



BUSINESS PAPER

**of the
Ordinary Meeting
to be Held
15 May 2023**

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

The Prayer

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

Amen

Acknowledgement of Country

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

Statement of Ethical Obligations

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

Oath or Affirmation of Office

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

Webcasting of Council Meetings

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

ORDER OF BUSINESS

OPENING WITH A PRAYER

ACKNOWLEDGEMENT OF COUNTRY

STATEMENT OF ETHICAL OBLIGATIONS

WEBCASTING OF COUNCIL MEETING

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- Cr Gail Driscoll

REQUESTS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO VISUAL LINK

- Cr Fran Day

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MAYORAL MINUTE

1. DAMAGING INCREASE IN EMERGENCY SERVICES LEVY COSTS

I am calling on Councillors to support representations to the NSW Government in response to the highly damaging increase in the Emergency Services Levy (ESL) imposed on all councils without warning for the 2023/24 financial year.

The ESL is a cost imposed on councils and insurance policy holders to fund the emergency services budget in NSW. The majority is paid as part of insurance premiums, with a further 11.7 per cent funded by councils and 14.6% by the NSW Government. The ESL represents cost shifting at its worse, as it is imposed on councils without any mechanism for councils to recover costs.

The levy increase for the State's 128 councils in 2023/24 amounts to almost \$77 million, with the total cost imposed on the local government sector increasing from \$143 million in the current financial year to \$219 million next year. This represents a 53.1% increase, completely dwarfing the IPART baseline rate peg of 3.7% for 2023/24.

Reporting suggests that the increase in costs this year reflects a 73% increase in the State Emergency Service budget and an 18.5% funding increase to Fire and Rescue NSW. The impact of these large increases on councils' finances will be particularly severe in 2023/24 as a result of the NSW Government deciding to scrap the subsidy for council ESL payments.

For many councils, the unexpected cost hit will absorb almost all of their IPART-approved rate rise for this year and in some cases absorb more than 100%. This is placing local government budgets under enormous pressure as they struggle from the combined impact of the pandemic, extreme weather events, high inflation, and wage increases.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate increase will have to be largely diverted to the significantly higher ESL payments this year. NSW councils will have no option other than to make cuts to infrastructure and services expenditure.

For Council, the increase in the ESL combined with the removal of the State Government subsidy means that the net cost of the ESL has increased by \$79,154 (33%) for 2023/24, bringing the total Council contribution to \$315,546. This amounts to 79% of the expected increase in rate income for 2023/24.

The timing of this development is particularly challenging for councils as it comes so late in the local government budgeting cycle, well after IPART's rate determination for the coming financial year.

All councils strongly support a well-funded emergency services sector and the critical contribution of emergency services workers and volunteers (many of whom are councillors and council staff). However, it is essential that these services be supported through an equitable, transparent, and sustainable funding model.

Local Government NSW has raised the serious concerns of the local government sector with the NSW Government and is seeking the support of councils across NSW in amplifying this advocacy.

This Mayoral Minute recommends that Council call on the NSW Government to take immediate action to:

- a) Restore the ESL subsidy.
- b) Decouple the ESL from the rate peg to enable councils to recover the full cost.
- c) Develop a fairer, more transparent and financially sustainable method of funding critically important emergency services.

The Mayoral Minute also recommends that Council write to IPART advising of the financial sustainability impacts of the ESL.

Recommendation: That:

1. Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and the local State Member:
 - a) Expressing Council's strong opposition to the NSW Government's last-minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils.
 - b) Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 3.7%

- rate increase to provide essential community services and infrastructure has been significantly eroded.
- c) Advising that the Government’s decision may lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects.
 - d) Calling on the NSW Government to take immediate action to:
 - i. Restore the ESL subsidy in 2023/24.
 - ii. Urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost.
 - iii. Develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
2. Council writes to the President of LGNSW seeking the Association’s ongoing advocacy to bring about a relief in the burden of Councils’ emergency services contribution.
3. Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council’s forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.

REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

Cr. Frances Day OAM

(23/5235)

19 April 2023	Wiradjuri Dreaming Project – Zoom with Eastern Riverina Arts, Owen & Michael Lyons (Indigenous artists), Matt Holt (LSC), Francesca O’Donnell (mosaic artist).
25 April 2023	Anzac Day Parade and Service - Lockhart Cenotaph. I was honoured to lay a wreath on behalf of Lockhart Shire Council.
27 April 2023	Wiradjuri Dreaming Project & Brookong Creek Masterplan onsite with Owen & Michael Lyons, Matt Holt (LSC), Habitat Planning.
27 April 2023	TEDSC Meeting Brookong Creek Masterplan consultation with Habitat Planning – Lockhart Shire Council Chambers.
2 May 2023	Lockhart Show Society Crisis Meeting - Lockhart Ex-Servicemen’s Club.
9 May 2023	TEDSC Meeting - Lockhart Council Chambers.

URGENT MATTERS

Nil.

NOTICE OF MOTION

Nil.

COMMITTEE REPORTS

1. MINUTES | TOURISM AND ECONOMIC DEVELOPMENT STEERING COMMITTEE HELD ON 9 MAY 2023

Date & Time	Tuesday 9 th May 2023 – 6.00pm	
Location	Lockhart Shire Council Chambers	
Attendees	Erica Jones, (Chairperson) Cr Peter Sharp, Mandy Strong, Cr Fran Day (Zoom), Fiona Beckett, Cr Bob Mathews, Cr Ian Marston, Heather Trevaskis, Navneet Choujar, and Matt Holt (TEDO – Secretary).	
Apologies	Michelle Bailey and Rachel Viski	
1 & 2.	The meeting opened with a Welcome from the Chair and an Acknowledgment of Country	
3. Declarations of Interest	Nil.	
4. Confirmation of the minutes for the meeting Wednesday 8th February 2023		
Minutes	Nil	Presenter/s
Actions	Nil	Navneet
Resolutions	Recommended on the motion of Cr Peter Sharp and Mandy Strong that the minutes of the meeting held on Tuesday, 8 th February 2023 as circulated, be confirmed as a true and correct record of the proceedings of that meeting.	
5. Action from previous minutes		
Minutes	<ul style="list-style-type: none"> • Sister City/Shire – Lockhart, Texas, USA <ul style="list-style-type: none"> ➤ Cr Mathews presented to the committee the advantages and the possibilities. • Discussion Vacancies – two positions – EOI closed 6 March 2023 with no EOI received – (See Item 11) • ABC Back Roads – on hold. • Pleasant Hills Sulky Signage – Fiona/Cr Sharp - TEDO to set up meeting. • The Rock Bowling Club Mural - meeting not needed. Updates ongoing. • Walk of Fame – (see Item 6) • Business Awards – (see item 7) • Australian Passport Souvenir 	Presenter/s TEDO/Cr Mathews
Actions	TEDO to continue to work on outstanding items	
Resolutions	<p>Recommended on the motion of Mandy Strong and Fiona Beckett that the Committee note the completed actions and the TEDO action the outstanding items.</p> <p>Recommended on the motion of Cr Peter Sharp and Heather Trevaskis that Council enters into a relationship with Lockhart Texas, starting with correspondence with the Mayors then progressing to engagement through local schools.</p>	

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6. Walk of Fame		
Minutes	Panel has reviewed and scored nominations. Recommendation was presented to members	Presenter/s
Actions	TEDO to submit a closed session report to Council in June.	TEDO
Resolutions	Recommended on the motion by Mandy Strong and Heather Trevaskis that Council endorse the report when it is presented to the June Council meeting in closed session.	
7. Lockhart Shire Business Awards		
Minutes	Nominations opened 27/3 – close 14/4 Categories are - Young Entrepreneur, Employee of the Year, Best New Business, Excellence in Small Business and Excellence in Large Business Awards Night 31 May 2023 will be ticketed, however at present tickets will not be available to the general public due to the number of businesses and venue capacity.	Presenter/s TEDO
Actions	Committee members are invited, please advise attendance ASAP to TEDO. If numbers permit, partners may be invited – TEDO to advise	
Resolutions	Recommended on the motion by Cr Ian Marston and Cr Peter Sharp that Council note the above information	
8. Proposed New Event		
Minutes	Cr Mathews would like the Committee's approval to run a festival honouring the Indian Hawkers who played an integral role in the early days in the Shire. It would be a weekend of art, music and food celebrated with our Indian diaspora. Cr Mathews would expect visitors from nearby Indian communities (Wagga and Albury). This is not a unique concept and held previously (in other areas) where the Indian High Commissioner was able to attend.	Presenter/s Cr Mathews
Actions	Cr Bob Mathews and Navneet Choujar to meet and discuss the proposal and come back to the TEDSC at a later date.	
Resolutions	Recommended on the motion by Cr Ian Marston and Heather Trevaskis that Council note the above.	
9. Memberships – Albury/Wodonga Tourism Partner Program		
Minutes	TEDO presented the new prospectus and spoke about the benefits.	Presenter/s
Actions	TEDO to sign Lockhart Shire up in 2023/24 with a report coming back in May 2024 of the benefits.	TEDO
Resolutions	Recommended on the motion by Mandy Strong and Cr Bob Mathews that Council join the Albury/Wodonga Tourism Partner Program	

10. Regional Strategic Plans Released		
Minutes	The new Riverina Murray Destination Management Plan and Eastern Riverina Economic Development Plans have both been released with a copy made available in the share drive.	Presenter/s
Actions	TEDO to provide hardy copy to Fiona Beckett. Other members please advise TEDO if you would like a hard copy, otherwise documents located in the share drive.	TEDO
Resolutions	Recommended on the motion by Cr Ian Marston and Mandy Strong that Council note the above information.	
11. Resignation – Committee Member – Brent Alexander		
Minutes	TEDO received the resignation of Brent Alexander sighting time to attend meetings is hard.	Presenter/s
Actions	TEDO to action both items below.	TEDO
Resolutions	<p>Recommended on the motion by Cr Peter Sharp and Fiona Beckett that the Committee accept the resignation and for Council to write a letter of appreciation.</p> <p>Recommended on the motion by Cr Bob Mathews and Cr Ian Marston that the Committee discuss at its July Meeting the membership since no EOIs were received from Yerong Creek and the above resignation.</p>	
12. LEP Review Update – Local Housing and Employment Strategy		
Minutes	TEDO discussed the pathway of the LEP Review and the integral part the new Local Housing and Employment Strategy plays in the process.	Presenter/s TEDO
Actions	TEDO to come back to the Committee in June or July with final document and a small presentation.	
Resolutions	Recommended on the motion by Heather Trevaskis and Mandy Strong and that Council note the above information.	
13. Projects Update		
Minutes	<p>TEDO provided a verbal update with further updates on project spreadsheet every four weeks. Councillors and Executive Staff have access to the drive.</p> <p>Murrumbidgee Trails Visitor Guide, Website, and social media – Facebook and Instagram survey underway with advertisers Members encouraged to provide feedback to TEDO by Tuesday 16th 2023.</p> <p>Cr Fran Day provided update on the dreaming project in conjunction with the Brookong Creek Masterplan</p>	Presenter/s TEDO/Cr Day
Actions	Members to provide feedback as per above.	
Resolutions	Recommended on the motion by Heather Trevaskis and Cr Peter Sharp that Council note the above information.	

11. Questions/Comments/Feedback/Updates		Member
Question	RV Dump Points at Pleasant Hills and Lockhart Showground can they be brought forward in the project list?	Fiona Beckett/ Cr Peter Sharp
Action	Yes, they can. TEDO to Investigate for 2023/24 and come back to the Committee with information	
Comment	EV Chargers are installed at The Rock Recreation Ground – add to promotions including signage etc...	Cr Ian Marston
Action	TEDO to action	
Comment	Pleasant Hills Hall new disabled toilet needs a sign out the front.	Cr Peter Sharp
Action	TEDO to action	
Question	Email for Tourism Conferences e.g., LGNSW, who can attend?	Cr Bob Mathews
Action	TEDO to advise at the next meeting who can attend Tourism Conferences as part of the Committee.	
Question	Heather asked if Council Staff would like to look at an old map that volunteers at the Museum have found with interesting names of local places, Heather is happy to meet with staff.	Heather Trevaskis
Action	TEDO to action	
11. Next meeting: Wednesday 7th June 2023		
12. Meeting Closed: 8pm		

Recommendation: that the minutes of the Tourism and Economic Development Steering Committee be received, and the recommendations therein be adopted.

DELEGATES' REPORTS

1. RIVERINA JOINT ORGANISATION (RIVJO) – 28 APRIL 2023 AT WAGGA WAGGA

(GM:23/4900)

I attended a meeting of RIVJO in Wagga on 28 April 2023. A summary of the main issues addressed is set out below.

- Correspondence is being forwarded to the new Minister for Planning requesting that the Planning Portal be made more user friendly for one-time users.
- RIVJO has participated in the consultations arranged by IPART for the review of the rate peg methodology.
- Renewed representations are being made to the new State Government regarding the rising cost of the Emergency Services Levy and the recognition of RFS assets.

2. RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) – 28 APRIL 2023 AT WAGGA WAGGA

(GM: 23/4900)

I attended the REROC Board meeting in Wagga on 28 April 2023. A summary of the main issues addressed is set out below.

- The Chair and CEO are seeking to arrange a meeting with the new Minister for Local Government.
- A visit to State Parliament by the REROC Board is to be arranged in the second half of the year.

