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BUSINESS PAPER

**of the
Ordinary Meeting
to be Held
17 April 2023**

**A workshop will be held, commencing at 4pm prior to the
Ordinary Meeting.**

**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

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MAYORAL MINUTE

Nil.

REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

To be presented at the meeting.

URGENT MATTERS

Nil.

NOTICE OF MOTION

Nil.

COMMITTEE REPORTS

Nil

DELEGATES' REPORTS

1. RIVERINA REGIONAL LIBRARY ADVISORY COMMITTEE MEETING – 29 MARCH 2023 AT WAGGA WAGGA

(GM: 23/3664)

I attended a meeting of the Riverina Regional Library (RRL) Advisory Committee in Wagga Wagga on 29 March 2023 as Council's delegate. Key issues arising from the meeting are summarised below.

- The quarterly budget review for the quarter ending 31 December 2022 was tabled.
- The Committee endorsed the draft RRL Member Council Contributions for 2023-2024
- A draft RRL Management Plan for 2023-2024 was also endorsed.
- The arbitration process between Wagga Wagga City Council and the remaining RRL member councils regarding the distribution of assets following WWCC's withdrawal from the RRL is continuing with a directions hearing set down for 26 April 2023.
- RRL staff attended and set up a display at the Lockhart Health & Wellbeing Expo on 8 November 2022 coordinated by the Lockhart Local Health Advisory Committee. The event was a great success for Lockhart and RRL.
- RRL staff also collaborated with Service NSW during October/November 2022. A Wagga Wagga based Service NSW Service Support Specialist (SSS) coordinated a successful round of visits to the Mobile Library during October/November 2022 with highly favourable feedback from the communities. Mobile Library patrons were invited to learn about the NSW Government Cost of Living program which provides access to over 70 rebates and savings in one place. During 2022 the SSS arranged visits to Ardlethan, Aria Park, Lockhart, Urana, Rand, Milbrulong, The Rock and Pleasant Hills.

Peter Veneris
Delegate

2. LOCKHART SHIRE COUNCIL TRAFFIC COMMITTEE MEETING – 22 MARCH 2023 AT LOCKHART

(DEES 23/4210)

I chaired a meeting of the Local Traffic Committee held at the Lockhart Shire Council Chambers on 22 March 2023. The meeting was attended by a delegate from Transport for NSW with apologies received from NSW Police and Dr Joe McGirr's office.

Four items were presented to the March LTC meeting. The committee approved:

- the proposed ANZAC day traffic changes at The Rock;
- five road cycling races from The Rock to County Boundary Road;
- the installation of bus zone signs in front of Lockhart Pre-school; and
- the installation of children crossing signs on Grubben Road, Munyabla.

Austin Morris
Delegate

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 20 March 2023			
44/23	DEES	<p>Lockhart Airstrip</p> <p>That Council:</p> <p>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;</p> <p>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;</p> <p>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</p> <p>Investigates options for leasing the airstrip hangars to interested parties.</p>	All submitters have been notified of the resolution.
39/23	GM	<p>Classification of Operational Land – 97 Green Street, Lockhart</p> <p>That Council gives public notice on its website and in the Council Newsletter, which is distributed to all households in the Shire, that it proposes to pass a resolution to classify land situated at 97 Green Street Lockhart, comprising Lot 1 DP1016809 as operational land.</p>	<p>Notice has been given in Council's Newsletter and website.</p> <p>Complete.</p>
34/23	DEES	<p>Local Environmental Plan Review – Local Housing & Employment Strategy</p> <p>1) Council adopts the draft Lockhart Shire Local Housing and Employment Strategy with changes based on consideration of submissions and subject to incorporating the changes recommended by the Department of Planning.</p> <p>2) Council now progresses with the preparation of a Planning Proposal process to formally implement the recommended planning actions of the Strategy into the Lockhart Local Environmental Plan 2012.</p>	<p>Strategy updated.</p> <p>Complete</p>

Lockhart Shire Council
Ordinary Meeting – 17 April 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
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
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 has been launched with a closing date of 6 April 2023. 3. Draft Budget to be presented to Councillor Workshop on 17 April 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>	Exhibition period ends 20 March 2023. Report presented to the April Council meeting (refer item 6).
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>	Exhibition period ends 20 March 2023. Report presented to the April Council meeting (refer item 5).

Lockhart Shire Council
Ordinary Meeting – 17 April 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
10/23	DEES	<p>Lockhart Caravan Park Management Contract</p> <p>1. Council invites proposals for the management of the Lockhart Caravan Park through an expressions of interest (EOI) process.</p> <p>2. A further report be presented to Council following the close of the EOI advertising period.</p>	<p>1. Expressions of interest closed. Complete.</p> <p>2. Report to be presented to the May Council meeting.</p>
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>Exhibition period ends on 20 March 2023. Report presented to the April Council meeting (refer item 7).</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>	<p>In negotiations.</p>
261/22	GM	<p>Review of Organisation Structure</p> <p>That, subject to the successful recruitment of a Director Planning and Environment, Council adopts the three-directorate organisation structure based on the distribution of functions as shown in the attached organisation chart.</p>	<p>Recruitment process being finalised.</p>

*Lockhart Shire Council
Ordinary Meeting – 17 April 2023*

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 21 November 2022			
238/22	DEES	<p>Lockhart Main Street Parking</p> <p>That Council:</p> <p>a) Allocate \$15,000 for the construction and installation of two disabled access ramps;</p> <p>b) Endorse the removal of the existing disabled car parking space on the south-western side of Green Street and move it to the south-eastern side;</p> <p>c) Remove the community parking space from the western end of Green Street and move it to in front of Valmar Community Services; and</p> <p>d) Liaise with Foodworks at The Rock to gauge their interest in jointly funding an all-abilities access ramp.</p>	<p>a) Completed</p> <p>b) Completed</p> <p>c) Completed</p> <p>d) Foodworks has been contacted and access ramp being sourced. Complete.</p>
237/22	DEES	<p>Lockhart Airstrip</p> <p>That Council advertises, for 30 days, the closure of the Lockhart Airstrip and considers any submissions received.</p>	Superseded by Minute Number 44/23 - Complete
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>
Ordinary Council Meeting held 18 July 2022			
147/22	GM	<p>The Rock Community Centre</p> <p>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>

