



MINUTES

of the
Ordinary Meeting
Held
18 April 2017

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

**Minutes of the Ordinary Monthly Meeting of Lockhart Shire Council held in the Council Chambers,
Green Street, Lockhart on Tuesday, 18 April 2017 at 5.11pm.**

PRESENT

Cr R. Schirmer (Mayor), Cr G. Verdon (Deputy Mayor), Cr M. Day, Cr D. Douglas, Cr. G Driscoll, Cr I. Marston, Cr A. Rockliff, Cr P. Sharp, Cr J. Walker.

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

The meeting opened with a prayer.

APOLOGIES

Nil.

LEAVE OF ABSENCE

Nil requested.

CONFIRMATION OF MINUTES ORDINARY MEETING 20 MARCH 2017

57/17 RESOLVED on the motion of Crs Verdon and Day that the Minutes of the Ordinary Meeting held on Monday, 20 March 2017 as printed and circulated be taken as read and confirmed.

DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS

Director Corporate and Community Services – Non-Pecuniary Interest, Staff Reports, Item 13, Development Applications.

URGENT MATTERS

Nil.

NOTICE OF MOTION

Nil.

MAYORAL MINUTE

Nil.

MAYORAL REPORT

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

Wed, 22 Mar	Along with the General Manager Peter Veneris, attended the Riverina Zone Bush Fire Management Committee Meeting at the Fire Control Centre, Wagga Wagga.
Fri, 24 Mar	Along with the General Manager Peter Veneris, attended the Country Mayors Meeting in Sydney. Also attended the Lockhart Debutante Ball as Mayor.
Sun, 26 Mar	Attended the Milbrulong Lutheran Church 125 th Anniversary.
Wed, 29 Mar	Welcomed participants in a Tractor Rally passing through Lockhart.
Mon, 3 Apr	Along with the General Manager Peter Veneris and Director Engineering and Environmental Services David Webb, met with Lieutenant General Ken Gillespie the newly appointed Regional Infrastructure Coordinator.
Wed, 5 Apr	Along with the General Manager Peter Veneris, attended Riverina Zone Service Level Agreement Meeting at the Fire Control Centre, Wagga Wagga.
Thurs, 6 Apr	Along with the General Manager Peter Veneris, attended the REROC Board Meeting in Wagga Wagga.
Thurs, 13 Apr	Attended the Council Outdoor Staff BBQ with the General Manager Peter Veneris and Director Engineering and Environmental Services David Webb.

58/17 RESOLVED on the motion of Crs Douglas and Walker that the Mayoral Report be received.

Committee Reports

1. MINUTES OF THE TOURISM/ECONOMIC DEVELOPMENT STEERING COMMITTEE MEETING (T26-005)

MINUTES OF THE TOURISM/ECONOMIC DEVELOPMENT STEERING COMMITTEE MEETING OF LOCKHART SHIRE COUNCIL HELD AT LOCKHART SHIRE COUNCIL ON MONDAY, 3 APRIL 2017 COMMENCING AT 6.09PM.

PRESENT

Mrs Raeleen Pfeiffer, Ms Sandra Johnstone, Mrs Myra Jenkyn, Mr Colin Wiese, Councillor Derek Douglas, Tourism/Economic Development Officer (Jennifer Connor).

APOLOGIES

Mrs Susan Creek, Councillor Gail Driscoll, Mr Greg Smith.

LEAVE OF ABSENCE

Nil.

PECURINARY/NON PECURINARY INTEREST

Raeleen Pfeiffer – Lockhart Shire Tourism Logo.

CONFIRMATION OF MINUTES

The minutes of the Meeting held Tuesday, 7 March 2017, as printed and circulated, be taken as read and confirmed on the Motion of S Johnstone and M Jenkyn.

1. **South West Wireless Communications**

Despite the installation of NBN fixed wireless in some townships in Lockhart Shire and access to the Sky Muster NBN satellite service, there is a lack of access to affordable high speed internet service and data allowances throughout Lockhart Shire. This is an impediment to developing and attracting new businesses and industry.

The TEDO has been investigating opportunities to improve both internet and mobile phone services and recently contacted South Western Wireless (SWWCC), who provide super-fast internet for regional Australia.

South Western Wireless builds Modular Data Centres for use in regional and remote communities. These are specially modified 20' shipping containers that provide a wireless hub for communities and link to other units up to 30 KMs away to form a mesh of delivery capability and also extend long distances where necessary.

To date, SWWCC has very successfully installed a high speed, fixed wireless broadband service in Temora, Cootamundra and Harden Shires, as well as in regions around Emerald in Queensland. They are currently in discussion with landowners in the Narrandera region, and are also considering installing a tower in the Collingullie area to feed on from a potential hub base in North Wagga.

SWWCC can only build infrastructure into locations where they have ascertained a solid level of community interest and where the associated cost of infrastructure roll-out can be justified against the number of contracts received, e.g. SWWCC were able to reduce the cost of infrastructure in Emerald by working with GrainCorp to utilise existing silos rather than establishing new towers.

The TEDO has provided SWWCC with a list of all silos in and surrounding Lockhart Shire, including their longitude and latitude, and SWWCC are reviewing to see if it is possible to plot a course that would cover all expanses of Lockhart Shire, without the need for additional infrastructure.

As connection would feed from northern based hubs, sufficient interest from all designated areas would be required for the service to work Shire wide. The more residents/businesses lodging EOI's, the more chance we would have of getting the services.

In order to undertake an assessment of the area, SWWCC need a minimum of approximately 20 residents in each specified area within/near the Shire to complete and submit a non-binding expression of interest, e.g. Milbrulong, Yerong Creek, East Urangeline, Boree Creek. This enables SWWCC to gauge interest from each area.

From a costing aspect, the SWWCC Broadband Plans start at 500GB of data for only \$99/month. They are also working on providing telephone services that work in conjunction with the internet, however this is still a work in process.

The TEDO is currently waiting on further information from SWWCC including a mapping of potential locations, and should it prove viable, will work with the community to encourage submissions of EOIs to ensure an assessment by SWWCC is undertaken.

Recommendation: That the TEDO approach SWWCC to conduct an initial assessment to ascertain the possibility of rolling out this internet service throughout Lockhart Shire.

59/17 RESOLVED on the motion of Crs Verdon and Day that the TEDO approach SWWCC to conduct an initial assessment to ascertain the possibility of rolling out this internet service throughout Lockhart Shire.

2. Business Survey

The Annual Business Survey is now in its third year. The survey will be sent to all Shire businesses in early July in order to engage and better assist industry where possible. Completed forms will be due at the end of the month.

Results from the survey will be used to obtain the views of business to influence, shape and inform the development and delivery of current and future plans and strategies; to assist in the promotion of our area; and, for use of data in submissions for funding and advocacy.

For the past two years, participation by agricultural businesses has been strong. The TEDO will contact retail businesses throughout the Shire, and those in Lockhart Industrial Park, to encourage them to complete the survey.

Recommendation: That the information be noted.

60/17 RESOLVED on the motion of Crs Douglas and Marston that the information be noted.
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3. Local Business Chamber

The TEDO has met with the NSW Business Chamber to work on establishing a Local Business Chamber, and there is potential for Lockhart Progress Association to become a member of NSW Business Chamber through a Local Chamber primary alliance partner program.

This will not change how Lockhart Progress operates but will give business members direct access to NSW Business Chamber entitlements and may encourage greater local membership. The Rock Progress Association could also take advantage of this.

The TEDO has requested further information including any NSW Business Chamber costs as Council or the Progress Association would need to join as a member of NSW Business Chamber.

Recommendation: That the information be noted.

61/17 RESOLVED on the motion of Crs Douglas and Walker that the information be noted.

4. Tourism & Economic Development Strategies and Incentives

Attached is an updated copy of the Tourism & Economic Development Strategy which includes the short, medium and long term actions as determined at the Economic Development Strategy workshop in November 2016. Once agreed by the TEDSC the Strategy will be tabled at Council for ratification.

The TEDO has completed a draft Investment Attraction Incentive Policy relating to the level of incentives/discounts which may be offered to entice buyers into our industrial area. The General Manager has received the policy for review and once available for comment, the TEDO will table to the TEDSC for feedback.

Recommendation: That Council ratify the Tourism and Economic Development Strategy.

62/17 RESOLVED on the motion of Crs Douglas and Sharp that Council ratify the Tourism and Economic Development Strategy.

5. Volunteer BBQ

At the March Ordinary Meeting of Council it was resolved that the Volunteer BBQ be held at one location per year, on a rotational basis throughout the Shire, on the Friday during Volunteer Week. The date this year would be Friday, 12 May.

It is difficult to choose a location as all of our communities have very strong volunteer bases. Subject to discussion amongst the TEDSC, Lockhart was chosen as the venue for the 2017 BBQ as it had the highest turn out of volunteers at last year's BBQ.

Two councillors are requested to host the BBQ (cook), and it would be fantastic if other councillors were able to attend also. Promotion of the BBQ will be undertaken through the newsletter, Facebook and posters.

Recommendation: That the 2017 Lockhart Shire Volunteer BBQ be held in Lockhart.

63/17 RESOLVED on the motion of Crs Douglas and Marston that the 2017 Lockhart Shire Volunteer BBQ be held in Lockhart.

6. Advertising Frames

A number of A3 cliplock frames have been purchased and are in the process of being installed on the back of toilet doors throughout Lockhart Shire's parks and gardens, creating an effective advertising space to promote our main events and attractions.

There's a mix of posters on display including Shire attractions, the Photography Competition and the Spirit of the Land Festival. The posters can be easily changed and updated as needed.

Recommendation: That the information be noted.



64/17 RESOLVED on the motion of Crs Douglas and Driscoll that the information be noted.

7. TEDSC Member – Yerong Creek

The TEDSC discussed potential members from the Yerong Creek district and the TEDO will follow up on this.

Recommendation: That the information be noted.

65/17 RESOLVED on the motion of Crs Verdon and Driscoll that the information be noted.

8. Lockhart Railway Station

The potential use of Lockhart Railway Station was discussed by the TEDSC, with a number of suggestions for use. The TEDO was supportive but advised there was likely to be a price increase with change of use, and a community group would need to champion and run any new project.

Recommendation: That the information be noted.

66/17	RESOLVED on the motion of Crs Marston and Walker that the information be noted.
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9. Current TEDO Projects

Billboard	DA has been refused by Wagga Council despite adhering to their LEP. Very disappointing, however the TEDO has been in touch with Narrandera Council regarding signage in the Kywong/Galore area and will contact relevant landowners. Billboard unable to be erected on Olympic Highway in Lockhart Shire due to current LEP. LSC is working on a number of proposed changes to this and will be applying to update the LEP this year,
Drovers Way Touring Route	Relevant councils to meet in April to further progress. Collingullie have confirmed interest as starting point and Wagga has indicated their support for the project.
Visitlockhartshire.com.au	The tourism website is looking good and has seen a marked increase over the past 12 months. Social media pages also receive strong support.
SOL	Two sided flyer sent for distribution at Wagga's Stone the Crows Festival – one side Lockhart Shire, one side SOL.
Love Lockhart Shire Photo Comp	All details in place for the photo competition which runs from 1 April to 30 June 2017. Information listed on website and will be promoted in newsletter, social media and in radio campaigns.
Town Visitor Information Boards	Design has commenced by TEDO on the town and shire maps for information sign at The Rock and Lockhart. On completion of The Rock frame, TEDO will work with Lockhart Rotary to produce frame.
Lockhart Shire Tourism Logo	TEDO has been liaising with Raeleen Pfeiffer re graphic design of logo. Initial concept and drawing. Temporarily on hold due to other projects.
The Rock Shop Local Promotion	The postcard promoting businesses in The Rock has been completed and distributed throughout town shop fronts as well as being placed in VICs. Has been well received.
Lockhart Progress Association	Executives of Progress meet with the GM and TEDO to discuss their sustainability. Double spread in the LSC newsletter to garner support. TEDO suggested activities with high interest which Progress could undertake to engage with the community, e.g. outdoor movie screening at Galore Hill
The Rock Progress	The Progress Association are looking for funding for the Faerie Tree project. Working on astronomy project. B&S Ball for 2017.
Lockhart Museum	Continuing to work on collections, large grant application submitted. Good sales of merchandise in Visitor Information display area
The Rock Museum	Progressing on the sound system which will tell the story of The Rock.
The Rock Hill	Works by NPWS are ongoing. Some interpretative signage has been installed and tracks cleared.

