



BUSINESS PAPER

**of the
Ordinary Meeting
Held
21 August 2017**

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

The Prayer

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

The Council's Guiding Principles

The following general principles apply to the exercise of functions by councils:

- Councils should provide strong and effective representation, leadership, planning and decision-making
- Councils should carry out functions in a way that provides the best possible value for residents and ratepayers
- Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community
- Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements
- Councils should work cooperatively with other councils and the State Government to achieve desired outcomes for the local community
- Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way
- Councils should work with others to secure appropriate services for local community needs
- Councils should act fairly, ethically and without bias in the interests of the local community
- Councils should be responsible employers and provide a consultative and supportive working environment for staff.

The following general principles apply to decision-making by councils (subject to any other applicable law):

- Councils should recognise diverse local community needs and interests
- Councils should consider social justice principles
- Councils should consider the long term and cumulative effects of actions on future generations
- Councils should consider the principles of ecologically sustainable development
- Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

(Section 8A Local Government Act, 1993)

File Ref: PV:LA:C70-005

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16 August 2017

The Mayor and Councillors
Lockhart Shire Council
65 Green Street
LOCKHART NSW 2656

Dear Councillors

I wish to advise that the Ordinary Monthly Meeting of Lockhart Shire Council will be held at the Council Chambers, Green Street, Lockhart on **Monday, 21 August 2017** commencing at **5.00pm**.

The Order of Business will be as shown overleaf.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Veneris', written over a faint horizontal line.

Peter Veneris
GENERAL MANAGER

Order of Business

Opening with a Prayer	
Apologies	
Crs G. Verdon and P. Sharp for August 2017	
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Consideration of Business in Closed Session

- 16. Lockhart and The Rock Pool Contractor – 2017/18 Season Page 53

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

- 17. Tender – Heavy Combination Trucks Page 53

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

- 18. Tender – The Rock Sewer Extension Project Page 53

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

- 19. Tender – Waste Contract Page 53

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Resumption of Open Council Page 53

Mayoral Minute

Nil.

Mayoral Report

Nil.

Urgent Matters

Nil.

Notice of Motion

Nil.

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 PLEASANT HILLS COMMUNITY HALL ON TUESDAY, 1 AUGUST 2017 COMMENCING AT 6.05PM.

PRESENT

Ms Sandra Johnstone, Mrs Susan Creek, Councillor Derek Douglas, Mr Colin Wiese, Mr Greg Smith, Tourism/Economic Development Officer (Jennifer Connor).

APOLOGIES

Councillor Gail Driscoll, Mrs Myra Jenkyn, Mrs Raeleen Pfeiffer.

LEAVE OF ABSENCE

Nil

PERCURINARY INTEREST

CONFIRMATION OF MINUTES


The minutes of the Meeting held Tuesday, 4 July 2017, as printed and circulated, be taken as read and confirmed on the Motion of S Creek, seconded G Smith.

1. Lockhart Water Tower

The TEDO submitted an application for funding for \$4,000 under Regional Arts NSW Country Arts Support Program for the mural painting on Lockhart Water Tower. A number of community groups provided letters of support for the project, and feedback from the community via Facebook was very strong. This feedback was included in the grant application.

Lockhart Shire Community
Published by Jennifer Connor [?] · 26 July at 11:34 · 🌐

Riverina Water have said yes to painting a water themed mural on Lockhart water tower! As well as being a great tourist attraction, a waterfall flowing down the tower edged by gumtrees and featuring local native fauna and flora signifies the vital importance of water to all those who live here. With \$13,000 raised for the project so far, we are applying for a \$4,000 grant to take us closer to the \$20,000 target. Support from the community will really help our application, so please leave a comment here so it can be included #lovelockhartshire .



Performance for your post

7,408 People Reached

372 Reactions, comments & shares

268 Like	156 On post	112 On shares
6 Love	6 On post	0 On shares
72 Comments	56 On Post	16 On Shares
26 Shares	26 On Post	0 On Shares

971 Post Clicks

162 Photo views	1 Link clicks	808 Other Clicks
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Kay Wilson What a great idea for the town. It will certainly attract the tourist eye and the word will quickly spread through the travellers who stop to look around the area.
Like · Reply · Message · 2 · 26 July at 13:14

Robyn Dowdle Wow that will be a fantastic addition to the tourist attractions in Lockhart, well done. I can hardly wait.
Like · Reply · Message · 3 · 26 July at 11:57

Beth James Waters This would be great!!! We have a community here that would really appreciate the extra beauty in our town!
Like · Reply · Message · 1 · 26 July at 17:07

Cathy Collingridge Such a great little town another art peice to attract people to the town Love it 🙌
Like · Reply · Message · 1 · 26 July at 17:23

Juanita Kurrle I love seeing pics of silos been transformed from "eye sores" to works of art! Cannot wait to see this in our town 🙌
Like · Reply · Message · 1 · 26 July at 17:41

Margaret Firman Wow can't wait it will prove to be another wonderful must see artistic addition to our great little township 🙌
Like · Reply · Message · 1 · 26 July at 17:15

Barry Harvey What a brilliant tourist attraction & great for the local community. Bring it on !!
Like · Reply · Message · 1 · 26 July at 20:03

Recommendation: That the information be noted.

Notes:

2. Lockhart Heritage Mosaics

Members of the community are working with Lockhart & District Historical Society on an application for a grant for the Lockhart Heritage Arts Mosaic Trail, with an aim to create a visible record in mosaics of the history and heritage of Lockhart. The project will bring together local historical expertise, local school children and engage the local community to illustrate our history in the form of Mosaic Trail. They also plan to publish a commemorative book on the work.

Members of the committee have met with council to discuss the project and to consider possible locations. Due to the close location to the Museum, main street and caravan park, the reclaimed flood mitigation area west of Brookong Creek was nominated as the preferred location. The Mosaic Trail will tie in with the Masterplan for the creek area of being an accessible area for all with walking paths, seating and points of interest.

The Committee are planning to create ten mosaics ranging in size and height, with an average of 1m x 1m, and would like to request support from Council to assist with the installation of the panels. The project is dependent on funding and if successful would commence in 2018.

Recommendation: That support in principle be given to assist with the installation of the Lockhart Heritage Mosaics.

Notes:

3. Taste Riverina

Thrive Riverina (formerly Riverina Regional Tourism) will be holding a Media Launch for the Taste Festival on Wednesday, 6 September 2017 at Marrocka Emu Farm, The Rock. In addition, the emu farm and other parts of the Shire will be included in a number of bus tours as part of the month-long Taste Riverina Festival.

Recommendation: That the information be noted.

Notes:

4. Lockhart Railway Station

The TEDSC are passionate about preserving the Lockhart Railway Station and are keen to see it utilised rather than fall into disrepair. The TEDSC would like the TEDO to investigate potential uses and relevant costs, including leasing costs to a private business enterprise, e.g. B&B (not long-term house lease).

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.

Recommendation: That additional time be given to source an alternative use/tenant for the Lockhart Railway Station.

Notes:

5. Love Lockhart Shire Photo Competition

The winners of the 2017 Love Lockhart Shire Photography Competition have been announced, with once again a good mix of both local and non-local winners. Judging was undertaken by Eastern Riverina Arts, and displays of the photographs will follow, commencing at The Rock Hall & Museum on 5 August. Entries were received from as far away as Brisbane, Sydney and Melbourne. The winning photos have been loaded on to the Lockhart Shire Facebook page and details of the 2018 competition are available on the website.

Recommendation: That the information be noted.

Notes:

6. Current TEDO projects

Lockhart Verandah Project	A study of the Lockhart Verandahs is being undertaken in preparation for the restoration grant application.
Business Survey	Survey is ready to be sent out to businesses. Waiting for information from SWWCC to be sent with survey.
Walk of Fame	TEDO working with on layout of information for the Walk of Fame boards with the signwriters.
Go Local in Lockhart Shire	Go Local in Lockhart Shire Coasters being distributed to businesses. TEDO is working on other possible ideas to assist businesses connect to the community.
Billboard	The TEDO has been in touch with Narrandera council regarding installing on an identified property.
Drovers Way Touring Route	July meeting with stakeholders postponed to mid-August. Some LGAs still working on stories.

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. Ongoing - The TEDO will be expanding to include main street businesses, weddings and photography.
SOL	25,000 flyers will be printed and distributed.
Town Visitor Information Boards	Project with signmaker. On completion of The Rock frame, TEDO will work with Lockhart Rotary to produce frame.
Lockhart Progress Association	Possible outdoor movie screening at Galore Hill in October – Man From Snowy River
The Rock Progress	The Progress Association are looking for funding for the Faerie Tree project. Working on astronomy project. B&S Ball for 2017. A separate committee are working on a Rodeo in December.
Lockhart Museum	Waiting for grant funding announcements
The Rock Museum	Progressing on the sound system which will tell the story of The Rock. Held a workshop encouraging participation by residents, sound artist visited a number of community groups.
The Rock Hill	Works by NPWS are ongoing. New interpretative signage has been installed at the entrance and looks great. Great press following visit by Mark Saddler / Sydney Weekender – 2 stories in DA & ERC, will feature on
Promotional flags – main street shopping areas	Flags for the main street featuring the words Welcome to Lockhart have been ordered. The TEDO will visit The Rock to see what opportunity exists for a similar project.
Lockhart Shire Tourism Logo	Temporarily on hold due to other projects.

The TEDSC discussed their meeting venues for the remainder of 2017 and decided as follows: September – The Rock; October – Lockhart; November - Yerong Creek.

The next TEDSC meeting will be held at The Rock Bowling Club on 5 September 2017 at 6.00pm.

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

Notes:

Delegates' Reports

Nil.

