



MINUTES

of the
Ordinary Meeting
Held
19 June 2023

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

**Minutes of the Ordinary Monthly Meeting of Lockhart Shire Council held in the Council Chambers,
Lockhart on Monday, 19 June 2023 commencing at 5.00pm.**

PRESENT

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

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

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

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

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

APOLOGIES

Nil.

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

Cr Sharp requested leave of absence from the July 2023 and August 2023 ordinary meetings of Council.

86/23 RESOLVED on the motion of Crs Rockliff and Walker that the request by Cr Sharp be approved and leave of absence be granted.

CONFIRMATION OF MINUTES ORDINARY MEETING HELD 15 MAY 2023

87/23 RESOLVED on the motion of Crs Mathews and Hunter that the Minutes of the Ordinary Meeting held on Monday, 15 May 2023 as printed and circulated be taken as read and confirmed.

DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

SUSPENSION OF STANDING ORDERS

88/23 RESOLVED on the motion of Crs Driscoll and Marston that Standing Orders be suspended to allow Ms Miranda Livingstone to address Council regarding the proposed Lockhart Gym, the time being 5:06pm.

RESUMPTION OF STANDING ORDERS

89/23 RESOLVED on the motion of Crs Marston and Driscoll that Standing Orders be resumed, the time being 5:19pm.

MAYORAL MINUTE

Nil.

REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

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

- 18 May Meeting with Telstra RGM and staff on Digital Connectivity.
- 31 May Attended the Lockhart Shire Business Excellence Awards at Yerong Creek.
- 9 June Meeting with GM and inspection of office alterations
- 13 June Phone meeting with Member for Wagga Wagga, Dr Joe McGirr re constituent issues and comments by new Local Government Minister.
- 13 June Phone consultation with Wagga Wagga City Council Mayor, Cr Dallas Tout re REROC and Boundary issues.
- 14 June Phone consultation with Dr Shenouda re The Rock Medical Centre.

Councillor Activities

Cr Marston reported attending a practiced deployment of the flood mitigation pump at The Rock Mangoplah Road on 6 June 2023. Some procedural issues were noted.

Cr Hunter reported her attendance at the Lockhart Shire Business Excellence Awards at Yerong Creek on 31 May 2023.

Cr Day reported her remote attendance at the Tourism & Economic Development Steering Committee meeting on 7 June 2023.

90/23 RESOLVED on the motion of Crs Marston and Walker that the Mayoral & Councillor Activities Report be received.

URGENT MATTERS

Nil.

NOTICE OF MOTION

Nil.

COMMITTEE REPORTS

1. MINUTES OF THE TOURISM AND ECONOMIC DEVELOPMENT STEERING COMMITTEE HELD ON 7 JUNE 2023

Date & Time	Wednesday 7 th June 2023 – 6.00pm
Location	The Rock Memorial Bowling Club
Attendees	Erica Jones, (Chairperson) Cr Peter Sharp, Cr Fran Day (Zoom), Cr Ian Marston Fiona Beckett, Cr Bob Mathews, Michelle Bailey (Zoom), Heather Trevaskis, Navneet Choujar (Zoom), and Matt Holt (TEDO – Secretary).
Apologies	Mandy Strong, Rachel Viski
1 & 2.	The meeting opened with a Welcome from the Chair and an Acknowledgment of Country


CHAIRPERSON

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3. Declarations of Interest	Cr Fran Day – Walk of Fame (stayed online but didn't participate in discussion). Cr Ian Marston – Murrumbidgee Trails (stayed in room but didn't participate in discussion).	
4. Election of Office Bearers		
Minutes	The Chair handed over the meeting to the secretary to run the Election of Office Bearers. The Secretary would like to thank outgoing committee members for the roles as Chair, Deputy Chair, and Timekeeper. Secretary declared all positions vacant and called for nominations for: Chair – Erica Jones was nominated and accepted. Deputy Chair – Michelle Bailey was nominated and accepted. Timekeeper – Heather Trevaskis was nominated and accepted. Congratulations to all members.	Presenter/s Chair/Secretary
Actions	Nil	
Resolutions	Recommended on the motion of Fiona Beckett and Cr Peter Sharp that Council accept the above positions for the next 12 months.	
5. Confirmation of the minutes for the meeting Tuesday 9th May 2023		
Minutes	Nil	Presenter/s
Actions	Change date from February to May	Matt
Resolutions	Recommended on the motion of Heather Trevaskis and Cr Ian Marston that the minutes of the meeting held on Tuesday, 9 th May 2023 as circulated, be confirmed as a true and correct record of the proceedings.	
6. Action from previous minutes		
Minutes	<ul style="list-style-type: none"> • Sister City/Shire – Lockhart, Texas, USA. Council to enter a relationship with Lockhart Texas, starting with correspondence with the Mayors then starting with engagement through local schools – Outstanding – TEDO to speak to GM. • ABC Back Roads – working with Spirit of the Land Festival for 2024. Complete. • Pleasant Hills Sulky Signage – TEDO to arrange a meeting – Outstanding. • The Rock Bowling Club Mural – meeting not needed. Updates ongoing – Complete. • Walk of Fame – See Item 6. Draft Report with an additional proposal. • Business Awards – Complete. Wrap up and review underway. ACTION: TEDO will present a full report to Committee in July. • Australian Passport Souvenir - passed to Heather for consideration – Outstanding – TEDO to speak with Heather regarding stamps. • Proposed New Event – Bob/Navneet to provide a proposal – Outstanding. Committee suggested to aim for November 2024 – TEDO, Cr Mathews and Navneet to arrange a meeting, with letters going to organisations in Wagga 	Presenter/s TEDO


 CHAIRPERSON

	<p>and Albury for their support.</p> <ul style="list-style-type: none"> • Albury Wodonga Tourism Partner Program 23/24 – Joined. With more information on the page as requested https://www.visitalburywodonga.com/explore/our-region/our-neighbours/lockhart/ Complete. • Regional Strategic Plans – Hard Copy to Fiona. Complete. • Resignation – Brent Alexander. Appreciation letter to be sent. Complete. • LEP Review - Local Housing and Employment Strategy small presentation. Outstanding. • RV Dump Points for Pleasant Hills and Lockhart Show Ground. Outstanding. • EV Chargers signage and promotions. Outstanding. • Pleasant Hills Hall - new disabled toilet sign to go out the front. Outstanding. • NSW LG Destination Visitor Economy Conference – who can go. Open to Councillors and Staff. However, a report will be presented to the Committee for the 2024 Conference to be held in Wagga Wagga. Including if committee members can go and for TEDO to check budget. Outstanding. • 1847 Map of Lockhart and District with names. Heather sent an image to TEDO who passed on to management. Complete 	
Actions	TEDO to continue to work on outstanding items	
Resolutions	Recommended on the motion by Cr Ian Marston and Heather Trevaskis that the Committee note the completed actions and the TEDO action the outstanding items.	
7. Walk of Fame		
Minutes	Report to Council circulated, with discussion had with a new inclusion. Committee decided to endorse the panels original recommendation.	Presenter/s
Actions	TEDO to submit a closed session report to Council in June.	TEDO
Resolutions	Recommended on the motion by Heather Trevaskis and Michelle Bailey that Council endorse the report when it is presented to them in closed session.	
8. Murrumbidgee Trails		
Minutes	Survey Results and Report shared at Meeting and available on hard drive.	Presenter/s
Actions	TEDO to action membership for Murrumbidgee Trails	TEDO
Resolutions	Recommended on the motion by Heather Trevaskis and Fiona Beckett that Council enter into a MOU for the next two years with that been the Murrumbidgee Trails Collective.	
9. Memberships – Country Change		
Minutes	Membership for Country Change is up for consideration for 2023/2024. Report table and discussed.	Presenter/s
Actions	TEDO to ask RDA Riverina for a presentation at the July meeting	TEDO

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Resolutions	Recommended on the motion by Cr Peter Sharp and Fiona Beckett that Council ask RDA - Riverina to do a presentation at the July meeting for members to ask questions.	
10. Museum Advisor – April Report		
Minutes	TEDO presented the April report from our Museum Advisor	Presenter/s
Actions	NIL	TEDO
Resolutions	Recommended on the motion by Fiona Beckett and Cr Bob Mathews that Council note the report.	
11. Project Update		
Minutes	TEDO provide update	Presenter/s
Actions	Nil	TEDO
Resolutions	Recommended on the motion by Heather Trevaskis and Cr Peter Sharp that Council note the above information.	
12. Questions/Comments/Feedback/Updates		Member
Question	Pastoral Shadows of Brooking who is responsible for updates.	Cr Mathews
Answer	TEDO thinks it's a shared responsibility between Lockhart Progress and Council. However, TEDO is aware of updates that are needed.	TEDO
Question	Bus Trip to for Businesses around the Shire.	Cr Mathews
Action	TEDO to investigate for later this year	TEDO
Question	Heather Trevaskis asked about where the proposed 40kms speed in Green Street Lockhart is up too.	Heather
Answer	Currently on public exhibition, closes 19 June 2023	TEDO
Questions	Trucks are using air brakes along East St in Lockhart and along the Olympic Highway in The Rock, can signage be installed to encourage the limit of compression breaking.	Heather/Michelle
Action	TEDO to send request to Director of Engineering	TEDO
Feedback	Cr Marston, Michelle Bailey, and the Committee congratulated Matt, Alirah and all those involved in the delivery of the Business Awards.	All
Answer	TEDO thanked the Committee for their kind words and ongoing support.	TEDO
13. Next meeting: Thursday 6th July 2023 – Lockhart Shire Council Chambers		
14. Meeting Closed: 7.55pm		

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

91/23 RESOLVED on the motion of Crs Sharp and Marston that the minutes of the Tourism and Economic Development Steering Committee be received, and the recommendations therein be adopted.
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DELEGATES' REPORTS

1. POLICE & COMMUNITY CONSULTATION GROUP – 9 MAY 2023 AT THE ROCK

(GM: 23/5510)

I report having attended the Police and Community Consultation Group meeting held at The Rock Memorial Bowling Club on 9 May 2023.

All Committee members provided updates in relation to their respective communities. The following issues were noted in particular:

- Sergeant Damien Davies advised of changes within the local Police force and noted that Senior Constable Ryan Withers has been transferred and his replacement, Phillip Bitterlin, will commence duties on 16 July 2023. He also noted that Justin Falkner will replace Inspector Andrew Ryabovitch, who has also been transferred, and will commence on 25 June 2023
- There had been a recent break-in at the local pharmacy at The Rock and a vehicle being stolen and burned on The Rock Collingullie Road. The issue of burnouts being done on local streets in The Rock was also discussed.
- An update was provided in relation to the installation of CCTV cameras.
- The General Manager informed the Committee that Transport for NSW was considering design options for addressing the issue of stacking distances at the Yerong Street level crossing at The Rock and the Plunkett Street level crossing at Yerong Creek.

Cr Greg Verdon
Delegate

2. RFS SERVICE LEVEL AGREEMENT COMMITTEE MEETING – 16 MAY 2023 AT WAGGA

(GM 23/5525)

I report having attended the Rural Fire Service Riverina Zone Service Level Agreement Committee meeting held in Wagga Wagga on 16 May 2023.

The following points were noted in particular:

- The 2022/23 fire season was comparatively quiet with less fire activity than previous years.
- With the ongoing implementation of the tanker replacement program the average age of fire tankers in Lockhart Shire has been reduced to 13 years.
- Tenders have been invited for the new three bay fire station at The Rock and close on 23 May 2023.
- Grant funding for 2023/24 hazard reduction activities are open with a closing date of 9 June 2023.

Peter Veneris
Delegate

Recommendation: That the Delegates' Reports be received.