Australia BIG List – Kangaroo & Emu Sculpture	Sent to Destination NSW for listing. The interpretative board has been received and is due for installation.
Wall of Fame	TEDO still looking for potential funding.

The next TEDSC meeting will be held at The Rock Memorial Bowling Club on Tuesday, 2 May 2017 at 6.00pm.

Recommendation: That the report be received and the recommendations contained therein be adopted.

67/17 RESOLVED on the motion of Crs Sharp and Douglas that the report be received and the recommendations contained therein be adopted.

Delegates' Reports

RIVERINA REGIONAL LIBRARY ADVISORY COMMITTEE

In the absence of Cr Verdon, I attended the Riverina Regional Library (RRL) Advisory Committee meeting along with General Manager Peter Veneris on 29 March 2017 at Wagga Wagga City Council.

Points of interest from the meeting included the following:

1. Statistics showed that Lockhart Shire has approximately 27% membership per capita and is the fourth highest borrower per capita of the ten member Councils.
2. RRL member council contributions for 2017/18 have been set at \$118,329 for Lockhart in accordance with the agreed formula, and will be incorporated into our draft budget.
3. The draft RRL Management Plan for 2017/18 was passed and has now been adopted.

The next meeting of the RRL will be held on 8 November 2017.

Ian Marston
Council Delegate

68/17 RESOLVED on the motion of Crs Verdon and Walker that the delegate's report be received.

Status Report/Précis of Correspondence Issued

Status Report: Council Resolutions and Tasks to be finalised

Res. No:	Officer to Action	Info	Action Taken
Ordinary Council Meeting held 20 March 2017			
56/17	GM	Delivery Program 2013-17, Operational Plan 2016-17 Report on progress received and contents noted.	Complete
55/17	GM	Policy 1.4 – Code of Conduct Council adopted: a) Model Code of Conduct prescribed by the Regulations and published in the Government Gazette on 13 Nov 2015 b) The amended Policy 1.4 Code of Conduct, as presented.	Code of Conduct distributed to Councillors and staff. Complete.
54/17	GM	Policy 1.0 'Policies – Procedure for Consideration and Adoption Policy adopted as publicly exhibited.	Policy Register updated. Complete.
53/17	DCCS	Quarterly Budget Review – December 2016 Information noted and adjustments in income, expenditure and reserves in the December 2016 Quarterly Budget Review to be adopted.	Complete.
51/17	MES	Development Application 45/16 – Lockhart Agricultural, Pastoral and Show Society Council: a) Resolved to support the application for modification to DA 45/16, and b) Noted for information the request for refund of fees and supported the GM in determining.	(a) Modification to DA has been issued. (b) DA Fees have been refunded. Complete.
49/17	DEES	Request for Road Name Change a) Council supported the road name change necessary process to be commenced b) DEES to write back to applicant informing them of Council's decision.	(a) Council has commenced process for name change.
48/17	DEES	Draft Policy – Awnings, Verandahs and Balconies over Footways a) Council endorsed the draft 'Awnings, Verandahs and Balconies Over Footways' policy b) Policy to be placed on public exhibition for 28 days and a further report to be brought back to Council	Draft policy placed on exhibition.
47/17	GM	Request for Financial Assistance – Osborne Recreation Ground Committee a) Council to contribute \$8,000 towards erection of player changeover benches, coaches' shelters, media platform and storage shed at the Osborne Recreation Ground. b) Osborne Recreation Ground Committee, in view of its status as a Section 355 Committee, to inform Council when it is considering applying for government grants in future.	Osborne Recreation Ground Management Committee has been advised of Council's contribution and requested to liaise with Council's Finance Manager regarding administration of the grant.
42/17	MES	Travelling Stock in the Lockhart Shire Council staff to write to the Chair of Local Lands Services – Riverina, detailing concerns raised and need for improved management of travelling stock in the Lockhart Shire.	Letter sent to LLS. Complete.
40/17	GM	Residential Subdivision – Carson Rd, The Rock Authority granted for the Deed of Covenant relating to Lots 1 to 5 DP1220989 Carson Rd, The Rock, as presented, to be executed under the seal of Council.	Deed of Covenant has been executed under Council's seal and returned to Council's solicitor for registration on the titles.

39/17	GM	<p>The Rock Regional Observatory Project Council, as Trust Manager of the Lockhart Crown Reserve Trust to:</p> <ol style="list-style-type: none"> a) Provide in-principle support for The Rock Regional Observatory Project b) Seek consent of the Minister to authorise Reserve 48746 for Racecourse and Showground to be used for an additional purpose that is consistent with the Project c) Assist in identifying any potential grant opportunities relevant to the Project. 	<p>A submission has been forwarded to the NSW Crown Lands Office requesting that “Community purposes” and “Public Recreation” be added as permitted uses of the Reserve for Racecourse and Showground.’ The Rock progress Association has been advised of Council’s decision and its submission to the Crown Lands Office.</p>
38/17	GM	<p>Request for Donation – Sponsorship of Dogs NSW Southern Region 25th Anniversary of Championship Dog Shows Council to contribute \$800 towards the Dogs NSW Southern Region 25th Anniversary of Championship Dog Shows in Yerong Creek.</p>	<p>Council’s contribution has been forwarded to Dogs NSW. Complete.</p>
37/17	GM	<p>ANZAC Day 2017 Commemorations Council representatives to participate at respective ANZAC Day ceremonies and to lay a commemorative wreath on behalf of Council to be as follows:</p> <ul style="list-style-type: none"> • Lockhart – Crs Schirmer and Day • The Rock – Crs Driscoll and Walker (Dawn Service) and Cr Marston (10.30am Service) • Pleasant Hills – Cr Sharp • Yerong Creek – Cr Driscoll. 	<p>RSL Sub-branches have been advised of Council’s representatives at the respective commemoration ceremonies. Commemorative wreaths have been ordered.</p>
36/17	GM	<p>Status Report/Precis of Correspondence Issued A report be brought to the April Council Meeting to decide on appropriate form of recognition for contribution the Sagers Family has made to the community.</p>	<p>Report has been prepared and included in the agenda for the 18 April Council meeting (refer agenda item 4). Complete.</p>
34/17	TEDO	<p>Minutes of the Tourism/Economic Steering Committee Meeting – Volunteer BBQs Lockhart Shire Volunteer BBQ to be held at one location per year on a rotational basis throughout the Shire.</p>	<p>BBQ for 2017 is being organised on 12 May 2017. Complete.</p>
33/17	TEDO	<p>Minutes of the Tourism/Economic Steering Committee Meeting – Shire Signs Designs for the Shire signs to be investigated.</p>	<p>In progress</p>
31/17	TEDO	<p>Minutes of the Tourism/Economic Steering Committee Meeting – Australian Kelpie Hall of Fame TEDO to apply for grant funding.</p>	<p>In progress</p>
Ordinary Council Meeting held 6 February 2017			
21/17	GM	<p>Council Meeting Dates April Council meeting to be held Tues, 18 April 2017 in lieu of 17 April being the Easter Monday Public Holiday.</p>	<p>Revised meeting date published on Council’s website. Notice placed in local newspaper in the week prior to the Council meeting. Complete.</p>
18/17	GM	<p>Policy Development and Review Council:</p> <ol style="list-style-type: none"> a) Endorse amended Policy 1.0 “Policies – Procedure for Consideration and Adoption”, as presented for public exhibition; b) Delegate authority to the GM to update existing Policies that require only minor amendments and do not alter the substance or intent of the Policy. 	<p>Policy Register has been updated. Complete.</p>

12/17	MES	<p>Planning Proposal for Variation to Lockhart LEP – DA25/17</p> <p>a) Support the application for variation to the Lockhart LEP, by permitting the change of use of a former church to a dwelling; and</p> <p>b) Refer the application to the Secretary for consideration; and</p> <p>c) If concurrence of the Secretary is obtained, continue to process and determine the development application DA25/17 under delegated authority from the General Manager</p>	<p>Letter issued to Secretary to obtain concurrence. Secretary currently assessing the application, with no feedback to date. Secretary has issued concurrence for the development.</p>
6/17	DEES	<p>Cadet Engineer</p> <p>a) Endorse inclusion of position of ‘Cadet Engineer’ into the organisation structure, and</p> <p>b) Authorise the GM and DEES to sign the Charles Sturt University Memorandum of Understanding for Industry Placement Cooperation.</p>	<p>MOU signed and returned to CSU. Advertisement for position completed and placed on noticeboard at CSU. Interviews scheduled for 26 April 2017.</p>
5/17	GM	<p>Coffee Shop Proposal</p> <p>Council to invite Mandy Strong, Liz Lane and Susan Gooden to meet with Mayor and GM to discuss the proposal of a coffee shop in the former Billabong Motors building adjacent to the Green Gunyah Museum.</p>	<p>Meeting held on 1 March 2017. Discussions continuing.</p>
2/17	GM	<p>Notice of Motion - The Rock to Boree Creek rail Line</p> <p>Council:</p> <p>a) Fully supports the upgrading of The Rock to Boree Creek rail line to heavy rail to enable the more efficient and cost effective use of rail infrastructure.</p> <p>b) At the appropriate time submit a submission to Transport NSW outlining the benefits of the upgrade.</p>	<p>Awaiting Round 1 of Fixing Country Rail funding programme to be announced. Discussions held with Transport for NSW and Graincorp in anticipation of submission being prepared. Letters of support obtained from neighbouring Councils. Personal and written representations made to newly appointed NSW Infrastructure Co-ordinator.</p>
Ordinary Council Meeting held 19 December 2016			
345/16	DEES	<p>Swimming Pool Upgrade – Lockhart & The Rock</p> <p>Council:</p> <p>a) Continues undertaking detailed design and planning works for both Lockhart and The Rock pool upgrades to ensure project is shovel ready this year with works funded from Council reserves;</p> <p>b) Continues engaging with respective pool Steering Committees to assist and provide guidance to Council;</p> <p>c) Applies for funding of \$1M for the pools under the current round Building Better Regions Fund; and</p> <p>d) Commence upgrade of the pools in 2016/17, 2017/18 and 2018/19 years subject to confirmation of grant funding, with project funding being combination of grant funding, third party contributions, loan and Council reserves.</p>	<p>Design works for The Rock buildings commenced.</p> <p>Grant application under BBRF closed 28 Feb 2017. Design work for buildings well advanced. DA’s submitted for all works.</p>
Ordinary Council Meeting held 21 November 2016			
316/16	GM/ TEDO	<p>Riverina Regional Tourism</p> <p>Support be given to RRT’s continued operations until 30 June 2018.</p>	<p>Complete.</p>

