



**MINUTES**  
of the  
**Ordinary Meeting**  
**Held**  
**17 June 2024**

**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, 17 June 2024 commencing at 5.00pm.**

## **PRESENT**

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

Also in attendance were the General Manager, Director Corporate and Community Services, Director Engineering, Director Planning and Environment 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**

<b>92/24 RESOLVED</b> on the motion of Crs Walker and Sharp that the apologies from Crs Marston and Mathews be accepted and leave of absence be granted.
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## **REQUESTS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK**

Nil.

## **CONFIRMATION OF MINUTES ORDINARY MEETING HELD 20 MAY 2024**

<b>93/24 RESOLVED</b> on the motion of Crs Day and Rockliff that the Minutes of the Ordinary Meeting held on Monday, 20 May 2024 as printed and circulated be taken as read and confirmed.
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## **DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS**

Nil.

## **MAYORAL MINUTE**

Nil.

## **SUSPENSION OF STANDING ORDERS**

<b>94/24 RESOLVED</b> on the motion of Crs Sharp and Walker that Standing Orders be suspended to allow Mrs Lyn Hamson to address Council regarding Development Application 44/24, the time being 5.05pm.
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## RESUMPTION OF STANDING ORDERS

**95/24 RESOLVED** on the motion of Crs Walker and Rockliff that Standing Orders be resumed, the time being 5.15pm.

## REPORT ON MAYORAL & COUNCILLOR ACTIVITIES

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

- 6 June Along with Cr Driscoll, met with contractors at The Rock Community Centre re electrical locations.
- 6 June Met with Neil Smith (contractor) re disability access audit.
- 7 June Met with new General Manager, Gavin Rhodes.
- 13 June Attended Teams Meeting on Murrumbidgee Local Health District (MLHD) update.
- 17 June Attended Teams meeting on Lockhart Childcare

*Cr Day reported the following activities during the past month:*

- 21 May Engaged with the Lockhart Childcare Working Group at Lockhart Council Chambers.
- 23 May Assisted as a facilitator on table discussions, at State Member for Wagga Wagga, Dr Joe McGirr's Seniors Forum on issues including Health, Housing, Transport and Roads, and Crime and Cyber safety. Presentations were made by State Minister for Seniors, Jodie Harrison, and Dr Joe McGirr.
- 28-30 May Took part in the Local Government NSW Destination and Visitor Economy Conference, Wagga Wagga.
- 4 June Contributed to the Tourism & Economic Development Steering Committee Meeting, Pleasant Hills Community Hall.
- 5 June Hosted 'Coffee with a Councillor' at Latte Da Coffee Bar, Lockhart.
- 17 June Was involved in the Childcare Working Group session at Lockhart Shire Council Chambers.

**96/24 RESOLVED** on the motion of Crs Walker and Driscoll that the Mayoral & Councillor Activities Report be received.

## URGENT MATTERS

Nil.

## NOTICE OF MOTION

Nil.

## COMMITTEE REPORTS

### 1. TOURISM & ECONOMIC DEVELOPMENT STEERING COMMITTEE MEETING HELD 4 JUNE 2024

<b>Date &amp; Time</b>	Tuesday 4 <sup>th</sup> June 2024 – 6pm
<b>Location</b>	Pleasant Hills Community Hall, Pleasant Hills
<b>Attendees</b>	Erica Jones (Chair), Heather Trevaskis (Timekeeper), Matt Holt (TEDO - Secretary), Deputy Mayor Cr Peter Sharp, Cr Fran Day, Debbie Bender, Mandy Strong, Joel Sim, Cr Ian Marston, and Fiona Beckett
<b>Apologies</b>	Shiree Gillies, Cr Bob Mathews, Rachel Viski, and Navneet Choujar
<b>1 &amp; 2.</b>	The meeting opened with a Welcome from the Chair and an Acknowledgment of Country
<b>3. Declarations of Interest</b>	Murrumbidgee Trail Advertisers – Joel Sim, Cr Marston, and Heather Trevaskis – will not participate in the discussion or decisions but will remain in the room.
<b>4. Confirmation of the minutes for the meeting on Wednesday 3 April 2024</b>	
<b>Resolution:</b>	<b>Recommended</b> on the motion of Cr Peter Sharp and Debbie Bender that the minutes of the meeting held on Wednesday 3 April 2024 circulated, be confirmed as a true and correct record of the proceedings.
<b>5. Action from previous minutes - TEDO</b>	
<b>Minutes:</b>	<ul style="list-style-type: none"> <li>• Water Tower Way/Tim Fischer Way – <b>Outstanding.</b></li> <li>• Walk of Fame – <b>Progressing.</b></li> <li>• TEDO to arrange a letter of appreciation for Michelle, to be signed by the Chair – <b>Complete</b></li> <li>• Committee to hold over nomination for Deputy Chair until the next meeting – <b>Outstanding.</b></li> <li>• Council joins the Visit Griffith Ambassador Program and the Visit Wagga Marketing Proposal – Option One. Include the possibility of using Story Towns in any new Tourism Drives into the future. Consider using We are Explorers in future seasonal promotions and that Lockhart Shire has a presence in the way of Murrumbidgee Trails Visitor Guides at the Riverina Discovery Weekend &amp; Country Change Expo - <b>Complete</b></li> <li>• Council registers Heather Trevaskis and Fiona Beckett along with two staff members in addition to the Councillor representative to attend LG NSW Visitor Economy Conference - <b>Complete</b></li> <li>• The Rock Railway Station – create a list of questions/proposals and organize a Zoom meeting with contact with Dept of Regional Transport and Rach Viski. <b>Slowly progressing.</b></li> <li>• The Esplanade Project. Update to Fiona provided - <b>Complete.</b></li> </ul>
<b>Actions:</b>	TEDO to send out summary of LG NSW Visitor Economy Conference to members. TEDO and members to continue to work on outstanding items and action the above
<b>Resolution:</b>	<b>Recommended</b> on the motion by Joel Sim and Debbie Bender that the Council note the completed actions and the TEDO action the outstanding items.

6. Current Projects – Priority 1 - TEDO	
<b>Minutes:</b>	<p><b>Current Projects – Priority 1</b></p> <ul style="list-style-type: none"> <li>• Murrumbidgee Trails – Advertising Closed 1<sup>st</sup> March with 13 Businesses/organisation joining from our LGA, up 4 from 2020. In design and proofing stage. TEDO passed around the Lockhart Shire copy section of the guide. <b>Ongoing</b></li> <li>• Brochures – Lockhart Shire Large Scale Murals, Bird Trail, Pastoral Shadows of Brookong, and Lockhart Caravan Park – <b>Complete</b>. The Rock Observatory <b>waiting on new images – Ongoing</b>.</li> <li>• Former Lockhart Entrance Town signs – <b>slowly progressing</b>,</li> <li>• Visitor Information Boards – with graphic designer – <b>progressing</b>.</li> <li>• New Residents Information - Webpage and guide – <b>progressing</b>.</li> <li>• Secure Energy/Transgrid Partnership Projects – <b>progressing</b>.</li> <li>• Connectivity Project – <b>Ongoing</b></li> <li>• Drought Resilience Planning Grant – <b>Progressing – 1<sup>st</sup> meeting 30<sup>th</sup> May</b></li> </ul>
<b>Actions:</b>	TEDO to continue to work on outstanding items
<b>Resolution:</b>	<b>Recommended</b> on the motion by Mandy Strong and Cr Fran Day that the TEDO continue to work on the priority 1 projects.
7. Projects – Priority 2 – Share Drive – Updates in Share Drive	
8. Projects – Potential – Share drive – Updates in Share Drive	
9. News/Issues/Topics – TEDO	
<b>Minutes:</b>	<ul style="list-style-type: none"> <li>• Events Support – Event advice provided to organisers of a returning event for January 2025 after a 10-year hiatus (+2500 pax). Regional Little Athletics for Lockhart approved for June 2024 (+400). Updates to Spirit of Land Website.</li> <li>• The Museum and Galleries NSW Board will visit Lockhart for 1hr in August. The Museum Advisor is now on the Board.</li> </ul>
<b>Actions:</b>	NIL
<b>Resolution:</b>	<b>Recommended</b> on the motion by Cr Peter Sharp and Heather Trevaskis that Council notes the above.
10. Marketing Opportunities - TEDO	
<b>Minutes:</b>	<p>Prospectus for each of the below opportunities were provided in the share drive a week before the meeting, as well as on the night.</p> <ul style="list-style-type: none"> <li>• Visit Riverina Membership 24/25,25-26 and 26-27.</li> <li>• Visit Albury Wodonga Tourism Partner Program 24/25</li> <li>• Country Change Membership 24/25 and 25/26</li> </ul>
<b>Actions:</b>	TEDO to complete membership process for Lockhart Shire for all three programs.
<b>Resolution:</b>	<p><b>Recommended</b> on the motion by Heather Trevaskis and Debbie Bender that Council join:</p> <ol style="list-style-type: none"> <li>1) Visit Riverina for three years i.e. 2024/25, 2025/26 and 2026/27 (noting that if the proposal for Visit Riverina changes due to the number of Councils not joining, that the TEDO come back to the TEDSC for discussion), and</li> <li>2) Visit Albury Wodonga Tourism Partner Program in 2024/25 and Country Change Membership in 2024/25 and 2025/26.</li> </ol>

