

BUSINESS PAPER

**of the
Ordinary Meeting
Held
17 July 2017**

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

The Prayer

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

The Council's Guiding Principles

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

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

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

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

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

(Section 8A Local Government Act, 1993)

File Ref: PV:LA:C70-005

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12 July 2017

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

Dear Councillors

I wish to advise that the Ordinary Monthly Meeting of Lockhart Shire Council will be held at the Council Chambers, Green Street, Lockhart on **Monday, 17 July 2017** commencing at **5.00pm**.

The Order of Business will be as shown overleaf.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Veneris', written in a cursive style.

Peter Veneris
GENERAL MANAGER

Order of Business

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Consideration of Business in Closed Session

There are no items listed for consideration by Council in Closed Session on 17 July 2017.

Mayoral Minute

Nil.

Mayoral Report

Nil.

Urgent Matters

Nil.

Notice of Motion

Nil.

Committee Reports

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

MINUTES OF THE TOURISM/ECONOMIC DEVELOPMENT STEERING COMMITTEE MEETING OF LOCKHART SHIRE COUNCIL HELD AT LOCKHART COUNCIL OFFICES ON TUESDAY, 4 JULY 2017 COMMENCING AT 6.05PM.

PRESENT

Mrs Susan Creek, Mrs Myra Jenkyn, Mr Colin Wiese, Mr Greg Smith, Tourism/Economic Development Officer (Jennifer Connor).

APOLOGIES

Councillor Gail Driscoll, Mrs Raeleen Pfeiffer, Ms Sandra Johnstone, Councillor Derek Douglas.

LEAVE OF ABSENCE

Nil.

PERCURINARY INTEREST

Nil.

CONFIRMATION OF MINUTES

The minutes of the Meeting held Tuesday, 6 June 2017, as printed and circulated, be taken as read and confirmed on the Motion of M Jenkyn, seconded C Wiese.

1. South West Wireless Communications (SWWCC)

Geoff Peach, the CEO of South Western Wireless Communications, met with the Mayor and Council staff to discuss opportunities for improving internet and telephone connections throughout the whole of Lockhart Shire. The TEDO is awaiting further information from SWWCC and upon receipt will look at how we can engage with the community through consultation meetings and distribution of information with the business survey.

Recommendation: That the information be noted.

Notes:

2. 2016 Census Figures

The 2016 census figures have been released and show a 4.04% growth in Lockhart Shire's population over the past four years. This is fantastic news as it is the first time population figures have increased in 50 years. The TEDO compiled a breakdown of relevant LGA and national figures to enable comparison:

2011-2016 CENSUS FIGURES

AREAS	2011	2016	TOTAL %	AVERAGE %
NSW	6,917,658	7,480,228	8.13	1.63
Australia	21,507,717	23,401,892	8.81	1.76
LGA AREAS				
Lockhart	2,998	3,119	4.04	0.81
Berrigan	8,066	8,462	4.91	0.98
Bland	5,865	5,955	1.53	0.31
Coolamon	4,099	4,315	5.27	1.05
Federation	12,159	12,277	0.97	0.19
Greater Hume	9,815	10,351	5.46	1.09
Junee	5,878	6,295	7.09	1.42
Narrandera	5,902	5,853	-0.83	-0.17
Temora	5,776	6,110	5.78	1.16
Wagga	59,458	62,385	4.92	0.98
*Federation 2011 value based on combined Urana / Corowa LGA figures				

Recommendation: That the information be noted.

Notes:

3. Lockhart Water Tower

Many people have contacted the TEDO regarding the painting of murals on the silos in Lockhart Shire following the growing interest in the silo art trails in Victoria and more recently in Bland Shire. The TEDO had previously investigated the possibility of murals on our local silos however was advised the silos owned/managed by GrainCorp are not able to be painted.

As the 2017 Regional Arts Grants have opened, the TEDO discussed the potential to paint a mural on the Lockhart water tower with Lockhart Progress Association, who were very supportive of the idea and felt a mural would be appealing to both locals and visitors. A concept by Myra Jenkyn of a waterfall flowing down the tower, edged by a gumtree and depicting local native fauna and flora gathered at the base, with native birds resting in the tree and flying overhead was thought by the committee to be very fitting.