*Lockhart Shire Council
Ordinary Meeting – 17 April 2023*

Minute No:	Officer to Action	Council Resolution	Action Taken
141/22	GM	<p>Request for Council to Purchase Private Access</p> <p>Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.</p>	<p>Agreement has been reached on a cost sharing arrangement. Surveyors have been engaged to commence survey of land to be transferred to Council.</p>
Ordinary Council Meeting held 16 May 2022			
109/22	GM	<p>Tender – 109 Green Street</p> <p>Council declines to accept the tender received from ASCO Group (Aust) Pty Ltd for the provision of public toilets at 109 Green Street Lockhart and seek separate quotations for the individual components of the project for the following reasons:</p> <p>a) Seeking separate quotations and being able to negotiate with different contractors for the different components of the project will provide more flexibility in seeking the most cost-effective solution bearing in mind that the funding approved under Round 4 of the Stronger Country Community Fund is less than the amount for which Council applied.</p> <p>b) Accepting the one tender that has been received for the public toilets without a contract in place for the community space component of the project will prove problematic as the community space and landscaping is critical to providing access to the public toilets.</p>	<p>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</p> <p>Council prepares a subdivision application for the development of Stage 3 of the Lockhart Industrial Estate.</p>	<p>Development application currently being prepared – surveyors engaged.</p>
Ordinary Council Meeting held 18 October 2021			
180/21	TEDO	<p>Committee Minutes – TEDSC held 5 October 2021</p> <p>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>

Lockhart Shire Council
Ordinary Meeting – 17 April 2023

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 Gunyah 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>Advice received on 3/8/22 from TfNSW regarding requirement for consultation with Wagga Local Aboriginal Lands Council. Information forwarded to Wagga LALC and awaiting response. Follow up email sent.</p> <p>Meeting with Transport for NSW and Wagga Local Aboriginal land Council arranged for 24 March 2023.</p> <p>Proposed names endorsed 3 April 2023. Signs to be procured.</p>

Lockhart Shire Council
Ordinary Meeting – 17 April 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 20 April 2020			
70/20	GM	<p>Review of Operational Land</p> <p>Council adopts the following actions in relation to the review of land classified as “operational land”:</p> <ul style="list-style-type: none"> Approach the adjoining owner of the land situated at 2410 Albury Road, Urangeline regarding potential sale or transfer of the land. 	<p>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>
Ordinary Council Meeting held 20 March 2023 – Councillor Questions & Statements			
Questions and Statements	DEES	<p>Cr Walker: Tootool Mittagong Road Bridge</p> <p>Requested the crossing be made passable, to allow the culvert to be cleared of debris.</p>	Works request issued.
	DCCS	<p>Cr Mathews: Housing Shortage</p> <p>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.</p>	Research underway required for a report.
	GM	<p>Cr Mathews: Veterinary Service</p> <p>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?</p>	A notice inviting feedback and referencing an online survey on Council’s website has been prepared for inclusion in the April Council Newsletter.
	DEES	<p>Cr Marston: Footy Ovals, The Rock</p> <p>Advised that the ovals required some mulch and requested that the catcher be removed for the mowing of these ovals.</p>	Instruction passed on to Council staff. Complete.
	DEES	<p>Cr Marston: FOGO</p> <p>Referred to the FOGO soil product seen as part of the bus tour and asked if it could be used at The Rock Recreation Ground for the ovals.</p>	FOGO will be used on all council facilities as it is produced. Complete.
Ordinary Council Meeting held 13 February 2023 – Councillor Questions & Statements			
Questions and Statements	DCCS	<p>Cr Marston: Pony Club Stables</p> <p>Asked for an update on the progress of this project.</p>	AFL funding currently being sought to cover shortfall.
	DCCS	<p>Cr Marston: Recreation Ground Lighting</p> <p>Asked if the new lighting will be installed prior to the end of daylight savings?</p>	Meetings have been held with two contractors to source quotes. Under the purchasing policy a third quote is required. Awaiting third quote.

Lockhart Shire Council
Ordinary Meeting – 17 April 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
	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.
	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.
	DEES	Cr Verdon: Drain, The Rock Central School Advised water is ponding in Ford Street, adjacent to the school, because the drain needs cleaning so water can get away to the creek.	Drain has been cleared. Complete.
Ordinary Council Meeting held 21 November 2022 – Councillor Questions & Statements			
Questions and Statements	DEES	Cr Verdon: Stormwater Drainage Has received complaints regarding the large sheds at the corner of Yerong and Urana Streets where the stormwater pipes drop straight out onto the ground causing run-off problems for neighbours in the rear lanes with water ponding. Extensions are happening to the caravan storage area and the owner appears to have installed a drain which requires investigation.	Owner has been issued with order to rectify stormwater connections. Complete.
	DEES	Cr Verdon: Disability Access Referred to a letter received regarding access to The Rock main street for Emily Gardens residents and asked that the matter be given some attention.	Site meeting held. Work order issued to improve access. Work has been carried out. Complete.
	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.

Lockhart Shire Council
Ordinary Meeting – 17 April 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Walker: Roadside Drainage Referred to a table drain between the bike path to The Rock Nature Reserve and the road where water constantly sits out over the road and the area is not able to be mowed and asked what could be done to rectify the issue.	Table drain clearing programmed. Will be added to program for culvert installation. Complete.
	DEES	Cr Rockliff: Bidgeemia Road Advised there is a wash-away on this road just down from Bidgeemia Hall and he has been approached by a local resident to ask could Council put a culvert in when repairs are done.	Road being repaired. Will be added to program for culvert installation. Complete.
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	Cr Hunter: Drainage Issue, Yerong Creek Mangoplah Road Referred to an issue with blocked drainage on Yerong Creek Mangoplah Road which caused problems in the rain event on Friday, 14 October and asked what action had been taken.	Funding has been allocated 23/24. Designs being undertaken. Complete.
	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 15 August 2022 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Walker – Vincent Road Advised this road is suffering badly from the ongoing wet weather and suggested Council could consider sealing the next 3-4km to alleviate some of the issues, possibly funded by future grant programs.	Included in most recent round of Fixing Country Roads program. Funding unsuccessful. Added to Councils project list. Complete.

