



BUSINESS PAPER

**of the
Ordinary Meeting
Held
19 August 2019**

**COUNCILLORS PLEASE NOTE:
SCCF ROUND 3 WORKSHOP WILL COMMENCE AT
4.00PM**

**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

0:\2019-20\General Manager\C70-005 Council Committees General\Business Papers\August 2019\August 2019 Business Papers.doc

14 August 2019

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, 19 August 2019** commencing at **5.00pm**.

The Order of Business will be as shown overleaf.

The Council meeting will be preceded by a Stronger Country Communities Fund – Round 3 Workshop commencing at 4.00pm.

Please note that Mrs Myra Jenkyn has requested the opportunity to address Council in relation to the Lockhart Railway Station.

Yours faithfully



Peter Veneris
GENERAL MANAGER

Order of Business

Opening with a Prayer	
Apologies Crs G. Driscoll, P. Sharp and M. Day for August 2019	
Leave of Absence	
Confirmation of Minutes of the Ordinary Meeting 15 July 2019	
Declarations of Pecuniary & Non-Pecuniary Interest	
Mayoral Minute/Report	Page 6
Urgent Matters	Page 6
Notice of Motion	Page 6
Committee Reports	
1. Tourism/Economic Development Steering Committee (TEDSC) Meeting Report – 2 July 2019	Page 7
Delegates Reports	
1. Riverina Joint Organisation (RIVJO) – 8 August 2019 at Wagga Wagga	Page 11
2. Riverina Eastern Regional Organisation of Councils (REROC) – 8 August 2019 at Wagga Wagga.....	Page 11
Status Report/Précis of Correspondence Issued	Page 13
Staff Reports	
A. <u>A Connected and Resilient Community</u>	
1. Round 3 – Stronger Country Communities Fund.....	Page 24
2. Riverina Antique Bottles & Collectables Fair – Request for Financial Assistance.....	Page 26
3. Lockhart Bowling Club – Request for Financial Assistance.....	Page 29
4. Pleasant Hills Water Filling Station	Page 31
5. Independent Living Units and Aged Care Accommodation	Page 33
6. Lockhart Showground and Racecourse Toilets	Page 34
7. Youth Activities Report.....	Page 38
B. <u>A Dynamic and Prosperous Economy</u>	
8. Lockhart Caravan Park	Page 41
9. Lockhart Renewable Energy Project.....	Page 44
C. <u>An Environment that is Respected and Protected</u>	
10. Biosecurity and Environmental Report.....	Page 47

D. Infrastructure for the Long Term Needs of the Community

- 11. Engineering Report Page 49
- 12. Major Projects Update – August 2019 Page 50
- 13. Parks and Gardens Report Page 51
- 14. Fixing Country Roads Grant Funding Program..... Page 53
- 15. Development Applications..... Page 56

E. Strong Leadership and Governance

- 16. Investment and Bank Balances Report – 31 July 2019 Page 57
- 17. Unspent Expenditure to be revoted to the 2019/2020 Budget..... Page 58
- 18. Internal Restrictions Page 59
- 19. Community Engagement Strategy Page 61
- 20. IPART Review of the Local Government Rating System..... Page 80
- 21. Policy 2.31 Procurement Policy Page 96
- 22. Resignation of Director Engineering and Environmental Services Page 104
- 23. Audit Office of NSW – Local Government Performance Audits Page 105

Questions & Statements Page 109

Consideration of Business in Closed Session

- 24. Purchase Offer – Lots 21 and 22 Bond Street, Lockhart Page 109

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.

- 25. Tender – Supply of Motor Grader Page 109

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.

- 26. Tender – Supply of Skid Steer Loader and Attachments..... Page 109

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.

- 27. Tender – Winning and Crushing of Gravel..... Page 109

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

Mayoral Minute

Nil.

Mayoral Report

To be presented at the meeting.

Urgent Matters

Nil.

Notice of Motion

Nil.

Committee Reports

1. TOURISM/ECONOMIC DEVELOPMENT OFFICER REPORT

(TEDO/T26-005)

MINUTES OF THE TOURISM/ECONOMIC DEVELOPMENT STEERING COMMITTEE (TEDSC) MEETING OF LOCKHART SHIRE COUNCIL HELD AT LOCKHART COUNCIL OFFICES ON TUESDAY, 6 AUGUST 2019 COMMENCING AT 6.05PM.

PRESENT

Mrs Myra Jenkyn, Mrs Raeleen Pfeiffer, Councillor Derek Douglas, Mr John Holstein, Mr Greg Smith, Tourism/Economic Development Officer (Jennifer Connor).

APOLOGIES

Councillor Gail Driscoll, Ms Sandra Johnstone.

LEAVE OF ABSENCE

Raeleen Pfeiffer.

PERCURINARY INTEREST

Nil.

CONFIRMATION OF MINUTES

The minutes of the Meeting held Tuesday, 2 July 2019, as printed and circulated, be taken as read and confirmed on the Motion of Myra Jenkyn, seconded John Holstein.

1. Public Art Projects

Yerong Creek Water Tower Mural: Yerong Creek Progress Association are awaiting the outcome of a grant application.

Milbrulong Water Tower Mural: The TEDO is continuing to seek funding and is liaising regarding the design submission.

Recommendation: That the information be noted.

Notes:

2. Lockhart Photo Competition

With a record number of entries, judging for this year's Love Lockhart Shire Photo Competition was tougher than ever before. The judges advised there were a number of stand-out entries, with images portraying powerful and authentic local stories. Techniques including wonderful detail, tone, composition and artistic interpretation caught the attention of the judges and the top photographs were divided by very minute differences.

The judges noted there were very promising entries, and suggested a photographic workshop next year with an opportunity to review attendee photographs and discuss photography techniques would really push some of the entries to the next level.

More than 100 entries from the competition will be displayed electronically at The Rock Hall & Museum during the Wagga Rugby Choir evening in late August, with printed copies to be displayed in the new Showroom Gallery in Greens Gonyah Museum during the Spirit of the Land Festival in October. The photos will also be used to promote our beautiful Shire on an ongoing basis.

Recommendation: That the information be noted.

Notes:

3. Business Support

This year's annual Business Survey includes questions relevant to the Lockhart Shire business gap analysis to assist with determining what complementary products or services not currently available locally would benefit customers and enhance the offerings and profits of existing businesses. The resulting information will be used to promote business opportunities in Lockhart Shire to new and existing businesses.

Recommendation: That the information be noted.

Notes:

4. Lockhart Shire Visitor Brochure

The TEDO has been in touch with Murrumbidgee Council regarding the opportunity for a joint tourism brochure and following discussions with their Tourism & Economic Development Officer is waiting to hear back from the Economic and Tourism Advisory Group to see if they'd like to explore this opportunity.

Recommendation: That the information be noted.

Notes:

5. The Rock Hill

The TEDO and the Director of Engineering, along with Cr Greg Verdon and Cr James Walker, will be meeting with NPWS Area Manager of 14 August 2019 to discuss visitor management of The Rock Nature Reserve.

New directional signage and a new traffic counter were being installed to assist visitors and to record vehicle numbers.

Recommendation: That the information be noted.

Notes:

6. Tim Fischer Statue/Lockhart Railway Station

The TEDSC discussed the proposed Tim Fischer project currently being driven by Lockhart Progress Association and noted strong support from the Committee for the project. The issue of a suitable location was raised noting the Lockhart Railway Station land is not owned by Council and may be problematic however this issue would be addressed by Council at a future date subject to successful funding for the project.

Discussion moved on to the Lockhart Railway Station building and the growing trend for train journey experiences such as the recent event organised by Lachlan Valley Railway (LVR) and Tim Fischer. There may be great scope for trips like this on a regular basis in future years and the possibility of bimonthly rail journeys from The Rock, Albury and Wagga should not be discounted. The Lockhart Railway Station building would be an important part of this experience, providing the opportunity for visitors to disembark in a setting with historical appeal prior to spending quality time in our town visiting shops and attractions.

In addition, the TEDSC were concerned for its future noting the potential for greater community or commercial use has not been put out to the wider community. Myra Jenkyn advised the Committee that she has requested through the General Manager an audience with Council regarding the long term preservation of the building, which the TEDSC supported.

Recommendation: That subject to agreement by the authorised managers of the Lockhart Railway Station, expressions of interest for community or commercial purposes be sought from the wider community for the Lockhart Railway Station building.

Notes:

7. Value of Tourism

The TEDSC distributed a copy of a recent snapshot released by Destination Riverina Murray outlining the importance of tourism to the region.

The information shows:

- Annual visitor spend in the Riverina Murray is \$1.5 billion
- The visitor spend in the Riverina Murray is \$4.6 million per day
- Tourism is the second largest NSW industry behind Mining
- Visitor spend in 2018 increased by 30.6% in comparison to the previous year
- The Riverina is experiencing a higher portion of the visitor spend than Murray.
- Over 78% of tourism job vacancies are filled by local residents.

This information is very useful and the TEDO will utilise in funding and business opportunities where possible. The information also emphasises the importance of Tourism to Lockhart Shire and underlines the need to continue driving tourism based projects.

Recommendation: That the information be noted.

Notes:

8. Lockhart Visitor Information Centre (VIC)

The TEDSC advised the application for Level 2 Accreditation at Lockhart Visitor Information Centre was successful. With an aim for this accreditation by 2021, this is a fantastic result. The TEDO has worked with Lockhart & District Historical Society over the past twelve months to ensure Lockhart retain their VIC symbol as Level 3 accreditation is phased out. As a result, the Lockhart Visitor Information Centre will feature in the annual printed NSW VIC booklet and our profile will be raised online.

Recommendation: That the information be noted.

Notes:

9. Project Updates

The TEDO provided an update on ongoing projects as follows:

Tourism Signs	The TEDO will be meeting with the relevant Town Progress Associations/Committees regarding wording and images for the new tourism signs during August and September.
Lockhart & District Historical Society	Planning an official opening in October 2019 prior to the Spirit of the Land Festival.
Yerong Creek Progress Association	Are working on a number of economic drivers for their community including two potential events.
The Rock Museum	The committee are continuing to work on the layout of exhibits in the upper floor of the museum. They are holding a fundraising event with the Wagga City Rugby Male Choir performing on 31 August.
Partnership Advertising	Marketing campaigns with Thrive Riverina and Wagga Wagga City Council are continuing, as is ongoing monthly advertising promotions. The new Riverina tourism website is doing very well. Potential for cross promotions with Greater Hume, Murrumbidgee and Federation Council are being investigated. The new Newell Highway brochure is in the process of being printed.

The next TEDSC meeting will be held at Yerong Creek Bowling Club on Tuesday 3 September 2019 at 6:30pm.

Recommendation: That the report be received and noted.

Notes:

Delegates' Reports

1. RIVERINA JOINT ORGANISATION (RIVJO) – 8 AUGUST 2019 AT WAGGA WAGGA

I together with the General Manager attended a meeting of RIVJO in Wagga on 8 August 2019.

- At a meeting of JO Chairs the Minister for Local Government announced that a one-off grant of \$150,000 per JO would be made for the current financial year. The funding is to be for a project aligned to the Strategic Priorities. At the time of the JO meeting the funding guidelines had not been released. It was resolved to convene a meeting of the JO Working Party to determine the project(s) that the Riverina JO will submit for funding.
- A number of activities in the Riverina JO's Regional Priorities document are aimed at youth and consideration is given as to whether a project could be developed for submitting under the Stronger Country Communities Fund Program.
- In terms of advocacy and lobbying the JO has made representations in relation to:
 - Developer contributions for State Significant Development;
 - Increases in the Emergency Services Levy;
 - Mandatory webcasting of Council meetings;
 - The IPART Review into Local Government election costs.
 - Recruitment and retention of GPs in the Murrumbidgee Health District
- A number of governance and compliance matters were dealt with including:
 - Adoption of a GIPA Information Guide;
 - Completion of the Engagement and Communication Plan; and
 - Including a Register of Contracts section on the JO website in accordance with the GIPA Act;
- The Financial Statements for the JO were endorsed for forwarding to the Auditor.

2. RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) – 8 AUGUST 2019 AT WAGGA WAGGA

I together with the General Manager attended a meeting of REROC in Wagga on 8 August 2019.

Key outcomes from the meeting included the following:

- The Take Charge Riverina Youth Leadership Forum is being organised for 28 August 2019. At the suggestion of Lockhart Shire Council, our 2019 Australia Day Ambassador, Ethan Butson, has been included in the program for the day as a guest speaker.
- Recruitment processes are continuing in order to fill the recently vacated position of Biosecurity Officer and newly created position of Contaminated Land Officer.
- A visit to Parliament House Canberra is being arranged for 12 September after the success of last year's visit. The list of Ministers that we are hoping to see include:
 - Deputy Prime Minister, Hon Michael McCormack
 - Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management - Hon David Littleproud MP
 - Minister for Regional Services, Decentralisation and Local Government – Hon Mark Coulton MP
 - Assistant Minister for Road Safety and Freight Transport – Hon Scott Buchholz MP
 - Minister for Agriculture – Senator, Hon Bridget McKenzie
 - Minister for Aged Care and Senior Australians – Senator, Hon Richard Colbeck
 - Minister for Employment, Skills, Small and Family Business – Senator, Hon Michaelia Cash
 - Minister for the Environment – Hon Sussan Ley MP
 - Assistant Minister for Waste Reduction and Environmental Management – Mr Trevor Evans MP.

Cr Rodger Schirmer
Mayor

Recommendation: That the information be noted.

Notes:

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 15 July 2019			
198/19	DEES	<p>Closed Council – Tender – Flood Mitigation Construction Works Stage 2 – Lockhart Council:</p> <p>a) Awards the Contract for ‘Flood Mitigation Construction Works Stage 2 – Lockhart’ to Mitchell Constructions (NSW) Pty Ltd for \$1,020,859.40 (including GST), subject to any final confirmation of approval from OEH required; and</p> <p>b) Authorises the General Manager and Director of Engineering and Environmental Services to sign Contract and Purchase Order.</p>	<p>Contract and PO signed. Works have commenced on site.</p> <p>Complete.</p>
195/19	GM	<p>Review of Local Government Election Costs Council make a submission to IPART in response to its Draft Report on the review of local government election costs in the terms outlined in this report.</p>	<p>Council’s submission has been lodged.</p> <p>A submission has also been lodged by the Riverina JO on behalf of member councils.</p> <p>Complete</p>
194/19	DEES	<p>Policy 3.30 Workplace Surveillance Policy Policy 3.30 Workplace Surveillance, as presented, be adopted.</p>	<p>Policy included in Council’s Policy Register.</p> <p>Complete.</p>
193/19	GM	<p>Forthcoming Conferences</p> <p>a) Council appoint the Mayor as its voting delegate at the 2019 LGNSW Annual Conference for voting on motions and voting for Board positions; and</p> <p>b) The LGNSW Annual Conference be attended by the Mayor, the General Manager and Cr Day; and</p> <p>c) The 2019 LGNSW Water Management Conference be attended by the Mayor (voting delegate), Cr Day, Cr Driscoll and the Director Engineering and Environmental Services.</p>	<p>Conference attendees and voting delegates have been registered.</p> <p>Complete.</p>
190/19	MES	<p>Variation to Building Line Setbacks, DA73/19 Council grant the request variation to the Lockhart DCP for reduced building line setback for a front porch with access ramp at 57 King Street, The Rock.</p>	<p>DA approved and issued.</p> <p>Complete.</p>
188/19	DCCS	<p>Disused Buildings – French Park Tennis Courts</p> <p>a) Dispose of the asset by Expression of Interest;</p> <p>b) Award to the highest bidder; and</p> <p>c) The successful EOI acknowledges purchasing and moving buildings in an “as is” condition and sign an agreement.</p>	<p>Correspondence to successful EOI has been posted.</p>
187/19	DEES	<p>Playground at The Rock Recreation Ground Endorse the overall layout and plan for the new ‘Everyone Can Play’ playground at The Rock Recreation Ground.</p>	<p>Plan approved by ‘Everyone Can Play’.</p> <p>Works to proceed.</p> <p>Complete.</p>
185/19	DEES	<p>Roads Programme 2019/20 Endorse the roads programme for the 2019/20 year.</p>	<p>Works to proceed as planned.</p> <p>Complete.</p>

177/19	DEES	<p>Shire and Town Entrance Signs Council:</p> <p>a) Endorses the shire entrance and town sign proofs in principle;</p> <p>b) Refers the signs back to Council's Tourism and Economic Development Officer for further development and liaison; and</p> <p>c) A further report is brought to Council in due course prior to undertaking another round of community consultation.</p>	Plans referred back to TEDO for further consultation with local Progress Associations and community groups.
176/19	DEES	<p>Avenue of Honour, The Rock Council Endorses the island concept plan for The Avenue of Honour.</p>	No further action at this stage. Complete.
175/19	GM	<p>Round 3 – Stronger Country Communities Fund Council:</p> <p>a) information regarding Round 3 of the Stronger Country Communities Fund Program be forwarded to all its Section 355 Committees of Management and invite the Committees to submit project proposal for funding under the Program;</p> <p>b) A Councillor Workshop be convened at 4.00pm on Monday 19 August 2019 prior to the Ordinary meeting of Council to consider and prioritise any proposals received from the Management Committees.</p>	<p>Correspondence has been forwarded to all section 355 Committees regarding Round 3 of the SCCF Grant program.</p> <p>Information has also been placed on the Council website home page drawing attention to the grant program.</p> <p>A Councillor Workshop has been convened for 4.00pm on Monday 19 August 2019.</p> <p>Complete.</p>
170/19	TEDO	<p>Minutes of the TEDSC Meeting – The Rock Hill That the ongoing issues regarding signage and the walking tracks at The Rock Nature Reserve be raised with National Parks and Wildlife Service NSW.</p>	<p>Representations have been made to the NPWS and an onsite meeting has been arranged with NPWS representatives.</p> <p>Complete.</p>
Ordinary Council Meeting held 17 June 2019			
161/19	DEES	<p>Closed Council – Tender – Flood Mitigation Construction Works Stage 2 – Lockhart Council:</p> <p>a) Notes the information provided in the report;</p> <p>b) Does not accept any of the tenders;</p> <p>c) Not invite fresh tenders due to the lack of local suitable contractors to complete the work and the high demand for these services at present; and</p> <p>d) Subject to receiving successful additional grant funding from Office of Environment & Heritage (OEH), authorises the Director Engineering & Environmental Services to enter into negotiations with all three tenderers to achieve best possible outcome for Council, with a further report brought to Council in due course.</p>	<p>Additional funding has been received.</p> <p>DEES negotiating with tenderers.</p> <p>See separate report to July council meeting.</p> <p>See 198/19</p> <p>Complete.</p>
159/19	DEES	<p>Community Engagement Strategy Draft Community Engagement Strategy be placed on public exhibition for a period of not less than 28 days following which a further report be presented to Council together with any submissions received.</p>	<p>Community Engagement Strategy has been placed on public exhibition.</p> <p>A further report is being tabled at the August Council meeting to formally adopt the Strategy after considering any submissions received.</p>

144/19	TEDO	Minutes of the TEDSC Meeting – Public Art Projects A submission be requested from the artists Scott Nagy and Janne Birkner to undertake the Milbrulong Water Tower project subject to their quotation being within budget.	In progress.
Ordinary Council Meeting held 15 April 2019			
98/19	DEES	Closed Council – My Community Grant Project – Public Toilets Green Street, Lockhart Council endorse a grant application under the My Community Project grant for the establishment of public toilets and community facilities in Green Street, Lockhart	Grant application has been submitted. Council in discussions with property owner. Further advice from property has been received. No further action at this stage until result of grant funding application is received.
87/19	GM	Crown Land Management a) Council endorse the actions outlined in the attached list of crown reserves and authorise the General Manager to make the necessary applications b) Ratify the appointment of the Director Engineering and Environmental Services as the Council's Authorised Officer and Native Title Manager for the purposes of the Crown Land Management Act 2016.	Notice of Crown land categorisation and related documentation has now been lodged with the Crown Lands Office. A Consultant's Brief has been prepared for the purpose of engaging a consultant to prepare plans of management for the Crown reserves, as required by the new legislation, and for which government funding has been received. Proposals from consultants to be invited shortly.
77/19	DCCS	Lockhart Medical Centre Community Services Building Council support the change of use to the Lockhart Medical Centre/Community Services, on the corner of Matthews and Hebden Streets in principle and provide a letter of landowner consent to a Development Application being lodged.	GM & DCCS met with Valmar's Coordinator - Fleet, Asset and Corporate to progress the matter with Valmar agreeing to provide plans prior to Council's providing landowners consent to lodge a DA. Valmar are in the process of putting plans with proposed works together to present to Council for approval. No updates to report.