- REROC has still not received a formal response to its representations regarding a Return and Earn Collection Point for Lockhart. The CRC education continues to progress including press (The Rural) and television (Prime and WIN) advertising. Community radio advertising and drink coasters are yet to be rolled out.
- The Take Charge Youth Conference was a great success with almost 140 students and 20 teachers attending including from schools in Lockhart Shire. A date for the 2024 event has been set which is 21 March, just prior to the Easter break.
- Ross Garnaut AC has been secured as the keynote speaker for the Energy and Innovation Conference to be held in September this year.

Peter Veneris
General Manager

3. RIVERINA WATER COUNTY COUNCIL BOARD MEETING - 27 APRIL 2023

(GM: 23/4899)

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 2023 has been received and has been distributed separately to Councillors.

Recommendation: That the Delegates' Reports be received.

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 17 April 2023			
54/23	DEES	<p>Review of Policy 2.35 Collection of Firewood from Council Road Reserves etc</p> <p>That Council give notice of the proposed rescission of Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees.</p>	On exhibition. Complete.
53/23	DEES	<p>Draft Policy – Mowing of Nature Strips</p> <p>That Council place Draft Policy 2.59 Mowing of Nature Strips on public exhibition for a period of not less than 28 days and consider any submissions received.</p>	On exhibition. Complete
Ordinary Council Meeting held 20 March 2023			
44/23	DEES	<p>Lockhart Airstrip</p> <p>That Council:</p> <ul style="list-style-type: none"> • Prepares a new lease for the use of land being Certificate of Title Volume 15397 Folio 249 being Part Portion 49 for use as an airstrip for the amount of \$2,500; • Renews the lease for a period of 12 months, during which time the use of the airstrip be monitored and the formation of a sec355 Committee to manage the airstrip and associated facilities be investigated; • Undertakes a review of the lease to ensure any clauses referring to the Community Forest comply with the gazetted use of that Crown reserve; and • Investigates options for leasing the airstrip hangars to interested parties. 	<p>All submitters have been notified of the resolution.</p> <p>Refer Council Refer Agenda item 3.</p>
30/23	DCCS	<p>Notice of Motion – Cr Day – International Day for People with Disabilities</p> <p>Council considers, subject to funding availability, celebrating International Day for People with Disability held annually on 3 December which aims to increase public awareness, inclusion, understanding and acceptance of people with a disability and celebrate their achievements and contributions to the community, at a venue to be determined.”</p>	Investigating grant funding opportunities.
Ordinary Council Meeting held 13 February 2023			
26/23	GM	<p>Proposed Acquisition of Land</p> <p>That, subject to obtaining the landowner’s consent, Council authorises the General Manager to prepare and submit a development application for the development of a car park on the land situated at Lot 2 DP1196082.</p>	DA requirements currently being determined

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Minute No:	Officer to Action	Council Resolution	Action Taken
21/23	GM	<p>2023/24 Operational Plan and Budget</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse the timeline outlined in the report for the preparation of the 2023/24 Draft Budget and Operational Plan including the conduct of Councillor Workshops on 20 March and 17 April 2023 and a bus tour of the Shire on 20 March 2023. 2. Undertake a Community Satisfaction Survey prepared in-house similar to previous years as part of the 2023/24 budget preparation process. 3. Make provision in the 2024/25 Budget for outsourcing the conduct of a residents' survey to a specialised firm. 	<ol style="list-style-type: none"> 1. Councillor Workshop convened for 4.00pm on 20 March 2023. Bus tour of the Shire arranged for 20 March 2023. Complete. 2. Community Satisfaction Survey results distributed to all Councillors. Refer Agenda item 13. Complete. 3. Draft Budget to be presented to Council on 15 May 2023.
17/23	GM	<p>Revision of Policy 1.25 Australian Citizenship Ceremonies Dress Code</p> <p>That Policy 1.25 Australian Citizenship Ceremonies Dress Code, be placed on public exhibition for a period of not less than 28 days and any submissions received be considered by Council prior to adoption of the Policy.</p>	<p>Policy adopted on 17 April 2023 and Policy Register has been updated. Complete.</p>
16/23	GM	<p>Conflict of Interest Policy – Council Related Developments</p> <p>That Draft Policy 2.58 Conflicts of Interest – Council Related Developments be placed on public exhibition for a period of not less than 28 days and any submissions received be considered by Council prior to adoption of the Policy.</p>	<p>Policy adopted on 17 April 2023 and Policy Register has been updated. Complete.</p>
10/23	DEES	<p>Lockhart Caravan Park Management Contract</p> <ol style="list-style-type: none"> 1. Council invites proposals for the management of the Lockhart Caravan Park through an expressions of interest (EOI) process. 2. A further report be presented to Council following the close of the EOI advertising period. 	<ol style="list-style-type: none"> 1. Expressions of interest closed. Complete. 2. Refer to Council Closed Committee Agenda item 15.

*Lockhart Shire Council
Ordinary Meeting – 15 May 2023*

Minute No:	Officer to Action	Council Resolution	Action Taken
9/23	GM	<p>Disaster Recovery Funding Arrangements</p> <p>In accordance with the outcome of the Councillor Workshop held earlier in the day, Council nominates the following projects for funding under the Local Government Recovery Grants Program:</p> <ol style="list-style-type: none"> 1. Emily Street, The Rock – drainage improvements 2. Cole Street, Yerong Creek – drainage improvements 3. Green Street West, Lockhart – drainage improvements 4. Flood Detour Road – culvert installation 5. Waste Mgt Facilities Access Roads 6. Community information initiative (social media) 7. Access Road – Golf Club 	<p>Projects submitted to the Office of Local Government and funds received.</p> <p>More detailed costings and work plan now being prepared.</p>
7/23	GM	<p>Policy 1.27 Australia Day Awards</p> <p>Place Draft Policy 1.27 Australia Day Awards on public exhibition for a period of not less than 28 days and consider any submissions received.</p>	<p>Policy adopted on 17 April 2023 and Policy Register has been updated.</p> <p>Complete.</p>
Ordinary Council Meeting held 19 December 2022			
267/22	DCCS	<p>The Rock Medical Centre – Lease Renewal</p> <p>That Council negotiates a monthly rental at an amount of up to \$1500 per month.</p>	In negotiations.
Ordinary Council Meeting held 19 September 2022			
195/22	GM	<p>Model Media Policy – Consultation Draft</p> <p>That the information be noted and consideration be given to adopting the Model Media Policy when Council's current Media Policy 1.2 is scheduled for review in October 2023.</p>	Deferred for consideration in October 2023.
Ordinary Council Meeting held 15 August 2022			
160/22	DCCS	<p>Lockhart Out of School Hours (OOSH) Care Service</p> <p>Council undertakes a 12-month trial period of Out of School Hours Care at Lockhart, under a single management structure for childcare services in the Shire.</p>	<p>Inspection took place on Thursday 6 April, follow up action required. At this stage planning to open 2 or 3 weeks into Term 2.</p> <p>Dept of Education approval has been provided. Liaising with school about communicating to families and actual start date.</p>

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Ordinary Meeting – 15 May 2023*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 18 July 2022			
147/22	GM	<p>The Rock Community Centre Council:</p> <p>a) Authorises the General Manager to purchase Lot 2, Section 17, DP758971 in accordance with the updated valuation advice received by Council, and</p> <p>b) Request the General Manager to further investigate the possible purchase of Lot 2, DP1196082 Burke Street, The Rock.</p>	<p>a) Council's acceptance of the asking price has been conveyed to the vendor. Awaiting confirmation from vendor.</p> <p>b) Superseded by minute no.26/23. Complete.</p>
141/22	GM	<p>Request for Council to Purchase Private Access Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.</p>	Survey plan has been completed and forwarded to affected landowners for signature.
Ordinary Council Meeting held 16 May 2022			
109/22	GM	<p>Tender – 109 Green Street Council declines to accept the tender received from ASCO Group (Aust) Pty Ltd for the provision of public toilets at 109 Green Street Lockhart and seek separate quotations for the individual components of the project for the following reasons:</p> <p>a) Seeking separate quotations and being able to negotiate with different contractors for the different components of the project will provide more flexibility in seeking the most cost-effective solution bearing in mind that the funding approved under Round 4 of the Stronger Country Community Fund is less than the amount for which Council applied.</p> <p>b) Accepting the one tender that has been received for the public toilets without a contract in place for the community space component of the project will prove problematic as the community space and landscaping is critical to providing access to the public toilets.</p>	<p>Unsuccessful tenderer notified of Council's decision.</p> <p>Local builder engaged for the public toilets and individual quotations currently being sought for the landscaping component.</p> <p>Landscaping initial cost estimations exceed funding available. Next step is to re-scope landscaping work.</p> <p>Toilets construction is scheduled to commence in the coming weeks.</p> <p>Modular outdoor furniture and seating prices have been sourced.</p>
Ordinary Council Meeting held 21 March 2022			
56/22	GM	<p>Development of Lockhart Industrial Estate Council prepares a subdivision application for the development of Stage 3 of the Lockhart Industrial Estate.</p>	Development application currently being prepared – surveyors engaged.
Ordinary Council Meeting held 18 October 2021			
180/21	TEDO	<p>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.</p>	<p>Information board at Caravan Park to be included in list of locations yet to be scoped.</p> <p>New maps and signs are being progressed.</p>

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Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 16 August 2021			
148/21	GM	<p>Proposed “Tim Fischer Way”</p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>Submission made to the Tourism Attractions Signs Assessment Committee.</p> <p>Plan to incorporate “Tim Fischer Way” touring route on new Visit Lockhart Shire website.</p> <p>New website now is live. Functionality to facilitate “Tim Fischer Way” touring route being developed.</p>
Ordinary Council Meeting held 19 April 2021			
63/21	GM	<p>Residential Development – Lockhart</p> <p>2) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report.</p> <p>3) That the cost of subdividing the land be funded from the Infrastructure Reserve with the proceeds of any land sales to be returned to the Reserve.</p>	<p>The development application for Lot 62 (westernmost lot) has been approved. The application for Lot 90 has now also been approved.</p> <p>Subdivision works to be scheduled.</p>
Ordinary Council Meeting held 15 February 2021			
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>Contracts signed, works to commence after Easter, 11 April 2023.</p>
Ordinary Council Meeting held 20 July 2020			
133/20	GM	<p>Naming of Bridges – Brookong Creek and Urana Lockhart Road</p> <p>1. Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge.</p> <p>2. Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gonyah Bridge, Brookong Creek.</p> <p>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>	<p>Proposed names endorsed 3 April 2023. Signs are being designed for approval.</p>
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>A valuation report has been commissioned and made available to the adjoining landowner.</p> <p>Agreement has been reached for the sale of the land to the adjoining owner based on the market value as determined by the certified valuer.</p>

Lockhart Shire Council
Ordinary Meeting – 15 May 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 17 April 2023 – Councillor Questions & Statements			
Questions and Statements	DEES	<p>Cr Marston: Yerong Creek Mittagong Road Culvert – Trees Encroaching</p> <p>Referred to this culvert (near the Vincents Road intersection) where trees are encroaching on the road, and asked if Council could investigate trimming these trees.</p>	Being investigated.
	DEES	<p>Cr Marston: The Rock Flood Mitigation Pump</p> <p>Referred to the recently purchased pump which has not been deployed in any of the rain events since. Cr Marston asked if it is possible Council staff could be called out to deploy the pump as the SES don't have the manpower to operate the pump as well as sandbagging etc.</p>	In discussion with SES and Council staff.
	DEES	<p>Cr Driscoll & Cr Walker: Street Sweeper</p> <p>Cr Driscoll asked if Council still has a streetsweeper. Cr Walker asked if funds put aside for street sweeping and maintenance, approximately \$40,000, are still available.</p>	Greater Hume Shire have been contracted to reinstate previous street sweeping program. Council staff investigating different models for purchase.
	DEES	<p>Cr Driscoll: Showers & Toilets, The Rock Recreation Ground</p> <p>Has received a complaint regarding cleanliness from a regular user of the showers and toilets at The Rock Recreation Ground. Cr Driscoll asked if there might be a better way to clean them, or whether more regular cleaning might be required.</p>	Cleaning schedule to be reviewed.
	DEES	<p>Cr Mathews: Traffic Committee</p> <p>Requested that Council investigate changing the speed limit from 50kph to 40kph in the business area of Green Street.</p>	Refer to Council Agenda Item 7.
	DCCS	<p>Cr Mathews: Reconciliation NSW 2023 Virtual Breakfast</p> <p>Referred to Reconciliation Week 27 May – 3 June, and suggested Council hosts a simple breakfast at Lockhart Ex-Servicemen's Club on 31 May, with video link to the State breakfast presentation, and invite local organisations and s355 committees to attend.</p>	No pursued.
	DEES	<p>Cr Mathews: Property – Urana Lockhart Road</p> <p>Referred to an untidy property on Urana Lockhart Road and asked if anything can be done to screen the property from the road?</p>	Being investigated.
	DEES	<p>Cr Mathews: East Street Camber</p> <p>Asked if it would be possible to adjust the camber of the East Street/Green Street intersection now that the Athol Pines have been removed as he believes it is dangerous for heavy vehicles.</p>	Lack of accident history and low speed limit does not meet warrant for grant funding or need for re-design.