Lockhart Shire Council
Ordinary Meeting – 17 April 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 18 July 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS/ DEES	<p>Cr Marston – The Rock Pony Club</p> <p>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.</p>	Works are being scheduled into the works program.
Ordinary Council Meeting held 20 June 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	<p>Cr Hunter – Yerong Creek Bowling Club</p> <p>Advised the Bowling Club are still awaiting receipt of an Occupation Certificate for the building.</p>	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	DCCS	<p>Cr Hunter: Connectivity</p> <p>Asked if there were any outcomes from the recent meeting with the Regional General Manager of Telstra.</p>	<p>Survey results were presented to March 2023 Council meeting as part of TEDO's six-monthly presentation.</p> <p>Telstra has announced installation of a base station at Yerong Creek.</p> <p>NBN has announced installation of two towers at Pleasant Hills and Yerong Creek.</p> <p>Complete.</p>
	DEES (GM)	<p>Cr Driscoll: German Church Road "Davidsons Hill"</p> <p>Referred to the road being too narrow for heavy vehicles and the hill providing poor visibility. Cr Driscoll asked if something can be done on 500m of road in Lockhart Shire to where it meets the Wagga City Council boundary.</p>	Cost estimate to be prepared and included in future budgets. Added to Councils project list. Complete.
	DEES	<p>Cr Verdon: Pedestrian Crossing</p> <p>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.</p>	Requires substantial rectification works, to be included in heavy patching program.
	DEES	<p>Cr Verdon: Roads Budget</p> <p>Asked that Council considers a widening project near "Ryans Hill" on The Rock Collingullie Road.</p>	Submitted in most recent round of Fixing Country Roads. Funding unsuccessful. Added to Councils project list. Complete.

Lockhart Shire Council
Ordinary Meeting – 17 April 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
21 Mar 2023	Executive Assistant	Forwarding LG NSW Weekly News dated 21 March 2023.
30 Mar 2023	Executive Assistant	Forwarding LG NSW Weekly News dated 28 March 2023.
4 April 2023	Executive Assistant	Forwarding LG NSW Weekly News dated 28 March 2023

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

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

1. DRAFT POLICY – MOWING OF NATURE STRIPS

(DEES: 23/3998)

Executive Summary

The report seeks Councils adoption of a policy for mowing of residents' nature strips.

Background

Council has received requests to mow elderly or infirm residents' nature strips. In 2012 Council resolved as follows:

- a) *that Council amend it's existing Mowing of Nature Strips Policy to permit Council staff to mow nature strips in front of private properties to elderly and/or disabled persons given the extenuating circumstances that these people may not be in the position to mow the nature strips themselves; and*
- b) *that the Director of Engineering be authorised at his discretion to determine and monitor applications from residents given these extenuating circumstances; and*
- c) *that the alteration to this Policy be included in Council's next newsletter.*

Report

In order to standardise responses to requests to mow nature strips amendments to the policy are proposed. The policy now outlines the criteria in which residents are eligible to apply to have their naturestrip mowed. This will ensure applications are dealt with consistently and provide guidance to staff. Meeting the application criteria does not guarantee councils service which will be dependent on resource availability. The draft policy is attached.

Integrated Planning and Reporting Reference

B1: Our shire is attractive and welcoming to businesses, industry, residents and visitors

E3: Council responds collectively and responsibly to community needs.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Will be incorporated into existing budgets.

Attachment

- Draft Policy Mowing on Nature Strips by Council

Recommendation: That Council place Draft Policy 2.58 Mowing of Nature Strips on public exhibition for a period of not less than 28 days and consider any submissions received.

Staff Report 1: Attachment – Draft Policy Mowing of Nature Strips by Council

2.58 Mowing of Nature Strips by Council

POLICY TITLE: MOWING OF NATURE STRIPS

FILE REF: SC67

REVIEW DATE: APRIL 2026

OBJECTIVES

The purpose of the Policy is to ensure requests for assistance in mowing nature strips received by Council are handled in a consistent, equitable and transparent manner.

POLICY STATEMENT

Council will consider the provision of assistance by way of mowing nature strips based on set criteria.

Council relies on residents and businesses to maintain nature strips adjoining their property. The policy confirms Council's position and recognises the importance of community involvement and cooperation. Council routinely mows gateway locations to towns and villages and other areas of public significance. This policy does not extend to mowing on private property. Only where residents meet the criteria will a nature strip mowing service be provided by Council. At all times the mowing service will only be provided subject to the availability of funding and resources.

POLICY CRITERIA

1. To be considered eligible for assistance the following criteria must be met:
 - a) Be a permanent resident of Lockhart Shire and occupy the property which is the subject of the nature strip mowing service application; and
 - b) Be receiving or be assessed as eligible to receive home care services or have a disability or other medical condition which makes it impossible for that person to mow their nature strip; and
 - c) Be the holder of a current Pensioner Concession Card issued by the Commonwealth Government or in receipt of a Service Pension; or some other type of income substitution resulting from a physical disability that restricts a person from mowing their nature strip e.g. workers compensation or income protection benefit; and
 - d) Have no other members of the household who are able to mow the nature strip.

Council reserves the right to take special conditions into consideration, other than those listed above. The nature strip mowing service does not provide a guaranteed mowing frequency and mowing will be limited to four times per year. No rubbish, debris or green waste will be cleaned up and/or removed other than grass clippings that result from the mowing service.

Applications for the mowing service must be made in writing. All recipients are to reapply annually to confirm eligibility. Residents will be removed from the service if any of the following occur:

- The person sells or otherwise transfers their interest in the property or ceases to occupy the property;
- The owner/occupier no longer meets the eligibility criteria.

*Adopted by Council – XXXX
Refer Minute No. XX/23*

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

2. REVIEW OF POLICY 2.35 COLLECTION OF FIREWOOD FROM COUNCIL ROAD RESERVES AND DEAD STANDING TREES

(DEES: 23/3918)

Executive Summary

The review of Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees is presented for Council's consideration.

Background

At the April 2020 Council meeting, a report was presented to Council recommending as follows:

“that Council rescind and give notice in the local newspaper of the rescission of Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees under Section 165 of the Local Government Act 1993.”

The report provided the following reasons for rescinding the policy:

- Does not meet Council's obligations under the *NSW Biodiversity Conservation Act 2016*, as it adversely affects threatened species or ecological communities or could cause species or ecological communities that are not threatened to become threatened.
- Due to extensive clearing for agricultural purposes, roadside reserves may be the only remaining intact natural environment, providing invaluable wildlife habitats and corridors.
- Most councils have rescinded similar policies across the state due to increased liability and for protection of ecosystems under the *Biodiversity Conservation Act 2016*, in conjunction with the Commonwealth *Environmental Planning and Assessment Act 1979*.
- The *Environmental Planning and Assessment Act 1979* includes objectives to encourage 'the protection of the environment, including the protection and conservation of native animals and plant, including threatened species, populations and ecological communities, and their habitats' as well as reference to 'ecologically sustainable development'.
- Increased liability for Council due to community members operating chainsaws in the road reserve under an approved permit.