Ordinary Council Meeting held 18 March 2019			
66/19	DEES	<p>Proposed Restructure – Engineering and Environmental Services Proposed restructure to include:</p> <ul style="list-style-type: none"> a) Regrading the vacant Grader and Roller Operator positions to a Plant Operator and a Labourer respectively; b) The addition of the position of Light Vehicle Mechanic in the organisation structure; c) The addition of the position of Compliance Officer (permanent part time 25.5 hours per week) in the organisation structure; and d) Extending the position of Fixed Term Project Officer with current incumbent to continue in the role on a works as required basis until 31 December 2020. 	<ul style="list-style-type: none"> a) New positions have been filled. b) Position has been filled. c) Position has been advertised. d) To be extended at time of current term completion in October 2019.
49/19	DEES	<p>Masterplan for The Rock Avenue of Honour Council to:</p> <ul style="list-style-type: none"> a) Endorse the formation of a Focus Group to discuss options for the masterplan; and b) Consider any formal master planning and upgrade works at the upcoming budget workshop. 	<p>Focus group formed and first meeting to occur shortly.</p> <p>First meeting has occurred, which was very productive. Some basic plans and notes to be drawn up for endorsement of the group before coming back to Council. See separate report to July Council meeting.</p> <p>See 176/19. Complete.</p>
48/19	GM	<p>A.R. Bluett Memorial Award Council submit a nomination for the 2019 A.R. Bluett Memorial Award.</p>	<p>The online entry form was completed by the deadline of 31 July 2019. Complete.</p>
Ordinary Council Meeting held 4 February 2019			
25/19	DCCS	<p>Information Technology Systems Infrastructure</p> <ul style="list-style-type: none"> a) Council approve the purchase of the additional information technology infrastructure up to value \$25,000; and b) Additional information technology infrastructure to be funded from December 2018 Quarterly Budget Review. 	<p>Contact has been made with selected suppliers. Tender specifications being finalised to initiate negotiations will select suppliers to continue.</p> <p>Ongoing</p>
12/19	DEES	<p>Integrated Water Cycle Management Strategy – Sewerage Services Council apply for funding under the Safe and Secure Water Program to undertake IWCM Strategy renewal.</p>	<p>DEES in discussions with DPI about grant funding for IWCM.</p> <p>Council staff working with DPI regarding the funding, which has confirmed Council is eligible for funding.</p> <p>Council has received and signed funding agreement. Works to commence shortly.</p>

Ordinary Council Meeting held 17 December 2018			
344/18	GM/ DCCS	<p>Closed Agenda – Request from Osborne Recreation Ground Management Committee</p> <p>a) Enter into a lease agreement with Jason Webster, as adjoining landowner to the Osborne Recreation Ground to lease land as per map for \$1.00 per annum for 3 years, and</p> <p>b) The General Manager and Director Corporate and Community Services be authorised to sign the lease on behalf of Council.</p>	<p>Lease is being drafted. The matter of a 3-year lease was following up and solicitor advised a caveat stipulating Council's interest with regards to leased land can be put in place. Work is progressing and updates will be reported to Council.</p> <p>In the hands of Friedlieb Fox McLeod to draw up agreements & have adjoining landowner sign.</p>
Ordinary Council Meeting held 19 November 2018			
294/18	DCCS	<p>Minutes of the TEDSC Meeting – Magnolia Lodge</p> <p>Council investigate the funding of additional independent living/aged care accommodation in the Shire, including at Magnolia Lodge.</p>	<p>A report is being tabled at the August Council meeting regarding the demand for independent living units and aged care accommodation in the Shire and funding opportunities. Complete.</p>
Ordinary Council Meeting held 15 October 2018			
270/18	GM	<p>Woodhaven Aged Care Facility – Land Ownership</p> <p>a) The land described as Lot 1 DP230301, Lot 2 DP230301, Lot 10 DP1067716 and Lot 1 DP726186 be transferred to Lockhart and District Aged Care Association Inc. trading as Woodhaven Aged Care for \$1.00, and</p> <p>b) Authority be granted for the Transfers and other relevant documentation to be executed under the Council's seal.</p>	<p>Woodhaven Aged Care advised of council's decision and requested to arrange for necessary legal documentation to be prepared and forwarded to Council for execution.</p> <p>Documents have now been received, executed under Council's seal and returned to Woodhaven's solicitor on 7 June 2019. Complete.</p>
261/18	TEDO	<p>Minutes of the TEDSC Meeting – Water Tower Lighting</p> <p>Consideration be given to funding to light the Lockhart Water Tower Mural and that Council investigate possible lighting options.</p>	<p>In progress.</p>
260/18	TEDO	<p>Minutes of the TEDSC Meeting – Water Tower Long Term Maintenance</p> <p>An agreed amount be held in reserve to enable future maintenance of the Lockhart Water Tower as and when needed.</p>	<p>MoU with RWCC being discussed.</p>

Ordinary Council Meeting held 17 September 2018			
252/18	DCCS	<p>Closed Agenda – Information Technology Systems – Quotations</p> <p>a) Council approve the purchase of the Electronic Document and Records Management System (EDRMS) HPE Content Manager with initial purchase, setup and training costs to be funded from Council's Systems & IT Improvements Reserve;</p> <p>b) Council approve the purchase of Asset Management system AssetFinda with initial purchase, setup and training costs to be funded from Council's Systems & IT Improvements Reserve;</p> <p>c) Initial and ongoing cost of iPad Minis are to be incorporated and funded from Council's Operating Plan Budget at Quarterly Budget Review; and</p> <p>d) Year 2 and ongoing annual license fees cost are to be incorporated and funded from Council's Operating Plan Budget.</p>	<p>Purchase Order for AssetFinda raised, software licence received and being reviewed.</p> <p>IT Server is at end of life, quotes being sort. Server requires upgrade or replacing to enable AssetFinda to be installed. Refer to item in this agenda on upgrade to server.</p> <p>Purchase order raised for HPE Content Manager, Project manager from Civica has been assigned.</p>
Ordinary Council Meeting held 19 March 2018			
68/18	GM	<p>Closed Agenda – Green Street West Lockhart – Price Review</p> <p>a) Council adopt the following asking process for lots remaining unsold in the residential subdivision at Green Street West, Lockhart:</p> <p style="margin-left: 20px;">a. \$25,000 Lots 1, 6, 7, 9, 10, 23, 24, 25, 27, 28, 29, 30, 31, and 32</p> <p style="margin-left: 20px;">b. \$27,500 Lots 12, 16, 17 and 18</p> <p style="margin-left: 20px;">c. \$44,000 Lots 11 and 34</p> <p>b) That in relation to Lots 6-7, 9-10, 23-25 and 28-31, the price of two adjoining lots sold in a single transaction, i.e. one contract of sale, be reduced to \$22,000 each or a total contract price of \$44,000.</p> <p>c) That Lot 8 Rockliff Court in the Green Street West Residential Estate be taken off the Market whilst cost estimates are prepared for converting the allotment into a local park.</p> <p>d) That the GM be authorised to negotiate with project home builders for establishment of a display home at Green Street West with any incentives to be offered to be subject to approval by Council.</p>	<p>Council's agent has been informed of the revised selling prices adopted by Council.</p> <p>Council's agent is contacting all builders on its data base regarding incentives that might encourage the construction of a spec/display home.</p> <p>A cost estimate for converting an allotment into a park is currently being prepared.</p> <p>The project has been referred to the Councillor Workshop to be held on 19 August 2019 to consider projects for funding under Round 3 of the SCCF Grants program.</p>
51/18	GM	<p>Lockhart Renewable Energy Project</p> <p>a) Project update provided by Better Energy Technology Pty Ltd noted,</p> <p>b) Lockhart Renewable Energy Project Information Brochure endorsed for distribution to Lockhart premises.</p>	<p>Phase 1 funding for the project has been announced by the Australian Government.</p> <p>A separate report has been included in the agenda for the 19 August 2019 Council meeting.</p>
Ordinary Council Meeting held 21 August 2017			
181/17	TEDO	<p>Minutes of the Tourism/Economic Development Steering Committee Meeting – Lockhart Railway Station</p> <p>Additional time to be given to source an alternative use/tenant for the Lockhart Railway Station building.</p>	<p>Consideration to be given as an office for the solar project if successful prior to advertising availability.</p>

Ordinary Council Meeting held 18 April 2017			
72/17	DEES	<p>Caravan Parks</p> <p>a) Information noted pending a furthermore detailed report</p> <p>b) Council has determined as a matter of policy that caravan parks be short term (holiday park) stays; and</p> <p>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>	<p>More detailed report to be presented at a future Council meeting.</p> <p>Items (b) & (c) are complete. Staff currently compiling information to put together further report to come to Council shortly.</p> <p>Report to August 2019 Council meeting.</p>
Ordinary Council Meeting held 16 May 2016			
109/16	DCCS	<p>Old Lockhart Railway Station Building</p> <p>Council to:</p> <p>a) Seek to find a suitable use/tenant for the building</p> <p>b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.</p>	<p>Ongoing. No potential tenants have enquired. Promoting venue as a regional meeting site. Very little activity to date. Lockhart Central School has used for 2018 HSC exams. No enquiries for a permanent tenant.</p> <p>Correspondence forwarded to JHR to ascertain whether it would enforce the lease and require the lease to be paid out in full if Council was to terminate the Agreement.</p>
Ordinary Council Meeting held 15 July 2019 – Councillor Questions & Statements			
	DEES	<p>Cr Marston – Creek Crossing on Jaegers Lane – advised that the creek crossing on Jaegers Lane is washed out.</p>	<p>DEES advised that he will investigate and noted that the creek crossing might not be in Lockhart Shire.</p> <p>DEES has investigated and interim works to occur shortly.</p>
	DEES	<p>Cr Driscoll – Road Signage on Olympic Hwy (as you leave Wagga Wagga) – enquired if Council could enquire with RMS if “The Rock” and “Yerong Creek” could be added to the road signage on the Olympic Hwy (as you leave Wagga Wagga)? The sign currently shows distance to Uranquinty, with the next town being Culcairn.</p>	<p>DEES advised he will investigate and advise.</p> <p>DEES has spoken with RMS and who has since advised that “The Rock” will be added on a new sign. Yerong Creek could not be accommodated.</p> <p>Complete.</p>
	GM	<p>Cr Driscoll – Old Police Residence in The Rock – Enquired if negotiations could continue regarding the possible use of the old Police residence in The Rock as a business hub for businesses that currently do not have a shop front?</p>	<p>Representations have been made to the Police and the matter was also raised at a recent meeting of the Police and Community Consultation Group.</p> <p>The Police advise that budgetary approval has been given to undertake the necessary repairs and refurbishment to the building so that it can once again be used as a Police residence.</p> <p>Complete.</p>

	DEES	Cr Day – Lockhart Airstrip – Enquired on the status of the Lockhart Airstrip operations.	DEES advised that he met with Alan Mulholland and the current arrangement is to continue. DEES also has met with the local crop duster and agreement has been made for storage and gravel pad construction. No further action for Council at this stage. Complete.
	GM	Cr Verdon – Stronger Country Communities Fund Projects – in particular The Rock Observatory Project – Enquired on the status of discussions with CSU and Crown Lands regarding Stronger Country Communities Fund projects, in particular The Rock Observatory project?	GM advised that discussions were continuing and progressing much slower than hoped and response was still awaited from CSU regarding a partnership arrangement.
	DEES	Cr Schirmer – Ed Schirmer Crossing – Advised that Ed Schirmer crossing currently has some potholes.	DEES advised he will investigate and take appropriate action. DEES has inspected the road and interim action has been undertaken. Complete.
	DEES	Cr Schirmer - Posts across Galore Street, Lockhart – Enquired on the status of replacing the posts across Galore St, Lockhart?	DEES advised that the posts were re-installed last week. Complete.
Ordinary Council Meeting held 17 June 2019 – Councillor Questions & Statements			
Councillor's Questions	DEES	Cr Rockliff – Farrells Lane – Has been advised that there wash-outs across Farrells Lane at the crossing.	DEES advised he will investigate and take appropriate action. Investigations have determined work is required on the table drains. Timing to be confirmed.
	DEES	Cr Day – Compliance Officer – Enquired as he had noticed that the Compliance Officer position is to be advertised?	DEES advised as the position is now to become a permanent position it must be re-advertised, which will be done in the next few months. Position has been advertised.
	DEES	Cr Verdon – Status of No Truck Parking, The Rock – Enquired on the status of the No Truck Parking in The Rock?	DEES advised that a report has been sent to the Traffic Committee and he is awaiting approval. Traffic committee approval has been received. Signs to be installed shortly.
	DEES	Cr Schirmer – Warning Wording on Crossing at Green St, Lockhart – Requested that the warning wording at the crossing on Green St (across from the Newsagency) be repainted and also the light posts.	DEES advised he will investigate and take appropriate action. Warning stickers have been installed. DEES advises the light poles do not need painting at this stage. Complete.

	DEES	Cr Schirmer – Tree Trimming – Pleasant Hills to Henty – Enquired on the status of the tree trimming program from Pleasant Hills to Henty?	DEES advised that the road is listed to be done and the tree crew will be heading that way from Yerong Creek. Tree crews is currently working along Henty Pleasant Hills Road. Tree trimming has been undertaken. Complete.
Ordinary Council Meeting held 20 May 2019 – Councillor Questions & Statements			
	DEES	Cr Douglas - Carns Lane – Requested that the drainage along Carns Lane be investigated and improved as the water does not seem to be getting away.	DEES advised he will investigate and take appropriate action. DEES has inspected the road and maintenance grading to occur shortly which should address most drainage issues.
Councillor's Questions	DCCS	Cr Sharp - Pleasant Hills Hall Public Toilet – Enquired if the Director Corporate and Community Services has determined if the Pleasant Hills Hall public toilets were on the public toilet register?	DCCS advised that he was still investigating the matter, but in the meantime had paid for the cistern repairs and toilet paper supply.
	DEES	Cr Verdon - Drain at Western End of Wilson Street and also Corner of Bretton and Urana Streets, The Rock – Requested if these drains could be cleared?	DEES advised he will investigate and take appropriate action. Works have been planned to concrete the ends of the drains to improve water movement.
Ordinary Council Meeting held 15 April 2019 – Councillor Questions & Statements			
Councillor's Questions	DCCS	Cr Verdon - Public Toilets at The Rock Recreation Ground – Advised that The Rock Recreation Ground toilets often do not have sufficient toilet paper supply left at the end of the week to cater for campers and/or home football games.	DCCS advised he will investigate and take appropriate action.
	DEES	Cr Day – Brookong Reserve Signs on Urana Road, Lockhart – Enquired if these signs could be replaced?	DEES advised he will investigate and take appropriate action. Staff are investigating what can be done regarding the signage as this is not a Council reserve.
	GM	Cr Driscoll – Lockhart Shire Council Block of Land, Scott Street, The Rock – Enquired of Council was planning to sell the block of land in Scott St, The Rock?	GM advised that an expression of interest has been received in relation to another parcel of land not currently listed for sale that will be the subject of a report to a future meeting of Council which can also include consideration of the block of land in Scott St, The Rock.

	DEES	Cr Driscoll – The Rock Town Entrance Sign – Advised that The Rock town entrance sign re-instated south of The Rock on the Olympic Hwy is a lot further south than its original position and enquired if it could be relocated back closer to The Rock?	DEES advised he will investigate and take appropriate action. DEES has discussed with GHSC and they are looking at if sign can be moved closer to the town.
	DEES	Cr Schirmer – Galore Street, Lockhart – Advised that some treated pine posts are missing across Galore St, Lockhart at the western end.	DEES advised he will investigate and take appropriate action. DEES confirmed two posts to be re-installed when resourcing permits. Completed.
Ordinary Council Meeting held 4 February 2019 – Councillor Questions & Statements			
Councillor's Questions	DCCS	Cr Rockliff – Lighting around Magnolia Lodge, Lockhart – Enquired if extra lighting could be provided around Magnolia Lodge residences?	DCCS advised he will investigate and advise. Existing lights being fixed, then consult with electrician on improvements. Report will be provided to May meeting. Complete.
Ordinary Council Meeting held 19 November 2018 – Councillor Questions & Statements			
Councillor's Questions	DCCS	Cr Driscoll – Cleaning of Toilets at The Rock Recreation Ground – Advised that there seems to be a problem with cleaning of the toilets at The Rock Recreation Ground.	DCCS advised he was aware of the issue and would be attending a meeting this week to resolve the issue. Have met with Rec Ground representatives, issue addressed in short term, still investigating long term options. Extra clean per week has been in place since Dec-2018 and working well. Complete.
Councillor's Questions	DEES	Cr Verdon – Council Contribution – The Rock Recreation Ground – Advised The Rock Recreation Ground receives an annual contribution funding of \$12,500 from Council and with electricity currently costing \$12,000 p.a., was wondering if Council could do and audit or assist in any way?	DEES advised there may be some upcoming opportunities for grant funding for solar and battery storage for Council buildings and he will investigate further and advise. DEES has been in contact with OEH about opportunities. Council to provide information to OEH. DEES still in discussions with OEH. This will be a work in progress.
Ordinary Council Meeting held 21 May 2018 – Councillor Questions & Statements			
	DEES	Cr Rockliff – Water going into Back Yards between Green & Hebden Sts, Lockhart – Advised he has been approached by 2 residents regarding water going into back yards between Green and Hebden Sts, Lockhart.	DEES advised he is aware of the issue and will investigate when time and resourcing permits.

Ordinary Council Meeting held 20 November 2017 – Councillor Questions & Statements			
Councillor's Questions	GM	<p>Cr Marston – Potential Purchase of Land for Development – Following completion of Carson Rd Development, The Rock, enquired if Council could look into the purchase of more land for development (using borrowings) – Shire-wide, but maybe concentrating on The Rock and lifestyle blocks in Yerong Creek, requesting this be put on the agenda for further discussion.</p>	<p>Discussions have been held with Council's agent and the availability of suitable developable land coming on to the market is being monitored. Land development at The Rock has also been submitted to the Riverina JO for inclusion in the Statement of Regional Priorities being developed by the JO.</p>
Ordinary Council Meeting held 17 July 2017 – Councillor Questions & Statements			
	COUNCIL LORS	<p>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.</p>	<p>Councillors attended the Friday fish & chips night at Yerong Creek on 6 July 2018.</p>

19 August 2019 Council Meeting - Correspondence Sent to Councillors

Date to Councillors	From	Subject	File Ref
15/07/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 12 July 2019	S20-007
15/07/19	ALGA News Editor	ALGA News 12 July 2019	A75-005
22/07/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 18 July 2019	S20-007
22/07/19	ALGA News Editor	ALGA News – 19 July 2019	A75-005
29/07/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 25 July 2019	S20-007
29/07/19	ALGA News Editor	ALGA News – 26 July 2019	A75-005
08/08/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 1 August 2019	S20-007
08/08/19	ALGA News Editor	ALGA News – 2 August 2019	A75-005
09/08/19	Cr Linda Scott, LGNSW	LGNSW Weekly – 8 August 2019	S20-007
14/08/19	Cr Linda Scott, LGNSW	Breaking News – Win! Government Listens to LGNSW, Reverses its Emergency Services Levy Price Hike on Councils for 2019	R10-017
14/08/19	ALGA News Editor	ALGA News – 9 August 2019	A75-005

Recommendation: That the information be noted.

Notes:

Staff Reports

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. ROUND 3 – STRONGER COUNTRY COMMUNITIES FUND

(GM/G10-005)

Executive Summary

The NSW Government has launched a third round of the Stronger Country Communities Fund (SCCF) Program and Council has an opportunity to submit projects for funding under the program.

Report

Council has previously been successful in securing grant funding totalling \$1,528,000 under the first two rounds of the SCCF Program towards the refurbishment of the Lockhart and The Rock swimming pools.

In May 2018 Council had the opportunity to submit projects for additional funding totalling \$764,000 that had been made available under Round 2 of the Program. The successful projects that received funding under the extended Round 2 of the Program included:

- Osborne Recreation Ground playground and traffic improvements.
- Lockhart Recreation Ground amenities building upgrade.
- The Rock Recreation Ground amenities building improvements.
- The Rock Recreation Ground second oval & relocation of the Pony Club.
- The Rock Regional Observatory.
- Shire and town entrance signs.

Correspondence has been received from the NSW Deputy Premier advising that the funding to be made available for projects in Lockhart Shire under Round 3 of the Program is \$763,834.

Whereas Round 2 was focused on sport and recreation projects, the Round 3 funding will be focused on young people (aged 12-24) and a broader scope of eligible projects including programs and local infrastructure. Funding will be allocated to projects that clearly demonstrate community support and align with the Program's objectives.

Other changes introduced for Round 3 of the Program include:

- Extending the open period to three months. Round 2 had a much shorter turn-around time which provided less opportunity for consultation and project planning.
- Extending the funding period from two years to three years to allow applicants sufficient time to deliver projects.
- Opening the Round to applications directly from eligible community groups who will be responsible for delivering the project if successful.
- Not conducting choice modelling, e.g. random telephone surveys to gauge the level of community support for projects. Instead applicants will be required to provide evidence of community consultation and support for projects in the application.

Key dates for Round 3 funding are as follows:

Monday 1 July 2019	Applications open
Friday 27 September 2019	Applications close
October 2019 – January 2020	Projects are assessed
From January 2020	Successful projects expected to be announced

With respect to Round 2 of the Program, which was open for a much shorter period allowing little time for consultation, a Councillor workshop was held to consider priorities and determine projects to be submitted for funding.

Under Round 3 however applicants will be required to demonstrate that they have consulted the community and that there is community support for the project.

One way this can be achieved is for Council to write to all its Section 355 Management Committees, which manage Council facilities such as recreation grounds and public halls, and invite them to submit proposals for Council's consideration. These facilities are more often than not the subject of grant applications and the Management Committees also act as a conduit between Council and other users of the facilities.

Accordingly, Council, at its meeting held on 15 July 2019, resolved:

1. *“That information regarding Round 3 of the Stronger Country Communities Fund Program be forwarded to all its Section 355 Committees of Management and invite the Committees to submit project proposal for funding under the Program;*
2. *A Councillor Workshop be convened at 4.00pm on Monday 19 August 2019 prior to the Ordinary meeting of Council to consider and prioritise any proposals received from the Management Committees.”*

In accordance with the above resolution a Councillor Workshop is being convened for 4.00pm on Monday 19 August 2019 prior to the Ordinary meeting of Council.

Integrated Planning and Reporting Reference

A1 - Support cultural and sporting opportunities that respond to the needs of the community.

A2 - Plan, develop and maintain facilities, parks and gardens that respond to the needs of the community.

A3 - Support our children and young people.

A3 - Support the provision of pre-school, playgroup and childcare services within the community.

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

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

A co-contribution is not required for applications submitted under the SCCF Program.

Attachments

Nil.

Recommendation: That Council determine the projects to be submitted under Round 3 of the Stronger Country Communities Fund Program, in priority order, following the Workshop to be held earlier in the day.

Notes:

2. RIVERINA ANTIQUE BOTTLES AND COLLECTABLES FAIR – REQUEST FOR FINANCIAL ASSISTANCE (GM/D30-005)

Executive Summary

A request for financial assistance has been received from the organiser of the Riverina Antique Bottles and Collectables Fair and is tabled for Council's consideration.

Report

The organiser of the Riverina Antique Bottles and Collectables Fair has written to Council regarding the Annual Fair to be held at Lockhart on Saturday 14 September 2019 seeking financial assistance with respect to the Council fee for hiring the Lockhart Memorial Hall and publicity for the event. A copy of the correspondence received is attached.

The author of the letter and organiser of the Fair maintains that the Fair is run as a not-for-profit event. Entry is by a gold coin donation and individuals who wish to exhibit, swap or sell their wares are required to pay a small fee (\$30) in order to cover the necessary insurance costs and Hall hire fees. Any remaining funds are spent on promoting and advertising the event.

Last year's Fair did result in an influx of people to the town, so much so that attention was drawn to it at a subsequent Council meeting at which time the importance of ensuring local businesses are made aware of such events was raised.

Council can assist with publicity and informing local businesses of the event through the Council Newsletter and community Facebook page. The 2019/20 Fees and Charges adopted by Council incorporate the following fees for the hire of the Lockhart Memorial Hall:

1. \$200.00 per full day (8.30am-4.30pm).
2. \$115.00 per half day (8.30am-12.30pm or 12.30pm - 4.30pm).

Last year a full day hire fee of \$200 was charged. The Fair is being held on Saturday 14 September 2019 (8.30am to 2.00pm) however the organiser will require access to the Hall from Friday, 13 September in order to set up the displays.

As last year's event demonstrated that the Fair does attract people to the town and generates economic activity it is recommended that Council support the request. One way of doing this is to charge the half day fee instead of the full day fee.