315/16	GM/ TEDO	Australian Kelpie Hall of Fame a) Greens Gonyah Museum be requested to develop and provide a long-term business plan to Council, outlining future developments and how they will be funded, and b) The item be brought back to Council for further discussion in the 2017/18 FY.	Lockhart & District Historical Society have developed a strategic plan and are working on extending this into a business plan.
Ordinary Council Meeting held 19 September 2016			
264/16	DEES	F111 Stabiliser Display, The Rock a) Council supports installation of F111 Stabiliser Fin b) Site meeting to occur to agree position for installation c) Council to meet costs of up to a maximum of \$3,000 in-kind support to complete project (incl. installation of soon to be delivered anchor).	Letter written to The Rock RSL. Displays have been delivered to The Rock. Works to be undertaken in New Year. Welding works for Anchor have been completed. Anchor sand blasted & painted. Concrete works scheduled for after Easter weekend.
241/16	TEDO	Minutes of Tourism/Economic Development Steering Committee - Town Visitor Information Boards New town visitor information boards to be designed and installed in The Rock and Lockhart.	In progress.
Ordinary Council Meeting held 18 July 2016			
185/16	DEES	Sewer Financial Plan and Proposed Extension at The Rock a) Commence with design and planning of sewer extension at The Rock in 2016/17 as per Lockhart Sewerage Business: Capital Works Plan and Financial Plan b) Undertake construction of Stages 1-6 of proposed low pressure sewer extension at The Rock in 2017/18 as per Lockhart Sewerage Business Capital Works Plan and Financial Plan c) Investigate feasibility of sewerage Council subdivision on Milne Rd in advance of rest of works.	Will commence quotes for design works once Project Officer is engaged. Project detailed design to commence Oct Sept. Quotations being sought for design consultant. Consultant engaged, design works well under way. Currently liaising with other Authorities for access.
Ordinary Council Meeting held 16 May 2016			
109/16	DCCS	Old Lockhart Railway Station Building Council to: a) Seek to find a suitable use/tenant for the building b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.	Ongoing.
92/16	TEDO	Minutes of the Tourism/Economic Development Steering Committee – Virtual Touring Route TEDO investigate the potential to develop Drovers Way as a virtual touring route through the region.	In progress
Ordinary Council Meeting held 17 November 2014			
328/14	DCCS	Request for Financial Assistance – The Rock Men’s Shed a) Suitable lease conditions be negotiated between Council and The Rock Men’s Shed.	In progress.
Ordinary Council Meeting held 14 October 2014			
294/14	DCCS	Report of Section 355 Committees - Finances Council to endeavour to meet with all 355 Committees & Pleasant Hills Community Hotel to work with them to understand their costs and future projects	Plan being developed with correspondence to be sent. Workshop material in planning & being developed.

Ordinary Council Meeting held 20 March 2017 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Verdon – Service Road – Urana St, The Rock – Reported traffic going down service road again on Urana St, The Rock. Requested if Council could re-visit signage and road markings, maybe a centre line along the main street section?	DEES advised he will investigate and take appropriate action. Additional line marking to be installed when contractor available. Complete.
	DEES	Cr Verdon – Signs pushed over in The Rock – Reported signs have been pushed over in front of the Post Office in The Rock.	DEES advised he has noticed a couple of bent signs and will take action to repair. Bent signs to be repaired as resourcing permits. Complete.
	GM	Cr Verdon – Car Bodies and Uninhabited Houses in the Shire – Requested that a motion be brought to the next LGNSW Annual Conference to request Councils be given more power to act in facilitating the clean-up of car bodies and unoccupied houses and other unsightly premises.	GM advised this requires a motion from Council first and will report at the next meeting. A report has been included in the 18 April Council meeting agenda (refer agenda item 5). Complete.
	DEES	Cr Driscoll – Donation Box at Upgraded Recreation Ground Toilets, The Rock – Requested Council provide a donation box at the upgraded recreation ground toilets in The Rock	DEES advised he will action and install when available. Donation boxes ordered. Signs to be ordered.
	GM	Cr Rockliff – Uninhabited Houses in the Shire – Also raised the issue of uninhabited homes in our villages and requested Council discuss further what can be done regarding this matter.	GM advised that this will be the subject of a report to the next Council meeting. A report has been included in the 18 April Council meeting agenda (refer agenda item 5). Complete.
	GM/ DEES	Cr Douglas – Unkempt/Overgrown Blocks within Village Areas – Also raised this issue and enquired if Council is able to clean up on behalf of owners?	GM advised that this will be subject to a report to the next Council meeting. DEES advised there is legislation that allows Council to take action, however it is a long process and takes months to implement. GM advised that this will be subject of a report to the next Council meeting. A report has been included in the 18 April Council meeting agenda (refer agenda item 5). Complete.
	GM	Cr Sharp – Clearing of Long Grass on Blocks within Village Areas, particularly Pleasant Hills – Also raised this issue and enquired if Council is able to speed up the process to act?	GM advised that this will be subject of a report to the next Council meeting. Complete. A report has been included in the 18 April Council meeting agenda (refer agenda item 5). Complete.

Councillors' Questions	DEES	Cr Walker – Hendersons Lane – Advised he has received reports of potholes along sections of Hendersons Lane.	DEES advised he has recently driven along this lane following another complaint and believes the lane is satisfactory at present, advising the next maintenance grade is due in May/June 2017. He further advised that he has directly communicated with the complainant. No further action for Council. Complete.
Ordinary Council Meeting held 19 December 2016 – Councillor Questions & Statements			
Councillors' Questions	GM	Cr Driscoll – New Crown Lands Management Act – Enquired as to status of review of Crown Lands Management Act and has it been discussed at Council?	GM advised nothing happening at this stage as the majority of the new legislation will commence in early 2018, with further information to be provided in 2017, therefore it has not been discussed at Council as all current legislation remains in place.
Ordinary Council Meeting held 21 November 2016 – Councillor Questions & Statements			
Councillors' Questions	GM/ DEES	Cr Day – Refurbishment of Lockhart Town Signs – Enquired on status of refurbishing the Lockhart town signs?	GM advised there is no money in current budget for town signs upgrades. DEES advised he will meet with Cr Day to discuss possible works. Cr Day & DEES working on refurbishment of the signs. Staff has removed one of the signs and Cr Day talking with Littlewood Signs regarding refurbishing. All signs currently at Littlewoods for refurbishment.
Ordinary Council Meeting held 24 October 2016 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Verdon – Council Disaster Management Plan Availability – Also queried if Council Disaster Management Plan was available?	DEES advised the new Emergency Management Plan was almost complete and to expect a presentation to Council at a future meeting. Proposed to present EMP to June 2017 meeting.
	DEES/ MES	Cr Douglas – Yerong Creek Noise Complaint re. Chooks – Enquired as to status of noise complaint in Yerong Creek re. chooks.	DEES/MES advised an onsite meeting has been held to discuss implementation measures to reduce noise at night. Council will be following up on Tues, 25 Oct 2016. Council has followed up complaint and is currently monitoring the situation. Staff have meet with owner three times. Have made modifications to enclosure and rooster has been removed. Staff currently monitoring situation.

Ordinary Council Meeting Held 16 November 2015 – Councillor Questions & Statements			
Councillors' Questions	DEES	<p>Cr Morgan – Funding Application for Brookdale Hill Blackspot Enquired if Council has received any news on this funding application?</p>	<p>DEES advised that no news has been received to date.</p> <p>Application has been unsuccessful at Federal level, currently being assessed at State level.</p> <p>Council currently undertaking design works for the intersections.</p> <p>Design work complete. Currently investigating services relocations required.</p>
Ordinary Council Meeting Held 17 August 2015 – Councillor Questions & Statements			
Councillors' Questions	DEES	<p>Cr Verdon – Solar Power Concerned about high cost of electricity at public recreation grounds and pools within Shire and enquired if Council has considered solar power, especially for The Rock Recreation Ground?</p>	<p>DEES has spent considerable time/gone to seminars investigating this issue and will be putting a report to Council shortly. DW will also investigate if s355 Committees could come under Council's power supply contract to obtain a saving.</p> <p>DEES has investigated and grouping all electrical accounts into Council account is possible. Staff currently investigation total number of accounts that could be rolled over.</p>
Ordinary Council Meeting Held 22 June 2015 – Councillor Questions & Statements			
Councillors' Questions	Cr Day	<p>Cr Day - Milbrulong Silos Cr Day will talk to Graincorp about Milbrulong silos and possibility of obtaining more land for bunkers – maybe eastern end of Lockhart Industrial Park?</p>	

18 April 2017 Council Meeting - Correspondence Sent to Councillors

Date to Councillors	From	Subject	File Ref
17/03/17 (e-mailed)	Graham Bradley, Auswild & Co Chartered Accountants	Advising retirement from Local Government auditing and thanking Lockhart Shire for support and loyalty	A65-010
20/03/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #10 – 17 March 2017	S20-007
20/03/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
24/03/17 (e-mailed)	ALGA News Editor	ALGA News 17 March 2017	A75-005
24/03/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #11 – 24 March 2017	S20-007
27/3/17 (e-mailed)	ALGA News Editor	ALGA News 24 March 2017	A75-005
27/03/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
27/03/17 (e-mailed)	Donna Rygate, LGNSW	Help us improve The Weekly: 5-minute survey	S20-020
03/04/17 (e-mailed)	ALGA News Editor	ALGA News 31 March 2017	A75-005
03/04/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #12 – 31 March 2017	S20-007
03/04/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
10/04/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #13 – 7 April 2017	S20-007
10/04/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
10/04/17 (e-mailed)	ALGA News Editor	ALGA News 7 April 2017	A75-005

Recommendation: That the information be noted.

69/17 RESOLVED on the motion of Crs Douglas and Rockliff that the information be noted.

Staff Reports

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. DISABILITY INCLUSION ACTION PLAN

(GM/M05-030)

Executive Summary

Council is required to develop and implement a Disability Inclusion Action Plan.

Report

Council is required to develop and implement a Disability Inclusion Action Plan (DIAP) in accordance with the Disability Inclusion Act 2014. Council plays a key role in promoting and supporting disability inclusion by ensuring it is considered across all areas of Council business. This includes how it develops the built environment, provides information and services, supports employment opportunities and promotes positive community attitudes and behaviour toward people with disability. Council has integrated its DIAP into its Integrated Planning and Reporting (IP&R) framework to ensure disability inclusion is considered by all levels of the community and the organisation. Lockhart Shire Council commenced integrated Disability Inclusion Action Planning in September 2016.

Community engagement has been a large part in the development of the Plan, with community focus groups, stakeholder engagement and community surveys across the Shire. This has helped shape the plan and provided a clear direction of how the community wants to create an inclusive and accessible community. The Plan is a living document, and Council will work to make sure it continues to accurately reflect the needs and priorities of its community.

Integrated Planning and Reporting Reference

A4 - Supported, inclusive and engaged communities.

B1 - Well-planned landscape, streetscape and infrastructure.

D1 - infrastructure that facilitates an active community.

E5 - A supportive and inclusive community.

Legislative Policy & Planning Implications

Disability Inclusion Act 2014.

Budget & Financial Aspects

Budget implications are unknown at this stage.

Attachments

1. Lockhart Shire Council Disability Inclusion Action Plan 2017-2021 summary document.

Recommendation: That Council:

- a) Adopts the Disability Inclusion Action Plan 2017-2021, and
- b) Advises both the Minister Disability Services and the Disability Council of its Disability Inclusion Action Plan 2017-2021.

70/17

RESOLVED on the motion of Crs Rockliff and Marston that Council:

- a) Adopts the Disability Inclusion Action Plan 2017-2021, and
- b) Advises both the Minister Disability Services and the Disability Council of its Disability Inclusion Action Plan 2017-2021.

2. ACTIVE FARMERS – REQUEST FOR FINANCIAL ASSISTANCE

(GM/D30-005)

Executive Summary

A request for financial assistance has been received from *Active Farmers*.

Report

Active Farmers has developed a program for farmers to improve their physical and mental health in the belief that through exercise and interaction, participants become more aware of their health and develop a greater sense of community.

Active Farmers commenced in Mangoplah and has spread to other rural towns including Uranquinty, Cowra and Dunedoo. It is now seeking to establish in Lockhart after receiving expressions of interest from the local community.

Due to the difficulty in finding a group personal trainer in Lockhart, and in order to facilitate the service, *Active Farmers* is seeking financial assistance from Council towards the cost of a group personal trainer to travel from Wagga Wagga to Lockhart twice each week at a cost of \$85 per week.