*Lockhart Shire Council
Ordinary Meeting – 15 May 2023*

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Rockliff: House, Green Street Referred to a property at the eastern end of Green Street with an untidy front yard and asked if Council could do something towards getting this cleaned up.	Council officers have contacted property owner. Complete.
Ordinary Council Meeting held 20 March 2023 – Councillor Questions & Statements			
Questions and Statements	DEES	Cr Walker: Tootool Mittagong Road Bridge Requested the crossing be made passable, to allow the culvert to be cleared of debris.	Works request issued.
	DCCS	Cr Mathews: Housing Shortage Requested a report be brought to Council investigating the feasibility of redeveloping Magnolia Lodge and Council's Youth Flats, with a view to increasing capacity and upgrading the units, if funding became available.	Research under way required for a report.
	GM	Cr Mathews: Veterinary Service Has been approached by the Lockhart Progress Association regarding the lack of a veterinary service in Lockhart. Cr Mathews asked if it would be possible to put a questionnaire in the Council newsletter to gauge demand, to determine feasibility of the service?	A notice inviting feedback and referencing an online survey on Council's website was included in the April Council Newsletter. Complete
Ordinary Council Meeting held 13 February 2023 – Councillor Questions & Statements			
Questions and Statements	DCCS	Cr Marston: Pony Club Stables Asked for an update on the progress of this project.	Shed to be lined weekend of 13/14 May.
	DCCS	Cr Marston: Recreation Ground Lighting Asked if the new lighting will be installed prior to the end of daylight savings?	Meetings have been held with two contractors to source quotes. Under the purchasing policy a third quote is required. Awaiting third quote. AFL funding currently being sought to cover shortfall.
	DCCS	Cr Driscoll: Refurbishment of Changerooms, The Rock Requested an update on the project.	DCCS advised he has sourced one quote and is attempting to source a second quote. The aim is to have the umpires' rooms completed prior to the season commencing and the netball changerooms could possibly be completed during the season. Builder has been delayed and plans to start in next week or so.
	DCCS	Cr Sharp: Old Building, Pleasant Hills Recreation Ground Referred to an old building, possibly change rooms dating back to the 1950's, which have become dangerous, with loose roofing sheets etc. Cr Sharp asked if it can be demolished.	Councillor Sharp is to liaise with "management committee" volunteers to demolish old building. At this stage will be scheduled when crops are in.

Lockhart Shire Council
Ordinary Meeting – 15 May 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 November 2022 – Councillor Questions & Statements			
	DEES	Cr Marston: Wetmores Lane Advised there is a damaged culvert about halfway down this road which is in need of repairs, similar to Grubben Road.	Barriers have been erected. Programmed when water dries out.
	DCCS	Cr Hunter: Tiled Wall outside The Rock Gym Referred to a problem with tiles on the external wall of The Rock Pool near the gym and asked what was being done to rectify the issue.	Builder has made contact and rectification works will be scheduled.
Ordinary Council Meeting held 17 October 2022 – Councillor Questions & Statements			
Questions and Statements	DCCS	Cr Mathews: Minimising Social Isolation Referred to a recent grant opportunity and advised he has spoken with some elderly residents who believe a lack of transport within Lockhart township, i.e. to access the supermarket etc, is a contributing factor to social isolation. Valmar have advised Cr Mathews they are unable to provide the service due to restrictions of the funding stream from Transport for NSW. Cr Mathews asked if there could be discussion with TfNSW to see if this might change.	The Director advised he would be happy to make representations to Valmar, and that a joint request to TfNSW could be possible. The Director also advised he could investigate other possible funding.
	DEES/ DCCS	Cr Verdon: Disability Access Across the Shire Referred to Kurt Fearnley's speech at the recent Lockhart Community Bank branch birthday celebrations. The speech was a reminder that people with disabilities are entitled to access. Cr Verdon suggested an audit be carried out, with a view to improving access across the Shire, making sure all Council facilities are accessible to all residents.	Audit will be undertaken when resources permit. Enquired with a consultant
Ordinary Council Meeting held 18 July 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS/ DEES	Cr Marston – The Rock Pony Club Advised that pony clubs are now required to load and unload horses from their floats in an enclosed area and requested some minor improvements to facilitate this.	Works are being scheduled into the works program.
Ordinary Council Meeting held 20 June 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Hunter – Yerong Creek Bowling Club Advised the Bowling Club are still awaiting receipt of an Occupation Certificate for the building.	An accredited certifier for Class 2-9 buildings has been engaged to review and identify outstanding works to be completed for the issue of an Occupation Certificate. Inspection completed and report has been received. Outstanding works being costed.
Ordinary Council Meeting held 19 April 2022 – Councillor Questions & Statements			
Questions & Statements	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.	Requires substantial rectification works, has been included in heavy patching program. Complete.

Lockhart Shire Council
Ordinary Meeting – 15 May 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 10 January 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Driscoll: Technology 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.	Purchase Order has been issued to commence supply and installation.
Ordinary Council Meeting held 18 October 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Marston: Sign, The Rock Recreation Ground 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.	Work to be programmed. Alternate proposal suggested by staff.
Ordinary Council Meeting held 21 June 2021 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Driscoll: Community Reflection Space 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.	Design finalised. Quotations for work being sought.

Correspondence Received

Date sent to Councillors	From	Subject
19 April 2023	Executive Assistant	Forwarding LG NSW Weekly News dated 18 April 2023.
24 April 2023	Executive Assistant	Forwarding ALGA News and Policy Roundup dated 24 April 2023.
27 April 2023	Mayor (via Executive Assistant)	Mayoral Update
27 April 2023	Executive Assistant	Forwarding LG NSW Weekly News dated 26 April 2023.
27 April 2023	Cr Mathews (via Executive Assistant)	Request for Support at upcoming meeting of Lockhart Show Society.

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

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. PHASE 4 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANTS PROGRAM (GM: 23/5121)

Executive Summary

Further information has been received regarding Phase 4 of the Local Roads and Community Infrastructure grants program.

Report

Correspondence has been received from the Minister for Infrastructure, Transport, Regional Development and Local Government regarding Council's Phase 4 funding allocation for the Local Roads and Community Infrastructure (LRCI) Program.

The Government has committed \$750 million to Phase 4 of the LRCI Program which includes two components of funding as follows:

1. Part A: \$500 million to spend on priority local road and community infrastructure projects,
2. Part B: \$250 million to spend on road projects in rural, regional and outer urban areas.

The following amounts have been allocated to Lockhart Shire Council:

1. Part A: \$846,561 to spend on priority local road and community infrastructure projects,
2. Part B: \$488,315 to spend on road projects in rural, regional and outer urban areas.

The first three Phases of the LRCI grants program comprised only of the Part A funding. Allocations for the Part B funding component introduced as part of Phase 4 of the program are available to councils classified as rural, regional or outer-urban to spend on road projects. 466 of Australia's 550 councils will receive a Part B funding allocation. The Government has drawn on the Australian Classification of Local Governments, as the framework underpinning the determination of eligible councils for this funding component.

Phase 4 Guidelines are expected to be released ahead of the opening of Phase 4 on 1 July 2023, with projects to be completed by 30 June 2025.

Guidelines and grant agreements will be finalised by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts over the coming months.

It is proposed to convene a Councillor Workshop to consider projects that could be funded under Phase 4 of the LRCI grants program once the Program Guidelines have been released.

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 Councillor Workshop to consider projects that could be funded under Phase 4 of the LRCI grants program be convened once the Phase 4 Program Guidelines have been released.

2. REQUEST FOR FINANCIAL ASSISTANCE – THE ROCK GOLF CLUB

(GM: 23/5210)

Executive Summary

A request for financial assistance has been received from The Rock Golf Club which is tabled for Council's consideration.

Report

Two requests for financial assistance have been received from The Rock Golf Club, one in the form of an interest free loan and the other a grant or donation pursuant to section 356 of the Local Government Act. The requests are summarised below.

1. Interest Free Loan

The Rock Golf Club is requesting an interest free loan of \$20,000 to repay its members for funds they have lent to the Golf Club to purchase a tractor. The Golf Club recently purchased a second-hand tractor with a front end loader to maintain The Rock Golf Course, Showground and Observatory area.

The Club's existing tractor which is manufactured in 1981 does not meet work, health and safety standards and is outdated, uncomfortable and unreliable to complete the task of mowing and tidying the 40 hectares of Crown land that is The Rock Golf Club and Showground and Regional Observatory.

More details regarding the Club's request are contained in the letter from the Club President, a copy of which is attached.

Council has previously agreed to provide interest free loans to user bodies of local Crown reserves, the most recent being to the Lockhart Football Netball Club, and therefore the request is supported.

2. Financial Assistance

The Club is seeking funding to complete minor improvements to its club house as summarised in the table below.

Item	Estimated cost
Painting of club house (interior and exterior)	\$12,000
Club House toilet repairs and upgrade	\$1,500
Solar Panels	\$6,000
New BBQ*	\$3,000
Ice Maker**	\$1,500
Total	\$24,000

* The current BBQ is heavy and requires three strong men to carry it out of the clubhouse which is a concern for the health and safety of members.

** Ice Maker will assist the Club in providing cool drinks, medical aid etc for the Junior clinics and large community days that are held.

More information regarding the Club's request is contained in the attached email.

Pursuant to Section 356 of the Local Government Act a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions. Council has allocated an amount of \$52,000 in the 2022/23 Budget for this purpose.

An amount of \$31,072 has been spent to date and with only one Council meeting remaining in the 2022/23 financial year an amount of \$20,928 remains available and could be provided to The Rock Golf Club without exceeding the budget allocation.

It is noted that the amount remaining in the Section 356 Contributions budget is less than the amount being sought by the Club. A contribution of \$18,000 would enable all the improvements to be carried out with the exception of the installation of solar panels.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

Council has allocated an amount of \$52,000 in the 2022/23 Budget for the consideration of requests for financial assistance pursuant to Section 356 of the Local Government Act.

An amount of \$31,072 has been spent to date and with only one Council meeting remaining in the 2022/23 financial year an amount of \$20,928 remains available without exceeding the budget allocation.

Attachments

1. Letter from the President of The Rock Golf Club dated 12 April 2023
2. Email from The Rock Golf Club dated 16 April 2023.

Recommendation: That Council provide an interest free loan in the amount of \$20,000 to the Rock Golf Club for its acquisition of a second-hand tractor with a front end loader and a contribution of \$18,000 towards clubhouse improvements pursuant to section 356 of the Local Government.

Staff Report 2: Attachment 1 –Letter from The Rock Golf Club

THE ROCK GOLF CLUB 3778 Lockhart-The Rock Road THE ROCK NSW 2655
c/- John Jarick 112 Old Station Road THE ROCK NSW 2655

Mr Peter Veneris
General Manager Lockhart Shire Council
PO Box 21 LOCKHART NSW 2656

12th April 2023

Dear Peter,

I am making a request on behalf of The Rock Golf Club for an Interest-Free Loan of \$20,000 to repay our members for money they lent the Golf Club to buy a tractor. The Rock Golf Club recently bought a second-hand Tractor with a Front end Loader to maintain The Rock Golf Course, Showground and Observatory area.

We have over 60 members and provide the community with year-round Golf Competitions each Friday and Sunday, as well as Tournaments and an Annual Meals On Wheels Charity Day. We also offer Free Junior Golf Clinics which attract 30 to 40 school aged children each Tuesday for approximately 10 weeks of the year, as well as an honesty box for any Locals or golfers passing through who would like to play our course.

Our current self-funded tractor, manufactured in 1981, does not meet occupational health and safety standards and is outdated, uncomfortable and unreliable to complete the task of mowing and tidying the 40 hectares of Crown Land that is The Rock Golf Club and Showgrounds and Regional Observatory. It has no cabin, no air conditioning and the power take-off does not stop when the driver gets off the tractor. It also emits unbearable heat from the engine onto the driver in hot weather, during the 9 to 10 hours of mowing time it takes just to maintain the Golf Course area. It is not as fuel efficient as the newer tractors and does not have a front end loader, which would be invaluable when clearing fallen limbs and transporting sand around the course.

Our Club is proudly run by Volunteers and has been saving for several years to update their tractor. However, such was the need for an update, that we recently took the opportunity to buy an appropriate tractor at a local clearing sale on 31st March. We paid \$61,600 for the tractor on 3rd April. Golf Club members offered \$48,000 from their private savings to allow the purchase. \$28,000 of that amount will be repaid in May 2023 when our Term Deposit is released. This means that The Rock Golf Club will be able to put \$41,600 towards the purchase and still have enough money left in the bank to run the Club. However, the remaining \$20,000 will have to be repaid to members over the coming years, as the Club's funds rebuild.

If an interest-free loan for \$20,000 is secured from Lockhart Council we could repay our members much sooner. We estimate that due to the passionate commitment of our members, we could repay Council over 4 years at \$5,000 per year. I would be most appreciative if this request could be included in the April Council Meeting.

Kind Regards



John Jarick
President The Rock Golf Club

Staff Report 2: Attachment 2 – Email from The Rock Golf Club

SUBJECT: COUNCIL MEETING 17 APRIL - Funding request for The Rock Golf Club as user of Section 355 - Lockhart Shire Council

It is with great pride and pleasure I approach Lockhart Council on behalf of The Rock Golf Club.

The Club is seeking funding to complete some minor improvements to our club house which is located on Section 355 grounds in The Rock NSW. We ask the Council to kindly consider our request at the next Council meeting scheduled 17th April 2023.