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 17 July 2017			
175/17	GM	Review of Organisation Structure Council reaffirmed the current organisation structure subject to inclusion of a Compliance Officer as per Item No. 2 of 17 July 2017 Business Paper.	Organisation structure reaffirmed in accordance with legislative requirements. Complete.
171/17	DEES	Roads Programme 2017/18 Roads programme for 2017/18 year endorsed. Council to apply for funding under Round 3 of Fixing Country Roads of up to \$1,000,000 to undertake bridge repairs and upgrade to HML.	Fixing Country Roads grant applications close 1/9/2017.
167/17	GM	Biosecurity Act 2015 – Appointment of Authorised Officer a) Council delegated to the GM the functions conferred on Council as the Local Control Authority by the Biosecurity Act 2015, and b) Council's Environmental Officer be appointed as an authorised officer under the Biosecurity Act 2015 in relation to weeds within the Lockhart Shire local government area.	Instrument of Delegation to Environmental Officer Executed and Department of Primary industries advised. Complete.
165/17	GM	Policy 2.10 Authority to Undertake Enforcement Action Council to place amended policy on public exhibition for a period of not less than 28 days.	Policy presented to August Council meeting for adoption following public exhibition. Complete.
164/17	GM	Local Orders Policy – Premises Not in a Safe or Healthy Condition In accordance with Part 3 of the Local Government Act Council to: a) Place "Draft Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition" on public exhibition for a period of not less than 28 days, b) Accept submissions in relation to the Draft Local Policy for a period of 42 days after the date on which Draft Local Policy is placed on public exhibition.	Local Orders Policy currently on public exhibition.
163/17	GM	Purchase of Lot 2 DP255427 Scott St, The Rock a) Authority granted to execute the Contract of Sale and Transfer document under Council's Seal b) The land to be classified as "operational land" for the purposes of Section 25 of the Local Government Act.	Awaiting signed contract from vendor to facilitate exchange.
162/17	GM	Request for Financial Assistance a) Consistent with previous practice, Council to make a \$200 contribution to Luke Mazzocchi to assist with travel and accommodation expenses relating to his participation in the Australian Football Championships to be held in Darwin, b) Southern Sports Academy be invited to resubmit its request for financial assistance for consideration when it has athletes from the Lockhart Shire participating in its programs	Written response and cheque for \$200 forwarded to Luke Mazzocchi. Response forwarded to Southern Sports Academy. Complete.

161//17	GM	Policy 1.11 Section 355 Committees a) Endorse amended Policy 1.11 Section 355 Committees for public exhibition and consider any submissions received before formal adoption of Policy b) Delegate functions listed in the report to the respective Section 355 Committees.	Policy presented to August Council meeting for adoption following public exhibition. Complete.
160/17	DEES	Temporary Compliance Officer Position Council endorsed proposed position of 'Temporary Compliance Officer' for a fixed term of two years.	Position advertised and has closed. Currently assessing applications.
159/17	DCCS	Public Toilet Facilities a) Install paper towel and soap dispensers, and bins where required in Council's public toilets, b) Conduct a review in 12 months' time.	Quotes being sourced from suppliers.
156/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting – Lockhart Verandahs In-principle support given for the Lockhart Verandah restoration project.	Heritage and engineering assessments to be undertaken. Heritage advisor / environmental services to complete grant process. Project ongoing. Action complete.
155/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting – Lockhart Water Tower Support given for the painting of a waterfall themed mural on the Lockhart Water Tower.	Grant application submitted including letter of support from Council. Further funding being sourced. Project is ongoing. Action complete.
Ordinary Council Meeting held 19 June 2017			
150/17	GM/ DEES	Acting General Manager Director Engineering and Environmental Services be appointed Acting General Manager for the period 17 July to 9 August whilst the General Manager is on Annual Leave.	Complete.
142/17	MES	Variation to DCP – Building Line Setbacks Council to permit a variation to the Lockhart DCP for a reduced building line setback of 4.2m for a new dwelling at 24 Yerong St, The Rock.	MES has written to applicant advising of Council's resolution and planning advice on lodging a DA if required.
134/17	GM	Lots 1 to 5 Carson Road, The Rock Authority granted to execute under Council's Seal the Transfers and related documents for the sales of Lots 1 to 5 DP1220989 Carson Rd, The Rock.	Transfers executed under seal. The sale of two of the five lots have been settled.
133/17	DCCS	Public Toilet Facilities Interim public toilet facilities report noted and the matter deferred to the July meeting to enable further costings to be obtained.	Report is being tabled at July Council meeting. Complete.
130/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting - Go Local in Lockhart Shire Campaign to be supported by distributing promotional beer coasters throughout Shire as appropriate.	Go Local in Lockhart Shire coasters distributed. Action complete.
129/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting – Wall of Fame Walk of Fame project to be undertaken.	In progress.
128/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting – Riverina Country Change Campaign Council to participate in the campaign should RDA Riverina's application for funding be successful.	RDA funding application successful. Project proceeding. Action complete.

Ordinary Council Meeting held 15 May 2017			
119/17	GM	<p>Closed Council – Offer to Transfer Land for Nil Consideration Council to accept the offer to acquire the subject property for \$1.00 and that each party meets their own legal costs.</p>	Vendor advised of Council's willingness to accept transfer of land. Complete.
118/17	GM	<p>Closed Council – Request to be Release from Contract of Sale – Lot 5 DP1220989, 10 Carson Road, The Rock Council to not release the purchasers from their obligations under the contract at this time and let the contract run its course.</p>	Council's solicitor has advised that this matter is now expected to proceed to settlement in accordance with the Contract of Sale.
115/17	GM	<p>Councillor Professional Development Councillors to nominate any professional development they would like to undertake to assist in the development of a Professional Development Program for Councillors for 2017/18.</p>	Indicative costs currently being sought from LGNSW for various training modules including provision of in house training.
108/17	GM	<p>Council's Application for a Special Rate Variation – IPART Determination Council to make personal and written representations regarding its experience with the FFTF and SRV process and also redouble its efforts to secure grant funding for the nominated projects and in particular the Lockhart and The Rock swimming pools.</p>	Representations being made with the focus on securing funding for the swimming pool refurbishments.
101/17	DEES	<p>Bridge Assessment Reports</p> <ul style="list-style-type: none"> a) Council to apply for grant funding in next rounds of Fixing Country Roads (State), and/or Bridges Renewal programme (Federal) and/or Heavy Vehicle Safety and Productivity Programme (Federal); and b) A programme of repair works to upgrade the structures to HML to be put in place, subject to funding applications. 	Fixing Country Roads grant applications close 1/9/2017.
Ordinary Council Meeting held 18 April 2017			
74/17	GM	<p>LGNSW – Proposed Motion to 2017 Annual Conference</p> <ul style="list-style-type: none"> b) Authorise the General Manager (GM) to serve orders in accordance with section 124 of the Local Government Act c) Authorise the Director Engineering and Environmental Services (DEES), the Manager of Environmental Services (MES) and the Environmental Officer to enter premises in accordance with Section 191 of the Local Government Act d) Authorise the GM, DEES and MES to issue penalty infringement notices in accordance with Section 679 of the Local Government Act e) Appoint the GM, DEES and MES as an "authorised officer" pursuant to Section 187 of the Protection of the Environment Operations Act, and f) Adopt revised Policy 2.10. 	<p>Amended Policy 2.10 presented to the August Council meeting for adoption following public exhibition.</p> <p>Relevant enforcement documentation templates currently being reviewed.</p> <p>Training in issuing Penalty Infringement Notices and other enforcement actions is being arranged for the 'authorised officers'.</p> <p>Photo ID's have been provided to officers authorised to enter private property.</p> <p>A Local Orders Policy has been developed and is currently on public exhibition.</p> <p>Complete.</p>

73/17	GM	<p>Acknowledgement of Sagers Family Contribution Council to install a new seat, with an appropriately worded plaque, on the corner of Green & Matthews St's, in recognition of the contribution that the Sagers Family has made to the community.</p>	<p>Contact has been made with Mr Gordon Sagers, both verbally and in writing.</p> <p>Mr Sagers supports and appreciates Council's initiative. The following wording for the plaque has been agreed with Mr Sagers: -</p> <p><i>"In recognition of the significant contribution made by the Sagers family to the Lockhart District in providing 70 years of continuous dental services to its residents."</i></p> <p>Nil progress to-date.</p>
72/17	DEES	<p>Caravan Parks</p> <ul style="list-style-type: none"> a) Information noted pending a furthermore detailed report b) Council has determined as a matter of policy that caravan parks be short term (holiday park) stays; 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. 	<p>More detailed report to be presented at a future Council meeting.</p> <p>Expressions of Interest for the management of the Lockhart caravan park closed on 8/5/17.</p> <p>Interviews with shortlisted candidates currently being undertaken.</p> <p>Report and recommendation to be tabled at the Council meeting (closed section) on 15/5/17.</p> <p>Items (b) & (c) are complete.</p>
59/17	TEDO	<p>Minutes of the Tourism/Economic Development Steering Committee Meeting – South West Wireless Communications TEDO to approach SWWCC to conduct an initial assessment to ascertain the possibility of rolling out this internet service throughout Lockhart Shire.</p>	<p>SWWCC to send information and facilitate community engagement. Long term project In Action</p>
Ordinary Council Meeting held 20 March 2017			
49/17	DEES	<p>Request for Road Name Change</p> <ul style="list-style-type: none"> 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. 	<p>(a) Council has commenced process for name change.</p> <p>Staff has received numerous objections to the proposed name change. Currently waiting on Geographic Names Board response. A further report to be brought to Council.</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>Dependent on budget. Nil progress</p>

Ordinary Council Meeting held 6 February 2017			
5/17	GM	<p>Coffee Shop Proposal 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. Proponents are awaiting outcome of grant application lodged by Museum Committee.</p>
Ordinary Council Meeting held 19 December 2016			
345/16	DEES	<p>Swimming Pool Upgrade – Lockhart & The Rock Council:</p> <ul style="list-style-type: none"> 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; b) Continues engaging with respective pool Steering Committees to assist and provide guidance to Council; c) Applies for funding of \$1M for the pools under the current round Building Better Regions Fund; and 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>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> <p>DA approved for building works at Lockhart. Final design plans for building works at The Rock, with DA approval expected within the next few weeks.</p> <p>BBRF grant application unsuccessful. Staff still sourcing grant funding opportunities.</p>
Ordinary Council Meeting held 21 November 2016			
315/16	GM/ TEDO	<p>Australian Kelpie Hall of Fame</p> <ul style="list-style-type: none"> a) Greens Gunyah 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. 	<p>Lockhart & District Historical Society have developed a strategic plan and are working on extending this into a business plan.</p>
Ordinary Council Meeting held 19 September 2016			
241/16	TEDO	<p>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.</p>	<p>In progress</p>
Ordinary Council Meeting held 18 July 2016			
185/16	DEES	<p>Sewer Financial Plan and Proposed Extension at The Rock</p> <ul style="list-style-type: none"> 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. 	<p>Will commence quotes for design works once Project Officer is engaged.</p> <p>Project detailed design to commence Oct Sept.</p> <p>Quotations being sought for design consultant.</p> <p>Currently liaising with other Authorities for access. Design works 100% complete with finalisation of authorities' requirements almost completed. Tenders currently being invited.</p> <p>Tenders closed. See separate report to Council.</p>