Integrated Planning and Reporting Reference

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

A1 – Provide support and advice to community groups, clubs and volunteers.

Legislative Policy and Planning Implications

Pursuant to section 356 of the Local Government Act a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance for the purpose of exercising its functions.

Budget and Financial Aspects

Council's 2019/20 Budget includes an allocation of \$52,100 for the purpose of providing financial assistance in accordance with section 356 of the Local Government Act.

Attachments

1. Letter from the Riverina Antique Bottles and Collectables Fair dated 17 July 2019.

Recommendation: That Council provide assistance to the 2019 Annual Riverina Antique Bottles and Collectables Fair by:

- a) Publicising the event in the Council Newsletter and informing local businesses of the event; and
- b) Charging the half day fee for the hire of the Memorial Hall on the day of the event, i.e. 14 September 2019.

Notes:

Attachment 1. – Letter from the Riverina Antique Bottles and Collectables Fair, dated 17 July 2019

17th July 2019

Killashandra
120 Curries Lane
Ardlethan NSW 2665
Mobile: 0427 279123

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

Dear Mr Veneris

File No:	D30-005
Log:	30705
	INFO REPLY REPORT
GM	
DCCS	
Rec'd	22 JUL 2019
DEES	
MES	
HR	
TEDO	

2019 Riverina Antique Bottles and Collectables Fair

In September 2018 we held our first Riverina Antique Bottles and Collectables Fair at Lockhart and we hope to establish this as an annual event. Last year we had exhibitors from NSW, Queensland and Victoria and they all stayed in Lockhart at the motel, hotel or caravan park and many of them supported local businesses for their meals.

Following last year's fair, I had a conversation with yourself and Rodger Schirmer at the Rural Fire Service Office in Wagga. You might remember I showed you a copy of the Australian Bottle & Collectables Review (ABCR) magazine with Lockhart's newly painted water tower featured on the front cover. There was also a full-page article on Lockhart and the Fair in the magazine.

After our conversation you advised me to write a letter to you this year requesting assistance with the hall hire fee and publicity for the Fair in your Council newsletter. The Fair will be held on Saturday 14th September, but we will need the hall on the Friday 13th September also for setting up displays prior to opening on Saturday morning.

Any assistance you can give would be greatly appreciated.

Kindest regards



Colin McKinnon

3. LOCKHART BOWLING CLUB – REQUEST FOR FINANCIAL ASSISTANCE (GM/D30-005)

Executive Summary

A request for financial assistance has been received from the Lockhart Bowling Club and is tabled for Council's consideration.

Report

The Lockhart Bowling Club has written to Council regarding the Club's annual Geoff "Spotter" Smith Memorial 3 Bowl Triples tournament to be held on 24 August 2019 and seeking financial assistance in the amount of \$300.00 in the form of sponsorship.

Whilst the Club's tournament is held on an annual basis this is the first time the Club has sought assistance from the Council. The Club has approached the Council this year as an alternative to approaching the same businesses as it has done in previous years in an effort to 'spread the load' as in small communities the same organisations are often approached to support numerous events.

The tournament will attract participants from neighbouring local government areas and the wider district which will generate economic activity and is therefore considered worthy of support.

Integrated Planning and Reporting Reference

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

A1 – Provide support and advice to community groups, clubs and volunteers.

Legislative Policy and Planning Implications

Pursuant to section 356 of the Local Government Act a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance for the purpose of exercising its functions.

Budget and Financial Aspects

Council's 2019/20 Budget includes an allocation of \$52,100 for the purpose of providing financial assistance to community groups in the Shire in accordance with section 356 of the Local Government Act.

Attachments

1. Letter from the Lockhart Bowling Club dated 29 July 2019.

Recommendation: That Council contribute an amount of \$300 towards the Lockhart Bowling Club's annual tournament with the contribution to be funded from the 2019/20 budget allocation for Section 356 contributions.

Notes:

Attachment 1. – Letter from the Lockhart Bowling Club dated 29 July 2019



29th July 2019

File No:	D30-005
Log:	30798
	INFO REPLY REPORT
GM	
DCCS	
Rec'd	30 JUL 2019
DEES	
MES	
HR	
TEDO	

Lockhart Bowling Club
19 Green Street
PO Box 60
LOCKHART NSW 2656

The Manager
Lockhart Shire Council
PO Box 21
Lockhart NSW 2656

Dear Mr Veneris

I am writing on behalf of the Directors of the Lockhart Bowling Club seeking sponsorship of \$300.00 for the annual Geoff "Spotter" Smith Memorial 3 Bowl Triples tournament, to be held at our Club on Saturday 24th August 2019.

The annual Spotters Day is an official bowling day in the Zone 8 Wagga & District Bowls and brings over 50 bowlers from the Wagga, Federation, Coolamon and Narrandera Shires plus teams from our own shire from Lockhart, The Rock and Yerong Creek. As you can see, this sporting event has a large drawing area and is a major event for our Club.

For this year's event, we are trying not to seek funding from the usual few local businesses who seem to be always asked for sponsorship from various organisations. These businesses have been loyal supporters to our Club in previous years and we would prefer to gain support from other sources, hence our request to the Council.

I hope the Council looks favourably on this proposal.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Barry Love'.

Barry Love
President

Phone: 02 69 205 248
Email: lockhartbowls@gmail.com
Facebook: <https://www.facebook.com/lockhartbowlingclubNSW/>
ABN: 60 001 066 388

4. PLEASANT HILLS WATER FILLING STATION

(DEES/W10-005)

Executive Summary

Riverina Water has approached Council for assistance with resolving issues with the water filling station in Pleasant Hills.

Report

Riverina Water County Council (RWCC) has approached Council for assistance with resolving issues with the water filling station (WFS) in Pleasant Hills. The WFS is a solar powered site with some battery backup. The batteries are regularly (Winter & Autumn) incapable of supplying enough power due to shading, to keep the station operational. This necessitates electrical operations staff travelling to Pleasant Hills to replace the batteries at a cost of around three hours each occasion. The current WFS has become surrounded by trees and the removal of these trees is not an option due to their location.

RWCC propose to purchase a block of land at Lot 10 DP 9145 Manson Street, Pleasant Hills to resolve the issue of shading. The purchase of the above block of land would allow the relocation of RWCC's Water Filling Station (WFS) from its present position. The block is situated directly next to the Pleasant Hills Rural Fire Service shed. Currently the Rural Fire Service vehicles have no direct access to RWCC's water supply other than using portable standpipes. Locating the WFS here would allow them direct convenient access to a water supply and also allows trucks to access the filling station, fill and drive back onto the road without creating any traffic issues.

The proposal is for RWCC to purchase the block of land and gift it to Council, who will then own and maintain the land. The cost to Council would be minimal, being annual rates and charges, as well as mowing a few times a year. Council would need to construct a suitable access to the land for trucks as well as remove a few tree stumps. RWCC would be responsible for the cost of the purchase of the land and any legal fees associated with the purchase and gifting to Council.

The relocation of the WFS will provide better service to the community as well as Council works staff when working in this area of the Shire.



- Proposed land acquisition –
- Current WFS - ●



Integrated Planning and Reporting Reference

A2 – Our community services and facilities meet the needs of our communities.

C1 - Our environmental practices are sustainable.

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

E3 – Council responds collectively and responsibly to the community needs.

Legislative Policy and Planning Implications

Local Government Act 1993.

Budget and Financial Aspects

- Annual rates and charges - \$155.
- Annual mowing costs - \$500.
- Cost to install suitable access - \$3,000.

Attachments

Nil.

Recommendation: That Council:

- a) Enters into agreement with Riverina Water County Council to acquire the land at Lot 10 DP 9145 Manson Street, Pleasant Hills for the purposes of establishing a Water Filling Station;
- b) The land be categorised as Operational under the Local Government Act 1993.

Notes:

5. INDEPENDENT LIVING UNITS AND AGED CARE ACCOMMODATION

(GM/A25-010)

Executive Summary

Council at its meeting held on 18 November 2018, and on the recommendation of the Tourism and Economic Development Steering Committee, resolved to investigate the funding of additional independent living units and aged care accommodation in the Shire, including at Magnolia Lodge.

Report

The Tourism and Economic Development Steering Committee's recommendation to investigate the funding of additional independent living units and aged care accommodation in the Shire was made after information was tabled at a Committee meeting regarding an original proposal for a second stage to Magnolia Lodge being developed on vacant land situated behind the existing buildings.

As a precursor to investigating current and potential future funding opportunities, an analysis of the demand for this type of accommodation has been undertaken as any funding application will need to demonstrate an unmet demand. This analysis has been undertaken by:

- a) Reviewing Council's own records e.g. waiting lists and occupancy rates for Magnolia Lodge;
- b) Reviewing relevant statistical information and demographic data sourced from the Australian Bureau of Statistics; and
- c) Consulting key stakeholders, e.g. Valmar Support Services, Woodhaven Aged Care and Emily Gardens.

a) Review of Council's records

The original plans for Magnolia Lodge depicted a multi-stage development with Stage 1 being the initial six single-bedroom, self-contained units for independent living that were developed in 1982. Stage 2 were an additional three units developed in 1991 to the east of Stage 1. Future stages proposed a mix of one and two bedroom units however these have never been progressed.

Since Stages 1 and 2 were completed and especially since the ingoing contribution was reviewed and reduced from \$30,000 to \$5,000, Magnolia Lodge units have been consistently fully occupied. There is currently a waiting list of prospective tenants for Magnolia Lodge. Any units that have become vacant in recent years have generally been easily and quickly occupied.

b) Review of statistical information and demographic data

It is well known that Australia's population is ageing. To better understand how this trend relates to Lockhart Shire more specifically, data from the two most recent Census (2011 and 2016) has been analysed and compared to State and National averages.

The information summarised in the table below reveals that the proportion of the Shire's population aged over 55 years increased over the five-year Census period from 2011 to 2016 from 35% to 38%. Furthermore, Lockhart Shire has an above average ageing population compared to the State and National average.

Census	Lockhart Shire		NSW Average		Australian Average	
	2011	2016	2011	2016	2011	2016
Over 55 years	35%	38%	26%	28%	26%	28%

From the point of view of access to caregivers within the family structure (or lack thereof) it is interesting to note that Lockhart Shire has above average single (or lone) person households, i.e. 28% compared to a State and National average of 24%. The Shire also has an above average number of families without children, i.e. 45% of families compared to a State and National average of 37% and 38% respectively.

Integrated Planning and Reporting Reference

A2 - Improve understanding of the services available in the community, and work with service providers to promote and encourage community use of services.

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

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

A3 - Support a feasibility study to explore the establishment of an aged care service hub within the Lockhart Shire.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

There is currently no budgetary allocation for an expansion of Magnolia Lodge, or any other project aimed at providing more independent living units or residential aged care facilities.

Attachments

Nil.

Recommendation: That Council note the information and continue to monitor grant funding opportunities for the development of independent living units and aged care accommodation in the Shire.

Notes:

6. LOCKHART SHOWGROUND AND RACECOURSE TOILETS (DCCS/C70-035)

Executive Summary

Council received a letter from the Lockhart Showground and Racecourse Management Committee dated 1 May 2019.

Report

The correspondence from Lockhart Showground and Racecourse Management Committee dated 1 May 2019 detailed the ongoing sewerage problem at the public toilets at Lockhart Showground (attachment 1). The issue has been ongoing for many years and needs to be remedied to ensure the problem does not continue.

Both the Manager Environmental Services and Director of Engineering & Environment Services have inspected the issue and met on site with the representatives of the management committee as well as a licenced plumber to discuss the problem and determine a solution.

As such Council has obtained a s68 Approval to construct new absorption trenches, which was determined as the most cost-effective solution. If approved by Council, it is expected the works will be undertaken prior to the 2019 Lockhart Show.

Integrated Planning and Reporting Reference

A1 - Support cultural and sporting opportunities that respond to the needs of the community.

A2 - Plan, develop and maintain facilities, parks and gardens that respond to the needs of the community.

Legislative Policy and Planning Implications

- Local Government Act 1993.
- Environmental Planning and Assessment Act 1979.
- Protection of the Environment Operations Act 1997.

Budget and Financial Aspects

The cost of the works is estimated to be approximately \$7,000. Based on this estimation the Lockhart Showground and Racecourse Management Committee has confirmed a contribution of 30% (attachment 2). It is proposed that Council fund the 70% balance from S356 Contributions.

Attachments

1. Letter from Lockhart Showground and Racecourse Management Committee dated 1 May 2019.
2. Email from Secretary/Manager Lockhart Showground and Racecourse Management Committee.

Recommendation: That Council:

- a) Approve funding for the construction of new absorption trenches at the Lockhart Showground.
- b) Council fund 70% of the costs from S356 Contributions with a 30% contribution from the Lockhart Showground and Racecourse Management Committee.

Notes:

Attachment 1. – Letter from Lockhart Showground and Racecourse Management Committee dated 1 May 2019

LOCKHART SHOWGROUND RACECOURSE MANAGEMENT COMMITTEE

M L Day
Chairman

C N Trevaskis
Secretary/Treasurer
61 Hebden St
LOCKHART NSW 2656

1st May 2019

The General Manager
Lockhart Shire Council
PO Box 21
LOCKHART NSW 2656

File No:	P10-010
Len:	30333
	INFO REPLY REPORT
GM	<input checked="" type="checkbox"/>
DCCS	<input checked="" type="checkbox"/>
Rec'd	- 8 MAY 2019
DEES	<input checked="" type="checkbox"/>
MES	
HR	
TEDO	

Dear Sir

The Lockhart Showground and Racecourse Management Committee are seeking Council assistance with our ongoing sewerage problem at the showgrounds.

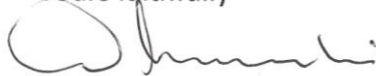
Our dilemma is that the newer brick toilet block keeps blocking/backing up. We have been trying to cope with this problem over the years but it is getting to the stage that something needs to be done to fix them permanently.

As you realise, we cater for a large number of people over a short period of time. The local show as well as the picnic races attract 1000's of people between them and are both held within a couple of weeks of each other. The Spirit of the Land also send out any overflow caravans/RVs which contribute to the problem. At the Lockhart Picnic Races last year, we had to call in a plumber from Wagga in the afternoon to fix the toilets, while the races were being held, as they had blocked again.

As the showground line is so close to the treatment works, maybe this could be an avenue to look at.

We wait your reply and hope the Council can consider favorably to help us rectify this problem.

Yours faithfully



Clinton Trevaskis
Secretary/Manager

Attachment 2. – Email from Secretary /Manager Lockhart Showground and Racecourse Management Committee

Subject: Lockhart showground
Start: Sat 10/08/2019 12:00 PM
End: Sat 10/08/2019 12:30 PM
Recurrence: (none)
Meeting Status: Meeting organizer

From: Clinton Trevaskis <clintontrevaskis@hotmail.com>
Sent: Friday, 9 August 2019 6:43 PM
To: Craig Fletcher <CFletcher@lockhart.nsw.gov.au>
Subject: Lockhart showground

Hi Craig

After talking to Max, I confirm the showground management committee contribution to the rubble pit at the toilet block at Lockhart showgrounds will be 30% with the Lockhart shire council contributing the balance of 70%. This is based on the approximate cost being @ \$7,000.00

Thankyou very much for your help
Clinton.

Get [Outlook for Android](#)

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au>

[Report this message as spam](#)

7. YOUTH ACTIVITIES REPORT

(DCCS/Y05-005)

Executive Summary

The purpose of this report is to provide Council with an overview of the activities and events of the Lockhart Shire Youth Advisory Committee and youth activities for 2018-2019.

Report

Youth Committee Planned Activities & Annual Scheduled Events:

July 2018 School Holidays

The Lockhart Youth Officers held an Amazing Race at The Rock Central School to celebrate the last week of term. The activity incorporated the whole school, with the ten teams ranging in ages from Kindergarten to Year 10 students. The roadblock games were designed to cater for a range of skills, talents and interests in order to ensure all students had their chance to lead the activity. A BBQ lunch was provided for the students as well.

September 2018 School Holidays

The Youth Development Officers celebrated the end of term at The Rock Central School with a demonstration of the Virtual Reality PlayStation 4 and a 3D Printer. The students had the opportunity to see and use technology they may previously not have had the chance to. The students and teachers' enthusiasm to try the pieces and their constant questions about how the technology worked proved the need to continue to up-date programs and equipment and to continue to have a presence and an ongoing connection with the schools in order to benefit the Youth.

October 2018 School Holidays

An Amazing Race was held at the Lockhart Central School with all students from all years participating in mixed groups. The event was altered from the one at The Rock to target specifically the Lockhart School in order to engage maximum interest from the students. The participants loved the event, going from activity to activity as a group to try and beat their friends. They all worked together to beat the roadblock challenges and followed the rules and instructions provided. The Youth Officers and Youth Advisory Committee Members cooked and BBQ lunch for all students and to make it a little more special for the students, pancakes were cooked as well for dessert.

December 2018 School Holidays

The Lockhart Youth Advisory Committee organised another fun day at The Rock Pool to celebrate the end of the school year! Both Lockhart and The Rock Central participated in the day, swimming, eating and playing on the new Lockhart Council Pool Inflatable. The pool inflatable purchase was funded from Youth Activities 2018-19 budget allocation. Previously Council used to hire the Greater Hume inflatable. Having purchased our own provides more opportunities for both pools to use and for schools to use also. The day consisted of plenty of games and activities for the students including, cricket, apple bobbing and fish bingo as well as plenty of time to swim and try to complete the Pool Inflatable Obstacle Course. The students absolutely loved the day and so did the teachers signifying the perfect way to end the school year!

January 2019 School Holidays

The Youth Development Officers bought the Virtual Reality PlayStation 4 out to the Lockhart Central School in order to provide a VR experience throughout the school holidays. The School was very kind allowing use of their library within the holidays! Those that attended the day loved being able to try something new and to experience a different form of gaming. Even the parents in attendance wanted to jump on and try out all the fun.

Youth Advisory Committee Successful Grants:

Seniors Week February 2019

The Committee were successful in obtaining the Seniors Week Grant in which members of the Lockhart Community were able to enjoy a day mixing with the members of the Lockhart Youth Advisory Committee. Fair Trading NSW travelled to Lockhart to talk about scamming with the seniors and inform them of how to stay safe within the new world of technology and with the new breed of scammers. The local café provided an amazing lunch and afternoon tea and all participants were able to mingle and chat with one another. After lunch the seniors were treated to a relaxation and chair yoga session with Anna Gannon the Mindful Warrior.

Meetings with Teaching Staff March 2019

The Youth Officers are meeting with teachers from both schools in order to discuss past and future youth programs within the Lockhart Shire. A meeting with The Rock Central School took place on 19 March, within the meeting ideas surrounding the possibility of some school based programs such as girls and boys nights in and a yoga session with the Mindful Warrior. A discussion surrounding the possibility of creating a Youth Advisory Committee based within The Rock School was raised and the teaching staff was very supportive of the idea.

A meeting with Lockhart Central School was held on 5 March and detailed the same events as the meeting with The Rock Central. The school was excited to hold more mental health and cultural based programs within the school, including a Fair Trading NSW information session with the students and a Yoga session for both teachers and students.

The collaboration with both schools has proven to be successful so far.

Heywire FRRR Step Up Grant March 2019

The Lockhart Shire Youth Advisory Committee worked in conjunction with the Greater Hume Youth Advisory Committee in order to hold a 'Festival of Possibilities' at the Henty Memorial Park. The Committee helped out in promoting the event and organising travel for other Lockhart Youth to attend with 24 Lockhart Youth attending the festival. Throughout the night they helped cook and serve the food and take photos of the event. The Committee should be commended on their work in the lead up to and throughout the festival.

Youth Week May 2019

The Youth Officers celebrated Youth Week with The Rock Central School by hosting a colour run out at The Rock Golf course. The students enjoyed a BBQ lunch with fresh fruit prepared by the Youth Officers and then received their fresh, new, white shirts to wear on the run. They ran 2kms around the golf course while their teachers sprayed them in bright colours. The students and teachers all had a fabulous day.

SportsAbility Day May 2019

On the 27 May, Lockhart Central School, The Rock Central School and St Josephs were very excited to participate in the SportsAbility Day held at the Lockhart Sports Ground. The Youth Development officers worked with Intereach Ability Links to bring to Lockhart an all Ability Sports Day.

This partnership provided the students of all abilities with the opportunity to participate in many different sports that perhaps they haven't had the opportunity to try.

The sports that the participants were able to try out include Netball, Soccer, Cricket, Wheelchair Tennis, NRL, and Blind Cricket. All these sports were supervised and ran by professionals so there were plenty of opportunities for learning and playing experience for the students on the day.

This day was designed to allow for the possibility for everyone to have a go at every sport in the most enjoyable way possible while learning something new and being coached by some of the best in their sports.

Submission of a Heywire FRRR grant in partnership with Lockhart and The Rock Central School May 2019

The Youth Development Officers have submitted a FRRR Heywire grant application in partnership with Lockhart and The Rock Central Schools. The Walk and Talk grant is centred around getting the young people out into nature, away from the influences of social media, and remembering how to connect on a face-to-face level. The grant will help the stigmas surrounding mental health to break-down and teach the young people that it is okay to talk about their lives without fear of judgement or other external influences residing within small rural communities.

CASP Grant

The Youth Officers were successful in a Country Arts and Support Program grant which allows the Youth within The Rock and Lockhart to create an E-Book about members of their community who have gone above and beyond to help them succeed and have fun within their town. The students have completed their interviews with the selected community members and have had their first writing workshop with Craig Dent to start the biography process. Another writing workshop is organised with Craig for next term along with a workshop with the graphic designer Racheal Viski.

Youth Advisory Committee Meetings:

Since the establishment of the Lockhart Shire Youth Advisory Committee in July 2017 the committee meets on the first Monday of each month from 1pm – 1.45pm. There are 10 members on the committee. The committee have had t-shirts designed which they wear at all youth events. Funding for the Youth Advisory Committee t-shirts and banner comes from the Youth Opportunity Grant Operation Connect, Engage, and Implement.

Integrated Planning and Reporting Reference

A3 - People of all ages, abilities, and backgrounds participate in community life.
A3 - Support our children and young people.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Activities were conducted within Council's budget allocation for Youth Services and/or grant funded.

Attachments

Nil.

Recommendation: That the report be noted.

Notes:

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

8. LOCKHART CARAVAN PARK

(DEES/C05-005)

Executive Summary

Update on the status of gaining approval for the operation of the caravan parks within Lockhart Shire.

Report

As reported to Council at its meeting held in April 2017 it appears that Lockhart Shire caravan parks may be currently operating without approval, with neither development approval nor approval under s68 of the Local Government Act in place for the caravan parks at Lockhart (permanent), The Rock Recreation Ground (free) or Yerong Creek Recreation Ground (temporary). As Council is the regulatory body for issuing these approvals it can do so when requirements have been met under the various pieces of legislation that apply. The parks may have existing use rights as determined under legislation, as well the parks may be permissible under current zoning for the land on which they are sited.

