintain public access along the north/south section of Plums Lane at The Rock as the current laneway is not on the correct alignment and the adjoining landowner has blocked public access and that Council staff investigate the options for formation of a public road in the correct location.</p>	Inspected during recent bus tour – investigations are continuing.

*Lockhart Shire Council
Ordinary Meeting – 16 May 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 February 2022			
33/22	DEES	<p>Flood Mitigation Review – The Rock and Yerong Creek</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the information provided in this report. 2. Allocates \$65,000 from Council Reserves for the purchase of a mobile water pump and hoses. 3. Awaits the outcome of works to be undertaken by Transport for NSW to clear the table drains along the Olympic Highway before determining whether additional works are required to be funded by Council. 4. Applies to the next round of Floodplain Management grants (2022/23) to revise the Floodplain Risk Management Studies and Plan for The Rock. 5. Applies to the next round of Floodplain Management grants (2022/23) to undertake a Floodplain Risk Management Study and Plan for Yerong Creek. 6. Notes that a final report will not be available until after funding opportunities are finalised. 	<ol style="list-style-type: none"> 1. Noted – complete. 2. Pumps have been ordered, delivery has been delayed. Hoses have been received. 3. Pending – contact being maintained with TfNSW. 4. Application lodged – complete. 5. Application lodged – complete. 6. Noted – complete.
25/22	GM	<p>Phase 3 – Local Roads & Infrastructure Grants Program</p> <ol style="list-style-type: none"> 1. Council prepare and submit Project Nominations forms and Work Schedules for the following projects for funding under Phase 3 of Local Roads and Community Infrastructure grants program: <ul style="list-style-type: none"> • Yerong Creek Rec Ground – irrigation system \$58,000 • The Rock Rec Ground – additional funding required for fencing \$6,000 2. The remaining balance of LRCI Phase 3 funding totalling \$305,000 not be allocated to other projects until such time as TfNSW completes the clearing of table drains along the Olympic Highway at The Rock at which time Council can determine whether additional works will be required. 3. An amended project nomination form be submitted to the funding body requesting that the funds approved for the sealing of internal roads at the Osborne Recreation Ground be reallocated to ancillary works involved with the new netball courts, and upgrade of lighting to the main oval. 	<ol style="list-style-type: none"> 1. Project Nomination Forms submitted. Complete. 2. Table drains cleaned by Greater Hume Shire Council under contract to TfNSW. Refer separate report to 16 May Council meeting (Staff Report 2). Complete. 3. Amended Project Nomination form submitted. Complete.

*Lockhart Shire Council
Ordinary Meeting – 16 May 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
23/22	DCCS	Lockhart – Out of School Hours Care Service Further investigation of out-of-school-hours care requirements in Lockhart be undertaken.	Provider indicated current demand is not sufficient for a before & after school care program to be viable with the additional staff and programming required.
Ordinary Council Meeting held 15 November 2021			
208/21	GM	Yerong Creek Men's Bowling Club – Request for Financial Assistance Council to provide financial assistance in the amount of \$4,016 including GST to the Yerong Creek Men's Bowling Club and that the contribution be funded from the 2021/22 budget allocation for Section 356 contributions.	Yerong Creek Bowling have purchased synthetic grass. Council will process payment when the invoice is received.
Ordinary Council Meeting held 18 October 2021			
180/21	TEDO	Committee Minutes – TEDSC held 5 October 2021 Minutes of the Tourism and Economic Development Steering Committee held on 5 October 2021 be received and the recommendations contained therein be adopted with the exception that an information board be erected at Lockhart Caravan Park.	Information board at Caravan Park to be included in list of locations yet to be scoped.
Ordinary Council Meeting held 20 September 2021			
174/21	GM	Potential Property Acquisition for Community Development at The Rock Council authorises the General Manager to submit an offer for the purchase of Lot 2 Sec 17 DP758971 based on the independent valuation received by Council.	Offer submitted. The vendor has requested a copy of the independent valuation.
Ordinary Council Meeting held 16 August 2021			
148/21	GM	Proposed "Tim Fischer Way" Council to reinstate investigations into the erection of tourism signage indicating "Tim Fischer Way".	Submission made to the Tourism Attractions Signs Assessment Committee. GM and TEDO currently in discussions with the Committee.
Ordinary Council Meeting held 19 April 2021			
63/21	GM	Residential Development – Lockhart 1) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report. 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.	The development application for Lot 62 (westernmost lot) has been approved. The application for Lot 90 is still being processed.

Lockhart Shire Council
Ordinary Meeting – 16 May 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 15 February 2021			
12/21	GM	<p>Preparation of Plans of Management – Crown Reserves etc</p> <p>1) Council endorse the <i>Draft Lockhart Shire Council Plan of Management for Crown Land managed by Council and Council-owned land classified as ‘community’</i> for the purposes of community consultation.</p> <p>2) In the first instance, Council writes to the s.355 management committees and users groups drawing their attention to that part of the Plan of Management relevant to the reserve they manage/use and invite their feedback and input.</p> <p>3) Following consideration of any feedback received from the management committees and user groups and updating of the draft Plan of Management, the document be placed on public exhibition providing the broader community with the opportunity to comment.</p>	<p>1) Complete.</p> <p>2) Complete.</p> <p>3) Pending. Crown Lands Office approval is required before Draft Plan of Management is placed on public exhibition.</p>
9/21	DCCS	<p>The Lockhart Recreation Ground Management Committee – Request for Financial Assistance</p> <p>Approve an interest-free loan to the Lockhart Recreation Ground Management Committee of up to \$70,000 with repayments being Year 1 \$4,200 and the remaining 14 years will be repayments of \$4,700 to support an application to Building Better Regions Fund – Infrastructure Projects Stream – Round Five.</p>	<p>This resolution will be actioned if the application to the Building Better Regions Fund – Infrastructure Projects Stream – Round Five is successful.</p> <p>The Lockhart Football Netball Club have been advised the grant application has been successful. A report will be provided at a future Council meeting.</p>
6/21	DEES	<p>Recreational Vehicles (RV’s) and Caravan Parking in Lockhart CBD</p> <p>Council to investigate and implement RV and Caravan Parking in locations in Green Street (Plan 3 and Plan 6 of the Lockhart Business Centre Master Plan) as well as Urana Street and Matthews Street, Lockhart, including an education program, as recommended by Council’s Tourism and Economic Development Steering Committee.</p>	<p>Investigation completed. Dedicated RV parking locations in Green/Urana Street near museum completed.</p> <p>Dedicated RV parking near Shire Administration not supported (limited car parking, mobile library, NSW Government Mobile Services). Single parking space in Matthews Street supported. Implementation subject to funding.</p> <p>Referred to LRCI Phase 3 Workshop. No funding allocated.</p>

Lockhart Shire Council
Ordinary Meeting – 16 May 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 16 November 2020			
211/20	GM	<p>Grant Funding Opportunities</p> <ol style="list-style-type: none"> 1. Submit the following projects for funding under the Local Road and Community Infrastructure Program Phase 2: <ul style="list-style-type: none"> - The Rock Hall - Lockhart Caravan Park - The Rock 2nd Oval – Water and Fencing - Lockhart Rec Grd Amenities – Stage 2 - Pleasant Hills Rec Grd – Tennis Courts etc - The Rock Observatory 2. Progress the following projects, in priority order, to 'shovel ready' status using the funds allocated in the 2020/21 Budget for 'Grant Application Preparedness'. <ul style="list-style-type: none"> - GrainCorp Building Development - Avenue of Honour - Government Dam, The Rock – Recycling Water - Brookong Creek Masterplan - Galore Hill Scenic Reserve Masterplan 	<ol style="list-style-type: none"> 1. Complete 2. Development application for 109 Green Street Lockhart has been approved. Tenders were invited and closed 2 May with one tender received for the public toilet component only. Avenue of Honour being funded under LRCI Phase 3 RFQ being prepared for Brookong Creek Masterplan and Galore Hill Scenic Reserve Masterplan
206/20	TEDO	<p>Shortage of Residential Property to Lease</p> <p>Investigate options to make housing more available for existing and potential new residents, including possible incentives to attract investor-builders, land availability, workshops, and planning considerations.</p>	<p>Four REROC/RIVJO workshops have been held - a regional housing strategy has been developed. The Strategy has formed the basis of RivJO's submission to the NSW Government's Regional Housing Task Force.</p> <p>Representations have been made to the Member for Wagga Wagga.</p> <p>A Land Monitor project is being established. To be considered as part of the forthcoming review of Council's LEP.</p>
Ordinary Council Meeting held 20 July 2020			
133/20	DEES	<p>Naming of Bridges – Brookong Creek and Urana Lockhart Road</p> <ol style="list-style-type: none"> 1. Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge. 2. Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gonyah Bridge, Brookong Creek. 3. Write to Transport for NSW advising of the proposed names for the bridge on Urana Lockhart Road and the new culvert over Brookong Creek, Lockhart. 	<p>Written to TfNSW advising of the proposed bridge and culverts names.</p> <p>Received response from TfNSW requesting further information. Wrote to NSW Aboriginal Land Council re proposed names. DEES also contacted TfNSW liaison officer on several occasions.</p> <p>Last correspondence on 14 March 2022. Awaiting response.</p>

Lockhart Shire Council
Ordinary Meeting – 16 May 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 20 April 2020			
70/20	GM	<p>Review of Operational Land</p> <p>Council adopts the following actions in relation to the review of land classified as “operational land”:</p> <ul style="list-style-type: none"> Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land. 	<p>Contact has been made with the adjoining landowner and information provided regarding the Council owned land in anticipation of further discussions.</p> <p>The landowner is liaising with their solicitor.</p>
Ordinary Council Meeting held 19 April 2022 – Councillor Questions & Statements			
Question & Statements	DEES (GM)	<p>Cr Rockliff: Tree, Galore Street</p> <p>Referred to an email received by Council regarding a tree near 58 Galore Street, which appears to be eaten out at the bottom and could be dangerous. Cr Rockliff asked for an update on this matter.</p>	<p>Tree assessment has been completed in accordance with Australian Standards and landowner advised of the outcome.</p> <p>Complete.</p>
	GM	<p>Cr Hunter: Connectivity</p> <p>Asked if there were any outcomes from the recent meeting with the Regional General Manager of Telstra.</p>	<p>Council currently collating information on blackspots and connectivity issues across the Shire to provide to the NSW Telco Authority.</p>
	DEES (GM)	<p>Cr Driscoll: German Church Road “Davidsons Hill”</p> <p>Referred to the road being too narrow for heavy vehicles and the hill providing poor visibility. Cr Driscoll asked if something can be done on 500m of road in Lockhart Shire to where it meets the Wagga City Council boundary.</p>	<p>Cost estimate to be prepared.</p>
	GM	<p>Cr Driscoll: Pump Track</p> <p>Advised that The Rock Progress Association would be very interested in the installation of a permanent “pump” cycling track at The Rock.</p>	<p>This project could be considered for LRCI funding at next Grants Workshop (refer agenda Staff Report 2).</p>
	DEES (GM)	<p>Cr Driscoll: Possible Weed Infestation</p> <p>Has been contacted by a concerned farmer regarding a possible notifiable weed infestation on a neighbouring property.</p>	<p>The matter has been investigated by the Environmental Officer and a Notice is being issued.</p>
	DEES (GM)	<p>Cr Day: Flood Alerts</p> <p>Advised she has been approached about the possibility of a flood warning system, incorporating a warning siren, being installed at Lockhart and The Rock.</p>	<p>The matter to be referred to the NSW SES as lead combat agency for floods.</p>
	GM	<p>Cr Day: Christmas</p> <p>Would like Council to consider Christmas lights in the main streets across the Shire, to bring back some positivity post-Covid.</p>	<p>This project could be considered for LRCI funding at next Grants Workshop (refer agenda Staff Report 2).</p>
	GM	<p>Cr Marston: Lighting, The Rock Recreation Ground</p> <p>Asked that replacement of the lights be considered for any unspent LRCI funds.</p>	<p>This project could be considered for LRCI funding at next Grants Workshop (refer agenda Staff Report 2).</p>

*Lockhart Shire Council
Ordinary Meeting – 16 May 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Verdon: Pedestrian Crossing Brought attention to the section of Urana Street at the post office, where heavy vehicles are causing major “shoves” impeding the travel of mobility scooters.	A works request has been submitted and the matter is being attended to.
	DEES	Cr Verdon: The Rock Collingullie Road Advised a number of potholes have formed between The Rock and Humphrys Lane, in the area where widening has occurred.	A works requests has been submitted and remedial works programmed.
	DEES	Cr Verdon: Roads Budget Asked that Council considers a widening project near “Ryans Hill” on The Rock Collingullie Road.	Cost estimate to be prepared.
	GM	Cr Verdon: Amendment to Code of Meeting Practice Asked that, in line with most councils, this Council considers introducing an Acknowledgement of Country to its meeting practice.	The Code of Meeting Practice is required to be reviewed within 12 months of an ordinary council election and this addition could be considered as part of that process (refer Staff Report 8).
Ordinary Council Meeting held 21 March 2022 – Councillor Questions & Statements			
Questions & Statements	GM	Cr Walker: Flood Mitigation Works, The Rock Has received a complaint from a resident in Urana Street, The Rock regarding the newly installed bridge access not lining up with his driveway and asked if this could be investigated.	On-site discussion held with landowner. Corrective action to be taken when contract works are completed.
	GM	Cr Sharp: Jim Willis North Road Has received a request from a landowner for a “No Through Road Sign” at the junction of Jim Willis North Road and Willis Lane. Because of works done on the landowner’s property it is unclear where the public road ends and the owner’s driveway begins.	Sign has been ordered.
	MP&B	Cr Mathews: Bluebird Café Expressed concerns regarding the Bluebird Café, which has been closed for some time. Referred to the bird droppings at the front of the building and the possibility of harbourage of vermin inside the building, being a health and safety issue.	No response received to request for access for the purpose of an inspection. Attempts to make contact via other avenues is under way.
	DCCS	Cr Day: Community Gym Has looked at possible funding options and has found details of the Community Local Infrastructure Recovery Program.	Initial investigations show that Council is not eligible for the CLIR Program at this point in time. Complete.
	DCCS	Cr Marston: The Rock Recreation Ground Referred to the different grass heights required for different football codes and asked if this could be taken into consideration for any replacement mowers so that grass height could be cut to optimum level for AFL.	The proposal has been discussed with Council’s Fleet Supervisor. Differing heights can be achieved with current mowers, in conjunction with seasonally appropriate growth management. Complete.