<b>11. Museum Advisor Report April and May 2024 - Heather</b>	
<b>Minutes:</b>	Reports Received
<b>Actions:</b>	Nil
<b>Resolution:</b>	<b>Recommended</b> on the motion by Cr Ian Marston and Joel Sim that the Council note the above.
<b>12. TEDSC Meeting Dates 2024 - TEDO</b>	
<b>Minutes:</b>	Due to the timing of the Local Government Elections, there will be no Council meeting in September. There will also be no Councillors delegated to the TEDSC until the new Council meets in October.  Suggested meeting months for the rest of 2024 are August, November, and December
<b>Actions:</b>	TEDSC to meet in August, November, and December. TEDO to send out calendar invite for the August Meeting.
<b>Resolution:</b>	<b>Recommended</b> on the motion by Cr Fran Day and Heather Trevaskis that the Council note the TEDSC meeting dates for of 2024.
<b>13. Questions/Feedback/Updates</b>	
<b>Questions – Cr Sharp and Fiona</b>	Are the BBQs at the Esplanade Gas or Electric, and who has access? Can Cr Sharp and Fiona Beckett have a key?  Will there be bollards/rocks to stop vehicles driving in off the street?
<b>Answer/Action - TEDO</b>	Not sure, will ask Project Manager and provide a direct response to Cr Sharp and Fiona.
<b>Question - Heather</b>	Toilets at Walter Day Park seem to be getting vandalised more frequently. Can Council investigate mitigation to try and stop this happening? More lights etc.
<b>Answer/Action</b>	TEDO to speak with Director of Corporate & Community Services and provide a response to Heather and at the next meeting
<b>Statement – Cr Marston</b>	<ul style="list-style-type: none"> <li>• The Rock Community Centre frame is up and receiving enquires wanting people and groups to hire. e.g., 150 people from the Endeavour Foundation visiting 25/8/2025.</li> <li>• Avenue Honour project - looking good, invited members to check it out.</li> <li>• Marrocka Emus has been collaborating with other Emus Farms and Charles Sturt University to develop new emu oils with huge health benefits to humans but also looking to develop Marrocka Emus further as agritourism experience for visiting groups, with packaging bookable experiences with other Tourism operators across Lockhart Shire.</li> </ul>
<b>Action – TEDO</b>	TEDO to meet with Cr Marston to discuss ways in which Council can help with the visitor experiences
<b>Statement - TEDO</b>	<ul style="list-style-type: none"> <li>• Lockhart Progress Association is looking into visitor signage for Lockhart near Collingullie and Kwong on the Sturt Highway. TEDO offered to find Narrandera and Wagga Wagga Council's Signage Policy as well as the requirements/eligibility for State Tourism Signs. (White on Brown Signs). TEDO encourage the Progress Association to create a proposal that Cr Mathews can bring to TEDSC for consideration.</li> <li>• Lockhart Christmas Decorations - A subcommittee of Lockhart Lions Club has approached Council for permission to have decorations in several locations in Lockhart. A meeting will be arranged with the group shortly.</li> </ul>
<b>14. Next meeting: Tuesday 6<sup>th</sup> August 2024 – The Rock Regional Observatory</b>	
<b>Meeting Closed: 8.00pm</b>	

**97/24 RESOLVED** on the motion of Crs Walker and Rockliff that the Minutes of the Tourism and Economic Development Steering Committee held on 3 June 2024 be accepted and the recommendations therein be adopted.

## DELEGATES' REPORTS

### 1. LOCAL GOVERNMENT NSW DESTINATION AND VISITOR ECONOMY CONFERENCE HELD IN WAGGA WAGGA FROM 28-30 MAY 2024.

I report having attended the Local Government NSW Destination and Visitor Economy Conference which was held in Wagga Wagga from 28-30 May 2024.

This event, supported by Wagga Wagga City Council, Coolamon Shire Council, and Junee Shire Council, brought together 180 Local Government staff, Councillors, key industry stakeholders, and local operators to discuss the latest insights and the ever-changing world facing future visitors.

This year Lockhart Shire Council registered five delegates: Cr Frances Day OAM, Heather Trevaskis and Fiona Beckett, both members of the Tourism & Economic Development Steering Committee; as well as Matt Holt, Tourism and Economic Development Officer; and Alirah Lub, Tourism & Marketing Administration Trainee.

The Conference was a comprehensive event that provided valuable insights into the tourism industry including topics such as events, marketing, agritourism, creative arts, sustainable practices including EV chargers, community engagement, and the enhancement of visitor experiences to ensure the long-term viability of the tourism industry.

A highlight of the conference was the site visits to Junee and Coolamon as well as the walking tour of Wagga Wagga.

Speakers included Destination NSW CEO Steve Cox, Tourism Australia Acting General Manager, Dom Mehling, and the NSW Minister for Arts, Music and the Nighttime Economy, Jobs and Tourism, the Hon John Graham MLC.

Cr Fran Day OAM  
**Delegate**

**98/24 RESOLVED** on the motion of Crs Rockliff and Sharp that the Delegate's Report 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
<b>Ordinary Council Meeting held 20 May 2024</b>			
86/24	GM	<p><b>Fees Payable to the Mayor and Councillors</b> That the Councillors' fee be set at \$12,860 per annum and the Mayoral fee at \$29,500 per annum for the 2024/25 financial year.</p>	Accounts officer authorised to pay applicable fees from 1 July 2024. Complete.
83/24	DCCS	<p><b>Draft Operational Plan Budget 2024/25 and Forward Estimates 2025-2028</b> That:</p> <p>a) Council endorses, for the purpose of public exhibition, the Draft Operational Plan Budget 2024/25 and forward estimates 2025/26 to 2027/28 incorporating the Revenue Policy and Fees and Charges.</p> <p>b) Following the 28-day public exhibition period, Council further considers the Draft documents at the Council meeting to be held on 17 June 2024, in conjunction with any public comments or submissions received, for the purpose of adoption prior to 30 June 2024.</p>	<p>Draft Operational Plan and Budget and Draft Fees and Charges public exhibited with notices placed in the Council Newsletter, Website and Lockhart Shire Community Facebook page. Refer Staff Report 9. Complete.</p>
79/24	DPE	<p><b>DA60/24 – Installation of Colorbond Shed at 27 Hebden Street, Lockhart</b> That Council approves Development Application 60/24 for the installation of a new colorbond shed at 27 Hebden Street, Lockhart, subject to the conditions outlined in the attached Section 4.15 Assessment Report.</p>	<p>Notice of Determination issued and applicant notified. Complete.</p>
78/24	DPE	<p><b>DA61/24 – Installation of Carport &amp; Verandah at 9 Hayes Street, Lockhart</b> That:</p> <p>1. Council approves Development Application 61/24 for the new carport and verandah at 9 Hayes Street, Lockhart, subject to the conditions as outlined in the attached Section 4.15 Assessment Report; and</p> <p>2. Council issues a \$1,500.00 penalty infringement notice to the owners for carrying out development without development consent.</p>	<p>Notice of Determination issued and applicant notified. Penalty Infringement Notice issued. Complete.</p>
76/24	DPE/ DCCS	<p><b>Trial Waste Voucher System for 2024/25</b> That Council provides two (2) vouchers for the disposal of waste in 2024/25 to each ratepayer and to all Section 355 Committees.</p>	In progress.



*Lockhart Shire Council  
Ordinary Meeting – 17 June 2024*

<b>Minute No:</b>	<b>Officer to Action</b>	<b>Council Resolution</b>	<b>Action Taken</b>
75/24	DPE	<p><b>Planning &amp; Environment Report</b></p> <p>a) that Council notes the information provided in the Planning and Environment report, and</p> <p>b) the biodiversity initiatives as outlined in the report be implemented by Council staff.</p>	<p>Vouchers to be rolled out as occupation certificates are issued after 1 July 2024.</p> <p>Complete.</p>
73/24	GM	<p><b>Australia Day Award Categories</b></p> <p>That Council approach the schools in the Shire to determine the level of support for the introduction of Student Achiever Awards as part of Council's annual Australia Day Award presentations.</p>	<p>Information forwarded to all schools in the Shire and feedback invited. A response has been received from 3 of the 5 schools.</p> <p>A report will be tabled at the July Council meeting.</p>
<b>Ordinary Council Meeting held 15 April 2024</b>			
65/24	GM	<p><b>Housing Initiatives and Opportunities for Council</b></p> <p>1. Development applications be prepared for the construction of two x three-bedroom units on an allotment in each of the two proposed subdivisions in Prichard Place, Lockhart.</p> <p>2. A development application be prepared for the construction of a single dwelling house on 65 Nicholas Street, The Rock for staff accommodation.</p> <p>3. Council endorses an approach being made to Transport for NSW regarding availability to purchase Lots 4/5 and 7/8 Section 14 Nicholas Street, The Rock.</p> <p>4. Council enquires whether a preliminary investigation has been undertaken with respect to contamination in relation to the property situated at 50 Urana Street, The Rock.</p>	<p>1. Plans to support a DA to be prepared.</p> <p>2. Plans to support a DA to be prepared.</p> <p>3. Approach made to TfNSW, awaiting a response.</p> <p>4. Enquiries have been made and the selling agent has confirmed that no investigation has been undertaken with respect to contamination on the land.</p>
58/24	DE	<p><b>Engineering Report</b></p> <p>That Council:</p> <p>a) notes the information provided in the Engineering Services report; and</p> <p>b) undertakes a community survey regarding Council's pools, to be advertised in Council's newsletter.</p>	<p>Survey included in the May Council Newsletter.</p> <p>Survey results to be presented at a forthcoming council meeting.</p> <p>Complete.</p>
57/24	DE	<p><b>Brookong Creek Masterplan</b></p> <p>That Council implements the improvements that form part of the Brookong Creek Masterplan and are outlined in this report, utilising the grant funding received under Round 5 of the Stronger Country Communities Fund.</p>	<p>Quotes currently being sourced.</p>