After considering the report, Council resolved to maintain the status quo, that is retain Policy 2.35.

Report

The reasons stated above are all still valid and relevant to the rescission of Policy 2.35. As well as the legislative requirements, Council's adopted Community Strategic Plan reference C3 states: 'Flora and fauna are protected across the Shire'. Removal of vegetation from the roadside does not ensure the protection of fauna, threatened or otherwise, who inhabit roadside areas.

Integrated Planning and Reporting Reference

C3: Flora and fauna are protected across the Shire.

Legislative Policy and Planning Implications

Environmental decisions are carried out in accordance with the Commonwealth *Environmental Planning and Assessment Act 1979*, NSW *Biodiversity Conservation Act 2016*, and associated regulations.

Budget and Financial Aspects

Currently, permits are assigned without a charge to the application. However, expenses are incurred by Council to regulate these permits, including administration, regulation and patrolling of activities.

Attachments

- Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees

Recommendation: That Council give notice of the proposed rescission of Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees.

Staff Report 2: Attachment – Policy 2.35 Collection of Firewood from Council Road Reserves Dead Standing Trees

2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees

POLICY TITLE:	COLLECTION OF FIREWOOD FROM COUNCIL ROAD RESERVES AND DEAD STANDING TREES
FILE REF:	R40-107
EXPIRY DATE:	APRIL 2023

OBJECTIVE

The purpose of this policy is to define the manner in which dead wood may be collected from road reserves for residential heating purposes and the removal of dead standing trees from Council road reserves for this same purpose.

POLICY STATEMENT

Council is mindful of the need to permit some collection of firewood for residential purposes as a means of maintaining Council's road reserves in a tidy manner. However, Council is also mindful that dead standing trees provide crucial habitat in food, nesting hollows, perching places and forage for birds and mammals including some of Australia's threatened and dwindling ecological communities and wildlife species.

For these reasons Council regulates the collection of firewood throughout the road reserves under its control in accordance with the following:

1. Dead standing trees on Council reserves and road reserves are prohibited from removal.
2. Council will not permit the collection of firewood from its road reserves by professional wood suppliers.
3. That on application from private individuals seeking to collect firewood from Council's road reserves for their own personal use, Council may approve such an application based on:
 - a. whether the applicant is a resident of the Shire; and
 - b. the nominated road being of low or no conservation value.
4. Applicants must address an application for permit to the General Manager, with successful applicants receiving a permit remaining valid for up to 3 months, and allowing the collection of up to two (2) single-axle loads (or equivalent) of firewood.
5. An applicant may only apply for one (1) collection permit per financial year.
6. Council delegates authority to the General Manager to approve such applications; the General Manager may sub-delegate this authority to the Director of Engineering and Environmental Services.

This policy will be reviewed within twelve (12) months of the next Council election.

*Adopted by Council 20 April 2020
Refer Minute: 64/20*

*Adopted by Council 16 February 2015
Refer Minute: 35/15*

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

*Adopted by Council – 18 December 2006
Refer Minute No. 431/06*

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

3. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT

(DEES 23/4209)

Executive Summary

Monthly report on engineering and environmental services matters.

Background Information

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.

Emergency works conducted on:

Unsealed Roads: Klemkes Lane, Boyds Lane, Vincents Road, Hendersons Lane, Edwards Lane.

Rural Road: Vegetation control is continuing on Lockhart Kywong Road, The Rock Bullenbong Road.

Prichard Place:

Quotations have been sought from engineering consultants.

Lockhart Kywong Road – 1.25km North of Slocums Lane:

Project complete.

Lockhart Kywong Road – Fargunyah Lane:

Design in progress. Delay in project will require resubmission in next year's program for construction works.

Mittagong Yerong Creek Road:

Waiting for delivery of culverts.

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 ordered and installation will take place 13 April 2023.

Office/lunchroom for The Rock depot has been installed, power and water services to be connected.

Reseal Program:

The reseal program has commenced with the completion of Soldier Settlement Road, Wattles Road/Tinamba Lane and 5km of the Lockhart-Collingullie Road. A 5km reseal of the Lockhart-Kywong Road will complete the reseal program.

Unsealed Road Maintenance of Shire gravel roads has been conducted on:

Webbs Lane, Barracluffs Road, Farralls Lane, Schirmers 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.

Gravel maintenance on Lockhart and The Rock back lanes will continue.

Maintenance crews have been attending to the back log of customer enquiries.

Parks & Gardens

Walter Day Park

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

A new style of swing has been installed at the playground thanks to the Lockhart Lions Club. The **Tango face-to-face swing seat** is a unique design promoting interaction and communication between generations during play, allowing an adult (or older child) to swing face-to-face with the toddler which enhances positive interaction whilst of course, having fun.

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 Street/Albury Road has been completed.

Lockhart Shires Street Tree Policy 2.44 states; 'Council is responsible for the planting and maintenance of street trees, including the selection of species, regular health, and safety checks, pruning, and removal and replanting requirements. Resident concerns regarding street trees, including species selection, maintenance and/or removal should be made in writing and addressed to the General Manager. Such issues will be resolved based on risk and available budget and resources'.

Biosecurity

Weeds Control Program

Priority has been given to the control of Athel pine (*Tamarix aphylla*), Bathurst burrs (*Xanthium spinosum*), Noogoora burr (*Xanthium occidentale*), Prickly pear (*Opuntia* sp.), Purple flowered devil's claw (*Proboscidea louisianica*), and Yellow flowered devil's claw (*Ibicella lutea*) on roadside reserves and council managed land.

Weed Alerts

Due to recent flooding that has swept through the Riverina, many weeds are becoming more prolific, or are establishing in areas where they have never been seen before. Many weed seeds have the ability to disperse in the movement of water. Those being reported are: Cane needle grass (*Nassella hyalina*), Common thornapple (*Datura stramonium*), Golden dodder (*Cuscuta campestris*), Inkweed (*Phytolacca octandra*), Noogoora burr (*Xanthium occidentale*), Purple flowered devil's claw (*Proboscidea louisianica*), Silverleaf nightshade (*Solanum elaeagnifolium*), and Yellow flowered devil's claw (*Ibicella lutea*).

Many of these are already classified as priority weeds in Lockhart Shire. Concern has been raised that many of these weeds are toxic to humans and animals, and caution should be used if unfamiliar with the plant species.