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. No potential tenants have enquired. Promoting venue as a regional meeting site. Very little activity to date.
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. Long term project.
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 17 July 2017 – Councillor Questions & Statements			
Councillors’ Questions	DEES	Cr Day – Mosaic Pathway Project, Lockhart - Advised Council that community is working on a grant application for this project. Provided brief overview of project and indicated it will require Council to provide in-principle support to submit the grant application	DEES advised he is aware of project and can provide letter of support for the grant application and a more detailed report to Council at August meeting through TEDO report.
	MAYOR	Cr Driscoll – Fit For the Future Process – Enquired as to where Council was up to regarding the FFTF process and ensuring we comply with our Action Plan.	The Mayor advised we are working on external contracting and other options regarding expanding the Shire’s scale and capacity.
	DEES	Cr Douglas – Ryan’s Road/Lane? – Queried sign at intersection of Western Rd/Soldiers Settlement Rd that says “Ryans Lane” – is this the correct name for this road and could necessary signs be erected. At t-intersection Lockhart Urana Rd/Western Rd there isn’t any signage indicating Western Rd. Could a sign be erected here?	DEES advised correct name is Ryans Lane and additional signage will be erected in due course.
	DEES	Cr Schirmer – Cadet Engineer – Enquired as to whether the Cadet Engineer has commenced?	DEES advised Rebecca Willcox has commenced and she is going well. Complete.
	COUNCIL LORS	Cr Schirmer – Councillor Relaxed Visits throughout Shire – Thanked Councillors who attended recent Friday night at the Pleasant Hills Pub and advised the visit was well received by the locals with positive feedback being given.	The next Councillor visit will be at Osborne Football Club training on a Thurs night, followed by a Friday fish & chips night at Yerong Creek.
Ordinary Council Meeting held 19 June 2017 – Councillor Questions & Statements			
Councillors’ Questions	DEES	Cr Walker – Public Toilets, The Avenue, The Rock – Advised has received a complain about the mess in the public toilets in The Avenue, The Rock as well as the light not working in the men’s toilet.	DEES advised Council is aware of issues and is attending to them. Complete.
	DEES	Cr Sharp – Culvert Cleaning – Enquired if there is a schedule for culvert cleaning throughout the Shire?	DEES advised he is aware of the issue and action is taken when resourcing permits.

Councillors' Questions	DEES	Cr Douglas – Bender Family Driveway Entrance – Enquired how the meeting went with the Bender Family regarding their driveway entrance?	DEES advised a resolution satisfactory to all parties has been achieved. Complete.
	DEES	Cr Douglas – Ryans Stock Route – Enquired if Kathryn Singe had made contact about the state of Ryans Stock Route?	DEES advised that Ms Singe had made contact and had been advised that the road is in good condition. Complete.
	DCCS	Cr Driscoll – Public Toilets, The Rock Recreation Ground – Advised the light in men's toilet at The Recreation Ground, The Rock does not switch off.	DCCS advised he will investigate and take appropriate action. Complete.
	DEES	Cr Driscoll – Complaint regarding Line Marking in The Rock – Enquired if Council had received a complaint letter from a resident regarding line-marking in The Rock, particularly around the railway crossing on Urana Street?	DEES advised he had received the complaint and written back to advise that action will be taken when resourcing permits. Complete.
	DEES	Cr Verdon – Complain regarding No Hot Water in Men's Toilet at The Rock Recreation Ground – Advised he had received complaints that there was not hot water in the men's toilets at The Rock Recreation Ground.	DEES advised he will investigate and take appropriate action. Complete.
	DEES	Cr Verdon – Potholes at the Swale Crossing, Intersection of Urana and Bretton Sts, The Rock – Advised there are potholes at the swale crossing.	DEES advised he will investigate and take appropriate action. Complete.
	DEES	Cr Schirmer – Trucks Cutting across the Kerb at Urana & Green Sts Intersection, Lockhart – Advised b-doubles are dragging their wheels over the traffic island when negotiating this intersection.	DEES advised he is aware of issue and encourages large trucks to use the heavy vehicle route via Flood Detour Rd, and that he has applied for grant funding to realign this intersection with proposed new footpath works from Cowan Gardens to Magnolia Lodge.
Ordinary Council Meeting held 15 May 2017 – Councillor Questions & Statements			
Councillors' Questions	DCCS	Cr Sharp – Additional Money Set Aside for ANZAC Day 2018 for 100 Years since End of WW1 – Enquired if funds to be allocated to Pleasant Hills could be carried over until November 2018 to be put towards the organisation of an Armistice Day Centenary Ball?	DCCS advised this should not be an issue. Complete.
	DCCS	Cr Driscoll – The Rock Recreation Ground Toilets – Enquired as to whether mops, toilet brushes and soap dispensers can be provided at The Rock Recreation Ground Toilets as a request has come from campers?	DCCS will investigate and advise. Concern is items going missing. Can look at increasing frequency of cleaners attending to clean.
	DEES	Free Camping Site at The Rock – Advised The Rock free camping site currently has a long-term occupier and enquired as to whether signage could be installed to advise that the site is short-term only?	DEES advised he will install appropriate signage following the current review of all caravan park/camping sites in the Shire.
	GM	New Councillor Profiles in the Shire Newsletter – Enquired if written profiles of the new Councillors could be included in the Council Newsletter to introduce them to the residents of the Shire? Offer also extended to GM and Directors.	Including Councillor profiles in monthly Newsletter commenced with the June 2017 edition. Complete.

Ordinary Council Meeting held 18 April 2017 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Verdon – Song Written by Former Grader Operator Mr Keith Ball – Enquired as to whether Council had a copy of the song about working on Council and if not, could a copy be obtained for historical purposes?	DEES advised he is not aware of the song and will contact the Funeral Director. Staff have spoken with family, a copy to be forwarded to Council in due course.
	DCCS	Cr Driscoll – 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?	DCCS advised he will investigate request and report to Council. Awaiting information from Greater Hume Shire. *Copy of GHSC Seniors program in your folder for August Meeting.
	DEES	Cr Rockliff –Unrestrained Dogs Roaming Lockhart Streets – Advised there are several local dogs that are being allowed to roam Lockhart streets unrestrained and are urinating in our shopping precinct.	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. Been confirmed neighbouring Council's unable to assist. Alternative proposal to be presented to Council at July 2017 meeting. Staff continuing to monitor the situation.
	DEES	Cr Rockliff – Temporary Table and Seats Located on the Pavers near Walkway in Greet Street – Advised that the temporary table and seats are being well utilised and requested consideration of a permanent installation.	DEES advised he will consider this request. Staff have had a look at this request, and still considering options.
	DCCS	Cr Douglas – Requested Consideration of Provision of Liquid Soap Dispenser's in our Shire's Public Toilets.	DCCS advised he will investigate and provide costing to the next meeting. Interim report is being tabled at June Council meeting. Detailed report including costings is being tabled at July Council meeting. Resolution 159/17 being actioned. Complete.
Ordinary Council Meeting held 19 December 2016 – Councillor Questions & Statements			
Councillor's 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?	EOI process to be implemented to select Council's to "test" criteria for assessing land as local or state use.

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 September 2017 meeting.
Ordinary Council Meeting Held 16 November 2015 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Morgan – Funding Application for Brookdale Hill Blackspot Enquired if Council has received any news on this funding application?	DEES advised that no news has been received to date. Application has been unsuccessful at Federal level, currently being assessed at State level. Council currently undertaking design works for the intersections. Design work complete. Currently investigating services relocations required. Project surveyed and working with Telstra regarding relocation of service.

21 August 2017 Council Meeting - Correspondence Sent to Councillors

Date to Councillors	From	Subject	File Ref
14/07/17 (e-mailed)	Traci Driscoll, Chairperson, The Rock Progress Association	Congratulations Lockhart Shire Council on provision of before and after school care in The Rock community	E10-030
17/07/17 (e-mailed)	ALGA News Editor	ALGA News 14 July 2017	A75-005
17/07/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #27 – 14 July 2017	S20-007
17/07/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
20/07/17 (e-mailed)	Jemma Nickels, Centenary of Anzac Program	Extension of Hyde Park Memorial in Sydney – NSW's commemoration of the Centenary of Anzac – Soil Collection Project	D15-005
21/07/17 (e-mailed)	ALGA News Editor	ALGA News 21 July 2017	A75-005
21/07/17 (e-mailed)	Kaarin Edyvean, Music 4 Mates	Suicide and Mental Health Awareness 12 Hour Shear/Concert in Coolamon on 14 Oct 2017	H10-005
24/07/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #28 – 21 July 2017	S20-007
28/07/17 (e-mailed)	Cr Keith Rhoades, LGNSW	Media Release – LGNSW applauds Government announcement on amalgamations	I06-005
28/07/17 (e-mailed)	Gladys Berejiklian, Premier of NSW & Gabrielle Upton, Minister for Local Government	Media Release – Proposed Council Mergers Before the Courts will not Proceed	I06-005
07/08/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #29 – 28 July 2017	S20-007
07/08/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007

07/08/17 (e-mailed)	ALGA News Editor	ALGA News 28 July 2017	A75-005
07/08/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #30 – 4 Aug 2017	S20-007
07/08/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
07/08/17 (e-mailed)	ALGA News Editor	ALGA News 4 August 2017	A75-005
14/08/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #31 – 11 Aug 2017	S20-007
14/08/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
14/08/17 (e-mailed)	ALGA News Editor	ALGA News 11 August 2017	A75-005
21/08/17	Sue Chandler, Stay 'N' Play Child Care Centre, Lockhart	Long Day Care Provisions in Lockhart area	E10-010

Recommendation: That the information be noted.

Notes:

Staff Reports

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. POLICY 1.11 SECTION 355 COMMITTEES

(GM/C70-025)

Executive Summary

The amended *Policy 1.11 Section 355 Committees* is presented for adoption following public exhibition of the document.

Report

At the Council meeting held on 17 July 2017 Council endorsed an amended *Policy 1.11 Section 355 Committees* for public exhibition.