*Lockhart Shire Council  
Ordinary Meeting – 17 June 2024*

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 19 February 2024</b>			
18/24	DE	<p><b>Matthews Street Bus Stop</b></p> <p>That Council seeks feedback from all stakeholders on a proposal to relocate the bus stop and shelter in Matthews Street, Lockhart.</p>	<p>The owners of the Post Office have been advised.</p> <p>Complete.</p>
<b>Ordinary Council Meeting held 18 September 2023</b>			
163/23	GM	<p><b>Magnolia Lodge and Youth Flats</b></p> <p>1) Concept plans be prepared for the development of additional accommodation on the Magnolia Lodge site in Green Street and the Youth Flats site in Drummond Street Lockhart to facilitate further investigation and negotiation with the NSW Land and Housing Corporation; and</p> <p>2) A further report be presented to Council at a future meeting regarding the Prichard Place Lockhart residential developments and the proposal to withhold from sale one or two lots for the purposes of developing them for rental accommodation.</p>	<p>NSW Land and Housing Corporation advised of Council's decision.</p> <p>Concept plans have been prepared and forwarded to the NSW Land and Housing Corporation for feedback.</p>
<b>Ordinary Council Meeting held 13 February 2023</b>			
26/23	GM	<p><b>Proposed Acquisition of Land</b></p> <p>That, subject to obtaining the landowner's consent, Council authorises the General Manager to prepare and submit a development application for the development of a car park on the land situated at Lot 2 DP1196082.</p>	<p>Determination of the DA has been referred to a neighbouring council in accordance with Policy 2.58 Conflicts of Interest – Council Related Developments.</p>
9/23	GM/DE	<p><b>Disaster Recovery Funding Arrangements</b></p> <p>In accordance with the outcome of the Councillor Workshop held earlier in the day, Council nominates the following projects for funding under the Local Government Recovery Grants Program:</p> <ol style="list-style-type: none"> <li>1. Emily Street, The Rock – drainage improvements</li> <li>2. Cole Street, Yerong Creek – drainage improvements</li> <li>3. Green Street West, Lockhart – drainage improvements</li> <li>4. Flood Detour Road – culvert installation</li> <li>5. Waste Mgt Facilities Access Roads</li> <li>6. Community information initiative (social media)</li> <li>7. Access Road – Golf Club</li> </ol>	<p>Approval received to access funds for Emily Street. Refer to Engineering report for update.</p>

Lockhart Shire Council  
Ordinary Meeting – 17 June 2024

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 18 July 2022</b>			
141/22	GM	<p><b>Request for Council to Purchase Private Access</b></p> <p>Council agrees to the request in principle subject to Council and the applicants agreeing to a reasonable cost sharing arrangement.</p>	<p>Survey plan has been registered. Invoice issued to landowners for 50% of costs as agreed. Upgrading of the road will be scheduled once payment is received.</p>
<b>Ordinary Council Meeting held 16 August 2021</b>			
148/21	GM	<p><b>Proposed “Tim Fischer Way”</b></p> <p>Council to reinstate investigations into the erection of tourism signage indicating “Tim Fischer Way”.</p>	<p>Currently liaising with Council’s website developer for interactive mapping of “Tim Fischer Way” tourist route to be supported by print media e.g. promotional brochures etc. Proposal did not meet the criteria for white on brown tourist signs and this criterion has recently been made more restrictive.</p>
<b>Ordinary Council Meeting held 19 April 2021</b>			
63/21	GM	<p><b>Residential Development – Lockhart</b></p> <p>1) That Council proceed with the subdivision of Lots 62 and 90 Prichard Place Lockhart as outlined in the report.</p> <p>2) That the cost of subdividing the land be funded from the Infrastructure Reserve with the proceeds of any land sales to be returned to the Reserve.</p>	<p>The development application for Lot 62 (westernmost lot) has been approved. The application for Lot 90 has now also been approved.</p> <p>Road and sewer designs being finalised.</p>
<b>Ordinary Council Meeting held 20 May 2024 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DE	<p><b>Cr Verdon: Parking, The Rock Central School</b></p> <p>Advised there are very large holes in the unpaved area of Wilson Street where the teachers park, which require gravel and asked if this could be attended to, perhaps during the next school holidays?</p>	<p>Area has been gravelled.</p> <p>Complete.</p>
	GM	<p><b>Cr Mathews: Empty Shops, Green Street</b></p> <p>Suggested Council could consider subsidising rent to encourage businesses to take up tenancies.</p>	<p>Further investigations required. Information being sought from councils which have implemented similar programs.</p>
	DE	<p><b>Cr Mathews: Green Street Paving</b></p> <p>Has received enquiries from people who would like to add pavers, and asked if that were possible, and who would be responsible for organising the additions.</p>	<p>Any additional pavers would be considered during the Green Street upgrade.</p> <p>Complete.</p>

*Lockhart Shire Council  
Ordinary Meeting – 17 June 2024*

Minute No:	Officer to Action	Council Resolution	Action Taken
	GM	<p><b>Cr Mathews: Border Trust</b></p> <p>Advised that he, along with the General Manager and Director of Corporate and Community Services met with Ms Sue Gold, Executive Officer of the Border Trust. Cr Mathews suggested Ms Gold could be invited to address a future meeting of Council and believes membership of the Trust could be advantageous.</p>	Border Trust has been contacted with a view to making arrangements to address the newly elected council in several months' time.
	DE	<p><b>Cr Sharp: Fallen Limb, Pleasant Hills</b></p> <p>Advised that, in Manson Street across from the fire shed, there is a fallen limb jammed in the trees adjacent. Cr Sharp asked if it could be inspected for any safety issues.</p>	Limb has been inspected and no action being taken. Complete.
	DE	<p><b>Cr Walker: Slys Lane</b></p> <p>Referred to previous requests for this road to be formed up so that the local landholders can gravel and maintain it and asked for an update on this.</p>	Works request created and will be completed in June. Works have been completed. Complete.
	DE	<p><b>Cr Rockliff: Pine Log Fence, Pastoral Shadows</b></p> <p>Can this fence be replaced with a lower maintenance option in keeping with the Pastoral Shadows walk?</p>	Currently no allocation to replace the fence in the current budget.
	DE	<p><b>Cr Rockliff: Accident on Urana Lockhart Road</b></p> <p>Attended an accident at the Brookong Creek culverts recently and advised signage is missing and one of the culverts may be damaged.</p>	Works request created to rectify damage.
<b>Ordinary Council Meeting held 18 March 2024 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<p><b>Cr Driscoll: Umpire and Netball Sheds, The Rock</b></p> <p>Thanked the Director of Corporate &amp; Community Services for the now completed works and asked where works on the netball sheds are up to.</p>	Netball changerooms builder has encountered issues with partitions. Waiting on delivery of replacement partitions. Builder on site, scheduled to complete by end of June.
<b>Ordinary Council Meeting held 19 February 2024 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DE	<p><b>Cr Rockliff: Fairy Lights, Lockhart Main Street</b></p> <p>Asked if the fairy lights in the shopping precinct can be repaired and/or reinstated?</p>	Electrician has been engaged to check and advise.
	DPE	<p><b>Cr Mathews: Brookong Creek</b></p> <p>Noted that there were cats in and around the creek and requested that the matter be referred to the Compliance Officer.</p>	An item will be included in Council's May newsletter advertising a trapping program. Complete.

*Lockhart Shire Council  
Ordinary Meeting – 17 June 2024*

Minute No:	Officer to Action	Council Resolution	Action Taken
<b>Ordinary Council Meeting held 18 December 2023 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Rockliff: Drain to Creek, Urana Street, Lockhart</b> Mentioned this drain is overgrown with pine trees etc and requires cleaning out.	Investigations have confirmed the drain is located on private property but the pollutant trap and related infrastructure has been installed by Council. Arrangements are being made for Council to undertake cleaning of Council's asset subject to consultation with the landowner.
<b>Ordinary Council Meeting held 20 November 2023 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Mathews: Councillor Dress</b> Suggested an option somewhere between the blazer and a polo shirt might be appropriate for attending conferences etc.	Held over until commencement of new council in September 2024.
<b>Ordinary Council Meeting held 16 October 2023 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Sharp: Pleasant Hills Tennis Courts</b> Asked if there was a timeframe for repairs to the tennis courts to be carried out?	Quotes being sourced for synthetic surface on top two courts. Contractor engaged to be completed by 30 June 2024.
<b>Ordinary Council Meeting held 18 September 2023 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DEES	<b>Cr Verdon: Lodge Road</b> Advised this road, which provides access to The Rock Cemetery, is deteriorating rapidly and requires attention.	Works request created. Will be attended to when crews in the area. Works planned April 2024.
<b>Ordinary Council Meeting held 21 November 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DCCS	<b>Cr Hunter: Tiled Wall outside The Rock Gym</b> Referred to a problem with tiles on the external wall of The Rock Pool near the gym and asked what was being done to rectify the issue.	Retiling wall has commenced. A further verbal update will be provided at the Council meeting.
<b>Ordinary Council Meeting held 17 October 2022 – Councillor Questions &amp; Statements</b>			
Questions & Statements	DPE/ DCCS	<b>Cr Verdon: Disability Access Across the Shire</b> Referred to Kurt Fearnley's speech at the recent Lockhart Community Bank branch birthday celebrations. The speech was a reminder that people with disabilities are entitled to access. Cr Verdon suggested an audit be carried out, with a view to improving access across the Shire, making sure all Council facilities are accessible to all residents.	Onsite visit completed week of 3 June.