The TEDO met with Graeme Haley, General Manager of Riverina Water County Council (RWCC) to discuss the possibility of the project. RWCC felt the concept of the waterfall and native animals was very appropriate, both in keeping with the Shire and with their requirement for any proposed mural to have a water theme. RWCC gave permission for the project based on the waterfall concept, and pledged \$3000 towards the project should funding be successful.

The TEDO contacted Bland Shire Council and Wagga Wagga City Council regarding the processes and costs to paint the Weethalle silo and the Wagga water tower, and obtained an indicative price from one of the artists involved. The approximate cost for the mural project, is \$15,000 - \$20,000 including the hire of a suitable boom lift to 35 metres.

Eastern Riverina Arts have confirmed this project falls within the 2017 Regional Arts Grants guidelines and up to \$4,000 is available for the project if successful. Lockhart Progress Association have funds of approximately \$4,000 to contribute to the project, which can be matched through the TEDO's tourism budget (the product development budget allows for a small portion of funding towards a tourist attraction each year, e.g. Gallipoli panels, Walk of Fame). Local businesses and fundraising efforts could be undertaken to raise additional funds if required.

Recommendation: That support be given for the painting of a waterfall themed mural on the Lockhart Water Tower.

Notes:

4. Lockhart Verandahs

The Manager of Environmental Services and the TEDO met with Heritage Near Me to discuss possible opportunities for funding for restoration works on the Lockhart Verandahs, which are a key element of local tourism. Works will include painting, structural repairs and restoration. The TEDO and the General Manager have spoken with the relevant businesses to gauge their support for the funding project, and for the new engineering cadet to carry out a review of the structures. If funding is successful, the project will be used as a pilot to roll out to other villages in the Shire.

Recommendation: That support be given for the Lockhart Verandah restoration project.

Notes:

5. Current TEDO projects

Business Survey	Survey is ready to be sent out to businesses in July 2017. It accompanied by SWWCC internet information.
Walk of Fame	TEDO working with on layout of information for the Walk of Fame boards with the signwriters.
Go Local in Lockhart Shire	Coasters ordered for promotion of the Go Local project. TEDO is working on other possible ideas to assist businesses in connecting to the community.
Billboard	The TEDO has been in touch with Narrandera Council regarding installing on an identified property.
Drovers Way Touring Route	Meeting early July with all stakeholders to progress.
Lockhart Railway Station	The TEDO is investigating change of usage issues and will update the TEDSC as soon as information is available
Visitlockhartshire.com.au	The tourism website is looking good and has seen a marked increase over the past 12 months. Social media pages also receive strong support. The TEDO will be expanding to include main street business, weddings and photography.
Spirit of the Land	TEDO has organised hot air balloon and helicopter flights over the weekend. These will be advertised shortly. There has been good interest.

Love Lockhart Shire Photo Comp	Closed on 30 June. Has received a good number of entries, both from within and outside the Shire. Increased number of youth entries. Will be on display at The Rock Museum and Lockhart Museum.
Town Visitor Information Boards	Design has commenced by TEDO on the town and shire maps for information sign at The Rock and Lockhart. On completion of The Rock frame, TEDO will work with Lockhart Rotary to produce frame.
Lockhart Progress Association	TEDO looking at inclusive projects, e.g. outdoor movie screening at Galore Hill. The Lockhart water tower mural has been given approval by Riverina Water. Seeking funding.
The Rock Progress	The Progress Association are looking for funding for the Faerie Tree project. Working on astronomy project. B&S Ball for 2017.
Lockhart Museum	Following the last TEDSC meeting, the TEDO discussed the possibility of inviting Tim Fischer and another famous face from the Doris Golder Wool Art Gallery collection to the participate in a promotion video with the president of the Lockhart Historical Society. While supportive of the idea they have a lot on at the moment but would take to the next history meeting.
The Rock Museum	Progressing on the sound system which will tell the story of The Rock.
The Rock Hill	Works by NPWS are ongoing. New interpretative signage has been installed at the entrance and looks great
Promotional flags – main street shopping areas	Flags for the main street featuring the words Welcome to Lockhart have been ordered. The TEDO will visit The Rock to see what opportunity exists for a similar project.
Lockhart Shire Tourism Logo	Temporarily on hold due to other projects.

