



BUSINESS PAPER

**of the
Ordinary Meeting
Held
17 December 2018**

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

The Prayer

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

The Council's Guiding Principles

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

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

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

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

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

(Section 8A Local Government Act, 1993)

File Ref: PV:LA:C70-005

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13 December 2018

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, 17 December 2018** commencing at **5.00pm**.

The Order of Business will be as shown overleaf.

Yours faithfully

Craig Fletcher
ACTING GENERAL MANAGER

Order of Business

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

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

18. Request from the Osborne Recreation Ground Management Committee Page 70

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

Nil.

Delegates' Reports

1. RIVERINA JO AND REROC – 6 DECEMBER 2018

The Mayor and General Manager, attended meetings of the Riverina Joint Organisation (RivJO) and REROC.

The RivJO meeting predominantly dealt with administrative and governance related issues relevant to establishing the new entity including the establishment or adoption of:

- An ABN;
- Bank Account;
- Seal;
- Charter;
- Code of Meeting Practice;
- Payment of Expenses and Provision of Facilities Policy;
- Disclosures by Board and Designated Persons.

Julie Briggs has been appointed Executive Officer on an interim basis whilst arrangements are put in place for an open and competitive recruitment process for a permanent appointment to be made in accordance with the requirements of the Local Government Act.

In the new year the JO will commence work on preparing a Statement of Strategic Priorities, one of the key legislated obligations of the JO. To assist with this process Councils are being asked to advise what their local government area priorities are in the following six key areas with a view to identifying common themes as a starting point:

1. Transport
2. Energy, Water and Environment
3. Workforce Development and Skills Shortages
4. Connectivity
5. Economic Development
6. Health and Allied Medical Services.

Councils have been requested to submit their priorities by 31 January 2018.

Cr Rodger Schirmer
Delegate

Recommendation: That the information be noted.

Notes:

2. RIVERINA WATER COUNTY COUNCIL – DECEMBER 2018

1. Monthly Investment report tabled with Total Funds of \$26m.
2. Audit & Risk Committee Minutes received and noted.
3. Council's meeting schedule for 2019 approved with 24 April 2019 meeting at Holbrook.
4. Council agreed to sponsor a Wagga School Leaders Program.
5. Code of Conduct statistics revealed - no complaints.
6. Cost estimates for new boardroom not approved, with revised budget to be presented to February meeting.
7. Rural SubTract Meter Policy and Water Restrictions Policy have been released for public exhibition.
8. Council has agreed to purchase land in Koorungal Rd and Forge Street.
9. Council has allocated \$90,000 for Proposed Design, Estimate and Evaluation for Solar Trial project.
10. Council approved tender for supply of 300mm PVC pipe from Milbrulong to Lockhart pipeline.

Greg Verdon
Delegate.

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 19 November 2018			
320/18	GM	Work Health and Safety Policies Revised policies, 3.6 Work Health & Safety, 3.17 Work Health and Safety Consultation, 3.3 Bullying and Harassment, 3.9 Training, 3.10 Equal Employment Opportunity, 3.5 Return to Work Program, as presented be adopted.	Policy register updated. Complete.
319/18	GM	Office Closure – Christmas/New Year Period Council's office will close from COB Mon, 24 Dec 2018 to Tues, 1 Jan 2019 and will re-open for business on Wed, 2 Jan 2019.	Notice of the office will be displayed at the entrance to the Council Administration Building and on Council's website. Complete.
318/18	GM	Council Meeting – February 2019 Council meeting scheduled to be held on 18 Feb 2019 be brought forward to 4 Feb 2019.	Notice of the change of meeting date will be given in the December/January Council Newsletter and via the Council's website.
317/18	GM	Code of Conduct Statistics – Annual Report a) Council note that for the reporting period 1 Oct 2017 to 30 Sept 2018 there were no complaints made under the Council's Code of Conduct, and b) The information be forwarded to the Office of Local Government.	The information has been forwarded to the Office of Local Government. Complete.
316/18	GM	2017/18 Annual Report 2017/19 Annual Report be endorsed and the GM be authorised to forward a copy of the Report to the Minister for Local Government.	The Annual report has been forwarded to the Office of Local Government and made available on Council's website. Complete.
315/18	DCCS	Quarterly Budget Review – September 2018 b) Adjustments in income, expenditure and reserves in the Sept 2018 Quarterly Budget Review be adopted c) The carried forwards and revote as reported are funded from Reserves be adopted.	Presented at Nov meeting. Complete.
314/18	DCCS	Presentation of Council's 2017-18 Financial Statements Council endorse the Audited Financial Statements and Auditor's Report for the year ended 30 June 2018 as presented, which will be included in Council's 2017-18 Annual Report.	The Audited Financial Statements have been incorporated into the Annual Report and forwarded to the Office of Local Government and made available on Council's website. Complete.
312/18	MES	Variation to Development Control Plan, DA 39/19 Council grant consent for a variation to the Lockhart DCP, thereby permitting an increased building height for a proposed new shed at 63 Federal St, Lockhart, subject to no objections being received.	No objections received and development consent was approved. Complete.
310/18	DEES	Grant Application – Playground at The Rock Recreation Ground Council make a grant application under the NSW Government's Everyone Can Play in NSW Grant 2018-19 for a new playground at The Rock Recreation Ground.	Grant applications close 21 December 2018.

309/18	DEES	<p>Sewerage Services – Lockhart Shire</p> <p>b) Authorises the Mayor and General Manager to execute under Council Seal the NSW Restart Funding Deed for Lockhart Sewerage Treatment Plant Scoping Study; and</p> <p>c) Undertake adjustments to Sewer Fund 2018/19 budget required at the next quarterly budget review to accommodate both Scoping Study and IWCM Strategy renewal.</p>	(b) funding deed signed and returned to Restart NSW. Complete.
305/18	DEES	<p>Container Deposit Scheme</p> <p>Authorise the General Manager and Director Engineering and Environmental Services to execute the CDS refund sharing agreement with Kurrajong Recycling.</p>	Contract executed. Complete.
302/18	GM	<p>Request to Refund Development Application Fees Paid to Council</p> <p>a) Council agree to refund Development Application fees paid by The Rock Charity Rodeo in the amount of \$465;</p> <p>b) Provide in-kind assistance by providing two skip bins</p> <p>c) The cost of the financial assistance outlined above met from Council's 2018/19 Section 356 Contributions Budget; and</p> <p>d) Council receive feedback on the dispersal of profits.</p>	<p>The DA has been approved. The applicant has been advised of the refund of DA fees and Council's in-kind contribution.</p> <p>The applicant has advised that the organisations to benefit from this year's event include the RFS, SES, Country Hope and the local army cadet unit.</p> <p>Complete.</p>
301/18	DCCS	<p>The Rock Recreation Ground Section 355 Committee Management Committee</p> <p>a) Council extend the delegation given to The Rock Recreation Ground Management Committee to include management of the community space/gymnasium at The Rock Swimming Pool complex;</p> <p>b) Council's Policy 1.11 Section 355 Committees be amended to reflect the foregoing change.</p>	Policy register updated. Complete.
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>	Discussed at a meeting with Valmar, continuing investigations.
293/18	GM	<p>Minutes of the TEDSC Meeting – Lockhart Industrial Land</p> <p>This matter to be brought before a full meeting of Council for consideration at a future date.</p>	A report will be prepared for consideration at a forthcoming Council meeting.
284/18	GM	<p>Mayoral Minute – Renew our Libraries Campaign</p> <p>Council endorse the Renew Our Libraries Campaign.</p>	LGNSW and Riverina Regional Library have been advised of Council's support for the campaign. Complete.
283/18	GM	<p>Mayoral Minute – Ian Maxwell McLeod – 50 Years of Service to the Legal Industry</p> <p>Council congratulate solicitor Ian Maxwell McLeod on 50 years of service to the legal industry and express its appreciation to Mr McLeod on his commitment to the local community.</p>	A letter of congratulations together with a copy of the Mayoral Minute has been forwarded to Mr McLeod. Complete.

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>	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.
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>	In progress.
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>	To be addressed in conjunction with the preparation of the 2019/20 Budget.
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>	Purchase Order for AssetFinda raised, software licence received and being reviewed. IT Server is at end of life, quotes being sort. Server requires upgrade or replacing to enable new software to be installed and provide future capacity.
248/18	DCCS	<p>Audited Financial Statements</p> <p>a) Council certify in its opinion the General-Purpose Financial Statements and the Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates by completed be the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer.</p> <p>b) The funds as listed in the schedule be reported as internally restricted in Council's accounts as at 30 June 2018.</p>	Final Draft set of Statements currently with Crowe Horwath for review. Completed – Auditor(s) will be in attendance at November Council meeting to present and discuss Council's Statements for 2017-18. Complete.

237/18	GM	<p>Request for Financial Assistance – The Rock Show Society Inc.</p> <p>a) An amount of \$500 be provided to The Rock Show Society Inc. as a one-off donation; and</p> <p>b) Any financial assistance agreed to be Council be paid to The Rock Show Society Inc. after the governance arrangements referred to in this report have been clarified.</p>	Correspondence has been forwarded to The Rock Show Society Inc. advising of Council's decision to provide a one-off donation subject to clarifying governance arrangements.
126/18	DEES	<p>Recycling Update</p> <p>b) Council authorises DEES to negotiate CDS refund sharing agreement with Kurrajong Recycling and bring a further report to Council, and</p> <p>c) Submit a grant application under NSW EPA funding for material recovery facilities when open, for use of recycled glass in road base construction.</p>	<p>a) DEES still in negotiations with Kurrajong Recyclers. See report to Council November 2018. Complete.</p> <p>b) Grant funding due to open in October 2018. Webinar in early July on the funding program. DEES has attended webinar and grant funding is currently open.</p> <p>c) has been completed.</p>
117/18	TEDO	<p>Minutes of the TEDSC Meeting – Magnolia Lodge Land</p> <p>TEDSC investigate the existing documentation on the Magnolia Lodge to ascertain previous project plans.</p>	Complete. Council to investigate the funding of additional independent living/aged care accommodation in the Shire
Ordinary Council Meeting held 16 April 2018			
84/18	GM	<p>Round 2 – Stronger Country Communities Fund</p> <p>a) Council submit the following grant applications (listed in priority order) under Round 2 of the Stronger Country Communities Fund:</p> <ol style="list-style-type: none"> 1. Lockhart Recreation Ground – Facilities for footballers and netballers 2. The Rock Recreation Ground – Toilets and Showers 3. Osborne Recreation Ground – Playground and Traffic Improvements 4. Town/Shire Entrance Signs 5. Town/Shire Beautification 6. Yerong Creek Recreation Ground – Netball and Handball Court 7. The Rock Observatory 8. The Rock Recreation Ground – Relocation of Pony Club and New Oval 9. ½ Basketball Court at The Rock <p>b) Any of the above projects that are unsuccessful in securing grant funding under the Stronger Country Communities Fund may be funded from Council's Reserves; and</p> <p>c) Council's Reserves be replenished over time with the proceeds from the sale of residential lots in Stage 2 of the Carson Road subdivision at The Rock.</p>	<p>Confirmation of the outcome of the grant applications has now been received.</p> <p>A report has been included in this agenda (refer item no. 2 with respect to part b) of the resolution.</p> <p>Complete.</p>

80/18	DCCS	<p>Minutes of the TEDSC Meeting – Lockhart Childcare Facilities Council investigate a scheme to benefit the serious lack of childcare facilities in Lockhart.</p>	<p>A survey to be designed then distributed to Lockhart and surrounding area. Survey posted Wed 15 August. Survey closed 10 Sept, now collating responses. Presented at Nov meeting. Complete.</p>
Ordinary Council Meeting held 19 March 2018			
68/18	GM	<p>Closed Agenda – Green Street West Lockhart – Price Review a) Council adopt the following asking process for lots remaining unsold in the residential subdivision at Green Street West, Lockhart: a. \$25,000 Lots 1, 6, 7, 9, 10, 23, 24, 25, 27, 28, 29, 30, 31, and 32 b. \$27,500 Lots 12, 16, 17 and 18 c. \$44,000 Lots 11 and 34 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. 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. 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. Council's agent is contacting all builders on its data base regarding incentives that might encourage the construction of a spec/display home. A cost estimate for converting an allotment into a park is currently being prepared.</p>
51/18	GM	<p>Lockhart Renewable Energy Project a) Project update provided by Better Energy Technology Pty Ltd noted, b) Lockhart Renewable Energy Project Information Brochure endorsed for distribution to Lockhart premises.</p>	<p>A revised application for funding of Phase 1 of the project (regulatory & planning approvals) has been resubmitted by BET with the Australian Renewable Energy Agency (ARENA) after the initial application was declined and the outcome is awaited.</p>
Ordinary Council Meeting held 5 February 2018			
21/18	GM	<p>Joint Organisations of Council Council will support the continuation of REROC for a period no longer than 12 months from the proclamation of the Joint Organisation.</p>	<p>JOs proclaimed and discussions continuing between member councils regarding governance arrangements. First JO Board meeting was held on 19/10/18.</p>
Ordinary Council Meeting held 18 December 2017			
316/17	GM	<p>The Rock to Boree Creek Rail Line Council to continue to make applications when further rounds of funding are released.</p>	<p>A further application will be made when next funding round is launched.</p>

Ordinary Council Meeting held 16 October 2017			
266/17	DEES	<p>Closed Agenda – Tender – Waste Contract</p> <p>a) Contract for 'Domestic Garbage, Recyclables & Organics Collection & Transport Service' to be awarded to Cleanaway, adjusted for two bin collection service for an interim 6-month period as required; Contract to be 7 years – 2 April 2018 to 2 April 2025, renewable annually thereafter by mutual consent for up to three by one-year agreements; and</p> <p>b) General Manager and Director of Engineering & Environmental Services authorised to sign Contract and Purchase Orders; and</p> <p>c) Council to make application for grant funding to supply FOGO bins and kitchen caddy's; and</p> <p>d) Undertake resident education program on 3-bin system and FOGO collection; and</p> <p>e) Staff authorised to enter into negotiations with Kurrajong Waratah to continue with Recyclables processing on behalf of Lockhart Shire Council.</p>	<p>(a) & (b) Letter issued to Cleanaway. Contracts prepared. Cleanaway has commenced new contract with new truck, still operating on two bin system. Two bin system to continue till 1 April 2019 at this stage.</p> <p>(c) & (d) Council engaging consultant to assist with grant application. Consultant is working on documentation and grant application. Grant application submitted. Grant funding successful for FOGO implementation.</p> <p>(e) Council met with Kurrajong Waratah. Negotiations progressing well, waiting on CDS information before can finalise agreement. Staff had further discussions with Kurrajong recently. See report to Council meeting November 2018. CDS sharing agreement reached. Complete.</p> <p>Grants for FOGO implementation now open and currently preparing application. Consultant still working on composting licence requirements. Grant submitted. Awaiting outcome of FOGO processing grant.</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>Addition 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 15 May 2017			
115/17	GM	<p>Councillor Professional Development</p> <p>Councillors to nominate any professional development they would like to undertake to assist in the development of a Professional Development Program for Councillors for 2017/18.</p>	<p>Training and Development opportunities distributed to Councillors as they arise.</p> <p>Draft Councillor Professional Development Guidelines recently released by OLG. Awaiting final version of Guidelines following a period of consultation.</p>