**Correspondence Received**

Date sent to Councillors	From	Subject
30 May 2024	Executive Assistant	Link to minutes of May 2024 Meeting.
31 May 2024	Mayor (via Executive Assistant)	Mayoral Update

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

**99/24 RESOLVED** on the motion of Crs Sharp and Driscoll that the Status Report and Correspondence Précis be received.

## STAFF REPORTS

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

#### 1. REQUEST FOR FINANCIAL ASSISTANCE

(GM: 24/7264)

##### Executive Summary

A request for financial assistance has been received from The Rock Central School on behalf of a young student and resident of the Shire which is tabled for Council's consideration.

##### Report

A request has been received from The Rock Central School to financial assist Savannah Swift of The Rock to represent New South Wales at the National Swimming Titles to be held at the Gold Coast for which she has qualified.

More information is contained in the written request received by Council a copy of which is attached.

Council has previously provided financial assistance to young athletes to enable them to participate in State and national competitions or pursue their high-level sporting achievements.

In June 2022 Council resolved to contribute \$200 to the Southern Sports Academy for a resident of the Shire enrolled at the Academy.

In June 2023 Council resolved to contribute \$400 to the Southern Sports Academy for two residents of the Shire enrolled at the Academy i.e. \$200 per athlete.

Consistent with previous resolutions it is recommended that Council donate \$200 to Savannah Swift to assist with her expenses in representing New South Wales at the National Swimming Titles.

##### Integrated Planning and Reporting Reference

A3: Support our children and young people.

##### Legislative Policy and Planning Implications

Section 356 of the Local Government Act states that 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 and Financial Aspects

Council includes an annual allocation in its budget for contributions to community groups and individuals pursuant to Section 356 of the Local Government Act.

##### Attachments

- Letter of Request, The Rock Central School.

**Recommendation:** That, in accordance with section 356 of the Local Government Act, Council donates \$200 to Savannah Swift to assist with her expenses in representing New South Wales at the National Swimming Titles.

**100/24 RESOLVED** on the motion of Crs Rockliff and Driscoll that, in accordance with section 356 of the Local Government Act, Council donates \$500 to Savannah Swift to assist with her expenses in representing New South Wales at the National Swimming Titles.

## **STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy**

Nil.

## **STRATEGIC DIRECTION C: An Environment that is Respected and Protected**

Nil.

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

### **2. ENGINEERING REPORT**

(DE)

#### Executive Summary

Monthly report on engineering matters.

#### Background Information

##### **Works**

**Local Sealed Roads:** Culvert repair has been undertaken on County Boundary Road, Commera Wilson Road as part of Council's Flood Damage repair works.

**Unsealed Roads:** Maintenance of Shire gravel roads has been conducted on Seilers Lane, Ben Hoffmanns Lane, Jack Blights Lane, Slocums Lane. Crews have upgraded Albert Smiths to Class 2 and upgraded Fargunyah Lane to Class 2.

**Maintenance Crews:** Bitumen crew have been kept busy with routine maintenance on our Local and Regional Roads. Maintenance crews have been assisting with extending and installing box culverts on Mittagong Yerong Creek Road.

##### **Flood Recovery Works**

- **Emily Street** – Riverina Water and Essential Energy have been contacted to relocate assets before works commence. Culverts are being sourced and to be ordered before end of financial year.

##### **Parks & Gardens**

- Planter boxes and garden beds at 109 Green Street have been planted out and new general waste and recycle bins have been installed.
- The chaff cart installed at the Yerong Creek Water Tower has been installed, staff have added mulch to the surrounds and construction of a new granite path and edging is under way.
- The new, decorative street bins have been installed at The Rock and Yerong Creek.
- Parks and Gardens staff have installed outdoor seating and rubbish bins at the Pleasant Hills Esplanade project.
- The town clock located in Green Street, Lockhart has been repaired and is now keeping time again.
- The Avenue of Honour at The Rock is nearing completion, with the final plants going in and the installation of solar lights imminent.
- General maintenance of all garden beds and street sweeping of gutters continues.

#### Legislative Policy and Planning Implications

Nil.

Integrated Planning and Reporting Reference

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

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

Nil.

**Recommendation:** That Council notes the information provided in the Engineering report.

**101/24 RESOLVED** on the motion of Crs Hunter and Day that Council notes the information in the Engineering report.

**3. PLANNING AND ENVIRONMENT REPORT**

**(DPE)**

Executive Summary

Monthly report on priority weeds, environmental matters and development approvals.

Background Information

**a) Biosecurity**

**Property Inspections**

Inspections were carried out on residential properties, travelling stock reserves and land managed by Council.

The most commonly found weeds were Horehound (*Marrubium vulgare*), Galvanised burr (*Sclerolaena birchii*), Silverleaf nightshade (*Solanum elaeagnifolium*), Bathurst burr (*Xanthium spinosum*), Prickly pear (*Opuntia* sp.), St. John's wort (*Hypericum perforatum*), Bridal creeper (*Asparagus asparagoides*), and Privet (*Ligustrum* sp.) respectively.

No. 1 <sup>st</sup> Inspections	No. Re-inspections required	No. 2 <sup>nd</sup> Inspections	No. Biosecurity Undertakings Accepted	No. Biosecurity Directions Issued	No. 3 <sup>rd</sup> Inspections	No. 4 <sup>th</sup> Inspections
9	6	0	0	0	0	0

**Control Program**

Priority has been given to the control of Horehound (*Marrubium vulgare*) on roadside reserves and council managed land. Horehound was controlled on Western Road, Wide Lane and Soldier Settlement Road.

Bathurst burr (*Xanthium spinosum*) and Noogoora burr (*Xanthium occidentale*) were controlled on Whittys Lane.

**c) Development Approvals:** This report advises of the Development Application Approvals for May 2024.

Development Activity Table

DA/CDC No.	Development	Site of Development	Applicant	Value
57/24	Shed with internal bathroom	13 Prichard Place, Lockhart	Corey Golder	\$60,528
58/24	New verandah – demo of old verandah	Lockhart Bowling Club, 19 Green Street, Lockhart	Lifestyle Patios	\$18,000
59/24	Secondary Dwelling	15 Wilson Street, The Rock	Francis Veiera	\$325,000



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DA/CDC No.	Development	Site of Development	Applicant	Value
60/24	Shed 10 x 10	27 Hebden Street, Lockhart	Simon Hounsell	\$56,088
61/24	Carport & Verandah	9 Hayes Street, Lockhart	Bobby Schneider	\$28,000
62/24	Shed and verandah	6 Hebden St, Lockhart	Lyn Hamson	\$185,000
63/24	Carport	155 Old Trunk Road, The Rock	Tumut Building Design	\$36,000
64/24	Shed and slab	116 The Rock Collingullie Road, The Rock	Bethany Housenloge	\$66,059
66/24	Shed	14 Galore Street, Lockhart	A Ziems	\$46,800
67/24	Shed	118 The Rock Collingullie Road, The Rock	Levi Housenloge	\$66,160
<b>Total</b>				<b>\$887,635</b>

Legislative Policy and Planning Implications

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

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

Integrated Planning and Reporting Reference

C2: Flora and fauna are protected across the Shire.

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 Planning and Environment report.

**102/24 RESOLVED** on the motion of Crs Sharp and Hunter that Council notes the information provided in the Planning and Environment report.

**4. PROPOSED MODIFICATION OF DA50/19 – INSTALLATION OF NEW SERVICE STATION AT 4760 OLYMPIC HIGHWAY, THE ROCK**

**(DPE: 24/6909)**

Executive Summary

Council has received a Section 4.55 Modification application for the proposed service station to be located at 4760 Olympic Highway, The Rock. The Modification application relates to two (2) conditions on the Development Consent regarding Developer Contribution payments and Long Service Levy payments.

Report

The Modification application seeks to remove conditions number 13 and 31 of the current Development Consent. These conditions are listed below:

*13) Section 94A Levy Development Contributions*

*Prior to the issue of a construction certificate, a receipt for the payment to Lockhart Shire Council of Section 94A Levy Contributions shall be submitted to the Certifying Authority.*

*The Section 94A Levy is calculated at 1% of the cost of development, as determined at the date of this consent. The total contribution to be paid has been calculated at \$48,000.*

*NOTE: This amount may change if there is a delay with payment of the levy, as the cost of works is to be indexed before payment to reflect quarterly variations in the Consumer Price Index (CPI).*

### 31) Long Service Levy

*The long service levy is payable under Section 34 of the Building & Construction Industry Long Service Payments Act 1986. Section 6.8 of the Environmental Planning and Assessment Act 1979 requires that a construction certificate cannot be issued unless the long service levy has been paid.*

The applicant has provided the following justification as to why they would like to remove the above conditions:

*While Terra Ferma is committed to building The Rock Service Station, the current market environments and the lack of a leasing tenant is making this development unfeasible. This is why we are requesting for the Council to help by forgoing any potential fees or levies in order for us to get the Construction Certificate this month in order to commence work on the development.*

The development is subject to the old Developer Contributions Plan that was introduced in 2002. This Contributions Plan requires payments prior to the issuing of a Construction Certificate and that other arrangements for payment are at the Council's discretion and depend upon the circumstances of the contributor or development. The current Development Contributions Plan that was introduced in 2020 provides more flexibility with when the contribution is required to be paid as it states that it needs to be paid prior to the release of a Construction Certificate, Subdivision Works Certificate, Complying Development Certificate or Occupation Certificate. It should be noted that Council staff still ask for the Contributions to be paid prior to the issuing of a Construction Certificate, but applicants do have the ability to request to wait to pay until prior to the issue of an Occupation Certificate.