A copy of the correspondence received from *Active Farmers* outlining its request, is attached.

Contact was made with the Managing Director of *Active Farmers* seeking additional information that was not provided in the attached correspondence. Based on these discussions it was noted that:

- Up to 8-10 participants are anticipated for each class.
- Classes would not necessarily be held for 52 weeks per year e.g. classes may be suspended during harvest time, etc.
- Whilst the attached request for financial support refers to two classes per week, this could be reduced to one per week.
- *Active Farmers* is a private company, however the intention is to provide a service rather than being motivated by profit.

It is noted that *Active Farmers Pty Ltd* (ACN 614 445 984) was registered as an Australian Proprietary Company, limited by shares, on 25 August 2016 with its registered office located in Wagga Wagga.

Integrated Planning and Reporting Reference

A1.4.2 – Support the community's preparedness for socially and economically challenging times.

A1.4.2.a - Collaborate with relevant agencies and organisations to support their work within the Lockhart Shire.

Legislative Policy & Planning Implications

Pursuant to Section 356 of the Local Government Act "...*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*".

Section 356 also states that "*a proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given*".

In view of *Active Farmers*' status as a proprietary limited company, Council will be required to first give public notice for 28 days of any intention to provide financial assistance.

Council is not required to give public notice if the financial assistance is part of a specific program, the details of which have been included in the Council's draft operational plan for the year in which the financial assistance is proposed to be given, and the program applies uniformly to all persons within the Council's area or to a significant group of persons within the area.

According to Council's "*Policy 1.16 Donations/Contributions to Community Groups & Individuals*", to be considered eligible for a donation or contribution an individual, group or organisation must:

- Be based within the Lockhart Shire Council area.
- Be not-for-profit.
- Not be a recipient of any other financial or other type of assistance from the Council in any one financial year.
- Agree to acknowledge Council's contribution in all publicity relating to the events or activities to which Council has contributed.

Budget & Financial Aspects

There are sufficient funds within Council's 2016/17 Budget allocation for financial assistance granted pursuant to Section 356 of the Local Government Act, to accede to this request.

Attachments

1. Letter from *Active Farmers* dated 15 March 2017.

Recommendation: That Council decline the request for financial assistance from *Active Farmers* as it does not comply with "*Policy 1.16 Donations/Contributions to Community Groups & Individuals*" which requires organisations to be "not-for-profit".

<p>71/17 RESOLVED on the motion of Crs Douglas and Sharp that Council decline the request for financial assistance from <i>Active Farmers</i> as it does not comply with "<i>Policy 1.16 Donations/Contributions to Community Groups & Individuals</i>" which requires organisations to be "not-for-profit".</p>

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

3. CARAVAN PARKS

(GM/C05-005, C05-010)

Executive Summary

It appears that Lockhart Shire caravan parks may be currently operating without approval.

Report

It appears that Lockhart Shire caravan parks may be currently operating without approval, with neither development approval nor approval under s68 of the Local Government Act in place for the caravan parks at Lockhart (permanent), The Rock Recreation Ground (free) or Yerong Creek Recreation Ground (temporary). As Council is the regulatory body for issuing these approvals it can do so when requirements have been met under the various pieces of legislation that apply. The parks may have existing use rights as determined under legislation, as well the parks may be permissible under current zoning for the land on which they are sited.

To determine exactly which legislation is applicable Council must first determine the nature of the caravan parks, i.e. holiday park (short term) versus long term residents, as well as number of short term sites versus number of long term sites.

A short term site is defined as “a dwelling site on which a moveable dwelling that is ordinarily used for holiday purposes may be installed and that is specified in the approval for a caravan park as being a short-term site”.

A long-term site is defined as “a dwelling site that is specified in the approval for a caravan park as being a long-term site”.

Under the Regulation Clause 73 states:

- (b) a person must not be permitted to stay in a moveable dwelling that occupies a short-term site or camp site for a total of more than 150 days in any 12-month period, unless the moveable vehicle is a holiday van and the person is the owner of that holiday van,
- (c) the owner of a holiday van that occupies a short-term site or camp site must not be permitted to stay in the holiday van for a total of more than 180 days in any 12-month period,
- (d) a person must not be permitted to stay in a moveable dwelling in a primitive camping ground for a total of more than 50 days in any 12-month period.

If Council determines that it wishes to have long term sites then the Holiday Parks (Long-term Casual Occupation) Act 2002 could be applied where the owner and occupier is to have an “occupation (or site) agreement” for occupation. This Act applies to:

“...any occupation agreement in relation to a site:

- (a) entered into by an occupant who has a principal place of residence somewhere other than the site, and
- (b) under which the occupant installs the occupant’s own moveable dwelling on the site and leaves it there all of the time that the occupation agreement continues in force, and
- (c) under which the occupant can occupy the site for no more than 180 days in any 12-month period (in a continuous or broken period), and
- (d) under which:
 - (i) the occupant agrees, with the consent of the park owner, to be an occupant on a casual basis for at least 12 months, or
 - (ii) the occupant has, with the consent of the park owner, been an occupant on a casual basis for at least 12 months.”

If Council wishes to provide long term residential type occupancy then the Residential (Land Lease) Communities Act 2013 will apply, in which “site agreements” will need to be a minimum of three years.

It is considered that all caravan parks in Lockhart Shire operated by Council should be classed as short term as this provides the easiest operation from a legislative point of view but still allows sufficient length of stay to accommodate seasonal workers.

Following this determination there are several compliance issues that need to be addressed, which vary depending on the nature and number of the different sites at each caravan park, being:

- Minimum size and separation distance of short and long term sites;
- Minimum area reserved for recreation and communal activities;
- Minimum width of entrance and access roads including lighting of the roads;
- Number, size and location of car park spaces including visitor parking requirements;
- Number of showers & toilets based on number of sites;
- Laundry facilities based on number of sites;
- Facilities for people with disabilities;
- Fire hydrants and hose reels;
- Car wash bay;
- Are relocatable homes permitted and if so is the land flood liable.

In addition, the caravan parks at the Rock and Yerong Creek are on Crown Land which under its current gazettal is designated for recreational use only. The use of "caravan park" will need to be approved by the Crown and added to the permitted uses.

With regards to the management and operation of the parks, the current contract is due to expire 30 June 2017. Council will invite expressions of interest shortly for a new management contract.

Further the development of relevant documentation and procedures is going to be very important in ensuring ongoing compliance and successful operation of the caravan parks. Such documents required include: site agreements, register of occupants, conditions of occupation and community maps.

Once staff have investigated and researched all the relevant legislation and implications of such, a further more detailed report will be brought to Council for its consideration.

Integrated Planning and Reporting Reference

B5.3 - Develop infrastructure to support our tourist sector.

Legislative Policy and Planning Implications

- Development Consent under Environmental Planning & Assessment Act 1979
- Approval under s68 Local Government Act 1993
- Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
- State Environmental Planning Policy No 21 – Caravan Parks (SEPP 21)
- Holiday Parks (Long-term Casual Occupation) Act 2002
- Residential (Land Lease) Communities Act 2013
- Crown Lands Act 1989.

Budget and Financial Aspects

Total cost for full compliance is unknown at this stage however it is likely to be substantial.

Attachments

Nil.

Recommendation: That:

- a) The information be noted pending a further more detailed report,
- b) Council determines as a matter of policy if it wishes caravan parks to be short term (holiday park) or long term stays or both, and
- c) Expressions of Interest (EOI) be invited for Management of the Lockhart Caravan Park for 1 July 2017 to 30 June 2018 with option of 2 x 12 month extensions on mutual agreement.

- 72/17 RESOLVED** on the motion of Crs Rockliff and Verdon that:
- The information be noted pending a further more detailed report;
 - Council has determined as a matter of policy that caravan parks be short term (holiday park) stays; and
 - Expressions of Interest (EOI) be invited for Management of the Lockhart Caravan Park for 1 July 2017 to 30 June 2018 with option of 2 x 12 month extensions on mutual agreement.

4. ACKNOWLEDGEMENT OF SAGGERS FAMILY CONTRIBUTION

(GM/C63-015)

Executive Summary

The purpose of this report is to determine an appropriate form of recognition for the contribution that the Saggars Family has made to the community.

Report

Council at its meeting held on 18 July 2016 resolved as follows:

“That Council decide in the future on an appropriate form of recognition for the contribution the Saggars Family has made to the community”.

At the Council meeting held on 20 March 2017 it was resolved that;

“A report be brought to the April Council Meeting to decide on an appropriate form of recognition, for the contribution the Saggars Family has made to the community.”

A suggestion made at the last meeting was for the installation of a new seat with an appropriately worded plaque, on the corner of Green and Matthews Streets, near the dental surgery.

There is a wall at the roundabout on this corner with adjacent landscaping and a seat could be located backing onto small brick wall. Below is a photograph showing the proposed location.



Integrated Planning and Reporting Reference

B1 – Manage and improve the appearance of our towns.
B1.1.2 – Provide clean and aesthetically pleasing streets.

Legislative Policy & Planning Implications

Not applicable.

Budget & Financial Aspects

A seat with a heritage look could be purchased and installed for an estimated cost of \$2,000. There are sufficient funds in the current budget to meet this cost.

Attachments

Nil.

Recommendation: That Council install a new seat, with an appropriately worded plaque, on the corner of Green and Matthews Streets, in recognition of the contribution that the Saggars Family has made to the community.

73/17 RESOLVED on the motion of Crs Douglas and Walker that Council install a new seat, with an appropriately worded plaque, on the corner of Green and Matthews Streets, in recognition of the contribution that the Saggars Family has made to the community.

5. LGNSW – PROPOSED MOTION TO 2017 ANNUAL CONFERENCE

(GM/S20-005)

Executive Summary

During the “Questions and Statements” section of the Council meeting held on 20 March 2017, Cr Verdon requested that a motion be brought to the next LGNSW Annual Conference to request Councils be given more power to act in facilitating the clean-up of car bodies and unoccupied houses and other unsightly premises. Cr Verdon’s request was supported by numerous other Councillors.

Report

The LGNSW Annual Conference is the annual policy-making event for all councils of NSW, its Associate members and the NSW Aboriginal Land Councils. This year the Annual Conference will be held on 4 – 6 December 2017 at the Hyatt Regency, 161 Sussex Street, Sydney NSW 2000.

At last year’s Annual Conference, Parkes Shire Council successfully moved the following motion:

“That Local Government NSW requests the NSW Government carry out a review of the local government orders and cost recovery powers to create a new system of guidelines, powers and cost recovery mechanisms that provides Councils with a simplified ability to resolve unsightly, untidy, overgrown, unsafe and unhealthy properties in line with community expectations in a less costly way with simplified cost recovery mechanisms linked to the property rating debt recovery process.”

Parkes Shire Council submitted the following information in support of its motion:

“Councils are experiencing increased pressure from the community to take enforcement action in relation to property works or clean-up on premises where there are unsightly, untidy, overgrown, unsafe and unhealthy conditions.

The legal costs of taking compliance action can be significant. The legal costs involved in carrying out relatively minor works would many times exceed the costs of the work itself. While it may be possible to recover the costs of the works and the legal costs through further legal proceedings it is more time and more expense potentially wasted.

Council is seeking the NSW Government to review the orders provision in both the Local Government Act and the Environmental Planning and Assessment Act to create a simplified process, limiting or removing, the need for legal action to confirm powers and enforce orders, to give Council a clearly defined ability to carry out enforcement action in such circumstances and to create an ability to link the costs of the works to the land rates so as to avoid further cost recovery action in addition to any other legal costs in the matter.”