At the April 2017 meeting Council resolved that all the caravan parks are to be short term (holiday park), where a short term site is defined as “a dwelling site on which a moveable dwelling that is ordinarily used for holiday purposes may be installed and that is specified in the approval for a caravan park as being a short-term site”.

Under the Regulation Clause 73 states:

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

Staff have been dealing with several other compliance issues that needed addressing and as such have developed an updated site layout for the Lockhart Caravan Park (see attached). This layout takes into consideration the following legislative requirements:

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

The updated site layout plan utilises the existing space to create additional sites as well as the land behind Billabong Motors for unpowered sites. It includes a second amenities block with disabled access, as well as provision for a fully disabled access cabin. The existing “carport” shelters structures are to be removed to create new powered sites in keeping with the rest of the park.

Staff are currently determining what firefighting facilities are exactly required, which will determine the cost to bring the park up to full compliance requirements, including the cost of the other improvements such as a second amenities, disabled access cabin, additional site facilities, parking, car wash bay, lighting, etc.

With regards to camping at The Rock and Yerong Creek recreation grounds, the caravan parks at The Rock and Yerong Creek are on Crown Land which under its current gazettal is designated for recreational use only. The use of “caravan park” can be added to the permitted uses through the Plans of Management being developed by Council. It is proposed that these parks seek approval from Council to be classed as “Primitive”, meaning they have water, toilets, dump point with maximum sites permissible based on the area of land. For The Rock 16 sites are permissible, whereas 10 sites are permissible for Yerong Creek.

For camping at Lockhart Showground, Pleasant Hills Recreation Ground and Milbrulong Recreation Ground, these can be determined to be “free camping” areas which does not require Council approval provided that the installation of not more that two (2) caravans, campervans or tents on any land, so long as they are not occupied for more that two (2) days at a time and not occupied for more than 60 days (in total) in any single period of 12 months. Again, the use of “camping” can be added to the permitted uses for the crown land through the Plans of Management being developed by Council.

Integrated Planning and Reporting Reference

B2 – Our community has a strong tourism sector

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

Legislative Policy and Planning Implications

- Development Consent under Environmental Planning & Assessment Act 1979
- Approval under s68 Local Government Act 1993
- Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
- State Environmental Planning Policy No 21 – Caravan Parks (SEPP 21)
- Holiday Parks (Long-term Casual Occupation) Act 2002
- Residential (Land Lease) Communities Act 2013
- Crown Lands Management Act 2016.

Budget and Financial Aspects

- Lockhart Caravan Park – estimates for bring the park up to full compliance is \$250,000. This could be staged as well as seek grant funding to help cover costs of upgrade.
- The Rock and Yerong Creek Recreation Grounds – once dump point is installed at Yerong Creek, other than signage there is little further costs required.
- Similarly, for the free camping areas, other than signage there is little further costs required.

Attachments

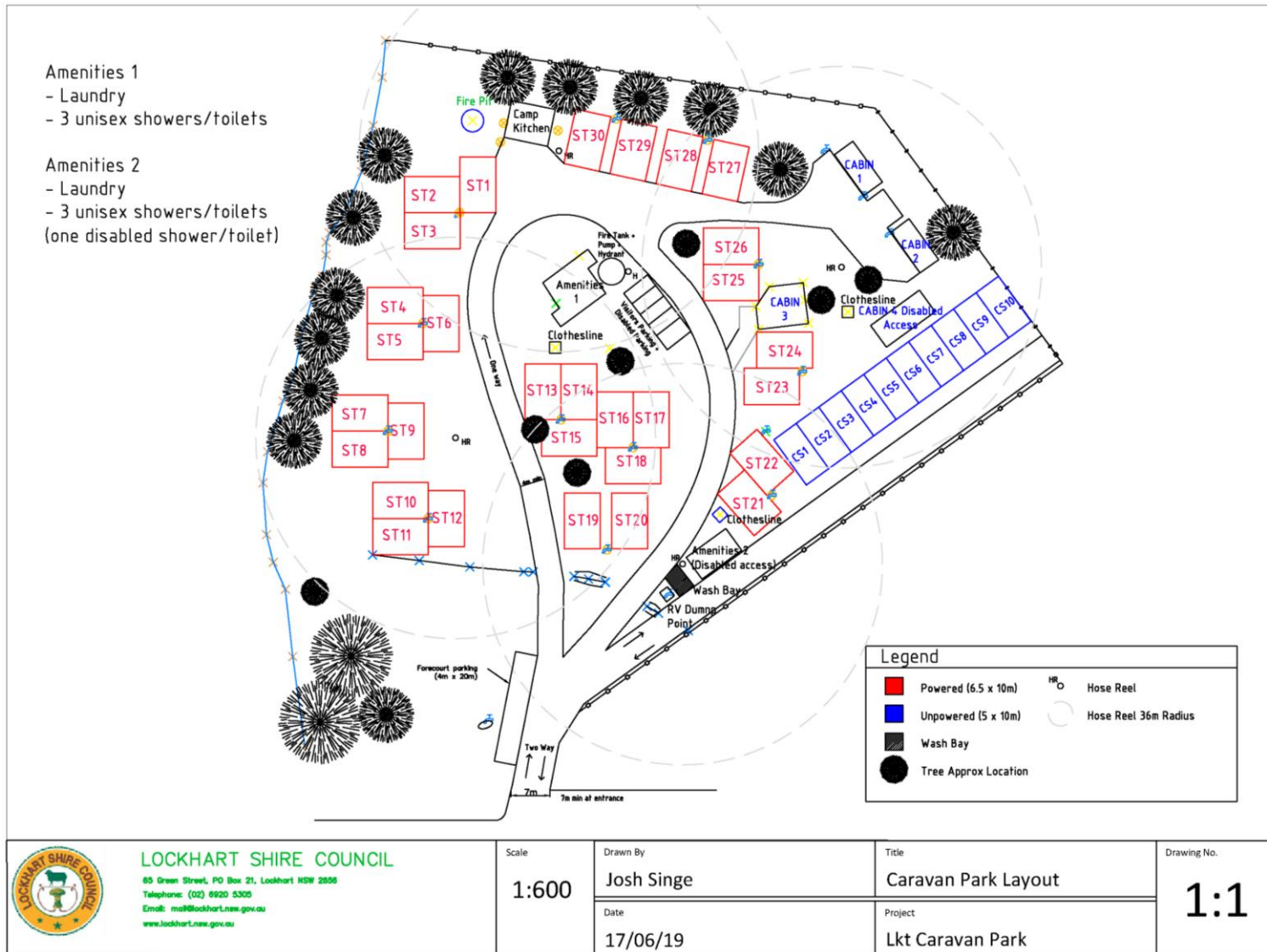
1. Updated Caravan Park Site Map – Final.

Recommendation: That Council:

- a) Notes the information in the report;
- b) Endorses the proposed Lockhart Caravan park revised layout; and
- c) A further report be brought to Council in due course once a detailed costing can be provided.

Notes:

Attachment 1. – Updated Caravan Park Site Map – Final



9. LOCKHART RENEWABLE ENERGY PROJECT

(GM/E20-005)

Executive Summary

Council has secured funding for Stage 1 of Better Energy Technology Pty Ltd's Renewable Energy Project for the township of Lockhart.

Report

Council will be aware that in late 2017 it received an unsolicited proposal from Better Energy Technology Pty Ltd (BET) to undertake a renewable energy project in Lockhart.

The project aims to demonstrate that a town like Lockhart can be 100% self-sufficient by using renewable energy sources with battery storage technology to power the town 24 hours a day seven days a week whilst remaining connected to the grid. In addition to enhancing energy security the project will result in reduced power prices thereby providing significant economic development opportunities for the town.

Subject to a successful demonstration the project can be replicated in other towns and therefore has the potential to revitalise rural and regional towns. Under the project proposal excess power would be generated which, with battery storage technology, can be sold back into the grid during high demand periods producing an income stream.

Lockhart was chosen as the site for the demonstration project because the town:

- a) Is small enough for the project to be manageable but also big enough to mirror a larger urban centre, i.e. it has a mix of residential, commercial and industrial customers, schools, supermarket, hospital etc.;
- b) Is developed in a contained grid pattern;
- c) Is close to an electricity grid connection point i.e. a substation with the necessary capacity;
- d) Is connected to the NBN;
- e) Is close to a regional airport; and
- f) Has a supportive community.

With respect to f) above, Council at its meeting held on 16 October 2017 resolved to support the project in principal, to assist BET with grant funding applications and undertake community consultation for the project. Two public meetings were subsequently held in November 2017 where attendees received a presentation from BET and had the opportunity to ask questions about the project. The project received unanimous support at both meetings.

Since that time Council has been supporting BET in seeking funding for the project. This has included attending meetings of the Australian Renewable Energy Agency (ARENA) with BET, arranging for BET to meet with Government Ministers and relevant staff in Canberra and Sydney, as well as arranging for BET to make a presentation to the NSW Country Mayors Association.

These efforts proved successful when in April 2019 the Deputy Prime Minister and Member for Riverina, the Hon Michael McCormack MP, announced a \$1 million grant under the Commonwealth Government's Community Development Grants Program to fund Stage 1 of the project.

The purpose of the Stage 1 funding is to prepare and submit all the necessary documentation for the:

- Development Application with Lockhart Council;
- Connection agreement with the grid operator, Essential Energy;
- Market permissions with the Australian Energy Market Operator (AEMO).

Other outcomes from Stage 1 include:

- Confirming the costs of Stages 2 and 3 and producing an investment grade financial plan for the subsequent Stages of the project;
- Producing a detailed design of the project;
- Producing a procurement plan for the project;
- Producing a technical optimisation summary;
- Providing all project management costs.

Stage 1 essentially de-risks the project. Successful completion of Stage 1 will provide greater investor certainty and therefore facilitate raising the necessary funds for Stage 2 (solar farm and battery storage) and Stage 3 (digester).

It has always been Council's intention to play a facilitative role in assisting BET to secure funding so that it can deliver the demonstration project. Council has not committed any of its own funds in order to play a more direct role. Notwithstanding this the grant has been made available to Council and not BET. However, Council can in turn provide the financial assistance to BET pursuant to Section 356 of the Local Government Act, 1993. Section 356 of the Act states that:

- 1) *"A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- 2) *A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*

In order to comply with Section 356 Council will need to give public notice of its intention to pass a resolution to provide financial assistance to BET, using the grant funds from the Commonwealth, and then pass the actual resolution at its September 2019 Council meeting.

Following the Deputy Prime Minister's announcement in April 2019, Council has been required to submit more detailed information regarding the project to the relevant Commonwealth Government department before it received final approval in July 2019. The information submitted to the Department confirmed that Stage 1 would be undertaken by BET and that if for any reason the grant turned out to be insufficient to complete the Stage, BET will be responsible for meeting any shortfall.

Council is required to execute a funding agreement with the Commonwealth Government for the \$1 million Community Development Grant. The funding agreement will provide for an initial up-front payment to establish the Project and then subsequent progress payments being released on the receipt of progress reports. Subject to the necessary resolution being passed at the September Council meeting, it is proposed that financial assistance will be provided to BET as funds are received from the Commonwealth. An Agreement will also be put in place between Council and BET so that BET has similar obligations to Council as Council has under its funding agreement with the Commonwealth, i.e. submitting progress reports, invoices, other relevant documentation, etc.

Integrated Planning and Reporting Reference

B1 - Provide strong strategic direction for economic development.

C1 - Where practical improve the energy efficiency of Council buildings.

C1 - Develop and implement a strategy that works towards Lockhart Shire being carbon neutral.

C1 - Investigate installation of new energy efficient street lighting.

C1 - Investigate programs and initiatives that promote renewable energy options for households and industry.

Legislative Policy and Planning Implications

According to Section 356 of the Local Government Act a proposed recipient who acts for private gain is not ineligible to be granted financial assistance from Council. However, the proposed recipient must not receive any benefit until at least 28 days' public notice of the Council's proposal to pass the necessary resolution has been given.

It is proposed to give public notice on the Council website, community Facebook page and Council Newsletter from Tuesday 20 August 2019 that Council, at its meeting to be held on 16 September 2019, intends to pass a resolution to grant financial assistance to BET for the purposes of undertaking Stage 1 of the Lockhart Renewable Energy Project.

Budget and Financial Aspects

The amount of financial assistance to be provided to BET is the amount Council will receive from the Commonwealth Government in the form of a Community Development Grant so that there will be no net impact on Council's budget.

Attachments

Nil.

Recommendation: That Council:

- a) Authorise the General Manager to enter into a funding agreement with the Commonwealth Government for the \$1 million Community Development Grant for Stage 1 of the Better Energy Technology Lockhart Renewable Energy Project;
- b) Give public notice of its proposal to pass a resolution at the Council meeting to be held on 16 September 2019, to grant financial assistance to Better Energy Technology Pty Ltd, pursuant to Section 356 of the Local Government Act, 1993, to enable it to undertake Stage 1 of the Better Energy Technology Lockhart Renewable Energy Project; and
- c) Authorise the General Manager to enter into an Agreement with Better Energy Technology, in relation to the financial assistance to be provided pursuant to Section 356, that enables Council to meet its obligations under its funding agreement with the Commonwealth.

Notes:

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

10. BIOSECURITY AND ENVIRONMENTAL REPORT

(DEES/N10-025)

Executive Summary

Monthly report on priority weeds and environmental matters.

Report

Weeds

Property Inspections

Inspections were carried out on both rural and residential properties, which were selected due to a change of ownership, or by the request of the landholder.

The weeds most commonly found were Bridal creeper (*Asparagus asparagoides*), Asparagus weed (*Asparagus sp.*), Privet (*Ligustrum sp.*), Athel pine (*Tamarix aphylla*), Coolatai grass (*Hyparrhenia hirta*), St John's wort (*Hypericum perforatum*), and Wild radish (*Raphanus raphanistrum*).

No. 1 st Inspections	No. Re- inspections required	No.2 nd Inspections	No. Biosecurity Undertakings Accepted	No. Biosecurity Directions Issued	No.3 rd Inspections	No.4 th Inspections
14	7	0	0	0	0	0

Control Program

Priority has been given to the control of Bridal creeper (*Asparagus asparagoides*), Horehound (*Marrubium vulgare*), Prickly pear (*Opuntia sp.*), and Wild radish (*Raphanus raphanistrum*) on roadside reserves.

Riverina Weeds Action Program

The end of year reporting for the Weeds Action Program (WAP) for 2015-2020 was completed in July. All targets were achieved, and the expenditure was slightly under budget. This can be accredited to a reduction in expenditure of weed control on roadsides, following lower than average rainfall being experienced by the Shire, as well as past successful weed control leading to less sites containing weeds and densities reducing at infestation sites. No new incursions were experienced by the Shire which is encouraging.

Pests

Common White Snail Baiting Program

Snail baiting application occurred on Fairview Lane on 17 June.

Indian Myna Bird Invasion

Reports of Indian Myna (*Sturnus tristis*) flocks within the Shire have been confirmed. Indian or Common Myna birds have spread throughout many regional areas in eastern Australia. Preventing them from invading new areas is far better than trying to manage them effectively after they become established. These birds are extremely aggressive and territorial birds that out-compete native birds for food, water and shelter. They displace native animals from nests and tree hollows, as well as kill the chicks and destroy eggs of native birds, and kill small native animals. They are carriers of disease and bird mites to humans, as well as harass pets and steal pet food. Their nesting in roof cavities creates a fire and health risk, as well as damaging fruit, cereal crops and stock feed.

In order to combat this new incursion, education will be provided in the Council newsletter, as well as information packs will be provided to property owners in close proximity to the known sites. Specialised traps will also be purchased in order to reduce the population.

Integrated Planning and Reporting Reference

C2 – Flora and fauna are protected across the Shire.

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 Biosecurity Act 2015 and associated regulations.

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachments

Nil.

Recommendation: That the information in be noted.

Notes:

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

11. ENGINEERING REPORT

(DEES/T10-005)

Executive Summary

Monthly report on engineering matters.

Background Information

- a) *Works Report:* Two grader crews are undertaking maintenance grading and gravel re-sheets in accordance with the new 12-month programme. Council has activated its third grader to assist with maintenance grading over the wetter winter months as required. Construction projects are not scheduled to commence until the warmer spring weather arises. Preparations for the Urana Lockhart Road widening project have commenced.

A new 12-month programme will be presented at the meeting.

Concrete crew is continuing with the HML bridges project. The triple culvert system on Henty Pleasant Hills Road has commenced with the large 18-cell arrangement nearing completion. Once all complete the crew will then undertake culvert works as part of the Flood Detour Road upgrade.

Council's project under the Drought Relief Heavy Vehicles Access program for the trimming of trees and vegetation to allow 4.6m high access across the Shire is now complete. A few roads that weren't undertaken under the program will be completed shortly out of Council's road maintenance budget.

- b) *Flood Mitigation:* Refer to Major Projects update.
- c) *Road Safety Officer:* The Road Safety Officer is continuing with the safety audit of all roads within the Shire. The audit will form the basis of Council's Strategic Road Safety Plan and will be used for grant applications in the future.
- d) *Traffic Committee:* The new 50 km/hr zone on the west side of Lockhart to incorporate Flood Detour Road in the urban zone is now in place.
- e) *Lockhart Local Emergency Management Committee:* Nil to report.
- f) *Fleet:* Staff are currently obtaining quotes for the plant replacement in accordance with the adopted 2019/20 budget, with orders being placed accordingly.

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. New 12-month Works Programme (to be handed out separately at the meeting).

Recommendation: That the information be noted.

Notes:

12. MAJOR PROJECTS UPDATE – AUGUST 2019

(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:* The Rock pool upgrade works is progressing well with the tiling and concourse works complete. Fit out of the pool shed construction is now well advanced. Council staff have ordered materials for the playground and BBQ's, with the playground installed. It is anticipated that the works will be completed by mid-October 2019, with opening date set for Saturday 26 October 2019.
- b) *Demolition of Voluntary Purchase Properties:* Council has been successful with its grant application to continue the Voluntary Purchase of properties in Lockhart for the next three years, commencing 1 July 2019. Staff are now in negotiations with a property owner and expect a positive outcome shortly.
- c) *Flood Mitigation Construction-Lockhart:* Council has been successful with the grant application for Stage 2 flood mitigation works in Lockhart, being the drainage system east of the Industrial Park. Council has engaged Mitchell Constructions (NSW) P/L to undertake the project, which has now commenced works on site. Some delays are expected when works occur on Albury Road. The Project is expected to be complete prior to Christmas 2019.
- d) *Flood Mitigation Construction-The Rock:* A grant application has been submitted for Stage 2 flood mitigation works at The Rock, being the drainage works along Nicholas, Yerong and Urana Streets. It is not anticipated to hear any outcome on this application till late 2019.
- e) *Playground – The Rock Recreation Ground:* Council has been successful in gaining \$75,000 from the NSW Government's 'Everyone Can Play' grant, with Council also contributing \$75,000 to the project. The playspace has been designed and approved for the grant funding body. The location is set to be near the netball courts at the current entrance to the Recreation Ground, with a new entrance to be constructed to the east as part of the swimming pool upgrade works along Wilson Street. Works are expected to commence in late 2019.

Council has also been successful in gaining a further \$25,000 funding for the project from the Federal Government's Community Development Grant programme. The final timing of the grant is still not known; however, it is expected to be resolved shortly once a funding agreement is finalised.

- f) *Lockhart Renewable Energy Project:* Council has also been successful in gaining \$1M funding from the Federal Government's Community Development Grant programme to undertake Stage 1 of the project. Stage 1 entails the detail design, financial modelling, DA applications, and connection agreements with Essential Energy. A funding agreement has been received by Council with its finalisation expected to occur in the coming weeks to allow works to commence. The Project is subject to a separate report to Council.

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.

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

- (i) Pools – total refurbishment costs estimated to be \$4.7M for both pools
- (ii) VP Demolition – The purchase and demolition of properties over the next three years is anticipated to cost \$930,000 with the NSW Government to fund \$797,000.
- (iii) Flood Mitigation Construction - Funding for Stage 2 at Lockhart is \$741,612 with total project value of \$1,031,662. Stage 2 at The Rock total project value is \$1.0M.
- (iv) Playground at The Rock Recreation Ground budget is \$175,000 with the additional of the \$25,000 from the Federal Government.
- (iv) Stage 1 of the Lockhart Renewable Energy project is \$1M, with the overall project budget being approximately \$30M.

Attachments

Nil.

Recommendation: That the information be noted.

Notes:

13. PARKS AND GARDENS REPORT

(DEES/P10-005)

Executive Summary

Monthly report on parks and gardens.

Report

Environmental Grants

Parks and Urban maintenance crews have been conducting woody weed removal at Burkes Creek and Galore Hill. Removal of woody weeds reduces competition and allows local native species to regenerate; reduces habitat for feral pest animals and improves visual amenity. Funding is now expended.

Inclusive Playground

\$75000 has been granted to Council from the NSW Govt. Everyone Can Play initiative to partially fund a new playground for The Rock. Council's financial commitment to this project has been included in the 2019/20 budget. Council representatives met with community groups and interested parties recently to discuss location, equipment and creative ideas. A revised plan has gone out to the focus group for comment.

Inclusive playspaces consider as many needs as possible. Playspaces should be welcoming and comfortable, easy to navigate and interesting. They should offer a range of physical challenges, a variety of landscape settings and provide opportunities to connect with others.

The new playground will be installed at The Rock Recreation Ground and will follow the design principles to create a playspace for everyone, regardless of age, ability (both physical and mental) or cultural background.

Trees

Pruning of street trees has begun and will continue throughout winter.

Cooler temperatures, some rain and deciduous trees entering dormancy has allowed the watering schedule to be dramatically reduced.

Mowing and Slashing

The winter slashing schedule is being revised due to low rainfall slowing growth.

Mowing and edging of parks and recreation grounds is being completed as required.

Weed Control

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

Parks and Gardens

The warm weather has seen the Shire's roses continue to bloom well into autumn and have continued to require regular deadheading. Winter pruning will be scheduled for July and August.

Irrigation systems have been reduced or shut off.

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

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.

Attachments

Nil.

Recommendation: That the information be noted.

Notes:

14. **FIXING COUNTRY ROADS GRANT FUNDING PROGRAM**

(DEES/MR229)

Executive Summary

NSW Government has announced another round of funding under the Fixing Country Roads program.

Report

NSW Government has announced another round of funding under the Fixing Country Roads (FCR) program. Council has been quite successful in receiving funding under the FCR program, with projects undertaken at The Rock Lockhart Road, Grubben Road, replacement of the causeways on Urana Lockhart Road, and more recently the HML Bridges project.