Ordinary Council Meeting held 18 April 2017			
72/17	DEES	Caravan Parks a) Information noted pending a furthermore detailed report b) Council has determined as a matter of policy that caravan parks be short term (holiday park) stays; and c) Expressions of Interest (EOI) be invited for Management of the Lockhart Caravan Park for 1 July 2017 to 30 June 2018 with option of 2 x 12-month extensions on mutual agreement.	More detailed report to be presented at a future Council meeting. Items (b) & (c) are complete. Staff currently compiling information to put together further report.
Ordinary Council Meeting held 20 March 2017			
33/17	TEDO	Minutes of the Tourism/Economic Steering Committee Meeting – Shire Signs Designs for the Shire signs to be investigated.	Refer 84/18 Complete.
Ordinary Council Meeting held 21 November 2016			
315/16	GM/ TEDO	Australian Kelpie Hall of Fame a) Greens Gonyah Museum be requested to develop and provide a long-term business plan to Council, outlining future developments and how they will be funded, and b) The item be brought back to Council for further discussion in the 2017/18 FY.	Complete.
Ordinary Council Meeting held 19 September 2016			
241/16	TEDO	Minutes of Tourism/Economic Development Steering Committee - Town Visitor Information Boards New town visitor information boards to be designed and installed in The Rock and Lockhart.	Signs received.
Ordinary Council Meeting held 16 May 2016			
109/16	DCCS	Old Lockhart Railway Station Building Council to: a) Seek to find a suitable use/tenant for the building b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.	Ongoing. No potential tenants have enquired. Promoting venue as a regional meeting site. Very little activity to date. Lockhart Central School has used for 2018 HSC exams. No enquiries for a permanent tenant.
Ordinary Council Meeting held 19 November 2018 – Councillor Questions & Statements			
Councillor's Questions	DEES	Cr Rockliff – Thank You to Parks and Gardens Staff – Advised had recently received two positive visitor comments from caravaners on how fantastic Lockhart township looks and wished for this to be passed on to Parks and Gardens staff.	Thanks passed onto staff. Complete.
	DEES	Cr Marston – New Amenities Building at The Rock Swimming Pool Complex – Stated that a lot of residents had enquired when the gym in The Rock would be opening and advised that fundraising would be needed for the purchase of equipment and resources. A request had come from The Rock Progress Association for its pledge of \$4,000 toward the amenities building to be used to assist with the purchase of gym equipment.	DEES advised that The Rock Progress Association had also contacted Council and staff would respond shortly. Response provide to The Rock Progress Association. Complete.
	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.

Councillor's Questions	DEES	Cr Verdon – Back Lane between Mixner and Cornwall Sts, The Rock – Advised there is water ponding in the back lane between Mixner and Cornwall Sts, The Rock preventing residents from accessing their properties.	DEES advised he will investigate and take appropriate action. DEES investigated and considers the back lane to be in good condition and no water ponding when had rain overnight before inspection. Complete.
	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.
Ordinary Council Meeting held 15 October 2018 – Councillor Questions & Statements			
Councillor's Questions	DEES	Cr Verdon – Status of The Rock Subdivision - Enquired as to the status of The Rock subdivision?	DEES advised the draft linen plan has been submitted to Council, however it needs some refinement around easements following which it should be ready to lodge with solicitors for registration. Draft linen plan received, a couple of further amendments needed. Works on sealing Carson Road has commenced. Linen plan has been sent to solicitors for registration. Works on the ground have been completed.
Ordinary Council Meeting held 17 September 2018 – Councillor Questions & Statements			
Councillor's Questions	GM/Mayor	Cr Verdon – Wagga Wagga City Council's (WWCC) Position regarding Riverina Joint Organisation (RIVJO) – Enquired as to an update regarding WWCC's position regarding joining the RIVJO.	The Mayor advised that the WWCC had indicated in writing that it was prepared to join the RIVJO subject to certain conditions and that the conditions were acceptable to the RIVJO member councils insofar as they were able to be accommodated within the provisions of the Local Government Act. Discussions are continuing between WWCC and JO member councils.
	DEES	Cr Marston – Donation Box at The Rock Recreation Ground - Thanked staff for the new donation box in the male toilets at The Rock Recreation Ground and asked if a donation box could also be installed in the female toilets?	DEES advised he will arrange for this to occur. Second donation box has been ordered. Box is ready to be picked up and installed. Second box has been installed. Complete.

Councillor's Questions	GM	Cr Rockliff – Notification to Shop Owners of Events being held in Lockhart - Enquired as to whether businesses in the CBD could be advised if there is going to be an event like the recent Antique Bottle Show that was held in the Lockhart Memorial Hall last weekend, to help ensure businesses are open and trading when these events are conducted?	The General Manager advised that he will investigate whether an appropriate system can be put in place to communicate this information to local businesses when bookings are taken at Council's office for these types of events. Complete.
	DEES	Cr Sharp – Bus Stop Signs, Figtree Rd - Advised that the parent of the school children picked up by the school bus on Figtree Rd requested school bus signs to be installed either side of Ledheys Lane.	DEES thanked Cr Sharp for this information and will arrange for the signs to be installed. Signs ordered and will be installed when available. Signs have been installed. Complete.
	Councillors	Cr Schirmer – Mayor's Christmas Party 2018 – Advised Councillors that the Mayor's Christmas Party will be held on Saturday, 8 December at the Rock Golf Club and could Councillors please think about and advise on invitations.	
Ordinary Council Meeting held 21 May 2018 – Councillor Questions & Statements			
Councillor's Questions	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.
	DEES	Cr Driscoll – Missing Town Entrance Sign – Advised that The Rock entrance sign on the Olympic Highway on the Yerong Creek side is missing.	DEES advised he will investigate and advise, and also noted that town entrance signs were part of the recent SCCF grant application. DEES has had discussions with GHSC about reinstalling the sign, which is located at The Rock depot. Expect this will be undertaken in the near future. Council has chased up GHSC again and sign has been dropped off at GHSC Culcairn depot.
Ordinary Council Meeting held 5 February 2018 – Councillor Questions & Statements			
Councillor's Questions	DEES	Cr Sharp – Issue with Murray Pines Encroaching Henty-Pleasant Hills Rd – advised had received a letter from a resident re. these trees on Henty-Pleasant Hills Rd, just east of Figtree Lane.	DEES advised will investigate and take appropriate action. DEES has inspected the site and is currently having the vegetation assessed by Environmental Officer. Trees to be trimmed have been identified and works will occur as resourcing permits.
Ordinary Council Meeting held 18 December 2017 – Councillor Questions & Statements			
Council lor's Questio ns	GM	Cr Marston – Council Elections – Enquired if Council, for the 2020 Council Elections would consider advertising its own election (not through AEC) to save money.	GM advised that this could be considered at the appropriate time, closer to the election year.

Ordinary Council Meeting held 20 November 2017 – Councillor Questions & Statements			
Councillor's Questions	GM	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.	Discussions have been held with Council's agent and the availability of suitable developable land coming on to the market is being monitored.
Ordinary Council Meeting held 17 July 2017 – Councillor Questions & Statements			
Councillor's Questions	MAYOR	Cr Driscoll – Fit For the Future Process – Enquired as to where Council was up to regarding the FFTF process and ensuring we comply with our Action Plan.	The Mayor advised we are working on external contracting and other options regarding expanding the Shire's scale and capacity.
	COUNCILLORS	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.	Councillors attended the Friday fish & chips night at Yerong Creek on 6 July 2018.
Ordinary Council Meeting held 18 April 2017 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Verdon – Song Written by Former Grader Operator Mr Keith Ball – Enquired as to whether Council had a copy of the song about working on Council and if not, could a copy be obtained for historical purposes?	DEES advised he is not aware of the song and will contact the Funeral Director. Staff have spoken with family, a copy to be forwarded to Council in due course. Staff following up with the family again. It is hoped will have the song shortly.

17 December 2018 Council Meeting - Correspondence Sent to Councillors

Date to Councillors	From	Subject	File Ref
19/11/18	ALGA News Editor	ALGA News 16 November 2018	A75-005
19/11/18	Cr Linda Scott, LGNSW	LGNSW Weekly – 16 November 2018	S20-007
27/11/18	Cr Linda Scott, LGNSW	LGNSW Weekly – 23 November 2018	S20-007
27/11/18	ALGA News Editor	ALGA News 23 November 2018	A75-005
3/12/18	Cr Linda Scott, LGNSW	LGNSW Weekly – 30 November 2018	S20-007
3/12/18	ALGA News Editor	ALGA News 30 November 2018	A75-005
10/12/18	Cr Linda Scott, LGNSW	LGNSW Weekly – 7 December 2018	S20-007
10/12/18	ALGA News Editor	ALGA News 7 December 2018	A75-005

Recommendation: That the information be noted.

Notes:

Staff Reports

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. RIVERINA REGIONAL LIBRARY – DEED OF AGREEMENT (GM/L20-005)

Executive Summary

The existing Deed of Agreement relating to the Riverina Regional Library service expires in 2018 and a new Deed of Agreement for the period 2018 to 2022 is required to be executed under seal of Council.

Report

Council is a member of the Riverina Regional Library (RRL) along with nine other Councils. The existing Deed of Agreement covering the period 2014 to 2018 expires in 2018 and a new Deed of Agreement for the period 2018 to 2022 is required to be executed under seal of Council.

The Deed contains provisions relating to membership, management and administration of the regional library service. The Riverina Regional Library Advisory Committee, on which Council is represented, has resolved to endorse the 2018 – 2022 Deed of Agreement.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Council pays an annual membership contribution to the RRL for the provision of library services in the Shire which is provided for in the 2018-19 Budget.

Attachments

The Deed of Agreement will be tabled at the meeting.

Recommendation: That authority be granted for the Riverina Regional Library 2018-2022 Deed of Agreement to be executed under Council's seal.

Notes:

2. ROUND 2 STRONGER COUNTRY COMMUNITIES FUND (GM/G10-005)

Executive Summary

The purpose of this report is to inform Council of the outcome of the grant applications submitted under Round 2 of the NSW Government's Stronger Country Communities Fund.

Report

In April 2018 Council was advised of a notional allocation of \$764,000 for the Lockhart Shire Local Government Area under Round 2 of the NSW Government's Stronger Country Communities Fund. At its meeting held on 16 April 2018 Council considered a range of projects for which it could seek funding noting that priority was to be given to sporting infrastructure, community infrastructure and place making/beautification projects.

Council also noted that multiple applications exceeding the Shire's allocation of \$764,000 were encouraged to guard against any projects not meeting the relevant criteria. It was therefore understood that not all of the projects would be successful. Council was also required to allocate a priority rating to its nominated projects.

Council has now been advised of the outcome of the applications it resolved to submit. The Table below shows both the applications Council submitted and the applications which were successful.

Priority	Submitted Applications		Successful Applications
1	Lockhart Recreation Ground (amenities building upgrade)	\$345,000	\$345,000
2	The Rock Recreation Ground (amenities building upgrade)	\$50,000	\$50,000
3	Osborne Recreation Ground (playground & traffic improvements)	\$65,950	\$65,950
4	Town/Shire Entrance Signs	\$100,000	\$100,000
5	Town/Shire Beautification	\$175,000	-
6	Yerong Creek Recreation Ground (netball and handball court)	\$50,000	-
7	The Rock Regional Observatory (lecture theatre)	\$100,000	\$100,000
8	The Rock Recreation Ground (relocation of Pony Club and new 2 nd oval)	\$100,000	\$100,000
9	½ Basketball Court at The Rock	\$50,000	-
Total		\$1,035,950	\$760,950

It can be seen from the above table that Council's submitted applications have been successful with the exception of priorities 5, 6 and 9. The Government implemented a process of community consultation, including local surveys, before determining the applications.

The relevant organisations and Section 355 Management Committees have been informed of the outcome of the applications and meetings have occurred with them to discuss progressing the projects.

With respect to the town and Shire entrance signs project it is proposed that Council's Tourism and Economic Development Steering Committee, which includes both councillor and community representatives from across the Shire, be tasked to consider a range of options that could form the basis of wider community consultation.

In the meantime, the formal Funding Agreement has been received from the NSW Department of Premier and Cabinet. Council is awaiting return of the fully executed Funding Deed at which time it will allow Council to then commit expenses against the projects. The Funding Agreement requires projects to be completed by 31 October 2020.

At the 16 April 2018 meeting when Council resolved to submit the above listed projects knowing that not all of the projects would be successful, Council also resolved that consideration be given to any unsuccessful projects being funded from Council's Reserves.

In this regard it is recommended that the two community-based projects, i.e. priorities 6 and 9 in the table above, be funded from reserves so that they may proceed and ensure a more even geographic spread of projects across the Shire. The other unsuccessful project i.e. priority 5, being a Council project could be referred to the 2019/20 budget deliberations for consideration in conjunction with other priorities.

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.

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

B1 - Develop and implement a long-term beautification plan for each of the Shire's towns.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

A co-contribution is not required for applications submitted under the Stronger Country Communities Fund (SCCF) Program.

Attachments

Nil.

Recommendation: That:

- a) the information regarding the successful grant applications under Round 2 of the Stronger Country Communities Fund be noted; and
- b) authority be granted for the Funding Agreement relating to Round 2 of the Stronger Country Communities Fund to be executed under Council's seal.
- c) the unsuccessful projects involving the netball and handball court at the Yerong Creek Recreation Ground and the ½ Basketball Court at The Rock, be funded from Council's Future Infrastructure Development Reserve.

Notes:

3. REQUEST FOR ASSISTANCE – LOCKHART PICNIC RACE CLUB INC. (GM/D30-005)

Executive Summary

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

Report

The Lockhart Picnic Race Club Inc. has written to Council seeking financial support towards the waiving of water purchase costs to water the race track leading up to the annual picnic race meeting held on 5 October 2018. A copy of the correspondence is attached.

Due to the very dry winter the race track was unusually hard, which can have a detrimental effect on the race horses, often resulting in horse owners/trainers pulling out of the race meet. This would have had a significant effect on the overall race meeting. In fact, Council has received verbal comments on how well the race track is prepared for the annual picnic races by many trainers. This is a credit to both the race committee as well as Council staff.

Council and Lockhart Picnic Race Club committee members have also spoken with Riverina Water County Council about a donation to the cost of the water supply. A total of 365 KI was used by the committee, equating to \$748.25 in supply cost. Staff discussions with Riverina Water County Council is that it is prepared to meet this cost 50/50 with Council.

Integrated Planning and Reporting Reference

A1 - Facilitate and support our community to deliver vibrant and dynamic community events.

A1 - Provide or partner to provide cultural and sporting participation opportunities.

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 to persons for the purpose of exercising its functions.

Budget and Financial Aspects

Council's 2018/19 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 Lockhart Picnic Race Club Inc. dated 10 December 2018.

Recommendation: That:

- a) Council provides financial support to the value of \$374.25 to the Lockhart Picnic Race Club Inc to assist to cover 50% of the cost of the water supply; and
- b) Council writes to Riverina Water County Council requesting donation of \$374 to cover the remaining 50% of the cost of the water supply.