LGNSW has advised that as the motion from Parkes Shire Council was carried, it becomes the standing policy of LGNSW in relation to this matter until it is revoked, rescinded or superseded by a different motion at a subsequent Annual Conference. Therefore, according to LGNSW, there is little to be gained by Lockhart Shire Council submitting a motion at the 2017 conference seeking the same outcome as it is already LGNSW Policy.

In pursuing this policy position, LGNSW advises that since the last Annual Conference it has made written representations to the Minister for Local Government and continues to raise the matter in its regular scheduled meetings with the Government. In addition, LGNSW has established a Working Committee comprising LGNSW Board members, focusing on the Review of the Local Government Act, which is considering other ways in which to advocate for a review of the local government orders and cost recovery powers as reflected in the Parkes Shire Council’s motion.

Integrated Planning and Reporting Reference

B1.1 – Manage and improve the appearance of our towns.

Legislative Policy & Planning Implications

Section 124 of the Local Government Act provides that a council may order a person to do or to refrain from doing certain things in certain circumstances. Amongst the things that can be subject to a council order and relevant to this issue include the following:

No.	To do what?	In what circumstances	To whom?
10	To remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees.	Land is in the immediate vicinity of a public place and is used for the storage of articles or matter so as to create or be likely to create unsightly conditions.	Owner or occupier of land.
21	To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.	The land or premises are not in a safe or healthy condition.	Owner or occupier of land or premises.
22	To store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order, provided that it is not inconsistent with regulations made under the Protection of the Environment Operations Act 1997 .	Waste is present or generated on the land or premises and is not being dealt with satisfactorily, and is not regulated or controlled by, or subject to, a licence or notice granted or issued under the Protection of the Environment Operations Act 1997 .	Owner or occupier of land or premises, owner of or person responsible for the waste or for any receptacle or container in which the waste is contained.
22A	To remove or dispose of waste that is on any residential premises or to refrain from keeping waste on those premises.	The waste is causing or is likely to cause a threat to public health or the health of any individual.	Owner or occupier of the premises.

A legislative process has to be followed before an order can be issued pursuant to Section 124 of the Local Government Act and the person who is the subject of the order has certain rights. These include:

- Before giving an order, a council must give notice to the person to whom the order is proposed to be given of its intention to give the order;
- A person who receives a notice of intention to give an order may make representations concerning the proposed order;
- Council is required to hear and to consider any representations made following which it may issue the proposed order, issue the order with modifications or not issue the order;
- A person to whom an order is served may appeal against the order to the Land and Environment Court.

Not complying with an order served by a council within the time frame specified in the order constitutes a breach of the Local Government Act for which a penalty infringement notice (PIN) can be issued by an "authorised person".

An "authorised person" is defined in the Local Government Act as meaning:

- a) An employee of a council generally or specifically authorised by the council in respect of or whose duty it is to deal with, or to act in regard to, any acts, matters or things in relation to which the expression is used, or
- b) A police officer.

It would appear that no Council officers are currently authorised by Council to issue PINs. PINs are collected by the State Debt Recovery Office (SDRO) on behalf of the issuing council. The SDRO is the fines division of the Office of State Revenue responsible for the receipt and processing of fines and fees issued by various government agencies and authorities.

Whilst the legislative process could be more simplified as the Parkes Shire Council motion, and now LGNSW policy proposes, Council could make better use of its existing powers if it authorised the appropriate officers to exercise Council's functions under the relevant sections of the Local Government Act and the Protection of the Environment Operations Act.

Furthermore, *Policy 2.10 – Environmental Offences Notice Scheme*, has not been reviewed since 2009 and requires updating. A revised Policy 2.10 reflecting the below recommendation is attached as a marked-up version highlighting the changes proposed.

Budget & Financial Aspects

Not applicable.

Attachments

1. Amended Policy 2.10.

Recommendation: That Council:

- a) Note that it is the standing policy of LGNSW to request the NSW Government to carry out a review of the local government orders and cost recovery powers to create a new system of guidelines, powers and cost recovery mechanisms that provides councils with a simplified ability to resolve unsightly, untidy, overgrown, unsafe and unhealthy properties;
- b) Authorise the General Manager to serve orders in accordance with section 124 of the Local Government Act;
- c) Authorise the Director Engineering and Environmental Services, the Manager of Environmental Services and the Environmental Officer to enter premises in accordance with Section 191 of the Local Government Act;
- d) Authorise the General Manager, the Director Engineering and Environmental Services and the Manager of Environmental Services to issue Penalty infringement Notices in accordance with Section 679 of the Local Government Act;
- e) Appoint the General Manager, the Director Engineering and Environmental Services and the Manager of Environmental Services as an "authorised officer" pursuant to Section 187 of the Protection of the Environment Operations Act; and
- f) Revised Policy 2.10, as attached, be adopted.

74/17

RESOLVED on the motion of Crs Verdon and Driscoll that Council:

- a) Note that it is the standing policy of LGNSW to request the NSW Government to carry out a review of the local government orders and cost recovery powers to create a new system of guidelines, powers and cost recovery mechanisms that provides councils with a simplified ability to resolve unsightly, untidy, overgrown, unsafe and unhealthy properties;
- b) Authorise the General Manager to serve orders in accordance with section 124 of the Local Government Act;
- c) Authorise the Director Engineering and Environmental Services, the Manager of Environmental Services and the Environmental Officer to enter premises in accordance with Section 191 of the Local Government Act;
- d) Authorise the General Manager, the Director Engineering and Environmental Services and the Manager of Environmental Services to issue Penalty infringement Notices in accordance with Section 679 of the Local Government Act;
- e) Appoint the General Manager, the Director Engineering and Environmental Services and the Manager of Environmental Services as an “authorised officer” pursuant to Section 187 of the Protection of the Environment Operations Act; and
- f) Revised Policy 2.10, as attached, be adopted.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

6. BIOSECURITY AND ENVIRONMENTAL REPORT

(DEES/N10-025)

Executive Summary

Monthly report on biosecurity and environmental matters.

Report

Weeds

Property Inspections

The majority of inspections were carried out on residential properties, prompted by notification of a change of ownership.

The weeds most commonly found were St John's Wort (*Hypericum perforatum*) and Privet (*Ligustrum* sp.).

Other weeds found in lower frequency were Bathurst Burr (*Xanthium spinosum*), Horehound (*Marrubium vulgare*), Prickly Pear (*Opuntia* sp.), Green Cestrum (*Cestrum parqui*), Sweet Briar (*Rosa rubiginosa*), Scotch Broom (*Cytisus scoparius*), Lippia (*Phyla canescens*), Silverleaf Nightshade (*Solanum elaeagnifolium*) and Asparagus Weed (*Asparagus* sp.).

No. 1 st Inspections	No. Re-inspections required	No.2 nd Inspections	No. Sect 18A's issued	No.3 rd Inspections	No. Section 18's issued
10	6	3	0	0	0

Spray Program

Priority for spraying has been given to the control of Horehound (*Marrubium vulgare*), Bathurst Burr (*Xanthium spinosum*), St John's Wort (*Hypericum perforatum*), Silverleaf Nightshade (*Solanum elaeagnifolium*), and Feathertop Rhodes Grass (*Chloris virgata*) on roadsides within the Shire.

Other noxious weeds that have been controlled include Blackberry (*Rubus fruticosus*), St Barnaby's Thistle (*Centaurea solstitialis*), and Sweet Briar (*Rosa rubiginosa*).

DrumMUSTER

Two successful collection events occurred in the Shire. St Joseph's Catholic School managed the collection event held on 21 March 2017 at Lockhart, inspecting 1791 drums, resulting in a fundraising total of \$492.52. The Rock collection event, held on 23 March 2017, was managed by The Rock Men's Shed. These volunteers inspected 1331 drums, raising \$332.75 for The Rock Men's Shed. The next collection will occur in September 2017 and expressions of interest to manage these events will be advertised in July 2017.

Pests

Rabbits

The RHDV1 K5 virus was released on 6 March at the Galore Hill Scenic Reserve and The Esplanade at Pleasant Hills. Population observations continued through March, with few live rabbits being observed. No deceased rabbits were located, which inhibited the ability to collect samples for laboratory analysis. Spotlighting will occur in April, enabling comparison to pre-release population numbers.

Foxes

Fox baiting was initiated on 27 March at Galore Hill Scenic Reserve and Kincaids Reserve, in conjunction with local property owners and the Riverina Local Land Services. Baits will continue to be replaced through early April.

Biosecurity Matters

Riverina Regional Strategic Weed Management Plan 2017-2022 Public Consultation

Submissions and comments in regards to the Riverina Regional Strategic Weed Management Plan 2017-2022 closed on 8 March. Council's noxious weeds inspector provided a submission to Riverina LLS. The majority of comments were in reference to the layout of the document. In particular, the use of a colour coded system that represents the invasive behaviour and level of risk associated with each weed, providing the reader with an immediate alert to the urgency of initiating control measures. Another suggestion included the development of a flowchart to illustrate the appropriate action to take following the discovery of a weed and which tools of the NSW Biosecurity Act can be used at various stages throughout the inspection and reinspection process.

The NSW Department of Primary Industries is currently developing a comprehensive package of ELearning training to ensure weed officers will be adequately prepared for the implementation of the NSW Biosecurity Act 2015. This material will be available to access and complete from 1 April. Weed officers need to complete the eLearning training as a minimum requirement for appointment as an Authorised Officer under the Act.

Face to face compliance training is being rolled out at sixteen locations across NSW from the beginning of May 2017. Much of the material included in the ELearning training will be revisited, and discussed in more detail during these workshops. Other subject matter will cover compliance procedures, appointment of authorised officers, implementation of Regional Strategic Weed Management Plans, guidance on new regulations and the use of a range of the new compliance tools.

Environmental Matters

Galore Hill Scenic Reserve

OzArk Environmental and Heritage Management completed an ecological assessment of the Galore Hill Scenic Reserve in December 2016. Lockhart Shire Council environmental staff have recently received correspondence from OzArk, in particular, with reference to the changing vegetation dynamics. Due to human intervention, the reserve no longer experiences a natural state of fire regimes. As such, the Cypress pine vegetation community is encroaching on the Dwyer's Red Gum and Currawang vegetation community, displacing these species, and producing isolated pockets of this vegetation.

The assessment also included identification and location of various threatened bird species on the reserve including the Diamond Firetail (*Stagonopleura guttata*), Dusky Woodswallow (*Artamus cyanopterus*), Brown Treecreeper (*Climacteris picumnus victoriae*), Superb Parrot (*Polytelis swainsonii*), and Rainbow Bee Eater (*Merops ornatus*). Past records have also included threatened bird species such as the Speckled Warbler (*Chthonicola sagittata*), Grey Crowned Babbler (*Pomatostomus temporalis*), and Glossy Black Cockatoo (*Calyptorhynchus lathami*).

Lockhart Shire Council environmental staff will use this information to revise the Galore Hill Scenic Reserve Management Plan, to ensure the vegetative integrity is re-established, and that threatened species habitat is protected. Lockhart Shire Council awaits the complete analysis from OzArk.

Integrated Planning and Reporting Reference

C1.4 – Decreased occurrence, spread and impact of weeds and pests throughout the Shire.

Legislative Policy and Planning Implications

Weed inspections and associated activities are carried out in accordance with the Noxious Weeds Act 1993.

Budget and Financial Aspects

Will be conducted within Councils allocated budget. Funding shortfalls attributed by the State Government Commitment will be picked up by Council as part of its quarterly budget review.

Attachment

Nil.

Recommendation: That the information be noted.

75/17 RESOLVED on the motion of Crs Douglas and Driscoll that the information be noted.

7. KERBSIDE COLLECTION WASTE CONTRACT

(DEES/W05-035)

Executive Summary

Council's current waste contract for kerbside collection expires 30 September 2017.

Report

At its meeting held on 19 September 2016 Council resolved to extend its current waste contract for kerbside collection until 30 September 2017. This was to allow further investigation into a joint contract with Wagga Wagga City Council (WWCC).