92/23 RESOLVED on the motion of Crs Mathews and Walker that the Delegate's 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 15 May 2023			
85/23	DEES	<p>Tender for Review of The Rock Flood Study</p> <p>That a further report be presented to Council when the outcome of Council's request for additional funding is known.</p>	Refer Staff Report 16 (Closed Session). Complete.
84/23	DEES	<p>Lockhart Caravan Park Management Contract</p> <p>That applicants be offered a \$15,000 flat rate plus 50% of the net profit in the same order as the applicants appeared in the report and that the General Manager be delegated authority to enter into a contract with the successful applicant for one year with the option of two one-year contracts.</p>	Contract signed with preferred tenderer. Complete.
81/23	GM	<p>Fees Payable to the Mayor and Councillors</p> <p>That:</p> <ol style="list-style-type: none"> 1. Council adopts the midpoint between the minimum and maximum allowable for councillors of a "Non-metropolitan Rural" council for the period 1 July 2023 to 30 June 2024; and 2. Fees for the Mayor for the period 1 July 2023 to 30 June 2024 be set at the maximum allowable for a "Non-metropolitan Rural" council. 	New Mayoral allowance and Councillor fees have been incorporated into 2023/24 Budget to apply from 1 July 2023. Complete.
79/23	GM	<p>Policy Reviews</p> <p>That the following policies, as presented, be adopted:</p> <ol style="list-style-type: none"> a) Policy 1.5 Privacy Plan and Privacy Code of Practice b) Policy 1.18 Public Interests Disclosures and Reporting. 	Policy Register updated. Complete.

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Minute No:	Officer to Action	Council Resolution	Action Taken
77/23	DCCS	<p>Draft Operational Plan Budget 2023/24 and Draft Delivery Program Estimates 2024/25 – 2026/27</p> <p>That:</p> <ol style="list-style-type: none"> 1. 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. 2. Following the 28-day public exhibition period, Council further considers 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. 	<p>Notice given in Council Newsletter, social media and website. Complete</p> <p>Refer separate report to Council (Staff Report 11) Complete.</p>
74/23	DEES	<p>Proposed Speed Limit Changes – Green Street, Lockhart</p> <p>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.</p>	<p>Notice given in Council Newsletter, social media and website. Refer separate report to Council (Staff Report 8). Complete.</p>
73/23	DEES	<p>Engineering & Environmental Services Report</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. 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. 2. Endorse the submission of an EOI under the Growing Regional Economies Fund enabling infrastructure services in Prichard Place. 	<ol style="list-style-type: none"> 1. Workshop convened for 4.00pm on 19/11/23. Complete. 2. Submission made. Complete.
72/23	MPE	<p>Variation to Development Control Plan for DA46/23</p> <p>Council grants 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.</p>	<p>Development consent issued for DA46/23. Complete.</p>

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Minute No:	Officer to Action	Council Resolution	Action Taken
70/23	DCCS	<p>Appointment of Section 355 Committees</p> <p>That Council:</p> <ol style="list-style-type: none"> 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 620047 on which the hangars are situated as shown on the attached plan, pursuant to section 377 of the Local Government Act. 	<ol style="list-style-type: none"> 1. Meeting with Treasurer of the Lockhart Golf Club has occurred with the S355 to commence as of 1 July 2023. 2. No action to date.
69/23	DCCS	<p>Request for Financial Assistance – The Rock Golf Club</p> <p>Council provides 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.</p>	<p>Loan Agreement is with The Rock Golf Club for signing and returning to Council for signing.</p> <p>Arrangements have been discussed regarding spending funds for improvements.</p>
68/23	GM	<p>Phase 4 Local Roads & Community Infrastructure Grants Program</p> <p>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.</p>	<p>Awaiting release of Program Guidelines</p>
65/23	TEDO	<p>TEDSC – Sister City/Shire – Lockhart, Texas USA</p> <p>That Council enters into a relationship with Lockhart Texas, starting with correspondence with the Mayors then progressing to engagement through local schools.</p>	<p>Currently liaising with local schools before drafting initial correspondence from the Mayor.</p>
65/23	TEDO	<p>TESDC – Albury/Wodonga Tourism Partner Program</p> <p>TEDO to sign Lockhart Shire up to the Albury-Wodonga Tourism Partner Program in 2023/24.</p>	<p>Subscribed to Albury/Wodonga Tourism Partner Program for 2023/24.</p> <p>Complete.</p>


 CHAIRPERSON

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Minute No:	Officer to Action	Council Resolution	Action Taken
65/23	TEDO	<p>TEDSC – Resignation of Member</p> <p>That the Tourism & Economic Development Steering Committee accept the resignation of Brent Alexander and Council to write a letter of appreciation.</p> <p>That the TEDSC discuss at its July Meeting the membership since no EOIs were received from Yerong Creek and the above resignation.</p>	<p>Letter signed by the Mayor, forwarded to Mr Alexander. Complete.</p> <p>Pending meeting to be held on 4/11/23.</p>
63/23	GM	<p>Damaging Increase in Emergency Services Levy Costs</p> <p>1. Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and the local State Member:</p> <p style="padding-left: 20px;">a) Expressing Council’s strong opposition to the NSW Government’s last-minute decision to impose an ESL cost increase on councils by scrapping the ESL subsidy etc.</p> <p>2. Council writes to the President of LGNSW seeking the Association’s ongoing advocacy in relation to this matter.</p> <p>3. Council writes to the Chair of IPART advising that Council’s ESL contribution is manifestly disproportionate to the 2023/24 rate cap.</p>	<p>Letters forward to the Treasurer, Minister for Emergency Services, Minister for Local Government, local State Member. Complete.</p> <p>Letter forward to LGNSW. Complete.</p> <p>Letter forward to IPART. Complete.</p>
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>Draft lease being prepared.</p> <p>Formation of Sec355 committee has been approved.</p> <p>In progress.</p> <p>To be undertaken by s355 committee once operational.</p>

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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>	Design currently being prepared.
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. OLG Portal has not been opened.</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.

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Minute No:	Officer to Action	Council Resolution	Action Taken
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>Opened on Tuesday 23 May 2023.</p> <p>To be reviewed at conclusion of 12-month trial.</p> <p>Complete.</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.</p> <p>Complete.</p>
141/22	GM	<p>Request for Council to Purchase Private Access</p> <p>Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.</p>	<p>Survey plan has been completed and forwarded to affected landowners for signature.</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>Public toilets complete. Paving and landscaping works currently being rescoped and quotes being 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 – awaiting survey plan from surveyors.</p>

This is page 13 of the Business Paper of the Ordinary Monthly Meeting of the Lockhart Shire Council held in the Council Chambers, Green Street, Lockhart – 19 June 2023.


 CHAIRPERSON

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Minute No:	Officer to Action	Council Resolution	Action Taken
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>Sign board that was being considered for the caravan park is currently not available. Awaiting appointment of new caravan park manager to before progressing.</p>
Ordinary Council Meeting held 16 August 2021			
148/21	GM	<p>Proposed “Tim Fischer Way”</p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>Proposed to incorporate “Tim Fischer Way” touring route on new Visit Lockhart Shire website.</p> <p>Phase 1 complete with new website now live. Functionality to facilitate “Tim Fischer Way” touring route being developed is part of Phase 2 of the new website to be progressed in 2023/24.</p>
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>Loan agreement has been signed and executed. Payment has been made.</p> <p>Complete.</p>


 CHAIRPERSON

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Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 20 July 2020			
133/20	GM	Naming of Bridges – Brookong Creek and Urana Lockhart Road 1. Propose the bridge on Urana Lockhart Road be named Brookong Creek Bridge. 2. Propose the culvert over Brookong Creek in Green Street, Lockhart, be named Greens Gunyah Bridge, Brookong Creek. 3. Write to Transport for NSW advising of the proposed names for the bridge on Urana Lockhart Road and the new culvert over Brookong Creek, Lockhart.	Proposed names endorsed 3 April 2023. Signs are being designed for approval.
Ordinary Council Meeting held 20 April 2020			
70/20	GM	Review of Operational Land Council adopts the following actions in relation to the review of land classified as “operational land”: <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. 	A valuation report has been commissioned and made available to the adjoining landowner. 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. Contract signed.
Ordinary Council Meeting held 15 May 2023 – Councillor Questions & Statements			
Questions & Statements	DCCS	Recreation Ground Lights Cr Jane Hunter: requested an update in relation to this project. Cr Gail Driscoll: asked is it possible that Council will not get the funding required and if so, can a Plan B be developed. Plan A is for the installation of LED lights. Can Plan B be making the towers safe and putting standard lights on them.	Refer to Grants Funded Projects Status Report–June 2023 provided under separate cover. For The Rock Recreation Ground lights, audit report received, awaiting costings to address audit report recommendations. <i>Retrieve Cr Driscoll’s key.</i>
	DEES	Cr Sharp - South end of Lallarook Lane is a washout where water has been running over the road and not through the culvert and asked whether the culvert could be moved	Options being investigated for culvert location.
	DEES	Cr Sharp – Eulensteins Road: is in very poor condition and asked when is it likely that the grader will be in the area.	On the grading program for grading June/July.
	DEES	Cr Peter Sharp – Clancys Lane: has a large pothole that needs gravel and grading.	Dry weather, earth formation road, to be graded in conjunction with adjacent roads.
	DCCS	Cr Bob Mathews – Youth Officer: Advised that with the possibility of a sister city with Lockhart, Texas USA and the engagement through local schools, it is important that consideration be given to the appointment of a Youth Officer.	Report regarding the appointment of a Youth Officer to be tabled at a future meeting.


 CHAIRPERSON

Lockhart Shire Council
Ordinary Meeting – 19 June 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Bob Mathews – Feral Cats: Advised that feral cats are an ongoing problem in Lockhart. Could a report be presented on what Council can do to reduce the number of feral cats.	Refer Staff Report 6.
	DCCS	Cr Gail Driscoll – Works at the Recreation Ground: Advised that the key was given to the builder about a fortnight ago but there has been no progress since that time.	New contractor engaged, works to commence Monday 19 June.
	DEES	Cr Day – Fargunyah Lane is in very poor condition with farmers avoiding the Lane and using alternate routes	Dry weather, earth formation road, to be graded in conjunction with adjacent roads.
	DEES	Cr Ian Marston - EV charging stations a) asked if there will be site maps advising the public where to find the stations and will there be instructions on how to use them. b) asked if signage and parking lines can be provided at the EV charging stations.	a) EV stations are mapped on mobile apps and instructions have been attached to chargers. b) Signs have been ordered for all locations and will be installed.
Ordinary Council Meeting held 17 April 2023 – Councillor Questions & Statements			
Questions & Statements	DEES	Cr Marston: Yerong Creek Mittagong Road Culvert – Trees Encroaching Referred to this culvert (near the Vincents Road intersection) where trees are encroaching on the road, and asked if Council could investigate trimming these trees.	Being investigated.
	DEES	Cr Marston: The Rock Flood Mitigation Pump 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.	Pump is now with Council and has been deployed when required. Complete.
	DEES	Cr Driscoll & Cr Walker: Street Sweeper 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.	Greater Hume Shire have been contracted to reinstate previous street sweeping program. Council staff investigating different models for purchase. One machine trialed was deemed unsuitable.
	DEES	Cr Driscoll: Showers & Toilets, The Rock Recreation Ground 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.	Condition of toilets checked. Issue resolved. Complete.
	DEES	Cr Mathews: Traffic Committee Requested that Council investigate changing the speed limit from 50kph to 40kph in the business area of Green Street.	Refer to Staff Report 8. Complete.