Notes:

Attachment 1. – Letter from Lockhart Picnic Race Club Inc. dated 10 December 2018



LOCKHART PICNIC RACE CLUB INC.
PO BOX 7, LOCKHART NSW 2656
ABN 87 655 644 224

10 December 2018

Mr Peter Veneris
General Manager
Lockhart Shire Council
PO Box 21
Lockhart NSW 2656

Dear Peter,

As part of the preparation for the 2018 Lockhart Picnic Races and due to the ongoing drought conditions, the Committee resolved it was essential to apply a significant amount of water to the Lockhart Race Track. This water was applied using donated tankers and prime movers with labour provided by volunteers. Without the necessary watering the track wouldn't have met the minimum standards for safe racing and the event would have been cancelled.

The Committee is seeking the support of Lockhart Shire Council in conjunction with Riverina Water County Council to assist with the cost of water applied to the race track.

We look forward to your support and to cooperatively working to keep this important event on the Lockhart Shire social calendar. Should you have any questions, please contact John Stevenson (Treasurer) on 0429 206 238.

Kind Regards



Rachel Day
Secretary
E: lockhartpicnics@gmail.com

www.lockhartpicnicraces.com

4. POLICY 2.28 ASBESTOS MANAGEMENT

(DEES/C70-025)

Executive Summary

A revised *Policy 2.28 Asbestos Management* is presented for Council's consideration.

Report

At its meeting held on 6 February 2017 Council endorsed a process for the review of existing policies and development of new policies. As part of the ongoing process of reviewing Council's policies, *Policy 2.28 Asbestos Cement* has been reviewed and the revised Policy is tabled for Council's consideration.

The policy has had significant changes and as such has been completely re-written to come in line with latest best practice and Model Asbestos Policy for NSW Councils published by the Office of Local Government (OLG), including changing the name of the policy to *Asbestos Management*.

In Australia, asbestos has been phased out of building materials since the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003.

However, Council recognises that asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. Council has no record of naturally occurring asbestos within the Shire.

Council has an important dual role in minimising exposure to asbestos, as far as is reasonably practicable, for both:

- residents and the public within Lockhart Shire
- workers (employees and other persons) in Council workplaces or facilities.

This Policy is supported by a specific Asbestos Management Plan, comprising two sub plans, and subordinate documents to manage risks associated with asbestos and asbestos containing material.

The Asbestos Management Plan is designed to assist Council in:

- assessing and/or surveying all property under its care and control to ascertain the presence of asbestos/Asbestos Containing Material (ACM) or not;
- maintain an Asbestos Register containing the location (or suspected location) of asbestos/ACM;
- assess potential health risks and implement control mechanisms;
- remove or control asbestos materials that pose an immediate health risk to the public or staff;
- regularly review and monitor identified areas to ensure they are appropriately labelled and in good condition and do not pose an immediate health risk;
- continually work toward an asbestos-free Council;
- consult with and educate staff on the dangers of asbestos/ACM in homes and workplaces, and the correct handling procedures if it is necessary to work with asbestos/ACM;
- educate and, where necessary, assist the residents and ratepayers of Lockhart Shire on the dangers of asbestos/ACM in homes and workplaces.

The Policy and Asbestos Management Plan provides information for council workers, the local community and wider public and applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable) within the Lockhart Shire. Education and training of Council staff and the community will occur following the adoption of the policy.

Integrated Planning and Reporting Reference

- A2 - Our community services and facilities meeting the needs of our community.
- E1 - Council is strong, sustainable, and able to stand alone.

Legislative Policy and Planning Implications

- Work Health Safety Act 2011
- Local Government Act 1993.

Budget and Financial Aspects

Any budget impacts are as yet unknown.

Attachments

1. *Policy 2.28 Asbestos Management.*

Recommendation: That:

- a) *Policy 2.28 Asbestos Management and Asbestos Management Plan* be placed on public exhibition for minimum of 28 days; and
- b) Further report be brought to Council in due course.

Notes:

Attachment 1. – Policy 2.28 Asbestos Management

2.28 Asbestos Management

POLICY TITLE: ASBESTOS MANAGEMENT

FILE REF: I10-075

EXPIRY DATE: July 2021

OBJECTIVES

Lockhart Shire Council acknowledges the serious health hazard from exposure to asbestos.

In Australia, asbestos has been phased out of building materials since the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003.

However, Council recognises that asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. Council has no record of naturally occurring asbestos within the Shire.

Council has an important dual role in minimising exposure to asbestos, as far as is reasonably practicable, for both:

- residents and the public within Lockhart Shire
- workers (employees and other persons) in Council workplaces or facilities.

This Asbestos Management Policy forms part of the Risk Management processes employed by Council to achieve two of its Strategic Objectives; A2: Our community services and facilities meeting the needs of our community; and E1: Council is strong, sustainable, and able to stand alone.

DEFINITIONS

Asbestos means the asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following:

- a) Actinolite asbestos
- b) Grunerite (or Amosite) asbestos (brown)
- c) Anthophyllite asbestos
- d) Chrysotile asbestos (white)
- e) Crocidolite asbestos (blue)
- f) Tremolite asbestos
- g) A mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).

Asbestos Containing Material (ACM) means any material or thing that, as part of its design, contains asbestos.

Asbestos-contaminated dust or debris (ACD) means dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.

Friable Asbestos means material that:

- a) is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry
- b) contains asbestos.

Non-friable Asbestos means material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound.

Naturally Occurring Asbestos (NOA) means the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.

SCOPE

This policy applies to all of the residents, land and property holders and other stakeholders within Lockhart Shire and to all Councillors, Senior Management, staff, volunteers and contractors of Lockhart Shire Council.

The Policy provides information for council workers, the local community and wider public and applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable) within the Lockhart Shire.

2.28 Asbestos Management

Legislative Requirements

Council's legislative functions for minimising the risks from asbestos apply in various scenarios including:

- as a responsible employer
- contaminated land management
- Council land, building and asset management
- emergency response
- land use planning (including development approvals and demolition)
- management of naturally occurring asbestos
- regulation of activities (non-work sites)
- waste management and regulation.

POLICY STATEMENT

This Policy is supported by a specific Asbestos Management Plan, comprising two sub plans, and subordinate documents to manage risks associated with asbestos and asbestos containing material.

In the preparation of the Asbestos Management Plan Council has taken guidance from the following:

- Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by SafeWork NSW;
- Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by SafeWork NSW;
- Model Asbestos Policy for NSW Councils published by the Office of Local Government (OLG);
- Asbestos Blueprint – A Guide to the Roles and Responsibilities of Government Agencies in NSW;
- Additional guidance material listed in Appendix B

PROCEDURE

Roles and Responsibilities of Council in the Management of Asbestos

Educating residents

Council shall assist residents to access appropriate information and advice on:

- The prohibition on the use and re-use of asbestos containing materials
- requirements in relation to development, land management and waste management
- risks of exposure to asbestos
- safe management of asbestos-containing materials
- safe removal and disposal of minor quantities of asbestos-containing materials

Managing land

Council is responsible for managing public land. This may include land with naturally occurring asbestos and land contaminated with asbestos.

Managing waste

Council is responsible for:

- Issuing clean up notices to address illegal storage or disposal of asbestos waste or after an emergency or incident (under the *Protection of the Environment Operations Act 1997*);
- Issuing prevention or clean up notices where asbestos waste has been handled (including stored, transported or disposed of) in an unsatisfactory manner (under the *Protection of the Environment Operations Act 1997*);
- Issuing penalty infringement notices for improper transport of asbestos (under the *Protection of the Environment Operations Act 1997*); and
- Applying planning controls to proposals to dispose of asbestos waste on-site, seeking advice from the Environment Protection Authority (EPA) on this matter and making notation on planning certificates (section 10.7 certificates) where on-site disposal is permitted.

2.28 Asbestos Management

Regulatory responsibilities

Council has regulatory responsibilities under the following legislation, policies and standards in situations where council is the appropriate regulatory authority or planning authority:

Asbestos Management Plan

The Asbestos Management Plan is designed to assist Council in:

- assessing and/or surveying all property under its care and control to ascertain the presence of asbestos/ACM or not;
- maintain an Asbestos Register containing the location (or suspected location) of asbestos/ACM;
- assess potential health risks and implement control mechanisms;
- remove or control asbestos materials that pose an immediate health risk to the public or staff;
- regularly review and monitor identified areas to ensure they are appropriately labelled and in good condition and do not pose an immediate health risk;
- continually work toward an asbestos-free Council;
- consult with and educate staff on the dangers of asbestos/ACM in homes and workplaces, and the correct handling procedures if it is necessary to work with asbestos/ACM;
- educate and, where necessary, assist the residents and ratepayers of Lockhart Shire on the dangers of asbestos/ACM in homes and workplaces.

If naturally occurring asbestos is discovered in Lockhart Shire, Council will, if necessary, develop risk controls and an asbestos management plan in relation to the naturally occurring asbestos and provide guidance materials where necessary.

In the unlikely event that staff or volunteers have been exposed, or suspected of being exposed, the normal Incident Reporting process must be undertaken, and if necessary health surveillance steps are to be instigated, Personnel Files to be suitable endorsed.

REFERENCES, ASSOCIATED DOCUMENTS AND RELEVANT LEGISLATION

- Australian Standard AS 2601 – 2001: The demolition of structures
- Contaminated Land Management Act 1997
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (General) Regulation 2009
- Protection of the Environment Operations (Waste) Regulation 2005
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy No. 55 – Remediation of Land.

RELEVANT COUNCIL POLICIES & DOCUMENTS

- Lockhart Shire Council Work Health & Safety Policies
- Lockhart Shire Council Risk Management Policy
- Lockhart Shire Council Asbestos Management Plan
 - Asbestos Management Plan – Community Asbestos Sub-plan
 - Asbestos Management Plan – Council Asbestos Sub-plan

REVIEW

This Asbestos Management Policy will be reviewed every three (3) years.

*Adopted by Council – DATE
Refer minute No. NUMBER*

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

5. POLICY 1.19 LOCAL PREFERENCE PURCHASING POLICY (GM/C70-025)

Executive Summary

A revised *Policy 1.19 Local Preference Purchasing Policy* is presented for Council's consideration.

Report

At its meeting held on 6 February 2017 Council endorsed a process for the review of existing policies and development of new policies.

As part of the ongoing process of reviewing Council's policies, *Policy 1.19 Local Preference Purchasing Policy* has been reviewed and the revised Policy is tabled for Council's consideration.

Purchasing and procurement was the focus of the most recent internal audit review by Council's contracted Internal Auditor. The internal Auditor recommended that:

"Council ensure that the Procurement Policy and Procedures are reviewed on a regular basis with the procurement thresholds and procedural requirements a focus of these reviews."

The Internal Auditor also provided an example of best practice procurement policy and procedures and which has been considered as part of this review.

The revised policy should be read in conjunction with Policy 2.31 Procurement Policy which has also been reviewed and is the subject of a separate report.

Integrated Planning and Reporting Reference

B1 - Support the growth of the business and industry sector.

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

E1 - Minimise Council's exposure to risk and promote a strong risk management culture within Council.

Legislative Policy and Planning Implications

Section 8A (b) of the Act states that, "*Councils should carry out functions in a way that provides the best possible value for residents and ratepayers*".

Budget and Financial Aspects

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

Attachments

1. *1.19 Local Preference Purchasing Policy.*

Recommendation: That the revised *Policy 1.19 Local Preference Purchasing Policy* be placed on public exhibition for a period of 28 days and any submissions received be tabled for Council's consideration prior to adoption of the Policy.

Notes:

Attachment 1. – 1.19 Local Preference Purchasing Policy

1.19 Local Preference Purchasing Policy

POLICY TITLE: LOCAL PREFERENCE PURCHASING POLICY

FILE REF: C75-025

REVIEW DATE: DECEMBER 2021

OBJECTIVES

To ensure that Council achieves the best 'overall value-for-money' in its procurement of goods and services, while (where possible) giving preference to local suppliers, and non-local suppliers using local content to support the Shire's economic development.

POLICY STATEMENT

The Council's Local Preference Purchasing Policy recognises that 'overall value-for-money' is about broader economic benefits to the Shire and not just the lowest price. The Council acknowledges that economic benefits flow to all local businesses where Council maximises opportunities for local suppliers to compete for Council's business on the basis of value-for-money.

The Council's Local Preference Purchasing Policy aims to use Council's procurement actions to encourage and support local suppliers and support economic activity within the Shire where it is efficient to do so, while achieving the Council's overall 'value-for-money' objectives. This approach seeks to maximise overall community benefit for the Shire.

DEFINITIONS

In this Policy (unless the context indicates otherwise):

- 1) **"Local content"** means goods or services procured from a local supplier or employees living permanently in the Lockhart Shire.
- 2) **"Local supplier"** means a business, contractor or industry:
 - a) either permanently based in, or employing permanent staff operating from, permanent premises situated within the Shire boundaries for not less than six months prior to the date of the Procurement request; and
 - b) registered or licensed in New South Wales.
- 3) **"Net cost"** means, in relation to a quotation, tender or expression of interest, the total amount quoted or offered by a supplier for the supply of goods or services, including any freight or delivery charges and excluding GST and any discounts or rebates offered by the supplier.
- 4) **"Procurement request"** means a request for quotations or a public tender process pursuant to section 55 of the Local Government Act 1993.

POLICY STATEMENT

To assist local industry and local economic development, the Council will:

- 1) Encourage a 'buy local' culture within the Council;
- 2) Encourage local suppliers to participate in Council business by advertising in local newspapers and other means considered appropriate;
- 3) Ensure that procurement policies and procedures do not disadvantage local suppliers;
- 4) Ensure transparency in Council procurement practices;
- 5) Encourage use of local suppliers by contractors, whenever goods or services have to be sourced from outside the Shire;
- 6) Consider the non-price value-for-money considerations set out in this Policy; and
- 7) Apply a price preference discount in favour of local suppliers, as set out in this Policy.

NON-PRICE VALUE-FOR-MONEY CONSIDERATIONS

Council acknowledges that in assessing 'overall value-for-money', the following non-price considerations should be taken into account (where relevant) in relation to a Procurement Request:

- 1) Availability and access to after-sales service and maintenance;
- 2) Quality, type and availability of goods or services;
- 3) Advantages in dealing with a local supplier, including administrative and operational efficiency;
- 4) The proportion of local content to be supplied;
- 5) Whole-of-life costs of the purchase or contract;
- 6) Compliance with specifications, guidelines and requirements;
- 7) The suppliers knowledge, experience and ability to fulfil the requirements of the contract or purchase;
- 8) The suppliers commitment to supporting local businesses and the local economy through sub-contracting and other supplier arrangements;
- 9) The health and safety of Council employees particularly when purchasing machinery and equipment or other goods or services to be used by staff in the course of their employment.
- 10) Net benefits to the Shire, including economic benefits; and
- 11) All other factors relevant to consideration of the particular tender.

Notwithstanding the Council's Local Preference Purchasing Policy, an assessment of responses to a procurement request must consider all of the above factors, in conjunction with price and locality considerations.