Removing the requirement to pay the contributions completely would set a dangerous precedent for Council. A more appropriate decision would be to delay the payment of the contribution so that it is required to be paid prior to the issuing of an Occupation Certificate. This would enable the Construction Certificate to be issued but will still ensure that the contributions are paid prior to the development becoming operational.

With regard to condition number 31, Council does not have the power to exempt the applicant from paying the Long Service Levy as this is a State Government fee. The levy applies to all building work in NSW valued at over \$250,000 and the levy rate is 0.25%. There are exemptions but these relate to owner-builders, churches and non-profit organisations.

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

- Shire of Lockhart Developer Contributions Plan 2002
- Section 7.12 Development Contributions Plan for the Council of Lockhart Shire Council 2020.
- Environmental Planning and Assessment Act 1979

#### Budget & Financial Aspects

Nil.

#### Attachments

Nil.

#### **Recommendation:** That:

1. Council amends condition number 13 of DA50/19 to:

- Prior to the issue of an Occupation Certificate, a receipt for the payment to Lockhart Shire Council of Section 94A Levy Contributions shall be submitted to the Certifying Authority.

The Section 94A Levy is calculated at 1% of the cost of development, as determined at the date of this consent. The total contribution to be paid has been calculated at \$48,000.

NOTE: This amount may change if there is a delay with payment of the levy, as the cost of works is to be indexed before payment to reflect quarterly variations in the Consumer Price Index (CPI). And

2. Condition number 31 of DA50/19 remain unchanged.

**103/24 RESOLVED** on the motion of Crs Rockliff and Hunter that:

1. Council amends condition number 13 of DA50/19 to:

- Prior to the issue of an Occupation Certificate, a receipt for the payment to Lockhart Shire Council of Section 94A Levy Contributions shall be submitted to the Certifying Authority.

The Section 94A Levy is calculated at 1% of the cost of development, as determined at the date of this consent. The total contribution to be paid has been calculated at \$48,000.

NOTE: This amount may change if there is a delay with payment of the levy, as the cost of works is to be indexed before payment to reflect quarterly variations in the Consumer Price Index (CPI). And

2. Condition number 31 of DA50/19 remain unchanged.

## STRATEGIC DIRECTION E: Strong Leadership and Governance

### 5. INVESTMENT AND BANK BALANCES REPORT – MAY 2024

(DCCS: 24/7464)

#### 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

<b>Opening Combined Cashbook Balance</b>			1,020,318.65	
Add: Total Receipts				
	Miscellaneous		6,437.52	
	Rates		499,608.29	
	Debtors		219,664.76	
	Interest on Investments		27,575.46	
	Caravan Park Takings		16,062.00	
	Return of Investment - Comm Bank		1,000,003.42	
	Return of Investment - Macq Bank		505,983.56	
	Rockoosh CCS & Inclusion Support Payments		2,419.35	
	Development Applications		38,028.68	
	Rockoosh Payments		2,725.86	
	BAS Refund - April		39,274.00	
	Apprenticeship Incentives - Various Staff		15,293.58	
	FMP0036 - Voluntry Purchase		214,286.00	
	DPI - 4th Qtr FAG		61,277.00	
	Tip Fees		2,095.00	
	Sale of Plant - 1249		2,068.00	
	Sale of Plant - 1674		34,587.75	
	Sale of Plant - 2008		18,859.83	
			2,706,250.06	
Less: Total Payments			2,700,517.64	
	New Investments	0		
<b>Closing Combined Cashbook Balance</b>			<b><u>1,026,051.07</u></b>	
<b>Closing Bank Statement Balance</b>				
	Bendigo Bank		895,776.79	
	Macquarie Bank		88,142.33	
	Bendigo Bank-Prichard Trust		31,891.72	
			1,015,810.84	
Add: Outstanding Deposits			17,902.96	
			1,033,713.80	
Less: Outstanding Cheques			7,662.73	
<b>Closing Combined Cashbook Balance</b>			<b><u>1,026,051.07</u></b>	
	<b>Investments:</b>			
		<b>Interest Rate per</b>		
		<b>Annum</b>		
			<b>Amount Invested</b>	
			<b>% of Total</b>	
	Bank of Queensland	4.35	700,000.00	8.47
	Bendigo Bank	at call	66,072.20	0.80
	Bendigo Bank	4.90	1,000,000.00	12.10
	Bendigo Bank	4.76	500,000.00	6.05
	Commonwealth Bank	4.75	500,000.00	6.05
	IMB	4.80	500,000.00	6.05
	Macquarie Bank	4.80	1,000,000.00	12.10
	Macquarie Bank	4.80	500,000.00	6.05
	Macquarie Bank	4.80	500,000.00	6.05
	National Australia Bank	5.05	500,000.00	6.05
	National Australia Bank	5.05	500,000.00	6.05
	National Australia Bank	5.05	1,000,000.00	12.10
	National Australia Bank	5.05	500,000.00	6.05
	National Australia Bank	5.05	500,000.00	6.05
			<b>8,266,072.20</b>	<b>100.00</b>
				<b>AMOUNT</b>
General Fund	1490-3000-0000			(1,542,736.83)
Combined Sewerage	8490-3000-0000			2,536,896.18
Trust Fund	9991-3000-0000			31,891.72
			<b>1,026,051.07</b>	<b>1,026,051.07</b>
	<b>TOTAL FUNDS HELD ARE:</b>		<b>9,292,123.27</b>	

Integrated Planning and Reporting Reference

- E1: Council is strong, sustainable and able to stand alone.
- E1: Plan for the long-term sustainability of the Shire.
- E1: Meet all governance and regulatory requirements in the conduct of Council operations.

Legislative Policy and Planning Implications

- Local Government Act 1993 Section 625 Investments.
- Local Government (General) Regulation Clause 212.

Budget and Financial Aspects

Council's 2023/24 Operational Budget has forecast a total of \$401,000 income from interest on investments for General Fund & Sewer Fund combined. For the period July 2023 to May 2024, the average end of month balance of funds invested has been \$11.75 million and the average return on invested funds has been 4.86%. On these year to date figures, Council's budgeted income on investments will be achieved for the General Fund and Sewer Fund.

Responsible Accounting Officer Statement

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

**Recommendation:**

- a) That the May 2024 Investment and Bank Balances Report be received and noted.
- b) That the Responsible Accounting Officer Statement be noted, and the report be adopted.

**104/24 RESOLVED** on the motion of Crs Sharp and Driscoll that:

- a) the May 2024 Investment and Bank Balances Report be received and noted.
- b) the Responsible Accounting Officer Statement be noted, and the report be adopted.

**6. 2024 LOCAL GOVERNMENT ELECTIONS UPDATE – CARETAKER PERIOD**

**(GM: 24/6840)**

Executive Summary

An update is provided in relation to the forthcoming Local Government Elections, particularly with respect to the "caretaker" provisions contained in the Local Government (General) Regulation.

Report

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

Under the Local Government (General) Regulation, councils are required to assume a "caretaker" role in the four weeks preceding the election day.

The caretaker restrictions are designed to prevent outgoing councils from making major decisions that will bind the new council or limit its actions.

The caretaker period for the 2024 Local Government elections commences on Friday 16 August 2024 and ends on Saturday 14 September 2024.

During the caretaker period, councils, general managers, and other delegates of councils must not exercise the following functions:

- enter into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger).
- determine a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period, or
- appoint or reappoint the council's general manager (except for temporary appointments).

"Controversial development application" means a development application for designated development under section 4.10 of the *Environmental Planning and Assessment Act 1979* for which at least 25 persons have made submissions during community consultation.

It is noted that Council's August meeting is scheduled to be held on 19 August which is after the caretaker period commences.

#### Integrated Planning and Reporting Reference

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

#### Legislative Policy & Planning Implications

Section 393B Local Government (General) Regulation 2021 provides that the functions outlined in the report cannot be performed during a "caretaker" period. "Caretaker period" means the period of 4 weeks preceding the date of an ordinary election.

#### Budget & Financial Aspects

Provision has been made in the 2024/25 draft Budget for the conduct of the council elections based on an estimate provided by the NSWEC.

#### Attachments

Nil.

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

**105/24 RESOLVED** on the motion of Crs Day and Driscoll that the information be noted.

## **7. LOCKHART SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE - APPOINTMENT OF INDEPENDENT CHAIR AND INDEPENDENT MEMBER**

**(GM: 24/6982)**

### Executive Summary

Lockhart Shire Council's transition towards compliance with the new Guidelines for Audit, Risk and Improvement Committees (ARICs) issued by the Office of Local Government necessitates the appointment of an independent chair and two independent members.