Lockhart Shire Council
Ordinary Meeting – 19 June 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
	DEES	Cr Mathews: Property – Urana Lockhart Road Referred to an untidy property on Urana Lockhart Road and asked if anything can be done to screen the property from the road?	Being investigated.
Ordinary Council Meeting held 20 March 2023 – Councillor Questions & Statements			
Questions & 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. Refer to Staff Report 2. Complete.
Ordinary Council Meeting held 13 February 2023 – Councillor Questions & Statements			
Questions & Statements	DCCS	Cr Marston: Pony Club Stables Asked for an update on the progress of this project.	Shed complete, dead lock to be installed. Complete.
	DCCS	Cr Marston: Recreation Ground Lighting Asked if the new lighting will be installed prior to the end of daylight savings?	The Rock Recreation Ground lights, audit report received, awaiting costings to address audit report recommendations. Superseded by Q&S 15/5/23. Complete.
	DCCS	Cr Driscoll: Refurbishment of Changerooms, The Rock Requested an update on the project.	New contractor engaged, works to commence Monday 19 June. Superseded by Q&S 15/5/23. Complete.
	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.
Ordinary Council Meeting held 21 November 2022 – Councillor Questions & Statements			
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.	Builders have indicated the 300x100 yellow tiles are no longer available and are attempting to source alternative sized tiles.

Lockhart Shire Council
Ordinary Meeting – 19 June 2023

Minute No:	Officer to Action	Council Resolution	Action Taken
Ordinary Council Meeting held 17 October 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	<p>Cr Mathews: Minimising Social Isolation</p> <p>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.</p>	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	<p>Cr Verdon: Disability Access Across the Shire</p> <p>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.</p>	Audit will be undertaken when resources permit. Quotes currently being sourced from suitable consultants.
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>	Majority of work has been completed. Additional fire extinguishers being sourced by club. When installed, final fire safety inspection will be scheduled.
Ordinary Council Meeting held 10 January 2022 – Councillor Questions & Statements			
Questions & Statements	DCCS	<p>Cr Driscoll: Technology</p> <p>Referred to the address via Zoom by Council's auditor and asked if the equipment in the Council chamber could be upgraded to allow better connectivity for online participation in Council meetings.</p>	Installed and operational. Complete.

Minute No:	Officer to Action	Council Resolution	Action Taken
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.	Sign has been relocated. Complete.
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.	Quotes provided to Progress Association. Complete.

Correspondence Received

Date sent to Councillors	From	Subject
30 May 2023	Mayor	Mayoral Email Update

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

93/23 RESOLVED on the motion of Crs Mathews and Marston that the Status Report and Correspondence Précis be received.

STAFF REPORTS

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. REQUEST FOR FINANCIAL ASSISTANCE – THE ROCK HALL/MUSEUM

(DCCS 23/6715)

Executive Summary

A request for financial assistance has been received from The Rock Hall & Museum Management Committee which is tabled for Council's consideration.

Report

A request for financial assistance has been received from The Rock Hall & Museum Management Committee, for a grant or donation pursuant to section 356 of the Local Government Act. The request is summarised below.

The Rock Hall & Museum Management Committee have some necessary maintenance to be completed, new timber on the deck located at the rear of the Hall, replace very old and weathered front door and also new lighting to be installed upstairs to improve the displays. Estimate is approximately \$3,500. The lighting upstairs is almost non-existent at the moment, and a quote for this work has been provided at \$12,384.63.


 CHAIRPERSON

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 \$49,071.83 has been spent and/or committed to date leaving a balance of \$2,928.17 unallocated. As the funding request exceeds balance unallocated, Council can either fund any contribution from its 2023/24 Budget allocation or fund from internal restricted reserve "Community Financial Assistant S356" balance of \$56,000.

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 \$49,071.83 has been spent and/or committed to date leaving a balance of \$2,928.17 unallocated. As the funding request exceeds balance unallocated, Council can either fund any contribution from its 2023/24 Budget allocation or fund from internal restricted reserve "Community Financial Assistant S356" balance of \$56,000.

Attachments

1. Letter from the Secretary of The Rock Town Hall & Museum dated 17 May 2023
2. Email from The Rock Town Hall & Museum dated 5 June 2023.

Recommendation: That Council provide a contribution of \$15,884.63 towards improvements pursuant to section 356 of the Local Government, to be funded from:

- a. internally restricted reserve "Community Financial Assistant S356" with a balance of \$56,000; OR
- b. Council's 2023/24 budget allocation for S356.

94/23 RESOLVED on the motion of Crs Driscoll and Walker that Council provide a contribution of \$15,884.63 towards improvements pursuant to section 356 of the Local Government, to be funded from internally restricted reserve "Community Financial Assistant S356" with a balance of \$56,000.

2. **MAGNOLIA LODGE AND YOUTH FLATS – DEVELOPMENT OPTIONS**

(GM 23/6507)

Executive Summary

At the Council meeting held on 20 March 2023 it was requested that 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.

Report

The Magnolia Lodge independent living units and the Youth Flats have been built pursuant to funding agreements entered into with the NSW Land and Housing Corporation on behalf of the Department of Housing, now known as the Department of Communities and Justice - Housing (DCJ Housing).

Set out below is a summary of the relevant provisions of the two Agreements.

Magnolia Lodge

Under the terms of a Deed of Agreement dated 21 October 1991 DCJ Housing agreed to provide a grant of \$132,080 to Council under the Local Government and Community Housing Program for the cost of


CHAIRPERSON

construction of 3 x 1-bedroom self-contained units for aged persons. Council agreed to provide as its contribution to the project the sum of \$54,500 towards the cost of construction of the housing units.

Title to the property is vested in DCJ Housing and the Council as tenants in common in respective shares in accordance with the "Grant Ratio" as follows:

- | | | |
|----|------------------------|--------|
| 1. | DCJ Housing | 63.04% |
| 2. | Lockhart Shire Council | 36.96% |

The land on which the independent living units are situated comprises 1,394 sqm. An aerial photograph of the property is attached which indicates there may be sufficient space for additional unit(s) to be built on the site.

Youth Flats

Under the terms of a Deed of Agreement dated 30 January 1992 the DCJ Housing agreed to provide a grant of \$153,452 to Council under the Local Government and Community Housing Program for the cost of construction of 4 x 1-bedroom self-contained units for young persons as well as the land which, for the purposes of the Deed, was valued at \$4,000 making the DCJ Housing's total contribution \$157,452. Council agreed to provide as its contribution the sum of \$35,000 towards the cost of construction of the housing units.

Title to the property is vested in the DCJ Housing and the Council as tenants in common in respective shares in accordance with the "Construction Ratio" as follows:

- | | | |
|----|------------------------|--------|
| 1. | DCJ Housing | 81.81% |
| 2. | Lockhart Shire Council | 18.19% |

The land on which the Youth Flats are situated comprises 1,838 sqm. An aerial photograph of the property is attached which indicates there may be sufficient space for additional units to be built on the site. The siting of the existing units on the land also makes it possible to subdivide the property in two in order to excise a vacant lot for further development.

The purpose of DCJ Housing securing proportional title as tenant in common of both properties was to ensure that the improvements erected thereon are utilised for the purposes for which the grant monies were provided by DCJ Housing and in accordance with the guidelines of the Local Government and Community Housing Program.

Under the terms of both Agreements the Council is responsible for managing the properties so as to ensure that they are properly maintained and insured and fully utilised in accordance with the guidelines.

All maintenance, repairs and upgrading is the responsibility of the Council and all costs, outgoings and expenses relating thereto are to be borne by the Council.

Any rental which may be collected by the Council in respect of any letting of the properties is to be applied by the Council towards the cost, outgoing or expense of any necessary maintenance, repair or upgrading.

If the Council desires to sell transfer or otherwise dispose of the Magnolia Lodge independent living units or the Youth Flats, then the following provisions apply:

- The Council shall first give notice in writing to DCJ Housing, of its intention and shall offer to DCJ Housing first option to purchase. Such offer shall remain open for acceptance by the Department until such time as it is formally declined, or within three (3) months of receipt by DCJ Housing of such notice, whichever event first occurs.
- The purchase price shall be the market value of the property as determined by the Valuer General or such other Valuer as is agreed by the parties.
- If DCJ Housing declines to purchase the property, then the Council may offer the property for sale on the open market by public auction or private treaty. In this event the property shall be valued at market value as determined by the Valuer-General or other agreed Valuer.
- Following the said sale, DCJ Housing shall be paid out of the net settlement moneys in full satisfaction of the Grant an amount calculated by multiplying the nett sale price of the units by the "Construction/Grant Ratio".

Whilst the Agreement outlines the process for disposing of the properties, it does not expressly deal with the alternative option of Council acquiring the Department's share and thus becoming the sole owner. However, having regard to the other provisions contained in the Agreements it is assumed that

if Council wished to become the sole owner it would have to acquire the Department's share at current market value.

Options

Having regard to the foregoing information the following options have been identified.

1. OPTION 1 – Status quo i.e. no change

2. OPTION 2 – Council dispose of one or both of the properties.

If Council wanted to pursue this option it would have to offer the first option to purchase the units to DCJ Housing. If DCJ Housing declined Council could then offer the units to another buyer e.g. Respect Group Ltd who operate the other six Magnolia Lodge units together with Woodhaven Aged Care or the Teacher Housing Authority who own the units adjoining Council's Youth Flats.

This option is unlikely to have community support. The other six independent living units were transferred by Council to Respect Group Ltd subject to security of purpose conditions but only as a means of ensuring that Woodhaven Aged Care remained financially viable and was not lost to the community.

3. OPTION 3 – With the consent of DCJ Housing as joint owner, construct additional independent living units and/or youth flats on the existing sites. Council would need to secure government funding or utilise a significant portion of its cash reserves in order to pursue this option.

Council is already planning to use its own funds for the residential developments at Prichard Place Lockhart, and Stage 3 of the Lockhart Industrial Estate. These developments will produce lots that can be sold with the proceeds returned to Council's reserves whereas this would not necessarily be the case if the funds were used for the construction of independent living units and/or youth flats.

4. OPTION 4 – With the consent of DCJ Housing subdivide the land on which the Youth Flats are situated. The new vacant lot created by the subdivision could be developed in its own right e.g. for the construction of rental accommodation or sold and the proceeds used to fund the construction of additional independent living units or rental accommodation on one of the lots in Council's proposed residential subdivision in Prichard Place, Lockhart.

5. OPTION 5 – Due to the subject properties being jointly owned with DCJ Housing, most options available to Council will require DCJ Housing's consent. An alternative approach would be to approach DCJ Housing with a request that its equity in the properties be transferred to Council free of cost in return for an undertaking from Council that the land will be further developed for independent living units and/or rental accommodation to help alleviate the housing shortage.

Integrated Planning and Reporting Reference

A2: Work with service providers and government to improve access to quality health, and medical life-stage facilities and services to meet the long-term needs of the community.

A3: Continue to support, advocate, and plan for high quality services and accommodation for our aged population.

A3: Provide young residents with greater access to youth services.

Legislative Policy & Planning Implications

Further development of the subject properties will be subject to the Deed of Agreement between Council and the NSW Land and Housing Corporation on behalf of DCJ Housing and the lodgement of a development application in accordance with the Environmental Planning and Assessment Act.

Budget & Financial Aspects

No provision has been made in Council's 2023/24 draft budget, which has been placed on public exhibition, for the pursuit of any of the options identified in this report.

Attachments

1. Aerial Photograph – Magnolia Lodge Independent Living Units (Green Street Lockhart)

2. Aerial Photograph – Youth Flats (Drummond Street Lockhart)

Recommendation: That Council approach the Department of Communities and Justice - Housing to gauge the Department's interest in:

- a) Constructing additional independent living units and/or youth flats on the existing sites in accordance with Option 3 outlined in this report; or
- b) Consenting to Council subdividing the land on which the Youth Flats are situated with the new vacant lot created by the subdivision being developed in its own right in accordance with Option 4 outlined in this report; or
- c) Transferring its equity in the properties to Council free of cost in return for an undertaking from Council that the land will be further developed for independent living units and/or rental accommodation to help alleviate the housing shortage in accordance with Option 5 outlined in this report.