The next TEDSC meeting will be held at Pleasant Hills Hall on 1 August 2017 at 6.00pm.

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

Notes:

Delegates' Reports

Nil.

Status Report/Précis of Correspondence Issued

Status Report: Council Resolutions and Tasks to be finalised

Res. No:	Officer to Action	Info	Action Taken
Ordinary Council Meeting held 19 June 2017			
150/17	GM/ DEES	Acting General Manager Director Engineering and Environmental Services be appointed Acting General Manager for the period 17 July to 9 August whilst the General Manager is on Annual Leave.	In progress.
149/17	GM	Policy 1.20 Related Party Disclosures Related Party Disclosures Policy adopted as publicly exhibited.	Policy Manual has been updated. Complete.
148/17	GM	Policy 1.17 Councillors Access to Information Policy rescinded and to be removed from the Policy Register.	Policy Manual has been updated. Complete.
147/17	GM	Policy 1.7 Fraud Control Amended policy adopted as presented.	Policy Manual has been updated. Complete.
146/17	GM	Policy 1.5 Privacy Management Plan Amended policy adopted as presented.	Policy Manual has been updated. Complete.
145/17	GM	The Rock to Boree Creek Rail Line Council to submit a proposal for the upgrade of The Rock to Boree Creek Rail Line to Transport for NSW under the Faxing Country Rail Program.	Project proposal submitted prior to closing date with letters of support from neighbouring councils, local Parliamentarians grain growers and others. Complete.
144/17	DCCS	Draft Delivery Program 2017-21, Operational Plan Budget 2017-18, Delivery Program Budget 2017-21 and Fees & Charges 2017-18 Adopted as per recommendation.	Relevant documents uploaded on to Council's website. Complete.
142/17	MES	Variation to DCP – Building Line Setbacks Council to permit a variation to the Lockhart DCP for a reduced building line setback of 4.2m for a new dwelling at 24 Yerong St, The Rock.	MES has written to applicant advising of Council's resolution and planning advice on lodging a DA if required.
135/17	MES	Biosecurity and Environmental Report Council to adopt the Riverina Regional Strategic Weed Management Plan 2017-2022.	MES has notified Local Land Services of Council's adoption of the Plan, and implemented the into Council's procedures. Complete.
134/17	GM	Lots 1 to 5 Carson Road, The Rock Authority granted to execute under Council's Seal the Transfers and related documents for the sales of Lots 1 to 5 DP1220989 Carson Rd, The Rock.	Transfers executed under seal. The sale of two of the five lots have been settled.
133/17	DCCS	Public Toilet Facilities Interim public toilet facilities report noted and the matter deferred to the July meeting to enable further costings to be obtained.	Report is being tabled at July Council meeting.
130/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting - Go Local in Lockhart Shire Campaign to be supported by distributing promotional beer coasters throughout Shire as appropriate.	Coasters ordered. In progress.
129/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting – Wall of Fame Walk of Fame project to be undertaken.	Layout in design stage. In progress.