Fixing Country Roads and Fixing Country Rail are NSW Government programs providing almost \$1 billion of targeted Restart NSW funding for regional freight infrastructure projects. The program aims to improve freight connectivity and effective freight movement. Projects are required to have a benefit cost ratio of above one (i.e. positive cost benefit).

As previously discussed at Council, Staff have identified Wattles Road and Tinamba Lane at Lockhart as a potential project for funding under the FCR program. The upgrading of the roads to sealed access as well as drainage improvements would provide an all-weather by-pass route for Lockhart, improving freight efficiency as well as removing heavy vehicles from Lockhart township.

In addition, on 24 February 2019 the NSW Government announced that the Government's existing \$543 million Fixing Country Roads program will be boosted to a total of \$1.54 billion in funding available to councils before and after the upcoming state election; including a \$500-million Fixing Local Roads program to assist councils in repairing, maintaining and sealing important local roads; and a \$500-million Fixing Country Bridges program to replace the worst timber bridges in regional and rural communities. The programs also include the transfer of up to 15,000km of council-owned roads back to the state government to manage. A new independent panel will be created to oversee the asset transfer process under the new programs. It is expected the grant applications will be open late 2019. There is no information available at this stage regarding the potential transfer of roads back to the Government.

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.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

- Estimated cost to upgrade Wattles Road and Tinamba Lane is \$2M
- This could be funded by Fixing Country Road grant of \$1.5M with \$0.5M balance from either Council and/or Federal Government's Heavy Vehicle Safety & Productivity Program (HVSPP).

Attachments

1. Fixing Country Roads and Rail Factsheet 2019.

Recommendation: That Council:

- a) Submits a grant application under the next round of Fixing Country Roads program for the upgrade of Wattles Road and Tinamba Lane; and
- b) Places notices in the August 2019 Council Newsletter for letters of support for the project.

Notes:

Attachment 1. – Fixing Country Roads and Rail Factsheet 2019

Transport for NSW



Fixing Country Roads and Fixing Country Rail

Improving regional freight connectivity

Fixing Country Roads and Fixing Country Rail are NSW Government programs providing almost \$1 billion of targeted Restart NSW funding for regional freight infrastructure projects. The program aims to improve freight connectivity and effective freight movement.

Food, produce and raw materials feed and power the State – and their efficient movement to market is critical to economic growth in rural areas. In 2016, there were around 255 million tonnes of freight in regional NSW. This is forecast to increase by 12 per cent to 286 million tonnes by 2036.

Fixing Country Roads and Rail supports regional NSW jobs, growth and economic productivity by reducing the cost of getting goods to market. As costs come down, consumers benefit at the till of their local supermarket and exporters become more competitive.

Projects with clear freight benefits, solid business cases and industry support are prioritised.

Fixing Country Roads

- Provides targeted funding to local councils in regional NSW for road projects which improve freight connectivity on Regional and Local roads.
- Helps fund vital road and bridge upgrades to better connect State Roads and key freight hubs such as silos, saleyards and distribution centres.
- Includes truck washes as well as bridge and route load assessments.
- Applications can be made at any time.

Fixing Country Roads funding is \$543 million of which **\$386.8 million*** has been made available for **302 projects**.

Fixing Country Rail funding is \$400 million of which up to **\$210.9 million**** has been made available for **20 projects**.

* Including Fixing Country Truck Washes

** Fixing Country Rail Pilot Round had an additional \$15 million made available for 10 projects. Fixing Country Rail 2019 has an additional \$815K Business Case Funding amount made available for 13 projects.

Freight is worth **\$66 billion** to the NSW economy



Regional NSW produces **255 million** tonnes of freight a year



Transport from paddock to port is **18%** of the cost of grain sold by regional farmers



Regional NSW freight will **grow by 12%** between 2016 and 2036



6,400km of rail lines in NSW



92% of the NSW road network is Local and Regional roads



8,000 local government bridges in NSW



40% of the NSW population live in Regional NSW



Every 100km out of a truck driver's way costs **\$200**. Unnecessary diverted freight travel will cost NSW businesses almost \$1 billion over the next 20 years.

More information on the Fixing Country Roads and Fixing Country Rail programs is available online or via email

W transport.nsw.gov.au/projects/programs/fixing-country-roads

E freight@transport.nsw.gov.au

April 2019

Open application process for Fixing Country Roads



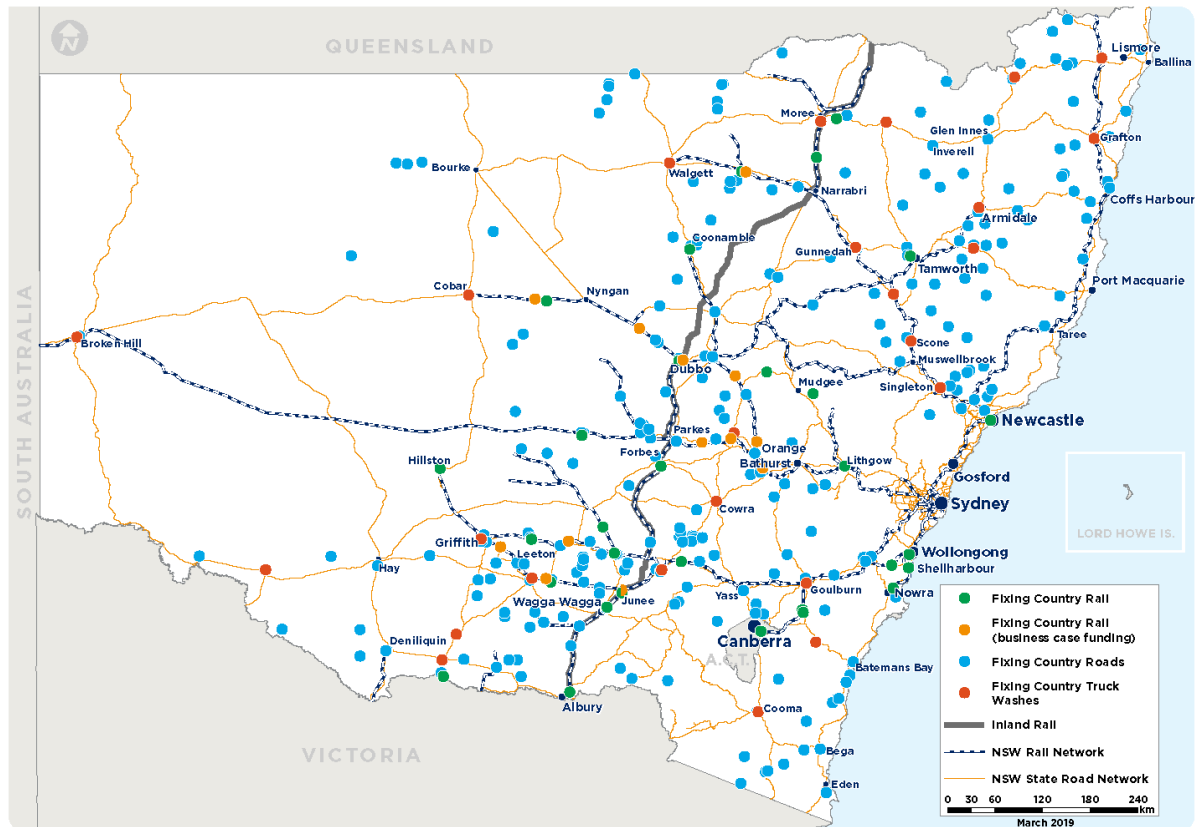
Fixing Country Rail

- Provides targeted funding to rail infrastructure owners and managers, for projects to improve freight connectivity on the regional rail network.
- Funds projects such as new or extended rail sidings, the opening of non-operational rail lines, and network enhancements which allow the use of faster, longer and heavier trains.
- Fixing Country Rail 2019 funding decisions will be informed by the Regional Rail Corridor Strategy and NSW Freight and Ports Plan 2018-2023 developed by Transport for NSW. Suggestions for projects can be emailed to freight@transport.nsw.gov.au



53% of all freight moved in regional NSW is moved by rail. An average container train carries 120 TEU which removes over 80 truck movements from our roads.

Fixing Country Roads, Rail and Truck Washes - successful projects



More information on the Fixing Country Roads and Fixing Country Rail programs is available online or via email

W transport.nsw.gov.au/projects/programs/fixing-country-roads

E freight@transport.nsw.gov.au

April 2019

15. 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 to 31 July 2019.

DA No	Development	Applicant/Owner	Site of Development
73/19	New front porch & deck	John Driscoll	57 King Street, The Rock
75/19	Demolition of dwelling & associated buildings	Lockhart & District Aged Care	59 Hebden Street, Lockhart
1/20	Grain sampling stand	Emerald Grain Pty Ltd	1948 Bullenbong Road, The Rock
2/20	New replacement dwelling	Nathan Pooley	724 Iletts Lane, Wrathall
3/20	New steel shed	Shaun Harper	36 King Street, The Rock
4/20	Pre-fabricated steel shed	Graham Cheney	Cullen Street, Pleasant Hills
5/20	Extension to existing dwelling	James Male	591 Dick Knobels Road, Munyabla

Integrated Planning & Reporting Reference

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

Legislative Policy and Planning Implications

Applications are processed under the provisions of the Environmental Planning & Assessment Act 1979.

Budget and Financial Aspects

Nil.

Attachments

Nil.

Recommendation: That the information be noted.

Notes:

Integrated Planning and Reporting Reference

E1 - Council is strong, sustainable and able to stand alone.

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

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

Legislative Policy and Planning Implications

Local Government Act 1993 Section 625 Investments.

Local Government (General) Regulation Clause 212.

Budget and Financial Aspects

Council's 2019/20 Operational Budget has forecast a total of \$165,000 income from interest on investments, being split between General Fund of \$145,000 and Sewer Fund of \$20,000. For the month of July 2019, the average end of month balance of funds invested has been \$6.95 million and the average return on invested funds has been 2.11%. On these year to date figures, Council's budgeted income on investments is forecast to be achieved for General Fund and Sewer Fund.

Responsible Accounting Officer Statement

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

Recommendation: That:

- a) The July 2019 Investment and Bank Balances Report be received and noted.
- b) The Responsible Accounting Officer Statement be noted, and the report be adopted.

Notes:

17. UNSPENT EXPENDITURE TO BE REVOTED TO THE 2019/2020 BUDGET (DCCS/F10-010)

Executive Summary

Council is presented with a list of budgeted items from the previous year's budget that are to be Revotes to the 2019-2020 Operational Budget.

Report

These are budget items and amounts that have been in previous Operational Plan Budgets that have not incurred any expenditure as at year end, 30 June 2019, which need to be revoted/carried forward to the current year Operational Plan Budget.

Budget items are:

- Administration Offices Development	\$50,000
- Keys & Padlock System	\$30,000
Capital Expenditure to be Revoted to 2019-2020	\$80,000

Integrated Planning and Reporting Reference

E1 - Council is strong, sustainable and able to stand alone.

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

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

Legislative Policy and Planning Implications

As per Integrated Planning and Reporting Guidelines.

Budget and Financial Aspects

Revotes and carried forwards to be funded from Internal Reserves.

Attachments

Nil.

Recommendation: That:

- a) the information be noted; and
- b) the list of items contained in the Report be revoted in the 2019/2020 Operational Plan Budget.

Notes:

18. INTERNAL RESTRICTIONS

(DCCS/A45-010)

Executive Summary

This report is to review and update Council's internally restricted reserves.

Report

Council's current list of Internal Reserves was as a result of a report to Council to the June 2018 Council meeting. It is proposed to add a new internal restriction, "Community Financial Assistance - S356", being any unspent funds from each Operational Budget general ledger item 1020-2308 Section 356 Contributions which have not been spent. In each year's Operational Budget there is a budget allocation to fund Section 356 Contributions. By putting any unspent budget each year to an internal reserve, this will enable greater opportunities for Council to provide financial assistance in the future.

Changes to Council's internal restrictions/reserves require a Council resolution, generally through a Quarterly Budget Review and/or other Council reports.

Internal restrictions arise as a result of resolutions of Council to set aside reserves of cash resources, generally to fund future infrastructure expenditure for the stated purpose. Any such reserves are not permitted to exceed the amounts of cash assets and cash investments not otherwise restricted.

Internal restrictions are generally required to fund one-off capital expenditure that the operational budget would not be able to accommodate. These one-off projects are often intergenerational assets which the community will derive benefit from over many years.

The 2018-19 Operational Budget drew on a significant amount of reserves to fund major projects, mainly swimming pool refurbishments and flood mitigation works.

Below is a table of movements to Internal Restrictions balances:

	As at 30-Jun-18	deductions	additions	As at 30-Jun-19
Internal restrictions	\$ '000			\$ '000
Advance Financial Assistance – General	1,087	-1,087	1,158	1,158
Advance Financial Assistance – Roads	628	-628	713	713
Borrowed Funds - Pools	2,200	-1,372		828
Buildings	115		19	134
Community Financial Assistance - S356	–		7	7
Disaster Recovery	374		11	385
Economic Development	75			75
Employees Leave Entitlement	741			741
Future Election Expenses	6		6	12
Future Infrastructure Development	1,500	-1,205	705	1,000
Galore Hill Reserve	16			16
Lockhart Recreation Ground	10			10
Plant & Vehicle Replacement	13			13
Rehabilitation Reserve	237			237
Systems & IT Improvements	160	-23	80	217
Total internal restrictions	7,162	(4,315)	2,699	5,546

Buildings: the total expenditure of all Council repairs & maintenance budgets for buildings in 2018-19 was under budget by \$19,000. It is proposed to move this amount to the building reserves to fund future major repairs & maintenance on Council's buildings portfolio.

Future Infrastructure Development: this reserve took a significant hit on 2018-19. It is being replenished to enable future funding of one off projects.

Systems & IT Improvements: the balance as at 30 June 2018 of \$160,000 has already been committed for expenditure and as information technology and systems improvements become more important in Council operations, this reserve is proposed to be increased.

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.

E1 - Council is strong, sustainable and able to stand alone.

Legislative Policy and Planning Implications

Council resolution is required for any changes to internal restrictions that will be presented in Council's Audited Statements.

Budget and Financial Aspects

Availability of internal restrictions can impact of timing and ability of budget to fund projects.

Attachments

Nil.

Recommendation: That Council adopt the proposed list of internal restrictions and balances for 30 June 2019 as detailed in this report.

Notes:

19. COMMUNITY ENGAGEMENT STRATEGY

(GM/P25-030)

Executive Summary

A draft Community Engagement Strategy and Community Participation Plan has been publicly exhibited in accordance with a previous resolution of Council. The Strategy is now being tabled for formal adoption.

Report

A draft Community Engagement Strategy and Community Participation Plan has been prepared in accordance with the requirements of the Local Government Act and the Environmental Planning and Assessment Act 1979.

The draft document was placed on public exhibition for a period of not less than 28 days in accordance with a resolution of Council passed on 17 June 2019. No submissions have been received and the document as exhibited is now being tabled for formal adoption.

Integrated Planning and Reporting Reference

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

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

E2 - Provide effective community engagement practices with the community.

E2 - Increase opportunities and provide support for people with disabilities to exercise their rights for civic participation.

E2 - Ensure the community is informed by improving access to information.

Legislative Policy and Planning Implications

Section 8A of the Local Government Act 1993 sets out the guiding principles for councils. Sub-section (3) deals with community participation and states that:

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

More specifically Section 402 (4) of the Local Government Act provides that:

“The council must establish and implement a strategy (its “community engagement strategy”), based on social justice principles, for engagement with the local community when developing the community strategic plan”.

The Environmental Planning and Assessment Act 1979 also places obligations with respect to community engagement on Council as a consent authority. Division 2.6 outlines mandatory community participation requirements and states as follows:

Section 2.22

“(1) Part 1 of Schedule 1 sets out the mandatory requirements for community participation by planning authorities with respect to the exercise of relevant planning functions.

(The mandatory requirements include public exhibition for a minimum period, public notification requirements and the giving of reasons for decisions by planning authorities. The regulations under that Schedule may also require community consultation by applicants for consents or other approvals”).

(2) Those mandatory requirements for community participation include any other forms of community participation that are set out in a community participation plan under this Division and that are identified in that plan as mandatory requirements.

Section 2.23

(1) A planning authority to which this Division applies is required to prepare a [community participation plan](#) about how and when it will undertake community participation when exercising relevant planning [functions](#) (subject to this section)”.

Budget and Financial Aspects

Nil.

Attachments

1. Draft Community Engagement Strategy.

Recommendation: That the draft Community Engagement Strategy and Community Participation Plan, as presented, be adopted.

Notes:

Attachment 1. – Draft Community Engagement Strategy



Lockhart Shire Council

**Community Engagement
Strategy**

and

**Community Participation
Plan**

2019

1. Introduction and background

When we talk about “Community Engagement” in a local government context we are describing the activities that support the interactive relationship between Council and its stakeholders. Our stakeholders include our ratepayers, residents, service providers, business owners, workers and visitors. It refers to all the ways in which we inform, consult, involve, collaborate and empower the community. Community engagement can be defined as: -

“A process by which the aspirations, concerns, needs and values of citizens and communities are incorporated at all levels and in all sectors in policy development, planning, decision-making, service delivery and assessment; and by which governments and other business and civil society organisations involve citizens, clients, communities and other stakeholders in these processes. (United Nations 2005)”.

From simple information sharing and the promotion of activities and events to encouraging debate on local issues and planning for the future, good engagement creates a supportive, informative, innovative and participatory environment within which people can safely and confidently share their views and aspirations.

Community engagement is not a substitute for decision making but a part of the democratic process that provides the community with an opportunity to inform the decision making process.

2. Why Develop a Strategy

A community engagement strategy will assist councillors and council officers when determining specific engagement activities, planning for these activities and evaluating their effectiveness.

This Strategy sets out what values or principles, as an organisation, we place on community engagement and how those values might translate into practical outcomes. In this regard the Strategy does not prescribe any specific model for engagement in all circumstances because engagement activities will vary according to urgency and priority, resource allocation and objectives and legislative requirements.

The emphasis of this Strategy is not only on detailing our legislative obligations but also upon encouraging a culture of good engagement across the organisation.

3. Legislative Context

Section 8A of the Local Government Act 1993 sets out the guiding principles for councils. Sub-section (3) deals with community participation and states that: -

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

More specifically Section 402 of the Local Government Act provides that: -

“(1) Each local government area must have a community strategic plan that has been developed and endorsed by the council. A community strategic plan is a plan that identifies the main priorities and aspirations for the future of the local government area covering a period of at least 10 years from when the plan is endorsed.

(4) The council must establish and implement a strategy (its “community engagement strategy”), based on social justice principles, for engagement with the local community when developing the community strategic plan.

The Local Government Act also contains various clauses that require public notice to be given prior to certain decisions being taken e.g. decisions to adopt documents such as the community strategic plan, delivery program, operational plan, local approvals policies, local orders policies, code of meeting practice etc. Section 705 of the Act states as follows regarding how public notice is to be given: -

(1) If the council or another person is required to give public notice under this Act, the notice must state the place at which, the dates on which, and the times during which the matter publicly notified may be inspected by the public.

(2) The notice is to be in the approved form.

(3) The notice is to be given in a manner determined by the council with the object of bringing the matter notified to the attention of as many people in its area as possible.

The Environmental Planning and Assessment Act 1979 also places obligations with respect to community engagement on Council as a consent authority. Division 2.6 outlines mandatory community participation requirements and states as follows: -

Section 2.22

(1) Part 1 of Schedule 1 sets out the mandatory requirements for community participation by planning authorities with respect to the exercise of relevant planning functions.

(The mandatory requirements include public exhibition for a minimum period, public notification requirements and the giving of reasons for decisions by planning authorities. The regulations under that Schedule may also require community consultation by applicants for consents or other approvals).

(2) Those mandatory requirements for community participation include any other forms of community participation that are set out in a community participation plan under this Division and that are identified in that plan as mandatory requirements.

Section 2.23

(1) A planning authority to which this Division applies is required to prepare a community participation plan about how and when it will undertake community participation when exercising relevant planning functions (subject to this section).

4. Strategic Planning Context

This Community Engagement Strategy aligns with and supports the following strategies and actions contained in Council's Community Strategic Plan and Delivery Program: -

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

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

E2 - Provide effective community engagement practices with the community.

E2 - Increase opportunities and provide support for people with disabilities to exercise their rights for civic participation.

E2 - Ensure the community is informed by improving access to information."

5. Objectives of the Community Engagement Strategy

The overall objectives of the Community Engagement Strategy are improved communication between Council, ratepayers and residents; improved representation of the needs of the community; increased involvement of residents and particularly hard to reach people; a

trusting partnership between Council and its stakeholders, and more informed planning and decision making by Council.

More specifically the strategy aims to: -

- a) Meet legislative requirements, particularly with respect to the integrated planning and reporting provisions of the Local Government Act 1993 and the mandatory community participation requirements of the Environmental Planning and Assessment Act 1979.
- b) Provide Council with a set of Good Engagement Principles to guide community engagement across the organisation.
- c) Provide all community members and stakeholders an opportunity to have input into Council's decision making in an open and transparent process.
- d) Allow for feedback from a representative cross section of the community.
- e) Ensure that Council receives good quality, timely and relevant feedback.
- f) Promote an increased understanding to Council of the needs of the community.
- g) Provide Council officers with a guide to plan and implement effective community engagement.
- h) Provides access to community knowledge, ideas and expertise and ensure that all information sharing and communication with stakeholders and the community is consistent.
- i) Build strong relationships between Council and the Community.
- j) Builds community confidence in the Council's decision making more broadly and in the planning system specifically.
- k) Create a shared sense of purpose, direction and understanding of the need to manage growth and change, while preserving local character.

6. Principles of Good Community Engagement

The following Principles will help shape the way Council engages with its community. And when applied should help to ensure that the views of the community are acknowledged, respected, and actioned.

- a) Transparency - Council will communicate in an open manner. We will endeavour to always provide accurate, fact based information and be honest in our dealings.
- b) Inclusiveness - Council's engagement process will aim to provide all of the community an opportunity to contribute their views. By having an inclusive engagement process Council seeks to gain perspectives that are representative of the community as a whole.
- c) Active listening - Council will proactively listen to groups and individuals in order to understand their position and concerns. Council will respect the views of community members and take outcome orientated actions as appropriate to the issue.
- d) Access - When engagement opportunities such as public meetings occur, Council will endeavour to provide venues that are accessible, comfortable and in a convenient location. We will aim to provide opportunities for community to meet at times most convenient to them and their circumstance.
- e) Interaction - Councillors and Council officers will be approachable, supportive and easy to contact. Interactions between Council and community members should leave both parties feeling listened to and respected.
- f) Genuine - Council will engage with the community in a genuine and sincere manner. The views of the community will be valued, respected and acknowledged.