Herbicide Mode of Action Classification Re-alignment

The Herbicide Mode of Action (MoA) classifications have been updated internationally to capture new active constituents and ensure the MoA classification system is globally relevant. The global MoA classification system is based on numerical codes with provides infinite capacity to accommodate new herbicide MoA coming to market, unlike the alphabetical codes currently used in Australia.

Herbicide labels with the new mode of action classification system have begun appearing since early 2022. There will be a transition period during which herbicide labels will exist in the supply chain, some bearing the legacy alphabetical MoA classifications, and others transitioned to the global numerical system. The numerical classification system should be fully implemented by the end of 2024.

drumMUSTER

The March drumMUSTER collection event occurred at Lockhart on Tuesday, 14 March. 1841 drums were inspected, raising \$570.11 for St. Joseph's School. The Rock collection event occurred on Thursday, 16 March. During this event, 1804 drums were inspected, raising \$505.12 for The Rock Men's Shed. drumMUSTER collection events have been tentatively scheduled for Tuesday, 12 September 2023 for Lockhart, and Thursday, 14 September 2023 for The Rock.

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 6 March.

Development Approvals

The following development applications were approved, with conditions, from 1 March to 31 March 2023.

DA/CDC No	Development	Applicant	Site of Development
DA50/22	Subdivision, 7 lots	Habitat Planning	1-3 Veneris St, Lockhart
DA30/23	Single storey dwelling	M Donovan	18 Rand St, Pleasant Hills
CDC41/23	Inground swimming pool	T Flood	12 Drummond St, Lockhart
DA42/23	Installation of a transportable dwelling	K & T Gleeson	94 Pat Gleesons Ln, Urangeline
DA42/23A	Demolition of existing dwelling	K & T Gleeson	94 Pat Gleesons Ln, Urangeline
DA44/23	Carport	G Hay	11 Milne Rd, The Rock
CDC47/23	Inground swimming pool	Leisure Pools	1 Bond St, 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.

Attachments

Nil. (Works Program under separate cover)

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

STRATEGIC DIRECTION E: Strong Leadership and Governance

4. INVESTMENT AND BANK BALANCES REPORT – 31 MARCH 2023

(DCCS: 23/4020)

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			2,613,036.89
Add: Total Receipts			
	Rates	158,650.14	
	Debtors	95,243.70	
	Miscellaneous	46,345.83	
	Interest	40,804.80	
	Apprenticeship Incentive	84,243.76	
	Sale of Plant 2003	21,749.83	
	2022-23 Museum Advisor Program	12,318.94	
	Disaster Funding Jan 2023 Event	1,000,000.00	
	Lockhart/Hollies Road Rehab/Maint	68,970.00	
		1,528,327.00	
Less: Total Payments			2,120,919.12
	New Investments	0	0.00
Closing Combined Cashbook Balance			2,020,444.77
Closing Bank Statement Balance	Bendigo Bank	1,659,326.64	
	Macquarie Bank	340,482.48	
	Bendigo Bank-Prichard Trust	31,742.97	
		2,031,552.09	
Add: Outstanding Deposits			1,673.82
			2,033,225.91
Less: Outstanding Cheques			12,781.14
Closing Combined Cashbook Balance			2,020,444.77
	Interest Rate per	Amount	
Investments:	Annum	Invested	% of Total
Bank of Queensland	3.95	500,000.00	4.66
Bendigo Bank	3.90	500,000.00	4.66
Bendigo Bank	3.55	500,000.00	4.66
Bendigo Bank	4.00	500,000.00	4.66
Bendigo Bank	3.90	500,000.00	4.66
Bendigo Bank	4.05	250,000.00	2.33
Bendigo Bank	4.10	400,000.00	3.73
Bendigo Bank	at call	79,595.83	0.74
Commonwealth Bank	4.03	500,000.00	4.66
Commonwealth Bank	4.07	500,000.00	4.66
Commonwealth Bank	4.24	500,000.00	4.66
Commonwealth Bank	4.22	500,000.00	4.66
Commonwealth Bank	4.23	500,000.00	4.66
MACQUARIE BANK	4.26	500,000.00	4.66
MACQUARIE BANK	4.26	500,000.00	4.66
MACQUARIE BANK	4.32	500,000.00	4.66
MACQUARIE BANK	4.32	500,000.00	4.66
MACQUARIE BANK	4.26	500,000.00	4.66
National Australia Bank	4.05	500,000.00	4.66
National Australia Bank	4.25	500,000.00	4.66
National Australia Bank	4.27	500,000.00	4.66
National Australia Bank	4.15	500,000.00	4.66
National Australia Bank	4.31	500,000.00	4.66
		10,729,595.83	100.00
			AMOUNT
	1490-3000-0000		(477,109.34)
Combined Sewerage	8490-3000-0000		2,465,811.14
Trust Fund	9991-3000-0000		31,742.97
		2,020,444.77	2,020,444.77
TOTAL FUNDS HELD ARE:		12,750,040.60	

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 March 2023, the average end of month balance of funds invested has been \$9.014 million and the average return on invested funds has been 3.31%. 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 31 March 2023 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

5. CONFLICT OF INTEREST POLICY – COUNCIL RELATED DEVELOPMENTS

(GM: 22/16085)

Executive Summary

A Draft Conflicts of Interest Policy for Council related developments has been publicly exhibited in accordance with a previous resolution of Council and is now tabled for adoption.

Report

A new policy has been developed to comply with amendments introduced into the Environmental Planning and Assessment Regulation 2021 to address conflicts of interest in council related developments.

This situation can arise because councils are development regulators and they also can be the developer, landowner or hold a commercial interest in the land they regulate. Where councils have this dual role, an inherent conflict can arise between their interests in the development and their duty as regulator.

To address this situation the following requirements have been introduced into the Environmental Planning and Assessment Regulation 2021:

- 1) Councils must adopt and have a policy that specifies how conflicts of interest in connection with council-related development applications will be handled. The policy must comply with the requirements in the Guidelines developed by the Department of Planning and Environment.
- 2) Council-related development applications must now be accompanied by either a management strategy statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application.
- 3) Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register.
- 4) Council-related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process.

With respect to 1) above, a draft Conflict of Interest Policy for Council related developments has been developed and was presented to the Council meeting held on 13 February 2023.

At that meeting Council resolved 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.

In accordance with that Council resolution the draft policy was publicly exhibited and no submissions were received. Accordingly the draft policy is now tabled for adoption.