In accordance with Council's resolution the amended Policy was publicly exhibited for a period of 28 days. Copies of the document were made available on Council's website as well as Council's office and Post Offices within the Shire.

No submissions were received following the public exhibition.

The amended Policy is now presented for adoption by Council. A copy of the amended Policy is attached.

Integrated Planning and Reporting Reference

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

- Provide support and advice to community groups, clubs and volunteers.
- Within financial means support and fund section 355 committees to manage and maintain council facilities.

Legislative Policy & Planning Implications

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

Each such appointment and delegation is to be reviewed in the first twelve months of each term of office. Committees are able to be re-established.

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

Budget & Financial Aspects

The 2017/18 Budget makes provision for financial support to be provided to all committees established pursuant to Section 355 of the Local Government Act.

Attachments

1. *Policy 1.11 Section 355 Committees.*

Recommendation: That *Policy 1.11 Section 355 Committees*, as presented, be adopted.

Notes:

Attachment 1. – Policy 1.11 Section 355 Committees

1.11 Section 355 Committees

POLICY TITLE: SECTION 355 COMMITTEE FUNCTIONS

FILE REF: C70-035

REVIEW DATE: JUNE 2020

OBJECTIVES

To recognise and define the establishment and function of Section 355 Committees within Lockhart Shire.

POLICY STATEMENT

A Section.355 Committee is a Council-approved committee of volunteers who accept the responsibility for the carrying out of a Council function or the management of a Council-owned community facility in the Shire.

LEGISLATIVE CONTEXT

Establishment

Committees are established by a resolution of Council pursuant to section 355 of the Local Government Act. Section 355 states that: -

"A function of a council may, subject to this Chapter, be exercised:

(a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or

(b) by a committee of the council, or..."

The Council may dissolve any such Committee at any time.

Each such appointment and delegation is to be reviewed in the first twelve months of each term of office. Committees are able to be re-established.

Delegation of Function

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

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following..."

Community based committees provide a mechanism by which interested persons can have an active role in the provision/management of Council facilities or services. This provides a twofold benefit by giving protection to the committee operating under the banner of Council, and by providing Council with assistance in the carrying out of its functions by being able to tap into resources available in the community.

LIMITATION OF POWERS

Committee established pursuant to Section 355 may not make decisions concerning the following:

- (a) Borrowing of any monies without the express written consent of Council on each such occasion.
- (b) The sale, lease or surrender of any land and or other property vested in its care under the provisions of the Local Government Act 1993 (as amended).
- (c) The acceptance of tenders which are required to be called by Council (Tenders over the value of \$150,000.00). The committee may invite and accept quotations for minor works, goods and services covered within the scope of its authority or as agreed with Council.
- (d) The payment or making of any gift, to its members. This includes the payment of allowances or travelling expenses incurred whilst attending committee meetings.

- (e) The payment of any monies outside the scope of the committee's function.
- (f) The carrying out of any works on or to the facility including alterations, reconstructions or construction without the prior consent of Council. (This does not include minor maintenance works.)
- (g) Unreasonably withholding consent for the letting of the facility to any organisation which agrees to comply with and adhere to the rules adopted for use of the facility, providing an acceptable letting period is available.
- (h) Vote monies for expenditure on the works, services or operations of Council.

The exercise by the committee of its power and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the committee. The committee will observe any Rules and Regulations made by the Council, in relation to the facility/function under its management and control. If at any time the committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the committee signed by the General Manager or his/her representative.

PROCEDURE MANUAL

Council shall prepare a Procedures Manual for Section 355 Committees to provide comprehensive guidelines for Committee to follow. The Manual may include, but not be limited to, provisions relating to the code of conduct, accountability and transparency, meeting practice, financial arrangements, keeping of records and the like.

CURRENT SECTION 355 COMMITTEES AND DELEGATIONS

COMMITTEE	DELEGATION
Bidgeemia Hall Committee	Care, control and management of Bidgeemia Hall
Lockhart and District Historical Society	Care, control and management of the Lockhart Museum, including the Doris Golder Wool Art Gallery
Lockhart Recreation Ground Committee	Care, control and management of Lockhart Recreation Ground
Lockhart Showground and Racecourse Management Committee	Care, control and management of Lockhart Showground and Racecourse
Milbrulong Hall Committee	Care, control and management of Milbrulong Hall
Osborne Recreation Ground Committee	Care, control and management of Osborne Recreation Ground
Pleasant Hills Hall Committee	Care, control and management of Pleasant Hills Hall
Pleasant Hills Recreation Ground Committee	Care, control and management of Pleasant Hills Recreation Ground
The Rock Hall and Museum Committee	Care, control and management of The Rock Hall and Museum
The Rock Recreation Ground Management Committee	Care, control and management of The Rock Recreation Ground
The Rock Showground Management Committee	Care, control and management of The Rock Showground
Tootool Recreation Reserve Committee	Care, control and management of Tootool Recreation Reserve
Tourism and Economic Development Committee	Provide advice and make recommendations to Council in relation to tourism and economic development matters.
Yerong Creek Hall Committee	Care, control and management of Yerong Creek Hall
Yerong Creek Recreation Ground Committee	Care, control and management of Yerong Creek Recreation Ground

*Adopted by Council - XX XXXXX 2017
Refer Minute No XXX/2017*

*Adopted by Council – 20 July 2009
Refer Minute 247/09*

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

2. POLICY 2.10 AUTHORITY TO UNDERTAKE ENFORCEMENT ACTION (GM/C70-025)

Executive Summary

The amended *Policy 2.10 Authority to Undertake Enforcement Action* is presented for adoption following public exhibition of the document.

Report

At the Council meeting held on 17 July 2017 Council endorsed an amended *Policy 2.10 Authority to Undertake Enforcement Action*, for public exhibition.

In accordance with Council's resolution the amended Policy was publicly exhibited for a period of 28 days. Copies of the document were made available on Council's website as well as Council's office and Post Offices within the Shire.

No submissions were received following the public exhibition.

The amended Policy is now presented for adoption by Council. A copy of the amended Policy is attached.

Integrated Planning and Reporting Reference

B1 – Manage and improve the appearance of our towns in line with their desired identities.

E1 - Meet all governance and regulatory requirements in the conduct of council's operation.

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.

Council also has a regulatory role pursuant to the Environmental Planning and Assessment Act, Protection of the Environment Operations Act, Companion Animals Act as well as other legislation.

Budget & Financial Aspects

Not applicable.

Attachments

1. *Policy 2.10 Authority to Undertake Enforcement Action.*

Recommendation: That *Policy 2.10 Authority to Undertake Enforcement Action*, as publicly exhibited, be adopted.

Notes:

Attachment 1. – Policy 2.10 Authority to Undertake Enforcement Action

2.10 Authority to Undertake Enforcement Actions

POLICY TITLE: AUTHORITY TO UNDERTAKE ENFORCEMENT ACTIONS

FILE REF: E30-015

REVIEW DATE: JULY 2020

1. STATEMENT OF INTENT

Lockhart Shire Council has a considered approach to responding to unlawful activity.

This Policy aims to provide consistency in enforcement action in matters relating to health and safety, pollution, roads, animal control, food safety as well as environmental and development non-compliance and ensure natural justice principles are respected.

The Council acknowledges that it has an obligation under section 8A of the Local Government Act 1993 to ensure that in the exercise of its regulatory powers it acts fairly, ethically and without bias in the interests of the local community.

2. GENERAL PRINCIPLES

Council, in its approach to enforcement and in performing its regulatory functions, will have regard to the following principles:-

- *Proportionality* - taking action that is reasonable and relates directly to the actual breach.
- *Consistency* – ensuring that similar issues are dealt with in the same way.
- *Transparency* – ensuring that what we do and why we do it is easily understood.
- *Helpfulness* – working with the business or individual to achieve compliance with the law by being approachable, courteous and efficient.
- *Openness* – by being open about the way we go about doing things.
- *Prioritising* – making sure that resources are targeted primarily on those whose activities give rise to the most serious risk.

3. OPTIONS FOR ACTION IN CONFIRMED CASES OF UNLAWFUL ACTIVITY

Council will consider a range of matters before taking regulatory action.

Regulatory action is any formal and informal action taken to prevent or rectify infringements of the legislation. The regulatory options will differ where different pieces of legislation are used, but the principles of application should remain constant.

Approaches to be considered without taking formal regulatory action include:

- Taking no action on the basis of no reliable evidence or other appropriate reason.
- Counselling the person who carried out an unlawful activity to educate them on the relevant requirements. Council acknowledges the role of educational initiatives to achieve compliance in some situations.
- Negotiating with the person who carried out the unlawful activity to obtain an undertaking from them to address the issues of concern arising from an investigation. For example, the submission of a section 96 application to modify consent.
- A letter requiring works to be carried out or works to cease, or other remedial action in lieu of more formal action i.e. a warning letter.
- Such action may be all that is required in minor breaches where no serious impacts have occurred.

When deciding whether to take an educative approach, consideration will be given to issues such as the level of contrition shown by the wrongdoer, whether they have previously been warned as a result of this or similar behaviour, and the level of intent shown.

Whilst these approaches recognise that Council may use discretion in the process, Council is also obliged to uphold the law, including compliance with relevant administrative law principles (for example: acting fairly and equitably), and to act in the public interest.

Where appropriate, a staged approach to ensure compliance will be adopted and in the first instance businesses and individuals will be given the opportunity to discuss and remedy the breach before action is taken, unless immediate action is required. Timeframes are to be specified in correspondence to ensure compliance within a reasonable timeframe.

A flow chart illustrating a staged approach is attached.

4. ENFORCEMENT ACTION

Where the options outlined in Section 3 above are considered inappropriate in the circumstances, or have been pursued but proven unsuccessful, enforcement action will be taken.

The options outlined in Section 3 may be inappropriate in circumstances where warning letters have previously been issued but ignored, the wrongdoer is a repeat offender or the risk to health and safety warrants immediate action.

Enforcement action will be taken with a considered approach. Enforcement action includes:

- Issuing of Notices and Orders requiring compliance with legislative requirements or those of an environmental planning instrument.
- Commencement of criminal proceedings for an offence under legislation or alternatively issuing a Penalty Infringement Notice (PIN).
- Commencement of civil proceedings in a Court to either remedy or restrain unlawful activity.