Lockhart Shire Council (LSC) currently has a two bin system, being a 240L general waste bin collected weekly, and a 240L recycling bin (introduced July 2010) collected fortnightly.

WWCC has a 120L general waste bin collected weekly, a 240L recycling bin collected fortnightly, and a 240L green waste bin collected fortnightly.

While LSC, with kerbside recycling collection being introduced in 2010, has improved waste reduction, Council staff are looking at innovative ways to take the reduction in waste to landfill. One such way is to introduce green waste and food organics collection.

Food and garden organics make up approximately 60% of what is in a general waste bin. Introducing a food and garden organic waste collection will mean residents can put all food waste in the garden waste bin instead of the general waste bin. This will reduce the amount of waste going to landfill. Currently it is anticipated that LSC has approximately 15 years of landfill space available. Milbrulong has recently closed due to not having any more room. Any initiatives that can extend the life of the current landfills will be of benefit to residents, because if the sites are closed then waste transfer stations will have to be created and waste taken to Wagga or another regional landfill, adding significant cost burden to Council.

Council is currently trialling making compost at its Lockhart landfill site, with the intent that if an organics collection is introduced then it will be able to make its own compost/mulch for Parks and Gardens, as well as possibly the general public.

WWCC has recently resolved to extend its current contract for a further six (6) months due to delays in procurement. Therefore, LSC should extend its contract by similar timeframe to align with WWCC.

Following these initial delays, advertisements inviting tender for a kerbside collection service appeared in the local press on 1 April, 2017.

Integrated Planning and Reporting Reference

C3.2 – Utilise effective Waste Management Throughout The Community.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

- Waste Contract is included in budget with annual cost of approximately \$191,000.
- Current charge to LSC residents for two bins is \$365/annum.
- WWCC charge to residents for three bins is \$303/annum.

Attachment

Nil.

Recommendation: That Council extends the current Waste Contract with Transpacific Cleanaway until 1 April 2018, to be in line with WWCC.

<p>76/17 RESOLVED on the motion of Crs Verdon and Driscoll that Council extends the current Waste Contract with Transpacific Cleanaway until 1 April 2018, to be in line with Wagga Wagga City Council.</p>

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

8. ENGINEERING REPORT

(DEES/T10-005)

Executive Summary

Monthly report on engineering matters.

Background Information

- (a) *Works Report:* Construction projects are all nearing completion with the hot and dry summer greatly assisting construction works. Western Road widening and Osborne Yerong Creek Road widening are both complete.

The Urana Lockhart Road Causeways Upgrade project is well advanced with last run of culverts currently being installed. This will be followed by new pavement construction for 700m over the new culverts. It should be noted that the culverts are designed to take low to moderate creek flows. Any large creek will still over top the road however should be a minimal depth that will not cause a road closure. This project is scheduled for completion late April 2017.

Grubben Road Upgrade involves reconstructing and sealing 12km of rural road. It is progressing well with 8km sealed. Earthworks are now complete and gravelling well advanced on the remainder of the road. This project is not scheduled to be completed till mid-April 2017.

Resealing programme for 2016/17 is also well advanced and is likely to continue into April 2017. Some delays to traffic are expected whilst the sealing contractor undertakes this work.

At present two grader crews are undertaking construction projects with the third on maintenance grading. Two crews will proceed to gravel re-sheets once construction projects are completed.

As previously reported there is some significant damage to some of Council's sealed and unsealed road network from the 2016 wet winter/spring. A contractor has completed all scheduled heavy patching. Another contractor has undertaken the last of the unsealed road restoration works.

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

Concrete crew is continuing with undertaking construction of drainage structures for the year being new works. Once this is completed then the crew will continue with maintenance of footpaths, kerb and gutter as well as signs maintenance throughout the Shire.

The only major PAMPS project this year is the sealing/completion of the path from The Rock to The Rock Hill Nature Reserve. This work has now been re-scheduled till after Easter period.

- (b) *Flood Mitigation:* Refer to Major Projects update.
- (c) *Road Safety Officer:* The Road Safety Officer has recently undertaken Learner Driver sessions in Henty as well as Senior Drivers workshop in Lockhart.
- (d) *Traffic Committee:* Traffic committee is currently assessing safety and warning signage for the newly sealed Grubben Road, as well as reported trouble spots on intersection of Tinamba and Wattles Lanes, Yerong Creek Mangoplah Road near WWCC boundary and Bidgeemia Road near JR Smith Lane.
- (e) *Lockhart Local Emergency Management Committee:* Nil issues to report.
- (f) *Fleet:* The new emulsion tank and Jetpatcher are now both expected to be delivered mid-April 2017.

Legislative Policy and Planning Implications

Nil.

Integrated Planning and Reporting Reference

D3.1 – Develop infrastructure for our community.

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

1. Updated 12 Months Works Programme (to be handed out separately at meeting).

Recommendation: That the information be noted.

77/17 RESOLVED on the motion of Crs Marston and Rockliff that the information be noted.

9. MAJOR PROJECTS UPDATE

(DEES/T10-005)

Executive Summary

Update on Council's current major projects.

Report

Council is currently undertaking a number of major projects and the status of each of these are as follows:

- a) *Swimming Pools Upgrade:* The architectural and structural drawings of the Lockhart Swimming pool change rooms upgrade have been completed. The architectural and structural drawings for The Rock pool buildings have commenced and are expected to be completed by the end of May 2017.
- b) *The Rock Sewer Extension:* The draft Survey and design works have been completed. The final documents are expected to be completed shortly. The consultant is currently liaising with ARTC and RMS with regards to accessing their land with the new sewer line.
- c) *The Rock STP Tertiary Ponds Upgrade:* The first new pond has been completed and is operational. Cleaning out of the old pond has commenced.
- d) *Demolition of Voluntary Purchase Properties:* Demolition work of the Day Street house at The Rock is expected to start in May.
- e) *Flood Mitigation Construction:* It is expected that staff will call for tenders for the construction works for the Lockhart Levee mid-year. There is some administration works required regarding easements and Aboriginal Land Claim on the Commons that need to be completed before construction works can commence. Consultants have completed the necessary Environmental assessments. The Rock Streven Street drainage works remains on reserve list for funding from OEH.

Integrated Planning and Reporting Reference

D – Infrastructure for the long-term needs of the community.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

- (i) Pools – design/scoping estimated \$30,000 for 2016/17
- (ii) The Rock Sewer Extension – survey and design \$80,000
- (iii) The Rock STP Tertiary Ponds – construction estimated \$250,000
- (iv) VP Demolition – Round 2 – demolition cost \$55,000
- (v) Flood Mitigation Construction – funding received for Lockhart is \$327,000 over two years. Budget \$577,000 for 2016/17 for both projects.
- (vi) Toilet/showers The Rock Rec Ground – budget estimate \$26,000, with preferred option cost of \$35,200.

Attachment

Nil.

Recommendation: That the information be noted.

78/17 RESOLVED on the motion of Crs Rockliff and Walker that the information be noted.
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10. PARKS AND GARDENS REPORT

(DEES/P10-005)

Executive Summary

Monthly report on parks and gardens.

Report

Pools

Both pools are now closed for the season; parks crews will resume maintenance of the grounds. The long hot summer has definitely boosted this year's attendance figures and both contractors deserve big congratulations. Tammy Lenon in her first year at Lockhart pool has had 8581 swimmers pass through her gates, up by over a thousand on last year's figures. Sophie Driscoll has indicated that this was her last year at The Rock pool; Sophie was keen to learn all aspects of pool management in her earlier years and to increase activities and services to boost attendances. Sophie has done a wonderful job as the friendly and professional face of The Rock pool and all her hard work has paid off with attendances this year of 10619, double that of previous years.

Burkes Street, The Rock

The southern nature strip of Burkes Street had a footpath installed last year linking Emily Street and Ford Street. Due to high pedestrian traffic to the school, post office and churches and a particularly bad patch of khaki weed, all vegetation between the new footpath and kerb has been removed and granite installed. Sections will also be boxed out for the planting of trees.

Green St, Lockhart

The pavers in the CBD have been pressure washed to have them looking their best for the Easter long weekend and ANZAC Day.

Work will begin shortly on the section of nature strip from The Rio to the walk bridge; lawn will be removed between the footpath and kerb and replaced with granite and mulch. The mulch section will include the planting of ground covers and low shrubs to tie it in with the Museum side of the street. Steps will also be constructed to highlight the location of the Lovelocks arch and garden. Crepe Myrtles will be replaced where necessary and it is hoped the mulch will assist their establishment as it has on the opposite side of the street.

Walter Day Park

Landscaping of the new public toilet site will also commence shortly; consisting of a permanent site for 'At the Dance', gravel paths to it and 'Nine Martyrs' and the extension/refurbishment of garden beds.

Playgrounds

Softfall maintenance and topping up has commenced.

Trees

Annual pruning of street trees has commenced including the Peppercorns and Melaleuca in Green St, Lockhart in the lead up to Easter and ANZAC Day. Some replacement planting is also planned during the cooler months.

Parks and Gardens

The Shire's roses are being deadheaded regularly to encourage autumn blooms.

Hand watering regimes have continued due to ongoing warm, dry weather.

Routine garden maintenance is being conducted including regular weeding, spraying, pruning, watering and mulching.

Irrigation systems are being checked and maintained regularly. Irrigation contractors were employed to resolve some ongoing issues; quotes have been accepted to extend the irrigation system at Hodgson Park and upgrade the aging system at Lockhart Cemetery.

Mowing and Slashing

Slashing of Lockhart Showground, urban streets and entrances was carried out in Lockhart prior to the Vintage Truck and Antique Fair. Milbrulong streets and recreation were slashed prior to an event at the hall and Osborne Recreation ground surrounds were also completed before the first football match of the season just to tidy them up. Growth has been slow but the recent rainfall is seeing the roadsides starting to green up. Most irrigated areas have required weekly mowing since the rain and cooler temperatures have created ideal growing conditions.

Weed Control

Regular weed control is being conducted on Council property including hand spraying and weeding of gardens. Hand weeding has been necessary in many areas due to vigorous growth. Khaki weed and cathead are in season, known problem areas will be monitored throughout the warmer months.

General maintenance

Regular duties include inspections of parks and public facilities to remove litter, clean BBQ's, check for damage or vandalism, clear footpaths and empty public and roadside bins. Most areas undergo inspections twice per week, including Galore Hill, where crews also clean and check the toilet facilities. Contract cleaners attend to the public toilet facilities in Lockhart, The Rock and Yerong Creek. Playgrounds in the Shire are being inspected regularly as per Australian Standards, with any maintenance being noted and completed as necessary.

Integrated Planning and Reporting Reference

D1 – Infrastructure that facilitates an active community.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

Nil.

Recommendation: That the information be noted.

79/17 RESOLVED on the motion of Crs Walker and Sharp that the information be noted.

11. **BILLABONG CREEK FLOODPLAIN MANAGEMENT PLAN**

(DEES/F20-010)

Executive Summary

Department of Primary Industries advised Council after the 2010 and 2012 floods of what it considers to be an inadequate culvert in Bidgeemia Road.

Report

Department of Primary Industries (DPI) advised Council after the 2010 and 2012 floods of what it considers to be an inadequate culvert in Bidgeemia Road. The Billabong Creek Floodplain Management Plan identified culvert H17, on the Bidgeemia Road, as displaying evidence of causing water backing up on upstream property and recommended to enlarge the culvert.

Discussions with DPI staff indicated there is no information of what is required or even any certainty if a larger culvert is required.

The issue has been exacerbated by local farmers installing drainage levees on their farms. Council has no jurisdiction over drainage on rural lands and it appears over the last five to seven years many new and larger levees in this area have been constructed. This is resulting in ever changing flow of water and many culverts that were utilised previously are now no longer of use, as well as areas where previously no impact of flood waters occurred are being inundated.