95/23 RESOLVED on the motion of Crs Rockliff and Marston that Council approach the Department of Communities and Justice - Housing to gauge the Department's interest in:

- a) Constructing additional independent living units and/or youth flats on the existing sites in accordance with Option 3 outlined in this report; or
- b) Consenting to Council subdividing the land on which the Youth Flats are situated with the new vacant lot created by the subdivision being developed in its own right in accordance with Option 4 outlined in this report; or
- c) Transferring its equity in the properties to Council free of cost in return for an undertaking from Council that the land will be further developed for independent living units and/or rental accommodation to help alleviate the housing shortage in accordance with Option 5 outlined in this report.

**3. REQUEST FOR FINANCIAL ASSISTANCE – THE ROCK MEMORIAL BOWLING CLUB
(DCCS 23/6745)**

Executive Summary

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

Report

A request for financial assistance has been received from The Rock Memorial Bowling Club in the form of an interest free loan, pursuant to section 356 of the Local Government Act. The request is summarised below.

The Rock Memorial Bowling Club is requesting an interest-free loan of \$20,000 to enable their project to replace the synthetic bowling greens to proceed.

The Rock Memorial Bowling Club have been successful in their application under the Stronger Country Communities Fund (SCCF) Round 5 grants program, receiving \$84,318.00. The Club have \$50,000 of their own funding to contribute and are seeking an interest-free loan to enable the project to proceed.

More details regarding the Club's request are contained in the letter from the Chairman of The Rock Memorial Bowling Club, 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 Rock Golf Club, and therefore the request is supported.

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 the funds to fund an interest-free loan as requested.

Attachments

- Letter from the Chairman of The Rock Memorial Bowling Club.

Recommendation: That Council provide an interest free loan in the amount of \$20,000 to The Rock Memorial Bowling Club to enable the replacement of their synthetic bowling greens project to proceed.

96/23 RESOLVED on the motion of Crs Driscoll and Marston that Council provide an interest free loan in the amount of \$20,000 to The Rock Memorial Bowling Club to enable the replacement of their synthetic bowling greens project to proceed.

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

4. DRAFT POLICY – MOWING OF NATURE STRIPS

(DEES: 23/6240)

Executive Summary

Policy 2.59 Mowing of Nature Strips by Council has been publicly exhibited and is presented to Council for adoption.

Background

At the April 2023 Council meeting a draft report for the mowing of nature strips was presented. Council resolved as follows:

“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.”

Report

The draft Policy was placed on public exhibition via Councils newsletter and website until 22 May 2023. At the end of the exhibition period no submissions had been received.

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.

Attachments

- Policy 2.59 Mowing on Nature Strips by Council

Recommendation: that Policy 2.59 Mowing of Nature Strips, as publicly exhibited, be adopted.

97/23 RESOLVED on the motion of Crs Sharp and Walker that Policy 2.59 Mowing of Nature Strips, as publicly exhibited, be adopted.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

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

(DEES: 23/6207)

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 2023 Council meeting, Council resolved as follows:

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

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 *NSW Biodiversity Conservation Act 2016*, in conjunction with the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
- The *Environment Protection and Biodiversity Conservation Act 1999* includes objectives to encourage the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats as well as reference to 'ecologically sustainable development'.
- Rescission of the Policy is consistent with the objectives, strategies and actions contained in the Lockhart Shire Community Strategic Plan i.e.
 - *"Flora and fauna are protected across the Shire"*.
 - *"Increase the amount of native flora, fauna and protect threatened species"*.
 - *"Support the increase of food and habitat sources for threatened and endangered species"*.
- Increased liability for Council due to community members operating chainsaws in the road reserve under an approved permit.

Report

Notice of the proposed rescission was placed in Council's April monthly newsletter, on Council's website and on the Community Facebook page until 22 May 2023.

Council received the following submissions:

- 1) Eastern Riverina Landcare Group – in favour of rescission

"Dear Mr Veneris

As Chair of Eastern Riverina Landcare Group I would like to support Lockhart Shire Council's intention to rescind the above policy. We wholeheartedly agree with the reasons given in the report submitted originally to Council in 2020 and again in 2023 – in short: that the policy is out of step with most other Councils; does not meet Council's legislative obligations (both State and Federal) and is also now inconsistent with Council's Community Strategic Plan.

In addition to the reasons outlined in the report the impact of the policy is not just the removal of valuable woody habitat but also the trampling of fragile flora and fauna and disturbance from chainsaw noise. Council's liability also extends not just to chainsaw operators but also to other road users – with vehicles and trailers often parked in an unsafe manner on the side of roads.


CHAIRPERSON

Whilst noting our support above, we do however hold concerns over how Council intends to enforce the ban, should the policy be rescinded. With most firewood collection happening outside normal office hours and reporting by members of the public likely to be low and lacking sufficient detail we would like to know how Council intends to avoid a perverse outcome, namely an unregulated 'free-for-all'.

In closing, we would like to commend Councillors Walker and Marston for resolving this motion and look forward to receiving your reply to our concerns. We can be contacted on secretary@erlg.org.au."

- 2) Brian Whitely – against rescission

"Dear Councillors,

Regarding policy 2.35, I believe residents and rate payers of Lockhart Shire should be able to collect firewood from Council Road Reserves and Dead Standing Trees. It helps to clean up the roadside and remove some of the danger of old dead trees from falling onto roads. There are many trees that are hanging over, or near the roadways that sooner or later are going to let go. And they don't necessarily have to hit a car with the initial fall to cause damage or death, as because they are a dull grey colour, they would be very hard to see at night, and given the size of them, one can imagine the carnage a collision would cause. In addition to the personal safety aspect, the removal of such trees and wood debris would reduce the amount of fuel for bushfires".

- 3) Katie Day – against rescission

"Dear Council,

I would like council to consider keeping the policy 2.35 Collection of Firewood from Council Road Reserves, as it is currently written.

The only case where I would like to see it changed is if it has a dramatic impact on the cost of our public liability insurance cover.

Many people in our community are being greatly impacted by the ever increasing cost of power. It is generally the poorer people who collect firewood from our roads. Are we as a community going to make it harder for these people to heat their homes in winter?

The other consideration is that they reduce the fire load, probably only ever so slightly, but maybe of some help in a bushfire.

I strongly urge you to maintain the policy as is.

On a separate issue but relating to trees on roadsides. The lack of grading has allowed many saplings to grow well above head height & are very quickly becoming a hazard. Can this issue please be addressed."

Council's insurer was contacted for comment on the issuing of permits. They have advised Council against issuing permits to collect wood. However, if Council decides to continue issuing permits the insurer advises that Council include a waiver to reduce liability in the event of circumstances that may give rise to a claim.

Integrated Planning and Reporting Reference

C3: Flora and fauna are protected across the Shire.

C3: Increase the amount of native flora, fauna and protect threatened species.

C3: Support the increase of food and habitat sources for threatened and endangered species.

Legislative Policy and Planning Implications

Environmental decisions are carried out in accordance with the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, 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 rescind Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees.

MOVED by Cr Mathews and SECONDED by Cr Hunter that Council rescind Policy 2.35 Collection of Firewood from Council Road Reserves and Dead Standing Trees.

On being put to the vote the MOTION was LOST.

6. FERAL CATS

(DEES 23/6593)

Executive Summary

At the last Council meeting concerns were raised regarding the number of feral cats located throughout the Council area. This report identifies options for the Council to reduce the number of feral cats.

Report

Over the past year Council staff have trapped and humanely euthanised approximately fifty (50) feral cats. Trapping of feral cats is the main option for Council to assist with reducing the number of feral cats within the Council area. Council staff can be contacted by members of the community to advise of areas where there are high numbers of feral cats. Council staff can then look to implement cat trapping in these areas to help reduce the numbers of feral cats.

Another option that Council may consider is providing education to the community regarding responsible cat ownership. This will include reminding cat owners to get their cat's microchipped, vaccinated, desexed and confined to their property (where possible) to prevent wandering. This education can be provided through inserting an article in the Council newsletter.

Integrated Planning and Reporting Reference

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

C2: Increase the amount of native flora, fauna and protect threatened species.

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.

Attachments

Nil.

Recommendation: That:

- 1) Council staff continue to identify areas where there are a high number of feral cats and undertake trapping to help reduce the number of feral cats; and
- 2) Provide education to the community in the Council newsletter regarding responsible cat ownership.

98/23 RESOLVED on the motion of Crs Rockliff and Mathews that:

- 1) Council staff continue to identify areas where there are a high number of feral cats and undertake trapping to help reduce the number of feral cats; and
- 2) Provide education to the community in the Council newsletter and social media regarding responsible cat ownership.

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

7. ENGINEERING AND ENVIRONMENTAL SERVICES REPORT

(DEES)

Executive Summary

Monthly report on engineering and environmental services matters.

Report

a) **Works**

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.

Work has commenced on the January '22 storm event, starting with the removal of trees that have fallen due to the rain events.

Sections of unsealed roads which have been identified as damaged as a result of January '22 rain events are under way. Marking out, repairs and gathering completion evidence will be time consuming but must be completed correctly to satisfy TfNSW.

Mittagong Yerong Creek Road: Clearing works has commenced with the removal of several trees. All culverts delivered. Project extended out to 2024. Work to commence September/October 2023.

The Rock Mangoplah Road: Complete.

Henty Pleasant Hills Road: Complete.

Unsealed Roads: maintenance of Shire gravel roads has been conducted on: Dunleveys Lane, Hollies Road, Klimpschs Lane, Jaegers Lane, Aummans Lane, Jaricks Lane, Weillys Lane, Vennells Lane, Kingstons Lane.

Maintenance Crews: Both the bitumen 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 backlog of customer enquiries, and the extension of culverts on The Rock Mangoplah Rd.

b) **Parks & Gardens**

Avenue of Honour

Landscaping of the Avenue of Honour extension has commenced; works include granite, garden beds, steel edging and a dry creek bed.

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

Annual under-pruning of Council's street trees and pruning of limbs protruding into urban lanes will commence shortly.

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

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

c) **Biosecurity**

Weeds

Property Inspections

Inspections were carried out on residential and rural properties, which contained Coolatai grass (*Hyparrhenia hirta*) in historical inspections, which were selected due to a change in ownership, or were seen to possess priority weeds from a neighbouring property. Travelling Stock Reserves, managed by Riverina Local Land Services, were also inspected.

The most commonly found weeds were Bridal creeper (*Asparagus asparagoides*), Privet (*Ligustrum* sp.), African lovegrass (*Eragrostis curvula*), St. John's wort (*Hypericum perforatum*), Horehound (*Marrubium vulgare*), Silverleaf nightshade (*Solanum elaeagnifolium*), Sweet briar (*Rosa rubiginosa*), Prickly pear (*Opuntia* sp.), Bathurst burr (*Xanthium spinosum*), Coolatai grass (*Hyparrhenia hirta*), Johnson grass (*Sorghum halepense*), Asparagus weed (*Asparagus* spp.), Feathertop Rhodes grass (*Chloris virgata*), Lippia (*Phyla canescens*), Athel pine (*Tamarix aphylla*), Green cestrum (*Cestrum parqui*), and Willow (*Salix* sp.) respectively.