5. AUTHORISED PERSONS

The following persons are authorised to undertake enforcement action:

- a) The General Manager is authorised to serve orders in accordance with section 124 of the Local Government Act;
- b) The Director Engineering and Environmental Services, the Manager of Environmental Services and the Environmental Officer are authorised to enter premises in accordance with Section 191 of the Local Government Act;
- c) The General Manager, the Director Engineering and Environmental Services and the Manager of Environmental Services are authorised to issue Penalty Infringement Notices in accordance with Section 679 of the Local Government Act;
- d) The General Manager, the Director Engineering and Environmental Services and the Manager of Environmental Services are “authorised officers” pursuant to Section 187 of the Protection of the Environment Operations Act.

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

3. 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 the presence of weeds from the general public, or sighted from the property boundary.

The weeds most commonly found were Privet (*Ligustrum* sp.), Green Cestrum (*Cestrum parqui*), Bridal Creeper (*Asparagus asparagoides*), and Horehound (*Marrubium vulgare*).

Other weeds found in lower frequency were St John's Wort (*Hypericum perforatum*), Sweet Briar (*Rosa rubiginosa*), and Scotch Broom (*Cytisus scoparius*).

No. 1 st Inspections	No. Re- inspections required	No.2 nd Inspections	No. Biosecurity Undertakings Accepted	No. Biosecurity Directions Issued	No. 3 rd Inspections
1	1	3	0	0	4

As the General Biosecurity Duty is tenure neutral, the inspections of Travelling Stock Reserves and Routes has been added to the quarterly high-risk pathways inspection timetable.

Spray Program

Priority for spraying has been given to the control of Horehound (*Marrubium vulgare*), and Bridal Creeper (*Asparagus asparagoides*) on roadsides within the Shire.

Biosecurity Matters

Biosecurity Act 2015

The Biosecurity Act 2015 commenced on Saturday 1 July. NSW DPI have released various policies, procedures and templates to be incorporated into council weed documentation. These documents are evolving as their practicality is tested using real situations.

In response to the commencement of the new Act, Council has been approached by John Holland Railway Pty Ltd to initiate correspondence in regards to the control of weeds on the railway corridors. This has resulted from the General Biosecurity Duty in the Biosecurity Act 2015 being tenure neutral, and is based on the principle that biosecurity is a shared responsibility between governments, industries and individuals. Under the Biosecurity Act 2015, owners and occupiers of public land have the same obligations as owners of private land. This is an improvement on the previous arrangements under the Noxious Weeds Act 1993 where private landholders and local control authorities had more onerous weed control obligations than other public land managers.

One significant different between the Noxious Weeds Act 1993 and the Biosecurity Act 2015 is the notice of entry requirement. Under the Noxious Weeds Act 1993, prior to the noxious weeds inspection, the Council was required to give the occupier/owner of the premises oral or written notice of the intention to enter the premises within a specified period. Under the Biosecurity Act 2015, notification of intent to entry a property is not required, and an authorised officer may enter any premises at any reasonable time for a purpose relevant to the functions of the authorised officer.

Although not a legal requirement, as a general act of courtesy, property owners will still be notified of scheduled inspections. This also gives property owners the opportunity to control any weeds that may be present on their property prior to inspection, as well as contact Council staff to arrange a specific date and time, if they wish to be present during the inspection.

Following a biosecurity inspection, property owners are able to submit a biosecurity undertaking to Council. A biosecurity undertaking is a formal agreement accepted by the authorised officer, given by the property owner who has contravened, is suspected to have contravened, or is likely to contravene a requirement imposed by or under the NSW Biosecurity Act 2015. If a biosecurity undertaking is contravened, the authorised officer may issue a biosecurity direction or take further enforcement action.

If a biosecurity undertaking is not submitted by the property owner, or is considered unacceptable by the authorised officer, Council will issue a biosecurity direction. A biosecurity direction is a notice given by an authorised officer, which has legal force. It specifies what is required to be done to prevent, eliminate or minimize a particular biosecurity risk or to enforce the requirements of the Biosecurity Act 2015. Non-compliance can attract prosecution and significant penalties.

Weeds Action Program (WAP)

The end of year reporting for the Weeds Action Program (WAP) for 2015-2020 was completed in July. All allocated funds were expended and all targets were achieved.

Environmental Matters

Galore Hill Scenic Reserve Biodiversity Study Project

Following the Galore Hill Biodiversity Field Day held in June, Council's Environmental Officer was invited to provide a presentation of the biodiversity study results to the Wagga Wagga Orchid Society. The society's general monthly meeting was held on 13 July, and 33 members attended the presentation. Many members are regular visitors to the Galore Hill Scenic Reserve, and although their primary focus is the native terrestrial orchids, members were amazed by all aspects of the biodiversity study. Through this presentation, many associations have been established, particularly in the identification of species, and the specific locations of previous sightings, which will be critical in future management plans for the reserve. This presentation was also a key milestone of the project obligations.

Best Management Practice of Roadside Reserve Corridors Project

Lockhart Shire Council in conjunction with Wagga Wagga City Council have been successful in applying to the Local Government NSW Council Roadside Reserves Environmental Grants Program for \$88 000 in grant funding. The grant program aims to help Councils work towards best practice roadside environmental management, and will allow the participating Councils to: engage a consultant to undertake a rapid assessment of the current roadside vegetation condition, and provide a mapping layer to illustrate this information; revise Council's Roadside Vegetation Management Plan, and have this adopted by Council; establish signs for areas of significant vegetation; develop templates and procedures for staff and contractors to use when working in significant vegetation areas; and provide training to staff that work within this space.

During July Council's Environmental Officer and Wagga Wagga City Council's Environmental Management Team Leader have been collaborating in the development of the Best Management Practice of Roadside Reserve Corridors Project Plan, required by Local Government NSW in early August. This plan will establish key milestones that will be delivered, as well as the deadlines for these deliveries.

Integrated Planning and Reporting Reference

C2.1 – Increase the amount of native flora, fauna and protect threatened species.

C2.2 – 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, the Biosecurity Act 2015 and associated regulations.

Budget and Financial Aspects

Will be conducted within Councils allocated budget.

Attachments

Nil.

Recommendation: That the information in this report be noted.

Notes:

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

4. ENGINEERING REPORT

(DEES/T10-005)

Executive Summary

Monthly report on engineering matters.

Background Information

(a) *Works Report:* Construction projects have now all been completed. Congratulations to all crews on a fantastic effort achieving a massive program in 2016/17, well done!

Three grader crews are all undertaking maintenance grading. Council is slightly behind scheduled maintenance grading due to a larger works program this year as all crews have been undertaking construction projects. It is envisaged that this will be caught up over the coming months before planned construction projects for 2017/18 are commenced.

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

Concrete crew is continuing with maintenance of footpaths, drainage structures, kerb and gutter as well as signs maintenance throughout the Shire.

The sealing of the path from The Rock to The Rock Hill Nature Reserve has been completed. Seats along the track will be installed shortly.

(b) *Flood Mitigation:* Refer to Major Projects update.

(c) *Road Safety Officer:* Nil to report.

(d) *Traffic Committee:* Nil to report.

(e) *Lockhart Local Emergency Management Committee:* Meeting was held on Friday, 16 June, 2017. The local EMP is almost complete with presentation to Council at the September 2017 meeting.

(f) *Fleet:* The emulsion tank was delivered at the end of June 2017. Staff are now obtaining quotes for plant replacement for the 2017/18 year.

Legislative Policy and Planning Implications

Nil.

Integrated Planning and Reporting Reference

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

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

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

Recommendation: That the information be noted.

Notes:

5. 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 is as follows:

- a) *Swimming Pools Upgrade:* Construction documents and engineering plans for The Rock pool buildings have been completed. Development Approval (DA) has been granted for the amenities upgrade at Lockhart pool, with The Rock pool currently being assessed. Council recently was advised it has been unsuccessful in gaining funding under the Building Better Regions Fund. Staff are looking at other funding opportunities.
- b) *The Rock Sewer Extension:* The Tender for the construction works has been advertised and The Tender closed 7 August 2017 with the review period 8 August to 21 August 2017. There has been strong interest in the project with seven tenders received. This is subject to a further report to Council.
- c) *The Rock STP Tertiary Ponds Upgrade:* The construction work and the plumbing of the pipe work on the new ponds has been completed. The security fencing is to be done in the next few months (weather permitting).
- d) *Demolition of Voluntary Purchase Properties:* Current grant funding allows for one more property to be purchased at each of Lockhart and The Rock in 2017/18. Negotiations with property owners and discussions with OEH regarding funding confirmation are currently taking place.
- e) *Flood Mitigation Construction:* It is expected that staff will call for tenders for the construction works for the Lockhart Levee by September 2017. There is some administration works remaining regarding Aboriginal Land Claim on the Commons that need to be completed before construction works can commence. The Rock Streven Street drainage works has been confirmed.

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 – total refurbishment costs estimated to be \$4.2M for both pools.
- ii) The Rock Sewer Extension – budget for stage 1 construction is \$1.25M.
- iii) The Rock STP Tertiary Ponds – fencing construction estimated \$25,000.
- iv) VP Demolition – Round 3 – purchase & demolition costs for both properties is anticipated to be \$420,000, with OEH to provide grant funding of approximately \$360,000.
- v) Flood Mitigation Construction – funding received for Lockhart Government dams is \$327,000. Funding requested for Streven Street is \$723,000. Construction budget for both projects is \$1.226M, with \$693,000 planned for 2017/18.

Attachment

Nil.

Recommendation: That the information be noted.

Notes:

6. PARKS AND GARDENS REPORT

(DEES/P10-005)

Executive Summary

Monthly report on parks and gardens.

Report

Walter Day Park

Landscaping of the new public toilet site has commenced with excavation of the site for granite paths to the 'At the Dance' and 'Nine Martyrs' and the extension of garden beds. 'At the Dance' has been relocated to its approximate location and work has begun on the corten steel retaining wall. Lockhart CWA and Red Cross have been contacted regarding the relocation of plaques and roses to new prominent positions within the refurbished rose gardens.

Sculpture Trail

The new granite and steel-edged path through Cowin Gardens is almost complete. The path links Green Street from the craft shop to the sculptures in Cowin Gardens and on to Walter Day Park. Some planting has also started, breaking up the large section of mulch running down Urana Street; as this planting establishes the need for mulch will be greatly reduced.