PRICE PREFERENCE DISCOUNTS

- 1) For the purposes of comparing the price tendered by local and non-local suppliers, the price preference discount set out below will be applied and given to:
 - a) Local suppliers submitting responses to a Procurement Request which are assessed in relation to this policy; and
 - b) Non-local suppliers submitting responses to a Procurement Request, which include use of local content and which are assessed in relation to this policy.
- 2) For local suppliers submitting responses to a Procurement Request, Council will assess their response as if their total net cost bid was reduced by 5%. Discounts will be limited to a maximum of \$15,000 (i.e. 5% or \$15,000 whichever is the lesser).
- 3) For non-local suppliers submitting responses to a Procurement Request, if at least 25% of the net cost of their response includes or is attributable to local content, Council will assess such response as if the total net cost attributable to local content were reduced by 5%. Discounts will be limited to a maximum of \$15,000 (i.e. 5% or \$15,000 whichever is the lesser).
- 4) To be eligible for either discount, suppliers must specifically detail and explain in their response to a procurement request the particular facts upon which they rely to establish their eligibility for the discount and must provide any evidence of such eligibility as reasonably required by the Council.
- 5) All Procurement Request documents issued by Council must clearly state whether and how a price preference for local suppliers will be applied so that all tenderers are aware of Local Preference Purchasing Policy prior to submitting a response to a Procurement Request.
- 6) As price is only one factor for consideration in the evaluation of a response to a procurement request, the application of the discount does not guarantee that the supplier receiving the discount will be successful.
- 7) If the Local Preference Purchasing Policy is applied in a procurement process, the cost to the community of applying the policy, and a brief statement of the rationale behind the policy, should be recorded at the time of the procurement decision.
- 8) All procurement processes resulting in local preferences being applied must be capable of identification and verification through Council's audit or internal control mechanism.

OVERALL LOCAL PREFERENCE

- 1) In the event that:
 - a) The net costs bid by a local supplier and a non-local supplier are equal (after calculating any applicable discounts in accordance with this policy);
 - b) Both suppliers otherwise meet the criteria and requirements of the Procurement Request; and
 - c) Each supplier (and its goods and/or services) is otherwise regarded as being 'equal', taking into account the non-price value-for-money considerations set out above,Preference will be given to the local supplier.
- 2) To avoid doubt, normal processes of assessment of non-price considerations still apply, and this policy does not require that the lowest cost tender is necessarily successful. The purpose of this policy is to give preference to local suppliers (compared to non-local suppliers) where all else is equal.

IMPLEMENTATION

Examples of how the Policy may be implemented are shown below.

Example 1

A tender for the supply of goods and services attracts the following bids:

- a) Bid A of \$9,750 (net cost) is received from a non-local supplier, which is using non-local supplies and services. No price preference discount applies.
- b) Bid B of \$10,000 (net cost) is received from a local supplier within the Shire. A 5% price preference discount applies to the net cost, which is discounted to \$9,500 for comparison purposes.

The local price preference discount is applied as follows:

TENDERS RECEIVED	PREFERENCE	CALCULATION	TOTAL BID (FOR EVALUATION ONLY)
Bid A (non-local supplier) \$9,750	No preference applicable	n/a	\$9,750
Bid B (local supplier) \$10,000	5% price discount is applied	Less 5% of \$10,000 = \$500	\$9,500

Bid B is successful, subject to all other considerations being met. Price paid is \$10,000.

Example 2

A tender for contract attracts the following bids:

- a) Bid A of \$490,000 (net cost) is received from a non-local supplier, which includes local content of \$150,000. Since local content comprises more than 25% of the net cost, a 5% price preference discount applies to the local content component of the bid. The discounted total net cost of the bid is therefore \$482,500 for comparison purposes.
- b) Bid B of \$497,500 (net cost) is received from a local supplier. A 5% price preference discount applies to the total net cost of the bid. The discount is limited to the maximum discount of \$15,000. The total discounted net cost of the bid becomes \$482,500 for comparison purposes.

The local price preference discount is applied as follows:

TENDERS RECEIVED	PREFERENCE	CALCULATION	TOTAL BID (FOR EVALUATION ONLY)
Bid A (non-local supplier) \$490,000	5% price discount is applied to the local content	Less 5% of \$150,000 = \$7,500	\$482,500
Bid B (local supplier) \$497,500	5% price discount is applied	Less 5% of \$497,500 = \$24,875 limited to \$15,000	\$482,500

Because Bid B comes from a local supplier, and on the basis that all other considerations were equal, Bid B is successful even though the discounted prices were equal. Price paid is the original \$497,500, with the application of the policy costing the Council a notional \$7,500 (i.e. Council could have purchased from non-local supplier for \$490,000).

*Amended by Council –
Refer Minute No.*

*Adopted by Council – 16 September 2013
Refer Minute No. 281/13*

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

6. 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 having a history of priority weeds that are active at this time of year.

The weeds most commonly found were Privet (*Ligustrum* sp.), Green Cestrum (*Cestrum parqui*), Horehound (*Marrubium vulgare*), Blackberry (*Rubus fruticosus* species aggregate), Bridal Creeper (*Asparagus asparagoides*), Prickly Pear (*Opuntia* sp.), Willow (*Salix* sp.), St John's Wort (*Hypericum perforatum*), and Cape Broom (*Genista monspessulana*).

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
19	5	2	0	0	1	0

Control Program

Priority has been given to the continued control of vegetation on the roadside shoulders.

Draft TSR Plan of Management

Local Land Services (LLS) have released a draft Travelling Stock Route (TSR) Plan of Management for public exhibition. Following the review of this document Council's Environmental Services intends to provide LLS with a submission before the closing date of 21 December 2018, and encourages other members of the community to provide feedback to the Local Land Services on the management of these parcels of land.

Environmental Matters

Biodiversity & Climate Change Roadshow

Council's Environmental Officer attended the Biodiversity & Climate Change Roadshow, held in Wagga Wagga, on 1 November 2018. Through researching the various climate change trends that are predicted, scientists have developed various hubs to allow natural resource managers and conservation practitioners with modelling tools to analysis the future restrictions imposed on threatened species (which are already in confined econiches), provide alternative sites which may suit particular threatened species in the future and may require intervention for relocation, and provide base line data to be considered when developing a restoration and rehabilitation project. For example, consider a project involving the revegetation of a roadside reserve – to ensure the survival and success of the plants established during this project, the scientists propose that rather than planting the local native species which have adapted to this region, project planners should select species that have adapted to the climatic conditions that are predicted to occur in twenty or thirty years for this region. Food for thought, but issues arise with the genetic pool of local native species and associated provenance, the invasive nature of native species from other regions, and addressing the loss of our unique local native species.

Integrated Planning and Reporting Reference

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

C2.2 – Decreased occurrence, spread and impact of weeds and pests throughout the Shire.

C3 – Flora and fauna are protected across 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 this report be noted.

Notes:

7. DRAFT POLICY 2.53 MOBILE GARBAGE BIN ISSUE AND REPLACEMENT (DEES/C70-025)

Executive Summary

Draft Policy 2.53 Mobile Garbage Bin Issue & Replacement is presented for Council's consideration.

Report

Council has had kerbside collection service since 1992 and recently have had a number of enquiries to either repair or replace bins issued at this time. To allow for consistency in the determination of issue of bins and in particular who pays, a *Policy 2.53 Mobile Garbage Bin Issue & Replacement* is presented for Council's consideration.

Integrated Planning and Reporting Reference

C1 – Our environmental practices are sustainable.

Legislative Policy and Planning Implications

Kerbside collection is conducted in accordance with the Local Government Act 1993 as well as Protection of the Environment Operations Act 1997

Budget and Financial Aspects

The Policy will have no impact on Council's Budget as the bin issue will be either paid by the user or incorporated in the annual waste collection charges.

Attachments

1. Draft Policy 2.53 Mobile Garbage Bin Issue & Replacement.

Recommendation: That

- c) *Draft Policy 2.53 Mobile Garbage Bin Issue & Replacement* be placed on public exhibition for minimum of 28 days; and
- d) Further report be brought to Council in due course.

Notes:

Attachment 1. – Draft Policy 2.53 Mobile Garbage Bin Issue & Replacement

2.53 Mobile Garbage Bin Issue & Replacement Policy

POLICY TITLE: MOBILE GARBAGE BIN ISSUE & REPLACEMENT POLICY

FILE REF: W05-020

EXPIRY DATE: This Policy is to be reviewed every four years or in the first 12 months of the new term of Council, whichever is the earliest.

OBJECTIVE

To provide uniform guidelines for the issue and replacement of Mobile Garbage Bins (MGBs).

GENERAL

- 1) Dwellings and businesses located within Council's designated kerbside collection areas shall be allocated 1 x 240L garbage bin and 1 x 240L recycling bin at fee set out in Council's Fees and Charges.
- 2) Provision of Organics bins for the townships of Lockhart and The Rock, where the mobile garbage bins service is provided, to be initially provided by Council (one (1) per premises).
- 3) The Bins are to remain with the premises. Where either one or both bins are removed, the new owner/s will be responsible for the cost of replacement.
- 4) In the case of lost, stolen or damaged MGBs, the landholder may request a new MGB from Lockhart Shire Council which will be provided as soon as possible with a replacement charge payable by the landholder, as set each year in Council's Fees and Charges.

Any MGB provided by Council that is stolen or damaged beyond repair by unknown persons at no fault of the landholder, including bins worn out due to age, may be replaced free of charge, at the discretion of Council's Director of Engineering & Environmental Services, provided the theft or damage has been reported to Council or the Police and a copy of the Police Report number or signed statutory declaration is submitted to Council, unless proven bin damaged by Council's Contractor.

*Adopted by Council – DATE
Refer minute No. NUMBER*

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

8. ENGINEERING REPORT

(DEES/T10-005)

Executive Summary

Monthly report on engineering matters.

Background Information

- (a) *Works Report:* One grader crew has commenced shoulder widening works on Yerong Creek Mangoplah Road. The second grader has commenced shoulder widening works on The Rock Mangoplah Road. One crew will then continue with maintenance grading and gravel re-sheets in accordance with updated programme. The second crew will continue on with other shoulder widening works being the Osborne Yerong Creek Road and Western Road.

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

Concrete crew is continuing with the HML bridges project being the repair and upgrade of 9 bridge structures throughout the Shire, with both Egans Creek and Moreys Bridges almost complete. Next bridges to upgrade will be Brookong Creek in Lockhart and Burkes Creek in The Rock, with works to commence in the coming weeks. The first of the culverts to upgrade is the crossing on Green Street, with the culverts been delivered to site. These works are not scheduled to commence until the New Year (mid-January 2019) with traffic generally having access via one lane.

Council has been advised that it has been successful with its grant application under Heavy Vehicle Safety & Productivity Program (HVSPP) for replacement of a further 4 structures as well as Flood Detour Road upgrade. The funding deed has now been fully executed and Council can commence committing costs. It is expected that these projects will commence mid-2019. Design works are being undertaken for Flood Detour Road, with the road to be designed to accommodate B-Doubles, as well as improve drainage in the area. In addition, design works for the replacement of the causeways on The Rock Bullenbong Road as well as Lockhart The Rock Road are almost complete.

Council has submitted a full business case grant application for the upgrade of Urana Lockhart Road, which would be the widening and heavy patching works on 22.5km of MR59. It is hoped that Council will hear the determination on the application by early 2019.

In addition, Council has recently submitted a grant application under the Drought Relief Heavy Vehicles Access program for the trimming of trees and vegetation to allow 4.6m high access across the Shire. Council approved 4.6m access in May 2017, as well as recently granted Class 3 Drought Assistance Dimension Exemption Notice 2018 to assist farmers, allowing more efficient movement of hay and livestock by use of the higher and wider loads. The trimming of trees will not only assist with higher vehicles but also modern agricultural equipment. Council has received numerous complaints in recent times regarding overhanging branches however to date has not had the resources to deal with the matter on a large scale across the Shire. It is hoped Council will hear an outcome on the application in early December 2018.

- (b) *Flood Mitigation:* Refer to Major Projects update.
- (c) *Road Safety Officer:* The Road Safety Officer recently undertook a Safe Learner driving session at Lockhart Central School, which was very well received by the students.

- (d) *Traffic Committee:* The Traffic Committee has endorsed the report to extend the 50 km/hr zone on the west side of Lockhart to incorporate Flood Detour Road in the urban zone. This has been undertaken as part of the design process to upgrade and seal the road. Council is now waiting on RMS speed zone unit sign off on the extended speed zone.
- (e) *Lockhart Local Emergency Management Committee:* Nil to report.
- (f) *Fleet:* Council staff have commenced fleet replacement program for 2018-19, with all vehicles, tractors and mowers now been delivered. The new rollers are due in the first quarter in 2019.

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

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

Recommendation: That the information be noted.

Notes:

9. MAJOR PROJECTS UPDATE – DECEMBER 2018

(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 new amenities have been completed, with the pool opened on Friday 16 November 2018 by the Hon. Bronnie Taylor MLC, with 50 people in attendance. External works will recommence after the pool is closed in March 2019. The Rock pool works itself is planned to be undertaken in 2019 between swimming seasons.
- (b) *Demolition of Voluntary Purchase Properties:* Grant application has been submitted for Voluntary Purchase of properties in Lockhart for the next three years. Outcome of the grant is expected to be heard very shortly. Council staff have recently been advised in writing by OEH that no VP will be occurring in 2018/19 year.
- (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. It is anticipated that the works will commence mid-2019 and be completed by end of 2019.

- (d) **Flood Mitigation Construction-The Rock:** The Rock Strevens Street drainage project is 75% complete. The main drain, Mangoplah Road culvert, railway and private culvert crossings are all complete. The contractor has now formally advised that he wishes to withdraw from the remainder of the Contract, being the Olympic Highway culverts upgrade. Council is working with the contractor to finalise the Contract and is also liaising with Greater Hume Shire Council to undertake the remaining works on behalf of Council. Staff have advised OEH of the situation, and it is now anticipated that the project will be completed in April/May 2019.

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 – completion of Round 3 is anticipated to cost \$30,000
- (iii) Flood Mitigation Construction - Funding received for Strevens Street is \$856,000. Construction budget for the project is \$1.0M. Funding for Stage 2 at Lockhart (TBC) is expected to be \$570,000 with total project vale of \$665,000.

Attachment

Nil.

Recommendation: That the information be noted.

Notes:

10. PARKS AND GARDENS REPORT

(DEES/P10-005)

Executive Summary

Monthly report on parks and gardens.

Report

The Rock Swimming Pool

The Rock pool is open for another season with great new facilities for the comfort of patrons and staff.

Council staff were highly involved in readying the complex for opening including new paths and gardens at the entrance, turning the grounds from a building site back into a green welcoming space and above all preparing the pool for its last season.

Both pools are reporting good early attendances.

Sculpture Trail

This years National Farm Art Sculpture Award winner – ‘Bunyip from Burra Creek’ by Sean Meany is looking quite at home by the entrance of Lockhart Caravan Park.

‘Cubed’ and ‘Native Waratah’ by Matt Bye and purchased by Lockhart & District Community Bank have been installed at Walter Day Park. ‘Native Waratah’ is nestled amongst the newly planted Red Cross roses. ‘Cubed’ will have further planting carried out around it as part of the upgrade of the garden beds and extension of the granite path from ‘The 9 Martyrs’ to the Halliday Street side of the rose garden after Christmas.

Trees

Trees planted this year and last year are being watered regularly along with a number of recently planted gardens. The watering schedule has increased due to the ongoing dry year.

Mowing and Slashing

Slashing has been undertaken recently at Pleasant Hills, Osborne Recreation Ground and Milbrulong; urban streets and entrances of The Rock, Yerong Creek and Lockhart are now the focus leading up to Christmas.

Fortnightly mowing and edging will be scheduled for most irrigated areas during the growth season.

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.

Khaki and cathead are coming into season, known problem areas will be monitored throughout the warmer months.

Parks and Gardens

Irrigation systems are being checked and adjusted. Running times will be increased as weather warms up.