- g) Outcomes - Outcomes will be guided by input from the relevant stakeholders. While outcomes may not always please all parties, Council will clearly explain why decisions have been made and acknowledge the input of everyone who took part in the decision making process.
- h) Process - Council will provide the relevant resources to enable good engagement. All community engagement and consultation will take place in a timely and efficient manner. Council will report back on decisions arising from community engagement and ensure every effort has been made to inform stakeholders of its decision.
- i) Response - Council will acknowledge feedback from the community in a timely and efficient manner. Council will always aim to provide information which is factual and accurate.

7. Identification of Stakeholders

For the purpose of community engagement, stakeholders are generally defined as:

- a) Children, young people and adults who live in the Lockhart Shire local government area including resident ratepayers and non-rate paying residents;
- b) Non-resident ratepayers;
- c) Sporting clubs and recreational organisations;
- d) Other community and volunteer based organisations;
- e) Emergency services organisations;
- f) Local businesses;
- g) Council employees;
- h) Individuals who work in Lockhart Shire;
- i) Individuals who visit Lockhart Shire;
- j) Government agencies which have an interest in Lockhart Shire.

8. Community Engagement into Practice

The International Association of Public Participation's ("IAP2") Public Participation Spectrum identifies five recognised levels of an engagement strategy. Those five strategies are "Inform", "Consult", "Involve", "Collaborate" and "Empower". IAP2 is an internationally recognised non-profit organisation that promotes and improves public participation.

IAP2's Public Participation Spectrum is a recognised tool designed to assist with the selection of the level of participation that defines the public's role. It shows that differing level of participation and different methodologies are legitimate depending on the goals, time frames, resources and levels of concern in the decision to be made. It also sets out the promise being made to the public at each participation level.

A broad framework for community engagement in Lockhart Shire has been developed based on the IAP2 Public Participation Spectrum and is detailed in Schedule A.

In order to satisfy the requirements of the Environmental Planning and Assessment Act 1979 and achieve the benefits of community participation in the planning system, Council's approach to community participation for its land use planning functions is detailed in Schedule B.

To assist Council in meeting its obligations and comply with the minimum requirements for consultation, public exhibition of documents and the like, specific legislative requirements with respect to community consultation are detailed in Schedule C.

9. Evaluating the Community Engagement Strategy

Council will evaluate and review its Community Engagement Strategy at least once every four years. Council's Customer Satisfaction Survey will provide one mechanism by which the Strategy will be evaluated. In this regard previous Surveys have included the following questions: -

- a) *"How satisfied are you with the interactions you have had with Council?
Responses ranging from 1 – Not at all satisfied to 5 – very satisfied.*
- b) *How satisfied are you with the level of communication Council has with the community? Responses ranging from 1 – Not at all satisfied to 5 – very satisfied.*
- c) *How do you receive information about Council?"*

Adopted by Council on xx Xxxx 2019

Refer Minute No. xxx/2019

DRAFT

Schedule A

The broad framework for community engagement in Lockhart Shire set out in the table below has been developed based on the IAP2 Public Participation Spectrum. The framework should be used as a guide bearing in mind that the applications shown below are examples only. It is recognised that other applications requiring a level of community engagement and not specifically referred to in the table will emerge from time to time.

Where the application relates to an environmental planning matter e.g. development application, rezoning proposal or review of an environmental planning instrument, specific attention should be given to the Community Participation Plan and engagement strategies outlined in Schedule B.

STRATEGY	APPLICATION (Examples)	GOAL	COMMITMENT	METHODOLOGIES
1. INFORM	<ul style="list-style-type: none"> - FAQs - Customer Service enquiries - Rates & charges 	<p>To provide stakeholders with appropriate information on Council, its decision making, services, events, projects and any associated issues.</p> <p>This is the primary form of community engagement and builds knowledge and skills in the community.</p> <p>For a number of people, depending on the nature of the issue, this may be the only form of community engagement they want.</p>	We will keep you informed.	<ul style="list-style-type: none"> - Media releases - Monthly Council newsletters - Online: website, email and social media - Distribution of in-house documents and publications - Notification letters - Public notices - Letter box drops - Internal communication/consultation - Official openings/launch - Paid advertising
2. CONSULT	<p>Council Policies Development Applications Planning Proposals</p>	<p>Actively seeks stakeholder's views and input into policy, plans and decisions.</p> <p>Council retains overall decision making responsibility.</p>	<p>We will listen to you, consider your ideas and concerns and keep you informed.</p> <p>Planning decisions should be made in an open and transparent way and the</p>	<ul style="list-style-type: none"> - Media releases - Monthly Council newsletters - Paid advertising - Online: website, email and social media

			community should be provided with reasons for those decisions, including how community views have been taken into account.	<ul style="list-style-type: none"> - Distribution of in-house documents and publications - Notification letters - Community meetings - Public exhibition - Letter box drops - Internal communication/consultation - Official opening/launch - Pre-application consultation re major development applications
3. INVOLVE	<ul style="list-style-type: none"> - Delivery Program - Operational Plan 	<p>To work directly with stakeholders to ensure that ideas, concerns and aspirations are understood and considered.</p> <p>Involving a two way exchange of information that encourages discussion and provides an opportunity to influence the outcome.</p> <p>While 'involve' assumes a greater level of participation by stakeholders as they work through issues and alternatives to assist in the decision-making process, Council retains overall decision making responsibility.</p>	<p>We will work with you to ensure that your ideas, concerns and aspirations are considered and provide feedback</p> <p>Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions, including how community views have been taken into account.</p>	<ul style="list-style-type: none"> - Media releases - Monthly Council newsletters - Paid advertising - Online: website, email and social media - Distribution of in-house documents and publications - Notification letters - Community meetings - Surveys and questionnaires - Public exhibition - Letter box drops - Internal communication/consultation - Official opening/launch
4. COLLABORATE	<ul style="list-style-type: none"> - Community Strategic Plan (CSP) - Major projects e.g. swimming pool 	<p>To work in partnership with stakeholders, incorporating their input and advice, jointly formulating solutions and/or options, and sharing agenda</p>	<p>We will work together in seeking the best outcomes for Lockhart Shire.</p>	<ul style="list-style-type: none"> - Media releases - Monthly Council newsletters - Paid advertising - Online: website, email and social media

	upgrades/ CBD master planning)	<p>setting and deliberation of issues.</p> <p>Occurs when ownership of an issue is shared between Council and community stakeholders.</p> <p>May be some level of delegated decision making to community stakeholders, but Council retains overall decision making responsibility.</p>		<ul style="list-style-type: none"> - Distribution of in-house documents and publications - Notification letters - Community meetings - Surveys and questionnaires - Focus groups - Steering Committees - Forums and Workshops - Public exhibition - Letter box drops - Internal communication/consultation - Official opening/launch
5. EMPOWER	<ul style="list-style-type: none"> - Very specific community projects where Council have the ability to delegate decision making authority. - Changes the Council's constitutional arrangements e.g. ward boundaries, method of electing the mayor, number of councillors on the council. 	<p>To place final decision making in the hands of stakeholders.</p> <p>Empowered communities share responsibility for making decisions and accountability for the outcomes of those decisions.</p> <p>Legislative and policy frameworks may give power to communities to make decisions. The community may have the power to make a limited range of decisions.</p>	<p>We will ensure the collective position of the community is an integral part of the decision making process.</p>	<ul style="list-style-type: none"> - By ensuring that transparency, inclusion, access and the other core principles of good community engagement referred to in this Strategy are apparent in all community engagement. - Constitutional referendum

Schedule B

Council's Community participation Plan is a requirement of the Environmental Planning and Assessment Act 1979 (Division 2.6 and Schedule 1 of the EP&A Act) and applies to the exercise of planning functions by the Council (and their delegates and nominees).

This Community Participation Plan is designed to make participation in planning clearer for the community. It does this by setting out how and when interested persons can participate in the planning system, Council's functions and different types of proposals.

The Community Participation Plan applies to the following functions: -

Plan making - Strategic planning is an essential aspect of our work where we set the strategic direction, vision and context for the planning system in the Lockhart Shire Local Government Area. It involves planning for communities, which integrates social, environmental and economic factors with the area's special attributes and their future realisation within the planning system. Examples of this work include the creation of planning proposals for the local environmental plan subject to a gateway determination, standard instrument orders, development control plans and contribution plans.

Assessments - The Council and some Council officers make planning decisions on a range of developments. When making decisions on these developments, consideration is given to whether land use proposals are in accordance with the strategic priorities of the Council, the NSW Government, public interest and applicable policies and guidelines. Proposals that are assessed may include residential developments as well as commercial and industrial developments. In these proposals, the planning phase is just one aspect of the overall lifecycle and at other phases engagement may be undertaken by either the proponent, NSW Government agencies or Council. In some instances, Council will require ongoing engagement as a condition of approval.

Council's approach to community participation is outlined in the table below.

What	When	How
Level 1: Inform		
We notify the community of proposals, provide accurate and relevant information on the context of the proposal and update information as proposals progress through the planning system.	During the early scoping of a proposal we inform you of the intent and seek feedback to shape the project's design. We then update you on the progress of a proposal as it makes its way through the planning system.	Media releases, letter mail outs, website, social media announcements, emails, newsletters, public notices and advertisements, information sessions, technical reports and discussion papers.

Level 2: Consult		
We consult with the community and invite them to provide their views and concerns on a proposal.	Once a proposal is designed, we release a draft on public exhibition to seek your views and concerns. We welcome feedback as a submission in a formal exhibition, or at any other time.	Public exhibition, open days, drop in sessions, walking tours, one-on-one engagement with planners via the phone, email or letter.
Level 3: Engage		
We respond to the community's views by conducting targeted engagement to seek specific input reflecting the scale, nature and likely impact of the proposal.	Through submissions and feedback, we identify your key issues and concerns and conduct targeted engagement activities to find solutions to determine the way forward.	Public meetings and hearings, community reference groups, people's panels, feedback sessions, workshops and engagement with NSW government agencies.
Level 4: Determination		
We notify the community of decisions on proposals and detail how their views were considered in reaching the decision.	In reaching a decision we consider your views and concerns, notify you of the reasons for the decision and how community views were considered.	Updates to websites, publication of submissions reports, public exhibition reports and notice of decisions.

Public Exhibitions

A key technique Council uses to encourage community participation is formal public exhibitions. During a public exhibition, we make available relevant documents that may include a draft of a policy, plan or proposed development that we are seeking community input on. In conducting an exhibition, we receive submissions in accordance with our development control plan and we adhere to our Privacy Policy and defamation and discrimination laws.

In reaching decisions on proposals that have been exhibited, the Council balance a wide range of factors to ensure that decisions are in the public interest. This includes considering the objects of the Environmental Planning and Assessment Act, the strategic priorities of the Council, the Government, the community's input, the land use priorities identified in strategic plans and applicable policies and guidelines.

It should be noted that submissions may be made available to the applicant and the public – this may include publication on Council's website, in accordance with Schedule 1 Clause 3 of the GIPA Regulations 2009. Including both the grounds of the submission and the identity of the submitter.

Interested persons can be involved in the public exhibition process in the following ways: -

- Make a formal submission on an exhibition by emailing Council or by writing to the General Manager of Lockhart Shire Council.
- Visit Council and staff will help you access public exhibition documents. Council staff will also answer any questions that you have or connect you to an appropriate officer who can help you.

- Connect directly with Council staff working on a proposal, policy, plan or project.

Public exhibition timeframes vary in length. Some timeframes are prescribed in legislation and others are at Councils discretion. Section 2.21(2) of the Environmental Planning and Assessment Act details the types of proposals that must be considered in the CPP and Schedule 1 sets a minimum exhibition timeframe for most of these proposals. Council will always exhibit a proposal for this minimum timeframe and will consider an extended timeframe for exhibition based on the scale and nature of the proposal. The only requirements in this plan that are mandatory are those set out in the table below:

Plan making – mandatory public exhibition periods

Plan	Mandatory Timeframe
Draft community participation plan	28 days
Planning proposals for local environmental plans subject to a gateway determination	28 days or as specified by the gateway determination which may find, due to the minor
Draft development control plans	28 days
Draft contribution plans (including growth centres and planned precincts)	28 days

Development assessment - mandatory public exhibition periods

Application	Mandatory Timeframe
Application for development consent (other than for designated development or for State significant development)	<p>In accordance with Section C of the Lockhart Shire Development Control Plan 2016, "Notification of Development Applications" (page 64) Council will give notice of an application to affected persons where, in its opinion, the enjoyment of land may be detrimentally affected by or in relation to:-</p> <ul style="list-style-type: none"> – The views to and the view from the land; – Overshadowing; – Privacy; – Noise or odour; – The visual quality of the development in relation to the streetscape; – The scale or bulk of the proposed development; – The siting of the proposed development in relation to site boundaries;

	<ul style="list-style-type: none"> - The proposed hours of use for the development; - Light spillage or reflection; - Means of access to or provision of parking on the proposed development site; - The amount of traffic likely to be generated by the proposed development; - Drainage; and - The social and economic impacts of the proposal. <p>Any Development Application required to be notified will be done so for a period of at least 14 days.</p> <p>Notification will not be made of a Development Application if it is:-</p> <ul style="list-style-type: none"> - Exempt Development; or - Complying Development. <p>Development Applications which do not require notification include:-</p> <ul style="list-style-type: none"> - Strata subdivisions; - Subdivision only involving adjustments to existing property boundaries; - Change of use of buildings, except at Council's discretion; and - Single rural dwelling on large properties.
Application for development consent for designated development	28 days
Application for development consent for State significant development	28 days
Environmental impact statement obtained under Division 5.1	28 days
Environmental impact statement for State significant infrastructure under Division 5.2	28 days

Schedule C

The emphasis of this Community Engagement Strategy is not only on detailing Council's legislative obligations but also upon encouraging a culture of good engagement across the organisation as outlined in Schedule A.

Notwithstanding the broader aims of the Strategy, meeting Council's legislative obligations remains one of the objectives of the Strategy, particularly with respect to the integrated planning and reporting provisions of the Local Government Act 1993 and the mandatory community participation requirements of the Environmental Planning and Assessment Act 1979.

Whereas the community participation requirements of the Environmental Planning and Assessment Act 1979 are predominantly addressed in Schedule B of the Strategy, the minimum requirements of the Local Government Act regarding community engagement and consultation, public exhibition of documents and the like, are summarised below.

Action or Decision by Council	Local Govt. Act Reference	Minimum Requirement
Classification or reclassification of public land.	Section 34	Public notice of the proposed council resolution specifying a period of not less than 28 days during which submissions may be made to the council.
Draft plan of management of community land.	Section 38	Public exhibition of the draft plan of management for a period of not less than 28 days and a public notice specifying a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to the council.
Granting of leases and licences on community land.	Section 47 and 47A	Public notice of the proposal specifying a period of not less than 28 days during which submissions may be made to the council.
Draft local approvals policy and draft local orders policy	Section 160	Public exhibition of the draft local policy for a period of not less than 28 days and a public notice specifying a period of not less than 42 days after the date on which the draft policy is placed on public exhibition during which submissions may be made to the council.
Adoption or revocation of a local approvals policy or local orders policy	Section 166	Public notice in a manner prescribed by the regulations or, if not prescribed, in a manner determined by the council.
Intention to adopt or amend a policy for the payment of expenses or provision of facilities to councillors.	Section 253	Public exhibition of the draft or amended policy specifying a period of not less than 28 days during which submissions may be made to the council.

Draft code of meeting practice.	Section 361	Public exhibition of the draft code for a period of not less than 28 days and a public notice specifying a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to the council.
Draft community strategic plan or amendment of a community strategic plan.	Section 402	Public exhibition of the draft or amended community strategic plan for a period of not less than 28 days during which submissions may be made to the council.
Draft delivery program.	Section 404	Public exhibition of the draft delivery program for a period of not less than 28 days during which submissions may be made to the council.
Draft operational plan	Section 405	Public exhibition of the draft operational plan for a period of not less than 28 days during which submissions may be made to the council.
Presentation of financial reports	Section 418	Public notice of the date fixed by the council for the meeting at which it proposes to present its audited financial reports and auditor's reports to the public specifying that any person may make submissions to the council with respect to the council's audited financial reports or with respect to the auditor's reports within 7 days after the date on which those reports are presented to the public.
Proposal to establish an alcohol-free zone.	Section 644A	Notice published in a manner that the council is satisfied is likely to bring the notice to the attention of members of the public in the area as a whole or in a part of the area that includes the zone concerned.
Establishment of alcohol-free zone.	Section 644B	Notice published in a manner that the council is satisfied is likely to bring the notice to the attention of members of the public in the area as a whole or in a part of the area that includes the zone concerned.
Suspension or cancellation of alcohol-free zone.	Section 645	Notice published in a manner that the council is satisfied is likely to bring the notice to the attention of members of the public in the area as a whole or in a part of the area that includes the zone concerned.

Glossary

Term	Definition
Community engagement	A process by which the aspirations, concerns, needs and values of citizens and communities are incorporated at all levels and in all sectors in policy development, planning, decision-making, service delivery and assessment; and by which governments and other business and civil society organisations involve citizens, clients, communities and other stakeholders in these processes.
Community engagement strategy	A strategy to assist Council in determining specific engagement activities, planning for these activities and evaluating their effectiveness.
Community participation plan	A plan to make participation in planning clearer for the community by setting out how and when interested persons can participate in the planning system, Council's functions and different types of planning proposals (published pursuant to Division 2.6 of the EP&A Act).
Community strategic plan (CSP)	A plan that identifies the main priorities and aspirations for the future of the Lockhart Shire covering a period of at least 10 years from when the plan is endorsed.
Constitutional referendum	A constitutional referendum is a poll initiated by a council in order to seek approval to: - (a) divide its area into wards or abolish all wards in its area, (b) change the basis on which the mayor attains office (that is, by election by the councillors or by election by the electors), (c) increase or decrease the number of councillors in accordance with the limits under section 224, (d) change the method of ordinary election of councillors for an area divided into wards.
Contribution plans	A plan developed by councils for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development
Delivery program	A program detailing the principal activities to be undertaken by the Council over a four year term to implement the strategies established by the community strategic plan.
Designated development	Designated Development refers to developments that are high-impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area (e.g. a coastal wetland)

Development application	An application for consent under Part 4 of the EP&A Act to carry out development but does not include an application for a complying development certificate.
Development control plans	A plan that provides detailed planning and design guidelines to support the planning controls in a LEP
Gateway determination	A gateway determination is issued following an assessment of the strategic merit of a proposal to amend or create an LEP and allows for the proposal to proceed to public exhibition
Local environmental plan (LEP)	An environmental planning instrument developed by a local planning authority, generally a council. An LEP sets the planning framework for a Local Government Area
Operational plan	A plan detailing the activities to be engaged in by Council during a particular year as part of a delivery program covering that year.
State Environmental Planning Policy (SEPP)	An environmental planning instrument developed by the Department, that relates to planning matters that are state significant or are applicable across the state
State significant development (SSD)	Some types of development are deemed to have State significance due to the size, economic value or potential impacts that a development may have. Examples of possible SSD include: new educational establishments, hospitals and energy generating facilities
State significant infrastructure (SSI)	SSI includes major transport and services development that have a wider significance and impact than on just the local area. Examples of possible SSI include: rail infrastructure, road infrastructure and water storage and treatment plants

20. IPART REVIEW OF THE LOCAL GOVERNMENT RATING SYSTEM

(GM/I05-005)

Executive Summary

The Final Report of the Independent Pricing and Regulatory Tribunal's (IPART) Review of the Local Government Rating System has been released by the NSW Government. Submissions are being invited in relation to IPART's recommendations and will be received up until 13 September 2019.

Background

The NSW Government asked IPART to review the local government rating system in NSW with a view to developing recommendations to improve the equity and efficiency of the rating system in order to enhance the ability of councils to implement sustainable fiscal policies over the long term.

The Terms of Reference were issued to IPART in December 2015. IPART released an Issues Paper and Draft Report for consultation purposes in 2016 during which time it also held public hearings. After considering any submissions received IPART issued its Final Report to the NSW Government in December 2016. The Government has only now publicly released the document. The Office of Local Government (OLG) is currently carrying out a public consultation process in relation to the Final Report and as part of this process, OLG is calling for public submissions by 13 September 2019.

A copy of the Executive Summary of the Final Report is attached. Also attached is a list of IPART's recommendations. A copy of the full Report can be found on the IPART website at <https://www.ipart.nsw.gov.au/files/sharedassets/website/shared-files/investigation-section-9-legislative-review-of-the-local-government-rating-system/final-report-review-of-the-local-government-rating-system-december-2016.pdf>.

Report

For the purposes of this report, and in order to assist Council in determining the matters to be included in any submission to be made to the OLG in relation to IPART's recommendations, attention is drawn to specific matters seen as being of particular interest or concern to Council, or as having implications for Lockhart Shire. These matters are outlined below and numbered 1) to 6).

There are other recommendations that are not discussed in this report as they have already been ruled out by the Government in its interim response to the IPART Report. These include changes to rate exemptions and how non-rateable properties are determined as well as the replacement of the existing pensioner concession framework with a rates deferral scheme for eligible pensioners.

1) Capital Improved Value (CIV) vs Unimproved Value (UV) as the basis for rating

Currently all councils are required to use UV as the basis for levying ordinary rates. IPART recommends that the use of CIV as the basis for rating should be mandatory for all Sydney councils and large regional city councils.

This recommendation will be welcomed by metropolitan councils which have been arguing for this change for some time because of the significant increase in multi storey apartment buildings. Under the current rules the unimproved value of the land is evenly distributed amongst the strata titled apartments built on that land, which can number in the hundreds. Consequently, the rates levied on individual apartment owners do not necessarily reflect the impact those owners have on the provision of services by the local council. Changing to CIV will address this.

IPART acknowledges that the benefits of using CIV are less clear in non-metropolitan councils and having to use CIV could be a cause for concern for predominantly agriculturally based Shires like Lockhart. For this reason, IPART recommends that non-metropolitan councils should be allowed to choose between CIV and UV as the basis for rating.

It is considered that Council should, in its submission to OLG, support IPART's view that in non-metropolitan areas the local council is best placed to determine the most appropriate valuation method depending on local circumstances, and that non-metropolitan councils should be able to choose between CIV and UV.

2) Growing Council's general income outside of the rate peg

Currently, a council's revenue base can grow outside of the rate peg when supplementary valuations based on UV are provided to councils for rating purposes. In other words, a council's revenue is permitted to grow outside of the rate peg as its community grows. This can occur a number of ways such as when a previously non-rateable property becomes rateable, or through subdivision where a single block of land is subdivided into multiple blocks, e.g. Council's own Carson Road subdivision at The Rock.