The Rock Golf Club is a club on the move. Our member numbers have significantly increased in the past few years, up around 40% with a many of the new members being ladies. Our Tuesday Juniors Clinic is thriving, with around 50 young Lockhart shire kids now in attendance. We also host a number of charity events throughout the year, one of our most well known being the Meals on Wheels Charity Golf Day.

Golf is a sport that doesn't discriminate and The Rock Golf Club has, and welcomes a diverse mix of people - from adults of all genders, young adults, children and first nations people to name a few. Our club is passionate about the sport of golf itself, almost as passionate as we are about our wonderful local community. Whilst it is widely known golf provides excellent physical health benefits, golf is also excellent in fostering good mental health. The camaraderie and consistent, regular connection opportunities our club provides helps to instil a strong sense of confidence, self-esteem and self-pride, particularly in our younger members. I speak for nearly everyone at the club when I say this is at the heart of what provides the most fulfillment of what we are doing at the club.

Our current club house facilities are tired and do not match the enthusiasm and strength of our Club as it has grown and evolved over time. With improved facilities, we intend to continue the good things we are doing for our community as well as opening the door to new opportunities for other community groups that share our same core values.

Below is our list of items for which we are seeking your financial support:

		<i>Estimated cost</i>
1.	<i>Painting of club house (interior and exterior)</i>	<i>\$12,000</i>
2.	<i>Club House toilet repairs and upgrade</i>	<i>\$1,500</i>
3.	<i>Solar Panels</i>	<i>\$6,000</i>
4.	<i>New BBQ*</i>	<i>\$3,000</i>
5.	<i>Ice Maker**</i>	<i>\$1,500</i>
	Total	\$24,000

**The current BBQ is heavy and requires three strong men to carry it out of the clubhouse which is a concern for the health and safety of our members.*

***Ice Maker will assist us in providing cool drinks, medical aid etc for the Junior clinics and large community days that we host.*

Should we be successful in our application, please note we would be happy to supply Tax Invoices for the Council to pay suppliers and providers on our behalf.

I can be contacted on any of the numbers noted below should you have questions.

Thank you for your consideration.

Best regards,

Alison Rumble – for and on behalf of The Rock Golf Club

3. APPOINTMENT OF SECTION 355 COMMITTEES

(DCCS: 23/5225)

Executive Summary

Requests have been received for the establishment of Section 355 Management Committees for the Lockhart Golf Course and the Lockhart Airstrip.

Report

Section 355 of the Local Government Act provides that a function of the Council can be exercised by a committee of the Council. Council has a number of committees established pursuant to section 355 to manage various Council facilities such as recreation reserves, public halls and showgrounds.

Council has received requests for the establishment of Section 355 Management Committees for the Lockhart Golf Course and the Lockhart Airstrip as follows:

Lockhart Golf Course

The Lockhart Golf Club leases a Crown reserve directly from the Crown Lands Office for the purposes of its clubhouse. However, the golf course is situated on a separate Crown reserve i.e. Reserve 620047, for which the Council is the Crown Land Manager.

It is recommended that a Section 355 Committee be established and that Council delegate to that committee care, control and management of the golf course being that part of Crown Reserve 620047 as shown on the attached plan.

Lockhart Airstrip

At the ordinary meeting held on 20 March 2023 it was resolved that Council:

- a) *Prepares a new lease for the use of land being Certificate of Title Volume 15397 Folio 249 being Part Portion 49 for use as an airstrip for the amount of \$2,500.*
- b) *Renews the lease for a period of 12 months, during which time the use of the airstrip be monitored and the formation of a Section 355 Committee to manage the airstrip and associated facilities be investigated.*
- c) *Undertakes a review of the lease to ensure any clauses referring to the Community Forest comply with the gazetted use of that Crown reserve, and*
- d) *Investigates options for leasing the airstrip hangars to interested parties.*

With respect to b) above there has been sufficient interest expressed by users of the airstrip for the formation of a Section 355 Committee.

Whilst the airstrip is situated on land leased by Council from a private landowner, the hangars are situated on Reserve 620047.

Accordingly, it is proposed that a committee be established pursuant to Section 355 and that Council delegate to that committee care, control and management of the Lockhart Airstrip and that part of Crown Reserve 620047 as shown on the attached plan which contains the hangars.

Section 355 committees can be dissolved by Council at any time and therefore the management committee's continued operation can be reviewed when the Council's lease of the airstrip is also reviewed in accordance with part b) of the Council resolution referred to above.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Committees are established by a resolution of Council pursuant to Section 355 of the Local Government Act. The Council may dissolve any such Committee at any time.

Once a committee is established by a Council resolution, the Council may, pursuant to section 377 of the Local Government Act, delegate certain functions to that committee.

Budget & Financial Aspects

Council's annual budget makes provision for financial support to be provided to all committees established pursuant to Section 355 of the Local Government Act.

Subject to Council resolving to establish Section 355 Management Committees for the Lockhart Golf Course and the Lockhart Airstrip, an appropriate provision will be made in the 2023/24 Draft Budget.

Attachments

1. Plan of Lockhart Golf Course and Airstrip

Recommendation: That Council:

1. Establish the Lockhart Golf Course Management Committee pursuant to section 355 of the Local Government Act and delegate to that Committee, care, control and management of the Lockhart Golf Course, being part Crown Reserve 620047 as shown on the attached plan, pursuant to section 377 of the Local Government Act.
2. Establish the Lockhart Airstrip Management Committee pursuant to section 355 of the Local Government Act and delegate to that Committee, care, control and management of the Lockhart Airstrip and that part of Crown Reserve and Hangers being that part of Crown Reserve 620047 as shown on the attached plan on which the Hangers are situated, pursuant to section 377 of the Local Government Act.

Staff Report 3: Attachment 1 – Plan of Lockhart Golf Course and Airstrip



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STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

Nil.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

4. REVIEW OF FOGO COLLECTION

(DEES: 23/4975)

Executive Summary

Collection of Food Organics Garden Organics (FOGO) has occurred since 2020. A review of the service was requested by Council.

Background

Council received grant funding from the NSW State Government – Environment Protection Agency (NSW EPA) to introduce FOGO in 2020. The grant provided residents with a green FOGO bin and a kitchen caddy. Green bins are collected weekly by Cleanaway and taken to our waste facility in Lockhart.

The benefits of the FOGO collection are:

- Reduction in greenhouse gas emissions generated when green waste decomposes anaerobically
- Diverts waste away from landfill and the limited cell space at Lockhart Tip
- Produces a material that can be used on Council property saving the cost of purchasing materials
- Identifies Council as a progressive organisation that operates in line with its values and Community Strategic Plan goals.

At the April 2023 Budget Workshop, Council asked for a review of the FOGO service.

Report

New plant to increase the capacity of FOGO processing has been included in the draft budget. The current annual costs for Councils FOGO collection are approximately \$48,000 in plant and labour and \$70,547 in collection fees for a total cost of \$118,547. Purchasing of the new plant would reduce the time it takes to process the FOGO or alternatively Council could accept greater volumes of material.

If Council were to collect FOGO but transfer FOGO to another facility, costs are estimated at \$91,081 for collection, an increase of \$20,533. The fees for disposing of the waste are estimated at \$46,748 based on current fees and charges. The total cost to process FOGO at another facility is estimated at \$137,829.

In addition to the above, in 2021 the NSW Department of Planning Industry and Environment released the *NSW Waste and Sustainable Materials Strategy 2041*. The strategy mandates FOGO collection for all councils by 2030.

Integrated Planning and Reporting Reference

C1: Our environmental practices are sustainable.

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

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

\$70,000 has been included in the draft budget for the purchase of new plant.

Attachments

Nil.

Recommendation: That Council notes the report.

5. VARIATION TO DEVELOPMENT CONTROL PLAN FOR DA46/23

(A/MES:23/4954)

Executive Summary

Development Application DA46/23 has been lodged with Council seeking consent for the construction of a new colorbond shed at 64 Urana Street, The Rock. The proposed development is not consistent with the building line setback of the Lockhart Development Control Plan 2016 and therefore is presented for Council's consideration.

Background Information

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

Report

Section C 2.2 *Side Setback* of the DCP requires all buildings to be setback three metres from side street (secondary street) boundaries. The Applicant has submitted a written statement requesting to reduce the building line setback from Cornwall Street to one metre from the boundary.

In determining this request Council needs to consider the following matters:

- Streetscape – The proposed shed is to be located in the rear yard. The land is also serviced by rear lane access, to which the applicant intends to make full use by providing vehicular access into the proposed building. In addition, a new vehicle access from Cornwall Street to the shed is proposed to create a “drive through” to minimise reversing onto the street.
- The streetscape and building line setback of Cornwall Street vary throughout with some sheds south of Urana Street being setback one metre.
- The building will be of a low-reflective, pre-finished material which is consistent with the design in the locality. Once constructed noise issues are unlikely as the building is for storage, and existing services remain unaffected.

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

Integrated Planning and Reporting Reference

D3.2: Land use that supports the development of our Community.

Legislative Policy and Planning Implications

The development as proposed requires a variation to Council's DCP.

In accordance with Sec 4.15 of the Environmental Planning and Assessment Act 1979, Council is to consider, as with all development applications, the likely impacts of that development, and the suitability of the site for the development.

Budget and Financial Aspects

Nil.

Attachments

1. Application for variation from applicant
2. Site Plan
3. Elevation

Recommendation: That Council grant consent for a variation to the Lockhart Development Control Plan, for DA46/23, thereby permitting a decreased building line setback of one metre for the proposed new shed at 64 Urana Street, The Rock.

Staff Report 5: Attachment 1 – Application for Variation to DCP – DA46/23



LOCKHART SHIRE COUNCIL

85 Green Street LOCKHART NSW 2856 PO Box 21 LOCKHART NSW 2856
Ph: (02) 6920 5305 Fax: (02) 6920 6247 Email: mail@lockhart.nsw.gov.au
Website: <http://www.lockhart.nsw.gov.au>

DA46/23; PAN-304662

Application for Variation to Development Control Plan

DA46/23			
Subject of Land:	64 Urana Street, THE ROCK		
Applicant	Jordan Kemp		
Email:	Jordan.Kemp14@hotmail.com		
House No	Street		
Town			
Lot	Section	DP	

Information for the applicant

Notwithstanding any provisions of this DCP, other than those standards included in other legislation or are only permitted to be varied as development standards, Council may consider a variation to the DCP.

- Any application which seeks to vary a development control under Council's Development Control Plans (DCP) must be supported by a written request. Applicants should use this proforma to address any relevant matters.
- No guarantee can be given that the request will be supported. The nature of the variation will determine whether it can be determined under delegation or at a council meeting. You are strongly encouraged to design within the DCP controls.
- You may attach additional information to this form if there is insufficient room.

Details of the Development Control Plan proposed to be varied

Part proposed to be varied – (for example – part 2.2 residential and village development)

part 2.2 residential and village development, Side setback secondary road (Cornwall Street)

What control/s is/are proposed to be varied?

1m setback from secondary road boundary instead of required 3m

Why is/are the control/s unreasonable for the proposal?

a 3m setback results in smaller backlane access and restricted access to backyard

How does the proposal meet the objectives of the above mentioned control?

larger backyard access and more useable yard space.

Any other considerations?

Lockhart Shire Council
Ordinary Meeting – 15 May 2023

LOCKHART SHIRE COUNCIL

PO BOX 21

LOCKHART NSW 2656

Phone: (02) 69205305

e-mail: development@lockhart.nsw.gov.au

web: www.lockhart.nsw.gov.au

	BR	DA46/23
	File: SC342 , Record 23/	
Applicant	Jordan Kemp	
Address	64 Urana Street, The Rock	
Contact number		
Email		
Proposed Development	variation to DCP	
Subject Land	64 Urana Street, The Rock	
Date	21.04.2023	

Council has prepared a fee schedule including all fees considered for Development Application (DA), Construction Certificate (CC), Complying Development (CDC), Section 68 Plumbing & Drainage (S68) and Long Service Levy (LSL) as applicable. To lodge your application you are required to pay the DA/CDC fee as a minimum. All other fees will be due when applying for a CC, OC or Subdivision Certificate, where Council is nominated to complete the assessment. An application for CC and S68 is to be lodged separately through the Planning Portal. **Please note:** Longservice levy can also be paid direct to the Long Service Corporation's online portal: <https://www.longservice.nsw.gov.au/> Please email proof of payment to development@lockhart.nsw.gov.au

Council's fees for a variation to DCP are as follows:

Description	Amount \$	Due	Office Use Only
Complying Development Certificate (CDC)	\$	CDC	2020-1140-0000
Development Application (DA)	\$	DA	2020-1140-0000
Construction Certificate (CC)	\$	CC	2020-1160-0000
# x Inspections @ \$160 each (any additional inspection incur \$160)	\$	CC	2020-1195-0000
NSW Government Long Service Levy (LSL rate 0.35%)	\$	CC	1490-5060-0000
Section 7.12 - Development Contributions (0.5% or 1%)	\$	CC	2020-1405-0000
Occupation Certificate (OC)	\$	OC	2020-1170-0000
Variation to the Lockhart Development Control Plan (DCP)	\$	100.00 DA	2020-1165-0000
Section 4.55 - Modification of a consent	\$	DA	2020-1165-0014
Section 4.6 - SEPP1- Variation to Development Standard (LEP)	\$	DA	2020-1165-0003
Subdivision creating ## Lots	\$	DA	2020-1144-0000
Administration fee - Referral Integrated Development/Concurrence	\$	DA	2020-1165-0013
Subdivision Certificate	\$	OC	2020-1144-0000
Section 58 - Application to install Manufactured Home	\$	DA&S68	2020-1165-0021
Section 58 - Application for plumbing and drainage	\$	S68	2020-1180-0000
Section 58 - Connection to Council's Sewer System - Headworks	\$	S68	8405-1310-0000
Section 58 - Application to install a Wood Heater	\$	S68	2020-1165-0020
Section 138 - Application for Road Opening Permit	\$	CC	1060-1520-0002
Section 9.26 - Building Information Certificate	\$		2020-1160-0000
Schedule 4 - Advertising as per the EP&A Regulation 2021	\$	DA	2020-1165-0001
Security deposit (2nd hand relocatable home)	\$	DA	1490-5070-####
Purchase and search of Title	\$		2020-1195-0002
Printing fees as per Fees and Charges	\$		1020-1020-0001
TOTAL	\$	100.00	

LSC Fees and Charges 2022-2023 apply

PAYMENT DETAILS

Direct Deposit:

Lockhart Shire Council
85B 633000, Account 119435754
Reference: DA and your Name

Credit Card Payment

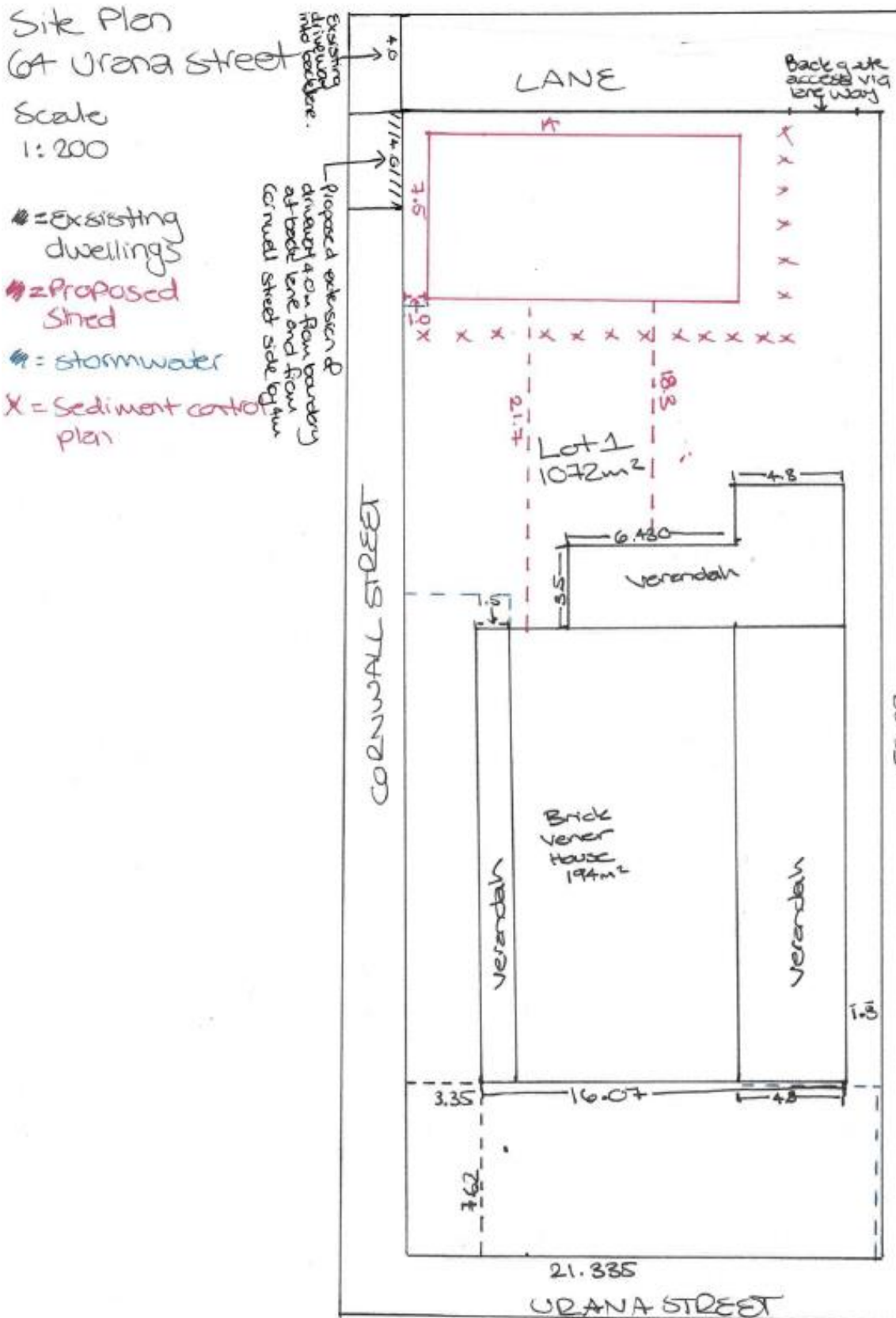
If you will be paying by credit card, Council will contact you to complete the transaction.

Name

Phone number

****Please do not provide any credit card details on this form or in any email****

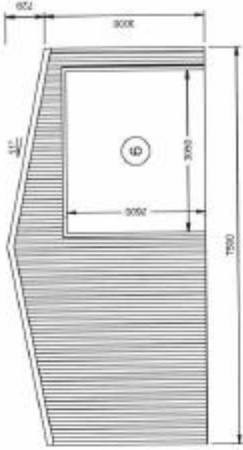
Staff Report 5: Attachment 2 - Site Plan – DA46/23



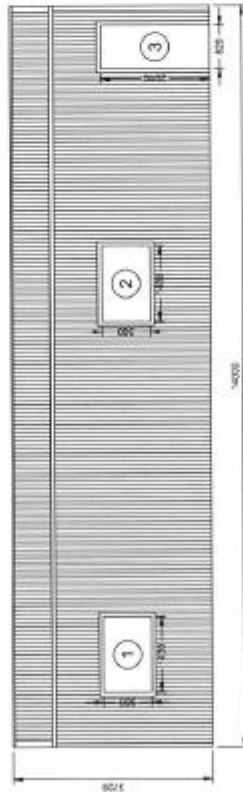
Staff Report 5: Attachment 3 - Elevations – DA46/23



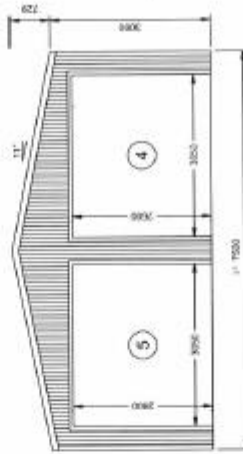
2 LEFT ELEVATION
 SCALE: 1/75



3 REAR ELEVATION
 SCALE: 1/75



1 RIGHT ELEVATION
 SCALE: 1/75



4 FRONT ELEVATION
 SCALE: 1/75

 <p>151 Devonian Drive Road Berrigan Shire NSW 2677 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au</p>	<p>CIVIL & STRUCTURAL ENGINEERS EMERALD CANILLO PINEDA MORENO 20 00 2122</p> <p>Signature: </p>	<p>Customer Name: Jordan Kemp Site Address: 64 Loughs of The Rock, NSW, 2005</p> <p>DATE: 26-05-2022 JOB NO: 00000311 SHEET: 2 OF 6</p>
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STRATEGIC DIRECTION D: Infrastructure for the Long-Term Needs of the Community

6. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT

(DEES:23/5005)

Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

General

Seven new street lights have been installed in Green Street, Lockhart. Three have been installed between Urana Street and the caravan park, four in the main business district.

Grant applications have been submitted to Department of Planning and Environment for the review of the Lockhart Flood Study and for Yerong Creek Flood Study.

Council received \$2,426,764 under the Regional and Local Roads Program. The proposed program of works comprises stabilisation works as follows:

1. MR59 Wagga Road
2. MR59 Urana Road
3. MR370 Albury Road
4. MR543 The Rock Collingullie Road
5. MR543 Urana Street, The Rock
6. Western Road
7. The Rock Bullenbong Road

Culvert repair and drainage maintenance will also be undertaken under the program.

In 2020 Council received funding to undertake an Integrated Water Cycle Management (IWCM) study. NSW Public Works were engaged to prepare the IWCM. As part of the IWCM a scoping study for the replacement of the Lockhart Sewerage Treatment Plant (STP) has been prepared. The scoping study outlines four scenarios. It is proposed to hold a workshop prior to the next council meeting for NSW Public Works to explain the four scenarios to Council.

The State Government Growing Regional Economies Fund (GREF) was opened for Expressions of Interest (EOI) in February 2023. EOIs are due 23 May 2023. Eligible projects include enabling infrastructure that can be linked to economic growth and employment. Grant amounts are from \$2,000,000 to \$30,000,000 with a minimum co-contribution of 25%. The GREF allows for infrastructure including roads and services to develop housing linked to economic growth. It is proposed to lodge an EOI for the infrastructure in Prichard Place including the development of council owned units.

a) **Works**

Works September Storm Event:

Emergency works for the September 2022 storm event are continuing on rural and unsealed roads. Working with Damage Control Project Management (DCPM) regarding funding for weather affected roads. Ongoing.

Prichard Place – Residential Subdivision:

Quotations have been sought from engineering consultants.

Lockhart Kywong Road:

Fargunyah Lane: Design in progress. Has been submitted for funding in next years REPAIR program.

Mittagong Yerong Creek Road:

Clearing works have commenced with the removal of several trees. All culverts delivered.

The Rock Mangoplah Road:

Shoulder widening has commenced on The Rock Mangoplah Road east of Jaegers Lane.

Henty Pleasant Hills Road:

Project has commenced.

Depot Improvements:

Security gates for the Lockhart works depot have been installed. Office/lunchroom for The Rock depot has been installed, power and water services connected.

Reseal Program:

The reseal program completed for 2022/23. Linemarking is being undertaken.

Unsealed Roads:

Unsealed Road Maintenance of Shire gravel roads has been conducted on: Boyds Lane, Browns Lane, Humphrys Lane, Dick Knobles Lane.

Maintenance Crews:

Both the bitumen and maintenance crews have been kept busy with an increase of pavement failures due to the weather, routine maintenance has continued on our Local and Regional Roads. Maintenance crews have been attending to the back log of customer enquiries.

b) **Parks & 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 for the day. The Victoria Cross sculpture by David Fenwick and purchased by the Lockhart & District Community Bank – Bendigo Bank was placed at the Lockhart cenotaph for the ANZAC day ceremony. The permanent position has been agreed upon; works will be scheduled when resources are available.

Walter Day Park:

The shade sail over the playground has been removed for repairs.

Weed Control:

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

Trees:

Removal of Athel Pines on East St/Albury Rd has been completed. Annual under-pruning of Council's street trees and pruning of limbs protruding into urban lanes will commence shortly.

c) **Biosecurity**

Weeds:

Property Inspections

Inspections were carried out on residential and rural properties, which contained Coolatai grass (*Hyparrhenia hirta*) in historical inspections, or which were selected due to a change in ownership.

The most commonly found weeds were Bridal creeper (*Asparagus asparagoides*), African lovegrass (*Eragrostis curvula*), Bathurst burr (*Xanthium spinosum*), Coolatai grass (*Hyparrhenia hirta*), Horehound (*Marrubium vulgare*), Prickly pear (*Opuntia* sp.), Privet (*Ligustrum* sp.), Silverleaf nightshade (*Solanum elaeagnifolium*), St. John's wort (*Hypericum perforatum*) and Willow (*Salix* sp.) respectively.

First Inspections	Re-inspections required	Second Inspections	Biosecurity Undertakings Accepted	Biosecurity Directions Issued	Third Inspections	Fourth Inspections
6	2	1	0	0	0	0

Control Program

Priority has been given to the control of African lovegrass (*Eragrostis curvula*), Bathurst burrs (*Xanthium spinosum*), Blue heliotrope (*Heliotropium amplexicaule*), Feathertop Rhodes grass (*Chloris virgata*), Horehound (*Marrubium vulgare*), Noogoora burr (*Xanthium occidentale*), Prickly pear (*Opuntia* sp.), St. John's wort (*Hypericum perforatum*) and Yellow flowered devil's claw (*Ibicella lutea*) on roadside reserves and council managed land.

Pests:

Autumn Fox Baiting Program

Autumn fox baiting is scheduled to begin on 2 May, with bait distribution occurring on the Galore Hill Scenic Reserve and Kincaids Reserve.

Common White Snail Baiting Program

Snail baiting application occurred on Fairview Lane on 3 April.

d) **Development Approvals**

The following development applications were approved, with conditions, from 1 April to 30 April 2023.

DA/CDC No	Development	Applicant	Site of Development
45/23	Detached Shed	C Wendt	9 Rockliff Court, Lockhart
CDC47/23	Inground swimming pool	B & C Pearse	1 Bond Street, Lockhart

Legislative Policy and Planning Implications

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

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

Integrated Planning and Reporting Reference

C2: Flora and fauna are protected across the Shire.