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.

Attachment

Nil.

Recommendation: That the information be noted.

Notes:

11. HEAVY VEHICLE ACCESS

(DEES/R40-065)

Executive Summary

Update on the status of heavy vehicle access across the Shire.

Report

As previously discussed at Council, heavy vehicle access across the Shire and the way it is managed is changing. The National Heavy Vehicle Regulator (NHVR) has just advised that Council's delegation to issue access permits under Class 3 vehicles has been removed. This will have little impact across the Shire as very few of these permits are issued by Council.

More importantly, the NHVR are continuing with the removal of Council's delegation to issue directly Class 1 permits sometime in 2019. This will have a more immediate impact on our Local Government Area (LGA) as Class 1 includes Oversize Over Mass (OSOM) permits as well as agricultural equipment which are the most common permit requests and ones where farmers are most likely to walk in and request at the front counter.

Class 2 vehicles already have to be applied through the NHVR or have a gazettal notice approved to cover these vehicles.

Council, in May 2017, approved to gazette for 4.6m high vehicles. This has, until recently, been held up by Essential Energy concurrence. This has now been received and it is anticipated the gazettal notice and maps will be updated by early 2019.

In order to improve access across the Shire, staff are proposing the following gazettal's in 2019 when further information is provided by the NHVR:

- Performance Based Standards (PBS) 2B vehicles for GML. The attached NHVR PBS Vehicle Configurations brochure shows the intended PBS Level 1 and 2 configurations to be included in the gazettal. This would most likely also include PBS A-Doubles to GML. Once all the bridges have been upgraded and hopefully MR59 to Urana, then this would be recommended to be increased to allow HML. B-Triples will also be considered moving forward as Council is receiving an increasing number of applications and enquiries regarding these configurations.
- A new OSOM Notice is currently being developed which is hoped to allow gazettal of oversized loads, within specified dimensions and loadings, such as silos being transported by Kotzur. A large proportion of permit applications are for OSOM.
- The NHVR has also advised that a new Agriculture Notice is due to be released in early 2019, which it is hoped can be used to cover the movement of agricultural equipment. The gazetting of access in accordance with this notice will support local farmers with the movement of air-seeders and headers in particular.

REROC held a Transport Forum in Wagga on 29 November 2018, which was attended by the Mayor and Director Engineering and Environmental Services. The new proposed OSOM Notice was discussed along with general access permits through the NHVR. In addition, at this forum the following matters were presented and discussed:

- Council's responsibilities under the new Chain of Responsibility (CoR) laws as part of the National Heavy Vehicle Law (NHVL). The law requires Council to not only manage its own staff and vehicles over 4.5 tonne, but also other heavy vehicles where it is deemed to have an influence over the journey. This is including loads leaving Council sites as well as procurement of supplies requiring delivery by heavy vehicles. The attached brochure provides more detail on the responsibility of Councils, including the managing of driver fatigue, overloading and the tying down of loads. Staff have had a training session on the new CoR laws, as well as Council WHS documentation is currently being updated to incorporate this responsibility. Further training will be undertaken, and signage will be placed around at Council sites.
- The proposed Inland Rail and the connectivity with Council's in this region. There will be further engagement sessions in 2019, however it appears they are pushing ahead with the route following the main southern rail line until Illabo. Enquiries were made at the forum regarding any upgrading to the Boree Creek branch line and it was very clear that it appears no immediate upgrade is likely. They did state that the line will be one of five (5) secondary lines in the State to be investigated at some point in the future.

- Transport for NSW presented the NSW Freight & Ports Plan 2018-2023. This underlines the future of freight transport in NSW. They are anticipating a 26% increase in grain freight in the next 20 years. However, again it was made very clear, that they are looking at major freight hubs (i.e. Bowmen in Wagga or interchange in Parkes) rather than the smaller centres like Lockhart Shire. Unless there is industry investment it is unlikely to be supported by the Government, again a point with obtaining funding to upgrade the Boree Creek branch line. Transport for NSW is also pushing for the use of higher productivity vehicles, particularly A-Doubles where two (2) 40ft containers can be transported to connect with the rail network.

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

Heavy Vehicle National Law (HVNL).

Budget and Financial Aspects

Nil at this stage.

Attachments

1. Letter from NHVR dated 4 December 2018.
2. Chain of Responsibility (CoR) – Local Government and the Heavy Vehicle National Law.
3. NHVR – PBS Vehicle Configurations.

Recommendation: That:

- a) Council notes the information provided, and
- b) Director Engineering and Environmental Services to provide a further report to Council when further information from NHVR is available.

Notes:

Attachment 1. – Letter from NHVR dated 4 December 2018



4 December 2018
Our Reference: CCF/205 DOC18/55235

Lockhart Shire Council
General Manager
PO Box 21
LOCKHART NSW 2656

Via email: mail@lockhart.nsw.gov.au

Dear Mr Veneris

The permit processing functions for intrastate Class 3 applications will transfer back from RMS and Local Councils in NSW to the NHVR from Monday 17 December 2018.

Earlier this year, the NHVR issued a letter to your Council advising of the upcoming changes to the delegation process. The NHVR is implementing a staged approach for the return of New South Wales (NSW) delegations and will begin with returning Class 3 permit functions from 17 December 2018. From this date forward, all Class 3 permit applications and consent requests will be processed and completed utilising the national permitting system, the NHVR Portal (www.service.nhvr.gov.au).

The NHVR is continuing to work towards the return of Class 1 delegations in 2019. In the interim, your Council is still able to process and issue Class 1 permits directly to customers as per current procedures.

For more information regarding the Delegations Project or the new processing requirements for Class 3 heavy vehicle road access permits, please refer to the enclosed NSW Delegations Information Sheet.

We understand this change may impact your current processes. NHVR project staff will be on hand to work through any issues or concerns that may arise during the transition. We will also be available to assist in finding ways to reduce the number of consent requests for permits, by working with your Council to increase heavy vehicle networks.

If you require any assistance or further information, please contact the Project Director, Annette Finch on 07 3309 8615 or email annette.finch@nhvr.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Caprioli', with a long horizontal stroke extending to the right.

Peter Caprioli
Executive Director, Network Access

Encl. (1): NSW Delegations Information Sheet



Return of New South Wales Class 3 Delegations – Information Sheet

The National Heavy Vehicle Regulator (NHVR) coordinates a range of access applications from start to finish. This involves liaising directly with Road Managers, both state and territory road authorities and local governments, to manage applications and issue permits.

This document provides information about the return of the New South Wales Class 3 Delegations and what changes will occur as a result.

Background

In February 2014, the NHVR delegated permit authority to the Chief Executive of each participating state and territory governments. The implementation of delegation applied to mass or dimension exemptions (permits) for roads within the state or territory government's physical boundary. Within NSW, delegation was also made to local councils for intrastate Class 3 and Class 1 applications.

The NHVR is working towards returning the delegation and fully transitioning the heavy vehicle road access permit process to the regulator. Tasmania, South Australia, ACT, and Victoria have already completed the transition.

What will change?

Application process

The NHVR is implementing a staged approach, only returning the Class 3 New South Wales functions from the 17th of December 2018.

From then, transport operators will need to submit all Class 3 heavy vehicle road access permits to the NHVR via the NHVR Portal.

The NHVR will then process the applications, and seek consent from Road Manager(s) using the NHVR Portal.

Once a decision is received from the Road Manager(s), the NHVR will then issue the permit to the operator using the NHVR Portal.

Previous applications

Class 3 permit applications submitted directly to Road Manager(s) within NSW, prior to the 17th of December 2018, will continue to be processed and completed directly.

The NHVR is unable to accept or transfer applications that are not within the NHVR Portal.

Next Steps

The regulator is continuing to work towards the return of Class 1 delegations in 2019.

In the interim, a council is still able to process and issue Class 1 permits directly to customers as per current procedures.

Table 2 - Permit application process as of 17 December 2018.

Class 3	Class 1
Operator submits applications via: <ul style="list-style-type: none">NHVR Portal	Operator submits applications via: <ul style="list-style-type: none">NHVR PortalRoads and Maritime ServicesLocal councilsA combination of the above.

Benefits

The return of New South Wales Class 3 delegations will mean that all permit applications will be processed through one system. The NHVR is continuing to improve the access permit process with the online NHVR Portal.

Some of the key benefits of the NHVR Road Manager Portal include:

- A consistent approach to processes across jurisdictions
- All council applications will be stored in one place
- Ability to view all of the council's current and previous application requests (since Oct 2017) via the case tracker
- Integrated route planner
- Reporting abilities on all application requests from October 2017 onwards
- Conditions library reduces the time needed to impose conditions.



[Title]

FAQ's

Is New South Wales the first state to return this function to the NHVR?

No, Tasmania, South Australia, Australian Capital Territory, and Victoria have already transitioned their permit processing to the NHVR.

Will I be able to access council issued permits in the Portal?

Permits that have been issued by the NSW State Authority or Local council will not be stored or accessed via the NHVR Portal. The NHVR Portal will only record the permits issued by the NHVR.

Can I transfer my outstanding Class 3 applications to the NHVR for processing?

No, unfortunately, all applications that were submitted directly to the Road Manager(s), prior to the 17 December 2018, must continue to be processed and completed by the Road Manager(s). Therefore these applications will not be viewed or processed via the NHVR Portal.

How can I identify if an application is Class 3?

Please see the following most common Class 3 heavy vehicles operating in NSW:

Flat rack container



Open top container



Concrete Pipes carried transversely



Rigid truck carrying an agricultural load, towing a comb trailer



Tow Truck



Controlled Access Bus (CAB)



Are applicant's still able to apply to council direct for Class 1 permits?

Yes, until the return of Class 1 delegations, NSW councils will still hold delegate authority to issue Class 1 heavy vehicle permits directly to customers.

Will I still be able to provide an applicant with a Council Clearance Authority Letter?

Yes, NSW council's will still be able to supply an applicant with a Council Clearance Authority Letter. This will mean that once the customer submits their application to the NHVR with a valid clearance letter attached, additional council consent will not be sought and a permit can be issued.

Can I get help and support with the NHVR Road Manager Portal?

- ✓ **NHVR Portal Help Centre**
The Road Manager Help Centre located on the top right-hand corner of the Portal provides training material, videos, articles, and FAQs.
- ✓ **Road Manager Hotline**
Our trained team at the Road Manager are available to assist within business hours on **1300 880 493**.
- ✓ **Hypercare Team**
The NHVR have a team that specialise in everything Portal. They can be reached on **1300 696 487** and will be able to assist you with Road Manager functions within the Portal.

For additional information

For additional information and upcoming events or training sessions, please visit the Delegations Project web page at:

<https://www.nhvr.gov.au/road-access/access-management/delegations-project>

For more information:









































Subscribe: www.nhvr.gov.au/subscribe

Visit: www.nhvr.gov.au

Phone: Road Manager Hotline on 1300 880 493 or the 1300 MYNHVR* (1300 696 487).

Email: info@nhvr.gov.au

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Disclaimer: This fact sheet is only a guide and should not be relied upon as legal advice.
*Standard 1300 call charges apply. Please check with your phone provider.

National Heavy Vehicle Regulator Classes of Heavy Vehicles in the Heavy Vehicle National Law		Disclaimer: The Heavy Vehicle National Law (HVNL) provides for three classes of heavy vehicle as a means of managing access for different types of heavy vehicles. This chart shows some of the most common heavy vehicle combinations that are part of each vehicle class as defined in the Heavy Vehicle National Law (HVNL). It is not a comprehensive representation of the entire Australian heavy vehicle fleet. Other heavy vehicle configurations are used which are not represented. This fact sheet illustrates some common examples from the three different classes of heavy vehicles and is provided for guidance only. Definitions listed within the chart can be found under relevant sections in the Heavy Vehicle National Law (HVNL). For further information, contact the NHVR at 1300 MYNHVR (1300 696 487) or info@nhvr.gov.au or www.nhvr.gov.au/contact-us	
Class 1 Heavy Vehicles (examples for illustration purposes)			
August 2017			
Special Purpose Vehicle (SPV)		Oversize Overmass Vehicles (OSOM)	
1	 All Terrain Crane	15	 Prime Mover and Low Loader (Gooseneck)
2	 All Terrain Crane with Dolly	16	 Prime Mover and Low Loader with Dolly (Gooseneck)
3	 Pick and Carry Crane	17	 Prime Mover and Platform Trailer (Gooseneck)
4	 Truck Mounted Crane	18	 Prime Mover and Extendable Trailer
5	 Truck Mounted Drill Rig	19	 Block Truck towing Drawn Platform
6	 Truck Mounted Concrete Pump	20	 Two Block Trucks towing Drawn Platform with Push Block Truck
7	 Prime Mover Towing Drill Rig Trailer	HVNL Definitions	
8	 Grader	HVNL s116 (1) (1) A heavy vehicle is a class 1 heavy vehicle if it, together with its load, does not comply with a prescribed mass requirement or prescribed dimension requirement applying to it, and— (a) it is a special purpose vehicle; or (b) it is an agricultural vehicle other than an agricultural trailer; or	HVNL s116 (4) Special purpose vehicle means— (a) a motor vehicle or trailer, other than an agricultural vehicle or a low truck, built for a purpose other than carrying goods; or (b) a concrete pump or fire truck.
9	 Firetruck	Note — See subsection (2) for agricultural trailers. (c) it— (i) is a heavy vehicle carrying, or designed for the purpose of carrying, a large indivisible item, including, for example, a combination including a low loader; but (ii) is not a road train or B-double, or carrying a freight container designed for multi-modal transport.	HVNL s5 Agricultural vehicle means an agricultural implement or agricultural machine. HVNL s5 Agricultural trailer means a trailer that is designed to carry a load and used exclusively to perform agricultural tasks, but does not include a semitrailer.
Agricultural Vehicles (including implements and trailers)		HVNL s5 Oversize vehicle means a heavy vehicle that does not comply with a dimension requirement applying to it.	
10	 Combine Harvester	NHVR Notes: Not all SPV's and agricultural vehicles are Class 1 heavy vehicles. SPV's and agricultural vehicles which comply with prescribed mass and dimension requirements are general access vehicles.	
11	 Tractor	Oversize Vehicle: A heavy vehicle or combination that does not comply with a prescribed mass requirement applying to it (including gross mass, axle or axle group mass).	
12	 Grain Auger		
13	 Comb Trailer		
14	 Cane Haul Out Truck		
Class 2 Heavy Vehicles (examples for illustration purposes)			
Freight Carrying Vehicles		Vehicles Exceeding 4.3m in Height (up to 4.6m high as per Schedule 6 of Heavy Vehicle (Mass, Dimension and Loading) National Regulation) (MDL)	
21	 B-double	37	 Vehicle Carrier
22	 A-double	38	 A-double (Livestock)
23	 B-triple	39	 B-triple (Livestock)
24	 AB-triple	HVNL Definitions	
25	 A-triple	HVNL s136 A heavy vehicle is a class 2 heavy vehicle if— (a) it— (i) complies with the prescribed mass requirements and prescribed dimension requirements applying to it; and (ii) is— (A) a B-double; or (B) a road train; or (C) a bus, other than an articulated bus, that is longer than 12.5m; or (D) a combination designed and built to carry vehicles on more than 1 deck that, together with its load is longer than 19m or higher than 4.3m; or (E) a motor vehicle, or a combination, that is higher than 4.3m and is built to carry cattle, sheep, pigs or horses; or (b) it is a PBS vehicle.	HVNL s5 B-triple means a combination consisting of a prime mover towing 3 semitrailers, with— (a) the first semitrailer being attached directly to the prime mover by a fifth wheel coupling; and (b) the second semitrailer being mounted on the rear of the first semitrailer by a fifth wheel coupling on the first semitrailer; and (c) the third semitrailer being mounted on the rear of the second semitrailer by a fifth wheel coupling on the second semitrailer.
26	 BAB-Quad	HVNL s5 road train means— (a) a B-triple; or (b) a combination, other than a B-double, consisting of a motor vehicle towing at least 2 trailers, excluding any converter dolly supporting a semitrailer.	
27	 ABB-Quad	HVNL s5 PBS vehicle means a heavy vehicle that is the subject of a current PBS vehicle approval under Part 14.	
28	 Rigid Truck and 2 Dog Trailers	HVNL s5 PBS vehicle approval means a current approval issued for a heavy vehicle by the Regulator under section 23.	
Performance Based Standards (PBS)		NHVR Notes: Despite the shorter length, 19m B-doubles are classified as Class 2 Vehicles. General freight carrying vehicles that are longer than 19m require specific networks that are capable of handling these larger vehicles. This is usually managed by declaring route networks in gazette notices, but where a network does not exist, an operator may apply for a permit.	
32	 Prime Mover and Quad Axle Semitrailer	Buses: A bus, other than an articulated bus, that is longer than 12.5m but less than 14.5m, that complies with prescribed mass and dimension requirements is a class 2 heavy vehicle. These vehicles are also known as a 'Controlled Access Bus'	
33	 Rigid Truck and 5 Axle Dog Trailer	Vehicle carriers: A vehicle carrier is a combination designed and built to carry vehicles on more than one deck that together with its load is longer than 19m or higher than 4.3m.	
34	 B-double with Quad Axle Groups (up to 30m)	Livestock vehicles: A livestock vehicle is a heavy vehicle, or a combination, that may be higher than 4.3m and is built to carry cattle, sheep, pigs or horses.	
35	 A-double (up to 30m)	Performance Based Standards: (PBS) An alternative compliance scheme for heavy vehicles setting minimum performance levels for safe and efficient operation (as opposed to standard prescriptive rules). Greater access is generally afforded for higher performance.	
Buses			
36	 Controlled Access Bus		
Class 3 Heavy Vehicles (examples for illustration purposes)			
40	 Rigid Truck and Dog (over 42.5 tonnes GCM)	HVNL Definitions	
41	 Prime Mover and Semitrailer towing Converter Dolly	HVNL s116 (3) (3) A heavy vehicle is a class 3 heavy vehicle if— (a) it, together with its load, does not comply with a prescribed mass requirement or prescribed dimension requirement applying to it; and (b) it is not a class 1 heavy vehicle.	
42	 B-double towing Converter Dolly	NHVR Notes: A truck and dog trailer combination whose dimensions and mass do not exceed prescribed mass and dimension requirements is a general access vehicle. If its mass or dimension limits exceed prescribed requirements, this combination is classified as a Class 3 vehicle.	
43	 Underhook/Underlift Tow Truck	Examples of Class 3 vehicles include: • A truck and dog trailer combination consisting of a rigid truck with 3 or 4 axles towing a dog trailer with 3 or 4 axles weighing more than 42.5t is an example of a class 3 heavy vehicle. • Other examples might include a B-double or road train transporting a load wider than 2.5m.	