The Rock Skate Park

For the safety of users a pine log fence has been constructed along the front of the skate park to enforce the no parking zone. Some trees and simple landscaping will also be added to increase shade and create an inviting environment for families.

Trees

Annual pruning of street and park trees is mostly complete in Lockhart; The Rock tree program has commenced. Work in Yerong Creek and Pleasant Hills is also scheduled. Some replacement planting has also begun.

Parks and Gardens

Winter pruning of the shires rose gardens has commenced. Routine garden maintenance is being conducted including regular weeding, spraying, pruning, replacement planting and mulching.

Irrigation systems will be checked before the spring programs are set.

Mowing and Slashing

The winter slashing program is in progress, including streets, main roads and town entrances. Mowing and edging of most irrigated areas is being conducted as required due to the recent frosts significantly slowing growth.

Weed Control

Regular weed control is being conducted on Council property including hand spraying and weeding of gardens. Spraying lawns for broadleaf weeds has commenced.

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.

Notes:

7. GRAIN HARVEST MANAGEMENT SCHEME 2017-18

(DEES/R40-065)

Executive Summary

Update on the NSW Grain Harvest Management Scheme (GHMS) for 2017/18.

Report

Council previously resolved to trial the GHMS for the 2013/14, 2014/15, 2015/16 and 2016/17 harvest seasons from 1 November to 31 January.

In June 2013 Transport NSW brought out a paper for discussion of a proposed scheme to allow trucks to carry up to Concessional Mass Limit (CML) (5% increase in mass of loads carried) from 1 November to 31 January to increase productivity. The original proposal only allowed for semi-trailers and B-Doubles to participate.

At this time the REROC group of Councils agreed not to support the scheme for a number of reasons.

Industry has continued to lobby the State Government and an updated, and more relaxed, scheme was issued in July 2013. The revised scheme is now allowing:

- To run from 31 August to 31 May (increase of 6 months' duration each year)
- All truck types to carry up to CML (generally a minimum of 0.5t per vehicle), with some truck configurations up to 2.13t per vehicle more.
- No registration with the National Heavy Accreditation Scheme required
- Carriers now allowed to skim loads at the receiver sites.

The revised scheme was extended to 30 June 2016, includes a wider variety of grains, removed the National Heavy Vehicle Accreditation Scheme mass management requirement, and also removed the "three strikes you're out" clause. The scheme allows 15 truck configurations to use the scheme, which moves some 95+% of the grains in Lockhart Shire.

A review of the scheme was undertaken by Transport for NSW, which was received 21 August 2015. No further information or data has been provided since. There have been some updates provided with Councils due to regular advocacy by REROC.

The NSW Government has now extended the scheme for another 5 years until 30 June 2021, with 2 additional vehicles codes included, as well as the scheme will now run for 12 months of the year.

The GHMS was discussed recently at REROC Infrastructure Group meeting and most Councils have again agreed to participate in some way or form.

Council staff generally do not support any scheme which increases the mass of trucks on local roads. A truck which is carrying additional 0.5 tonnes does 1.6 times more damage to the road, and a truck carrying additional 2.13 tonnes are 8.4 times more damaging to the road network. This has cost implications to the road network not designed to carry this type of heavy haulage.

In addition, Councils bridges and culvert system are aging and recent load testing has indicated that all the structures tested (9 off) are unable to carry loads under the scheme. Staff are concerned about the capacity of these structures to carry additional weight and the potential liability to Engineering and Council staff in the event of damage or accident, if some restrictions are not applied to these structures. As reported at last month's Council Meeting staff will be applying for grant funding to upgrade these bridges/culverts.

Furthermore, the NSW Government has indicated in several forums to tie the GHMS with the Livestock Loading Scheme which allows load increase of up to 7.5% or Higher Mass Limits (HML). At present Lockhart Shire does not participate in the Livestock Loading Scheme.

The review recently provided has not demonstrated any benefit of the scheme to Council. Urana Shire received the most grain in 2014/15, which it is assumed would include grain from Lockhart Shire as a vast majority of grain is delivered either to Boree Creek or Oaklands silos, both located outside our Shire. Thus, although the report doesn't indicate this, heavier loaded trucks have travelled through our Shire. Staff do acknowledge that the scheme would provide a benefit to local grain producers.

As the manager of the roads asset it is also difficult to support any scheme where the safety of users of the assets is potentially compromised unless suitable funding is provided by the Government. Council may not see an immediate impact to our roads (i.e. potholes forming) but more likely see a quicker degradation of the life span of the pavements. The wet winter/spring last season has demonstrated the fragility of some of Council's road network.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

The scheme is being implemented through a Ministerial Order.

Budget and Financial Aspects

It is anticipated that the implementation of the scheme could result in additional costs to Council of \$1M/year in damage to roads over time.

Attachments

1. Letter from NSW Roads & Maritime Services received 30 June 2017.

Recommendation: That Council continues to participate in the Grain Harvest Management Scheme for 2017/18 grain harvest, from 1 November 2017 to 31 January 2018.

Notes:

Attachment 1. – Letter from NSW Roads & Maritime Services received 30 June 2017



Transport
Roads & Maritime
Services

File No:	R40-065
Log:	229912m -
NHVR REPLY REPORT	
SM	✓
OCCT	
Rec	30 JUN 2017
DEES	✓
ES	✓
BY	13/7/17

A17677783

Mr Rod Shaw
General Manager
Lockhart Shire Council
PO Box 21
Lockhart NSW 2656

Dear Mr Shaw

Grain Harvest Management Scheme

Thank you for your participation in the Grain Harvest Management Scheme for the 2016-17 grain harvest. A total of 47 councils and 22 Participating Grain Receivers participated in the scheme in this period. Access under the scheme is important in ensuring the scheme continues to provide significant benefits to regional communities through promoting the safe and productive movement of grain.

Your council's participation in the scheme expired on 31 of January 2017. To continue your participation, a new road manager consent is required. There are two options to participate:

1. You may decide to continue to participate in the scheme through completing and emailing the enclosed NHVR road manager consent form directly to grainscheme@rms.nsw.gov.au.
2. You may decide to participate in the scheme with road and/or travel conditions. Please complete and email the enclosed NHVR road manager consent form detailing the conditions and reason for your conditions directly to grainscheme@rms.nsw.gov.au.

Alternatively, if you decide not to continue to be part of the scheme please advise of your consent denial by completing the enclosed NHVR road manager consent form including the reason for your decision directly to grainscheme@rms.nsw.gov.au.

If you have any questions, please contact Mr Michael Wills, Senior Manager Network Management, Freight Branch on (02) 8837 0992 or grainscheme@rms.nsw.gov.au. Further information on the scheme is also available at: <http://www.rms.nsw.gov.au/business-industry/heavy-vehicles/grain-transport.html>.

Thank you for your continued support of this important initiative.

Yours sincerely

Susie Mackay
A/General Manager
Freight Branch

Roads and Maritime Services

110 George Street Parramatta NSW 2150 | PO Box 3035 Parramatta NSW 2124 | www.rms.nsw.gov.au | 1300 782 230

8. SUPPLY OF ENVIRO ONE SEWER PUMP UNITS

(DEES/S15-041)

Executive Summary

Lockhart Shire Council is to supply the onsite sewer pump units as part of the low pressure The Rock East Sewer Extension project.

Report

Tenders have been called and received for construction of the low pressure The Rock East Sewer Extension project. A requirement of the specification is for Lockhart Shire Council to supply the onsite sewer pump units as part of the project that are located at each individual property that is connected to the low-pressure sewer system.

The Local Government Act 1993 requires for Contract (or supply orders) over \$150,000 Council must invite tenders, unless as stated in Clause 55 (3) (i) that a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.

There are two main suppliers/distributors of suitable onsite sewer pump units for low pressure sewer systems in Australia. One supplier/distributor is Enviro Ones (known as E-One's), being Enviro One Services & Installation in Queensland. Second being Aquatec Fluid Systems in Victoria. Inviting tenders for the supply of onsite sewer pump units for low pressure sewer systems will not result in a better outcome than staff obtaining quotes directly from these two main suppliers.

It should be noted that Council currently uses Enviro One's sewer pump units in Yerong Creek as well as its Industrial Park in Lockhart. To-date Council has had no issues with Enviro One's, staff are familiar with them and Wagga Wagga City Council (WWCC) has advised it is still able to assist/service these units if needed.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

s55 of Local Government Act 1993.

Budget and Financial Aspects

Budget allowance for the supply of the pump units and associated accessories of \$200,000.

Attachments

1. Letter from Enviro One Services and Installations dated 3 August 2017.

Recommendation: That Council:

- a) does not invite tenders for the supply of onsite sewer pump units for the low pressure The Rock East Sewer Extension project due to lack of competition in the supply market; and
- b) obtains quotes directly from the two main suppliers for the supply of onsite sewer pump units for the low pressure The Rock East Sewer Extension project.

Notes:

Attachment 1. – Letter from Enviro One Services and Installations dated 3 August 2017

Directors: P.R. Williams & L.S. Williams
ABN 24 166 594 663

Enviro One

Services & Installations

3 August 2017

The Project Officer
Att: Mr John Geppert
Lockhart Shire Council
NSW 2656

Good Day John

E/ONE PRODUCT DISTRIBUTION

We confirm that Enviro One Services is the sole distributor for the E/One Low Pressure Sewer Product line within Australia and we strive to provide the best support for our product at all times.

Trust this is in order.

Thank You



PAUL WILLIAMS
DIRECTOR – ENVIRO ONE

9. REQUEST TO WAIVE FEES

(GM/DA3-18)

Executive Summary

Request by Woodlea Ag Enterprises for Council to waive section 94A fees.

Report

Woodlea Ag Enterprises recently submitted a Development Application (DA) for grain storage facility on one of its properties for which it is required to pay \$5,000 Section 94A contribution in accordance with Council policy as approved at Council's Meeting of 22 June 2015.

Woodlea Ag Enterprises has written claiming as the project is sustainable and see no future provisional requirements for Council to provide public facilities and services as a consequence of the new development and now requests Council to consider waiving the fees.

In making its decision, Council should be aware of the purpose it introduced the levy. In line with our efforts to increase economic activity in the Shire, the levy is payable on development applications to build up a fund for future public infrastructure projects throughout the shire. Any waiving of the levy reduces Council's capacity to fund those future infrastructure projects. The s94A Plan is a contribution based on the cost of the development, which in this case is set at 1%. The development proposed by Woodlea Ag Enterprises does not fall under an exemption as specified in the Plan.