No. 1 st Inspections	No. of Reinspections required	No. 2 nd Inspections	No. Biosecurity Undertakings Accepted	No. Biosecurity Directions Issued	No. 3 rd Inspections	No. 4 th Inspections
22	11	3	0	0	0	0

Control Program

Priority has been given to the control of African boxthorn (*Lycium ferocissimum*), Bathurst burrs (*Xanthium spinosum*), Bridal creeper (*Asparagus asparagoides*), Feathertop Rhodes grass (*Chloris virgata*), Horehound (*Marrubium vulgare*), Noogoora burr (*Xanthium occidentale*), and Prickly pear (*Opuntia* sp.) on roadside reserves and council managed land.

Pests

Autumn Fox Baiting Program

Autumn fox baiting began on 2 May, with bait distribution occurring on the Galore Hill Scenic Reserve and Kincaids Reserve. High numbers of bait uptake were recorded at Galore Hill Scenic Reserve.

d) **Development Approvals**

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

DA/CDC No	Development	Applicant	Site of Development
DA43/23	Multi use storage facility	P Notarianni	12 Harry Davies Dr, Lockhart
DA46/23	Shed	J Kemp	64 Urana St, The Rock
DA49/23	Shed	SA Humphries	55 Wilson St, The Rock
DA50/23	Shed	J Ball	34 Norman St, The Rock
DA51/23	Verandah	Lifestyle Patios	19 Green St, Lockhart
DA52/23	Shed	S Harper	40 Railway St, The Rock
DA54/23	Verandah & detached carport	K Burn	57 Federal St, Lockhart
CDC55/23	Inground swimming pool	A Alexander	576 Webbs Lane, Cullivel
CDC56/23	Inground swimming pool	A Alexander	1082 Lockhart Boree Creek Rd, Boree Creek
DA57/23	New dwelling	B & H Homes	329 McKintys Lane, Urangeline
DA58/23	Demolition of existing dwelling	K Ziems	14-16 Galore 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.

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

99/23 RESOLVED on the motion of Crs Driscoll and Rockliff that Council notes the information in the Engineering and Environmental Services report.

8. PROPOSED SPEED LIMIT CHANGES – GREEN STREET, LOCKHART

(DEES 23/6223)

Executive Summary

The speed limit in Green Street, between Mathews and Day Street is currently 50km/h. As a designated high pedestrian area the speed limit could be reduced to 40km/h.

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.

A subsequent report was presented to the May Council meeting where Council resolved:

“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.”

Report

Following public notice of the proposal Council received four submissions as follows:

1. Liz Lawson – Opposed

“I am writing to express my strong opposition of the introduction of a 40km speed limit in Green Street.

Whilst the road between Urana St and Mathews St occasionally gets busy with cars and pedestrians, the majority of the time it is very quiet.

As a person who drives this road numerous times a day, I feel decreasing the speed limit achieves very little. All it really does is open up the possibility of unnecessary speeding fines for members of our community and visitors to our town.

I strongly oppose this proposal.”

2. Lindsay Hock – Supported

“I absolutely support the introduction of a 40 km/h speed limit on Green Street between Urana and Matthews Streets. However, any imposed limit must be enforced as the present restrictions most certainly are not.

There are many B doubles and other large vehicles using Green Street when they have no requirement to do so, they should use the diversions currently available. I support any initiative that may have some effect in directing large vehicles away from the pedestrian hub of Lockhart.”

3. Robyn Dowdle – Supported

“I support the proposal to reduce the speed limit in the Green Street between Matthews and Urana Streets to 40kph.”

4. John Fox – Supported

“I read with interest the proposal to reduce the speed limit of Green Street between Urana & Matthews Streets. I fully endorse this proposal and hope Council is successful in its effort to reduce risk and improve safety.”

5. Margaret Madden - Supported

“Yes to slowing the traffic in the CBD block. Last week I sat having coffee and watching the traffic pass from Latte Da. I was amazed at the number of heavy vehicles passing through along with normal traffic that seem to be travelling over the speed limit. It also amazed me that Lockhart has three bypasses for heavy vehicles and we still have these vehicles using Green Street. Maybe the sign to slow down should start at Walter Day Park.

While I have a pen in hand I want to comment on these strange appendix attached to our already functional and attractive walkway. After that unfortunate accident which partly destroyed the walkway, and the effort put in to return the walkway to its glory, I was disappointed to see the black appendix added to each side serving no purpose or improvement.”

Reasons for the proposal include safety and heavy vehicle deterrence. Reasons against the proposal include that it will not make much difference to vehicle speeds and could result in fines for motorists.

The submissions are split 4:1 in favour of the proposal.

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 obtained from Transport for NSW (TfNSW) through the Regional Road Safety Manager and the Local Traffic Committee.

Budget and Financial Aspects

Funding for signage and line marking is available through TfNSW.

Attachments

Nil.

Recommendation: that Council seeks approval through Transport for NSW to introduce a 40km/h high pedestrian zone in Green Street, between Matthews Street and Day Street.

100/23 RESOLVED on the motion of Crs Mathews and Day that Council seeks approval through Transport for NSW to introduce a 40km/h high pedestrian zone in Green Street, between Matthews Street and Day Street.

9. FOOTPATH MASTERPLAN

(DEES 23/6636)

Executive Summary

A footpath masterplan has been developed for the Shire and is presented to Council for adoption.

Background

Council has asked for a review of our footpath network and a masterplan drawn up to identify where new footpaths could be constructed.

Report

A footpath masterplan has been drawn up of what an ideal footpath network would look like for all townships in the LGA. The masterplan shows the existing footpath network, new locations and potential future network. A priority list has been created for each town based on usage and connectivity. The report provides a further priority list for the entire Shire. The list provides an indicative program dependent on funding availability and does not commit Council to expenditure. Any future funding for footpaths will be actioned based on the priority list.

Council has currently received funding under the Get Active NSW programme for part of the footpaths to be constructed in O'Connell and Hayes Street Lockhart which are in the masterplan. Applications for new footpaths in The Rock and footpath widening in the Shire were unsuccessful.

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

Nil

Budget and Financial Aspects

Council has received funding under the Get Active NSW programme to extend footpaths in O'Connell and Hayes Street, Lockhart which will fund the first year of the masterplan.

Attachments

- Footpath Masterplan provided under separate cover.

Recommendation: That the Footpath Masterplan, as presented, be adopted.

101/23 RESOLVED on the motion of Crs Rockliff and Day that the Footpath Masterplan, as presented, be adopted.



CHAIRPERSON

STRATEGIC DIRECTION E: Strong Leadership and Governance

10. INVESTMENT AND BANK BALANCES REPORT – 31 MAY 2023

(DCCS: 23/)

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		1,611,671.60
Add: Total Receipts		
	Rates	536,375.40
	Debtors	55,898.88
	Miscellaneous	58,309.85
	Interest	37,785.13
	Sale of Plant	367,853.83
	Roads to Recovery	155,535.00
	Financial Assistance Grant	307,427.00
	April BAS Refund	15,782.00
		1,534,967.09
Less: Total Payments		1,407,172.20
	New Investments	0
		0.00
Closing Combined Cashbook Balance		1,739,466.49
Closing Bank Statement Balance		
	Bendigo Bank	910,972.29
	Macquarie Bank	727,303.95
	Bendigo Bank-Prichard Trust	31,764.19
		1,670,040.43
Add: Outstanding Deposits		71,555.06
		1,741,595.49
Less: Outstanding Cheques		2,129.00
Closing Combined Cashbook Balance		1,739,466.49

	Interest Rate per Annum	Amount Invested	% of Total
Investments:			
Bank of Queensland	4.45	500,000.00	4.89
Bendigo Bank	4.55	500,000.00	4.89
Bendigo Bank	4.55	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	4.53	500,000.00	4.89
Commonwealth Bank	4.49	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	4.32	500,000.00	4.89
Macquarie Bank	4.32	500,000.00	4.89
Macquarie Bank	4.26	500,000.00	4.89
Macquarie Bank	4.63	500,000.00	4.89
Macquarie Bank	4.63	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
National Australia Bank	4.55	500,000.00	4.89
		10,229,595.83	100.00
			AMOUNT
			(763,300.09)
Combined Sewerage	1490-3000-0000		2,471,002.39
Trust Fund	8490-3000-0000		31,764.19
	9991-3000-0000		1,739,466.49
			11,969,062.32

TOTAL FUNDS HELD ARE:

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.


 CHAIRPERSON

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 May 2023, the average end of month balance of funds invested has been \$9.23 million and the average return on invested funds has been 4.35%. On these year to date figures, Council's budgeted income on investments will be achieved for the General Fund and Sewer Fund.

Responsible Accounting Officer Statement

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

Recommendation:

- a) That the 31 May 2023 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

102/23 RESOLVED on the motion of Crs Rockliff and Walker:

- a) That the 31 May 2023 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

11. ADOPTION OF DRAFT OPERATIONAL PLAN BUDGET 2023/24, DRAFT DELIVERY PROGRAM ESTIMATES 2024/25 – 2025/26 AND FEES & CHARGES 2023/24 AND MAKING OF THE 2023/24 RATES AND CHARGES

(DCCS: 23/6551)

Executive Summary

The Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27, including Fees & Charges 2023/2024, are tabled for Council's consideration and adoption.

General Fund Report

The Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27 along with Draft Fees and Charges 2023/2024 have been placed on exhibition for 28 days in accordance with the Local Government Act 1993 and the Council resolution passed on 15 May 2023. Submissions relating to the Delivery Program, Operational Plan, Budget Estimates and Fees and Charges are able to be received up to Monday 19 June 2023. At the time of preparing this report, the following submissions had been received:

- 1) The Yerong Creek Public Hall Management Committee:
 - a) increase annual subsidy of \$300, from \$4,200 to \$4,500.
- 2) The Yerong Creek Recreation Ground Management Committee:
 - a) Increase in annual subsidy of \$7,700, from \$9,800 to \$17,500.
 - b) A one-off allocation of \$32,000 (incl GST) to fund a new "second hand" cylinder mower and repairs to existing mower.

The Yerong Creek Recreation Ground subsidy has historically been less than the other three, main recreation grounds (Lockhart, Osborne, The Rock) due to the amount of usage i.e. Lockhart, Osborne and The Rock have both winter and summer sport and recreational activities. It is considered

appropriate that a detailed review of all recreation ground subsidies be undertaken and a report presented to the next Council meeting.

The above requests have not been incorporated into the Draft Budget pending consideration by Council. However, the following adjustments have been made to the Draft Budget in line with a resolution of Council passed on 15 May 2023:

- Councillor Fees: Original Draft Budget \$105,000 - revised budget \$102,960 (Minute No. 81/23)
- Mayoral Fee: Original Draft \$30,000, revised budget \$28,430 (Minute No. 81/23)

At the time of preparing this report advice had been received that the negotiations for a new Local Government (State) Award have been finalised with a 4.5% wage increase effective from 1 July 2023. While the negotiations have been finalised the new Award is required to be formally made by the Industrial Relations Commission of New South Wales. This is expected to occur prior to 30 June 2023 however no adjustment will be made to the Budget until Council receives this confirmation. It is noted that the Draft Budget has been prepared with a 5% Award increase for the 2023/24 financial year. Any adjustments to this will be made at the first Quarterly Budget Review.

Any submissions received post this report being prepared will be tabled at the Council Meeting on 19 June 2023.

The following table provides a summary of General Fund expenditure for 2023/2024:

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

The Draft Budget for General Fund is based on a rate peg of 3.7% and provides for an adjusted budget deficit of \$68,756, taking into account the Councillor Fees and Mayoral allowance as adopted at Council's May 2023 meeting. The final budget deficit is subject to Council's consideration of the submissions during the public exhibition period including those referred to earlier in this report.

Sewer Fund Report

There are no amendments to report for the Draft Sewer Fund Operational Plan 2023/2024 and Draft Sewer Fund Delivery Plan Estimates 2024/25 to 2026/27 as publicly exhibited.