Attachment 2. – Chain of Responsibility (CoR) – Local Government and the Heavy Vehicle National Law



February 2018

Chain of Responsibility Local Government and the Heavy Vehicle National Law

At the National Heavy Vehicle Regulator (NHVR) we know how important safe, reliable road transport is to all road users. We want to help make our roads safe by ensuring that everyone involved in road transport activities understands—and follows—the Heavy Vehicle National Law (HVNL).

A heavy vehicle is one that has Gross Vehicle Mass (GVM) of over 4.5 tonnes (i.e. the maximum mass stated by the manufacturer the vehicle can have when it's loaded).

Heavy vehicles are essential for the day-to-day delivery of the services that councils provide to our communities—such as collecting waste, managing recreational parks and facilities, and building roads and bridges. As a council employee or councillor you should be aware that every time your council uses a heavy vehicle to provide these services, you have responsibilities under the HVNL—even if your council doesn't own the vehicle.

What is the Chain of Responsibility (CoR)?

While our road laws generally address the actions of drivers, dangerous practices such as driving while fatigued, speeding or overloading are often caused by the activities of other parties in the transport supply chain.

Under CoR laws in the HVNL, any party in the chain who has the ability to control or influence the transport activity is responsible for safety on the road and for preventing breaches of the law. If your council uses heavy vehicles and you're doing any of the following, you will be a party in the CoR and so must comply with the HVNL:

- operating your own trucks or buses
- employing drivers
- managing or controlling premises where loading or unloading takes place (e.g. saleyards and depots)
- scheduling drivers' work times or goods for transport
- packing, loading or unloading goods
- consigning or receiving goods
- contracting others to conduct work for you or contracting your services to others.

As a party in the chain, the NHVR CoR Gap Assessment Tool will enable you to actively identify what you should be doing to ensure compliance and manage safety. You can complete the tool here: www.nhvr.gov.au/safety-accreditation-compliance/chain-of-responsibility/cor-gap-assessment



Heavy vehicle safety. It's your business.

Councils' responsibilities under the HVNL

Like any other party in the transport supply chain, you are responsible for preventing breaches of mass, dimension and loading, fatigue, speed and vehicle standards (maintenance) laws.

If you manage council works or council fleets, you especially need to understand the legal requirements of:

- monitoring drivers' health and fitness for duty
- scheduling their work and rest hours
- keeping records of the hours they work.

If your council is involved in contracting—whether providing services to other government agencies or subcontracting council work to third-party transporters—a best-practice approach is to ensure that those contracts include:

- specifications on how the requirements of the HVNL are to be met
- performance and compliance reporting.

They should not include demands of contractors that may lead to speeding, driving while tired or overloading.

In short, any time you use a heavy vehicle, regardless of whether it's a council vehicle or a sub-contractor's, you have a shared responsibility to ensure safety and to prevent breaches of the law.

How can you avoid breaches of the HVNL?

Taking the following steps will assist you in the prevention of breaches:

- Ensure all loads are within legal limits and properly restrained.
- If you're using council trucks, make sure they're maintained to a roadworthy standard.
- Train your employees so they understand their obligations and are empowered to act.
- Work with your contractors so that you and they fully understand the requirements of the law and how your activities may affect safe freight operations.
- Make sure business practices, risk management processes and controls are in place to ensure safe operations and are regularly reviewed.

Safety and the HVNL

In mid-2018, the HVNL will be amended to align CoR laws more closely with national workplace health and safety law. The amended law is slightly broader than at present because it covers more of the conduct that happens off road—such as vehicle maintenance regimes, business practices and management decisions—and also addresses the safety of drivers, passengers, road users, vehicles, loads, roads and the environment.

Under the amended law, every party in the CoR will have a legal obligation to ensure the safety of transport activities "so far as is reasonably practicable".

The "so far as is reasonably practicable" test takes into account and weighs up relevant matters, including:

- the likelihood of the risk occurring
- the degree of harm
- what the person knows about the risk
- ways to remove or reduce the risk and whether they are feasible
- whether the costs are proportionate to the risk.

Safety management systems

At NHVR we recommend that you have a Safety Management System (SMS) to assist you with this. An SMS typically includes:

- documented policies and responsibilities of key personnel, a statement of management commitment and an SMS manual
- a safety risk management system—including a risk register—to proactively identify, evaluate and control risk
- a process of assuring safe operations including, for example, safety performance monitoring, incident investigation and change management
- a programme to promote safety and train employees and contractors in safe work practices.

Where can I get more information?

For more information on the HVNL and CoR, visit:

www.nhvr.gov.au/cor

www.nhvr.gov.au/files/201703-483-cor-your-role.pdf

www.nhvr.gov.au/safety-accreditation-compliance/industry-codes-of-practice/about-industry-codes-of-practice

Heavy vehicle safety. It's your business.

Attachment 3. – NHVR – PBS Vehicle Configurations

Common PBS vehicle configurations		Description	PBS level	Maximum length ¹ (m)	Maximum permitted mass		
					GML (t)	CML (t)	HML (t)
PBS TRUCK AND DOG TRAILERS							
1		3-axle truck and 3-axle dog trailer	① ②	20.0 20.0	48.5 48.5	- 49.5	- 49.5
2		3-axle truck and 4-axle dog trailer	① ②	20.0 20.0	50.5 56.0	- 57.5	- 57.5
3		3-axle truck and 5-axle dog trailer	②	26.0	59.5	61.5	63.0
4		3-axle truck and 6-axle dog trailer	②	26.0	63.0	65.0	68.5
5		4-axle truck and 3-axle dog trailer	① ②	20.0 20.0	50.0 53.0	- 54.0	- 54.0
6		4-axle truck and 4-axle dog trailer	① ②	20.0 20.0	50.0 60.5	- 62.0	- 62.0
7		4-axle truck and 5-axle dog trailer	②	26.0	64.0	66.0	67.5
8		4-axle truck and 6-axle dog trailer	②	26.0	67.5	69.5	73.0
PBS PRIME MOVER AND SEMITRAILERS							
9		2-axle prime mover and 2-axle semitrailer	①	20.0	32.0	32.5	32.5
10		3-axle prime mover and 2-axle semitrailer	①	20.0	39.5	40.5	40.5
11		3-axle prime mover and 3-axle semitrailer	①	20.0	43.0	44.0	46.0
12		4-axle prime mover and 3-axle semitrailer	①	20.0	47.5	48.5	50.5
13		3-axle prime mover and quad-axle semitrailer	①	20.0	43.0	44.0*	50.5*
14		4-axle prime mover and quad-axle semitrailer	①	20.0	47.5	48.5*	55.0*
15		Prime mover and semitrailer with 2 axle groups (2-1)	①	20.0	48.0	49.0	49.0
16		Prime mover and semitrailer with 2 axle groups (1-3)	①	20.0	49.7	50.7	53.5
Common PBS vehicle configurations							
		Description	PBS level	Maximum length ¹ (m)	Maximum permitted mass		
					GML (t)	CML (t)	HML (t)
PBS B-DOUBLES							
17		3-axle prime mover B-double (2-2)	② ③	20.0 26.0 30.0	50.5 56.0 56.0	- 57.5 57.5	- 57.5 57.5
18		3-axle prime mover B-double (3-2)	① ②	20.0 26.0	50.5 59.5	- 61.5	- 63.0
19		3-axle prime mover B-double (3-3)	② 3	26.0 30.0	63.0 63.0	65.0 65.0	68.5 68.5
20		3-axle prime mover B-double (4-3)	② 3	26.0 30.0	63.0 63.0	65.0* 65.0*	73.0* 73.0*
21		3-axle prime mover B-double (4-4)	② 3	26.0 30.0	63.0 63.0	65.0* 65.0*	77.5* 77.5*
PBS A-DOUBLES							
22		3-axle prime mover A-double (2-2-2)	2	30.0	72.5	74.5	74.5
23		3-axle prime mover A-double (3-2-3)	2 3	30.0 36.5	79.5 79.5	81.5 81.5	85.0 85.5
24		3-axle prime mover A-double (3-3-3)	2 3	30.0 36.5	83.0 83.0	85.0 85.0	85.0 91.0
PBS ROAD TRAINS							
25		A-triple (3-3-3-3-3)	4	42.5	126.5	128.5	141.5
26		B-triple (3-3-3)	3	36.5	83.0	85.0	91.0
27		AB-triple (3-3-3-3)	3	36.5	103.0	105.0	110.0
28		BA-triple (3-3-3-3)	3	36.5	103.0	105.0	110.0
29		AB-double (1-2-1)	① ②	20.0 20.0	50.5 59.0	- 59.5	- 59.5
PBS BUS							
30		Bus	①	14.5	20.5	-	-
PBS TRUCK AND PIG TRAILERS							
31		3-axle truck and 2-axle pig trailer	①	20.0	38.0	38.5	38.5
32		4-axle truck and 2-axle pig trailer	①	20.0	42.5	43.0	43.0

¹ Vehicles may exceed the upper length in their level. Road Manager approval and/or an individual route assessment will be required. *Quad-axle mass limit (QML). The NDRL Regulation allows quad-axle groups up to 27 tonnes provided a combination is PBS approved.

12. 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 October to 31 October 2018.

DA No	Development	Applicant/Owner	Site of Development
CDC 31/19	New colorbond shed	A Murphy	57 Brookong St, Lockhart
CDC 34/19	Inground swimming pool	Leisure Pools	350 Bulloc Hill Rd, The Rock
DA 35/19	New manufactured home	Kybren Homes	5164 Pleasant Hills Rd, Pleasant Hills
DA 37/19	New colorbond shed	John Fox	4 Veneris St, Lockhart
DA 38/19	New detached steel shed	Nrubeola Nominees	1485 Wilson Comera Rd, Boree Creek
DA 39/19	New detached steel shed	Keith Burn	61-63 Federal St, Lockhart
DA 40/19	Public Event – The Rock Charity Rodeo	Danni Fraser	3778 Lockhart The Rock Rd, The Rock
DA 43/19	Verandah at rear of dwelling	R & J Gooden	27 Green St, Lockhart

Integrated Planning & Reporting Reference

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

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

Nil.

Attachment

Nil.

Recommendation: That the information be noted.

Notes:

STRATEGIC DIRECTION E: Strong Leadership and Governance

13. INVESTMENT AND BANK BALANCES REPORT – NOVEMBER 2018

(DCCS/F10-010)

Executive Summary

The purpose of this report is to inform Council of the funds that have been invested and bank account balances.

Report

It is required under Clause 212 of the Local Government (General) Regulations 2005 and Section 625 of the Local Government Act 1993 to provide the Council with a written report each month detailing all money that Council has invested.

Cash at Bank

Opening Combined Cashbook Balance 807,892.78

Add: Total Receipts

Rates		366,800.30
Debtors		52,231.23
Grants	FAG Grant	450,996.00
	RTR Grant	150,000.00
	Crown Lands Grant	73,880.00
	Pensioner Subsidy Grant	47,023.79
BAS ATO		17,203.00
Plant Sales		47,661.16
Investment Interest		9,634.58
Redeemed Investments		500,000.00
Other Receipts		235,413.48

1,903,819.75

Less: Total Payments

1,695,018.70

New Investments 1490-3015-0001

0.00

Closing Combined Cashbook Balance

1,016,693.83

Closing Bank Statement Balance

Bendigo Bank 635,890.89

Macquarie Bank 286,596.34

Bendigo Bank-Prichard Trust 31,623.10

954,110.33

Add: Outstanding Deposits

92,360.06

1,046,470.39

Less: Outstanding Cheques

29,776.56

Closing Combined Cashbook Balance

1,016,693.83

Investments:	Interest Rate per Annum	Amount Invested	% of Total
AMP/Curve Securitys	2.80	250,000.00	3.14
AMP/RIM	2.55	500,000.00	6.29
AMP/RIM	2.80	300,000.00	3.77
AMP/RIM	2.80	400,000.00	5.03
Bankwest	2.75	300,000.00	3.77
Bankwest	2.75	400,000.00	5.03
Bankwest	2.65	500,000.00	6.29
Bankwest	2.80	500,000.00	6.29
Bankwest	2.75	400,000.00	5.03
Bankwest	at call	500,000.00	6.29
BENDIGO	2.45	250,000.00	3.14
BENDIGO	2.00	100,000.00	1.26
BENDIGO	2.45	250,000.00	3.14
BENDIGO	2.50	500,000.00	6.29
NAB	2.67	500,000.00	6.29
NAB	2.70	500,000.00	6.29
NAB	2.70	500,000.00	6.29
NAB	2.70	500,000.00	6.29
NAB/Tcorp	2.64	500,000.00	6.29
T Corp	at call	300,000.00	3.77
		<u>7,950,000.00</u>	100.00

General Ledger Balances as at Month End

FUND		AMOUNT
General (PTD)	1490-3000-0000	769,117.78
Combined Sewerage	8490-3000-0000	215,952.95
Trust Fund	9991-3000-0000	31,623.10
		<u>1,016,693.83</u>
		<u>1,016,693.83</u>
	TOTAL FUNDS HELD ARE:	<u>8,966,693.83</u>

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.