In discussions with a local farmer who adjoins this culvert he believes this culvert is not really an issue and there are other priorities along Bidgeemia Road. He also made comments of the ever-changing levees on farms directing water into different locations.

Due to the large cost of design and construction required to enlarge the culvert H17, Council staff believe there are higher priorities within the Shire road network unless the State Government can provide suitable funding for the project.

Integrated Planning and Reporting Reference

D3.1 – Develop infrastructure for our community.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Estimated cost for design and construction is \$70,000.

Attachments

1. Letter from Department of Primary Industries dated 25 September 2012.
2. Council letter to Department of Primary Industries dated 22 October 2012.

Recommendation: That Council:

- a) Does not undertake enlargement of the culvert H17 at this stage, and
- b) Director Engineering and Environmental Services writes back to Department of Primary Industries requesting funding assistance and advising that Council will be taking no action due to funding constraints.

<p>80/17 RESOLVED on the motion of Crs Verdon and Driscoll that Council:</p> <ol style="list-style-type: none">a) Does not undertake enlargement of the culvert H17 at this stage, andb) Director Engineering and Environmental Services writes back to Department of Primary Industries requesting funding assistance and advising that Council will be taking no action due to funding constraints.

12. RIVERINA MURRAY REGIONAL PLAN

(GM/P25-030)

Executive Summary

The Minister for Planning, The Hon Anthony Roberts MP, has released the final version of the *Riverina Murray Regional Plan 2036* following public exhibition of a Draft Regional Plan and consideration of submissions received.

Report

The *Riverina Murray Regional Plan 2036* is a 20-year blueprint for the future of the Riverina Murray. The Plan consolidates the strategic planning of the 26 local government areas that comprise the Riverina Murray Region.

Copies of the *Riverina Murray Regional Plan 2036* will be separately distributed to Councillors at the meeting.

The *Riverina Murray Regional Plan* will guide strategic planning for the region and is focused on the following goals:

- Growing and diversifying the economy;
- Sustainably managing the environment and protecting nationally important waterways;
- Building efficient transport and infrastructure networks; and
- Creating strong and connected communities.

The NSW Department of Environment and Planning's focus will now shift to implementation of the Plan. Implementation will be overseen by a Delivery Co-ordinating and Monitoring Committee that brings together the agencies and organisations responsible for delivering the majority of the proposed outcomes of the regional plan.

It is envisaged that Regional Organisations of Councils (ROC) will represent councils on the Delivery Co-ordinating and Monitoring Committee with each ROC to nominate three representatives for this role. This matter was discussed at a recent REROC Board meeting and a process is currently underway to nominate three representatives from REROC to sit on the Delivery Co-ordinating and Monitoring Committee for the *Riverina Murray Regional Plan*.

Integrated Planning and Reporting Reference

D3.2.1 – Clearly define land use requirements and developments in line with State Government regulations.

Legislative Policy & Planning Implications

The *Riverina Murray Regional Plan 2036* consolidates the strategic planning of the 26 local government areas that comprise the Riverina Murray Region and will guide strategic planning for the region going forward.

Budget and Financial Aspects

Nil.

Attachments

Copies of the *Riverina Murray Regional Plan 2036* will be separately distributed to Councillors at the meeting.

Recommendation: That the release of the *Riverina Murray Regional Plan 2036*, and the proposed establishment of a Delivery Co-ordinating and Monitoring Committee with REROC representation, be noted.

81/17 RESOLVED on the motion of Crs Day and Walker that the release of the Riverina Murray Regional Plan 2036, and the proposed establishment of a Delivery Co-ordination and Monitoring Committee with REROC representation, be noted.

The Director of Corporate and Community Services declared a non-pecuniary interest in the following item and vacated the Chambers for its duration.

13. DEVELOPMENT APPLICATIONS

(MES/P25-010)

The following development applications were approved, with conditions, from 1 March 2017 to 31 March 2017.

DA No	Development	Applicant/Owner	Site of Development
27/17	Extensions and alterations to existing dwelling	Geode and Raymond Coles	30 Drummond St, Lockhart
CDC32/17	Inground swimming pool	Craig and Carla Fletcher	9 Veneris St, Lockhart
34/17	New detached colorbond shed	Wayne and Lisa Krebsler	45 Green St, Lockhart

Integrated Planning & Reporting Reference

D3.2 – Land use that supports the development of our community.

Legislative Policy and Planning Implications

Applications processed in accordance with the Environmental Planning & Assessment Act 1979.

Budget and Financial Aspects

Nil.

Attachment

Nil.

Recommendation: That the information be noted.

82/17 RESOLVED on the motion of Crs Verdon and Rockliff that the information be noted.
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STRATEGIC DIRECTION E: Strong Leadership and Services

14. STATEMENT OF FUNDS FOR MARCH 2017

(DCCS/F10-010)

The reconciled position of funds held in Council's bank accounts and on investment as at 31 March 2017 is shown below for the information of members.

Statement of Funds as at:	31 March 2017	
Combined Bank Accounts:		\$
Bank Balance as at:	1 March 2017	1,268,430.02
Plus: Receipts to:		
Rates receipts bank 2 & 5	221,982.27	
Sundry Debtor receipts	439,586.72	
Grant receipts -	-	
RMS Grants	812,666.00	
RTR Grant	664,921.00	
Flood Mit 34 Day St	225,079.00	
Galore Hill Trust Interest	3.63	
Investments redeemed	-	
Interest on Investment	33,056.85	
DEFT transfer	450,000.00	
Other receipts	127,612.26	
Total receipts for month		<u>2,974,907.73</u>
		4,243,337.75
Less: Payments for Month less Canc. Chqs		3,014,416.07
New Term Deposits		0.00
Current Bank Balance		<u>1,228,921.68</u>

Investments:	Interest Rate per Annum	Amount Invested	% of Total
AMP Call	At Call	500,000.00	7.58%
Bankwest	2.55	250,000.00	3.79%
Bankwest	At Call	300,000.00	4.55%
BENDIGO	2.35	250,000.00	3.79%
BENDIGO	2.20	500,000.00	7.58%
BENDIGO	2.35	500,000.00	7.58%
Curve Securitys/AMP	1.70	250,000.00	3.79%
Curve Securitys/AMP	2.50	250,000.00	3.79%
IMB Limited	2.50	250,000.00	3.79%
IMB Limited	2.55	300,000.00	4.55%
NAB	2.63	300,000.00	4.55%
NAB	2.70	250,000.00	3.79%
nab	2.65	250,000.00	3.79%
nab	2.52	250,000.00	3.79%
NAB	2.53	250,000.00	3.79%
NAB	2.58	500,000.00	7.58%
NAB	2.63	300,000.00	4.55%
Rim AMP	2.50	250,000.00	3.79%
RIM AMP	2.50	400,000.00	6.06%
RIM-amp	2.50	500,000.00	7.58%
		<u>6,600,000.00</u>	
TOTAL FUNDS HELD ARE:		<u>7,828,921.68</u>	100.00%

These funds are comprised as follows:

General Fund
Combined Sewerage
Galore Hill Trust Fund

CURRENT A/C	INVESTMENTS	TOTAL
-354,555.58	5,639,035.51	5,284,479.93
1,551,933.20	960,964.49	2,512,897.69
31,544.06	0.00	31,544.06
1,228,921.68	6,600,000.00	7,828,921.68

RESERVES	Externally Restricted	2,544,441.75	
	Internally Restricted	4,055,558.25	0.00
	Unrestricted	1,228,921.68	
		7,828,921.68	

I hereby certify that all investments shown have been made in accordance with Section 625 of the Local Government Act 1993, the Regulations and Council's Investment Policy.


Director Corporate Services
6 April 2017

Integrated Planning and Reporting Reference

E.4.2.1a – Continue to develop sound financial management policies and practices that help ensure Council's long-term financial sustainability.

Recommendation: That the Statement of Funds for March 2017 be received.

83/17 RESOLVED on the motion of Crs Rockliff and Walker that the Statement of Funds for March 2017 be received.

15. NSW AUDIT OFFICE – 2016-2017 AUDITED STATEMENTS

(DCCS/A65-010)

Executive Summary

This report is to provide an update on the involvement of the Audit Office of NSW in the preparation of Council's 2016-2017 Audited Financial Statements.

Report

The NSW Auditor-General is now responsible for ensuring the audit is performed in accordance with Australian Auditing Standards and the Local Government Act 1993.

The NSW Auditor-General has engaged Crowe Horwath to provide audit and/or assurance services for Lockhart. However, the Auditor-General remains responsible for the audit, their performance and for issuing the Independent Auditor's Reports. The Audit Office will oversee Crowe Horwath's planning and execution of the audits. The level of Audit Office involvement will vary depending on the size, nature, complexity and risk of the audit.

The Audit Office will ensure:

- Lockhart Shire Council's internal control environment is appropriately assessed.
- timely communication and resolution of issues.
- a rigorous audit of the financial statements
- the diligent exercise of professional independence
- high quality and timely reporting of current and emerging issues to management and those charged with governance.

With the Audit Office now responsible for the audit of Council, this will add another layer to an already tight timeframe to process and complete Council's audited statements.

Integrated Planning and Reporting Reference

E4.2.1 Advocate and prepare for the long-term sustainability of our Shire.

E4.2.1a: Continue to develop sound financial management policies and practices that help ensure Council's long term financial sustainability.

Legislative Policy & Planning Implications

Local Government Act 1993 No 30, Chapter 13 Part 3 Division 3 Section 422 Auditor-General to be council auditor.

Budget & Financial Aspects

With an increase in Crowe Horwath fees and introduction of NSW Audit Office fee, combined increase is 41% from 2015-16 Audit Fees. Total fee for 2016-17 \$26,730.

Attachment

Nil.

Recommendation: That the information be noted.

84/17	RESOLVED on the motion of Crs Verdon and Day that: a) The information be noted, and b) A letter of protest be sent to LGNSW.
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16. RELATED PARTY DISCLOSURES

(GM/D30-005)

Executive Summary

The Australian Accounting Standards Board has determined that, from 1 July 2016, Accounting Standard "AASB 124 Related Party Disclosures" will apply to government entities, including local governments.

In the annual financial statements for 2016-17, councils must disclose related party relationships, transactions and outstanding balances, including commitments.

Report

AASB 124 was first made in December 2009. Its scope has been expanded to cover not-for-profit public sector entities.

Related parties are likely to include the mayor, councillors, general manager, senior executives, their close family members and any entities controlled or jointly controlled by councils.

Any transactions between councils and these parties, whether monetary or otherwise, will need to be identified and may need to be disclosed in councils' financial statements. This information will be audited as part of the annual external audit.

Whereas the pre-existing provisions relating to conflicts of interest provisions require transactions that might result in the Councillor getting a gain or loss because of their position on the Council or conflicts of interest, AASB 124 requires the disclosure of transactions between the Council and related parties of the Council to inform users of the financial statements.

Types of Transactions can include:

- a) purchases or sales of goods (finished or unfinished);
- b) purchases or sales of property and other assets;
- c) rendering or receiving of services;
- d) leases.

Transactions in the form of compensation to key management personnel is also required to be disclosed, e.g.:

- a) short-term employee benefits;
- b) post-employment benefits;
- c) other long-term benefits;
- d) termination benefits.

Non-material transactions, including those transactions available to all members of the public on the same terms, are exempt from the requirement to disclose.

From 1 July 2016 councils are required to have systems in place to identify related parties and capture transactions. To this end a draft policy, *Policy 1.20 Related Party Disclosures*, has been prepared and is attached for Council's consideration.

Integrated Planning and Reporting Reference

E6 – Provision of excellent leadership and governance within Council.

E6.1.1 - Meet all governance and regulatory requirements in the conduct of council's operation.

E6.1.1.a - Ensure all statutory policies, codes and plans are adopted by Council and reviewed regularly.