The following table provides a summary of Sewer Fund expenditure for 2023/2024.

Total Operating Expenditure (excl. Depreciation)	478,567
Total Depreciation	275,000
Total Capital Expenditure + Loan Repayments	130,884
Total Expenditure	884,451

The Draft Budget for Sewer Fund provides for a surplus of \$11,044.

Maximum Interest on Overdue Rates and Charges

The Office of Local Government released *Circular 23-02 Information about Ratings 2023/2024* on 8 May 2023 advising the Maximum Interest on Overdue Rates and Charges. In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2023 to 30 June 2024 (inclusive) will be 9.0% per annum.

Legislative Policy and Planning Implications

The Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27, including Fees & Charges 2023/2024 are required to be presented to Council for adoption after being placed on exhibition for 28 days in accordance with the Local Government Act 1993.

Integrated Planning & Reporting

As required under the Integrated Planning & Reporting Guidelines.

Budget and Financial Aspects – General Fund

The budget that is adopted will be Council's Budget for 2023/2024 that will fund the provision of Council's services and activities.

Attachments

1. Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27 and Council's Fees and Charges for 2023/2024, provided under separate cover.
2. Long Term Financial Plan 2023/24 to 2032/33, provided under separate cover.
3. Submission - Yerong Creek Public Hall Management Committee
4. Submission - Yerong Creek Recreation Ground Management Committee

Recommendation: That:

1. Council note and consider any public submissions received post the preparation of this report in respect to the Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27.
2. Council considers any public submissions received prior to the preparation of this report in respect to the Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27, namely:
 - a) The Yerong Creek Hall Management Committee annual subsidy be increased by \$300 to \$4,500; and
 - b) Consideration of the Yerong Creek Recreation Ground Management Committee's request for an increase in the annual subsidy, and one-off financial assistance, be deferred to the next Council meeting pending a review of subsidies paid to all recreation ground management committees.
3. The Draft Delivery Program 2025/2027 incorporating Budget Estimates 2024/25 to 2026/27 for income and expenditure for Council's General Fund and Sewer Fund and the Draft Revenue Policy, incorporating and changes agreed to in response to the submissions received, be adopted.
4. Pursuant to the provisions of the Local Government (Financial Management) Regulation 1993, expenditure required to finance works, services and activities of the Council for the financial year 2023/2024 as detailed in Part 1 Budget Estimates section of the Council's Operational Plan Budget 2023/2024 and Delivery Program Budget 2025/2027 be approved and voted accordingly.
5. The Draft Fees and Charges 2023/2024 be adopted.
6. The Council's Long Term Financial Plan 2023/24 to 2032/33 as presented be adopted:
7. In accordance with section 566(3) of the Local Government Act 1993, the rate of interest payable on overdue rates and charges for the period 1 July 2023 to 30 June 2024 (inclusive) be set at 9.0% per annum.
8. Council, pursuant to section 535 of the Local Government Act 1993, hereby **makes** the following **Ordinary Rates** for the rating period 1 July 2023 to 30 June 2024:
 - i. An *ad valorem* rate of 0.089790 cents in the dollar (zero point zero eight nine seven nine zero), on all rateable land in Lockhart Shire, categorised as FARMLAND in accordance with Section 515 of the Local Government Act 1993, and named "**Farmland**".
 - ii. An ordinary rate on all rateable land in Lockhart Shire, categorised as RESIDENTIAL in accordance with Section 516 of the Local Government Act 1993, excluding land that is subject to either Residential – Lockhart, Residential – The Rock, Residential – Yerong Creek or Residential – Rural, and named "**Residential**", comprising,
 - a) A base amount of \$40.00 (forty dollars) estimated to realise 28% (twenty eight percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.923995 cents in the dollar (zero point nine two three nine nine five).
 - iii. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - LOCKHART in accordance with Section 516 of the Local Government Act 1993, and named "**Residential – Lockhart**", comprising,

- a) A base amount of \$75.00 (seventy five dollars) estimated to realise 19% (nineteen percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.439805 cents in the dollar (zero point four three nine eight zero five).
- iv. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - THE ROCK in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - The Rock**”, comprising,
- a) A base amount of \$75.00 (seventy five dollars) estimated to realise 18% (eighteen percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.329111 cents in the dollar (zero point three two nine one one one).
- v. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - YERONG CREEK in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - Yerong Creek**”, comprising,
- a) A base amount of \$80.00 (eighty dollars) estimated to realise 34% (thirty four percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.551031 cents in the dollar (zero point five five one zero three one)
- vi. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - RURAL in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - Rural**”, comprising,
- a) A base amount of \$50.00 (fifty dollars) estimated to realise 11% (eleven percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.178817 cents in the dollar (zero point one seven eight eight one seven).
- vii. An ordinary rate on all rateable land in Lockhart Shire, categorised as MINING in accordance with Section 517 of the Local Government Act 1993, and named “**Mining**”, comprising,
- a) A base amount of \$150.00 (one hundred and fifty dollars) estimated to realise 0% (zero percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.8 cents in the dollar (one point eight).
- viii. An ordinary rate on all rateable land in Lockhart Shire, categorised as BUSINESS in accordance with Section 518 of the Local Government Act 1993, excluding land that is subject to either Business – Lockhart, Business – The Rock or Business – Yerong Creek, and named “**Business**”, comprising,
- a) A base amount of \$120.00 (one hundred and twenty dollars) estimated to realise 25% (twenty five percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 2.034880 cents in the dollar (two point zero three four eight eight zero)
- ix. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - LOCKHART in accordance with Section 518 of the Local Government Act 1993, and named “**Business – Lockhart**”, comprising,
- a) A base amount of \$150.00 (one hundred and fifty dollars) estimated to realise 27% (twenty seven percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.792006 cents in the dollar (zero point seven nine two zero zero six).
- x. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - THE ROCK in accordance with Section 518 of the Local Government Act 1993, and named “**Business - The Rock**”, comprising,
- a) A base amount of \$130.00 (one hundred and thirty dollars) estimated to realise 20% (twenty percent) of the total yield of this rate, and

- b) An *ad valorem* rate of 0.530457 cents in the dollar (zero point five three zero four five seven).
- xi. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - YERONG CREEK in accordance with Section 518 of the Local Government Act 1993, and named “**Business - Yerong Creek**”, comprising,
 - a) A base amount of \$50.00 (fifty dollars) estimated to realise 12% (twelve percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.610282 cents in the dollar (one point six one zero two eight two).
- 9. Council, pursuant to section 535 of the Local Government Act 1993, hereby **makes** the following charges for the rating period 1 July 2023 to 30 June 2024:

WASTE MANAGEMENT:

- i. A Domestic Waste Management annual charge of \$423.00 (four hundred and twenty three dollars) for a once weekly food organics and garden organics bin collection service and a once fortnightly general waste bin and recycle bin collection service for all rateable residential properties with a dwelling, located within the area for which the service is available, named “**Domestic Waste Management**”.
- ii. A Domestic Waste Management vacant charge of \$59.00 (fifty nine dollars) for all vacant rateable residential assessments located within the area for which the service is available, named “**Domestic Waste Vacant**”.
- iii. An additional Domestic Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once weekly food organics and garden organics bin collection service for any rateable residential properties with a dwelling who request the additional service, located within the area for which the service is available, named “**Domestic Waste Additional FOGO**”.
- iv. An additional Domestic Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once fortnightly general waste bin collection service for any rateable residential properties with a dwelling who request the additional service, located within the area for which the service is available, named “**Domestic Waste Additional Garbage**”.
- v. An additional Domestic Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once fortnightly recycle bin collection service for any rateable residential properties with a dwelling who request the additional service, located within the area for which the service is available, named “**Domestic Waste Additional Recycle**”.
- vi. A Waste Management annual charge \$423.00 (four hundred and twenty three dollars) for a once weekly food organics and garden organics bin collection service and a once fortnightly general waste bin and recycle bin collection service for all rateable non-residential occupied properties, located within the area for which the service is available, named “**Waste Management Non-residential**”.
- vii. A Waste Management vacant charge of \$59.00 (fifty nine dollars) for all vacant rateable non-residential assessments located within the area for which the service is available, named “**Waste Management Vacant Non-residential**”.
- viii. An additional Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once weekly food organics and garden organics bin collection service for any rateable occupied non-residential properties who request the additional service, located within the area for which the service is available, named “**Waste Management Additional FOGO**”.
- ix. An additional Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once fortnightly general waste bin collection service for any rateable occupied non-residential properties who request the additional service, located within the area for which the service is available, named “**Waste Management Additional Garbage**”.
- x. An additional Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once fortnightly recycle bin collection service for any rateable

occupied non-residential properties who request the additional service, located within the area for which the service is available, named “**Waste Management Additional Recycle**”.

- xi. A Waste Management charge of \$59.00 (fifty nine dollars) for all assessments with a dwelling who do not receive a Domestic Waste Management charge, named “**Tip Availability**”.

SEWERAGE CHARGES:

- xii. A Sewerage Availability annual charge of \$575.00 (five hundred and seventy five dollars) for all rateable residential properties with a dwelling, located within the town of Lockhart for which the service is available, named “**Lockhart Sewerage Residential**”.
- xiii. A Sewerage Availability vacant annual charge of \$295.00 (two hundred and ninety five dollars) for all vacant rateable residential properties, located within the town of Lockhart for which the service is available, but is not connected, named “**Lockhart Sewerage Vacant Residential**”.
- xiv. A Sewerage Availability annual charge of \$575.00 (five hundred and seventy five dollars) for all rateable residential properties with a dwelling, located within the town of The Rock for which the service is available, named “**The Rock Sewerage Residential**”.
- xv. A Sewerage Availability vacant annual charge of \$295.00 (two hundred and ninety five dollars) for all vacant rateable residential properties, located within the town of The Rock for which the service is available, but is not connected, named “**The Rock Sewerage Vacant Residential**”.
- xvi. A Sewerage Availability annual charge of \$575.00 (five hundred and seventy five dollars) for all rateable residential properties with a dwelling, located within the town of Yerong Creek for which the service is available, named “**Yerong Creek Sewerage Residential**”.
- xvii. A Sewerage Availability vacant annual charge of \$295.00 (two hundred and ninety five dollars) for all vacant rateable residential properties, located within the town of Yerong Creek area for which the service is available, but is not connected, named “**Yerong Creek Sewerage Vacant Residential**”.
- xviii. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all water meter sizes for all rateable non-residential properties, located within the town of Lockhart for which the service is available, named “**Lockhart Sewerage Non-residential access charge**”.
- xix. A Sewerage usage annual charge of \$1.41 (one dollar and forty one cents) per kilolitre for all rateable non-residential properties, located within the town of Lockhart for which the service is available, named “**Lockhart Sewerage Non-residential usage charge**”.
- xx. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all rateable non-residential properties, located within the town of Lockhart for which the service is available, that are vacant and/or do not have a water meter, named “**Lockhart Sewerage Non-Residential Vacant**”.
- xxi. The minimum charge applicable to **Lockhart non-residential** metered assessments will be \$575.00 (five hundred and seventy five dollars) for the period 1 July 2023 to 30 June 2024.
- xxii. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all water meter sizes for all rateable non-residential properties, located within the town of The Rock for which the service is available, named “**The Rock Sewerage Non-residential access charge**”.
- xxiii. A Sewerage usage annual charge of \$1.41 (one dollar and forty one cents) per kilolitre for all rateable non-residential properties, located within the town of The Rock for which the service is available, named the “**The Rock Sewerage Non-residential usage charge**”.
- xxiv. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all rateable non-residential properties, located within the town of The Rock for which the service is available, that are vacant and/or do not have a water meter, named “**The Rock Sewerage Non-Residential Vacant**”.