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

Having a policy that specifies how conflicts of interest in connection with council-related development applications will be handled is a requirement of the Environmental Planning and Assessment Regulation 2021.

Identifying these conflicts of interest and finding ways to address them is crucial to good governance and allows councils to regulate council related developments in a more transparent way.

Budget & Financial Aspects

Nil.

Attachments

- Draft Policy 2.58 Conflicts of Interest – Council Related Developments

Recommendation: that Draft Policy 2.58 Conflicts of Interest – Council Related Development, as publicly exhibited, be adopted.

Staff Report 5: Attachment – Draft Policy 2.58 Conflicts of Interest – Council Related Developments

2.58 Conflict of Interest – Council Related Development

POLICY TITLE: CONFLICT OF INTEREST – COUNCIL RELATED DEVELOPMENT

FILE REF: SC67

EXPIRY DATE: APRIL 2026

OBJECTIVE

- 1) This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development.

SCOPE

- 2) This policy applies to council-related development as defined in clause 3)(c) of this policy

DEFINITIONS

- 3) In this policy:
 - a) "Application" means an application for consent under Part 4 of the Act to carry out development and includes an application to modify a development consent. It does not include an application for a complying development certificate.
 - b) "Council" means Lockhart Shire Council
 - c) "Council-related development" means development for which the council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator consent authority
 - d) "Development process" means application, assessment, determination, and enforcement
 - e) "High and Very High Risk development applications" means applications with a capital value exceeding \$1 million and/or is controversial in nature i.e. 10 or more objections have been received following advertising of the development application.
 - f) "Low and Moderate Risk development applications" means non-controversial, small-scale development, development of a certain value with/without a commercial interest,
 - g) "The Act" means the Environmental Planning and Assessment Act 1979.

MANAGEMENT CONTROLS AND STRATEGIES

- 4) The following management controls may be applied to:
 - a) The assessment of an application for council-related development
 - For low and moderate risk development applications the assessment of an application is to be carried out under delegation by a suitably qualified council employee who had no involvement with the preparation of the application.
 - For high and very risk development applications the application will be referred to another council or a suitably qualified planning consultant for assessment.
 - b) The determination of an application for council-related development
 - For low and moderate risk development applications the determination of an application is to be made under delegation by a suitably qualified council employee who had no involvement with the preparation of the application.
 - For high and very risk development applications the determination of an application is to be made by the General Manager based on the recommendation of the other council or planning consultant that assessed the application in accordance with 1)(a) above.
 - c) The regulation and enforcement of approved council-related development
 - For low and moderate risk development applications the ongoing regulation and enforcement of any consent issued for the development is to be carried out by a council employee who had no involvement with the preparation of the application.

- For high and very risk development applications the ongoing regulation and enforcement of any consent issued for the development is to be carried out by a council employee who had no involvement with the preparation of the application.

- 5) The management strategy for the following kinds of development is that no management controls need to be applied:
- a) Commercial fit outs and minor changes to the building façade
 - b) Internal alterations or additions to buildings that are not a heritage item
 - c) Advertising signage
 - d) Minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)
 - e) Development where the council might receive a small fee for the use of their land.

IDENTIFYING WHETHER A POTENTIAL CONFLICT OF INTEREST EXISTS, ASSESSMENT OF LEVEL RISK AND DETERMINATION OF APPROPRIATE MANAGEMENT CONTROLS

- 6) Development applications lodged with the council that are council-related development are to be referred to the General Manager (or a delegate) for a conflict-of-interest risk assessment. The General Manager is to:
- a) Assess whether the application is one in which a potential conflict of interest exists
 - b) Identify the phase(s) of the development process at which the identified conflict of interest arises
 - c) Assess the level of risk involved at each phase of the development process
 - d) Determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary) having regard to any controls and strategies outlined in clause 4) of the policy and the outcome of the General Manager’s assessment of the level of risk involved in accordance with clause 6) (c).
(Note: The General Manager could determine that no management controls are necessary in the circumstances).
 - e) Document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

Note: The following template is to be used by Council for publishing a statement to document its proposed management approach in a particular circumstance in accordance with clause 6)(e).

Conflict of Interest Management Statement	
Project Name	
DA Number	
Potential Conflict	Assessment Phase ▪ Determination Phase ▪ Enforcement Phase ▪
Management Strategy	The council is managing potential conflicts of interest in this matter as follows: Assessment Phase ▪ Determination Phase ▪ Enforcement Phase ▪

*Lockhart Shire Council
Ordinary Meeting – 17 April 2023*

Contact	Anyone with concerns about Council fulfilling its obligations should report their concerns to: General Manager Lockhart Shire Council 65 Green Street (PO Box 21) Lockhart NSW 2656 (02) 6920 5305 mail@lockhart.nsw.gov.au
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*Adopted by Council 17 April 2023
Refer minute xxx/23*

6. **POLICY 1.25 AUSTRALIAN CITIZENSHIP CEREMONIES DRESS CODE**

(GM: 22/16113)

Executive Summary

Policy 1.25 Australian Citizenship Ceremonies Dress Code has been publicly exhibited in accordance with a previous resolution of Council and is now tabled for adoption.

Report

Policy 1.25 Australian Citizenship Ceremonies Dress Code was presented to the Council meeting held on 13 February 2023 for review in accordance with Council's three-year Policy Review Timetable.

At that meeting Council resolved that Policy 1.25 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.

In accordance with that Council resolution the draft policy was publicly exhibited and no submissions were received. Accordingly the policy is now tabled for adoption.

Integrated Planning and Reporting Reference

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

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

It is a requirement of the new Australian Citizenship Ceremonies Code issued in September 2019 by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, that individual councils establish a dress code for ceremonies and provide a copy of the dress code to the Department of Home Affairs.

Budget & Financial Aspects

Nil.

Attachments

- Policy 1.25 Australian Citizenship Ceremonies Dress Code

Recommendation: That Policy 1.25 Australian Citizenship Ceremonies Dress Code, as publicly exhibited, be adopted.

Item 6: Attachment – Policy 1.25 Australian Citizenship Ceremonies Dress Code

1.25 Australian Citizenship Ceremonies – Dress Code

POLICY TITLE: AUSTRALIAN CITIZENSHIP CEREMONIES – DRESS CODE

FILE REF: SC67

EXPIRY DATE: APRIL 2026

POLICY OBJECTIVE

The purpose of this Policy is to establish a dress code for attendees at citizenship ceremonies that reflects the significance of the occasion and in compliance with the Australian Citizenship Ceremonies Code issued by the responsible Minister.