### Report

As previously reported to Council, amendments inserted into the Local Government Act in recent years require councils to appoint an Audit, Risk and Improvement Committee (ARIC).

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

Councils must comply with the Guidelines from **1 July 2024**.

Lockhart Shire Council is a member of an Audit Alliance together with five other councils. The Audit Alliance has been a cost-effective way of sharing the services of a contracted internal auditor and having

general managers and finance staff sit as independent members of another member council's ARIC. However this arrangement will not be compliant with the new Guidelines.

In order to transition towards compliance with the new Guidelines Council, at its meeting held on 21 August 2023 resolved as follows:

*“That Council continues to participate in the Internal Audit Alliance and endorse the following arrangements for the purpose of transitioning the Alliance to the requirements outlined in the Guidelines for Risk Management and Internal Audit for Local Councils in NSW issued by OLG:*

- 1. A separate ARIC continue to be maintained by each member council as opposed to establishing a single shared ARIC for all six councils.*
- 2. Member councils appoint the same independent chairperson that meets the eligibility criteria following an expression of interest process.*
- 3. A panel comprising persons that meet the eligibility criteria be established following an expression of interest process from which member councils can appoint two independent ARIC members.*
- 4. Member councils share the cost of employing an Internal Audit Coordinator.*
- 5. Member councils continue to share the cost of a contracted internal auditor where possible.”*

With respect to 2) above, expressions of interest were invited from persons who meet the prequalification criteria contained in the OLG Guidelines, to act as the Chair of the Audit, Risk and Improvement Committees of each of the Audit Alliance member councils.

A total of seven EOIs were received with three short listed for interview. The interviews were conducted by a panel of three General Managers selected from the Audit Alliance member councils following which it is recommended that Mr Nick Tobin be appointed as the Independent Chair of the Lockhart ARIC for a maximum four-year term. It is anticipated that each of the Audit Alliance member councils will pass a similar resolution to appoint Mr Tobin as the Independent Chair of their respective ARICs.

The interview panel concluded that Mr Tobin has corporate and local government sector-based experience. In addition he has experience in auditing and risk management frameworks and strong interpersonal skills. A copy of Mr Tobin's EOI and Resume has been separately distributed to Councillors.

With respect to 3) above, expressions of interest were also invited from suitably qualified persons to act as independent members of the ARICs. Unlike the position of Independent Chair, under the proposed structure of the Audit Alliance and Council's resolution referred to above, the independent members are not required to be the same for all member councils' ARICs.

Based on the EOIs received it is proposed that Kylie McRae and Raffaele D'Angelo be appointed as independent members of the Lockhart ARIC for terms of four years and two years respectively. The reason for the difference in the terms of appointment is to facilitate the rotation of independent members in compliance with the OLG Guidelines whilst maintaining some continuity.

Kylie McRae is currently a member of six other NSW council ARICs, including Snowy Valleys Council in the Riverina, and also leads the Institute of Internal Auditors of Australia consulting practice. Raffaele D'Angelo has relevant experience with corporate, not-for-profit, local government and state government entities.

Under the OLG Guidelines, Council also has the option of appointing one non-voting councillor member to the ARIC who meets the eligibility criteria for councillor members of committees in addition to the independent chair and two independent members. The mayor cannot be appointed as a councillor member of a council's ARIC.

Cr Rockliff is a member of Council's existing ARIC however this appointment and the appointment of all Council delegates will be reviewed and the first Council meeting to be held following the forthcoming local government elections.

With respect to 4) above Bland Shire Council has agreed to be the host employer for the Internal Audit Coordinator. It is proposed that 80% of the costs of employing the Internal Audit Coordinator will be shared by all the Alliance member councils with the other 20% being met by Bland Shire Council for work to be undertaken directly for Bland. A recruitment process has been completed for this position and an appointment has been made.

At its meeting held in May 2022 Council adopted a Charter for its ARIC which establishes the composition, roles and responsibilities of the Committee within the governance system of the Council. It is recommended that the Charter be revised to reflect the new composition of the ARIC following the appointment of an independent chair and two independent members and that a broader review of the Charter be undertaken by the ARIC once the new appointees are in place.

A copy of the Charter incorporating the revised composition of the ARIC is attached.

#### Integrated Planning and Reporting Reference

- E1: Advocate and prepare for the long-term sustainability of our Shire.
- E1: Continue to enhance sound financial management policies and practices.
- E1: Meet all governance and regulatory requirements in the conduct of Council operations.
- E1: Minimise Council's exposure to risk and promote a strong risk management culture within Council.

#### Legislative Policy & Planning Implications

Council has complied with the primary obligation under the Local Government Act to establish an ARIC. However, the current composition of the ARIC does not comply with the new eligibility requirements for ARIC chairs and independent members. The recommendations contained in this report, if adopted, will enable Council to transition its ARIC in terms of its composition towards compliance with the OLG Guidelines by the legislative deadline of 1 July 2024.

#### Budget & Financial Aspects

The estimated cost of the Audit Alliance model from 1 July 2024 is \$53,000 compared with an amount of \$16,000 included in Council's 2023/24 budget. However, the alternative of Council complying with the new Guidelines on its own, including appointing its own ARIC Chair and Internal Audit Coordinator is significantly higher. This amount has been included in Council's Draft 2024/25 budget.

#### Attachments

1. Revised Lockhart Shire Council ARIC Charter
2. Resumes of the persons recommended for appointment as independent chair and independent members to Council's ARIC have been separately forwarded to all councillors.

#### **Recommendation:** That:

- 1) Nick Tobin be appointed Independent Chair of the Lockhart Shire Council Audit, Risk and Improvement Committee (ARIC) for a four-year term.
- 2) Kylie McRae and Raffaele D'Angelo be appointed independent members of the Lockhart Shire Council ARIC for a term of four years and two years respectively.
- 3) Council appoints a Councillor as a non-voting member of the ARIC at the first meeting of the newly elected Council following the forthcoming Local Government Elections.
- 4) Section 4 of the ARIC Charter be amended to reflect the new composition of the ARIC and that a broader review of the Charter be undertaken by the ARIC once the new appointees are in place.



**106/24 RESOLVED** on the motion of Crs Rockliff and Walker that:

- 1) Nick Tobin be appointed Independent Chair of the Lockhart Shire Council Audit, Risk and Improvement Committee (ARIC) for a four-year term.
- 2) Kylie McRae and Raffaele D'Angelo be appointed independent members of the Lockhart Shire Council ARIC for a term of four years and two years respectively.
- 3) Council appoints a Councillor as a non-voting member of the ARIC at the first meeting of the newly elected Council following the forthcoming Local Government Elections.
- 4) Section 4 of the ARIC Charter be amended to reflect the new composition of the ARIC and that a broader review of the Charter be undertaken by the ARIC once the new appointees are in place.

## 8. LOCKHART LONG DAY CARE SERVICES

(GM: 24/6995)

### Executive Summary

An update is provided in relation to the availability of childcare for working parents in Lockhart.

### Background

Councillors will be aware that the availability of childcare services in Lockhart has been a cause for major concern as a result of the privately operated and only long day care centre in Lockhart closing its doors.

The closure of the centre has consequences not only for working parents but also for the broader community from an economic development perspective in view of the degree to which facilities such as schools and hospitals as well as local businesses rely on the availability of childcare to be able to attract and retain staff.

A Working Group has been established comprising parents, councillors and council staff, Dr Joe McGirr MP and representatives of his office, Department of Regional NSW, Lockhart Central School and Lockhart Preschool.

Discussions have also been held with the Department of Education (Early Childhood Outcomes), with the discussions being initially focused on identifying suitable temporary premises that could provide a short-term interim solution whilst a permanent longer-term solution is pursued.

As a result of these discussions, and as verbally reported to the last Council meeting, the favoured short term interim solution is to establish a childcare centre at the Lockhart Central School which has agreed to make its library space available for this purpose. One of the advantages of this site is that Council is already an approved childcare provider as a result of being licensed to operate the Lockhart OOSH there on a trial basis.

### Report

Whilst the School is being very cooperative with making available the site for a temporary solution it is not in a position to fund the modifications necessary to make the premises compliant with the regulations, which includes some electrical work, joinery and the erection of fencing to separate the outdoor area required for the childcare centre. That means it will fall on Council as the approved childcare provider for that space to fund the improvements if this option is to proceed.

As the improvements are to be carried out on school grounds, the process has to be undertaken by the Department of Education's Asset Management Unit in accordance with its tender protocols. This includes the Asset Management Unit preparing its own internal estimate of the cost of the works before inviting tenders from its approved list of contractors.

The Asset Management Unit has advised that its internal estimate for the required work is \$40,000. However, this estimate has not been market tested and the actual cost may vary.

Discussions with the School suggest that Council may have the option of paying for the work when a tender is accepted and the work is undertaken or making several part payments over a period of 12 to 18 months.

As the approved childcare provider and operator of the service the Council will also have other operational costs. However, it will also receive revenue in the form of session fees from parents, similar to the operation of The Rock OOSH.

As Council is already the approved childcare provider for the subject premises, this is considered the most cost-effective option to establish a childcare service in the shortest possible timeframe as converting any other building that may already be under Council's ownership or control would be significantly more expensive.

It is also noted that irrespective of any long-term permanent solution that may emerge, Council may wish to remain an approved provider at this location for the purposes of an OOSH.