Lockhart Shire Council
Ordinary Meeting – 16 May 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 February 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Rockliff: Lockhart Golf Club Advised that both tractors used for mowing the golf course have broken down meaning volunteers can no longer facilitate this activity. Councillor Rockliff asked if Council could assist in any way, possibly with ex-Council equipment?	Investigating a short-term solution to borrow a tractor from another section 355 committee. Also investigating possible longer-term solution. Possible grant funding opportunity with current Crown Reserves Improvement Fund has been referred to the Golf Club. Complete.
	DEES	Cr Walker: Bulloc Hill Road Asked for an update on progress of negotiations with Wagga City Council for the works done inadvertently in WWCC area.	Wagga City Council's Director Infrastructure Services (DIS) advised that their General Manager is supportive of reimbursing costs. DIS to validate work.
Ordinary Council Meeting held 10 January 2022 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Rockliff: Flood Mitigation, Lockhart Advised that he thinks the works are performing very well, particularly the work done behind Matthews' property to divert water around town. Cr Rockliff expressed his hope that the rail bridge is still on the agenda. Also mentioned the footbridge appears to be holding back water and pushing it out to get around, which requires investigating. Added his support for the suggestion that Council prioritise the cleaning of table drains, especially after a rain event.	Cleaning of culverts and associated drains has been carried out. Complete.
	DEES	Cr Rockliff: Roads Advised the following roads are in very bad condition, especially after the recent harvest traffic: Bidgeemia Road after Western Road through to Barracluffs Road; Western Road through the creeks at Urangeline; most of the gravel on Soldier Settlement Road especially from McDonnell's down towards Madden's has eroded quite badly. Also mentioned trucks are using smaller lanes more often, not just local owners. Has received a request for Fargunyah Lane to be reclassified and upgraded from Gravel Class 2 to Gravel Class 1. Water is running down the middle of the road, it doesn't get enough maintenance to support increased traffic movements.	Works on the gravel roads are included in flood restoration works and will be undertaken in the coming months. Temporary repairs have been carried out on Western Rd and Soldier Settlement Rd. Fargunyah Ln will be included in the review of Council's Road Classifications.
	GM	Cr Walker: Mobile Coverage Raised the issue of poor mobile phone coverage west of The Rock Hill, and in Yerong Creek and Pleasant Hills. People in these areas are struggling to have any service. Asked if Council could approach providers on behalf of residents?	Discussions have been held with the NSW Telco Authority. Information is currently being collated regarding black spots to provide to the Authority.

Lockhart Shire Council
Ordinary Meeting – 16 May 2022

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	<p>Cr Sharp: Road Maintenance after Recent Rain</p> <p>Advised that the bridges on Grubben Road are in very poor condition after the rain of last week and need urgent attention. Cr Sharp also advised that the table drains on Eulensteins Road require cleaning out. During the recent rain they were so full of grass that the water was running down the road. He has received a suggestion from a local resident that the causeway on this road should be converted to a culvert.</p>	<p>Cleaning of culverts and drains has been carried out where areas have dried out enough to facilitate works. Complete.</p>
	DCCS	<p>Cr Driscoll: Technology</p> <p>Referred to the address via Zoom by Council's auditor and asked if the equipment in the Council chamber could be upgraded to allow better connectivity for online participation in Council meetings.</p>	<p>Upgrade currently being investigated as the projectors, which were installed during construction of the building, are now 10 years old and outdated. Contact has been made with a Leeton-based company. An on-site meeting will take late May. Funds allocated in Draft Operational Budget FY23.</p>
	DEES	<p>Cr Driscoll: Urana Street Median</p> <p>Enquired whether it was possible to reclassify the median strip in the road reserve of Urana Street at The Rock as recreation space so the road does not need to be closed for events such as markets.</p>	<p>Options will be investigated, an LEP review is soon to be undertaken which may assist in the process.</p>
Ordinary Council Meeting held 18 October 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Rockliff: Bridge on Green Street</p> <p>Noted that cumbungi and poplars are growing and becoming a bush fire concern.</p>	<p>Poplars and other introduced species in Brookong Creek have been earmarked for removal when budget and resources allow; with current staffing and workload it may be necessary to engage a contractor. The spillways are being cleared when water levels allow. No permit is required for further works within the creek bed. Requests for quotes to remove the poplar and other non-native species on the eastern bank from the pedestrian bridge to the roadhouse have been sent out.</p>
	DEES	<p>Cr Marston: Sign, The Rock Recreation Ground</p> <p>Referred to an information sign at the recreation ground which has information on both sides but can only be read from the footpath because of access issues, asked if the sign could be relocated nearer to the playground to allow both sides to be viewed.</p>	<p>A new site has been decided. Relocation works are programmed.</p>

*Lockhart Shire Council
Ordinary Meeting – 16 May 2022*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 June 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Driscoll: Community Reflection Space</p> <p>Asked if it was possible the park across the road from The Rock Central School could be utilised as a place of quiet reflection for the town, particularly for those suffering the loss of loved ones due to suicide, which has had an impact on the community in recent years.</p>	<p>Park deemed appropriate for reflection space. Proponent to present proposal to Council for consideration.</p> <p>Cr Driscoll met with the General Manager and Manager Parks & Facilities to progress the project.</p>
Ordinary Council Meeting held 15 February 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	<p>Cr Driscoll – Natural Gas</p> <p>Referred to the natural gas pipeline which runs just outside The Rock township. Mentioned previous investigations which found that connection of the town was unfeasible. Asked if investigations could take place to see if the recent growth of the town might make that connection viable, and that Council pursue any opportunities that may assist in making it a feasible project.</p>	<p>Contact has been made with APA (pipeline owner) and Gemena (responsible for connection). The current network is 4km out of The Rock, crossing The Rock Mangoplah Road. Both APA and Gemena indicated that they have no current plans to extend the line. However, further enquiries are being made with Gemena.</p> <p>The issue has also been identified for inclusion in an MoU with a tenderer for the Inland Rail project (refer separate report to Council).</p>
Ordinary Council Meeting held 3 February 2020 – Councillor Questions & Statements			
Questions & Statements	DCCS	<p>Cr Marston – CCTV</p> <p>With regard to the enquiry made by Cr Rockliff regarding the possible installation of CCTV at Lockhart and The Rock Swimming Pool Complexes, Cr Marston requested that Council also include Recreation Grounds in the Shire in this consideration.</p>	<p>Quotes received, minimum of \$6,000 per site. Not included in draft Budget for 2020/21.</p> <p>Feedback received indicates \$355 committees are receptive if funding is available.</p> <p>Referred to LRCI Phase 3 Workshop for consideration.</p> <p>No funding allocated.</p> <p>Complete.</p>
Ordinary Council Meeting held 20 November 2017 – Councillor Questions & Statements			
Questions & Statements	GM	<p>Cr Marston – Potential Purchase of Land for Development</p> <p>Following completion of Carson Rd Development, The Rock, enquired if Council could look into the purchase of more land for development (using borrowings) Shire-wide, but maybe concentrating on The Rock and lifestyle blocks in Yerong Creek, requesting this be put on the agenda for further discussion.</p>	<p>Land development at The Rock has also been submitted to the Riverina JO for inclusion in the Statement of Regional Priorities being developed by the JO.</p> <p>Council resolved to support Rezoning Proposal PP01/22, that will facilitate a private residential development at The Rock, which was submitted to DPIE in accordance with minute no. 166/21.</p> <p>Proposal rejected by Dept Planning Industry and Environment. Report brought to March Council meeting.</p> <p>REROC/RIVJO housing strategy has been provided to the consultant undertaking Council's LEP review, as a reference document for that review.</p> <p>Complete.</p>

Correspondence Sent to Councillors

Date sent to Councillors	From	Subject
22 April 2022	Executive Assistant	ALGA News dated 22 April 2022.
27 April 2022	Cr Verdon	Mayoral Update.
2 May 2022	Executive Assistant	Invitation to Attend Morning Tea at Greens Gunyah Museum.
6 May 2022	Director Corporate & Community Services	Draft Operational Budget 2022/23 & Draft Delivery Program Estimates 2024/26
9 May 2022	Executive Assistant	ALGA News dated 6 May 2022.
10 May 2022	Executive Assistant	LG NSW Weekly News dated 10 May 2022.

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

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. RECONNECTING REGIONAL NSW – COMMUNITY EVENTS PROGRAM

(GM: 22/4841)

Executive Summary

The NSW Government has unveiled a Regional Recovery Package to support community events, and festivals and to boost tourism across the state.

Report

The Reconnecting Regional NSW – Community Events Program will provide support to regional NSW councils to deliver COVID-Safe events and festivals that are open for the entire community to attend.

A dedicated allocation of \$119,826 is being made available to Lockhart Shire Council to apply for funding towards these events. Set out below are details of the program.

- Applications close on 24 June 2022.
- Assessment/ approval will be within 20 working days of the application being submitted.
- Once Council's application has been approved a funding deed will be issued followed by an 80% upfront payment. The remaining 20% will be paid upon completion of the project and acceptance of Council's submitted completion report.
- Events must:
 - Be open to all members of the public
 - Free to attend or a very small fee to cover any extra costs.
 - Have a primary purpose of reconnecting communities and improving social cohesion of the local community.
 - Be planned and delivered using the COVID-19 NSW Public Health Orders current at that time and have a COVID-19 Safety Plan in place for all events (the development of these plans is an eligible expense).
 - Be held before 31 March 2023.

According to the program Guidelines examples of eligible events include existing or new:

- community markets and bazaars
- festivals and fairs
- sporting events
- food and leisure events
- recovery events
- community classes and workshops
- agricultural field days (run by community organisations)
- regional racing carnivals (e.g. horse or greyhound racing) run by community organisations
- touring events and theatre programs
- community public holiday celebrations (e.g. Australia Day or Anzac Day).

Examples of ineligible events include:

- events with the primary focus on fundraising and charity events
- running grant programs
- business events and conferences
- events where membership is required to attend (for example, club gatherings including RSLs, Rotary, pony and golf clubs)
- country and agriculture shows

- grassroots sporting games (for example, home/away games, local tournaments)
- events with religious or cultural ceremony or celebration as the principal focus (for example, Diwali, Easter, Eid or Christmas celebrations)
- events/festivals already funded by the NSW Government
- Australian or State/Territory government owned and/or operated events.

Council's Event Management Policy identifies a number of annual and recurring events and festivals in the Shire and Council's Tourism and Economic Development Officer is currently liaising with those organisations whose events are eligible under the Program Guidelines with a view to preparing and submitting a funding application:

- Lockhart Little Athletics Carnival
- Lockhart Picnic Races
- Lockhart Vintage Fest and Truck Show
- Spirit of the Land Festival Lockhart
- The Rock BnS Ball
- The Rock Triathlon

Integrated Planning and Reporting Reference

A1: Provide support to events held within the community.

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

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

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Applicants are strongly encouraged to make a financial co-contribution to their projects however this is not a mandatory eligibility requirement. Funding from this program cannot be used as co-contribution towards other grant funds already secured.

Attachment

Further information and a copy of the Program Guidelines can be found at [Reconnecting Regional NSW – Community Events Program | NSW Government](#).

Recommendation: That Council submits an application under the Reconnecting Regional NSW – Community Events Program subject to consultation with local event organisers.

2. LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANTS PROGRAM

(GM: 22/5566)

Executive Summary

The Australian Government when handing down the 2022/23 Federal Budget announced that Phase 3 of the Local Roads and Community Infrastructure (LRCI) grants program will be extended with a further \$500 million being invested into the program.

Report

As previously reported, an amount of \$1.693 million has been allocated to the Lockhart Shire Council under Phase 3 of the LRCI grants program.

A number of projects from across the Shire had been nominated for expenditure of the LRCI Phase 3 funds by the previous Council. An amount of \$369,000 remained to be allocated by the new Council from the Phase 3 funds. At its meeting held on 21 February 2022 Council resolved as follows:

- 1) *“Council prepare and submit Project Nominations forms and Work Schedules for the following projects for funding under Phase 3 of Local Roads and Community Infrastructure grants program:*
 - a) *Yerong Creek Recreation Ground – irrigation system \$58,000*
 - b) *The Rock Recreation Ground – additional funding required for fencing \$6,000”*
- 2) *“That the remaining balance of LRCI Phase 3 funding totalling \$305,000 not be allocated to other projects until such time as TfNSW completes the clearing of table drains along the Olympic Highway at The Rock at which time Council can determine whether additional works will be required.”*

Since that time, and in conjunction with the handing down of the 2022/23 Federal Budget, the Australian Government has announced that Phase 3 of the LRCI grants program will be extended with a further \$500 million being invested into the program. Council has received advice that the amount to be allocated to Lockhart Shire Council under the LRCI Phase 3 Extension is \$846,561.