POLICY STATEMENT

Lockhart Shire Council understands that Australian citizenship ceremonies are an important step in fulfilling the legal requirements prescribed by the Citizenship Act and Australian Citizenship Regulation.

Lockhart Shire Council also appreciates that citizenship ceremonies provide an important opportunity to formally welcome new citizens as full members of the Australian community.

To reflect the significance of the occasion, citizenship ceremonies should be formal and meaningful occasions conducted with dignity and respect. They should be designed to impress on conferees the responsibilities and privileges of Australian citizenship.

DRESS CODE

Attendees at citizenship ceremonies are encouraged to wear smart, casual attire which reflects the significance of the occasion.

National/traditional/cultural dress is welcomed to be worn, however the following should not be worn at citizenship ceremonies:

- Beach wear including swimwear of any kind.
- Singlets or tank tops.
- Shirts and jackets containing offensive motifs.
- Overly torn clothing items.

Appropriate footwear must be worn by all attendees. Attending a citizenship ceremony with bare feet is not acceptable.

*Adopted by Council 17 April 2023
Refer minute xx/23*

*Adopted by Council 3 February 2020
Refer minute 11/20*

7. POLICY 1.27 AUSTRALIA DAY AWARDS

(GM: 23/1804)

Executive Summary

Policy 1.27 Australia Day Awards has been publicly exhibited in accordance with a previous resolution of Council and is now tabled for adoption.

Report

A new draft Policy 1.27 Australia Day Awards was presented to the Council meeting held on 13 February 2023 for consideration.

At that meeting Council resolved that Policy 1.27 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.

In accordance with that Council resolution the draft policy was publicly exhibited and no submissions were received. Accordingly the policy is now tabled for adoption.

Integrated Planning and Reporting Reference

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

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

E2: Provide effective community engagement practices with the community.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Provision is made in Council's Annual Operational Plan Budget for the hosting of the annual Australia Day celebrations and Awards ceremony.

Attachments

Nil.

Recommendation: That Policy 1.27 Australia Day Awards, as publicly exhibited, be adopted.

Item 7: Attachment – Policy 1.25 Australian Citizenship Ceremonies Dress Code

1.27 Australia Day Awards

POLICY TITLE: Australia Day Awards

FILE REF: SC221

EXPIRY DATE: April 2026

OBJECTIVE

The objective of this Policy is to outline the arrangements for receiving and assessing nominations for Lockhart Shire Council's annual Australia Day Awards and for determining the recipients of the Awards. The Awards aim to recognise outstanding contributions to the Lockhart Shire community in the year immediately prior to receiving the award, as well as their past achievements and ongoing contribution to the community.

GENERAL PRINCIPLES

There are many in the community who volunteer their time and effort to support others and contribute to the overall wellbeing of the community and whilst not doing it in expectation of receiving any recognition or reward, recognising these efforts enhances the pride and self-esteem of the community and encourages volunteerism. Recognising the valuable contribution people make to their community is also consistent with the following strategies contained in the Lockhart Shire's Community Strategic Plan and the Council's Delivery Program:

- a) *'E1: Promote the increased participation of local people in local government and the community.'*
- b) *"E2: Provide effective community engagement practices with the community."*

AUSTRALIA DAY AWARD CATEGORIES

1. Nominations will be invited on an annual basis for the following Award categories:
 - a) Australia Day Award
 - b) Sportsperson of the Year
 - c) Young Citizen of the Year
 - d) Citizen of the Year
2. All Australia Day Award nominees who meet the eligibility criteria and who, based on the assessment criteria are considered worthy, shall receive an Australia Day Award.
3. The Citizen of the Year and Young Citizen of the Year shall be selected from among the Australia Day Award recipients as the one(s) considered most worthy having regard to the assessment criteria.
4. Council may in exceptional circumstances Award joint Citizen of the Year, Young Citizen of the Year and Sportsperson of the Year Awards.

ELIGIBILITY CRITERIA

5. Nominees for all categories must:
 - a) Be Australian an citizen
 - b) Fall within the following age categories for the respective Awards:
 - i. Young Citizen of the Year: Under 30 years of age
 - ii. Citizen of the Year: 30 years and over

Note: the age of the nominee must fall into the applicable category as at 26 January in the year the Award is given.

6. Reside in the Lockhart Shire Local Government Area at the time of nomination, or if not living in the Shire must have contributed to the Shire for a period of twelve (12) months or longer and who has demonstrated a record of providing beneficial services, to the Lockhart Shire community.
7. Unsuccessful nominees may be re-nominated in subsequent years.
8. Self-nominations will not be accepted.
9. Sitting state and federal politicians and current councillors are not eligible.
10. Retired politicians and former councillors are eligible. However, consideration of their nomination would be for their work over and above their official duties.
11. Persons who have been awarded a Citizen of the Year Award may not be re-nominated for an award for a period of five (5) years.
12. Council will not award a Citizen of the Year Award to the same person until five years has elapsed.
13. Awards will not be granted posthumously.

ASSESSMENT CRITERIA

14. In determining recipients of the Australia Day, Citizen of the Year and Young Citizen of the Year Awards nominees will be assessed against the following criteria:
 - a) The activities undertaken have a positive purpose and benefit to the community.
 - b) Outstanding achievement in a specific field, including but not limited to environmental, community engagement, welfare, arts and culture, leadership, charitable activities and civic responsibility.
 - c) The level of voluntary contribution beyond paid employment.
 - d) The length of activity or service.
 - e) The degree of challenges faced in a role and ability to go above and beyond.
15. The Sportsperson of the Year nominees will be assessed against the following criteria:
 - a) Demonstrated achievement in one or more of the following:
 - i. Good practice in sport and being a positive role model in sporting and recreational pursuits
 - ii. Encouraging membership and participation in sport
 - iii. Contributing to the outstanding management or administration of sporting activities
 - iv. Participating in official sporting or recreational duties in a voluntary capacity

DETERMINATION OF AWARD RECIPIENTS

16. An Australia Day Awards Committee shall be convened by Council each year for the purposes of assessing the nominations received and making a recommendation to Council as to the Award recipients.
17. The Committee shall comprise at least one councillor from each Ward.
18. The Committee's recommendation shall be presented to the December ordinary meeting of Council preceding Australia Day.
19. The Award recipients shall be determined by resolution of Council in closed session.
20. The Award recipients will be announced on Australia Day.