E6.1.1.b - Ensure all legislative requirements are regularly checked for compliance.

Legislative Policy & Planning Implications

Any transactions between Council and related parties as defined in Council's Policy, whether monetary or otherwise, will need to be identified and may need to be disclosed in Council's financial statements.

Budget & Financial Aspects

Not applicable.

Attachments

1. Draft Policy 1.20 Related Party Disclosures.

Recommendation: That Council endorse *Draft Policy No. 1.20 Related Party Disclosures* for public exhibition and consider any submissions received before formal adoption of the Policy.

85/17 **RESOLVED** on the motion of Crs Douglas and Sharp that Council endorse *Draft Policy No. 1.20 Related Party Disclosures* for public exhibition and consider any submissions received before formal adoption of the Policy.

17. MEMBERSHIP OF LGNSW

(GM/S20-020)

Executive Summary

North Sydney Council has resolved to resign from financial membership of LGNSW and has written to all NSW Councils advising them of its decision and seeking their views and feedback to determine whether any other Councils share North Sydney's concerns.

Report

North Sydney Council, at its meeting held on 16 October 2016 passed the following resolution:

- 1) *"THAT Council resign from financial membership of LGNSW with immediate effect and that a refund of subscription fees paid this year be requested.*
- 2) *THAT Council authorise the General Manager to seek other options in conjunction with other councils and ROCs to provide industrial and related services as required.*
- 3) *THAT Council establish a peak body or organisation to represent councils and engage in robust and rigorous advocacy and policy leadership on local government issues and reform.*
- 4) *That Council allocate funding towards lobbying and advocacy including the establishment of such an organisation and provide an officer with detailed knowledge and experience of the local government sector and LGNSW to this project for a minimum 2-year period.*
- 5) *That Council nominate a steering group for the establishment of the new organisation of the General Manager and two councillors."*

More recently, the Steering Group referred to in 5) above, determined to write to all NSW Councils seeking their views and feedback to determine whether any other Councils share North Sydney's concerns.

A copy of North Sydney Council's letter dated 30 March 2017 is attached.

Integrated Planning and Reporting Reference

E3.1 – Productive and beneficial relationships.

E3.1.1 – Strong and beneficial relationships between local government and service providers, other levels of government and community.

Legislative Policy & Planning Implications

LGNSW is the peak policy-making body of NSW local government as well as the peak industrial relations advocate for NSW local government councils.

LGNSW is representing councils in the current Local Government Award negotiations with relevant unions and local government professional associations and Council officers utilise LGNSW's Industrial Division for advice on a regular basis.

LGNSW also has an extensive of training and development program specifically aimed at councillors.

Criticism of LGNSW is usually centred on its advocacy role however there is currently no other alternative organisation performing this role on behalf of councils.

Budget & Financial Aspects

Council's annual fee for membership of LGNSW is \$18,879 in 2016/17.

Attachments

1. North Sydney Council letter dated 30 March 2017.

Recommendation: That the correspondence from North Sydney Council dated 30 March 2017 be received and noted.

86/17 RESOLVED on the motion of Crs Verdon and Marston that the correspondence from North Sydney Council dated 30 March 2017 be received and noted.

18. FIRE AND EMERGENCY SERVICES LEVY

(GM/R10-017)

Executive Summary

From 1 July 2017 councils will be required to collect the Fire and Emergency Services Levy (FESL), formerly known as the Emergency Services Property Levy, alongside council rates on behalf of the NSW Government.

Report

The Rural Fire Fighting Fund, which comprises approximately \$320 million each year and funds the State's rural fire fighting agencies and activities, is made up of contributions from local councils (11.7%), the NSW Government (7.3%) and fire levies and stamp duty on insurance policies (81%).

The current system is seen as unfair because whilst everyone receives emergency assistance, not everyone contributes to the cost of emergency services as some property owners do not insure or under insure.

To address this issue it is proposed to introduce a FESL on all properties to replace the 81% component currently raised through fire levies and stamp duty on insurance policies. The FESL will be required to be collected by councils alongside council rates and remitted to the Government.

In March 2017 the NSW Treasurer tabled legislation in the NSW Parliament to establish the FESL.

With respect to implementation of the FESL the following points are noted:

- The NSW Government will undertake a public information campaign once the legislation is enacted;
- The NSW Government will reimburse councils the costs of collecting the FESL. An initial payment was received prior to Christmas for the work required to be undertaken upfront by councils in categorising all land for the purposes of the FESL;
- The FESL will be separately listed on rates notices as the NSW Government's levy and distinguished from council rates and charges;
- Councils will be responsible for recovering the levy along with the rates and charges that they levy under the *Local Government Act 1993*.
- Councils will not have to remit FESL to Government where no payment is made;
- Levies, when paid, can be held in the councils' consolidated fund and councils may retain any proceeds of investment of the levy money; Levies collected will be required to be reconciled and remitted to the NSW Government on a quarterly basis, i.e. by 30 September, 31 December, 31 March and 30 June each year;

- Councils can enter into a recovery arrangement with the Office of State Revenue (OSR) to have FESL debts for non-rateable land referred to, and recovered by the OSR;
- The OSR is responsible for dealing with the hardship process;
- The ESPL has the same priority as rates or charges owed to the Council under the Local Government Act 1993;
- Bearing in mind that the FESL is to replace the fire levy previously collected on insurance policies, the NSW Government has initiated the establishment of an FESL Insurance Monitor with significant penalties for insurers who fail to pass on their tax reductions to consumers.

The legislation requires that all landowners are notified of their classification for FESL purposes by 30 April 2017. NSW Treasury has provided a specific leaflet for this purpose which is proposed to be forwarded to landowners in conjunction with Council's 4th rates instalment notices scheduled to be issued by 30 April 2017. If a landowner does not receive an April rates instalment notice because they have paid their rates in full, a standalone notice of FESL classification will be provided. A copy of the notice to landowners is attached.

Land can be classified into the following property sectors:

- a) government land,
- b) public benefit land,
- c) farmland,
- d) residential land,
- e) industrial land,
- f) commercial land.

Council owned property is to be classified as "government land". Only "government land" is exempt from the levy.

It is also proposed to provide an explanation of the FESL in the next Community Newsletter.

Integrated Planning and Reporting Reference

E6.1.1 - Meet all governance and regulatory requirements in the conduct of Council's operations.

E6.1.1.b - Ensure all legislative requirements are regularly checked for compliance.

Legislative Policy and Planning Implications

The *Fire and Emergency Services Levy Bill (NSW) 2017* was passed by the NSW Parliament on 29 March 2017 and will come into effect on 1 July 2017.

Budget and Financial Aspects

The NSW Government will reimburse councils the costs of collecting the FESL. An initial payment was received prior to Christmas for the work required to be undertaken upfront by councils in categorising all land for the purposes of the FESL.

Attachments

1. FESL – Notice to Landowners.

Recommendation: That the information regarding the implementation of the Fire and Emergency Services levy from 1 July 2017 be noted.

87/17 RESOLVED on the motion of Crs Verdon and Douglas that the information regarding the implementation of the Fire and Emergency Services Levy from 1 July 2017 be noted.

Questions and Statements

Cr Verdon

- (i) **Song Written by former Grader Operator Mr Keith Ball** – Enquired as to whether Council had a copy of the song written by former Grader Operator Mr Keith Ball about working on Council and if not, could a copy be obtained for historical purposes?

Response – Director Engineering and Environmental Services

DEES advised he is not aware of the song and will contact the Funeral Director.

- (ii) **Could The Rock Bowling Club become an Emergency Evacuation Centre**– Enquired if The Rock Bowling Club could become an Emergency Evacuation Centre?

Response – Director Engineering and Environmental Services

DEES advised if the Club could write to Council he would present the request to the next LEMC meeting in June 2017.

- (iii) **Road Tidy Up Works to The Rock Recreation Ground** – Requested some internal road tidy up works to The Rock Recreation Ground, particularly jetpatching at the entrance and potholes on the perimeter track, as well as tidy up around the public toilets.

Response – Director Engineering and Environmental Services

DEES advised a tidy up around the public toilets is scheduled for this week and he will arrange for other works to be undertaken.

Cr Day

- (i) **Placement of Sculpture at Front of Greens Gunyah Museum** – Enquired if Council has had any discussions with the Museum regarding placement of a sculpture at the front of the Museum?

Response – Director Engineering and Environmental Services

DEES advised he sent a response letter to the Museum Committee last week requesting a site meeting to agree on location of a sculpture.

Cr Driscoll

- (i) **Recent Councillor Training Day conducted by REROC** – Thanked Council and REROC for the recent Councillor training day and enquired as to whether further training could be provided to Councillors like the Planning Session conducted by Tony Donoghue.

Response – General Manager

GM advised that he will convey the positive feedback to REROC.

- (ii) **Statement – Thank You to Council Staff** – Thanked Council staff on the presentation of The Rock Recreation Ground for the first home game of the season.

- (iii) **Activities/Short Courses for Senior Citizens** – Enquired if Council could look into providing activities/special programs for our Senior Citizens, e.g. computer/internet training, food/cooking days, millinery or craft days, etc.

Response – Director Corporate and Community Services

DCCS advised he will consider this request and advise.

Cr Marston

- (i) **Potholes in The Rock** – Advised there are potholes on the corner of John and King Streets, The Rock, as well as along John Street.

Response – Director Engineering and Environmental Services

DEES advised he will investigate and take appropriate action.

Cr Rockliff

- (i) **Unrestrained Dogs Roaming Lockhart Streets** – Advised that there are several local dogs that are being allowed to roam Lockhart streets unrestrained and are urinating in our shopping precinct.

Response – Director Engineering and Environmental Services

DEES advised Council is currently trying to sort out Ranger Services for our Shire as Wagga Wagga City Council is unable to assist at present and Council staff are now making contact with other neighbouring councils to engage this service.

- (ii) **Temporary Table and Seats Located on the Pavers near Walkway in Green Street, Lockhart** – Advised that the temporary table and seats are being well utilised and requested consideration of a permanent installation.

Response – Director Engineering and Environmental Services

DEES advised he will consider this request.

Cr Douglas

- (i) **Requested Consideration of Provision of Liquid Soap Dispenser's in our Shire's Public Toilets.**

Response – Director Corporate and Community Services

DCCS advised he will investigate and provide costing to the next meeting.

Cr Sharp

Nil.

Cr Walker

Nil.

Cr Schirmer

Nil.

CLOSED SESSION

88/17	RESOLVED on the motion of Crs Verdon and Rockliff that Council close the meeting to the public as per section 10(A)(2)(a) of the Local Government Act 1993.
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The meeting moved into Closed Session at 6.30pm.

91/17	RESOLVED on the motion of Crs Day and Douglas that Council move into Open Council.
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The meeting moved into Open Session at 6.46pm.

OPEN COUNCIL

The following resolutions of Council, while the meeting was closed to the public, were read to the meeting by the General Manager.

1. CANCELLATION OF CLEANING CONTRACT LOCKHART FACILITIES AND AMENITIES (DCCS/C80-046)

89/17	RESOLVED on the motion of Crs Rockliff and Walker that Council cancel the contract with Menzies International (Aust) Pty Ltd (previously Menzies Property Services) by giving 1 month or 20 days' notice.
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2. CLEANING COUNCIL FACILITIES AND AMENITIES (DEES/C80-046)

90/17	RESOLVED on the motion of Crs Rockliff and Driscoll that Council: a) investigate the employment of staff to perform cleaning of all facilities and amenities, and b) A further report be provided to a future Council Meeting on the structure and level of service for the part time/job share positions.
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The meeting concluded at 6.50pm.

The minutes of the meeting held on Monday, 18 April 2017 were confirmed as a true and accurate record at the Ordinary Council Meeting held on 15 May 2017 at which time the signature was hereunto subscribed.

CHAIRMAN