Whereas Phase 3 funds could be accessed from January 2022 with projects to be completed by June 2023, the Phase 3 Extension funding will be able to be accessed from July 2023.

It has been Council’s practice to convene a Workshop to consider which projects should be nominated for the available funding. Bearing in mind that the LRCI Phase 3 Extension funding will not be accessible until July 2023 and the program guidelines are still being drafted, it is proposed that a Workshop be convened later in the year when the current Phase 3 funded projects have been further progressed and are closer to completion.

The clearing of table drains along the Olympic Highway at The Rock has now been completed by Greater Hume Shire Council under contract for Transport for NSW (TfNSW). The works extended from Emily Street to the culvert at Hill Street. With the works completed it is appropriate for Council to now allocate the remaining balance of the original LRCI Phase 3 funding totalling \$305,000.

It is noted that an extraordinary meeting is being proposed for Monday 27 June 2022 (refer Staff Report 7) and this presents an opportunity for a Workshop to be convened for this purpose prior to that meeting.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

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

Attachments

Nil.

Recommendation: That a Workshop be convened at 4.00pm on Monday 27 June 2022 to allocate the remaining balance of LRCI Phase 3 funding totalling \$305,000.

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

Nil.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

Nil.

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

3. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT

Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

a) **Works**

Floods November 2021 and January 2022: Emergency works for the November 2021 flood event is completed with emergency works for the January 2022 flood event nearing completion. Damage Control Project Management (DCPM) was appointed to manage the flood reconstruction works. Their project management fees are to be fully reimbursed. Council's contribution to each of the flood events is \$18,113.

Wattles Rd/Tinamba Ln: Minor drainage works at the Lockhart Kywong Road intersection to be completed.

Prichard Pl: Sealing of the 400m section is complete. Culvert installation to commence in the week ending 13 May 2022.

Lockhart Kywong Rd – 1.25km North of Slocums Ln: Culvert installation has commenced.

Lockhart Kywong Rd – 170m North of Spanish Ave: Works completed, line marking to commence week ending 16 May.

Mittagong Yerong Creek Road: Funding secured through the Fixing Local Roads program to increase the capacity of two culverts and add additional width on Mittagong Yerong Creek Road with construction scheduled to commence in August 2022.

Unsealed Road Maintenance: Grading program has recommenced, after being temporarily interrupted while crews were completing emergency works resulting from recent floods. The following roads have been graded: Hollies Rd, Vincents Rd, Boyds Rd, and Krauses Ln.

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

b) **Parks and Gardens:**

Easter And Anzac Day

Special consideration was given to high profile areas prior to the Easter long weekend. Maintenance of public areas visited during ANZAC Day activities was timed to ensure they were well presented.

Ave of Honour, The Rock – Kurrajongs

Council is currently sourcing advanced Kurrajong specimens for planting where trees were previously removed.

Removal of dead trees, pruning of trees suffering from severe dieback to encourage new growth and prolong their lifespan, and removal of dead limbs is also scheduled to be conducted this autumn/winter.

Green Street, Museum Garden

As part of the refurbishment of the Museum entrance the garden has been replanted as per the masterplan.

Parks and Gardens

There's plenty do in the gardens at this time of the year. Some planting has been done, especially at Walter Day Park. Routine garden maintenance is being conducted including regular weeding, spraying, pruning, deadheading and mulching.

Most irrigation systems have already been turned off or times greatly reduced. This will be monitored as the weather cools.

Weed Control

Weed control by mechanical and chemical methods are undertaken regularly in urban areas. Pesticides commonly used are Glyphosate and Dicamba. Signage will be placed at property entrance when spraying is in progress.

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

There is no magic wand in controlling these weeds, a multi-pronged approach using appropriate chemical and mechanical methods and including education of the public regarding the identification and reporting are necessary to reduce the spread.

Assistance by property owners to vigilantly remove these weeds on their properties, nature strips and/or laneways as soon as they emerge is essential to prevent their spread and larger infestations.

Mowing and Slashing

Autumn brings in the second major turf growth season; mowing of most irrigated lawns is still being conducted fortnightly but frequency is being reduced as the weather continues to cool.

c) **Biosecurity**

Control Program

Priority has been given to the control of Feathertop Rhodes grass (*Chloris virgata*) and Horehound (*Marrubium vulgare*) on roadside reserves and council managed land.

Pests

Common White Snail Baiting Program: Snail baiting application occurred on Fairview Lane on 13 April.

Autumn Fox Baiting Program: Replacement of baits continued through April.

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

DA/CDC No	Development	Applicant	Site of Development
DA49/22	Subdivision creating 8 Lots	Habitat Planning	Lot 62 Prichard Place, Lockhart
DA56/22	Shed	C Imber	29 Urana Street, The Rock
DA58/22	Additions & Alterations to Existing Dwelling	J Hoey	14 Scott Street, The Rock
DA60/22	Dam	C Burkinshaw	3778 Lockhart The Rock Road, The Rock
DA62/22	Secondary Dwelling	J Bower	96 King Street, The Rock
DA64/22	Additions & Alterations to Existing Dwelling	H Raven	973 Munyabla Munyaplah Road, Ryan

DA/CDC No	Development	Applicant	Site of Development
DA65/22	Shed & Shipping Container	J Geppert	10 Hebden Street, Lockhart
DA66/22	Garage	A Franz	1 Piper Street, The Rock
CDC70/22	Patio	S Harper	29 Urana Street, The Rock

Legislative Policy and Planning Implications

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

Integrated Planning and Reporting Reference

C2: Flora and Fauna are protected across the Shire.

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

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

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

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

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

STRATEGIC DIRECTION E: Strong Leadership and Governance

4. INVESTMENT AND BANK BALANCES REPORT – 30 APRIL 2022

(DCCS: 22/5690)

Executive Summary

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

Report

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

Cash at Bank

Opening Combined Cashbook Balance		814,576.24
Add: Total Receipts		
	Rates	33,313.58
	Debtors	17,255.04
	Miscellaneous	42,281.50
	Interest	432.63
	RRRP - MR370	35,374.26
	March BAS Return	52,867.00
	Sale of Land	237,441.70
	DEFT Download Transfer	480,000.00
	Advance FAG	3,068,094.00
	Sale of Plant	3,400.00
	Energy Savings Certificates	21,046.27
		3,991,505.98
Less: Total Payments		2,090,275.96
	New Investments	0
Closing Combined Cashbook Balance		<u>2,715,806.26</u>
Closing Bank Statement Balance		
	Bendigo Bank	2,654,610.87
	Macquarie Bank	31,107.37
	Bendigo Bank-Prichard Trust	31,663.72
		2,717,381.96
Add: Outstanding Deposits		1,284.80
		2,718,666.76
Less: Outstanding Cheques		2,860.50
Closing Combined Cashbook Balance		<u>2,715,806.26</u>
	Interest Rate per	
Investments:	Annum	Amount Invested
Bendigo	at call	100,000.00
Bendigo	0.15	400,000.00
Commonwealth	0.63	500,000.00
Commonwealth	0.33	500,000.00
Commonwealth	0.32	250,000.00
Commonwealth	0.32	500,000.00
MACQUARIE BANK	0.45	500,000.00
MACQUARIE BANK	0.45	500,000.00
NAB	0.40	500,000.00
NAB	0.48	500,000.00
NAB	0.42	500,000.00
T Corp	at call	1,000,000.00
		5,750,000.00
		100.00
		% of Total
		1.74
		6.96
		8.70
		8.70
		4.35
		8.70
		8.70
		8.70
		8.70
		8.70
		17.39
		100.00
		AMOUNT
General (PTD)	1490-3000-0000	326,923.88
Combined Sewerage	8490-3000-0000	2,357,218.66
Trust Fund	9991-3000-0000	31,663.72
		2,715,806.26
		<u>2,715,806.26</u>
	TOTAL FUNDS HELD ARE:	<u>8,465,806.26</u>

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 2021/22 Operational Budget has forecast a total of \$33,750 income from interest on investments for General Fund & Sewer Fund combined. For the period of July 2021 to April 2022, the average end of month balance of funds invested has been \$5.906 million and the average return on invested funds has been 0.28%. On these year to date figures, Council's budgeted income on investments will be under budget for the General Fund and Sewer Fund.

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

A further adjustment will be made for the third Quarterly Budget Review.

Responsible Accounting Officer Statement

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

Recommendation:

- a) That the 30 April 2022 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

5. DRAFT OPERATIONAL PLAN BUDGET 2022/23 AND DRAFT DELIVERY PROGRAM ESTIMATES 2023/24 – 2025/26

(DCCS: 22/5712)

Executive Summary

A Draft Operational Plan Budget 2022/23 and Draft Delivery Plan Estimates 2023/24 to 2025/26 are tabled for Council's consideration and endorsement for public exhibition.

Report

The Draft Operational Plan Budget 2022/23 and Draft Delivery Plan Estimates 2023/24 to 2025/26 have been prepared in accordance with Sections 404 and 405 of the Local Government Act 1993 and are tabled for consideration and endorsement by Council for public exhibition. Subject to Council's endorsement it is proposed to publicly exhibit the draft documents for a period of not less than 28 days before tabling them again, together with any submissions received, at an extraordinary Council meeting proposed to be held on 27 June 2022 for adoption (refer Staff Report 7).

The following table provides a summary of General Fund expenditure for 2022/2023.

Total Operating Expenditure (excl. Depreciation)	6,735,791
Total Depreciation	3,235,642
Total Capital Expenditure	3,516,108
Total Expenditure	13,487,541

The Draft 2022/2023 Budget estimates for the General Fund provide for a budget with a surplus of \$13,177.00. Some key features of the Draft Budget are outlined below.

Rate Peg – The rate peg, as it is commonly known, is the maximum percentage amount by which a council may increase its general rate income for the year. The rate peg applies to general rate income in total, and not to individual ratepayers' rates. The rate peg does not apply to sewerage charges or waste management charges.

The rate peg for the 2022/2023 rating year was announced by iPart NSW at 0.7%. Also, for the first time, the rate peg for 2022/23 will include a population factor that varies for each council in NSW depending on how fast its population is growing. The population factor ranges between 0% and 4.3. The population factor is calculated for each council and is equal to the annual change in its residential population. iPart has assessed Lockhart's population factor as 0.0% for the 2022/23 rate peg.

The rate peg for 2022/23 is based on the change in the Local Government Cost Index (LGCI) and an adjustment to remove the costs of the 2021 local government elections that were included in the 2021/22 rate peg, and a population factor.

At the March 2022 Council meeting a report was tabled on iPart's rate peg determination and that the NSW Government had agreed to a one-off streamlined Additional Special Variation (ASV) round for the 2022/23 financial year only. The ASV provides for Councils to apply for a one-off special variation based on Council's Long Term Financial Plan (LTFP). For Lockhart its LTFP has been prepared using a rate peg of 2.0%.

The Draft Budget has been prepared on the basis of a successful ASV application of 2.0%.

General – Council's Draft Operational Plan Budget for 2022/23 does not include any significant new expenditure items and/or any major one-off expenditure. Essentially the Draft Budget is a "business as usual" budget, with Council continuing to resource its current suite of services.

Interest on overdue rates – The Office of Local Government (OLG) has advised that the maximum amount of interest that can be charged on overdue rates during the period 1 July 2022 to 30 June 2023 is 6.0%.

Fees & Charges – Council's main fees & charges are for waste management services and sewerage services. Council has limited increases for these services:

- Waste management service charges have increases ranging from 1.8% to 1.9%.
- Sewer charges have increases ranging from 1.4% to 1.8%.

Council's complete list of Fees & Charges will be provided under separate cover prior to the May Council meeting.

Sewer Fund Report

The following table provides a summary of Sewer Fund expenditure for 2022/2023.

Total Operating Expenditure (excl. Depreciation)	418,065
Total Depreciation	255,000
Total Capital Expenditure	132,316
Total Expenditure	805,381

The Draft 2022/2023 Budget estimates for the Sewer Fund provide for a budget with a surplus of \$11,651.00.

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's operations.

Legislative Policy and Planning Implications

Council is required to adopt its Operational Plan and Budget by 30 June after first having publicly exhibited a Draft Plan for 28 days and considering any submissions received.

Budget and Financial Aspects

The Draft Budget and Operational Plan will be prepared by Council officers within existing resources.

Attachments

- Draft Operational Plan Budget 2022/2023 and Delivery Program Budget Estimates 2023/24 to 2025/26 incorporating the Revenue Policy.
- Proposed Fees and Charges for 2022/2023 (to be provided under separate cover prior to meeting)
- Long Term Financial Plan 2022/23 to 2031/2032 (to be provided under separate cover prior to meeting)

Recommendation: That:

- a) Council endorses, for the purpose of public exhibition, the Draft Operational Plan Budget 2022/2023 and Delivery Program Budget Estimates 2023/24 to 2025/26 incorporating the Revenue Policy and Fees and Charges; and the Long Term Financial Plan 2022/23 to 2031/2032.
- b) Following the 28-day public exhibition period, Council further considers the Draft documents at an extraordinary meeting to be held on 27 June 2022, in conjunction with any public comments or submissions received, for the purpose of adoption prior to 30 June 2022.