#### Integrated Planning and Reporting Reference

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

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

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

#### Legislative Policy & Planning Implications

The NSW Department of Education - Early Childhood Outcomes (ECO) division is responsible for ensuring all children make a successful transition to school through the funding of programs to support more children to access quality early childhood education and care across the state.

The ECO division also leads the delivery of new early learning and child development initiatives to support all children in the critical first 5 years of life.

The Department of Education - Early Childhood Education Directorate (ECED) is the Regulatory Authority in NSW responsible for regulating early childhood education and care services in NSW.

Department of Education's Asset Management Unit is responsible for undertaking capital works and asset management on school grounds.

#### Budget & Financial Aspects

Whilst Council operates a before and after school care service at The Rock, and has trialled a similar service at Lockhart, Council has never operated a long day care centre and there is no provision in the current Budget, for extending Council's involvement in children's services beyond the existing arrangements.

However, the Quarterly Budget Review as at 31 March 2024, tabled at the Council meeting held on 20 May 2024, forecasts a surplus of \$93,345 at years end, compared to a deficit of \$72,366 at the time the Budget was originally adopted, which will enable the funding of this expenditure.

#### Attachments

Nil.

**Recommendation:** That, as the approved provider for childcare services operated from the Lockhart Central School library, Council meets the cost of modification and improvement works required for the purposes of extending the existing licence obtained for the Lockhart OOSH to include a long day care service.

<p><b>107/24 RESOLVED</b> on the motion of Crs Rockliff and Driscoll that as the approved provider for childcare services operated from the Lockhart Central School library, Council meets the cost of modification and improvement works required for the purposes of extending the existing licence obtained for the Lockhart OOSH to include a long day care service.</p>
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9. **DRAFT OPERATIONAL PLAN BUDGET 2024/25, DRAFT DELIVERY PROGRAM ESTIMATES 2025/26 – 2027/28 AND FEES & CHARGES 2024/2025**

(DCCS: 24/7474)

Executive Summary

The Draft Operational Plan Budget 2024/25 and Draft Delivery Plan Estimates 2025/26 to 2027/28, including Fees & Charges 2024/2025, are tabled for Council's consideration and adoption.

General Fund Report

The Draft Operational Plan Budget 2024/25 and Draft Delivery Plan Estimates 2025/26 to 2027/28 along with Draft Fees and Charges 2024/2025 have been placed on exhibition for 28 days in accordance with the Local Government Act 1993 and the Council resolution passed on 20 May 2024. Submissions relating to the Delivery Program, Operational Plan, Budget Estimates and Fees and Charges are able to be received up to 4pm on Monday, 17 June 2024. At the time of preparing this report, no submissions had been received.

The following adjustments have been made to the Draft Budget in line with a resolution of Council passed on 20 May 2024:

- Councillor Fees: Original Draft Budget \$109,000 - revised budget \$115,740 (Minute No.86/24)
- Mayoral Fee: Budget \$31,000, to be adopted \$29,500 (Minute No.86/24)
- Transfer from: Internal Reserves increased by \$5,000.

The following table provides a summary of General Fund expenditure for 2024/2025:

Total Operating Expenditure (excl. Depreciation)	8,865,492
Total Depreciation	5,045,000
Total Capital Expenditure + Loan Repayments	3,853,935
Total Expenditure	17,764,427

The adjusted Draft Budget for the General Fund operations provide for a surplus of \$4,848.

Any submissions received post this report being prepared will be tabled at the Council Meeting on 17 June 2024.

Sewer Fund Report

There are no amendments to report for the Draft Sewer Fund Operational Plan 2024/2025 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 2024/2025.

Total Operating Expenditure (excl. Depreciation)	539,116
Total Depreciation	258,000
Total Capital Expenditure + Loan Repayments	135,514
Total Expenditure	932,630

The Draft Budget for the Sewer Fund operations provide for a surplus of \$8,570.

**Maximum Interest on Overdue Rates and Charges**

The Office of Local Government released *Circular 24-05 Information about Ratings 2024/2025* on 19 April 2024 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 2024 to 30 June 2025 (inclusive) will be 10.5% per annum.

#### Legislative Policy and Planning Implications

The Draft Operational Plan Budget 2024/25 and Draft Delivery Plan Estimates 2025/26 to 2027/28, including Fees & Charges 2024/2025 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 2024/2025 that will fund the provision of Council's services and activities.

#### Attachments

1. Draft Operational Plan Budget 2024/25 and Draft Delivery Plan Estimates 2025/26 to 2027/28 and Council's Fees and Charges for 2024/2025, provided under separate cover.
2. Long Term Financial Plan 2024/25 to 2033/34, provided under separate cover.

#### **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 2024/25 and Draft Delivery Plan Estimates 2025/26 to 2027/28.
2. The Draft Delivery Program 2026/2028 incorporating Budget Estimates 2025/26 to 2027/28 for income and expenditure for Council's General Fund and Sewer Fund and the Draft Revenue Policy, as attached, be adopted.
3. 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 2024/2025 as detailed in Part 1 Budget Estimates section of the Council's Operational Plan Budget 2024/2025 and Delivery Program Budget 2026/2028 be approved and voted accordingly.
4. The Draft Fees and Charges 2024/2025 be adopted.
5. 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 2024 to 30 June 2025 (inclusive) be set at 10.5% per annum.
6. Council, pursuant to section 535 of the Local Government Act 1993, hereby **makes** the following **Ordinary Rates** for the rating period 1 July 2024 to 30 June 2025:
  - i. An *ad valorem* rate of 0.096347 cents in the dollar (zero point zero nine six three four seven), 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 26% (twenty six percent) of the total yield of this rate, and
    - b) An *ad valorem* rate of 1.288487 cents in the dollar (one point two eight eight four eight seven).
  - 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 18% (eighteen percent) of the total yield of this rate, and

- b) An *ad valorem* rate of 0.475700 cents in the dollar (zero point four seven five seven zero zero).
- 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 17% (seventeen percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 0.355452 cents in the dollar (zero point three five five four five two).
- 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 32% (thirty two percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 0.623789 cents in the dollar (zero point six two three seven eight nine)
- 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 10% (ten percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 0.192527 cents in the dollar (zero point one nine two five two 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 23% (twenty three percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 2.217163 cents in the dollar (two point two one seven one six three)
- 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 26% (twenty six percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 0.845519 cents in the dollar (zero point eight four five five one nine).
- 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 19% (nineteen percent) of the total yield of this rate, and

- b) An *ad valorem* rate of 0.573285 cents in the dollar (zero point five seven three two eight five).
- 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 11% (eleven percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 1.731566 cents in the dollar (one point seven three one five six six).
- 7. Council, pursuant to section 535 of the Local Government Act 1993, hereby makes the following charges for the rating period 1 July 2024 to 30 June 2025:

**WASTE MANAGEMENT:**

- i. A Domestic Waste Management annual charge of \$440.00 (four hundred and forty 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 \$61.50 (sixty one dollars and fifty cents) 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 \$146.00 (one hundred and forty six 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 \$146.00 (one hundred and forty six 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 \$146.00 (one hundred and forty six 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 \$440.00 (four hundred and forty 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 \$61.50 (sixty one dollars and fifty cents) 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 \$146.00 (one hundred and forty six 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 \$146.00 (one hundred and forty six 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 \$146.00 (one hundred and forty six 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 \$61.50 (sixty one dollars and fifty cents) 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 \$604.00 (six hundred and four 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four 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 \$310.00 (three hundred and ten 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 \$310.00 (three hundred and ten 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 \$1.48 (one dollar and forty eight 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four dollars) for the period 1 July 2024 to 30 June 2025.
- xxii. A Sewerage Availability annual charge of \$310.00 (three hundred and ten 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 \$1.48 (one dollar and forty eight 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four dollars) for the period 1 July 2024 to 30 June 2025.

- xxvi. A Sewerage Availability annual charge of \$310.00 (three hundred and ten 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 \$1.48 (one dollar and forty eight 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four dollars) for the period 1 July 2024 to 30 June 2025.

**108/24 RESOLVED** on the motion of Crs Sharp and Rockliff that:

1. Council note and consider any public submissions received post the preparation of this report in respect to the Draft Operational Plan Budget 2024/25 and Draft Delivery Plan Estimates 2025/26 to 2027/28.
2. The Draft Delivery Program 2026/2028 incorporating Budget Estimates 2025/26 to 2027/28 for income and expenditure for Council’s General Fund and Sewer Fund and the Draft Revenue Policy, as attached, be adopted.
3. 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 2024/2025 as detailed in Part 1 Budget Estimates section of the Council’s Operational Plan Budget 2024/2025 and Delivery Program Budget 2026/2028 be approved and voted accordingly.
4. The Draft Fees and Charges 2024/2025 be adopted.
5. 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 2024 to 30 June 2025 (inclusive) be set at 10.5% per annum.
6. Council, pursuant to section 535 of the Local Government Act 1993, hereby **makes** the following **Ordinary Rates** for the rating period 1 July 2024 to 30 June 2025:
  - i. An *ad valorem* rate of 0.096347 cents in the dollar (zero point zero nine six three four seven), 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 26% (twenty six percent) of the total yield of this rate, and
    - b) An *ad valorem* rate of 1.288487 cents in the dollar (one point two eight eight four eight seven).
  - 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 18% (eighteen percent) of the total yield of this rate, and