Government (General) Regulations Clause 212.

Budget and Financial Aspects

Council's 2018/19 Operational Budget has forecast a total of \$100,000 income from interest on investments, being split between General Fund of \$85,000 and Sewer Fund of \$15,000. For the months July 2018 to November 2018 the average end of month balance of funds invested has been \$9.11 million and the average return on invested funds has been 2.60%. On these year to date figures, Council's budgeted income on investments will 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 November 2018 Investment and Bank Balances Report be received and noted.
- b) The Responsible Accounting Officer Statement be noted, and the report be adopted.

Notes:

14. MODEL CODE OF MEETING PRACTICE FOR NSW COUNCILS

(GM/C70-005)

Executive Summary

The Minister for Local Government has released the soon to be prescribed Model Code of Meeting Practice (the Model Code).

Report

The Model Code has been released so that councils can familiarise themselves with it ahead of its prescription. Once the Model Code is prescribed, transitional arrangements will apply to its adoption by councils. The Office of Local Government (OLG) will provide more detailed guidance when the new Model Code is prescribed however as a general rule the OLG advises that councils should endeavour to adopt a code of meeting practice based on the Model Code within six months of its prescription.

Irrespective of whether councils have adopted a code of meeting practice based on the Model Meeting Code, all councils (but not joint organisations) will be required to webcast meetings of the council and committees of which all members are councillors within 12 months of its prescription. According to the OLG the webcasting requirement may be met simply by posting an audio or video recording of the meeting on the council's website. Council's adopted Code will be required to stipulate whether the council will be live streaming its meetings or uploading an audio visual recording or an audio recording on its website.

Before adopting a new code of meeting practice, councils will still be required to exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

A copy of the Model Code has been separately distributed with the agenda. The Model Code contains both mandatory and non-mandatory provisions. The non-mandatory provisions are indicated in red font. The Model Code also applies to meetings of boards of joint organisations and county councils. The provisions of the Model Code that are specific to boards of joint organisations are indicated in blue font.

Until such time as the Model Code has been prescribed by the regulations, councils will not be in a position to adopt the model code.

Integrated Planning and Reporting Reference

- E1 - Meet all governance and regulatory requirements in the conduct of council's operation.
- E2 - Use effective community engagement processes.
- E2 - Ensure the community is informed by improving access to information.

Legislative Policy and Planning Implications

The Model Code of Meeting Practice for Local Councils in NSW is made under section 360 of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code. A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

Budget and Financial Aspects

Whilst most new provisions included in the Model Code of Meeting Practice will not have a discernible impact on Council's budget, the mandatory webcasting of all council meetings will necessitate expenditure on Council's IT systems.

Attachments

A copy of the Model Code of Meeting Practice has been separately forwarded to all Councillors.

Recommendation: That:

- a) The release of the Model Code of Meeting Practice be noted pending further information to be made available by the Office of Local Government regarding transitional arrangements that will apply to the Codes adoption by councils.
- b) Options for the webcasting of council meetings and associated costs be investigated and reported back to Council at a future meeting.

Notes:

15. **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 6 February 2017 Council endorsed a process for the review of existing policies and development of new policies. Since that time a total of 48 policies have been reviewed.

As part of the ongoing process of reviewing Council's policies, *Policy 2.31 Procurement Policy* has been reviewed and the revised Policy is tabled for Council's consideration.

Purchasing and procurement was the focus of the most recent internal audit review by Council's contracted Internal Auditor. The internal Auditor recommended that: -

"Council ensure that the Procurement Policy and Procedures are reviewed on a regular basis with the procurement thresholds and procedural requirements a focus of these reviews."

The Internal Auditor also provided an example of best practice procurement policy and procedures and which has been considered as part of this review.

One of the changes introduced as part of this review is the table attached as Schedule 1 of the Policy which provides a guide to procurement thresholds, best value procedure, procurement methods and authorisation.

The revised policy should be read in conjunction with Policy 1.19 Local Preference Purchasing Policy which has also been reviewed and is the subject of a separate report.

Integrated Planning and Reporting Reference

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

E1 - Minimise Council's exposure to risk and promote a strong risk management culture within Council.

Legislative Policy and Planning Implications

An objective of the Procurement Policy is to ensure compliance with the Local Government Act and the Local Government (General) Regulation with respect to tendering, managing conflicts of interest and other probity related provisions.

Section 8A (b) of the Act states that *"Councils should carry out functions in a way that provides the best possible value for residents and ratepayers"*.

Budget and Financial Aspects

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

Attachments

1. Policy 2.31 Procurement Policy.

Recommendation: That the revised *Policy 2.31 Procurement Policy* be placed on public exhibition for a period of 28 days and any submissions received be tabled for Council's consideration prior to adoption of the Policy.

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 \$150,000 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 \$150,000 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 \$150,000 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 xxx/18*

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

SCHEDULE 1

Value of Purchase (GST Inclusive)	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 \$150,000	3 written quotes	Purchase order Acceptance letter Contract document	Staff with delegated authority or Council resolution
\$150,000 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 \$149,999 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 \$149,999

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)



PRICE/FEE - AMOUNT & RECE

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

	PRICE 1
	Enter Company Name
COMPANY NAME	Enter Company Name
	Contact Details
	Contact Name
TENDERED/QUOTED PRICE/FEE IS	\$ -
ADD / SUBTRACT PC ITEMS	
REVISED TENDERED/QUOTED PRICE/FEE IS	\$ -
Local Contractor Claiming "Preference" Discount?	NO
Non-Local Claiming Local Content - Amount Claimed	\$ -
Applicable Local Preference Discount	\$ -
ASSESSABLE TENDER/QUOTE SUM	\$ -
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	60%	#NUM!
Enter scores for the 'Non-Price Criteria'; Score from POOR (0) to EXCELLENT (10). Adjust % if required.			
NON - PRICE			
2 RELEVANT EXPERIENCE	The Applicant's experience and expertise in this type of work;	15%	
3 METHODOLOGY	Procedures and innovative methods, names of Sub Contractors/sub Consultants, ITP'S etc.. Applicant demonstrated clear understanding of Brief	10%	
4 MANAGEMENT SYSTEMS; WHS & QA, (Min 5% - Max 20%)	The Applicant's management ability to undertake the works with regard to Programming, Work Health Safety, Environmental Management and Quality Systems, Industrial Relations and management of Subcontractors and Suppliers	5%	
5 RESOURCES CAPABILITY	The Applicant's resource capabilities to carry out the works, including Financial, Availability of plant, equipment, materials and subcontractors	5%	
6 PROGRAM AND READINESS	Readiness/ability to begin and deliver project - Is the availability in line with Client expectations and realistic.	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;			

16. REVIEW OF ORGANISATION STRUCTURE

(GM/S30-005)

Executive Summary

Section 332 of the Local Government Act, Determination of structure, states:

- (1A) The general manager must, after consulting the council, determine the positions (other than the senior staff positions) within the organisation structure of the council.
- (1B) The positions within the organisation structure of the council are to be determined so as to give effect to the priorities set out in the strategic plans (including the community strategic plan) and delivery program of the council.

Report

Section 333 of the Local Government Act details, Council may review and re-determine the organisation structure at any time but must review it within 12 months of an ordinary election. The organisation structure was last reported to Council for adoption at the July 2017 council meeting, which was within the required 12 months of the last ordinary election of Council held in September 2016.

A copy of the structure adopted at the July 2017 council meeting listing the areas of responsibility under the General Manager and the two directors is attached. (Organisation Structure July 2017.)

There is some tidying up to the July 2017 structure, as adopted, required:

- a. Under the Director of Engineering and Environmental Services, the Cadet Engineer (Fixed Term) needs to be amended to Cadet Engineer. Each incumbent is on a fixed term, however the substantive position is permanent ongoing. (Refer to the February 2017 Council meeting, resolution 6/17.)
- b. Under the Director of Engineering and Environmental Services, Manager Environmental Services the position of Compliance Officer (Fixed Term), council resolution 160/17 from the July 2017 meeting needs to be included.
- c. Under the Director Corporate and Community Services, the position of Trainee Administration Assistant, council resolution 175/15 from the July 2015 meeting needs to be included.

Propose changes:

- a. remove the Trainee Administration Assistant under the Director Corporate and Community Services from the structure.
- b. Include two Permanent Part-Time positions, a Finance Assistant and an Administrative Assistant under the Director Corporate and Community Services to the structure.

While the council resolution from the July 2015 meeting included a Trainee Administration Assistant, this position was never filled. Part of the rationale for the Trainee position was to provide more flexibility of coverage if one or more members of the administration staff were on leave. It was also considered Council would benefit from having an “all-rounder” that could cover most administrative positions.

At the time to achieve the full benefit of engaging a Trainee, the Federal Government provided assistance and subsidies through accredited employment agencies. However, the administrative ‘burden’ required to comply with the Federal Government was deemed inefficient on operations. It was also considered that Corporate and Community Services did not have the excess capacity of supervision required to fulfil the Federal Government’s assistance criteria.

Council had been engaging casuals for administrative support as far back as July 2013, to assist in Corporate and Community Services in managing the increase in work, mainly in creditors and in Environmental Services to cover extended leave of staff in 2013.

It was determined that due to the frequency and regularity of engaging casuals has led to a review whereby it is recommended Council would be better served in regard to providing more flexibility to “convert” these casual hours to two permanent part-time positions. This would give Council greater security with skilled resources and improved flexibility when other staff are on leave with engaging permanent part-time employees as opposed to casuals. This would also ensure Council is complying with the Local Government (State) Award 2017.

The proposed changes would require no adjustments to the adopted Operational Budget for 2018-2019.

Integrated Planning and Reporting Reference

E1 - Meet all governance and regulatory requirements in the conduct of council's operation.
E1 - Plan for the long term sustainability of the Shire.

Legislative Policy and Planning Implications

- Section 333 of the Local Government Act states that the organisation structure may be re-determined from time to time and that the council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.
- Changes to the Organisation Structure are in accordance with Local Government Award.

Budget and Financial Aspects

The two permanent part-time positions would be funded within adopted budget for 2018-19.