6. QUARTERLY BUDGET REVIEW NO. 3 – JAN TO MAR FY22

(DCCS: 22/5848)

Executive Summary

In accordance with the Local Government Act, 1993, a review of Council's Budget position as at 31 March 2022 has been undertaken and the following is submitted for Councillors consideration.

Report

General Fund

When Council adopted the 2021-2022 Operational Plan Budget in June 2021 Council budgeted for a surplus of **\$8,420.00**. The Budget Review as at 31 March 2022 indicates an estimated **SURPLUS of \$24,979.00** as at 30 June 2022 after taking into account movements in revenue and expenditure for the third quarter.

Interest on Investments (1040-1231-0000): with Council's average interest rate on term deposits being 0.28% the forecast income has been reduced for a consecutive Quarterly Budget Review. The forecast has been downgraded by a further \$6,000.00.

Workers Compensation Insurance (1080-2040-0000): Council's insurance premiums for workers compensation for outdoor staff have experienced a reduction for this financial year to date.

Recruitment Expenses (1020-2385-0000): This budget allocation has been increased to resource the recruitment of the vacant Director of Engineering & Environmental Services position. Increased by 10,000.00.

Outdoor Staff - Leave Sick & Other (1080-2005-0000): With the introduction of the Local Government (COVID-19) Splinter (Interim) Award 2021, this general ledger account includes any leave related to Covid as provided for by the Covid Splinter Award. This leave is the main factor for the increase in the budget allocation.

Summary: Generally other adjustments for the March 2022 Quarterly Budget Review have been minor from an overall budget perspective.

Sewer Fund

When Council adopted the 2021-2022 Operational Plan Budget in June 2021 Council budgeted for a surplus of \$10,206.00 for the Sewer fund operations. For the Budget Review at 31 March 2022 there were some minor budget adjustments resulting in an estimated **SURPLUS of \$3,786.00** as at 30 June 2022 after taking into account movements in revenue and expenditure for the first quarter.

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Fund	Adopted Budget @ 1 July 2021	Amendments @ 30 Sept 2021	Amendments @ 31 Dec 2021	Amendments @ 31 Mar 2022	Revised Estimates @ 30 June 2022
General Fund-Net of Inc & Exp and Capital Budget	\$ 8,420.00	\$ 80,503.00	(\$8,864.00)	(\$55,080.00)	\$ 24,979.00
Sewerage Fund	\$ 10,206.00	(\$6,015.00)	\$ 4,570.00	(\$4,975.00)	\$ 3,786.00
Net Consolidated Budget Surplus/(Deficit)	\$ 18,626.00	\$ 74,488.00	(\$4,294.00)	(\$60,055.00)	\$ 28,765.00

Attachments

- Quarterly Budget Review Statement for the period 01/01/22 to 31/03/22 will be provided under separate cover.

Recommendation: That:

- a) The information be noted, and
- b) The adjustments in income and expenditure in the March 2022 Quarterly Budget Review be adopted, and
- c) The adjustments in internal and external reserves in the March 2022 Quarterly Budget Review be adopted.

7. PROPOSED EXTRAORDINARY COUNCIL MEETING

(GM: 22/5047)

Executive Summary

Council is required to adopt its 2022/23 Annual Operational Plan and Budget before 30 June 2022. The outcome of Council's application for an additional special rate variation will not be known until after Council's scheduled June Council meeting and therefore the convening of an extraordinary council meeting is proposed.

Report

A draft 2022/23 Annual Operational Plan and Budget is being tabled at the Council meeting being held on 16 May 2022 (refer Staff Report 5). Subject to Council's endorsement the draft document will then be placed on public exhibition for a period of 28 days.

It has been Council's normal practice to then present the draft Annual Operational Plan and Budget, together with any submissions received, to the June ordinary Council meeting for adoption.

This year Council has also resolved to make application for an additional one-off special rate variation for which a streamlined application process has been put in place by IPART following concerns expressed at the inadequacy of the rate peg of 0.7% announced for the 2022/23 financial year.

However, according to the timeline released by IPART, the outcome of applications made by NSW councils for the additional special rate variation will not be published until 21 June 2022. Council's ordinary meeting is scheduled for 20 June 2022.

It is important that Council not adopt the 2022/23 Annual Operational Plan and Budget and set the 2022/23 rates until the outcome of its application to IPART is known to ensure that it complies with the rate peg and does not breach the relevant legislation.

A citizenship ceremony and the presentation of Merit Awards to former councillors Max Day, Derek Douglas and Rodger Schirmer, is planned to precede the scheduled Ordinary Council meeting on 20 June 2022.

Accordingly, it is proposed to convene an extraordinary council meeting on 27 June 2022. This will provide sufficient time to prepare the appropriate report to Council once the outcome of Council's application has been advised by IPART.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Council is required to adopt its 2022/23 Annual Operational Plan and Budget before 30 June 2022 after it has been on public exhibition for a period of 28 days.

Budget & Financial Aspects

The cost of convening an extraordinary council meeting will not have any discernible impact on the budget.

Attachments

The draft 2022/23 Annual Operational Plan and Budget is being separately distributed to councillors under cover of Staff Report 5.

Recommendation: That Council:

- 1) Convene an extraordinary council meeting at 5.00pm on Monday 27 June 2022.
- 2) Public notice of the extraordinary council meeting be given on Council's website and the Council Newsletter forwarded to all residents in the Shire.

8. REVIEW OF CODE OF MEETING PRACTICE

(GM: 22/5048)

Executive Summary

Council is required to review its Code of Meeting Practice within 12 months of an ordinary election. Council's Code has been reviewed in line with a new Model Code of Meeting Practice for NSW Councils prescribed under the Local Government (General) Regulation 2021.

Report

Section 360 of the Local Government Act provides that:

- 1) The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.
- 2) The model code may contain both mandatory and non-mandatory provisions.
- 3) A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.
- 4) A code adopted or amended by the council must not contain provisions that are inconsistent with the mandatory provisions.
- 5) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

A new Model Meeting Code has been published in the Government Gazette and prescribed under the Local Government (General) Regulation 2021 (the Regulation). The new Model Meeting Code is available on the Office of Local Government's (OLG) website at [Model Code of Meeting Practice - Office of Local Government NSW](#).

The new Model Meeting Code contains new provisions that allow councils to permit individual councillors to attend meetings by audio-visual link and to hold meetings by audio-visual link in the event of natural disasters or public health emergencies.

The provisions governing attendance at meetings by audio-visual link are non-mandatory. Councils can choose not to adopt them or to adapt them to meet their own needs. It is noted that the new provisions require a councillor wishing to participate at a meeting by audio-visual link to request permission to do so and Council must consent to the councillor's participation by audio-visual link.

Amendments have also been made to the provisions governing the webcasting of meetings and disorder at meetings to reflect amendments to the Regulation since the previous iteration of the Model Meeting Code was prescribed.

An amendment has also been made to the Model Meeting Code implementing recommendation 6 in ICAC's report in relation to its investigation of the former Canterbury City Council (Operation Dasha). ICAC recommended that the Model Meeting Code be amended to require that council business papers include a reminder to councillors of their oath or affirmation of office, and their conflict-of-interest disclosure obligations.

The repeal date for section 237 of the Regulation which exempts councils from the requirement under clause 5.2 of the previous iteration of the Model Meeting Code for councillors to be personally present at meetings to participate in them has been extended to **30 June 2022**. This is to allow councils additional time to exhibit and adopt new codes of meeting practice containing provisions allowing attendance by audio-visual link at meetings. If councils have not adopted a new meeting code that allows councillors to attend meetings by audio-visual link, they will not be permitted to do so after that date.

Accordingly, Council's Code of Meeting Practice has been reviewed in line with the new Model Code of Meeting Practice prescribed by the Regulation and the following changes to Council's Code are being recommended:

- 1) A requirement that Council business papers include a statement of ethical obligations as a reminder to councillors of their oath or affirmation of office, and their conflict-of-interest disclosure obligations, has been inserted (refer clause 3.21 at page 6) – Mandatory.
- 2) The new provisions that allow councils to permit individual councillors to attend meetings by audio-visual link and to hold meetings by audio-visual link in the event of natural disasters or

public health emergencies have been incorporated into the Code (refer pages 7-11, 13-14, 25, 28-29, 31, 35 and 37) – Non-mandatory.

- 3) An acknowledgement of country has been inserted into the general order of business for an ordinary meeting of the Council in accordance with the template contained in the Model Code (refer clause 8.1 at page 14) – Non-mandatory.

Council is required to place its revised Code of Meeting Practice on public exhibition for 28 days and allow up to 42 days for the receipt of submissions before formally adopting the Code. To allow the minimum 42 days for the receipt of submissions and still adopt the Code before 30 June 2022 it is proposed to table the Code together with any submissions received at an extraordinary council meeting proposed for 27 June 2022 (refer item 7).

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

It is a requirement of the Local Government Act that a council review its code of meeting practice within 12 months of an ordinary council election.

Under section 361 of the Local Government Act 1993, before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code

Budget & Financial Aspects

Provision will be made in Council's 2022/23 Draft Budget for the upgrade of technology in the Council meeting chamber to facilitate participation in Council meetings by audio visual link.

Attachments

A draft revised Lockhart Shire Council Code of Meeting Practice incorporating the recommended changes has been separately distributed to all Councillors. To assist Councillors in identifying the changes the proposed amendments are highlighted in red font.

Recommendation: That Council endorse the draft revised Lockhart Shire Council Code of Meeting Practice incorporating the amendments outlined in this report for public exhibition.

9. LOCAL ORDERS POLICY – PREMISES NOT IN A SAFE OR HEALTHY CONDITION

(GM: 22/1258)

Executive Summary

Council at its meeting held on 21 March 2021 resolved to place "Draft Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition" on public exhibition for a period of not less than 28 days and to accept submissions in relation to the Draft Local Policy for a period of 42 days after the date on which the Draft Local Policy is placed on public exhibition.

The Local Orders Policy has been publicly exhibited in accordance with Council's resolution and no submissions were received.

Background

A local orders policy is different from other general policies developed and adopted by council in that it has a legislative basis found in section 159 of the Local Government Act 1993.

Section 159 of the Local Government Act enables a council to prepare a draft local orders policy for the purpose of specifying the criteria which the council must take into consideration in determining whether or not to issue an order under section 124.

Section 124 of the Local Government Act provides that a council may order a person to do or to refrain from doing certain things in certain circumstances.

The circumstances identified in Section 124 that can be subject to a council order include the following:

No.	To do what?	In what circumstances	To whom?
21	To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.	The land or premises are not in a safe or healthy condition.	Owner or occupier of land or premises.

Council in 2017 adopted *Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition* to specify the criteria that will be taken into consideration when determining when premises are not in a safe and healthy condition and an Order under Section 124 may be issued.

Whether or not premises are in a safe and healthy condition can be a subjective matter. Identifying the criteria that Council will take into consideration when determining land is not in a safe and healthy condition will provide clarification and promote consistency and transparency in how Council deals with these matters.

The Local Orders Policy adopted in 2017 will be automatically revoked at the expiration of 12 months after the declaration of the poll for that election unless another local orders policy is adopted in the meantime.

In accordance with a resolution passed at the 21 March 2022 Council meeting, the Local Orders Policy has been publicly exhibited in accordance with Council's resolution and no submissions were received.

Integrated Planning and Reporting Reference

B1: Manage and improve the appearance of our towns in line with their desired identities.

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

Legislative Policy & Planning Implications

Section 159 of the Local Government Act enables a council to prepare a draft local orders policy to specify the criteria which the council must take into consideration in determining whether or not to give an order under section 124.

The council must give public notice of a draft local policy after it is prepared for a period of not less than 28 days. The public notice must also specify a period of not less than 42 days after the date on which the draft local policy is placed on public exhibition during which submissions may be made to the council.

If, after considering any submissions received, the council resolves to adopt the local orders policy, it must give public notice, (in a form and manner determined by the council), of the adoption or revocation of a local policy.

A council may at any time revoke a local policy adopted under Section 159. A local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

Budget & Financial Aspects

Not applicable.

Attachments

- Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition

Recommendation: that Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition, as presented be adopted.

[Skip to Next Item](#)

Item 9: Attachment – Local Orders Policy No. 1 – Premises not in a safe or Healthy Condition

2.49 Local Orders Policy No. 1 – Premises or Land not in a Safe or Healthy Condition

POLICY TITLE:	LOCAL ORDERS POLICY NO. 1 – PREMISES OR LAND NOT IN A SAFE OR HEALTHY CONDITION
FILE REF:	SC67
REVIEW DATE:	April 2025

PURPOSE

This Local Order Policy (No. 1) has been written in accordance with s159 of the Local Government Act 1993.

Local Order Policy (No. 1) deals specifically with premises or land which is not in a safe and healthy condition.

Under this Local Order Policy an Order can be issued to require an owner or occupier of land, to do, or refrain from doing, certain things to ensure the land or premises are placed or kept in a safe or healthy condition.