- xxv. The minimum charge applicable to **The Rock non-residential** metered assessments will be \$575.00 (five hundred and seventy five dollars) for the period 1 July 2023 to 30 June 2024.
- xxvi. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all water meter sizes for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, named “**Yerong Creek Sewerage Non-residential access charge**”.
- xxvii. A Sewerage usage annual charge of \$1.41 (one dollar and forty one cents) per kilolitre for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, named the “**Yerong Creek Sewerage Non-residential usage charge**”.
- xxviii. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, that are vacant and/or do not have a water meter, named “**Yerong Creek Sewerage Non-Residential Vacant**”.
- xxix. The minimum charge applicable to **Yerong Creek non-residential** metered assessments will be \$575.00 (five hundred and seventy five dollars) for the period 1 July 2023 to 30 June 2024.

103/23 RESOLVED on the motion of Crs Walker and Hunter that:

1. Council note and consider any public submissions received post the preparation of this report in respect to the Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27.
2. Council considers any public submissions received prior to the preparation of this report in respect to the Draft Operational Plan Budget 2023/24 and Draft Delivery Plan Estimates 2024/25 to 2026/27, namely:
 - a) The Yerong Creek Hall Management Committee annual subsidy be increased by \$300 to \$4,500; and
 - b) Consideration of the Yerong Creek Recreation Ground Management Committee's request for an increase in the annual subsidy, and one-off financial assistance, be deferred to the next Council meeting pending a review of subsidies paid to all recreation ground management committees.
3. The Draft Delivery Program 2025/2027 incorporating Budget Estimates 2024/25 to 2026/27 for income and expenditure for Council's General Fund and Sewer Fund and the Draft Revenue Policy, incorporating and changes agreed to in response to the submissions received, be adopted.
4. Pursuant to the provisions of the Local Government (Financial Management) Regulation 1993, expenditure required to finance works, services and activities of the Council for the financial year 2023/2024 as detailed in Part 1 Budget Estimates section of the Council's Operational Plan Budget 2023/2024 and Delivery Program Budget 2025/2027 be approved and voted accordingly.
5. The Draft Fees and Charges 2023/2024 be adopted.
6. The Council's Long Term Financial Plan 2023/24 to 2032/33 as presented be adopted:
7. In accordance with section 566(3) of the Local Government Act 1993, the rate of interest payable on overdue rates and charges for the period 1 July 2023 to 30 June 2024 (inclusive) be set at 9.0% per annum.
8. Council, pursuant to section 535 of the Local Government Act 1993, hereby **makes** the following **Ordinary Rates** for the rating period 1 July 2023 to 30 June 2024:
 - i. An *ad valorem* rate of 0.089790 cents in the dollar (zero point zero eight nine seven nine zero), on all rateable land in Lockhart Shire, categorised as FARMLAND in accordance with Section 515 of the Local Government Act 1993, and named “**Farmland**”.
 - ii. An ordinary rate on all rateable land in Lockhart Shire, categorised as RESIDENTIAL in accordance with Section 516 of the Local Government Act 1993, excluding land that is

- subject to either Residential – Lockhart, Residential – The Rock, Residential – Yerong Creek or Residential – Rural, and named “**Residential**”, comprising,
- a) A base amount of \$40.00 (forty dollars) estimated to realise 28% (twenty eight percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.923995 cents in the dollar (zero point nine two three nine nine five).
- iii. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - LOCKHART in accordance with Section 516 of the Local Government Act 1993, and named “**Residential – Lockhart**”, comprising,
- a) A base amount of \$75.00 (seventy five dollars) estimated to realise 19% (nineteen percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.439805 cents in the dollar (zero point four three nine eight zero five).
- iv. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - THE ROCK in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - The Rock**”, comprising,
- a) A base amount of \$75.00 (seventy five dollars) estimated to realise 18% (eighteen percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.329111 cents in the dollar (zero point three two nine one one one).
- v. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - YERONG CREEK in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - Yerong Creek**”, comprising,
- a) A base amount of \$80.00 (eighty dollars) estimated to realise 34% (thirty four percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.551031 cents in the dollar (zero point five five one zero three one)
- vi. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - RURAL in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - Rural**”, comprising,
- a) A base amount of \$50.00 (fifty dollars) estimated to realise 11% (eleven percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.178817 cents in the dollar (zero point one seven eight eight one seven).
- vii. An ordinary rate on all rateable land in Lockhart Shire, categorised as MINING in accordance with Section 517 of the Local Government Act 1993, and named “**Mining**”, comprising,
- a) A base amount of \$150.00 (one hundred and fifty dollars) estimated to realise 0% (zero percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.8 cents in the dollar (one point eight).
- viii. An ordinary rate on all rateable land in Lockhart Shire, categorised as BUSINESS in accordance with Section 518 of the Local Government Act 1993, excluding land that is subject to either Business – Lockhart, Business – The Rock or Business – Yerong Creek, and named “**Business**”, comprising,
- a) A base amount of \$120.00 (one hundred and twenty dollars) estimated to realise 25% (twenty five percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 2.034880 cents in the dollar (two point zero three four eight eight zero)
- ix. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - LOCKHART in accordance with Section 518 of the Local Government Act 1993, and named “**Business – Lockhart**”, comprising,
- a) A base amount of \$150.00 (one hundred and fifty dollars) estimated to realise 27% (twenty seven percent) of the total yield of this rate, and

- b) An *ad valorem* rate of 0.792006 cents in the dollar (zero point seven nine two zero zero six).
- x. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - THE ROCK in accordance with Section 518 of the Local Government Act 1993, and named "**Business - The Rock**", comprising,
 - a) A base amount of \$130.00 (one hundred and thirty dollars) estimated to realise 20% (twenty percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.530457 cents in the dollar (zero point five three zero four five seven).
- xi. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - YERONG CREEK in accordance with Section 518 of the Local Government Act 1993, and named "**Business - Yerong Creek**", comprising,
 - a) A base amount of \$50.00 (fifty dollars) estimated to realise 12% (twelve percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.610282 cents in the dollar (one point six one zero two eight two).
- 9. Council, pursuant to section 535 of the Local Government Act 1993, hereby **makes** the following charges for the rating period 1 July 2023 to 30 June 2024:

WASTE MANAGEMENT:

- i. A Domestic Waste Management annual charge of \$423.00 (four hundred and twenty three dollars) for a once weekly food organics and garden organics bin collection service and a once fortnightly general waste bin and recycle bin collection service for all rateable residential properties with a dwelling, located within the area for which the service is available, named "**Domestic Waste Management**".
- ii. A Domestic Waste Management vacant charge of \$59.00 (fifty nine dollars) for all vacant rateable residential assessments located within the area for which the service is available, named "**Domestic Waste Vacant**".
- iii. An additional Domestic Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once weekly food organics and garden organics bin collection service for any rateable residential properties with a dwelling who request the additional service, located within the area for which the service is available, named "**Domestic Waste Additional FOGO**".
- iv. An additional Domestic Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once fortnightly general waste bin collection service for any rateable residential properties with a dwelling who request the additional service, located within the area for which the service is available, named "**Domestic Waste Additional Garbage**".
- v. An additional Domestic Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once fortnightly recycle bin collection service for any rateable residential properties with a dwelling who request the additional service, located within the area for which the service is available, named "**Domestic Waste Additional Recycle**".
- vi. A Waste Management annual charge \$423.00 (four hundred and twenty three dollars) for a once weekly food organics and garden organics bin collection service and a once fortnightly general waste bin and recycle bin collection service for all rateable non-residential occupied properties, located within the area for which the service is available, named "**Waste Management Non-residential**".
- vii. A Waste Management vacant charge of \$59.00 (fifty nine dollars) for all vacant rateable non-residential assessments located within the area for which the service is available, named "**Waste Management Vacant Non-residential**".
- viii. An additional Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once weekly food organics and garden organics bin collection service for any rateable occupied non-residential properties who

- request the additional service, located within the area for which the service is available, named "**Waste Management Additional FOGO**".
- ix. An additional Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once fortnightly general waste bin collection service for any rateable occupied non-residential properties who request the additional service, located within the area for which the service is available, named "**Waste Management Additional Garbage**".
- x. An additional Waste Management annual charge of \$140.00 (one hundred and forty dollars) for an additional once fortnightly recycle bin collection service for any rateable occupied non-residential properties who request the additional service, located within the area for which the service is available, named "**Waste Management Additional Recycle**".
- xi. A Waste Management charge of \$59.00 (fifty nine dollars) for all assessments with a dwelling who do not receive a Domestic Waste Management charge, named "**Tip Availability**".

SEWERAGE CHARGES:

- xii. A Sewerage Availability annual charge of \$575.00 (five hundred and seventy five dollars) for all rateable residential properties with a dwelling, located within the town of Lockhart for which the service is available, named "**Lockhart Sewerage Residential**".
- xiii. A Sewerage Availability vacant annual charge of \$295.00 (two hundred and ninety five dollars) for all vacant rateable residential properties, located within the town of Lockhart for which the service is available, but is not connected, named "**Lockhart Sewerage Vacant Residential**".
- xiv. A Sewerage Availability annual charge of \$575.00 (five hundred and seventy five dollars) for all rateable residential properties with a dwelling, located within the town of The Rock for which the service is available, named "**The Rock Sewerage Residential**".
- xv. A Sewerage Availability vacant annual charge of \$295.00 (two hundred and ninety five dollars) for all vacant rateable residential properties, located within the town of The Rock for which the service is available, but is not connected, named "**The Rock Sewerage Vacant Residential**".
- xvi. A Sewerage Availability annual charge of \$575.00 (five hundred and seventy five dollars) for all rateable residential properties with a dwelling, located within the town of Yerong Creek for which the service is available, named "**Yerong Creek Sewerage Residential**".
- xvii. A Sewerage Availability vacant annual charge of \$295.00 (two hundred and ninety five dollars) for all vacant rateable residential properties, located within the town of Yerong Creek area for which the service is available, but is not connected, named "**Yerong Creek Sewerage Vacant Residential**".
- xviii. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all water meter sizes for all rateable non-residential properties, located within the town of Lockhart for which the service is available, named "**Lockhart Sewerage Non-residential access charge**".
- xix. A Sewerage usage annual charge of \$1.41 (one dollar and forty one cents) per kilolitre for all rateable non-residential properties, located within the town of Lockhart for which the service is available, named "**Lockhart Sewerage Non-residential usage charge**".
- xx. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all rateable non-residential properties, located within the town of Lockhart for which the service is available, that are vacant and/or do not have a water meter, named "**Lockhart Sewerage Non-Residential Vacant**".
- xxi. The minimum charge applicable to **Lockhart non-residential** metered assessments will be \$575.00 (five hundred and seventy five dollars) for the period 1 July 2023 to 30 June 2024.

- xxii. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all water meter sizes for all rateable non-residential properties, located within the town of The Rock for which the service is available, named “**The Rock Sewerage Non-residential access charge**”.
- xxiii. A Sewerage usage annual charge of \$1.41 (one dollar and forty one cents) per kilolitre for all rateable non-residential properties, located within the town of The Rock for which the service is available, named the “**The Rock Sewerage Non-residential usage charge**”.
- xxiv. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all rateable non-residential properties, located within the town of The Rock for which the service is available, that are vacant and/or do not have a water meter, named “**The Rock Sewerage Non-Residential Vacant**”.
- xxv. The minimum charge applicable to **The Rock non-residential** metered assessments will be \$575.00 (five hundred and seventy five dollars) for the period 1 July 2023 to 30 June 2024.
- xxvi. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all water meter sizes for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, named “**Yerong Creek Sewerage Non-residential access charge**”.
- xxvii. A Sewerage usage annual charge of \$1.41 (one dollar and forty one cents) per kilolitre for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, named the “**Yerong Creek Sewerage Non-residential usage charge**”.
- xxviii. A Sewerage Availability annual charge of \$295.00 (two hundred and ninety five dollars) for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, that are vacant and/or do not have a water meter, named “**Yerong Creek Sewerage Non-Residential Vacant**”.
- xxix. The minimum charge applicable to **Yerong Creek non-residential** metered assessments will be \$575.00 (five hundred and seventy five dollars) for the period 1 July 2023 to 30 June 2024.