IPART argues that the current process results in a revenue increase from new development that is typically much lower than the increase in demand for council services and the increased cost of servicing these new residents and businesses.

Instead IPART recommends that growth outside the rate peg should be based on the percentage increase in CIV as this will better align with the growth in demand for council services. IPART maintains that this approach should be applied to all councils independent of the valuation method chosen as the basis for rating, i.e. even in those local government areas where the council has chosen UV as the basis for rating.

If IPART's recommendation is adopted, non-metropolitan council's which choose to use UV as the basis for levying ordinary rates will also be required to maintain a CIV data base for the purposes of calculating growth outside the rate peg. IPART has recommended that the NSW Government should fund the initial up front cost for a non-metropolitan council to set up a CIV data base for the purposes of calculating growth outside the rate peg where the UV method of setting rates is maintained.

IPART recommends that the ongoing costs of maintaining two valuation data bases should then be funded by the local council and maintains that, "...*The cost for a council to receive both CIV and UV information should be little more than receiving either CIV or UV data individually*".

IPART's recommendation to use CIV for calculating revenue growth outside the rate peg is designed to provide councils with revenue growth that more realistically reflects the increase in demand for services as their communities grow and put councils on a more sustainable footing.

Notwithstanding IPART's views regarding the cost of maintaining two valuation data bases side by side, it is considered that Council should, in its submission to OLG, propose that increases in the cost of providing valuations to councils for rating purposes is a fundamental local government expense that should be included in the Local Government Cost Index that IPART refers to each year to determine the rate peg.

3) Increased ability for councils to set rates below the rate peg

Under the current provisions contained in the Local Government Act a council that elects not to apply the full percentage increase of the rate peg, has two years in which it can catch-up the shortfall, i.e. it can set rates above the rate peg in any of the following two years to make up for the revenue that was foregone and return to the same rate trajectory.

IPART recommends that the Local Government Act should be amended so that where a council sets its rates below the rate peg in a particular year, it is permitted to set rates within the following ten year period that returns it to the same rate trajectory.

IPART maintains that this recommendation will provide councils with more flexibility to set rates below the rate peg and respond to short term changes in their community's ability to pay (e.g. during severe droughts) whilst ensuring long term financial sustainability.

Irrespective of whether Council may choose to set rates below the rate peg in any given year or not, the recommendation does provide councils with more flexibility and therefore should be supported in any submission to OLG.

4) Flexibility in setting different residential rates

Under the current provisions of the Local Government Act councils are required to equalise residential rates by setting the same ad valorem rate in a single 'centre of population'. IPART is recommending that the Act be amended to allow councils to set different residential rates by separate town or village or separate residential area.

IPART maintains that allowing different residential rates to be set in this way will provide councils with more flexibility to respond to differences in access to and demand for services, as well as the cost of providing those services, within their Local Government Area. It can also minimise cross-subsidisation between areas.

Lockhart Shire may or may not choose to take advantage of this flexibility in the future. It is considered however that any change that provides more flexibility, and an option but not an obligation, should be supported.

5) Providing more rating categories

Under the current provisions contained in the Local Government Act rateable land is required to be categorised as either Residential, Farmland, Business or Mining. Land that does not adequately fit into any of those categories defaults to Business which acts as the 'residual' category. There are a number of sub-categories under each category and councils can set different rates for different categories and sub-categories.

IPART recommends providing more categories and sub-categories of land in order to provide more flexibility. In particular IPART recommends that:

- A new category be created for environmental land.
- Business properties be able to be sub-categorised as either industrial or commercial in addition to the existing provisions which enable Business properties to only be sub-categorised according to centre of activity.
- Vacant land be an optional sub-category for Residential, Farmland and Business properties. At present there is no category or sub-category for vacant land. All vacant land has to be categorised as either Residential, Farmland, Business or Mining.
- Farmland be sub-categorised according to geographic location instead of the current situation where any sub-categorisation of farmland must be based on the 'intensity of land use', 'irrigability of the land' or 'economic factors affecting the land' which are viewed as being highly subjective and difficult to assess.
- Councils be permitted to determine the 'residual' category. At present the Act provides that the Business category is the residual category.

For the most part the above recommendations provide councils with more options and flexibility in the way land is categorised for rating purposes. The one exception is the Farmland category where, instead of providing additional options, IPART is recommending that the existing criteria for determining sub-categories be replaced with a simpler approach, i.e. based on geographic location instead of the 'intensity of land use', 'irrigability of the land' or 'economic factors affecting the land'.

IPART noted from its analysis that the majority of councils, like Lockhart Shire, choose not to sub-categorise Farmland properties based on the existing criteria and have one ad valorem rate for all farmland properties. IPART also noted that councils generally supported IPART's draft recommendation earlier in the process.

Accordingly, it is considered that Council's submission to OLG should support the IPART recommendations to provide more rating categories as they generally provide councils with more flexibility or a simplified approach.

6) Recovery of council rates

The IPART recommendations most relevant to Lockhart Shire in relation to recovery of council rates are:

- Councils should have the option of engaging the State Debt Recovery Office to recover outstanding rates.
- Councils should be able to offer discounts for ratepayers electing to receive their rate notices electronically.
- The period of time before a property can be sold to recover outstanding rates be reduced from five years to three years.

As all of these recommendations provide councils with options rather than impose an obligation, they should be supported.

Submission

In summary, and having regard to the foregoing report, it is recommended that Council make a submission to OLG that:

- 1) Supports IPART's view that in non-metropolitan areas the local council is best placed to determine the most appropriate valuation method depending on local circumstances, and that non-metropolitan councils should be able to choose between CIV and UV.
- 2) Expresses the view that the cost of providing valuations to councils for rating purposes is a fundamental local government expense that should be included in the Local Government Cost Index that IPART refers to each year to determine the rate peg.
- 3) Supports IPART's recommendation to amend the Local Government Act so that where a council sets its rates below the rate peg in a particular year, it is permitted to set rates within the following ten year period that returns it to the same rate trajectory.
- 4) Supports IPART's recommendation to allow councils to set different residential rates by separate town or village or separate residential area.
- 5) Supports IPART's recommendations to provide more rating categories.
- 6) Supports IPART's recommendations relating to the recovery of council rates.

Integrated Planning and Reporting Reference

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

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

E1 - Continue to enhance sound financial management policies and practices.

Legislative Policy and Planning Implications

If IPART's recommendations are adopted they will represent the most significant review of the local government rating system since the 1993 Local Government Act was introduced.

Budget and Financial Aspects

The IPART review does not include a review of the current restriction on councils' ability to raise revenue from ordinary rates, i.e. the rate peg. Whilst there is some discussion about how revenue outside of the rate peg is calculated, the IPART recommendations for the most part are not about increasing councils' revenue from ordinary rates, but more so about how the rate burden is distributed amongst landowners. The recommendations are designed to provide more options in how councils can collect revenue more equitably.

Attachments

IPART Final Report on the review of the local government rating system:

1. Executive Summary
2. List of Recommendations.

Recommendation: That Council make a submission to the Office of Local Government, in response to IPART’s Final Report on the review of the local government rating system, in the terms outlined in this report.

Notes:

Attachment 1. – IPART Final Report on the review of the local government rating system – Executive Summary

1 | Executive summary

The NSW Government has asked the Independent Pricing and Regulatory Tribunal (IPART) to review the local government rating system in NSW. The purpose of our review is to develop recommendations to improve the equity and efficiency of the rating system, in order to enhance councils' ability to implement sustainable fiscal policies over the long term.

This review considers the valuation method used to calculate rates, exemptions and rating categories, the way in which councils' total income increases as population increases, the distribution of rates across different ratepayers and the eligibility and design of exemptions and concessions. Our recommendations are not designed to increase the average rates paid by current ratepayers, but to allow councils to collect revenue more equitably and efficiently from ratepayers.

In conducting the review, we have consulted stakeholders, analysed the current rating system and assessed its performance against the key taxation principles of efficiency, equity, simplicity, sustainability and competitive neutrality. We have also compared the NSW rating system to best-practice policies in other jurisdictions.

We have developed our recommendations to promote a stronger and more sustainable rating system that would benefit ratepayers and councils. Box 1.1 outlines our key outcomes resulting from our recommendations.

Box 1.1 Our key outcomes:

1. Use the Capital Improved Value (CIV) valuation method to levy local council rates.
 2. Allow councils' general income to grow as the communities they serve grow.
 3. Give councils greater flexibility when setting rates in residential areas.
 4. Modify rate exemptions so eligibility is based on land use rather than ownership.
 5. Improve assistance to pensioners.
 6. Give councils more options to set rates within rating categories.
-

Use the CIV valuation method to levy local council rates

We recommend mandating the CIV method as the basis for setting rates in metropolitan council areas, and giving non-metropolitan councils the option to use CIV as an alternative to Unimproved Value (UV).

CIV outperforms UV in metropolitan areas when assessed against key tax principles and international best practice. Rating properties using CIV allows:

- ▼ councils' rate income to grow sustainably as new capital is invested and costs increase, and
- ▼ councils to rate residences and businesses efficiently, equitably, simply and transparently.

Total rates income collected by councils from current ratepayers would remain unchanged with the switch from UV to CIV.

Non-metropolitan councils should be allowed to choose between the CIV and UV method for setting rates because the benefits of using CIV are less clear in regional areas.

Allowing councils' general income to grow as the communities they serve grow

We also recommend allowing councils' rates income to increase over time in line with the growth in CIV arising from new capital investment. This means rates per household, on average, would not rise in real terms,¹ whilst improving financial sustainability and encouraging urban renewal.

As the community grows, new ratepayers would fund the extra local services, such as parks, walkways, roads and libraries, provided by councils over the coming years to support a growing community. This would allow councils to fund and establish additional infrastructure and services for the use of both current and future ratepayers without the need for State Government assistance or Special Variations. Current ratepayers would be more motivated to support growth, urban renewal and implementing the Plan for Growing Sydney.

The CIE estimates this recommendation could provide a net gain of between \$443 million and \$2.1 billion to current and future ratepayers.²

Our recommendation would:

- ▼ improve the timely provision of local council services to support a growing community

¹ Other factors could lead to average rates per household increasing, for example, if a council applied for a special variation to fund improved services to the community.

² The CIE, *The costs and benefits of changing local council rate setting*, December 2016, Net Present Value analysis over 15 years using a 7% discount rate.

- ▼ allow the NSW Government to significantly reduce the current budget funding that supports growth and urban development, and
- ▼ remove the cross subsidy, whereby current residents pay, via state taxes and rate rises under Special Variations, for the expansion in services supplied by councils to support growth. Removing this cross subsidy could provide a gain of \$1.8 billion to current ratepayers over the next 10 years.

Our recommendation distributes the rating burden more efficiently and equitably between current and future ratepayers because they face the same tax burden. It would also allow councils to maintain consistent service levels over time without resorting to Special Variations.

Giving councils greater flexibility when setting rates in residential areas

We recommend allowing councils increased flexibility to set different rating structures in residential areas. This would improve the equity and efficiency of the rating system by allowing councils with diverse communities to set rates that reflect differences in access to, demand for and cost of providing council services across their local area. This also allows new councils (at the end of the 4-year rate path freeze) to establish new rate structures for residential rates, and transition to them in a fair and timely manner.

We propose introducing protections to promote transparency and equity when a council sets different residential rates, and to protect ratepayers from excessive rate increases.

Modifying rate exemptions so eligibility is based on land use rather than ownership

Our recommendations on exemptions are driven by the general principle that eligibility should be based on land use rather than ownership. If land is used for commercial or residential purposes it should not be exempt from rates regardless of who owns it.

Our recommendations better target exemptions to ensure ratepayers do not subsidise the costs of providing council services to properties where this is not justified on efficiency and equity grounds, and properties with comparable uses of land attract the same rating treatment. Applying this general principle means we recommend retaining, amending or removing some exemptions.

Improving assistance to pensioners

We also considered how to improve assistance provided to pensioners. We recommend maintaining the current \$250 pensioner concession rebate for

1 Executive summary

existing pensioners and introducing a new \$1,000 per year rate deferral scheme that would be available to both existing and new pensioners.

Our recommendations enhance the NSW Government's commitment to providing concessions to pensioners, whilst improving the long-term financial sustainability of local councils and ensuring that other ratepayers would not be required to fund this cost in the long term.

Giving councils more options to set rates within rating categories

The current rating system includes four rating categories which reflect the primary use of the land - residential, business, farmland and mining. We recommend introducing a new rating category for environmental land, and new subcategories for residential, business, farmland and mining properties, to encourage urban renewal and growth and allow councils to use their rate structures to better take account of different costs that arise from different land uses.

Attachment 2. – IPART Final Report on the review of the local government rating system – List of Recommendations

2 Overview and our recommendations |

2.4 List of our recommendations

Use the CIV valuation method to levy local council rates

- 1 The *Local Government Act 1993* (NSW) should be amended to mandate Capital Improved Value (CIV) as the basis for setting ad valorem rates in the metropolitan council areas defined in Box 3.1. 25
- 2 The *Local Government Act 1993* (NSW) should be amended to allow non-metropolitan councils to choose between the Capital Improved Value and Unimproved Value (UV) methods as the basis for setting ad valorem rates at the rating category level. 25
- 3 The *Local Government Act 1993* (NSW) should be amended to facilitate a gradual transition of rates to a Capital Improved Value method. 41
 - The amount of rates that any ratepayer is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of a council adopting a Capital Improved Value method for setting rates. Councils could apply to IPART to exceed this 10% limit.
- 4 Section 497 of the *Local Government Act 1993* (NSW) should be amended to remove minimum amounts from the structure of a rate, and section 548 of the *Local Government Act 1993* (NSW) should be removed. 43

Allow councils' general income to grow as the communities they serve grow

- 5 The *Local Government Act 1993* (NSW) should be amended so that the growth in rates revenue outside the rate peg is calculated using the formula based on changes in CIV, defined in Box 4.1. 50
 - For non-metropolitan councils, this formula would be independent of the valuation method chosen as the basis for setting ad valorem rates.
- 6 The NSW Government fund the NSW Valuer General for the upfront cost of establishing the database to determine Capital Improved Values. 62
- 7 The NSW Government fund the cost for a non-metropolitan council to set up a Capital Improved Value database for the purposes of implementing our recommended formula for calculating growth in rates revenue outside the rate peg, where the Unimproved Value method for setting rates is maintained. 62

2 Overview and our recommendations

- 8 The *Local Government Act 1993* (NSW) should be amended to allow councils to levy a new type of special rate for new infrastructure jointly funded with other levels of Government. This special rate should be permitted for services or infrastructure that benefit the community, and funds raised under this special rate should not: 65
- form part of a council's general income permitted under the rate peg, nor
 - require councils to receive regulatory approval from IPART.

- 9 Section 511 of the *Local Government Act 1993* (NSW) should be amended to reflect that, where a council does not apply the full percentage increase of the rate peg (or any applicable Special Variation) in a year, within the following 10-year period, the council can set rates in a subsequent year to return it to the original rating trajectory for that subsequent year. 66

Give councils greater flexibility when setting residential rates

- 10 The *Local Government Act 1993* (NSW) should be amended to remove the requirement to equalise residential rates by 'centre of population'. Instead, the *Local Government Act 1993* (NSW) should allow councils to determine a residential subcategory, and set a residential rate, by: 73
- separate town or village, or
 - residential area.

- 11 The *Local Government Act 1993* (NSW) should outline that: 73
- A 'residential area' is an area within a contiguous urban locality that has, on average, different access to, demand for, or costs of providing council services or infrastructure (relative to other areas in that locality). 73
 - Councils could use geographic markers to define the boundaries for a residential area, including postcode boundaries, suburb boundaries, geographic features (eg, waterways, bushland) and/or the location of major infrastructure (eg, arterial roads, railway lines).

- 12 The *Local Government Act 1993* (NSW) should be amended so, where a council uses different residential rates within a contiguous urban locality, it should be required to: 86
- ensure the highest rate structure is no more than 1.5 times the average rate structure across all residential subcategories (ie, so the maximum difference between the highest and average ad valorem rates and base amounts is 50%), or obtain approval from IPART to exceed this maximum difference, and
 - publish the different rates (along with the reasons for the different rates) on its website and in the rates notice received by ratepayers.

- 13 At the end of the 4-year rate path freeze, new councils determine whether any pre-merger areas are separate towns or villages, or different residential areas. 90
- In the event that a new council determines they are separate towns or villages, or different residential areas, it should be able to continue the existing rates or set different rates for these pre-merger areas, subject to metropolitan councils seeking IPART approval if they exceed the 50% maximum differential. It could also choose to equalise rates across the pre-merger areas, using the gradual equalisation process outlined below.
 - In the event that a new council determines they are not separate towns or villages, or different residential areas, or it chooses to equalise rates, it should undertake a gradual equalisation of residential rates. The amount of rates a resident is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of this equalisation. The *Local Government Act 1993* (NSW) should be amended to facilitate this gradual equalisation.

Better target rate exemption eligibility

- 14 Sections 555 and 556 of the *Local Government Act 1993* NSW should be amended to: 98
- exempt land on the basis of use rather than ownership, and to directly link the exemption to the use of the land, and
 - ensure land used for residential and commercial purposes is rateable unless explicitly exempted.
- 15 Land that is used for residential care as defined in Section 41-3(1) of the *Aged Care Act 1997* (Cth) be proportionally rateable according to the share of places whose maximum Refundable Accommodation Deposit is above the level set by the Minister for Health and Aged Care (currently \$550,000). 107
- 16 Section 556(1)(i) of the *Local Government Act 1993* (NSW) should be amended to include land owned by a private hospital and used for that purpose. 109

2 Overview and our recommendations

- 17 The following exemptions be removed: 112
- land that is vested in, owned by, or within a special or controlled area for, the Hunter Water Corporation, Water NSW or the Sydney Water Corporation (*Local Government Act 1993* (NSW) section 555(1)(c) and section 555(1)(d))
 - land that is below the high water mark and is used for the cultivation of oysters (*Local Government Act 1993* (NSW) section 555(1)(h))
 - land that is held under a lease from the Crown for private purposes and is the subject of a mineral claim (*Local Government Act 1993* (NSW) section 556(1)(g)), and
 - land that is managed by the Teacher Housing Authority and on which a house is erected (*Local Government Act 1993* (NSW) section 556(1)(p)).
- 18 Section 555(1)(b1) of the *Local Government Act 1993* (NSW) should be amended to remove the current rating exemption for land that is the subject of a conservation agreement and instead require it to be rated using the Environmental Land category. 112
- 19 The following exemptions not be funded by local councils and hence should be removed from the Local Government Act and Regulation: 116
- land that is vested in the Sydney Cricket and Sports Ground Trust (*Local Government Act 1993* (NSW) section 556(1)(m))
 - land that is leased by the Royal Agricultural Society in the Homebush Bay area (*Local Government (General) Regulation 2005* reg 123(a))
 - land that is occupied by the Museum of Contemporary Art Limited (*Local Government (General) Regulation 2005* reg 123(b)), and
 - land comprising the site known as Museum of Sydney (*Local Government (General) Regulation 2005* reg 123(c)).
- The NSW Government should consider whether to fund these local rates through State taxes.
- 20 Where a portion of land is used for an exempt purpose and the remainder for a non-exempt activity, only the former portion should be exempt, and the remainder should be rateable. 117
- 21 Where land is used for an exempt purpose only part of the time, a self-assessment process should be used to determine the proportion of rates payable for the non-exempt use. 117
- 22 A council's maximum general income not be modified as a result of any changes to exemptions from implementing our recommendations. 121

- 23 A council may apply to IPART for a Special Variation to take account of the changes in exemptions using a streamlined process in the year that our recommended exemption changes come into force. The council would need to demonstrate: 121
- It satisfies the first criteria for Special Variation applications in the OLG guidelines relating to the need for and purpose of a different revenue path for the council's General Fund, and
 - that any subcategory rating structure applied to previously exempt properties is no greater than the average rate structure across the relevant rating category.
- 24 The *Local Government Act 1993* (NSW) should be amended to remove the current exemptions from water and sewerage special charges in section 555 and instead allow councils discretion to exempt these properties from water and sewerage special rates in a similar manner as occurs under section 558(1). 124
- 25 At the start of each rating period, councils calculate the estimated value of rating exemptions within the council area. This information should be published in the council's annual report or otherwise made available to the public. 124

Improve assistance for pensioners

- 26 For new and existing eligible pensioners, introduce a rate deferral scheme operated by the NSW Government, where: 128
- Eligible pensioners would be allowed to defer payment of ordinary council rates up to \$1,000 per annum and indexed to CPI, or any other amount as determined by the NSW Government.
- 27 Give existing eligible pensioners the option to access, either: 128
- the current pensioner concession, or
 - the rate deferral scheme, as defined in Recommendation 26.
- 28 Funding pensioner assistance: 128
- The current pensioner concession funding arrangements would continue.
 - The rate deferral scheme (defined in Recommendation 26) would be funded by the NSW Government. The loan should be charged interest at the NSW Government's 10-year borrowing rate, and could become due when property ownership changes.

2 Overview and our recommendations

Provide more rating categories

- 29 Section 493 of the *Local Government Act 1993* (NSW) should be amended to add a new environmental land category and a definition of 'environmental land' should be included in the *Local Government Act 1993* (NSW). 136
- Land subject to a state conservation agreement is categorised as 'environmental land' for the purposes of setting rates.
- 30 Section 529(2)(d) of the *Local Government Act 1993* (NSW) should be amended to allow business land to be subcategorised as 'industrial' and or 'commercial' in addition to centre of activity. 138
- 31 Sections 493, 519 and 529 of the *Local Government Act 1993* (NSW) should be amended to add an optional vacant land subcategory for residential, business and mining land. 139
- 32 Section 529 (2)(a) of the *Local Government Act 1993* (NSW) should be replaced to allow farmland subcategories to be determined based on geographic location. 142
- 33 Section 518 of the *Local Government Act 1993* (NSW) should be amended to reflect that a council may determine by resolution which rating category will act as the residual category. 143
- The residual category that is determined should not be subject to change for a 4-year period.
 - If a council does not determine a residual category, the business category should act as the default residual rating category.
- 34 Any difference in the rate charged by a council to a mining category compared to its average business rate should primarily reflect differences in the council's costs of providing services to the mining properties. 145

Recovery of council rates

- 35 Councils have the option to engage the State Debt Recovery Office to recover outstanding council rates and charges. 149
- 36 The existing legal and administrative process to recover outstanding rates be streamlined by reducing the period of time before a property can be sold to recover rates from five years to three years. 150
- 37 All councils adopt an internal review policy, to assist those who are late in paying rates, before commencing legal proceedings to recover unpaid rates. 151

- 38 The *Local Government Act 1993* (NSW) should be amended or the Office of Local Government should issue guidelines to clarify that councils can offer flexible payment options to ratepayers. 152
- 39 The *Local Government Act 1993* (NSW) should be amended to allow councils to offer a discount to ratepayers who elect to receive rates notices in electronic formats, eg, via email. 153
- 40 The *Local Government Act 1993* (NSW) should be amended to remove section 585 and section 595, so that ratepayers are not permitted to postpone rates as a result of land rezoning, and councils are not required to write-off postponed rates after five years. 155

Other recommendations

- 41 The valuation base date for the Emergency Services Property Levy and council rates be aligned. 158
- The NSW Government should levy the Emergency Services Property Levy on a Capital Improved Value basis when Capital Improved Value data becomes available state-wide. 158
- 42 After the NSW Valuer General has established the database to determine Capital Improved Values for rating purposes (see Recommendation 3), councils be given the choice to directly buy valuation services from private valuers that have been certified by the NSW Valuer General. 161

21. POLICY 2.31 PROCUREMENT POLICY

(GM/C70-025)

Executive Summary

A revised Policy 2.31 Procurement Policy is presented for Council's consideration.