SCOPE

The Orders Policy shall apply to:

1. All premises and all areas associated with those premises.
2. All land within the following planning zones within Lockhart Shire:
 - a) RU5 Village
 - b) R5 Large Lot Residential
 - c) IN1 General Industrial
 - d) SP2 Infrastructure

OBJECTIVE

This Local Orders Policy has been prepared to specify the criteria that Council will consider when determining whether or not premises or land which is in a safe and healthy condition and whether the issuing of an Order is warranted.

This policy aims to:

- a) Ensure consistency and fairness in the manner in which Council deals with issuing orders
- b) Make the Council's policies and requirements for orders readily accessible and understandable to the public

CIRCUMSTANCE

Council may serve an order when the land or premises are not in a safe or healthy condition.

CRITERIA

The circumstance of unsafe or unhealthy land may be considered to exist when an authorised Council officer observes any or all of the following:

Overgrown Vegetation¹

Land may be considered to be not in a safe or healthy condition when it is located in a built-up urban area and vegetation on the land:

- a) Is harbourage for vermin (evidence can include sightings, faeces, nests, runs, eggs etc.), or
- b) Is likely to be harbourage for vermin (such vegetation should be consistently thick to an average height of 500mm covering vacant land or the unbuilt portion of land). It does not follow from this that an uncleared or regenerated bush block comprising of mainly indigenous vegetation would be considered likely to be a harbourage for vermin, or
- c) Is determined by the relevant fire authority as posing a high fire hazard (Council will not consider vegetation to be a fire hazard if it has been determined not to be a fire hazard by the NSW Fire Service or the Rural Fire Service).

¹ *Overgrown vegetation does not include any vegetation that is protected by legislation and does not include a commercial crop. Vermin does not include any native fauna.*

Accumulation of Materials, Refuse or Other Hazardous Items²

Land or premises may be considered not in a safe or healthy condition when materials accumulated thereon or in:

- a) Provide harbourage for vermin (evidence may include faeces, sightings, nests, runs, eggs etc.), or
- b) Are likely to attract, or provide harbourage for, vermin. (Council will not consider inert items that are stacked in a safe, tidy manner, at least 300 mm off the ground and at least 600mm from a boundary to allow adequate mowing around the items, as being likely to attract, or provide harbourage to vermin), or
- c) Aid the breeding of flies, mosquitoes, or other potentially disease carrying insects or animals, or
- d) Are likely to be releasing gas/dust/vapour/liquid or other emission which could be considered harmful to humans and/or the environment, or
- e) Are suspected to contain asbestos and are being handled (including, but not limited to, cutting, sanding, breaking, removing), or stored in a manner inconsistent with NSW WorkCover and/or Department of Environment and Climate Change guidelines and is considered likely to lead to the release of fibres and/or dust to present a threat to health (material suspected as being asbestos is assumed to be asbestos, unless the recipient, or proposed recipient, of an Order can prove otherwise); or
- f) The material is considered to be hazardous.

Breeding and/or Infestation of Disease Vectors or Noxious Pests³

Land or premises may be considered not to be in a safe or healthy condition when:

- a) They are infested with vermin, flies, mosquitoes or other insects or animals that are recognized as potentially carrying human diseases, or
- b) Conditions are aiding the breeding of vermin, flies, mosquitoes or other insects or animals that are recognized as potentially carrying human diseases, or
- c) Noxious pests are breeding on or infesting a premises.

Inappropriate Handling of Sewage⁴

Land or premises may be considered not to be in a safe or healthy condition when:

- a) The plumbing on the premises is failing, leading to the discharge of sewage/ inappropriate handling of sewage, or
- b) The premises are currently serviced by an on-site sewage management system (OSSM) and that system is failing to meet the requirements of:
 - i. The conditions of consent / approval in any approval to install or operate the on-site system, or
 - ii. The requirements of the Environmental and Health Protection Guidelines: On-site Sewage Management for Single Households.

Unsafe or Unhealthy Conditions in a Building or Structure

Land or premises may be considered not to be in a safe or healthy condition when:

- a) A building contravenes the structural or health and amenity provisions of the Building Code of Australia to an extent which causes it to be unsafe or unhealthy, or
- b) A wall or structure is considered dangerous by an authorised Council officer, or
- c) Overcrowded sleeping conditions prevail (as determined by the Public Health (General) Regulation 2002), or
- d) A designated drinking water supply system is contaminated or is unfit for human consumption, or
- e) A food premises contravenes health and safety requirements of Chapter 3 of the Australia New Zealand Food Standards Code.

Other

Any other situation which is deemed by the Director Engineering and Environmental Services as being likely to pose an immediate danger to health or safety to the greater public.

² Vermin does not include any native fauna.

³ Noxious Pests include European wasps, fire ants or any other pest determined by the Director Engineering and Environment Services (in consultation with the Department of Primary Industry or any other relevant Government Authority) but does not include any native fauna.

⁴ Sewage is taken to be either grey water or black water.

REMEDIAL ACTION

An order may specify certain works that need to be undertaken in order to place a property in a safe and healthy condition. These works may include, but are not limited to, any of the following:

- a) Remove, cut, slash, mow, prune, trim, or thin out overgrown vegetation on the property.
- b) Removal of waste material, and any unwanted material, and dispose of at a suitably licensed waste facility.
- c) Store materials in a safe and tidy manner at least 300 mm off the ground level and 600mm away from boundary fences (to allow mowing to be undertaken).
- d) Eradicate disease vectors or noxious pests that are harbouring on the property.
- e) Remove items or material which are aiding the harbourage and / or breeding of disease vectors or noxious pests.
- f) Engage a pest controller to manage disease vectors or noxious pests that may be present on the site and remove the potential for harbourage.
- g) Clean the premises, or aspects of the premises, to place it in a healthy condition.

NOTICE OF INTENT

Prior to the issue of an order, Council must give the owner or occupier of the land or premises a notice of intent to give an order.⁵

MAKING REPRESENTATIONS

Any person in receipt of a notice of intent may make written representations on the proposed order within 14 days.⁶

HEARING AND CONSIDERATION OF REPRESENTATIONS

Depending on the circumstances, the Director Engineering and Environmental Services, or any other delegated officer, shall be the officer to determine the representations in respect of the issue of an order.⁷

ISSUING OF AN ORDER

Should it be necessary to issue an order, a reasonable period will be given so that the terms of the order can be complied with.

The order will be issued by the Director Engineering and Environmental Services or any other delegated officer, on the owner or occupier of the land or premises.

RIGHT OF APPEAL

The person affected by the order has the right of appeal to the Land and Environment Court within 28 days after the service of the order on the person.

PENALTY

Any person not complying with an order is guilty of an offence in accordance with the Local Government Act 1993 and may be subject to prosecution or a fine.

A penalty notice (on the spot fine) may be issued for failure to comply with the terms of Order No.1. After issuing a penalty notice, Council may proceed to issue a new order for an ongoing offence.

If a person fails to comply with the terms of an Order, Council may do such things as necessary or convenient to give effect to the terms of the Order, in accordance with s678 of the Local Government Act 1993.

LEGISLATIVE PROVISIONS AND DURATION OF THIS LOCAL POLICY

This Local Order Policy (No.1) has been adopted under Part 3 of the Local Government Act - Adoption of Local Policies Concerning Approvals and Orders

Pursuant to Section 165 of the Local Government Act:

- 1) A council may amend a local policy adopted under this Part by means only of a local policy so adopted.
- 2) An amending local policy may deal with the whole or part of the local policy amended.
- 3) A council may at any time revoke a local policy adopted under this Part.

⁵ *The need for a notice of intent to give an order does not apply in emergency situations (section 129 of the Local Government Act 1993).*

⁶ *This does not apply in emergency situations (section 129 of the Local Government Act 1993).*

⁷ *This does not apply in emergency situations (section 129 of the Local Government Act 1993).*

- 4) A local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

Adopted by Council – 18 April 2022
Refer minute No. xxx/22

Adopted by Council – 18 September 2017
Refer minute No. 216/17

10. REVIEW OF DELEGATIONS

(GM: 22/5046)

Executive Summary

Council is required to review its delegations within 12 months of an ordinary election.

Report

A council may, pursuant to Section 377 of the Local Government Act, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:

- a) the appointment of a general manager
- b) the making of a rate
- c) a determination under section 549 as to the levying of a rate
- d) the making of a charge
- e) the fixing of a fee
- f) the borrowing of money
- g) the voting of money for expenditure on its works, services or operations
- h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property
- i) the acceptance of tenders to provide services currently provided by members of staff of the council
- j) the adoption of an operational plan under section 405
- k) the adoption of a financial statement included in an annual financial report
- l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6
- m) the fixing of an amount or rate for the carrying out by the council of work on private land
- n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work
- o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979
- p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194
- q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons
- r) a decision under section 234 to grant leave of absence to the holder of a civic office
- s) the making of an application, or the giving of a notice, to the Governor or Minister
- t) this power of delegation
- u) any function under this or any other Act that is expressly required to be exercised by resolution of the council

Section 380 of the Local Government Act states that "...each council must review all its delegations during the first 12 months of each term of office".

Council has extended delegations to its respective section 355 management committees. The authority delegated to the section 355 committees includes the care, control and management of various council facilities such as recreation grounds and public halls. These delegations were reviewed and reaffirmed by Council at its meeting held on 19 April 2022 (refer minute no. 83/22).

The only other delegations that remain in force and are required to be reviewed by Council are those that have been delegated by Council to the Mayor and the General Manager.

The delegation previously extended by Council to the Mayor is as follows:

"The authority to exercise the policy making functions of the governing body of the Council between meetings of the Council."

This is consistent with section 226 of the Local Government Act which outlines the role of the Mayor which includes “...to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council.”

The delegations previously extended by Council to the General Manager are as follows:

1. *Authority to exercise all such powers, authorities, duties and functions as may be experienced by the Council under any Act other than:*
 - a) *In relation to any matter where the Mayor has directed the General Manager, in writing, not to exercise a delegated function and to refer the matter to Council for determination; and*
 - b) *Those functions that are required by Section 377 to be exercised only by the Council.*
2. *Authority to write off outstanding amounts of up to \$500 that are deemed uneconomic to collect.”*
3. *Authority to approve requests from the Union regarding the nominated day for the Annual Union Picnic.*

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

It's a requirement of the Local Government Act that a council review its delegations within 12 months of an ordinary council election.

Budget & Financial Aspects

Not applicable.

Attachments

Nil.

Recommendation:

1. That pursuant to Section 377 of the Local Government Act 1993 the Mayor, Greg Verdon, be delegated authority to:
 - a) Exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council.
2. That pursuant to Section 377 of the Local Government Act 1993 the General Manager, Peter Veneris, be delegated authority to:
 - a) Exercise all such powers, authorities, duties and functions as may be exercised by the Council under any Act other than:
 - i. In relation to any matter where the Mayor has directed the General Manager, in writing, not to exercise a delegated function and to refer the matter to Council for determination; and
 - ii. Those functions that are required by Section 377 to be exercised only by the Council.
 - b) Write off outstanding amounts of up to \$500 that are deemed uneconomic to collect.
 - c) Approve requests from the Union regarding the nominated day for the Annual Union Picnic.

11. AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER AND WORK PLAN

(GM: 22/5288)

Executive Summary

A Committee Charter and Work Plan has been developed for the Council's Audit, Risk and Improvement Committee (ARIC). The Charter and Work Plan were endorsed by the ARIC at its meeting held on 27 April 2022 and the documents are being tabled for adoption by Council.

Report

Council is a member of an Internal Audit Alliance with five other councils situated in the Eastern Riverina region. The Alliance provides for a collaborative approach whereby the member councils share the costs of a contracted internal auditor.

The Alliance also enables a cost-effective way for having independent members on a Council's ARIC. This is achieved by having the General Manager and Finance Director of one Council being independent members of another Council's ARIC e.g. Junee Shire Council's General Manager and Director of Corporate and Community Services are independent members of Lockhart Shire Council's ARIC. Lockhart Shire Council's General Manager and Director of Corporate and Community Services are independent members of Temora Shire Council's ARIC.

In recent years amendments to the Local Government Act inserted a new Section 428A in the Act which states that "A council must appoint an Audit, Risk and Improvement Committee (ARIC)". This requirement will come into force in six months following the 4 December 2021 council elections.

The OLG has issued *Guidelines for Risk Management and Internal Audit for Local Councils in NSW* to guide the operations of ARICs and to require councils to have a risk management framework and internal audit function to support and inform their operations.

Under the Guidelines Lockhart Shire Council will have to have an ARIC that has three independent voting members comprising a chair prequalified under the NSW Government's prequalification scheme and two independent persons that meet the eligibility criteria for non-prequalified committee members.

Whilst the requirement to have an ARIC will come into force in six months following the 4 December 2021 council elections, councils are not required to comply with the membership requirements until June 2027. This will allow councils five years to transition the membership of their existing ARICs to comply with the new requirements.

In the meantime, the Audit Office of NSW (AONSW), in an Audit Management Letter issued as part of its external audit of Council's Annual Financial Statements, has recommended that Council adopt a Charter for its ARIC and a Work Plan that is linked to the Council's Risk Register.

It is a standard practice for auditors to raise matters that the auditor believes should be addressed or to highlight improvements that can be made in relation to internal processes and procedures and risk mitigation. Often these matters are not considered significant enough to include in the final Audit Report but are nevertheless considered important enough to draw to management's attention in the context of continuous improvement.