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

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

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

Nil

Recommendation: That Council

- a) Notes the information provided in the Engineering and Environmental Services report;
- b) Convene a workshop to be held on 19 June at 4:00pm to discuss the Integrated Water Cycle Management Plan and scoping study for the Lockhart Sewerage Treatment Plant;
- c) Endorse the submission of an EOI under the Growing Regional Economies Fund enabling infrastructure services in Prichard Place.

7. PROPOSED SPEED LIMIT CHANGES – GREEN STREET, LOCKHART

(DEES: 23/4988)

Executive Summary

Green Street Lockhart meets the criteria for a 40km/h High Pedestrian Activity Area in the Transport for NSW guidelines.

Background

At the April Council meeting Cr Mathews requested that Council investigate changing the speed limit from 50km/h to 40km/h in the business area of Green Street. The matter was also raised at the April Traffic Committee meeting.

Report

Transport for NSW (TfNSW) has published a guide for installing 40km/h speed limits in high volume pedestrian areas. The guide states that the consideration of a 40km/h speed limit is appropriate in several cases, including suburban shopping strips such as Green Street, Lockhart and Urana Street, The Rock. If approved funding can be applied for through TfNSW for items such as signs and linemarking.



Figure 1. Example of relevant signage

Before progressing the application through the TfNSW Regional Road Safety Manager, consultation with the community would be appropriate.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Approval will need to be gained from TfNSW through the Regional Road Safety Manager and Local Traffic Committee.

Budget and Financial Aspects

Funding for signage and line marking is available through TfNSW.

Attachments

Nil.

Recommendation: That Council seeks community feedback on a proposal to reduce the speed limit to 40km/h in Green Street, Lockhart between Urana Street and Matthews Street.

STRATEGIC DIRECTION E: Strong Leadership and Governance

8. INVESTMENT AND BANK BALANCES REPORT – APRIL 2023

(DCCS: 23/5309)

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			2,020,444.77
Add: Total Receipts			
	Rates	89,558.83	
	Debtors	27,618.03	
	Miscellaneous	44,465.61	
	Interest	51,765.11	
	Sale of Plant	32,271.58	
	Return of Investment	500,000.00	
			745,679.16
Less: Total Payments			1,154,452.33
	New Investments	0	0.00
Closing Combined Cashbook Balance			1,611,671.60
Closing Bank Statement Balance	Bendigo Bank	1,179,072.42	
	Macquarie Bank	394,348.50	
	Bendigo Bank-Prichard Trust	31,753.75	
			1,605,174.67
Add: Outstanding Deposits			11,078.43
			1,616,253.10
Less: Outstanding Cheques			4,581.50
Closing Combined Cashbook Balance			1,611,671.60

Investments:	Interest Rate per Annum	Amount Invested	% of Total
Bank of Queensland	4.45	500,000.00	4.89
Bendigo Bank	4.00	500,000.00	4.89
Bendigo Bank	3.90	500,000.00	4.89
Bendigo Bank	4.05	250,000.00	2.44
Bendigo Bank	4.10	400,000.00	3.91
Bendigo Bank	4.25	500,000.00	4.89
Bendigo Bank	at call	79,595.83	0.78
Commonwealth Bank	4.24	500,000.00	4.89
Commonwealth Bank	4.22	500,000.00	4.89
Commonwealth Bank	4.23	500,000.00	4.89
Commonwealth Bank	4.21	500,000.00	4.89
Commonwealth Bank	4.22	500,000.00	4.89
MACQUARIE BANK	4.26	500,000.00	4.89
MACQUARIE BANK	4.26	500,000.00	4.89
MACQUARIE BANK	4.32	500,000.00	4.89
MACQUARIE BANK	4.32	500,000.00	4.89
MACQUARIE BANK	4.26	500,000.00	4.89
National Australia Bank	4.05	500,000.00	4.89
National Australia Bank	4.25	500,000.00	4.89
National Australia Bank	4.27	500,000.00	4.89
National Australia Bank	4.15	500,000.00	4.89
National Australia Bank	4.31	500,000.00	4.89
		10,229,595.83	100.00
			AMOUNT
	1490-3000-0000		(885,212.90)
Combined Sewerage	8490-3000-0000		2,465,130.75
Trust Fund	9991-3000-0000		31,753.75
		1,611,671.60	1,611,671.60
	TOTAL FUNDS HELD ARE:	11,841,267.43	

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 2022/23 Operational Budget has forecast a total of \$39,750 income from interest on investments for General Fund & Sewer Fund combined. For the period July 2022 to April 2023, the average end of month balance of funds invested has been \$9.13 million and the average return on invested funds has been 3.40%. On these year-to-date figures, Council's budgeted income on investments will be achieved for the General Fund and Sewer Fund. This will be monitored and if required adjusted at the next 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 April 2023 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

9. QUARTERLY BUDGET REVIEW – MARCH 2023

(DCCS: 23/5295)

Executive Summary

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

Report

General Fund

When Council adopted the 2022-2023 Operational Plan Budget in June 2022 Council budgeted for a surplus of **\$13,177.00**. The Budget Review at 31 March 2023 indicated an estimated **SURPLUS of \$5,436.00** as at 30 June 2023 after taking into account movements in revenue and expenditure for the first quarter.

Adjustments greater than \$10,000 and/or greater than 10% of the Amended Budget post the December 2022 Review are summarised on pages 2 and 3 of the Quarterly Budget Review for March as provided under separate cover.

Movements are listed by:

- Operating Income Increase
- Operating Income Decreases
- Operating Expenditure Decreases
- Operating Expenditure Increases
- Capital Expenditure Decreases
- Capital Expenditure Increases

Interest On Investment: the increase in interest rates has resulted in Council's Budget estimate to significantly improve, with a further adjustment of \$72,000.

Outdoor Staff - Oncost Recoveries: when developing the budget estimates for this financial year there were some changes to the methodology with regards to On-Costs and which expenses would incur On-Costs. Previously in the context of the Budget, a general ledger account with "Outdoor" in the description included staff in Parks & Facilities, Waste Management, Sewer Treatments Works and Roads teams. For this financial year any general ledger account with "Outdoor" in the description is now only the Roads construction and maintenance crews.

Primarily On-Costs are designed to ensure any grant funded projects also fund the associated on-costs of employing staff ie superannuation, leave and workers compensation.

Sewer Fund

When Council adopted the 2022-2023 Operational Plan Budget in June 2022 Council budgeted for a surplus of **\$11,651.00** for the Sewer fund operations. For the Budget Review at 31 March 2023 the budget adjustments resulted in an estimated **SURPLUS of \$8,259.00** as at 30 June 2023 after taking into account movements in revenue and expenditure for the first quarter.

There were no significant adjustments of note in the March 2023 Quarterly Review Budget for the Sewer Fund.

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 2022	Amendments @ 30 Sept 2022	Amendments @ 31 Dec 2022	Amendments @ 31 Mar 2023	Revised Estimates @ 30 June 2023
General Fund	\$ 13,177.00	\$ 73,418.00	(\$74,816.00)	(\$6,343.00)	\$ 5,436.00
Sewerage Fund	\$ 11,651.00	\$ 1,990.00	(\$7,236.00)	\$ 1,854.00	\$ 8,259.00
Net Consolidated Budget Surplus/(Deficit)	\$ 24,828.00	\$ 75,408.00	(\$82,052.00)	(\$4,489.00)	\$ 13,695.00

Attachments

- Quarterly Budget Review Statement for the period 01/01/23 to 31/03/23 will be provided under separate cover.

Recommendation: That:

- The information be noted, and
- The adjustments in income, expenditure and reserves in the March 2023 Quarterly Budget Review be adopted, and
- The carried forward as reported to be funded from Reserves be adopted.

10. DRAFT OPERATIONAL PLAN BUDGET 2023/24 AND DRAFT DELIVERY PROGRAM ESTIMATES 2024/25 – 2026/27

(DCCS: 23/5335)

Executive Summary

A Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27 are tabled for Council's consideration and endorsement for public exhibition.

Report

The Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27 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 the June 2023 Council meeting for adoption.

General Fund Report

The following table provides a summary of General Fund expenditure for 2023/24.

Total Operating Expenditure (excl. Depreciation)	10,401,195
Total Depreciation	3,300,000
Total Capital Expenditure	3,797,505
Total Expenditure	17,498,700

The Draft 2023/24 Budget estimates for the General Fund provide for a budget with a **deficit** of **\$72,366.00**.

Based on the Draft Budget as presented at the Budget Workshop prior to the April 2023 Council meeting, main changes are:

- Since the April workshop Councils have been advised that the Emergency Service Levy (ESL) rebate will cease, and Council's will have to fund the shortfall. Refer to Mayoral Minute in this agenda.
- The FOGO Trommel has been removed from the Plant Replacement Program.
- Project Officer position has been moved from Administration Salaries to Engineering.
- Plant Replacement Program.

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 2023/24 rating year was announced by iPart NSW at 3.7%. Council has applied the full 3.7% rate peg to the General Rates for the Draft Budget.

Interest on overdue rates – The Office of Local Government (OLG) has advised the maximum amount of interest that can be charged on overdue rates during the period 1 July 2023 to 30 June 2024 will be 9.0%.

Fees & Charges – Council's main fees & charges are for waste management services and sewerage services. Council has limited increases for these services where possible, noting the Consumer Price Index (CPI) for the 12 months March 2022 to March 2023 was 7.0%:

- Waste management service charges have increases ranging from 1.8% to 1.9%.
- Sewer charges have increases ranging from 5.5% to 6.5%.

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 2023/24.

Total Operating Expenditure (excl. Depreciation)	478,567
Total Depreciation	275,000
Total Capital Expenditure	113,384
Total Expenditure	866,951

The Draft 2023/24 Budget estimates for the Sewer Fund provide for a budget with a **surplus** of **\$11,044.00**.

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 Plans 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

1. Draft Operational Plan Budget 2023/24 and Delivery Program Budget Estimates 2024/25 to 2026/27 incorporating the Revenue Policy.
2. Proposed Fees and Charges for 2023/24. (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 2023/24 and Delivery Program Budget Estimates 2024/25 to 2026/27 incorporating the Revenue Policy and Fees and Charges.
- b) Following the 28 day public exhibition period, Council further consider the Draft documents at the Council meeting to be held on 19 June 2023, in conjunction with any public comments or submissions received, for the purpose of adoption prior to 30 June 2023.

11. CLASSIFICATION OF LAND – 97 GREEN STREET, LOCKHART

(GM: 23/2655)

Executive Summary

In accordance with the Local Government Act it is proposed to classify the land recently acquired by Council, and situated at 97 Green Street Lockhart, as “operational” land.

Report

Council recently resolved to purchase the property situated at 97 Green Street Lockhart and described as Lot 1 in Deposited Plan 1016809.

According to the Local Government Act, before a council acquires land, or within 3 months after it acquires land, a council may resolve that the land be classified as community land or operational land. Any land acquired by a council that is not classified is, at the end of the period of 3 months, taken to have been classified as community land. Council is required to give public notice of its intention to classify or reclassify public land.

Council, at its meeting held on 20 March 2023 resolved to give public notice that it proposes to pass a resolution to classify the land as operational land.

Public notice of the proposed resolution was given on Council’s website and in the Council Newsletter which is distributed to all households in the Shire and no submissions were received.

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 all public land be classified as either “community” or “operational”.

A council has no power to sell, exchange or otherwise dispose of community land and limitations apply to the extent to which a lease or licence can be granted on community land. No such restrictions apply to land classified as operational land.

Budget & Financial Aspects

Nil.

Attachments

Nil.

Recommendation: that Council classify the land situated at 97 Green Street, Lockhart and described as Lot 1 DP1016809, as “operational” land.

12. POLICY REVIEWS

(GM: 23/4284)

Executive Summary

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

Report

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

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

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

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

Two policies are now due for review in accordance with the scheduled three year cycle referred to in Policy No. 1.0. The policies scheduled for review are: -

- a) Policy 1.5 Privacy Management Plan and Privacy Code of Practice.
- b) Policy 1.18 Public Interests Disclosures and Reporting.

Copies of the above Policies are attached. No changes are proposed to the policies.

With respect to Policy 1.5 Privacy Plan and Privacy Code of Practice, Council has formally adopted the Model Privacy Management Plan for Local Government released by the Division of Local Government in 2013 and the Privacy Code of Practice for Local Government developed by the Information and Privacy Commission (IPC) and gazetted in December 2019.

The adoption of a Privacy Management Plan is a legislative requirement in accordance with Section 33 of Privacy and Personal Information Protection Act (PIPP Act) to ensure compliance with the Council’s obligations under the Act.

A Privacy Code of Practice is a legal instrument which allows a public sector agency or organisation to make changes to:

- an Information Protection Principle (IPP); or
- provisions that deal with public registers; or
- specifically how that rule will apply in a particular situation

For instance the Privacy Code of Practice outlines the circumstances in which Council is not required to comply with an Information Protection Principle or instances in which Council may depart from an Information Protection Principle.

Policy 1.18 Public Interests Disclosures and Reporting on the other hand relates to Council’s obligations under the Public Interest Disclosures Act 1994 (PIDA) which sets out the arrangements under which people working within the NSW public sector (including local government) can make complaints about the functioning of the public sector in a way that minimises the risk of reprisal.

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

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

The adoption of a Privacy Management Plan is a legislative requirement in accordance with Section 33 of Privacy and Personal Information Protection Act (PIPP Act).

Budget & Financial Aspects

Nil.