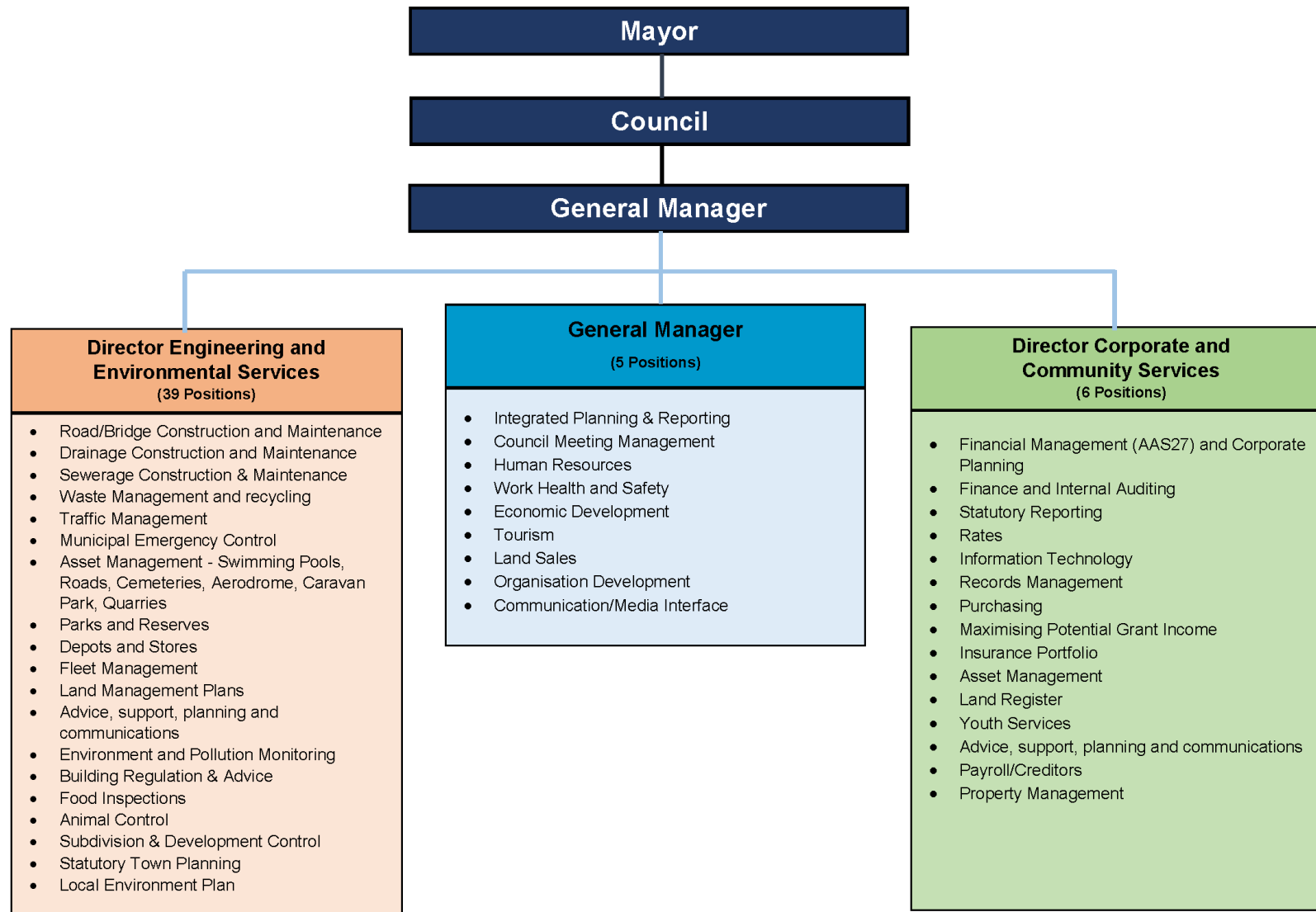
Attachments

1. Organisation structure as adopted in July 2017.
2. Proposed organisation structure.

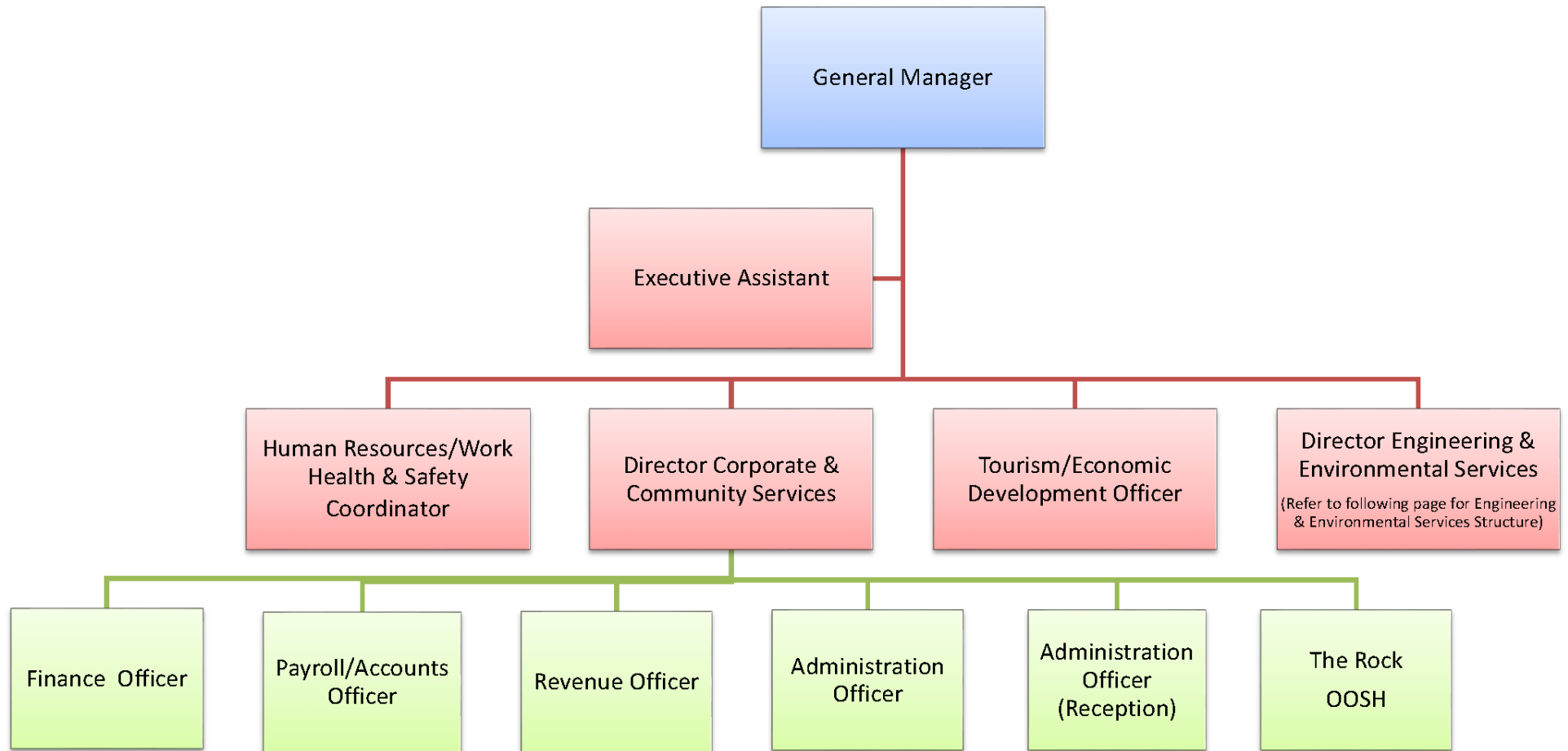
Recommendation: That Council endorses the proposed restructure to include two permanent part time positions in the Organisation Structure where casual employees have previously been utilised.

Notes:

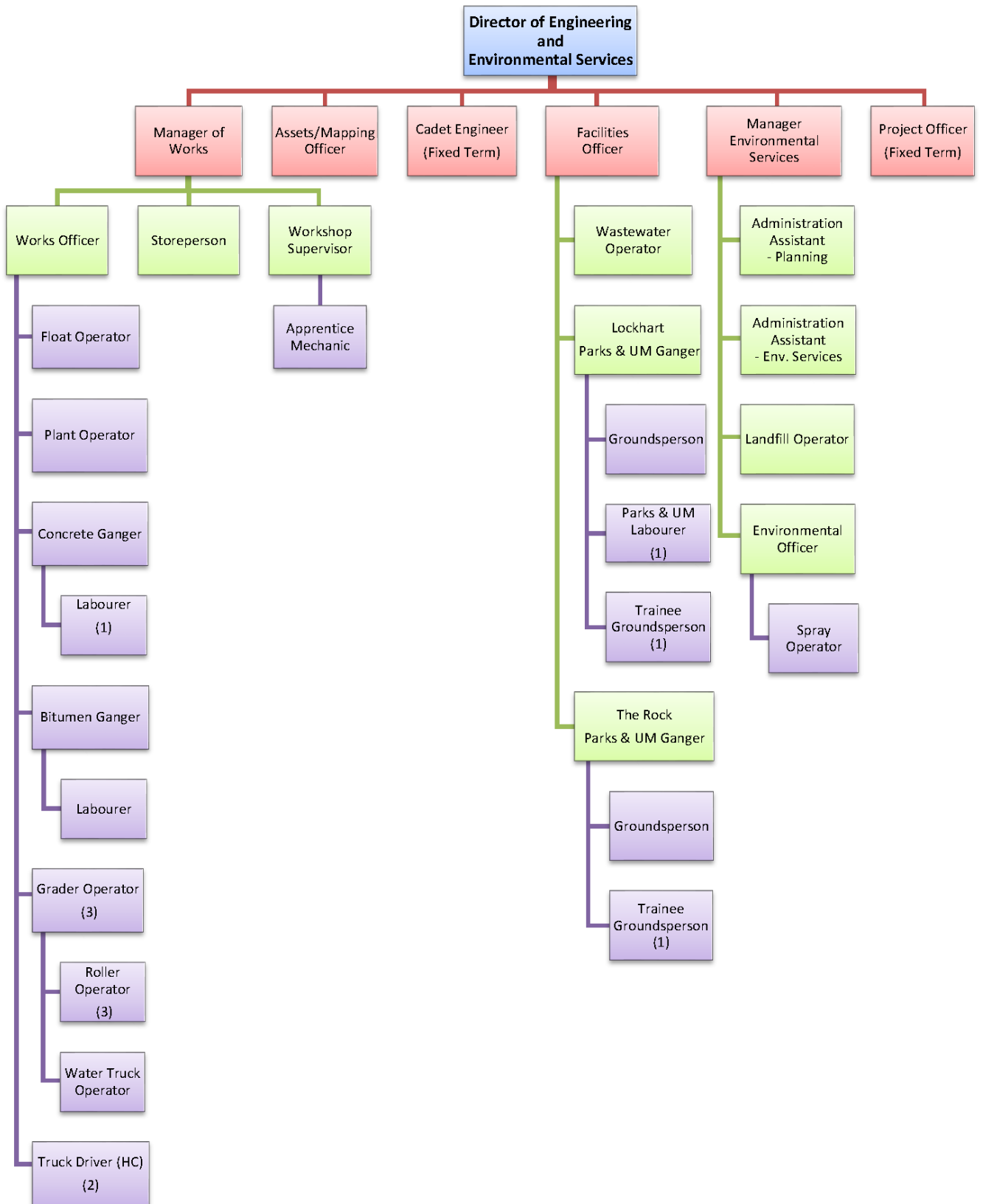
Attachment 1. – Organisation Structure as adopted in July 2017



Council Structure – General Manager and Department of Corporate and Community Services

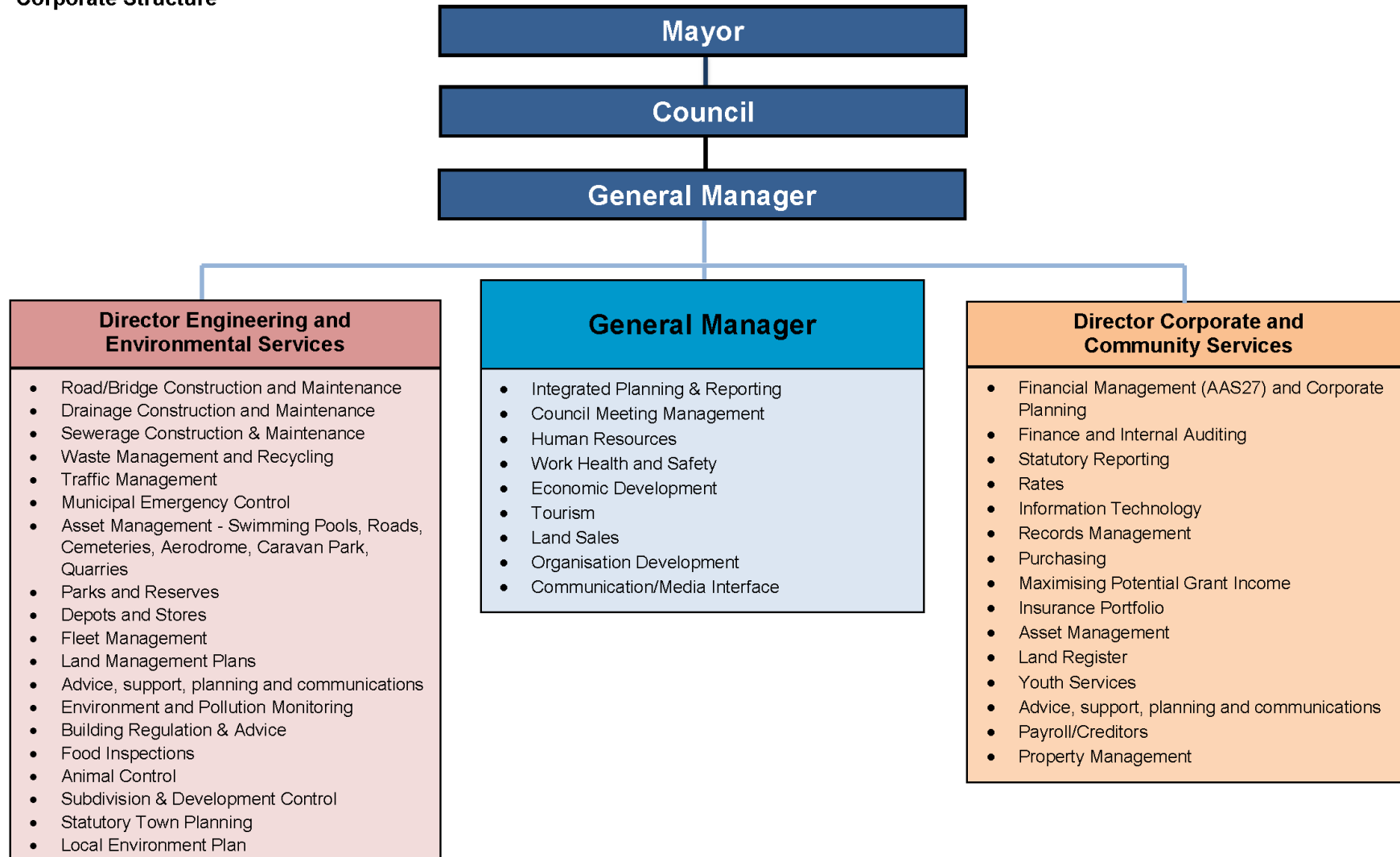


Council Structure - Department of Engineering and Environmental Services



Attachment 2. – Proposed Organisation Structure

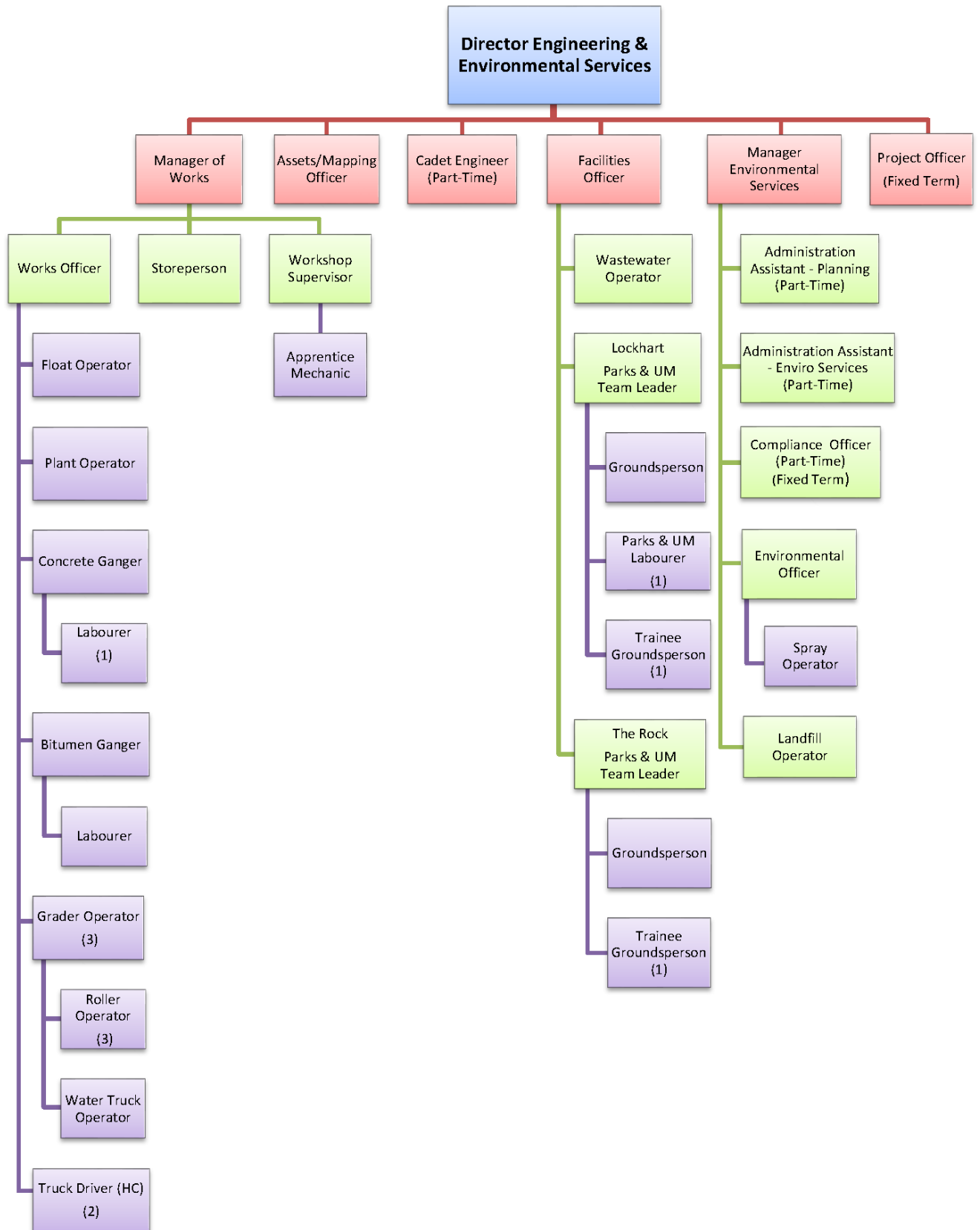
Corporate Structure



Council Structure – General Manager and Department of Corporate and Community Services



Council Structure - Department of Engineering and Environmental Services



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.

17. AUSTRALIA DAY AWARDS 2019 (GM/C15-005)

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.

18. REQUEST FROM THE OSBORNE RECREATION GROUND MANAGEMENT COMMITTEE (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.