In accordance with the AONSW recommendation an ARIC Charter and Work Plan has been developed. The Charter has been referred to as an "Interim" Charter because it reflects the ARIC's current membership and activities consistent with its membership of the Internal Audit Alliance while it transitions to the OLG's Guidelines for ARICs over the coming years.

The Charter and Work Plan were endorsed by the ARIC at its meeting held on 27 April 2022 and the documents are now being tabled for adoption by Council.

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

Legislative Policy & Planning Implications

The establishment of an ARIC will become mandatory for all councils by 4 June 2022. Council has an ARIC in place and therefore already complies with this requirement. However, Council will need to transition the ARIC in terms of its composition and operations so as to comply with the *Guidelines for Risk Management and Internal Audit for Local Councils in NSW* issued by OLG.

Budget & Financial Aspects

An allocation of \$16,000 has been included in the 2022/23 Operational Plan Budget which covers the cost of the contracted internal auditor whose services are shared with other member councils which Council has collaborated with to form an Internal Audit Alliance.

Whilst the OLG Guidelines will not impact on the 2022/23 budget and will provide Council with more time to comply with the new requirements for ARICs, the Guidelines will in time result in additional governance costs to Council.

Attachments

1. Lockhart Shire Council Audit, Risk and Improvement Committee - Interim Charter
2. Lockhart Shire Council Audit, Risk and Improvement Committee - Work Plan

Recommendation: That the Lockhart Shire Council Audit, Risk and Improvement Committee Interim Charter and Work Plan be adopted.

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Item 11: Attachment 1 – ARIC Charter

**Lockhart Shire Council
Audit, Risk and Improvement Committee
Interim Charter**

1. The Charter

- a) A committee of the Lockhart Shire Council (the Council) will be known as the Audit, Risk and Improvement Committee (the Committee).
- b) The Committee is established pursuant to Part 4A Section 428A of the Local Government Act, 1993.
- c) This charter establishes the composition, roles and responsibilities of the Committee within the governance system of the Council.
- d) The Committee will operate within the framework of the Internal Audit Alliance, a collaborative partnership between the Bland, Coolamon, Cootamundra-Gundagai, Junee, Lockhart and Temora Councils.
- e) This Charter will operate on an interim basis whilst Internal Audit Alliance member councils transition to compliance with the Office of Local Government's ARIC Guidelines.

2. Primary Function

- a) The primary functions of the Committee are to:
 - i. Operate according to the terms of reference approved by the Council after endorsement by the Committee.
 - ii. Help the Council to comply with the Local Government Act 1993 and other relevant legislation;
 - iii. Provide a forum for communication between internal and external auditors of the Council.
 - iv. Assist the Council in exercising due care, diligence and skill in discharging its oversight and monitoring responsibilities.
 - v. Keep under review the following aspects of the Council's operations:
 - compliance,
 - risk management,
 - fraud control,
 - financial management,
 - governance,
 - implementation of the strategic plan, delivery program and strategies,
 - service reviews,
 - collection of performance measurement data by the council,
 - any other matters prescribed by the Local Government (General) Regulations.
 - vi. The Committee is also to provide information to the Council for the purpose of improving the Council's performance of its functions.
 - vii. The Committee may undertake other activities as directed by the Council.

3. Authority

- a) The Council authorises the Committee, within the scope of its role and responsibilities, to:
 - i. Request, through the General Manager, any information it needs from any employee and/or external party (subject to their legal obligation to protect information).

- ii. Discuss any matters with the external auditor and internal Auditor (subject to confidentiality considerations).
 - iii. Request the attendance of any employee, including the General Manager, at Committee meetings.
- b) The Committee does not have decision making authority, the power to bind the Council nor the power to incur expenditure.

4. Committee Structure

- a) The Audit Committee shall consist of the following members:
- Independent Chair – General Manager of an Internal Audit Alliance Council
 - Independent member – Finance Director/Manager of an Internal Audit Alliance Council
 - Lockhart Shire Councillor appointed by Council.
- b) A quorum is reached if the Chair and one other Committee member is present.
- c) The Independent Chair and Independent member will be rotated amongst Internal Audit Alliance member councils from time to time.

5. Committee Meetings

- a) The Committee will meet at least three times per year in March, July, and November.
- b) The General Manager will ensure that an annual meeting schedule and work plan that covers the Committee's responsibilities as outlined in this Charter is prepared on an annual basis for consideration and adoption by the Committee.
- c) The General Manager will ensure that an agenda is prepared for each meeting and that the agenda and relevant documents are distributed to Committee members at least one week prior to each meeting.
- d) The General Manager will ensure that minutes of meetings are maintained to record deliberations and decisions of the Committee and that the minutes are tabled at the next Council meeting following the Committee meeting.
- e) The General Manager and Director Corporate and Community Services may attend Committee meetings.
- f) In accordance with Section 376 (4) of the Local Government Act the Committee may exclude the General Manager from a meeting if it thinks it appropriate to do so in the circumstances.
- g) The Committee may require other staff members or others to attend Committee meetings.
- h) Council's external auditor, the Audit Office of NSW (AONSW), and the firm contracted from time to time to undertake the external audit of behalf of the AONSW, may be invited to attend Committee meetings.
- i) The firm or person contracted from time to time by the Internal Audit Alliance to provide Internal Audit Services may be invited to attend meetings.

6. Conduct of Members

- a) Committee members are required to comply with the Council's Code of Conduct.

7. Committee's Responsibilities in Relation to Auditors

- a) The Internal Audit Alliance comprising representatives of the Coolamon, Junee, Lockhart and Temora Councils select the firm to provide internal audit services.
- b) The Committee will review and approve the scope of the annual internal audit plan and the audit methodology for individual internal audit reviews.
- c) The Committee will confirm and assure the independence of internal audit by providing the Internal Auditor with direct access to the Chair of the Committee. As a Local Government authority the Council's external audit is determined by statute.

- d) The Committee will obtain an understanding, through consultation with the external auditor, of the audit scope and broad plans for the external audit.

8. Committee's Responsibilities in Relation to Risk Management

- a) The Committee will provide independent assurance of the Council's risk management activities.
- b) The Committee will review the Risk Register and the activities of the Management Executive relating to risk management on an annual basis.
- c) The Committee will review any significant risks, findings and recommendations made by internal auditing, together with management's responses to them.
- d) The Committee will review any significant risks, findings and recommendations made by external auditing, including audit reports and audit management letters, together with management's responses to them.

9. Committee's Responsibilities in Relation to Financial Management

- a) Shortly after the statutory audit is completed, the Committee may review the following with management and the external auditor:
 - i. The Council's annual financial statements and the related notes;
 - ii. The external auditor's audit of and report on the financial statements;
 - iii. The external auditor's qualitative judgement about the appropriateness of accounting principles and disclosures;
 - iv. Any serious difficulties or disputes with management encountered during the course of the audit.

10. Committee's Responsibilities in Relation to Fraud Control

- a) The reporting of suspected or detected incidents of fraud and other notifiable incidents will be a standing item on the agenda for Committee meetings.
- b) The Committee will review the Council's Fraud Control Policy and Fraud Control Action Plan on an annual basis.
- c) The Committee will review the register of Gifts and Benefits on an annual basis.

11. Committee's Responsibilities in Relation to Compliance

- a) The reporting of suspected or detected incidents of non-compliance or legislative breaches and other notifiable incidents will be a standing item on the agenda for Committee meetings.
- b) The Committee will review the Local Government Act Compliance Checklist on an annual basis.

12. Responsibilities for Service Reviews and Performance Management

- a) The Committee will oversee any service reviews undertaken by Management at Council's request.
- b) The Committee may oversee or conduct an investigation into any matter referred to it by the Council.

13. Other Responsibilities

- a) The Committee will:
 - i. Review annually the Committee's Charter to ensure ongoing relevance and consistency and recommend updates where necessary.
 - ii. Report annually to the Council on the Committee's performance and compliance in relation to this charter.

*Endorsed by the Audit Risk and Improvement Committee on 27 April 2022
Adopted by Council on 16 May 2022 – Council minute no. xxx/22.*

Item 11: Attachment 2 – ARIC Work Plan

**Lockhart Shire Council
Audit Risk and Improvement Committee
Meeting Schedule and Work Plan 2022/23**

ARIC Meeting	Agenda Items
July 2022	1. Internal Audit Review – Developer Contributions Link to Risk Register: – Risk No. 2.2
	2. Annual tabling of Gifts and Benefits Register. Link to Risk Register: – Risk No. 3.6
	3. Annual tabling of Fraud Control Policy and Fraud Control Action Plan Link to Risk Register: – Risk No's 1.1 to 1.10
	4. Annual review of Local Government Act Compliance Checklist. Link to Risk Register: – Risk No. 8.1
November 2022	1. Internal Audit Review – Commercial Leases & Property Management Link to Risk Register: – Risk No. 1.8
	2. Annual Financial Statements and Auditor's Report Link to Risk Register: – Risk No's 2.3 and 8.1
	3. Audit Management Letter Link to Risk Register: – Risk No's 2.3 and 8.1.
March 2023	1. Internal Audit Review – Staff Recruitment Link to Risk Register: – Risk No's 3.4 and 3.5
	2. External Audit Engagement Plan
	3. Annual review of Risk Register
	4. Annual review of Committee Charter and the Committee's compliance with the Charter
	5. Adoption of ARIC Work Plan for 2023/24

Notes

- The ARIC's activities will be carried out within the limits of Council's resources.
- The following will be standing agenda items at all ARIC Meetings:
 - Status report on the implementation of prior internal audit recommendations
 - Reportable incidents

12. POLICY REVIEW – POLICY 1.13 ASSET MANAGEMENT

(GM: 22/5360)

Executive Summary

A revised Policy 1.13 Asset Management is presented for Council's consideration.

Report

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

Notwithstanding this, 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.

Council last reviewed its Asset Management Policy in March 2019 and no changes are being proposed as part of this review.

The policy identifies the classes of assets to which the policy relates and sets out the principles of asset management that Council will adopt as well as allocate responsibility for asset management.

Asset management policies, plans and processes are important having regard to Council's role as custodian of the assets on behalf of the community and ensuring they remain sustainable, i.e. preserving the assets and maintaining their overall condition for future generations, as well as managing risk, i.e. ensuring that existing assets are safe for use by the current generation with particular reference to the Civil Liability Act 2002.

The Asset Management Plans are also a component of the Council's Resourcing Strategy which it is required to have as part of the Integrated Planning and Reporting framework.

Integrated Planning and Reporting Reference

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

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

E1: Continue the development of asset management strategy and plans.

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

Legislative Policy and Planning Implications

Section 8A of the Local Government Act sets out the guiding principles for councils which includes, amongst other things that "*Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way*".

Section 8B of the Act sets out the principles of sound financial management which include:

1. Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
2. Councils should have effective financial and asset management, including sound policies and processes for the following:
 - a) Performance management and reporting,
 - b) Asset maintenance and enhancement,
 - c) Funding decisions,
 - d) Risk management practices.

Budget and Financial Aspects

Council's asset management plans and asset management practices have been incorporated into the Annual Operational Plan and Budget as well as the Long-Term Financial Plan. The policy will not have any additional budgetary impacts.

Attachments

- Policy 1.13 Asset Management.

Recommendation: That the revised Policy 1.13 Asset Management, as presented, be adopted.

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Item 12: Attachment – Policy 1.13 Asset Management

1.13 Asset Management

POLICY TITLE: ASSET MANAGEMENT

FILE REF: SC67

REVIEW DATE: MAY 2025

OBJECTIVES

1. To set guidelines for implementing consistent asset management processes throughout Lockhart Shire Council that is based on service delivery needs and integrated into Council's corporate and financial planning and reporting processes.
2. To ensure that assets used to support the services delivered by Lockhart Shire Council are sustainable and continue to function at a level of service determined by Council and accepted by the broader community.
3. To ensure adequate provision is made for the long-term replacement of major assets by:
 - a) Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.
 - b) Safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets.
 - c) Creating an environment where all Council employees take an integral part in overall management of Council assets by creating and sustaining an asset management awareness throughout the Council.
 - d) Meeting legislative requirements for asset management.
 - e) Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.
 - f) Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

SCOPE

1. This Policy provides guidance in relation to asset management to the Council, councillors, management and staff as well as section 355 committees which are involved in the operation, maintenance, renewal, upgrade or disposal of a council asset.
2. This Policy applies to the following classes of assets:
 - a) Community facilities
 - i. Caravan Parks
 - ii. Council Offices
 - iii. Medical/Dental
 - iv. Museums/Galleries
 - v. NSW RFS and SES facilities
 - vi. Public Amenities
 - vii. Public Swimming Pools
 - viii. Public Halls
 - ix. Public Parks
 - x. Recreation Grounds
 - xi. Aged, Rental, Staff and Youth Accommodation
 - xii. Showgrounds
 - xiii. Works Depots

- b) Transport assets
 - i. Bridges
 - ii. Culverts & Causeways
 - iii. Footpaths
 - iv. Kerb & Gutter
 - v. Road pavements and surfaces
 - vi. Street Furniture and Streetscapes
 - vii. Bulk Earthworks
 - viii. Stormwater & flood mitigation
- c) Plant
 - i. Minor Plant - equipment.
 - ii. Major Plant & Trucks – graders, loaders, rollers, tippers, crew cab trucks.
 - iii. Vehicles - cars, twin cabs, utilities.
- d) Sewer Assets
 - i. Lockhart Sewerage Scheme - gravity mains rising mains, pump stations and trickling filter sewerage treatment works, low pressure systems and pump units.
 - ii. The Rock Sewerage Scheme - gravity mains, rising mains, pump stations and aeration ponds filter sewerage treatment works, low pressure systems and pump units.
 - iii. Yerong Creek Sewerage Scheme - low pressure system including rising mains, sewerage pumps on individual properties and sewerage treatment works.