It should be noted that Woodlea Ag Enterprises is a for profit business and waiving of any fee may set a precedent.

Integrated Planning and Reporting Reference

D3.2.1b - Continue to administer and review Council's Developer Contributions Plan.

Legislative Policy and Planning Implications

S94 of EP&A Act 1979.

Budget and Financial Aspects

Loss of \$5,000 levy fees.

Attachments

1. Letter dated 31 July 2017 from Woodlea Ag Enterprises.

Recommendation: That Council does not waive the s94A contribution fees to Woodlea Ag Enterprises.

Notes:

Attachment 1. – Letter dated 31 July 2017 from Woodlea Ag Enterprises

“Woodlea”
LOCKHART NSW 2656
accounts@woodleaag.net.au



31st July 2017

Lockhart Shire Council
PO Box 21
LOCKHART NSW 2656

File No:	DA3118
Lot:	23414
INFO REPLY REPORT	
GM	
DCCS	sw 4/8/17
Rec'd	4 AUG
DEES	
MES	✓ 4/8/17
HR	
FDO	

To the General Manager,

RE: Development Application-DA3/18

We write in reference to the recent Development Application fee calculation received from the Lockhart Shire Council. The Development Application relates to a proposed Grain Storage Facility on Long Park Road, Lockhart, on Lot 16 DP756438.

The Development Application fee totals \$9,830 based on an estimated Capital Works project of \$500,000. We understand the Development Application, Construction Certificate, Long Service Levy and other fees totaling \$4,830 relate directly to costs incurred by Council.

The Calculation also includes a Section 94A Contributions fee of \$5,000. We understand this fee is a Contribution based on the project value and is a directive, which does have exemptions. We seek Councils consideration and a revision of this fee.

This project is sustainable and we see no future provisional requirements for Council to provide public facilities and services as a consequence of the new development.

We are commitment to investing in the future of farming in the Lockhart Shire and deem this project reflective of this. This project aims to provide increased financial benefits, through the ability to increase profit, which will have a positive impact on economic growth, locally.

We thank Alan Gundrill and Birgit Ronfeldt for their time and commitment in discussing this matter and we look forward to a favorable outcome.

Kind Regards

A handwritten signature in black ink, appearing to read 'Steven Day', with a long, wavy underline.

Steven Day
Woodlea Ag Enterprises

10. DEVELOPMENT APPLICATIONS

(MES/P25-010)

Executive Summary

Monthly report on development applications approved by the Council.

Report

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

DA No	Development	Applicant/Owner	Site of Development
45/17	Installation of a manufactured home	P & D Creek	7 Bond Street, Lockhart
50/17	New steel dwelling, Colorbond cladding.	M O'Grady	417 Vincents Rd, The Rock
1/18	Alterations & additions to kitchen	RV & JA Gooden	27 Green St, Lockhart
2/18	Refurbishments of toilets & extension.	Lockhart Preschool Kindergarten Inc.	18 Day 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.

Notes:

11. DEVELOPMENT APPLICATION – CONSOLIDATION OF LOTS 33-39 URANA STREET, LOCKHART

(MES/P25-0190)

Executive Summary

A development application has been lodged for the consolidation of lots at 33-39 Urana Street, Lockhart, which is the current site of the Greens Gonyah Museum and Doris Golder Gallery – and owned by the Lockhart Council.

Report

The Lockhart & District Historical Society operate the Greens Gonyah Museum and Doris Golder Gallery – a significant community asset located in Urana Street in Lockhart. Recently, the Historical Society have acquired access to the adjoining Billabong Motors building and plan to undertake significant refurbishment and obtain consent to change the use of the building, which was originally erected as a garage/workshop, to eventually gain additional exhibition space.

The land on which the Museum operates is owned by the Lockhart Council, and is managed by the Historical Society under delegation by s. 355 of the Local Government Act 1993. As such, Council's consent is required for any works.

As part of a significant refurbishment to the site, the Historical Society have lodged a development application for subdivision, to consolidate many of the existing lots into one new lot, with the intention of easing mandatory restrictions on construction and fire safety measures, applied by the Building Code of Australia.

The application seeks consent to consolidate lots 1-7 of deposited plan 4749, thereby creating one new lot of approximately 3,230m². Council staff have assessed the application under delegation, and deemed that it meets the development standards of the Environmental Planning & Assessment Act 1979, including review of environmental factors under Section 79C, as well as those set by the Lockhart Local Environmental Plan 2012. A recommendation is presented later in this report for Council's consideration.

Fees paid for by the Historical Society for lodgement of the application may be refunded by the Council, under Policy 2.36 – Refund of fees to Community Organisations. The policy provides that *'Council will refund by way of equal donation any fees listed in Council's Management Plan which would otherwise be retained by Council with respect to development applications lodged by or on behalf of community-based not-for-profit organisations in Lockhart Shire'*. The fees incurred by lodgement of this application come to \$415, which have been paid for by the Historical Society. A recommendation for Council's consideration is presented later in this report.

Meanwhile, in correspondence supporting their development application (attached), the Historical Society have requested that Council consider paying the costs involved in consolidating the lots, including fees for surveyors, solicitors, and lodgement of amended deposited plans. These costs are estimated to total \$2,500, however with the easing of building code restrictions for accessible amenities and fire safety compliance, the potential cost savings could be in the value of \$30,000. A recommendation for Council's consideration is included in this report.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Applications are processed under the provisions of the Environmental Planning & Assessment Act 1979, and may be approved by Council's Environmental Services staff under delegation.

Fees paid for by the Historical Society for lodgement of the application may be refunded by the Council, under Policy 2.36 – Refund of fees to Community Organisations.

Budget & Financial Aspects

Council includes an annual allocation in its budget for contributions to community groups and individuals pursuant to Section 356 of the Local Government Act, and fees and costs incurred by the lodgement of the application may be covered by this allocation.

Attachments

1. Plan of proposed subdivision.
2. Letter supporting application for subdivision.
3. Letter requesting refund of development related fees.

Recommendation: That Council:


- a) grant consent for Council staff to approve the Development Application under delegation; and
- b) refund the development application fees paid by the applicant, as prescribed by Policy 2.36 – Refund of fees to Community Organisations; and
- c) agree to cover the costs of the consolidation, including payment of solicitor's fees and costs for registration of deposited plans.

Notes:

Attachment 1. – Plan of Proposed Subdivision

Lockhart & District Historical Society - Plan of subdivision for consolidation of allotments, 33-39 Urana Street, Lockhart NSW



 Proposed new Lot 1

Attachment 2. - Letter Supporting Application for Subdivision

Lockhart & District Historical Society

The Greens Gonyah Museum and The Doris Golder Gallery

Cnr. Green & Urana Street, Lockhart. NSW
P.O. Box 42 Lockhart, 2656

President: Heather Trevaskis 02 69204758 AH
Secretary Paul Creek 02 69207252, 0429 207252
Treasurer: David Read Ph/Fax 69204208

Mr Peter Veneris
General Manager,
Lockhart Shire Council
Green Street
Lockhart 2656

File No:	H15-010
Log:	23205
INFO REPLY REPORT	
GM	
DCCS	
Rec'd	26 JUL 2017
DEES	
MES	
HR	
TEDO	

26/7/17
26/7/17

Dear Peter,

Re: Museum – Billabong building redevelopment

The Council, on behalf of the Society, recently applied for a large grant to redevelop the Billabong building through NSW Liquor and Gaming. This was a substantial grant and if successful will see the building become a wonderful asset for Lockhart and district. However, if this particular grant is not successful we have had to work on a plan B.

At the moment we are hoping to apply for a smaller grant which concentrates on the absolute bare essentials the building will require to operate as part of the museum complex. However, this grant will not include the redevelopment of the two toilets in the building which must be upgraded to meet present regulations of disabled toilet and ambulant one.

We have been informed that if the Billabong building Lots could be consolidated with the two Lots that the new museum building is situated on we may not need to redevelop the toilets in the billabong building to the same degree. Of course the other Lots with the older building could also be included in this process which would be of benefit to all if future development were to take place.

We were hoping that Council could advise us on the costs and probability of this process being able to take place. We will then be in a position to further plan grant applications to cover toilet renovations if they are required.

Thank you for your consideration of this problem.

Yours faithfully,



Heather Trevaskis
President
25th July, 2017

Attachment 3. – Letter Requesting Refund of Development Related Fees

Lockhart & District Historical Society

The Greens Gonyah Museum and The Doris Golder Gallery

President: Heather Trevaskis 02 69204758 AH
Secretary: Paul Creek 02 69207252, 0429 207252
Treasurer: David Read Ph/Fax 69204208

Mr David Webb
Acting General Manager,
Lockhart Shire Council
Green Street
Lockhart 2656

Dear David,

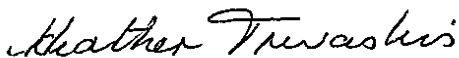
Re: Museum – Billabong building redevelopment

Thank you for your recent letter concerning the consolidation of LOTS and the associated fees.

On behalf of the Society I wish to request that the Society be refunded the \$415.00 fee for the development application concerning the consolidation. I would also request that Council look favourably on covering the legal costs associated with these consolidations.

Thank you for your consideration of this matter.