12. POLICY REVIEWS

(GM: 23/5910)

Executive Summary

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

Report

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

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

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

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

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

- a) Policy 2.22 Private Works – Charges for Works under Section 67 of the Local Government Act
- b) Policy 2.48 Awnings, Verandahs & Balconies over Footways
- c) Policy 3.18 Credit Card and Fuel Card Use


CHAIRPERSON

Copies of the above Policies are attached.

No changes are proposed to Policy 2.22 and Policy 2.48.

With respect to Policy 3.18 Credit Card and Fuel Card Use it will be noted that this Policy has been reviewed more frequently than the minimum three-year cycle, mainly in response to recommendations arising from internal audit and external audit activities. On this occasion it is proposed to amend the Policy by increasing the limit on expenditure from \$15,000 to \$25,000.

Council has one credit card account to which four (4) credit cards are linked (issued to the Mayor, General Manager and two Directors) with an aggregate maximum limit over all four cards of \$15,000. With increasing costs and an increasing number of purchasers being required to be made online, an increased limit is required for operational efficiency. The aggregate maximum limit was last reviewed in 2018.

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.

Pursuant to section 67(1) of the Local Government Act a council may, by agreement with the owner or occupier of any private land, carry out on the land any kind of work that may lawfully be carried out on the land. A council must not carry out work under this section unless it proposes to charge an approved fee for carrying out the work as determined by the council.

Council has previously sought advice regarding the ownership of verandahs from the LGNSW legal unit who advised that "...the verandahs and the verandah footings which are affixed to the footpath are part of the building to which they are attached and so are owned by the owner of that building."

Budget & Financial Aspects

Nil.

Attachments

1. Policy 2.22 Private Works – Charges for Works under Section 67 of the LG Act
2. Policy 2.48 Awnings, Verandahs & Balconies over Footways
3. Policy 3.18 Credit Card and Fuel Card Use

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

- a) Policy 2.22 Private Works – Charges for Works under Section 67 of the LG Act
- b) Policy 2.48 Awnings, Verandahs & Balconies over Footways
- c) Policy 3.18 Credit Card and Fuel Card Use

104/23 RESOLVED on the motion of Crs Sharp and Day that the following Policies, as presented, be adopted:

- a) Policy 2.22 Private Works – Charges for Works under Section 67 of the LG Act
- b) Policy 2.48 Awnings, Verandahs & Balconies over Footways
- c) Policy 3.18 Credit Card and Fuel Card Use

13. REVIEW OF WARD BOUNDARIES

(GM: 23/6632)

Executive Summary

Councils must review their ward boundaries and notify the NSW Electoral Commission (NSWEC) of any changes to ward boundaries and/or names by **5 October 2023**.


CHAIRPERSON

Report

Pursuant to section 211 of the *Local Government Act 1993* councils that are divided into wards must keep ward boundaries under review to ensure the difference in elector numbers between wards does not exceed 10%.

Before altering ward boundaries, councils must:

- Consult the NSW Electoral Commission (NSWEC) and the Australian Statistician; and
- Prepare and publicly exhibit a plan detailing any proposed alteration (the ward boundary plan).
- Councils must publicly exhibit the ward boundary plan for at least 28 days and consider any submissions made during the 42-day consultation period.
- Ward boundary and name changes must be made by **5 October 2023** to be in effect for the **14 September 2024** ordinary elections unless the Electoral Commissioner otherwise approves in special circumstances.

According to the office of Local Government the most efficient way to ascertain if there is a variation of greater than 10% is as follows:

- Find the difference between the ward with the most electors and the ward with the fewest electors.
- Divide that difference by the number of electors in the smallest ward (that is, the ward with the fewest electors).
- If the result is more than 10%, Council will be required to follow the ward boundary alteration processes outlined above.

The following information has been extracted from the NSWEC website regarding the number of electors in Lockhart Shire's three Wards:

- Ward A: 758 electors (smallest ward)
- Ward B: 802 electors
- Ward C: 833 electors (largest ward)
- Difference between Ward A and Ward C: $833 - 758 = 75$
- Difference as a percentage of Ward A (smallest ward): $75 \div 758 = 0.0989$ (9.89%)

As the number of electors enrolled in Wards A, B and C remain within +/- 10%, Council is not required to review the Ward boundaries for the 2024 local government elections.

Integrated Planning and Reporting Reference

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

Pursuant to section 211 of the *Local Government Act 1993* councils that are divided into wards must keep ward boundaries under review to ensure the difference in elector numbers between wards does not exceed 10%.

Pursuant to section 277A of the *Local Government (General) Regulation 2021* ward boundary and name changes must be made by **5 October 2023** to be in effect for the **14 September 2024** ordinary elections unless the Electoral Commissioner otherwise approves in special circumstances.

Budget & Financial Aspects

Nil.

Attachments

Nil.

Recommendation: That the information be noted.

105/23 RESOLVED on the motion of Crs Marston and Driscoll that the information be noted.

QUESTIONS AND STATEMENTS

Cr Marston

Nil

Cr Day

- i) **Lockhart Gym:** Cr Day commended the Lockhart Gym Working Group on their progress so far and invited Councillors to attend the next meeting in July, date to be advised.

Cr Driscoll

- i) **Letters of Condolence:** Cr Driscoll asked if Council could send letters to Singleton and Cessnock Councils offering condolences re the recent bus accident.

Response – General Manager

The General Manager advised he would arrange for letters to be sent.

Cr Mathews

- i) **Crown Reserves Improvement Fund (CRIF):** Cr Mathews asked for information on how the funding stream works and when it becomes available.

Response – General Manager

The General Manager advised further information on the funding stream will be provided.

- ii) **Provision of Veterinary Services:** Cr Mathews asked if any progress had been made in this regard.

Response – General Manager

The General Manager advised that contact has been made with a Wagga-based business and that he passed on the results of Council's survey gauging demand for such a service. The other issue will be finding suitable, compliant premises to conduct a service from. The General Manager will follow up with the provider periodically.

- iii) **Tinamba Lane:** Cr Mathews referred to a recent motor vehicle accident in which the driver has failed to navigate the curve of the road and asked if any thought has been given to reducing the speed limit.

Response – Director of Engineering & Environmental Services

The Director advised that advisory/warning signage is planned for the bend on that road.

Cr Sharp

- i) **Lockhart Collingullie Road:** Cr Sharp passed on feedback he has received regarding the excellent job done on recent patching works on Lockhart Collingullie Road.

- ii) **Pleasant Hills Hotel Committee:** Cr Sharp passed on a request from the Hotel Committee for signs advising of children in the area to be installed adjacent to the pub, asking people to slow down.

Response – Director of Engineering & Environmental Services

The Director advised this is possible.

Cr Hunter

- i) **The Rock Gym:** Cr Hunter enquired how long has the gym at The Rock been running and how is it operating.

Response – Cr Marston

Cr Marston advised there are approximately 60 financial members. The Recreation Ground purchased the equipment, some of which needs replacing at the moment. The equipment is checked every six months. A personal trainer provides cleaning free of charge. Group sessions are available.

Cr Walker

- i) **Curries Lane:** Cr Walker referred to an offer by a local landholder to cart gravel for repairs on this road and asked if there has been any progress.

Response – Director of Engineering & Environmental Services

The Director advised the information passed on to Council's Manager of Works and that he will follow up with him.

- ii) **Vincents Road:** Cr Walker advised that Vincents Road (gravel section) is in very bad repair at the moment.

- iii) **Public Toilets, The Rock Showground:** Cr Walker asked for an update on progress of the installation of footpath around the amenities at The Rock Showground and asked if it could be completed prior to The Rock Show.

Response – Director of Engineering & Environmental Services

The Director advised it will be included in the scope of works when a contractor is engaged to install footpath in Lockhart.

Cr Rockliff

- i) **Solar Project:** Cr Rockliff asked if there was any update on this project.

Response – General Manager

The General Manager advised he had been included in an email from AEMO indicating the final approval letter is imminent, which was encouraging.

- ii) **CCTV:** Cr Rockliff requested a progress report on this project, given the problems which have occurred lately, and also asked if the funds currently set aside will be enough to complete the project.

Response – General Manager

The General Manager advised Council has received a firm proposal from Telstra, and a demonstration of the equipment they are quoting on. Council's Project Officer is awaiting a second quote from a Wagga-based firm. Telstra's quote is likely to exceed the allocated budget but is based on higher quality equipment, particularly with respect to nighttime vision. Telstra's proposal will also provide the opportunity to capitalise on smart technology in the future. Council may need to find additional funding.

Cr Verdon

- i) **Business Awards:** Cr Verdon expressed his thanks to the Tourism and Economic Development Officer, his assistant, and others involved in arranging a very successful night.

- ii) **Road Maintenance:** Cr Verdon referred to The Rock Lockhart Road which is in very poor condition and asked if it was included in Council's heavy patching program. Cr Verdon also asked about the linemarking program and drew attention to several locations in The Rock, especially Stop lines at the main railway line crossing.

Response – Director of Engineering & Environmental Services

The Director acknowledged linemarking is required in many places and would like to complete this across the Shire.

- iii) **Laneway rear of Bowling Club:** Cr Verdon asked if this laneway could be considered for sealing.

General Manager drew Councillors' attention to the declaration included in folders, to be returned prior to 30 June 2023.

The Director of Engineering & Environmental Services expressed his thanks to the councillors for passing on feedback from the community. This feedback is passed on at staff meetings both in the office and at the depot held after each Council meeting and the staff appreciate receiving the feedback.

CLOSED SESSION

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.

106/23 RESOLVED on the motion of Crs Walker and Rockliff that Council close the meeting to the public as per section 10A(2)(c) of the Local Government Act 1993.

The meeting moved into Closed Session at 6:48pm.

107/23 RESOLVED on the motion of Crs Mathews and Hunter that Council move into Open Session.

The meeting moved into Open Session at 6:57pm.

OPEN COUNCIL

The resolutions of Council, relating to Items 14, 15 and 16, passed while the meeting was closed to the public were read to the meeting by the General Manager.

14. LOCKHART SHIRE WALK OF FAME

108/23 RESOLVED on the motion of Crs Sharp and Hunter that Council endorses the Tourism and Economic Development Steering Committee's recommended list of inductees for the Lockhart Shire Walk of Fame and that the Walk of Fame nominations to be carried out every two years from 2026.

15. TENDER – SUPPLY OF JETPATCHER AND TRUCK

109/23 RESOLVED on the motion of Crs Walker and Driscoll that Council accepts the tender for the supply of a jetpatching unit and truck from Ausroads Manufacturing Pty Ltd for \$597,950 ex GST..

16. TENDER – REVIEW OF THE ROCK FLOOD STUDY

110/23 RESOLVED on the motion of Crs Driscoll and Rockliff that Council:

1. Accept the tender for the review of The Rock Flood Study from WMA Water for \$77,665 ex GST, and
2. That Council allocates an additional \$9,380 for the review of The Rock Flood Study in the 2023/24 Budget.

The meeting concluded at 7:00 pm.

The minutes of the meeting held on Monday, 19 June 2023, were confirmed as a true and accurate record at the Ordinary Council Meeting held on 17 July 2023, at which time the signature was hereunto subscribed.



CHAIRPERSON



CHAIRPERSON