POLICY STATEMENT

1. Council is committed to implementing a systematic asset management methodology in order to apply appropriate asset management best practices across all areas of Council. This includes ensuring that assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priorities for service delivery.
2. Council will adopt a strategic approach to asset management which will ensure that the Council delivers the highest appropriate level of service through its assets. This will provide positive impact on:-
 - a) Members of the public and staff;
 - b) Council's financial position;
 - c) The ability of Council to deliver the expected level of service and infrastructure;
 - d) The political environment in which Council operates; and
 - e) The legal liabilities of Council.

PRINCIPLES

1. A consistent Asset Management Strategy must exist for implementing systematic asset management and appropriate asset management best-practice throughout all Departments of Council.
2. As custodian of a wide range of assets Council will adopt the following principles:
 - a) Sustainability – preserving Council's assets (maintaining their overall condition) for future generations.
 - b) Planning - development and maintenance of asset management plans for each class of asset to which this Policy applies.
 - c) Integration – incorporating asset management plans and asset management principles into long term financial and corporate planning including the Community Strategic Plan and Delivery Plan.
 - d) Liability management – ensuring that existing assets are safe for use by the current generation with particular reference to the Civil Liability Act 2002.

- e) Monitoring - an inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities.
- f) Prioritisation - asset renewals required to meet agreed service levels and identified in infrastructure and asset management plans and long term financial plans will be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service.
- g) Review - systematic and cyclic reviews will be applied to all asset classes to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards.
- h) Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.
- i) Consultation - future service levels will be determined in consultation with the community.
- j) Training – ensure that staff with asset management responsibilities are trained in asset management principles, practices and processes.

RESPONSIBILITY

1. Council is responsible for adopting the Asset Management Policy and Asset Management Plans, determining levels of service in consultation with the community, and allocating resources for the management of Council's assets.
2. The General Manager is responsible for overseeing and implementing the Asset Management Policy and Asset Management Plans with the agreed resources and reporting on the status and effectiveness of asset management within Council.

LEGISLATION

Legislation applicable to this policy includes:

- Local Government Act 1993.
- Local Government (General) Regulation 2005.
- Civil Liability Act 2002

RELATED DOCUMENTS

- Community Strategic Plan – 2017 to 2027
- Delivery Plan - 2017 to 2021
- Long Term Financial Plan – 2018 to 2027
- Asset Management Plan – Community Facilities
- Asset Management Plan – Transport
- Asset Management Plan – Sewerage Services
- Asset Management Plan – Plant

*Reviewed by Council 16 May 2022
Refer minute xxx/22*

*Reviewed by Council 18 March 2019
Refer minute 67/19*

*Adopted by Council 19 October 2009
Refer minute 375/09*

13. POLICY REVIEW – POLICY 1.19 LOCAL PREFERENCE PURCHASING

(GM: 22/5381)

Executive Summary

Policy 1.19 Local Preference Purchasing Policy is scheduled for review.

Report

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

Notwithstanding this, 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.

Council last reviewed Policy 1.19 Local Preference Purchasing Policy in March 2019.

A copy of Policy 1.19 Local Preference Purchasing Policy is attached. One change is being proposed to the Policy. The Policy currently provides that for local suppliers submitting responses to a procurement request, Council will assess their response as if their total net cost bid was reduced by 5% with discounts limited to a maximum of \$15,000 (i.e. 5% or \$15,000 whichever is the lesser).

However, in low value procurement requests there may be instances where the local bid is more than 5% higher than the non-local bid but the difference in actual dollar terms is insignificant. In order to address this issue it is suggested that the policy be amended to provide the General Manager with the discretion to accept a quote from a local business that is no more than \$250 higher than the quote from the non-local business, notwithstanding the other criteria contained in the policy.

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

This policy does have the potential to impact on local businesses and it is recommended that it be placed on public exhibition prior to adoption by Council.

Attention is also drawn to Council's general procurement policy i.e. Policy 2.31 Procurement, which provides the following thresholds for obtaining quotes:

Less than \$3,000	1 verbal quote
More than \$3,000 and less than \$15,000	2 verbal quotes
More than \$15,000 and less than \$250,000	3 written quotes
\$250,000 and more	Public tender

Whilst Policy 2.31 Procurement is not being tabled for review it is recommended that, in order to support local businesses, where the procurement is for less than \$3,000 and only one quote is required, that where possible that quote be obtained from a local business, and that the policy be amended accordingly.

Integrated Planning and Reporting Reference

B1: Provide business support to our community.

B1: Support the growth of the business and industry sector.

Legislative Policy and Planning Implications

Section 8A (b) of the Act states that, "Councils should carry out functions in a way that provides the best possible value for residents and ratepayers".

Budget and Financial Aspects

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

Attachments

- Policy 1.19 Local Preference Purchasing

Recommendation:

- 1) That Policy 1.19 Local Preference Purchasing be placed on public exhibition for a period of 28 days and any submissions received be tabled for Council's consideration prior to adoption of the Policy.
- 2) That Policy 2.31 Procurement be amended so as to provide that where the procurement is for less than \$3,000 and only one quote is required, where possible that quote be obtained from a local business.

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Item 13: Attachment – Policy 1.19 Local Preference Purchasing

1.19 Local Preference Purchasing

POLICY TITLE: LOCAL PREFERENCE PURCHASING

FILE REF: SC325

REVIEW DATE: JUNE 2025

OBJECTIVES

To ensure that Council achieves the best 'overall value-for-money' in its procurement of goods and services, while (where possible) giving preference to local suppliers, and non-local suppliers using local content to support the Shire's economic development.

POLICY STATEMENT

The Council's Local Preference Purchasing Policy recognises that 'overall value-for-money' is about broader economic benefits to the Shire and not just the lowest price. The Council acknowledges that economic benefits flow to all local businesses where Council maximises opportunities for local suppliers to compete for Council's business on the basis of value-for-money.

The Council's Local Preference Purchasing Policy aims to use Council's procurement actions to encourage and support local suppliers and support economic activity within the Shire where it is efficient to do so, while achieving the Council's overall 'value-for-money' objectives. This approach seeks to maximise overall community benefit for the Shire.

DEFINITIONS

In this Policy (unless the context indicates otherwise):

- 1) "Local content" means goods or services procured from a local supplier or employees living permanently in the Lockhart Shire.
- 2) "Local supplier" means a business, contractor or industry:
 - a) either permanently based in, or employing permanent staff operating from, permanent premises situated within the Shire boundaries for not less than six months prior to the date of the Procurement request; and
 - b) registered or licensed in New South Wales.
- 3) "Net cost" means, in relation to a quotation, tender or expression of interest, the total amount quoted or offered by a supplier for the supply of goods or services, including any freight or delivery charges and excluding GST and any discounts or rebates offered by the supplier.
- 4) "Procurement request" means a request for quotations or a public tender process pursuant to section 55 of the Local Government Act 1993.

POLICY STATEMENT

To assist local industry and local economic development, the Council will:

- 1) Encourage a 'buy local' culture within the Council;
- 2) Encourage local suppliers to participate in Council business by advertising in local newspapers and other means considered appropriate;
- 3) Ensure that procurement policies and procedures do not disadvantage local suppliers;
- 4) Ensure transparency in Council procurement practices;
- 5) Encourage use of local suppliers by contractors, whenever goods or services have to be sourced from outside the Shire;
- 6) Consider the non-price value-for-money considerations set out in this Policy; and
- 7) Apply a price preference discount in favour of local suppliers, as set out in this Policy.

NON-PRICE VALUE-FOR-MONEY CONSIDERATIONS

Council acknowledges that in assessing 'overall value-for-money', the following non-price considerations should be taken into account (where relevant) in relation to a Procurement Request:

- 1) Availability and access to after-sales service and maintenance;
- 2) Quality, type and availability of goods or services;
- 3) Advantages in dealing with a local supplier, including administrative and operational efficiency;
- 4) The proportion of local content to be supplied;
- 5) Whole-of-life costs of the purchase or contract;
- 6) Compliance with specifications, guidelines and requirements;
- 7) The supplier's knowledge, experience and ability to fulfil the requirements of the contract or purchase;
- 8) The supplier's commitment to supporting local businesses and the local economy through sub-contracting and other supplier arrangements;
- 9) The health and safety of Council employees particularly when purchasing machinery and equipment or other goods or services to be used by staff in the course of their employment.
- 10) Net benefits to the Shire, including economic benefits; and
- 11) All other factors relevant to consideration of the particular tender.

Notwithstanding the Council's Local Preference Purchasing Policy, an assessment of responses to a procurement request must consider all of the above factors, in conjunction with price and locality considerations.

PRICE PREFERENCE DISCOUNTS

- 1) For the purposes of comparing the price tendered by local and non-local suppliers, the price preference discount set out below will be applied and given to:
 - a) Local suppliers submitting responses to a Procurement Request which are assessed in relation to this policy; and
 - b) Non-local suppliers submitting responses to a Procurement Request, which include use of local content and which are assessed in relation to this policy.
- 2) For local suppliers submitting responses to a Procurement Request, Council will assess their response as if their total net cost bid was reduced by 5%. Discounts will be limited to a maximum of \$15,000 (i.e. 5% or \$15,000 whichever is the lesser).
- 3) For non-local suppliers submitting responses to a Procurement Request, if at least 25% of the net cost of their response includes or is attributable to local content, Council will assess such response as if the total net cost attributable to local content were reduced by 5%. Discounts will be limited to a maximum of \$15,000 (i.e. 5% or \$15,000 whichever is the lesser).
- 4) Notwithstanding 1), 2) and 3) above, and the other criteria contained in this policy, the General Manager will have the discretion to accept a quote from a local business that is no more than \$250 higher than the quote from a non-local business.
- 5) To be eligible for either discount, suppliers must specifically detail and explain in their response to a procurement request the particular facts upon which they rely to establish their eligibility for the discount and must provide any evidence of such eligibility as reasonably required by the Council.
- 6) All Procurement Request documents issued by Council must clearly state whether and how a price preference for local suppliers will be applied so that all tenderers are aware of Local Preference Purchasing Policy prior to submitting a response to a Procurement Request.
- 7) As price is only one factor for consideration in the evaluation of a response to a procurement request, the application of the discount does not guarantee that the supplier receiving the discount will be successful.
- 8) If the Local Preference Purchasing Policy is applied in a procurement process, the cost to the community of applying the policy, and a brief statement of the rationale behind the policy, should be recorded at the time of the procurement decision.
- 9) All procurement processes resulting in local preferences being applied must be capable of identification and verification through Council's audit or internal control mechanism.

OVERALL LOCAL PREFERENCE

- 1) In the event that:
 - a) The net costs bid by a local supplier and a non-local supplier are equal (after calculating any applicable discounts in accordance with this policy);
 - b) Both suppliers otherwise meet the criteria and requirements of the Procurement Request; and
 - c) Each supplier (and its goods and/or services) is otherwise regarded as being 'equal', taking into account the non-price value-for-money considerations set out above,

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Preference will be given to the local supplier.

- 2) To avoid doubt, normal processes of assessment of non-price considerations still apply, and this policy does not require that the lowest cost tender is necessarily successful. The purpose of this policy is to give preference to local suppliers (compared to non-local suppliers) where all else is equal.

IMPLEMENTATION

Examples of how the Policy may be implemented are shown below.

Example 1

A tender for the supply of goods and services attracts the following bids:

- a) Bid A of \$9,750 (net cost) is received from a non-local supplier, which is using non-local supplies and services. No price preference discount applies.
- b) Bid B of \$10,000 (net cost) is received from a local supplier within the Shire. A 5% price preference discount applies to the net cost, which is discounted to \$9,500 for comparison purposes.

The local price preference discount is applied as follows:

TENDERS RECEIVED	PREFERENCE	CALCULATION	TOTAL BID (FOR EVALUATION ONLY)
Bid A (non-local supplier) \$9,750	No preference applicable	n/a	\$9,750
Bid B (local supplier) \$10,000	5% price discount is applied	Less 5% of \$10,000 = \$500	\$9,500

Bid B is successful, subject to all other considerations being met. Price paid is \$10,000.

Example 2

A tender for contract attracts the following bids:

- a) Bid A of \$490,000 (net cost) is received from a non-local supplier, which includes local content of \$150,000. Since local content comprises more than 25% of the net cost, a 5% price preference discount applies to the local content component of the bid. The discounted total net cost of the bid is therefore \$482,500 for comparison purposes.
- b) Bid B of \$497,500 (net cost) is received from a local supplier. A 5% price preference discount applies to the total net cost of the bid. The discount is limited to the maximum discount of \$15,000. The total discounted net cost of the bid becomes \$482,500 for comparison purposes.

The local price preference discount is applied as follows:

TENDERS RECEIVED	PREFERENCE	CALCULATION	TOTAL BID (FOR EVALUATION ONLY)
Bid A (non-local supplier) \$490,000	5% price discount is applied to the local content	Less 5% of \$150,000 = \$7,500	\$482,500
Bid B (local supplier) \$497,500	5% price discount is applied	Less 5% of \$497,500 = \$24,875 limited to \$15,000	\$482,500

Because Bid B comes from a local supplier, and on the basis that all other considerations were equal, Bid B is successful even though the discounted prices were equal. Price paid is the original \$497,500, with the application of the policy costing the Council a notional \$7,500 (i.e. Council could have purchased from non-local supplier for \$490,000).