Attachments

1. Policy 1.5 Privacy Plan and Privacy Code of Practice.
2. Policy 1.18 Public Interests Disclosures and Reporting.

Recommendation: That the following Policies, as presented, be adopted:

- a) Policy 1.5 Privacy Plan and Privacy Code of Practice.
- b) Policy 1.18 Public Interests Disclosures and Reporting.

Staff Report 12: Attachment 1 – Policy 1.5 Privacy Management Plan

1.5 Privacy Management Plan

POLICY TITLE: PRIVACY PLAN

FILE REF: SC67

REVIEW DATE: MAY 2026

OBJECTIVES

- a) To comply with Section 33 of the Privacy and Personal Information Protection Act 1998, which requires all Councils to prepare a Privacy Management Plan, and
- b) To enable the Council to fulfill its statutory functions and responsibilities under the Local Government Act 1993 in a manner that seeks to comply with the Privacy and Personal Information Protection Act 1998 (PPIPA).

POLICY STATEMENT

That the Model Privacy Management Plan for Local Government – January 2013, and The Privacy Code of Practice for Local Government – December 2019 are adopted for purposes of Council operations.

Adopted by Council 15 May 2023
Refer Minute No. xxx/23

Adopted by Council 15 June 2020
Refer Minute No. 115/20

Adopted by Council 19 June 2017
Refer Minute No. 146/17

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

Adopted by Council – 15 April 2002
Refer Minute No. 23077

Staff Report 12: Attachment 2 – Policy 1.18 Public Interest Disclosures and Reporting System

1.18 Public Interest Disclosures and Reporting System

POLICY TITLE: PUBLIC INTEREST DISCLOSURES & REPORTING SYSTEM

FILE REF: SC67

REVIEW DATE: MAY 2026

OBJECTIVES

To offer a clear procedure for Councillors and staff of Lockhart Shire Council to follow so that corrupt conduct, and maladministration, serious and substantial waste of public money and government information contravened can be revealed, investigated and dealt with by appropriate corrective action.

POLICY STATEMENT

Councillors, management and staff share a responsibility to seek ways of continually improving Council's effectiveness and they are the best source of information on how this can be done. The absence of corruption, maladministration, serious and substantial waste and government information contravention will contribute to Council's goals being successfully met. Staff who come forward and report wrongdoing are helping to promote integrity, accountability and good management within Council.

However, there may be reasons why Councillors and staff feel reluctant to report their knowledge of such elements. Fear of reprisals can play a large part in someone keeping valuable information to themselves. Another reason may be that they are unsure of where and how to report the information. Or they may believe that nothing will be done with the information and no improvements or action will be taken.

Whilst the Public Interest Disclosures Act 1994 provides protection for those who make disclosures, the disclosures must be made in the proper way or else the Act will not apply. An effective Internal Reporting System will ensure all disclosures are protected by the Protected Disclosure Act and that there is a clear and documented system for reporting and acting on disclosures.

The Mayor and General Manager encourage staff to report known or suspected incidences of corrupt conduct, maladministration, waste or information contravention in accordance with established reporting systems and Council's Code of Conduct. An effective reporting system reduces staff fears and encourages reporting of disclosures. Staff making disclosures must have confidence in the system. They need to know that the report is being handled confidentially and in accordance with established systems and procedures.

Council will take all reasonable steps to provide protection to staff that make such disclosures from any detrimental action in reprisal for the making of the disclosure and Councillors and staff are encouraged to report known and suspected wrongdoing within our council.

The Internal Reporting system has the following aims: to provide the protections of the Public, to encourage employees to provide useful information to management, and to ensure the information received is used to enhance the efficiency and effectiveness of operation by correcting any identified problems.

This policy will apply to:

- Both council staff and Councillors
- Permanent employees, whether full-time or part-time
- Temporary or casual employees
- Consultants
- Individual contractors working for council

1.0 OBJECT OF THE ACT

The Public Interest Disclosures Act 1994 (PIDA) sets out the arrangements under which people working within the NSW public sector can make complaints about the functioning of the public sector in a way that minimises the risk of reprisal. The purpose of the Act is to ensure that public officials who wish to make disclosures under the legislation receive protection from reprisals and that the matters raised in the disclosures are properly investigated.

The Act aims to encourage and facilitate the disclosure – in the public interest – of corrupt conduct, maladministration, serious and substantial waste and government information contravention in local government. This is achieved by:

- enhancing and augmenting established procedures for making disclosures concerning such matters;
- protecting persons from reprisals that might otherwise be inflicted on them because of these disclosures; and
- providing for those disclosures to be properly investigated and dealt with.

2.0 DEFINITIONS

Reports about the four categories of serious wrongdoing – ‘corrupt conduct’, ‘maladministration’, ‘serious and substantial waste in local government’ and ‘government information contravention’ – will be dealt with under the PID Act as protected disclosures and according to this policy. Definitions of these concepts are outlined below.

2.1 Corrupt Conduct

‘Corrupt conduct’ is defined in the Independent Commission Against Corruption Act (s.8). The definition used in the Act is intentionally quite broad – corrupt conduct is defined to include the dishonest or partial exercise of official functions by a public official. Conduct of a person who is not a public official, when it adversely affects the impartial or honest exercise of official functions by a public official, also comes within the definition.

Corrupt conduct can take many forms, i.e.:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a member of the public influencing or trying to influence a public official to use their position in a way that is dishonest, biased or breaches public trust.

2.2 Maladministration

‘Maladministration’ is defined in the PID Act as conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant someone a licence for reasons that are not related to the merits of their application.

2.3 Serious and substantial waste in local government

Serious and Substantial waste is the uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which could result in a loss/wastage of local government money. This includes all revenue, loans and other money collected, received or held by, for or on account of council.

For example, this could include:

- poor project management practices leading to projects running over time
- having poor or no processes in place for a system involving large amounts of public funds.

2.4 Government information Contravention

A ‘government information contravention’ is a failure to properly fulfil functions under the Government Information (Public Access) Act 2009 (GIPA Act).

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

2.5 Other wrongdoing

Although reports about the previous four categories of conduct can attract the specific protections of the PID Act, you should report all activities or incidents that you believe are wrong.

For example, these could include:

- harassment or unlawful discrimination
- reprisal action against a person who has reported a wrongdoing
- practices that endanger the health or safety of staff or the public.

These types of issues should be reported to a supervisor, in line with Lockhart Shire Council's policies:

- Bullying and Harassment
- Work Health and Safety
- Equal Employment Opportunity

Even if these reports are not dealt with as protected disclosures, Lockhart Shire Council will consider each matter and make every attempt to protect the staff member making the report from any form of reprisal.

3.0 WHEN WILL A REPORT BE PROTECTED?

Lockhart Shire Council will support any staff who report wrongdoing. For a report to be considered a protected disclosure, it has to meet all of the requirements under the PID Act. These requirements are:

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing.
- The report has to be made to one or more of the following:
 - a position nominated in this policy – see section 7 (b), (c) & (d) below
 - the general manager
 - one of the investigating authorities nominated in the PID Act – see section 10 below

Reports by staff and councillors will not be considered to be protected disclosures if they:

- mostly question the merits of government policy, including the policy of the governing body of council
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

4.0 HOW TO MAKE A REPORT

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The staff member should keep a copy of this record.

If you are concerned about being seen making a report, ask to meet in a discreet location away from the workplace.

5.0 CAN A REPORT BE ANONYMOUS?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by Lockhart Shire Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.

It is important to realise that an anonymous disclosure may not prevent you from being identified. If we do not know who made the report, it is very difficult for us to prevent any reprisal action.

6.0 MAINTAINING CONFIDENTIALITY

Lockhart Shire Council realises many staff will want their report to remain confidential. This can help to prevent any action being taken against you for reporting wrongdoing.

We are committed to keeping your identity, and the fact you have reported wrongdoing, confidential. However, there may be situations where this may not be possible or appropriate. We will discuss with you whether it is possible to keep your report confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from risks of reprisal. You will be involved in developing this plan. You will also be told if your report will be dealt with under council's code of conduct, as this may mean certain information will have to be tabled at a council meeting.

If you report wrongdoing, you should only discuss your report with those dealing with it. This will include the disclosures coordinator and the general manager. If you discuss your report more broadly, you may affect the outcome of any investigation.

7.0 WHO CAN RECEIVE A REPORT WITHIN LOCKHART SHIRE COUNCIL?

You are encouraged to report general wrongdoing to your supervisor. However, the PID Act requires that – for a report to be a protected disclosure – it must be made to a public official in accordance with the council's disclosure procedures. For Lockhart Shire Council, this means this policy and any supporting procedures.

Any supervisor who receives a report that they believe may be a protected disclosure must refer the staff member making the report to one of the positions listed below.

If you are council staff and your report involves a councillor, you should make it to the general manager or the Mayor. If you are a councillor and your report is about another councillor, you should make it to the general manager or the Mayor.

The following positions are the only staff within Lockhart Shire Council who can receive a protected disclosure.

a. General Manager

You can report directly to the General Manager. The General Manager is responsible for:

- Deciding if a report is a protected disclosure
- Determining what needs to be done next, including referring it to other authorities
- Deciding what needs to be done to correct the problem that has been identified.

The general manager must make sure there are systems in place in Lockhart Shire Council to support and protect staff who report wrongdoing.

They are also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

General Manager – Peter Veneris – 0408 965 567 or 02 6920 5305

b. Mayor

If you are making a report about the general manager, you should make your report to the Mayor. He/she is responsible for:

- deciding if a report is a protected disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified.

The Mayor must make sure there are systems in place in Lockhart Shire Council to support and protect staff who report wrongdoing.

If the report is about the general manager, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Mayor – Cr Greg Verdon – 0408 213 586

8.0 WHO CAN RECEIVE A REPORT OUTSIDE OF LOCKHART SHIRE COUNCIL?

Staff are encouraged to report wrongdoing within Lockhart Shire Council, but internal reporting is not your only option. If you follow the guidance below, your report can still be a protected disclosure.

You can choose to make your report to an investigating authority. You can do this first, or at any stage after your initial report to Lockhart Shire Council. If your report is about the general manager or the Mayor, you should consider making it to an investigating authority.

You can also choose to make a report to a Member of Parliament or a journalist, but only in limited circumstances.

a. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff can report wrongdoing to and the categories of wrongdoing each authority can deal with.

In relation to council, these authorities are:

- the Independent Commission Against Corruption (ICAC) — for corrupt conduct
- the Ombudsman — for maladministration
- the Office of Local Government — for serious and substantial waste in local government (reports about serious and substantial waste in State government agencies should be made to the Auditor General)
- the Information Commissioner — for disclosures about a government information contravention.

You should contact the relevant authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that it is very likely the investigating authority will discuss the case with Lockhart Shire Council. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to staff who report wrongdoing to an investigating authority.

a. Members of Parliament or journalists

To have the protections of the PID Act, staff reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the general manager
- a person nominated in this policy
- an investigating authority in accordance with the PID Act.

Also, Lockhart Shire Council or the investigating authority that received the report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

If you report wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or Lockhart Shire Council's code of conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside Lockhart Shire Council contact the disclosures coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

9.0 FEEDBACK TO STAFF WHO REPORT WRONGDOING

Staff who report wrongdoing will be told what is happening in response to their report.

When you make a report, you will be given:

- an acknowledgement that your disclosure has been received
- a copy of Council's Policy on Public Interest Disclosures and Reporting Systems within 45 days of the person making the disclosure
- the timeframe for when you will receive further updates
- the name and contact details of the people who can tell you what is happening.

This information will be given to you within two working days from the date you make your report.

After a decision is made about how your report will be dealt with, you will be given:

- information about the action that will be taken in response to your report
- likely timeframes for any investigation
- information about the resources available within Lockhart Shire Council to handle any concerns you may have
- information about external agencies and services you can access for support.

This information will be given to you within 10 working days from the date you make your report.

During any investigation, you will be given:

- information on the ongoing nature of the investigation

- information about the progress of the investigation and reasons for any delay
- advice if your identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

At the end of any investigation, you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified.
- advice about whether you will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

10.0 PROTECTION AGAINST REPRISALS

The PID Act provides protection for people reporting wrongdoing by imposing penalties on anyone who takes detrimental action substantially in reprisal for them making the protected disclosure.

Lockhart Shire Council will not tolerate any reprisal action against staff who report wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. People who take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

a. Responding to reprisals

Lockhart Shire Council will act to protect staff who report wrongdoing from reprisals.

When a report is received, we will ensure that a thorough risk assessment is conducted. This will identify any risks to the member of staff who reported the wrongdoing, as well as strategies to deal with those risks.

If you believe that detrimental action has been or is being taken against you or someone else who has reported wrongdoing in reprisal for making a report, you should tell your supervisor, the disclosures coordinator or the general manager immediately.

All supervisors must report any suspicions they have that reprisal action against a staff member is occurring, or any reports that are made to them, to the disclosures coordinator or the general manager.

If the disclosures coordinator becomes aware of reprisal action against a person who has made a disclosure, they will:

- ensure a senior and experienced member of staff, who has not been involved in dealing with the initial disclosure, will investigate the suspected reprisal
- give the results of that investigation to the general manager for a decision
- give the results of that investigation to the Mayor for a decision if the allegation of reprisal action is about the general manager
- if it has been established that reprisal action is occurring against someone who has made a disclosure, take all steps possible to stop that activity and protect the member of staff who made the disclosure
- take appropriate disciplinary or criminal action against anyone proven to have taken or threatened any action in reprisal for making a disclosure.