- b) An *ad valorem* rate of 0.475700 cents in the dollar (zero point four seven five seven zero zero).
- 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 17% (seventeen percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 0.355452 cents in the dollar (zero point three five five four five two).
- 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 32% (thirty two percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 0.623789 cents in the dollar (zero point six two three seven eight nine)
- 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 10% (ten percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 0.192527 cents in the dollar (zero point one nine two five two 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 23% (twenty three percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 2.217163 cents in the dollar (two point two one seven one six three)
- 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 26% (twenty six percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 0.845519 cents in the dollar (zero point eight four five five one nine).
- 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 19% (nineteen percent) of the total yield of this rate, and

- b) An *ad valorem* rate of 0.573285 cents in the dollar (zero point five seven three two eight five).
- 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 11% (eleven percent) of the total yield of this rate, and
  - b) An *ad valorem* rate of 1.731566 cents in the dollar (one point seven three one five six six).
- 7. Council, pursuant to section 535 of the Local Government Act 1993, hereby makes the following charges for the rating period 1 July 2024 to 30 June 2025:

**WASTE MANAGEMENT:**

- i. A Domestic Waste Management annual charge of \$440.00 (four hundred and forty 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 \$61.50 (sixty one dollars and fifty cents) 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 \$146.00 (one hundred and forty six 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 \$146.00 (one hundred and forty six 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 \$146.00 (one hundred and forty six 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 \$440.00 (four hundred and forty 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 \$61.50 (sixty one dollars and fifty cents) 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 \$146.00 (one hundred and forty six 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 \$146.00 (one hundred and forty six 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 \$146.00 (one hundred and forty six 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 \$61.50 (sixty one dollars and fifty cents) 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 \$604.00 (six hundred and four 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four 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 \$310.00 (three hundred and ten 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 \$310.00 (three hundred and ten 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 \$1.48 (one dollar and forty eight 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four dollars) for the period 1 July 2024 to 30 June 2025.
- xxii. A Sewerage Availability annual charge of \$310.00 (three hundred and ten 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 \$1.48 (one dollar and forty eight 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four dollars) for the period 1 July 2024 to 30 June 2025.
- xxvi. A Sewerage Availability annual charge of \$310.00 (three hundred and ten 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 \$1.48 (one dollar and forty eight 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 \$310.00 (three hundred and ten 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 \$604.00 (six hundred and four dollars) for the period 1 July 2024 to 30 June 2025.

## QUESTIONS AND STATEMENTS

### Cr Day

- i) **Remediation of Brookong Creek:** Cr Day requested an update on the remediation of the area under Brookong Creek Footbridge, especially with regard to removal of invasive vegetation, and asked what priority has been given to the issue, keeping in mind the impact on tourism.

#### Response – General Manager

The General Manager advised the Environmental Officer will be applying to NSW Fisheries for the appropriate permits to carry out any works.

- ii) **Levy Bank, Lockhart Common:** Cr Day asked what measures have been taken towards repairing the damage to the levy bank.

#### Response – Director of Engineering

The Director advised that concrete rubble has been placed temporarily to slow further scouring. Engineering advice is being sourced to aid decision-making on repair options.

- iii) **Flood Mitigation Strategies:** Cr Day referred to the significant impact of flood events and the financial burden on residents, and asked what strategies are in place to mitigate flood impacts and to reduce this burden.

#### Response – Director of Engineering

The Director advised that Council applied, under the State Government’s Floodplain Management program, for funding reviews of The Rock and Lockhart Flood Studies, and a Flood Study for Yerong Creek. Funding was only received for a review of The Rock Flood Study, which is under way. Applications have been resubmitted for the review of the Lockhart Flood Study and a Flood Study of Yerong Creek. This will inform any mitigation measures going forward. Until these reviews and studies are completed, the insurance companies will continue to refer to the 2014 Flood Studies.

- iv) **Pedestrian Ramps – Green Street:** Cr Day asked when ramp access will be restored for postal delivery riders, referring to the temporary, black ramps currently in place.

Response – Director of Engineering

The General Manager advised that Council's concrete crew are currently tasked with flood damage repairs and this will need to be completed before they commence works in Matthews Street. The area in question requires a complete replacement of kerb and gutter in order to fix the issue.

**Cr Driscoll**

- i) **Crown Lands Grant, The Rock Observatory:** Cr Driscoll advised that the management committee's Crown Reserves Improvement Program application was unsuccessful and asked if Council's application was successful.

Response – Director of Engineering

The Director advised Council was also unsuccessful.

- ii) **EV Charger, The Rock Recreation Ground:** Cr Driscoll asked if one of the chargers has gone missing.

Response – Director of Engineering

The Director advised that electricians associated with the building works have removed one, which will be reinstalled. However, a new position may be required due to the original position's proximity to gas bottles.

- iii) **Local Environmental Plan (LEP):** Cr Driscoll asked if the LEP does not prohibit two-storey buildings within the urban area of Lockhart, will that make the decision difficult regarding the earlier mentioned development application.

Response – Director of Planning and Environment

The Director agreed that, yes, if the LEP or Development Control Plan (DCP) don't restrict that style of building it does become difficult to refuse an application.

- iv) **Thanks:** Cr Driscoll expressed her thanks to the General Manager and HR/Enterprise Risk Manager, for their presentation on risk requirements for s355 Committees. The presentation was very good and the supporting documents very helpful. Cr Driscoll suggested it should happen on a regular basis.

- v) **Mayoral Representation – Electoral Period:** Cr Driscoll asked if a decision is to be made prior to the election for the interim period between the election and mayoral election, to ensure Council has representation?

General Manager

The General Manager advised a report will be brought to Council to make a decision on that matter informed by Office of Local Government recommendations. The Office of Local Government suggest that certain functions be delegated to the General Manager. Last time Council decided to delegate those functions to Cr Verdon because he had been elected unopposed.

**Cr Sharp**

- i) **Grading Works, Wide Lane:** Cr Sharp has received positive comments regarding grading works carried out on Wide Lane and has also received requests for "Dry Weather Only" signs to be placed at each end of this road to minimise damage in wet weather.

Response – Director of Engineering

The Director advised that signage can be installed as requested.

**Cr Hunter**

- i) **Main Street, Yerong Creek:** Cr Hunter reported that some residents have commented that they are very happy with the roadworks recently completed in Plunkett Street, and how little disruption they caused.

- ii) **Ross Edwards:** Cr Hunter advised that former councillor and president of the Henty Machinery Field Days committee, Mr Ross Edwards, has been awarded membership of the Order of Australia (OAM) in the recent King's Birthday Honours, and suggested Council should recognise this achievement in some way.

Response – Mayor

The Mayor agreed a letter of congratulations could be sent.

- iii) **Road Maintenance:** Cr Hunter referred to the matter she raised recently regarding dangerous drop-offs on sections of Lockhart The Rock Road, Osborne Yerong Creek Road and Henty Pleasant Hills Road. Cr Hunter feels that this needs to be a priority coming up to the next harvest season and asked that any upcoming funding be considered for these works.

Response – Director of Engineering

The Director acknowledged Cr Hunter's concerns and advised he is currently working on costings for remedial works.

**Cr Walker**

- i) **Vincents Road:** Cr Walker asked if there is a timeframe for the sealing of Vincent Road?

Response – Director of Engineering

The Director advised that works crews are focussed on flood damage restoration works. He further advised that the necessary survey and traffic counts have not yet been carried out, which are required to allow road design to be completed. This needs to be undertaken before works can commence, probably within 12 months.

- ii) **Access to Rural Properties:** Cr Walker asked, bearing in mind the restrictions of Transport for NSW (TfNSW) funding, can access to rural properties, if they're within 50m of works, be repaired in conjunction with current works.

Response – Director of Engineering

The Director agreed that would be a commonsense approach, however he advised that the TfNSW guidelines for flood damage repairs restricts where works can take place and have carried out inspections and set out where works can occur.

**Cr Rockliff**

Nil.

**Cr Verdon**

- i) **Childcare:** Cr Verdon asked if Council contacted the person Mr Michael McCormack MP put forward in response to the current discussions.

Response – Director of Corporate and Community Services

The Director advised that, yes, that person, a private operator, was contacted. However, when the existing premises were not available, the option of a private operator was not pursued.

- ii) **Cr Rockliff:** Cr Verdon mentioned that this would be Cr Rockliff's last meeting before stepping down as a councillor. Cr Verdon gave his thanks to Cr Rockliff for his support and efforts as a Councillor, and Deputy Mayor over his term.

## 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.

<b>109/24 RESOLVED</b> on the motion of Crs Walker and Sharp that Council close the meeting to the public as per section 10A(2)(c) of the Local Government Act 1993.
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The meeting moved into Closed Session at 6.35pm.

<b>110/24 RESOLVED</b> on the motion of Crs Walker and Sharp that Council move into Open Session.
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The meeting moved into Open Session at 6.39pm.

## OPEN COUNCIL

The resolutions of Council, relating to Item 10, passed while the meeting was closed to the public were read to the meeting by the General Manager.

### 10. RATES – REQUEST TO WRITE OFF INTEREST

**111/24 RESOLVED** on the motion of Crs Hunter and Sharp that:

- (a) Council writes off all accrued interest as at 11 June 2024, totalling \$105.77.
- (b) No precedent be set from this decision as it is a one-off arrangement to fit the circumstances.

The meeting concluded at 6.40 pm.

The minutes of the meeting held on Monday, 17 June 2024, were confirmed as a true and accurate record at the Ordinary Council Meeting held on 15 July 2024, at which time the signature was hereunto subscribed.

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CHAIRPERSON