Amended by Council – 20 June 2022
Refer Minute No. XXX/22

Adopted by Council – 16 September 2013
Refer Minute No. 281/13

Amended by Council – 18 March 2019
Refer Minute No. 45/19

14. POLICY REVIEW – POLICY 2.53 MOBILE GARBAGE BIN ISSUE AND REPLACEMENT
(GM: 22/5378)

Executive Summary

Policy 2.53 Mobile Garbage Bin Issue & Replacement is scheduled for review.

Report

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

Notwithstanding this, 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.

Council last reviewed Policy 2.53 Mobile Garbage Bin Issue & Replacement in March 2019.

Council has had a kerbside collection service since 1992 and more recently extended the service to a three bin Food Organics and Garden Organics (FOGO) service

Policy 2.53 Mobile Garbage Bin Issue & Replacement was developed to provide consistency in determining the issue of bins and in particular who pays.

A copy of Policy 2.53 Mobile Garbage Bin Issue & Replacement is attached. Only minor changes are being proposed to the policy to ensure it reflects the implementation in recent years of the Food Organics and Garden Organics (FOGO) three bin kerbside collection services.

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

This policy does have the potential to impact on residents and ratepayers and/or on the provision of services to the community and accordingly it is recommended that it be placed on public exhibition prior to adoption by Council.

Integrated Planning and Reporting Reference

C1: Provide efficient and sustainable waste management practices.

Legislative Policy and Planning Implications

Kerbside collection is conducted in accordance with the Local Government Act 1993 as well as Protection of the Environment Operations Act 1997.

Budget and Financial Aspects

The Policy will have no impact on Council's Budget as the bin issue will be either paid by the user or incorporated in the annual waste collection charges.

Attachments

- Policy 2.53 Mobile Garbage Bin Issue & Replacement.

Recommendation: That Policy 2.53 Mobile Garbage Bin Issue & Replacement be placed on public exhibition for a minimum of 28 days and any submissions received be considered by Council prior to adoption of the Policy.

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Item 14: Attachment – Policy 2.53 Mobile Garbage Bin Issue & Replacement

2.53 Mobile Garbage Bin Issue & Replacement

POLICY TITLE: MOBILE GARBAGE BIN ISSUE & REPLACEMENT

FILE REF: SC305

EXPIRY DATE: JUNE 2025

OBJECTIVE

To provide uniform guidelines for the issue and replacement of Mobile Garbage Bins (MGBs).

GENERAL

- 1) Dwellings and businesses located within Council's designated kerbside collection areas shall be allocated 1 x 240L food organics & garden organics (FOGO) bin, 1 x 240L garbage bin and 1 x 240L recycling bin at fee set out in Council's Fees and Charges.
- 2) The Bins are to remain with the premises. Where either one or all bins are removed, the new owner/s will be responsible for the cost of replacement.
- 3) In the case of lost, stolen or damaged MGBs, the landholder may request a new MGB from Lockhart Shire Council which will be provided as soon as possible with a purchase/ replacement charge payable by the landholder, as set each year in Council's Fees and Charges.

Any MGB provided by Council that is stolen or damaged beyond repair by unknown persons at no fault of the landholder, including bins worn out due to age, may be replaced free of charge, at the discretion of Council's Director of Engineering & Environmental Services, provided the theft or damage has been reported to Council or the Police and a copy of the Police Report number or signed statutory declaration is submitted to Council, unless proven bin damaged by Council's Contractor.

Adopted by Council – 20 June 2022
Refer minute No. XXX/22

Adopted by Council – 18 March 2019
Refer minute No. 45/19

15. POLICY REVIEW – POLICY 3.18 CREDIT CARD AND FUEL CARD USE

(GM: 22/5359)

Executive Summary

Council's policy relating to the use of credit cards and fuel cards is tabled for review.

Report

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

Notwithstanding this, 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.

Council last reviewed its Credit Card Policy in May 2019.

On that occasion the Credit Card Policy was extended to also cover the use of fuel cards. The other change introduced as part of that review was to require staff issued with credit cards and/or fuel cards to sign a document acknowledging and agreeing to the terms of use attaching to the cards.

No further changes are being recommended as part of this review.

A copy of the Policy is 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

The use of corporate credit cards is in accordance with the Local Government Act and Local Government General Regulation.

Budget & Financial Aspects

Nil.

Attachments

- Policy 3.18 Credit Card and Fuel Card Use

Recommendation: That Policy 3.18 Credit Card and Fuel Card Use, as presented, be adopted.

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Item 15: Attachment – Policy 3.18 Credit Card and Fuel Card Use

3.18 Credit Card and Fuel Card Use

POLICY TITLE: CREDIT CARD AND FUEL CARD USE

FILE REF: SC67

REVIEW DATE: MAY 2025

OBJECTIVES

The purpose of this Policy is to:

- 1) Establish rules for the use of credit cards and fuel cards issued by Council.
- 2) Ensure that organisational transactions are carried out as efficiently as possible through the use of corporate credit cards when appropriate.
- 3) To provide an alternative mechanism for the purchase of fuel for Council supplied vehicles.
- 4) Guard against any possible misuse of corporate credits cards and fuel cards issued by Council.
- 5) Ensure the use of corporate credit cards and fuel cards is in accordance with the relevant legislation.

CREDIT CARDS

Issue of Corporate Credit Cards

The issue of corporate credit cards will be restricted to the holders of the following positions within the organisation:

- 1) Mayor
- 2) General Manager
- 3) Director Corporate and Community Services
- 4) Director Engineering and Environmental Services

Other positions may be added to the list with the approval of the Council.

Each corporate credit card will be issued to a specific person who will remain personally responsible for the use of the card. No more than one card shall be issued per cardholder.

The recipient of the credit card will be required to sign a document acknowledging and agreeing to the conditions of use outlined in this Policy (refer Schedule A attached).

Credit Limit

There is only one Council credit card account, to which the four (4) credit cards are linked, with an aggregate maximum limit of \$15,000.

This limit may be varied by the council.

Credit Card Usage

The use of corporate credit cards shall be subject to the following conditions:

- 1) The credit card shall only be used for those activities that are directly related to the cardholder's function within the Council.
- 2) The credit card shall not be used for prohibited or illegal purchases or purchases that may bring the name of the Council into disrepute.
- 3) A cardholder may use the credit card to pay a claim that includes both official and coincidental private expenditure. In such cases the cardholder must reimburse the Council for any coincidental private expenditure.
- 4) Cardholders shall not authorise their own expenditure. The Mayor shall approve the General Manager's credit card transactions. The General Manager shall approve the monthly statement of all other cardholders.
- 5) Cardholders shall not obtain cash advances through the use of a corporate credit card.

Cardholder Responsibilities

It shall be the responsibility of cardholders to:

- 1) Obtain and retain sufficient supporting documentation to validate the expense and attach these to the monthly statement from the bank;
- 2) Review the monthly statement and verify that the goods and/or services listed were received and report any inaccuracies to the Director of Corporate and Community Services;
- 3) Sign the monthly statement to verify that the transactions have been made for official purposes;
- 4) Take adequate measures to ensure the security of the credit card;
- 5) Notify the bank and the Director of Corporate and Community Services immediately if the card is lost or stolen or if any unauthorised transaction is detected or suspected;
- 6) Return the card to the Director of Corporate and Community Services if the cardholder resigns, the General Manager has determined that there is no longer a need for the cardholder to retain his/her credit card or the credit card has been cancelled by the bank.

Withdrawal of Corporate Credit Cards

A corporate credit card may be withdrawn or cancelled for the following reasons -

- 1) The cardholder ceases to be an employee of the Council;
- 2) It is determined that there is no longer a need for the cardholder to have a credit card purchasing facility;
- 3) Misuse of the credit card by the cardholder including inappropriate expenditure or non-compliance with the conditions of use set out in this Policy.

Lost/Stolen Cards

Lost or stolen cards must be cancelled as soon as possible by telephoning the Bendigo Bank on 1300 366 666 (24 hrs). Details of the cancellation including the Bank's reference number, date and time are to be forwarded to the Director of Corporate and Community Services.

Replacement of Damaged Cards

Damaged cards can be replaced by returning it to the Director of Corporate and Community Services and requesting a replacement card. On arrival of the new card the cardholder will be notified to collect it from the Bendigo Bank.

Payment of Credit Card

The Director of Corporate and Community Services will arrange payment of the credit card statement at the end of each month to avoid incurring interest charges.

FUEL CARDS

Issue of Fuel Cards

- 1) The Director Corporate and Community Services will be responsible for issuing fuel cards to employees who are provided with a Council vehicle in the course of their employment.
- 2) The recipient of the fuel card will be required to sign a document acknowledging and agreeing to the conditions of use outlined in this Policy (refer Schedule B attached).
- 3) The Director Corporate and Community Services will maintain a register of all employees who have been issued with a Council fuel card.
- 4) Notwithstanding 1) above, a fuel card may be issued for the purposes of purchasing unleaded fuel for all small plant items such as lawn mowers, line trimmers etc.

Fuel Card Usage

- 1) The fuel card must only be used for the vehicle it is assigned to and must not be utilised to refuel another vehicle.
- 2) The fuel card must be retained with the associated vehicle at all times.
- 3) The "small plant" fuel card shall be kept securely at Council's depot under the control of the Storeperson who may issue it to users of small plant items as needed.

Cardholder Responsibilities

It shall be the responsibility of cardholders to:

- 1) Initial the fuel receipt issued at the fuel outlet.
- 2) Forward all fuel receipts to the Accounts Payable/Payroll Officer in a timely manner.
- 3) Take adequate measures to ensure the security of the fuel card.
- 4) Notify the Director Corporate and Community Services immediately if the fuel card is lost or stolen.
- 5) Return the fuel card to the Director Corporate and Community Services on request.
- 6) Users of the “small plant” fuel card are required to initial the fuel receipt and return it with the fuel card to the Storeperson. The Storeperson is responsible for forwarding the receipts to the Accounts Payable/ Payroll Officer in a timely manner.

Withdrawal of Fuel Cards

A fuel card may be withdrawn or cancelled for the following reasons:

- 1) The cardholder ceases to be an employee of the Council.
- 2) It is determined that there is no longer a need for the cardholder to have a fuel card.
- 3) Misuse of the fuel card by the cardholder including non-compliance with the conditions of use set out in this Policy.

Lost/Stolen and Damaged Fuel Cards

- 1) Lost or stolen cards must be cancelled as soon as possible by notifying the relevant fuel company.
- 2) Damaged cards can be replaced by returning it to the Director Corporate and Community Services and requesting a replacement card.

Payment of Fuel Card Statement

The Director of Corporate and Community Services will arrange payment of the monthly fuel statement at the end of each month.

*Reviewed by Council 16 May 2022
Refer minute xxx/22*

*Reviewed by Council 20 May 2019
Refer minute 131/19*

*Reviewed by Council 21 October 2018
Refer minute 280/18*

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

*Adopted by Council – 20 June 2005
Refer Minute No. 24662*

SCHEDULE A

Corporate Credit Card

Cardholder Approval and Acknowledgement

Approval

Cardholder's Name:
Position:
General Manager's Signature:
Date:

Acknowledgement

I acknowledge receipt of the Lockhart Shire Council Corporate Credit Card and agree that:
1) I will not use the Corporate Credit Card, nor permit it to be used, other than for official Council purposes.
2) I will not use the credit card for prohibited or illegal purchases or purchases that may bring the name of the Council into disrepute
3) I will ensure security of the Corporate Credit Card at all times.
4) If the Corporate Credit Card is lost or stolen, I will immediately report it missing to Council's bank and will also inform the Director Corporate and Community Services.
5) If my position with Lockhart Shire Council changed or my employment terminates, or I am asked to surrender the card for any other reason, I will immediately return the card.
6) I will retain all original supporting documentation that meets the requirements of a tax invoice for presentation to the relevant authorising officer.

Cardholder's Signature

Name of Financial Institution:	
Card No:	Expiry Date:
Cardholder's Signature:	Date:

SCHEDULE B

Fuel Card

Cardholder Approval and Acknowledgement

Approval

Cardholder's Name:
Position:
Director Corporate and Community Services Signature:
Date:

Acknowledgement

I acknowledge receipt of the Lockhart Shire Council Corporate Credit Card and agree that:	
1)	I will not use the Fuel Card, nor permit it to be used, other than for refilling the Council vehicle for which it has been issued.
2)	I will ensure security of the Fuel Card at all times.
3)	If the Fuel Card is lost or stolen, I will immediately report it missing to the Director Corporate and Community Services.
4)	If my position with Lockhart Shire Council changed or my employment terminates, or I am asked to surrender the card for any other reason, I will immediately return the card.
5)	I will retain all fuel receipts and forward them to the Accounts payable/ payroll Officer in a timely manner.

Cardholder's Signature

Fuel Company Name:	
Card No:	Expiry Date:
Cardholder's Signature:	Date:

QUESTIONS AND STATEMENTS

CLOSED SESSION

16. TENDER – 109 GREEN STREET

Report to be provided under separate cover prior to the meeting.