*Adopted by Council 17 April 2023
Refer minute xxx/23*

8. POLICY REVIEW – POLICY 1.12 DEBT RECOVERY PROCEDURES

(GM: 23/3667)

Executive Summary

Policy 1.12 Debt Recovery Procedures is due to be reviewed in accordance with the three-year cycle referred to in Policy No. 1.0 Policies – Procedure for Consideration and Adoption.

Report

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.

Policy 1.12 Debt Recovery Procedures is now due for review in accordance with the scheduled three-year cycle referred to in Policy No. 1.0:

No changes are proposed to the Policy. A copy of the Policy is attached.

Integrated Planning and Reporting Reference

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

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

Legislative Policy & Planning Implications

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

Budget & Financial Aspects

The percentage of outstanding rates and annual charges is one of the performance measures and performance benchmarks set by the Office of Local Government.

Attachments

- Policy 1.12 Debt Recovery Procedures

Recommendation: That Policy 1.12 Debt Recovery Procedures, as presented, be adopted.

Staff Report 8 – Attachment: Policy 1.12 Debt Recovery Procedures

1.12 Debt Recovery Procedures

POLICY TITLE: DEBT RECOVERY PROCEDURES

FILE REF: A15-010

REVIEW DATE: APRIL 2023

OBJECTIVES

1. Ensure effective control over debts owed to Council.
2. Be sympathetic and helpful to those ratepayers and other debtors suffering genuine financial hardship.
3. Fulfill the statutory requirements of the Local Government Act with respect to the recovery of rates and other debts.
4. Maximise cash flow.

POLICY STATEMENT

1. OUTSTANDING RATES

- 1.1 Recovery action shall be instituted if current rates are not paid by the due date and the outstanding amount is over \$600.00 unless arrangements have been made for payment by instalments either pursuant to Section 562 of the Local Government Act (the "Act") or by mutual agreement with Council's Officers when payment of rates would cause hardship.
- 1.2 Recovery action shall also be instituted for the recovery of outstanding rates, where one month after service of the rate notice there remains an amount outstanding from previous rating years and the ratepayer has not entered into a mutual agreement with Council's Officers as referred to in paragraph 1.1 to reduce the liability.
- 1.3 Recovery action may include letters, telephone calls, Reminder Notices or Notices of Demand, Summonses, Writs, Garnishee Orders, Section 569 Notices, Warrant of Apprehension, Notices to wind up a company and sale of land for overdue rates under Section 713 of the Act.

The process for the recovery of outstanding rates will consist of:

- i) An overdue notice from Council advising that the account is overdue and should be paid within seven days or legal action may be taken. The notice is to include an option to contact Council to make an arrangement in order to pay the account, should the ratepayer be experiencing difficulties meeting payments.

A similar notice is to be sent to pensioners. The notice will be termed a reminder notice and will carry appropriate terminology without referring to legal action at this stage. Refer to Policy Statement 3 for further information on recovery action for pensioners.
 - ii) Should the account not be paid within the fourteen days a letter is to be sent advising that legal action will commence unless the amount is paid within 7 days.
 - iii) Should the account not be paid within the seven days the account will be referred to one of Council's preferred Debt Collection Recovery Agencies or Council's Solicitors for Legal action to commence.
- 1.4 Ratepayers who because of hardship wish to enter into a mutual agreement with Council to pay rates by instalments, other than Section 562, shall supply to Council's Officers such information as is required by them to determine the matter.
 - 1.5 Where a ratepayer who has made arrangements to pay rates in instalments by mutual agreement with Council's Officers does not meet their full obligations under the agreement, the agreement is terminated and legal action shall be immediately instituted for the recovery of any outstanding rates.
 - 1.6 Any agreement entered into with a ratepayer for the payment of outstanding rates other than pursuant to Section 562 of the Act, shall endeavour to ensure that all rates outstanding are fully paid by 31st May of the rating year in which the agreement is entered into, and an agreement for payment of outstanding rates shall not extend beyond two years during which time all later levied rates shall be liquidated.

2. INTEREST CHARGES
 - 2.1 Interest will be charged on overdue rates in accordance with Section 566 of the Act by the maximum allowable under the Act.
 - 2.2 Extra charges may be written off in accordance with Section 567 of the Act by Council resolution or by delegation of authority to the General Manager.

3. REBATES/PENSIONERS
 - 3.1 Eligible pensioners shall be required to pay the amounts of rates remaining following any statutory reduction in rates granted under the Act. Such amounts remaining may be paid by instalments pursuant to Section 562 of the Act.
 - 3.2 Council's Officers shall take into account the limited income of eligible pensioners and may enter into a mutual agreement with them for the payment of rates by arrangement but within the rating years in which the rates were levied.
 - 3.3 Where payment of rates is likely to cause extreme hardship to an eligible pensioner, the General Manager upon the recommendation of the Director of Corporate and Community Services may allow rates and interest charges to accrue against the property until the estate of the pensioner is settled.

Before allowing rates and interest charges to accrue against a property in accordance with paragraph 3.4, Council's Officers shall obtain from the ratepayer relevant financial and other details in order to determine that the payment of rates and interest charges would cause extreme hardship.
 - 3.4 In relation to pensioners with outstanding debts, each case will be treated on its merits with a preference to deferring the debt given to the pensioner wherever possible.

4. SUNDRY DEBTORS
 - 4.1 Monthly statements are to be forwarded to Sundry Debtors. Amounts outstanding for more than thirty days are to be regarded as overdue.
 - 4.2 Where amounts are outstanding for more than thirty days credit or services may be stopped. Where it is not practicable to cease a service or credit, a letter (other than a statement) is to be forwarded to the debtor advising that legal action will commence should the debt not be finalised within fourteen days.
 - 4.3 Where applicable recovery action is to be taken where amounts of \$100.00 or more are outstanding for more than sixty days. The account to be referred to one of Council's preferred Debt Collection Recovery Agencies or Council's Solicitors for Legal action to commence.
 - 4.4 A monthly report on outstanding Sundry Debtor amounts to be provided to the Director Corporate and Community Services for review.

It be noted the use of external Debt Collection Agencies will only be utilised following Council's best internal efforts.

REFERENCE DOCUMENTS

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

- Policy 2.33 – Pensioner Concession.

Adopted by Council 17 April 2023
Refer minute XXX/23

Adopted by Council 18 May 2020
Refer minute 91/20

Reviewed by General Manager in February 2017.

Adopted by Council 20 July 2009
Refer minute 246/09

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.