Yours faithfully,



Heather Trevaskis
President
6th August 2017

File No: P25-005
Cnr. Green & Brana Street, Lockhart, NSW
P.O. Box 100, Lockhart, NSW #:
GM
DCCS
Rec: - 8 AUG 2017
REES
RES
R

STRATEGIC DIRECTION E: Strong Leadership and Governance

12. STATEMENT OF FUNDS FOR JULY 2017

(DCCS/F10-010)

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

Statement of Funds as at:	31 July 2017	
Combined Bank Accounts:		\$
Bank Balance as at:	1 July 2017	958,273.01
Plus: Receipts to:		
Rates receipts bank 2 & 5	47,772.58	
Sundry Debtor receipts	103,472.20	
Galore Hill Trust Interest	3.89	
Investments redeemed	1,000,000.00	
Interest on Investment	4,703.39	
DEFT transfer	470,000.00	
Sale 4 Carson Rd, The Rock	85,480.60	
Other receipts	42,799.21	
Total receipts for month		1,754,231.87
		<u>2,712,504.88</u>
Less: Payments for Month less Canc. Chqs		1,383,755.18
New Term Deposits		600,000.00
Current Bank Balance		<u>728,749.70</u>

Investments:	Interest Rate per Annum	Amount Invested	% of Total
Bankwest	2.50	250,000.00	3.94%
Bankwest	2.45	250,000.00	3.94%
Bankwest	2.45	500,000.00	7.87%
BENDIGO	2.15	250,000.00	3.94%
BENDIGO	2.00	250,000.00	3.94%
BENDIGO	2.25	500,000.00	7.87%
BENDIGO	2.20	250,000.00	3.94%
Curve Securitys/AMP	2.25	250,000.00	3.94%
IMB Limited	2.50	250,000.00	3.94%
IMB Limited	2.55	300,000.00	4.72%
IMB Limited	2.55	500,000.00	7.87%
NAB	2.25	250,000.00	3.94%
NAB	2.48	500,000.00	7.87%
NAB	2.48	300,000.00	4.72%
Rim AMP	2.50	250,000.00	3.94%
RIM AMP	2.25	400,000.00	6.30%
RIM-amp	2.25	500,000.00	7.87%
TCORP	At Call	600,000.00	9.45%
		<u>6,350,000.00</u>	
TOTAL FUNDS HELD ARE:		<u>7,078,749.70</u>	100.00%

These funds are comprised as follows:

	CURRENT A/C	INVESTMENTS	TOTAL
General Fund	-519,019.65	5,389,035.51	4,870,015.86
Combined Sewerage	1,216,209.48	960,964.49	2,177,173.97
Galore Hill Trust Fund	31,559.87	0.00	31,559.87
	<u>728,749.70</u>	<u>6,350,000.00</u>	<u>7,078,749.70</u>

RESERVES	Externally Restricted	2,208,733.84
	Internally Restricted	4,141,266.16
	Unrestricted	728,749.70
		<u>7,078,749.70</u>

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
11 August 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 July 2017 be received.

Notes:

13. FINANCIAL STATEMENTS – 2016-2017 AUDIT

(DCCS/F10-010)

Executive Summary

Council's Draft Financial Statements for the 2016/2017 Financial Year are being completed. Section 413(1) of the Local Government Act requires a resolution of the Council that Council must prepare financial reports for each year, and that the Financial Statements be referred for audit.

Report

Council's Draft Financial Statements for the 2016/2017 Financial Year are being prepared. Section 413(1) of the Local Government Act requires a resolution of the Council that Council must prepare financial reports for each year, and that the Financial Statements be referred for audit.

413 Preparation of financial reports

- (1) A council must prepare financial reports for each year, and must refer them for audit as soon as practicable (having regard to the requirements of section 416 (1)) after the end of that year.

Note: Under section 416 (1), a council's financial reports for a year must be prepared and audited within 4 months after the end of the year concerned, and under section 428 (2) (a) the audited financial reports must be included in the council's annual report.

Final accounts (pre-signing) will be reported to the October council meeting. Presentation of Audited Statements for the 2016-17 financial year to the public and with auditor in attendance at November 2017 council meeting.

Integrated Planning and Reporting Reference

Section 404 of the Act requires Council to prepare an Annual Report. The Annual Report must contain the Council's Audited Financial Statements and notes.

Legislative Policy & Planning Implications

Under section 416 (1), a council's financial reports for a year must be prepared and audited within 4 months after the end of the year concerned, and under section 428 (2) (a) the audited financial reports must be included in the council's annual report.

Budget & Financial Aspects

Budget allocated is \$27,000.

Attachments

Nil.

Recommendation: That:

- a) the Draft 2016/2017 Financial Statements be referred to Crowe Horwarth, as audit agent for the NSW Audit Office, for audit; and
- b) Council delegate authority to the General Manager to authorise the accounts for issue to the Office of Local Government on the date of receipt of the audit report.

Notes:

14. LGNSW 2017 ANNUAL CONFERENCE

(GM/S20-005)

Executive Summary

Advice has been received from LGNSW regarding the 2017 Annual Conference. Council is required to determine its voting delegate and other attendees to the Conference.

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. The date is later than usual to accommodate council elections being held in September for some local government areas.

Last year Council resolved that the attendees to the 2016 LGNSW Annual Conference be Cr Schirmer, Cr Day and the General Manager. The Mayor was Council's voting delegate at the Conference. In 2016 Council also agreed that the outgoing Mayor, Peter Yates, attend the Conference dinner to receive a Certificate of Service for his contribution to local government for a period of over 17 years. In addition, it is noted that Councillor Verdon usually attends the Conference as a delegate of Riverina Water.

All conference attendees will be invited to register online from August on the LGNSW website.

Separate from Conference registration, Councils must also register their delegates for voting on motions during the formal business sessions and to vote for the Board.

At a date to be confirmed by the Australian Electoral Commission (AEC), the AEC will issue an election notice inviting nominations for Office Bearers and the LGNSW Board.

Member Councils are also now invited to submit motions to be considered at the Conference. The closing date for the submission of motions is 9 October 2017. The Board has resolved that motions will be included in the Business Paper for the Conference only where they:

- Are consistent with the objects of the Association;
- Relate to local government in NSW and/or across Australia;
- Concern or are likely to concern local government as a sector;
- Seek to advance the local government policy agenda of the Association and/or improve governance of the Association;
- Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
- Are clearly worded and unambiguous in nature; and
- Do not express preference for one or several members over one or several other members.

Integrated Planning and Reporting Reference

E3.2.2 - Continue to lead and advocate on key social and community issues.

E3.3.2 - Ensure Council staff and Councillors participate regularly in professional development to support high quality customer service and professional skills.

Legislative Policy & Planning Implications

The LGNSW Annual Conference is the annual policy-making event for all NSW councils.

Budget & Financial Aspects

Annual Conference costs are provided for in the 2017/18 Budget, except for any partner costs not covered by Council's policy, which will be on-charged, if applicable.

Attachment

Nil.

Recommendation: That Council determine:

- a) Its voting delegate for the voting on policy motions at the 2017 LGNSW Annual Conference; and
- b) Its voting delegate for the election of office bearers and the LGNSW Board; and
- c) Any other attendees to the Annual Conference.

Notes:

15. SUMMARY OF CUSTOMER REQUESTS REPORT

(DEES/C98-005)

Executive Summary

Summary of customer requests received by Council.

Report

Council receives customer requests for numerous reasons such as road repairs, stormwater issues, trees, noisy dogs, new garbage bins and burials. Council has a system to collect and monitor where any request may be up to at any time, assess for trends, as well as look at response times.

Customer requests are monitored weekly with most requests dealt with in a timely manner.

Customer Requests for the April to June 2017 Quarter have trended down slightly on number of requests. This could be the result of the drier winter to date.

Integrated Planning and Reporting Reference

E2 – Accessible and responsive service delivery.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Included in annual operational budget.

Attachments

1. Summary of Customer Requests Report as at 30 June 2017.

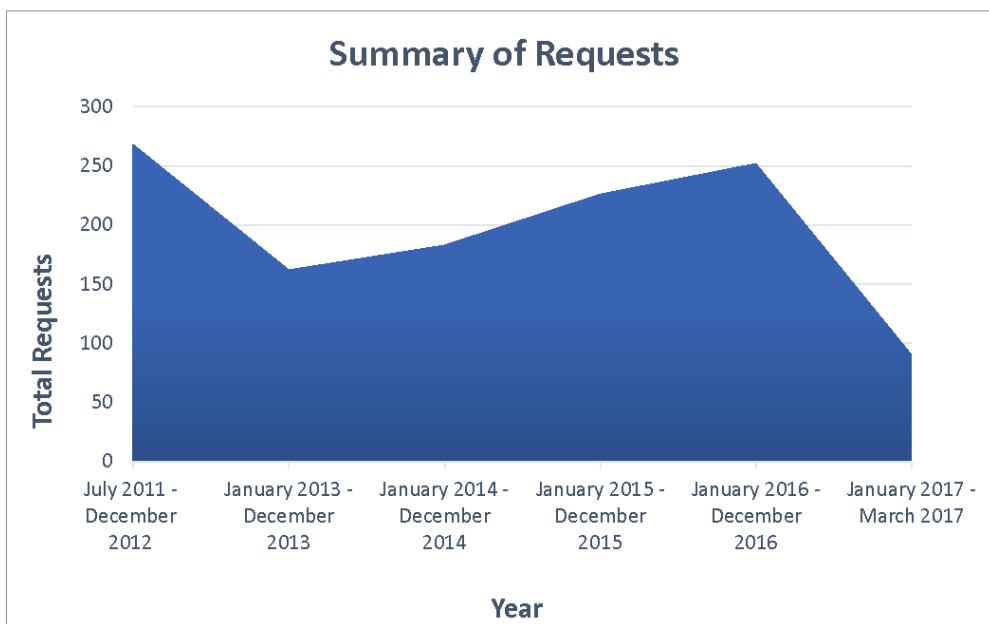
Recommendation: For Council's information.

Notes:

Attachment 1. – Summary of Customer Requests Report as at 30 June 2017

Summary of Requests Lodged

Year	Period	Total Requests
July 2011 - December 2012	18 months	268
January 2013 - December 2013	12 months	162
January 2014 - December 2014	12 months	183
January 2015 - December 2015	12 months	226
January 2016 - December 2016	12 months	252
January 2017 - March 2017	6 months	90



SERVICE TYPE - April 2017 to June 2017

Dogs	10
Overgrown/Untidy Allotments	1
Back Lanes	1
Bins	6
Burials	3
Drainage	1
Roads - Rural Unsealed	8
Roads - Rural Sealed	1
Trees	1
Application for Rural Addressing Post	1
Kerbs and Gutter	1
Sewerage	2
Public Toilets	2
Noise	1
Cemeteries	4
TOTAL	43

Questions and Statements

Nil.

Closed Session Agenda

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

16. LOCKHART AND THE ROCK POOL CONTRACTOR – 2017/18 SEASON (GM/S55-010, S55-020)

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

17. TENDER – HEAVY COMBINATION TRUCKS (DEES/T20-010)

This item is classified CONFIDENTIAL under section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

18. TENDER – THE ROCK SEWER EXTENSION PROJECT (DEES/T20-005)

This item is classified CONFIDENTIAL under section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

19. TENDER – WASTE CONTRACT (DEES/T20-005)

This item is classified CONFIDENTIAL under section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.