Report

At its meeting held on 18 December 2018 Council reviewed its Procurement Policy. The Policy review incorporated recommendations emanating from a report by the Internal Auditor focusing on purchasing and procurement and tabled at a meeting of the Council's Audit, Risk and improvement Committee.

Since that time, there have been some amendments to the Local Government Act passed in the NSW Parliament which have necessitated a change to the Policy. The Local Government Act amendments were reported to Council at its meeting held on 17 June 2019.

Included in the legislative amendments was an increase in the threshold for determining when a public tender process must be used by councils when procuring goods and services. This threshold has been increased from \$150,000 to \$250,000 (including GST).

Council's current Policy refers to the now superseded threshold of \$150,000 and needs to be updated. This is the only change proposed to be made to the Policy at this time.

A copy of the updated Policy is attached.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Section 55 of the Local Government Act sets out the requirements for tendering. Section 55 (3) (n) (3) states that the tendering requirements do not apply to contracts involving an estimated expenditure or receipt of an amount of less than \$100,000 or such other amount as may be prescribed by the regulations.

The amount prescribed by the regulations was previously increased to \$150,000 and has more recently being increased again to \$250,000.

Budget and Financial Aspects

The Policy changes will have no impact on Council's Budget.

Attachments

1. Policy 2.31 Procurement Policy.

Recommendation: That Policy 2.31 Procurement Policy, as presented, be adopted.

Notes:

Attachment 1. – Policy 2.31 Procurement Policy

2.31 Procurement Policy

POLICY TITLE: PROCUREMENT POLICY

FILE REF: T20-005

REVIEW DATE: DECEMBER 2021

OBJECTIVES

The objectives of this Policy are to: -

- 1) Obtain the best value for the community through effective, responsible, ethical and transparent procurement methods.
- 2) Ensure compliance with the legislative framework including the Local Government Act 1993 and the Local Government (General) Regulation 2005.
- 3) In accordance with section 8A (b) of the Local Government Act, “... carry out functions in a way that provides the best possible value for residents and ratepayers”.
- 4) Encourage and support local suppliers and support local economic activity within the Lockhart Shire, where it is efficient to do so, while achieving Council’s overall “value-for-money” objectives.

GENERAL PRINCIPLES

- 1) Council’s “value-for-money” objectives will be pursued having regard to legislative compliance, consideration for the environment, work health and safety and the achievement of Council’s community, social and economic policies.
- 2) Best value for money does not automatically mean the lowest price. Council will balance all relevant factors including initial cost, whole-of-life costs, quality, reliability and timeliness in determining true value for money.
- 3) Part of obtaining best value also includes ensuring all our business relationships are honest, ethical, fair and consistent. In this regard Councillors and Council officers shall:
 - a) Deal fairly, honestly and ethically with all individuals and organisations
 - b) Avoid any conflicts of interest (whether real or perceived).
 - c) Treat all suppliers with impartiality and fairness and ensure they are given equal access to information and opportunities to submit bids
 - d) Fully and clearly document all procurement activities and decisions to provide an effective audit trail and to allow for effective performance review of contracts.
 - e) Purchase, wherever reasonably possible, energy efficient equipment, products containing recycled materials and environmentally friendly products.
 - f) Have regard to the health and safety of Council employees when purchasing machinery and equipment or other goods or services to be used by staff in the course of their employment.
 - g) Not invite tenders unless the Council has a firm intention to proceed to contract.
 - h) Not disclose confidential or proprietary information.
- 4) Goods and services shall only be purchased by staff authorised to place orders within their financial delegation approved by the General Manager or alternatively, with the support of a Council resolution as outlined in Schedule 1.

COLLABORATIVE ARRANGEMENTS

Council may participate join with other Councils and regional organisations such as REROC and the Riverina Joint Organisation, and participate in other aggregated purchasing arrangements such as the Local Government Procurement Service, in the acquisition or sale of goods and services.

BEST VALUE PROCEDURES

- 1) Procurement procedures include obtaining verbal quotes, obtaining written quotes, selective tendering and open tendering.
- 2) The appropriate procurement procedure, including the number of quotations to be obtained, will depend on the circumstances and the value of the goods or services being acquired. The minimum requirements for adopting the appropriate procurement procedure are set out in Schedule 1.

Quotations

- 1) For all quotations, clear criteria for assessment and specifications must be conveyed equally to each supplier quoting for the materials/service. Such criteria may include price, quality and value for money, delivery time, warranty, supplier ability, local knowledge, environmental and safety issues.
- 2) When assessing quotations received, the criteria used must be the same as those originally stipulated to the suppliers invited to quote.
- 3) Goods or services may be purchased without first obtaining the minimum number of quotations outlined in Schedule 1, in the following circumstances;
 - a) The goods or services are required for an emergency event and the immediate non-supply of the goods or service may pose a health, safety or financial risk to the Council and/ or the community.
 - b) There is only one suitable supplier for the particular good or service.
 - c) An insufficient number of quotations were received after publicly inviting quotations or expressions of interest.

In all such circumstances the reasons for not obtaining the required number of quotations set out in Schedule 1 shall be properly documented. The form attached as Schedule 2 may be used for this purpose.

Public Tender

- 1) Notwithstanding the above, the purchase of goods or services for which the estimated expenditure is \$250,000 or more (inclusive of GST) **MUST** be undertaken by public tender in accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005.
- 2) The \$250,000 tender threshold applies to the total estimated value of the contract, i.e. the amount estimated to be paid or received over the full term of the contract including estimated extras, additions and extensions. Contracts must not be "split" to avoid the \$250,000 threshold.
- 3) Whenever Council is required by section 55 of the Act to invite tenders before entering into a contract, the Council must decide which of the following tendering methods is to be used.
 - a) Open tendering method by which tenders for the proposed contract are invited by public advertisement.
 - b) Selective tendering method by which invitations to tender for a particular proposed contract are made following a public advertisement asking for expressions of interest.
 - c) Selective tendering method by which recognised contractors selected from a list prepared or adopted by the council are invited to tender for proposed contracts of a particular kind.
- 4) The tender documents must include, in addition to the matters identified in the Local Government (General) Regulation 2005, criteria for selection and may include assessment of the tenderer's capability, qualifications, experience, technical compliance with the specification, financial capacity, cost (including whole of life costing where necessary) and environmental, health and safety issues. Consideration should be given, where practical, to the possible benefit to be gained from a tenderer whose geographical location may offer improved communication, response times, after sales service, reduced freight costs and local knowledge of conditions and sites.
- 5) The weighting points to be applied to each criterion should not be stated on the contract documentation nor revealed to tenderers. However, they must be determined by Council assessment staff prior to the opening of tenders. A sample Tender Evaluation form is attached as Schedule 3.

- 6) If a council amends tender documents after they have been issued to persons, it must take all reasonably practicable steps to inform those persons of the amendments.

PROCUREMENT METHODS

- 1) The Council's standard methods for procuring goods and services shall be by one of the following:
 - a) Petty cash and other reimbursement systems.
 - b) Credit or debit card.
 - c) Purchase order
 - d) Contract or other legal agreement
 - e) Other arrangements authorised by the Council or the General Manager on a needs basis or as required in abnormal circumstances such as emergencies.
- 2) The appropriate procurement method will depend on the circumstances and the value of the goods or services being acquired. The minimum requirements for adopting the appropriate procurement method are set out in Schedule 1.
- 3) All of the abovementioned procurement methods must be supported by relevant documentation.

REFERENCE DOCUMENTS

This policy should be read in conjunction with:

Policy 1.4 Code of Conduct

Policy 1.6 Statement of Business Ethics

Policy 1.19 Local Preference Purchasing Policy

Policy 3.18 Credit Card Use

*Reviewed by Council 17 December 2018
Refer minute 340/18*

*Adopted by Council 17 August 2009
Refer minute 290/09*

SCHEDULE 1

Value of Purchase (GST Exclusive)	Procurement Procedure	Procurement Method	Approval & Authorisation
Less than \$3,000	1 verbal quote	Up to \$50 petty cash. Credit or debit card Purchase order	Staff with delegated authority
More than \$3,000 and less than \$15,000	2 verbal quotes	Credit or debit card Purchase order	Staff with delegated authority
More than \$15,000 and less than \$250,000	3 written quotes	Purchase order Acceptance letter Contract document	Staff with delegated authority or Council resolution
\$250,000 and more	Public tender – Open tendering – Selective tendering	Purchase order Acceptance letter Contract document	Council resolution

SCHEDULE 2



Purchase Order Approval

(Where a public tender process under Section 55 of the Local Government Act is not required)

Project and Work Details:

File No.: _____

Job No.: _____

Please choose the most suitable option and tick the relevant box

(If Option 1 or 2 is selected, only Page 1 requires printing)

Amounts shown are GST inclusive.

- OPTION 1** Purchases less than \$3,000 and a minimum of (1) quotation (verbal or written) was obtained. (refer **Table 1** below).
- OPTION 2** Purchases between \$3,000 and \$15,000 and a minimum of (2) quotations (verbal or written) were obtained. (refer **Table 1** below).
- OPTION 3** Purchases between \$15,001 and \$249,999 and a minimum of (3) written quotations were obtained as given in Table 1 and further details **Page 2**.
- OPTION 4** Variation to Policy requested – refer Prices in Table 1 and further details **Page 2**.
- OPTION 5** Approved Contract Purchase – refer Prices in Table 1 and further details **Page 2**.

Table 1 – List of Prices received (in order of preference)

Name	Amount (incl. GST)

CERTIFICATION

I certify that;

- There are sufficient funds in the allocated Job No. to cover the purchase cost, and
- The purchase complies with Council's Procurement and WHS Policies, and the Code of Conduct.

	Title	Name	Signature	Date
APPROVED				
Purchase Order Number			Amount (incl. GST)	\$



Purchase Order Approval

(Where a public tender process under Section 55 of the Local Government Act is not required)

OPTION 3 – Purchases between \$15,001 and \$249,999

The purchase is between \$15,001 and \$149,999, and open quotes were sought in:-

- The local press
- The Sydney press
- Direct Request

and the quotes obtained in order of evaluated preference are given in **Table 1** (previous page);

OPTION 4 – Variation to Policy

- A variation to the Purchasing Policy is now requested for the reasons below:

OPTION 5 – Approved Contract Purchase

The purchase is being sourced through;

- A list of contractors approved through a formal expression of interest process
- Purchasing section preferred supplier
- State Govt contract
- A fixed period schedule of rates contract approved by Council
- Authorised by Council Resolution following rejection of all Tenders

Source Information / Contract:

The preferred Contractor is _____ as shown in Table 1, and was chosen on the basis of:

- Lowest Price,

OR

- Other Reasons as follows: (**Note:** if the preferred supplier is not the lowest price then reasons for the choice **must** be documented)

SCHEDULE 3

PROJECT ACTIVITY:
FILE NO:
PROJECT MANAGER:
APPLICABLE BUDGET: \$
NO. OF SUBMISSIONS: 0
AVERAGE PRICE:
PREFERRED TENDERER:



PRICE/FEE - AMOUNT & RECEIVED FROM:

PRICE 1
Enter Company Name
COMPANY NAME: _____
Enter Company Contact Name
CONTACT DETAILS: _____

TENDER QUOTED PRICE IS \$ _____
ADD / SUBTRACT ITEMS

REMOVED / EXCLUDED PRICES IS \$ _____
Local Contractor claiming "Preferential" Discount? NO
Non-Local Claiming Local Status - Amount Claimed \$ _____
Applicable Local Preference Discount \$ _____

ADJUSTABLE TENDER QUOTE IS \$ _____
TENDER &/OR PRICE/FEE SUBMITTED ON TIME? Yes
TENDER SCHEDULES COMPLETE? Yes
WITHIN BUDGET? IN BUDGET

CRITERIA	DESCRIPTION	WEIGHT	
1 PRICE/FEE	Price should include all indirect and direct costs	80%	#DIV/0!
Enter scores for the Non-Price Criteria! Score from POOR (0) to EXCELLENT (10). Adjust % if required.			
NON-PRICE			
2 RELEVANT EXPERIENCE	Has Applicant a superior record of completed projects of this type of work?	15%	
3 METHODOLOGY	Proposed work methods, names of sub-contractors, construction, etc. Applicant demonstrated clear understanding of ERM.	10%	
4 MANAGEMENT SYSTEMS; H&S & QA, (M&S) - (See 2015)	The Applicant's management ability to include on the work with regards to; Fragmenting, Work Health Safety, Environmental, Management and Quality Systems including the risks and management of sub-contractors and suppliers.	4%	
5 RESOURCES CAPABILITY	The Applicant's resource capabilities, including the availability of staff, contractors, methods and sub-contractors.	6%	
6 PROGRAM AND READINESS	Client's ability to be handed deliverables - in the schedule in line with Client expectations and budgets.	5%	
7		0%	
8		0%	
9		0%	
10		0%	
Total for Non-Price Criteria =		40%	
TOTAL SCORE (PRICE & NON PRICE CRITERIA) =		#DIV/0!	
OVERALL RANKING =		#DIV/0!	
TENDER PRICE VALIDITY =		VALID	
COMMENTS:			

The weighted criteria and price calculation and process are based on the following principles:

1. selection criteria that reflect the critical elements of the project and therefore can be assigned a weighting
2. weightings that reflect the relative importance of the selection criteria.
3. scores that are based on information submitted with the tender price and
4. calculating the non-price criteria and the tender price score, applying the weightings to a score for the non-price and sub-range of the weighting system.

22. RESIGNATION OF DIRECTOR ENGINEERING AND ENVIRONMENTAL SERVICES (GM/S30-005)

Executive Summary

The Director of Engineering and Environmental Services, David Webb, has tendered his resignation in order to accept the position of General Manager of Hay Shire Council.

Report

The Director of Engineering and Environmental Services, David Webb, has tendered his resignation after approximately seven years in the role. His last official day of employment will be 10 September 2019, however his last day in the office will be Friday, 6 September 2019. The 19 August Council meeting will therefore be the last Council meeting he will attend.

David's tenure at Lockhart Shire Council coincided with a time during which the Council embarked on a very significant capital works program including swimming pool refurbishments, flood mitigation works and a sewer extension as well as major road upgrades. It's appropriate that Council express its appreciation to David for his services and congratulate him on his new role.

A recruitment process has commenced to replace David and fill the impending vacancy. Advertisements have been placed in the Border Mail, Daily Advertiser, Australian Local Government Job Directory and an online local government jobs website. Applications close on 28 August 2019.

The Local Government Act requires the General Manager to consult the Council on "senior staff" appointments. The Act contains a definition of "senior staff". The position of Director of Engineering and Environmental Services is not deemed to be a "senior staff" position for the purposes of the Act.

Notwithstanding this, and bearing in mind that the Director's role includes having to attend Council meetings and work closely with the Council, it is considered appropriate that Council be represented in the recruitment process and have input into the decision to appoint a new Director. Accordingly, it is suggested that the panel to interview any shortlisted candidates comprise the Mayor, Deputy Mayor, General Manager and Human Resources Co-ordinator.

In the meantime, and in order to work in with staff leave that was approved prior to the receipt of David's resignation, the Manager Environmental Services, Alan Gundrill, and Works Manager, Darren Smallwood, will share the responsibility of being Acting Director Engineering and Environmental Services, for different periods, following David's departure and until a new appointee commences.

Integrated Planning and Reporting Reference

E1 - Attract and retain a quality workforce.

Legislative Policy & Planning Implications

Section 332 (2) of the Local Government Act states that a council may not determine a position to be a senior staff position unless:

- a) the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Local Government (State) Award, and
- b) the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3B of the Statutory and Other Offices Remuneration Act 1975) payable with respect to senior executives whose positions are graded Band 1 under the Government Sector Employment Act 2013.

Section 337 of the Act states that the General Manager may appoint or dismiss senior staff only after consultation with the Council.

Budget & Financial Aspects

The recruitment process for the position of Director of Engineering and Environmental Services is being undertaken within Council's existing budget.

Attachments

Nil.

Recommendation: That:

- a) Council express its appreciation to David Webb for his services whilst in the position of Director Engineering and Environmental Services and congratulate him on his new role; and
- b) The panel to interview any shortlisted candidates for the appointment of a new Director Engineering and Environmental Services comprise the Mayor, Deputy Mayor, General Manager and Human Resources Co-ordinator.

Notes:

23. AUDIT OFFICE OF NSW – LOCAL GOVERNMENT PERFORMANCE AUDITS (GM/A65-020)

Executive Summary

Recent amendments to the Local Government Act have made the Auditor-General of NSW the Auditor of local councils in NSW. In addition to auditing councils' financial statements, the new mandate also provides for the conduct of 'performance audits'.

Report

At the Council meeting held on 15 May 2017 correspondence was tabled from the Audit Office of NSW (AONSW), at the request of the Auditor-General of NSW, regarding the conduct of performance audits. A copy of the correspondence is once again attached.

Performance audits are designed to assess whether selected activities are carried out efficiently, effectively and economically. The State Government has resourced the AONSW to conduct two or three performance audits on local government each year. Previous local government performance audits conducted by the AONSW included:

1. Councils' own reporting to its communities on service delivery.
2. Fraud controls in place across councils.
3. Current shared service arrangements.

The matter is being brought to Council's attention once again because advice has been received from the AONSW that Lockhart Shire Council is one of a cross section of councils randomly selected for the purposes of a performance audit to be conducted by the AONSW focusing on procurement.

An initial teleconference is being arranged with the AONSW's performance audit team following which further information regarding the audit process will be provided.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Section 422 of the Local Government Act states that the Auditor-General is to be the auditor for a council.

Section 421B of the Act provides that:

- 1) *"The Auditor-General may, when the Auditor-General considers it appropriate to do so, conduct an audit of all or any particular activities of 1 or more councils to determine whether the councils are carrying out those activities effectively and doing so economically and efficiently and in compliance with all relevant laws.*
- 2) *A performance audit is separate from, and does not affect, any other audit required by or under this or any other Act.*

- 3) *The Auditor-General is to report to the Departmental Chief Executive, the councils concerned and the Minister as to the following:*
- a) *the result of a performance audit,*
 - b) *any other matters that the Auditor-General considers call for special notice.”*

Budget and Financial Aspects

Council's 2019/20 budget allocation for audit fees covers the external audit of the annual financial statements. No additional fees will be payable as a result of Council's involvement in the local government performance audit of procurement activities.

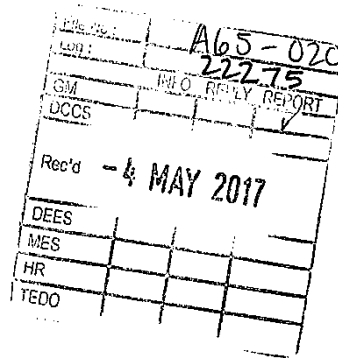
Attachments

1. Letter from Auditor General dated 27 April 2017.

Recommendation: That the information be noted.

Notes:

Attachment 1. – Letter from Auditor General dated 27 April 2017



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

Contact Audit Office
Phone No 9275 7100
Our Ref
Your Ref

27th April 2017

Dear Mr Shaw

Initial local government performance audits

As you are aware, recent amendments to the *Local Government Act 1993* have made the Auditor-General of NSW the Auditor of Local Councils in NSW. In addition to auditing Councils' annual financial statements, the new mandate provides for the conduct of "Performance Audits".

I am aware Performance Audits are a new type of audit for Local Government so the purpose of this letter is to tell you a little bit about them and my approach.

Essentially, Performance Audits assess whether selected activities or services are carried out efficiently, effectively and economically. The State Government has provided my Office with funding to conduct two to three Local Government performance audits annually. I have consulted with organisations like Local Government NSW and the Office of Local Government regarding topic selection.

In this first year, I have chosen to focus on the sector as a whole, rather than on any individual council. In this way I hope to improve my Office's understanding of Local Government and to work alongside you to provide some general benchmarking or improvement opportunities. My aim is to support Councils to identify good practice and to make improvements over time.

The first Performance Audit will focus on Councils' own reporting to their communities on service delivery. My Office is conducting a desk top review of reporting in Council annual reports and will select a sample of Councils to profile in more detail.

The second audit will survey fraud controls in place across Councils. And the final performance for the 2017/18 financial year will examine current shared services arrangements.

We will contact you directly if your Council is selected for more detailed examination in any audit.

I am sure it will be helpful if I publish a forward program of possible performance audits for you to provide any feedback on. Matters identified in my annual financial audits will also inform the selection of future topics, which may be a mix of sector wide or more targeted audits. Again, my officers will contact you during the early stages of any audit involving your Council.


Information regarding Performance Audits and my Office's approach to Local Government can be found at <http://www.audit.nsw.gov.au/>. I also enclose our Performance Audit Guide for Local Government for your information.

You may like to view my current program of State Government Performance Audits to get a better insight into the nature of performance auditing. You can also discuss any aspect of the audit of your Council with the Business Team Leader responsible for your Council. Contact details will be provided to you in our Client Service Report.

I am looking forward to working constructively with you and your officers to carry out my obligations under the Act but to also support you in your work. If you have any questions, please feel free to email me (mail@audit.nsw.gov.au).

Please note I have also written to your mayor on this topic. It would be appreciated if you could table this correspondence at a forthcoming council meeting.

With my best regards



Margaret Crawford
Auditor-General of NSW

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.

24. PURCHASE OFFER – LOTS 21 AND 22 BOND STREET LOCKHART (GM/L05-050)

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.

25. TENDER – SUPPLY OF MOTOR GRADER (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.

26. TENDER – SUPPLY OF SKID STEER LOADER AND ATTACHMENTS (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.

27. TENDER – WINNING AND CRUSHING OF GRAVEL (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.