If you report reprisal action, you will be kept informed of the progress of any investigation and the outcome.

The general manager may issue specific directions to help protect against reprisals. If the allegation of reprisal action is about the general manager, the Mayor may issue similar directions. These may include:

- issuing warnings to those alleged to have taken reprisal action against the member of staff who made the disclosure
- relocating the member of staff who made the disclosure or the subject officer within the current workplace
- transferring the member of staff who made the disclosure or the staff member who is the subject of the allegation to another position for which they are qualified

- granting the member of staff who made the disclosure, or the subject officer leave of absence during the investigation of the disclosure.

These directions will only be taken if the member of staff who made the disclosure agrees to it. The disclosures coordinator will make it clear to other staff that this action was taken in consultation with the staff member and with management support – and it is not a punishment.

If you have reported wrongdoing and feel that any reprisal action is not being dealt with effectively, contact the Ombudsman or the ICAC – depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this policy.

b. Protection against legal action

If you make a disclosure in accordance with the PID Act, you will not be subject to any liability and no action, claim or demand can be taken against you for making the disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

11.0 SUPPORT FOR THOSE REPORTING WRONGDOINGS

Lockhart Shire Council will make sure that staff who have reported wrongdoing, regardless of whether they have made a protected disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice, including Council's EAP provider Insight Services.

We also have staff who will support those who report wrongdoing. They are responsible for initiating and coordinating support, particularly to those who are suffering any form of reprisal.

Human Resources Officer – 02 6920 5305

All supervisors must notify the General Manager if they believe a staff member is suffering any detrimental action as a result of disclosing wrongdoing.

12.0 SANCTIONS FOR MAKING FALSE OR MISLEADING DISCLOSURES

It is important that all staff are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing.

13.0 SUPPORT FOR THE SUBJECT OF A REPORT

Lockhart Shire Council is committed to ensuring staff who are the subject of a report of wrongdoing are treated fairly and reasonably. If you are the subject of a report, you will be:

- treated fairly and impartially
- told your rights and obligations under our policies and procedures
- kept informed during any investigation
- given the opportunity to respond to any allegation made against you
- told the result of any investigation.

14.0 MORE INFORMATION

Staff can access advice and guidance from Lockhart Shire Council's General Manager and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

15.0 RESOURCES

The contact details for external investigating authorities that staff can make a protected disclosure to or seek advice from are listed below.

*Lockhart Shire Council
Ordinary Meeting – 15 May 2023*

For disclosures about corrupt conduct:
Independent Commission Against Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Tel. typewriter (TTY): 02 8281 5773
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 7, 255 Elizabeth Street,
Sydney NSW 2000

For disclosures about maladministration:
NSW Ombudsman
Phone: 02 9286 1000
Toll free (outside Sydney metro): 1800 451 524
Email: nswomb@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24, 580 George Street,
Sydney NSW 2000

For disclosures about serious and substantial waste in local government agencies:
Office of Local Government
Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Email: olg@olg.nsw.gov.au
Web: www.olg.nsw.gov.au
Address: 5 O'Keefe Avenue,
Nowra, NSW 2541

For disclosures about breaches of the GIPA Act:
Information and Privacy Commission
Toll free: 1800 972 679
Email: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au
Address: Level 17, 201 Elizabeth Street,
Sydney NSW 2000

Adopted by Council – 15 May 2023
Refer Minute No. xxx/23

Adopted by Council – 15 June 2020
Refer Minute No. 115/20

Amendments Adopted by Council – 18 November 2013
Refer Minute No. 355/13

Amendment Adopted by Council - 15 December 2011
Refer Minute No. 420/11

Adopted by Council – 19 September 2011
Refer Minute No. 311/11

13. COMMUNITY SATISFACTION SURVEY

(GM: 23/4799)

Executive Summary

The responses to the recent Customer Satisfaction Survey have been collated and the results are tabled for Council's information.

Report

Council, at its meeting held on 13 February 2023, resolved to:

- a) Undertake a Community Satisfaction Survey prepared in-house similar to previous years as part of the 2023/24 budget preparation process.
- b) Make provision in the 2024/25 Budget for outsourcing the conduct of a residents' survey to a specialised firm.

A survey has been undertaken in accordance with a) above. Acknowledging that the real benefit in undertaking community satisfaction surveys is to be able to view and analyse trends over a period of time, the 2023 survey questions were kept the same as the previous surveys so that comparisons can be made and trends revealed.

The survey was accessible online via the Council website with hard copies made available at Post Offices throughout the Shire. Attention was drawn to the online survey and paper-based survey options in Council's Newsletter and the Community Facebook page.

The survey results indicate that a total of 71 responses were received by the closing date of 6 April 2023, however it is noted that only 42 respondents answered the majority of survey questions.

A full report of the 2023 survey results which includes the responses to the survey questions and any additional comments provided by respondents has been separately distributed to all Councillors. Particular attention is drawn to the following responses in the Survey:

Q.5 - How satisfied are you with the interactions you have had with Council? Responses ranging from 1 – Not at all satisfied to 5 – very satisfied.

	1	2	3	4	5
2014	9%	9%	28%	28%	26%
2016	6%	6%	25%	31%	32%
2019	2%	5%	21%	34%	38%
2023	10%	20%	34%	29%	7%

Q.6 - How do you receive information about Council?

	2014	2016	2019	2023
Local newspaper	48%	35%	21%	7%
Council newsletter	96%	96%	96%	79%
Rates notice	37%	46%	39%	33%
Website	14%	20%	20%	26%
Facebook	5%	13%	17%	55%
Word of mouth	38%	34%	39%	24%
Council officers	19%	18%	22%	7%
Councillors	35%	35%	25%	26%

Q.7 - How satisfied are you with the level of communication Council has with the community? Responses ranging from 1 – Not at all satisfied to 5 – very satisfied.

	1	2	3	4	5
2014	6%	8%	31%	40%	15%
2016	6%	6%	18%	41%	29%
2019	0%	5%	25%	41%	29%
2023	9%	24%	31%	31%	5%

Q.10 - Overall, for the last 12 months, how satisfied are you with the performance of Council, not just for one or two issues, but across all areas? Responses ranging from 1 – Not at all satisfied to 5 – very satisfied.

	1	2	3	4	5
2014	3%	12%	26%	45%	14%
2016	2%	7%	20%	45%	26%
2019	0%	4%	22%	48%	26%
2023	10%	14%	38%	33%	5%

Q11 Overall, how would you rate Council's image within the community? Responses ranging from 1 – Not at all satisfied to 5 – very satisfied.

	1	2	3	4	5
2014	7%	16%	36%	31%	10%
2016	6%	5%	23%	38%	28%
2019	3%	5%	29%	43%	20%
2023	12%	26%	29%	28%	5%

Whilst the ratings outlined above are informative, valuable feedback is also contained in the comments provided by respondents with some common themes emerging. In this regard the following points are noted:

- The importance of the Council's monthly newsletter as a means of communication was reinforced with the majority of respondents saying this is the main way they receive information about Council. Some respondents supported the continuation of the Newsletter which is distributed to all residents in the Shire whilst others suggested it should be "modernised" or distributed electronically.
- A number of respondents were critical of Council with respect to recent flood events and stormwater drainage issues. As Council will be aware disaster recovery funding has been secured and Council is currently preparing a scope of works and cost estimates for approval by the Office of Local Government for the following projects:
 1. Emily Street, The Rock – drainage improvements
 2. Cole Street, Yerong Creek – drainage improvements
 3. Green Street West, Lockhart – drainage improvements
 4. Flood Detour Road – culvert installation
 5. Waste Management Facilities - access improvements
 6. Community information initiative (social media)
- Many of the comments related to communication and transparency, including references to the user friendliness or otherwise of Council's website, the need to make greater use of social media and issues with community engagement more generally. In seeking to address some of these concerns it is noted that:
 - Council has allocated grant funds for the development of a social media community information initiative. Whilst this decision was made in the context of providing timely

information during natural disaster events, the opportunity can be used to develop a broader social media community engagement strategy.

- Work commenced some time ago on updating and improving Council's websites. A new tourism website i.e. www.visitlockhartshire.com.au went live prior to Christmas 2022 and the transition to an updated corporate website i.e. www.lockhart.nsw.gov.au is anticipated to be completed within a month.
- Council has resolved to make provision in the 2024/25 Budget for outsourcing the conduct of a residents' survey to a specialised firm. This should result in a more sophisticated method and hopefully a much greater number of responses than the current approach.
- The timing of the 2024/25 survey is scheduled to coincide with a new Council term of office and the requirement for the incoming Council to review its Integrated Planning and Reporting documents, most notably the Community Strategic Plan (CSP), within the first 12 months. The survey will be one form of community engagement and the results one source of input into that review.
- The last review of the CSP was undertaken in 2021/22 bearing in mind that the term of office of the current Council will be shorter i.e. two years and nine months instead of the normal four year term as a result of the postponement of the last elections. A more comprehensive review of the CSP has been foreshadowed for the beginning of the next full four-year term in 2024 which will provide opportunities for enhanced community engagement.
- In the meantime steps will be taken to ensure that documents placed on public exhibition from time to time and other relevant matters are brought to residents' attention via the Council Newsletter and social media, as was the case for the recent Draft Employment and Housing Strategy and the Community Satisfaction Survey.

Integrated Planning and Reporting Reference

- E1: Promote the increased participation of local people in local government and the community.
- E3: Provide effective community engagement practices with the community.
- E3: Ensure the community is informed by improving access to information.
- E3: Remain updated and informed on current demographic and social data pertaining to Lockhart Shire communities and population groups.

Legislative Policy & Planning Implications

Section 8A of the Local Government Act sets out councils' guiding principles including the principle that councils should actively engage with their local communities, through the use of the integrated planning and reporting (IP&R) framework and other measures.

Section 8C of the Act sets out guiding principles for IP&R including the principles that: -

- Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- Councils should regularly review and evaluate progress towards achieving strategic goals.

Budget & Financial Aspects

The Community Satisfaction Survey was managed 'in-house' and undertaken within Council's existing budget.

Attachments

The 2023 Community Satisfaction Survey Results have been separately distributed to Councillors.

Recommendation: That Council note the results of the 2023 Community Satisfaction Survey and the responses to the issues raised contained in this report.

14. FEES PAYABLE TO THE MAYOR AND COUNCILLORS

(GM: 23/5141)

Executive Summary

The Local Government Remuneration Tribunal (LGRT) issued an Annual Report and Determination on 27 April 2023. Fees payable to the Mayor and Councillors are required to be within the range set by the LGRT.

Report

Policy 1.1 Payment of Expenses and Provision of Facilities to the Mayor and Councillors provides that the Council shall, prior to 30 June each year, set by resolution the annual fees to be paid, monthly in arrears, to the mayor and councillors for the following year commencing 1 July, provided that such fee shall be within the range for the Council determined annually by the LGRT.

The LGRT is required to report to the Minister for Local Government by 1 May each year as to its determination of categories and the maximum and minimum amounts of fees to be paid to mayors and councillors.

Lockhart Shire Council has been categorised by the LGRT as “Non-metropolitan – Rural”. This category comprises councils with a population of less than 20,000.

The LGRT has determined a 3 per cent per annum increase in the minimum and maximum fees applicable to each category.

The new maximum and minimum amounts payable to the mayors and councillors of “Non-metropolitan – Rural” councils, including Lockhart Shire Council, from 1 July 2023 are as follows:

Annual Fee - Councillor		Annual Fee - Mayor	
Minimum Fee	Maximum Fee	Minimum Fee	Maximum Fee
\$9,850	\$13,030	\$10,490	\$28,430

The fees currently being paid for the period 1 July 2021 to 30 June 2022 were determined by Council at its meeting held on 17 May 2021. The fees are currently \$11,105 per annum for Councillors and \$27,600 per annum for the Mayor after the Council resolved at that meeting to adopt the midpoint between the minimum and maximum allowable for councillors and the maximum amount allowable for the Mayor.

Integrated Planning and Reporting Reference

- E1: Advocate and prepare for the long-term sustainability of our Shire.
- E1: Promote the increased participation of local people in local government and the community.
- E1: Meet all governance and regulatory requirements in the conduct of Council operations.

Legislative Policy & Planning Implications

Sections 248 and 249 of the Local Government Act provide that a council may fix the annual fee payable to the mayor and councillors and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the LGRT.

If a council does not fix the annual fee it must pay the appropriate minimum fee determined by the LGRT.

Pursuant to section 448 (k) of the Local Government Act Councillors are not required to disclose an interest relating to the payment of fees to councillors (including the mayor and deputy mayor).

Budget & Financial Aspects

The fees payable to the Mayor and Councillors for the period 1 July 2023 to 30 June 2024 as resolved by Council will be incorporated into the 2023/24 Operational Plan Budget.

Attachments

Nil.

Recommendation: That Council determine the annual fees payable to the Mayor and Councillors for the period 1 July 2023 to 30 June 2024.

QUESTIONS AND STATEMENTS

CLOSED SESSION

Agenda

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

- 15. LOCKHART CARAVAN PARK MANAGEMENT CONTRACT**
- 16. TENDER FOR REVIEW OF THE ROCK FLOOD STUDY**