128/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting – Riverina Country Change Campaign Council to participate in the campaign should RDA Riverina's application for funding be successful.	RDA funding application successful. Project proceeding.
127/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee – Investment Attraction Incentive Policy Lockhart Industrial Park Investment Attraction Incentives Policy and the Investment Attraction Incentives Scheme Guidelines adopted.	Complete.
Ordinary Council Meeting held 15 May 2017			
121/17	COUNCIL	Closed Council – Performance Agreement, General Manager GM's Performance Agreement endorsed by Council.	Performance Agreement has been prepared and executed by Review Committee Members and the GM. Complete.
120/17	DEES	Closed Council – Caravan Park Management Contract Council: a) To engage John and Naomi Fox as manager of Lockhart Caravan Park from 1 July 2017 to 30 June 2018 with option of two (2) 12-month extensions on mutual agreement, and b) Authorise the General Manager and Director Engineering and Environmental Services to execute the Contract.	Handover to John & Naomi Fox as new Managers has been completed.
119/17	GM	Closed Council – Offer to Transfer Land for Nil Consideration Council to accept the offer to acquire the subject property for \$1.00 and that each party meets their own legal costs.	Report is being tabled at July meeting seeking authority to execute relevant documents under Council's seal.
118/17	GM	Closed Council – Request to be Release from Contract of Sale – Lot 5 DP1220989, 10 Carson Road, The Rock Council to not release the purchasers from their obligations under the contract at this time and let the contract run its course.	Council's solicitor has advised that this matter is now expected to proceed to settlement in accordance with the Contract of Sale.
115/17	GM	Councillor Professional Development Councillors to nominate any professional development they would like to undertake to assist in the development of a Professional Development Program for Councillors for 2017/18.	Indicative costs currently being sought from LGNSW for various training modules including provision of in house training.
114/17	GM/ DCCS	Fees Payable to the Mayor and Councillors Fees for the Mayor for the period 1 July 2017 to 30 June 2018 to be set at the maximum rate allowable for a 'Non-metropolitan – Rural Council'.	Fee payable to the Mayor as determined by Council has been incorporated into the 2017/18 Draft Budget presented for adoption at the June meeting and will take effect from 1 July 2017. Complete

113/17	GM/ DCCS	Fees Payable to the Mayor and Councillors Council to adopt a midpoint between the minimum and maximum allowable fee for Councillors of a 'Non-metropolitan – Rural' Council for the period 1 July 2017 to 30 June 2018.	Fees payable to Councillors as determined by Council has been incorporated into the 2017/18 Draft Budget presented for adoption at the June meeting and will take effect from 1 July 2017. Complete.
108/17	GM	Council's Application for a Special Rate Variation – IPART Determination Council to make personal and written representations regarding its experience with the FFTF and SRV process and also redouble its efforts to secure grant funding for the nominated projects and in particular the Lockhart and The Rock swimming pools.	Representations being made with the focus on securing funding for the swimming pool refurbishments.
101/17	DEES	Bridge Assessment Reports a) Council to apply for grant funding in next rounds of Fixing Country Roads (State), and/or Bridges Renewal programme (Federal) and/or Heavy Vehicle Safety and Productivity Programme (Federal); and b) A programme of repair works to upgrade the structures to HML to be put in place, subject to funding applications.	Nil progress to date.
Ordinary Council Meeting held 18 April 2017			
85/17	GM	Related Party Disclosures Council endorsed Draft Policy 1.20 Related Party Disclosures for public exhibition and will consider and submissions received before formal adoption of the policy.	Policy Manual has been updated. Complete.
74/17	GM	LGNSW – Proposed Motion to 2017 Annual Conference b) Authorise the General Manager (GM) to serve orders in accordance with section 124 of the Local Government Act c) Authorise the Director Engineering and Environmental Services (DEES), the Manager of Environmental Services (MES) and the Environmental Officer to enter premises in accordance with Section 191 of the Local Government Act d) Authorise the GM, DEES and MES to issue penalty infringement notices in accordance with Section 679 of the Local Government Act e) Appoint the GM, DEES and MES as an "authorised officer" pursuant to Section 187 of the Protection of the Environment Operations Act, and f) Adopt revised Policy 2.10.	Amended Policy 2.10 has been incorporated into Council's Policy Register. Relevant enforcement documentation templates currently being reviewed. Training in issuing Penalty Infringement Notices and other enforcement actions is being arranged for the 'authorised officers'. Photo ID's being arranged for officers authorised to enter private property. A Local Orders Policy is being developed and to be presented to July Council meeting.

73/17	GM	<p>Acknowledgement of Sagers Family Contribution Council to install a new seat, with an appropriately worded plaque, on the corner of Green & Matthews St's, in recognition of the contribution that the Sagers Family has made to the community.</p>	<p>Contact has been made with Mr Gordon Sagers, both verbally and in writing.</p> <p>Mr Sagers supports and appreciates Council's initiative. The following wording for the plaque has been agreed with Mr Sagers: -</p> <p><i>"In recognition of the significant contribution made by the Sagers family to the Lockhart District in providing 70 years of continuous dental services to its residents."</i></p> <p>Nil progress to-date.</p>
72/17	GM	<p>Caravan Parks</p> <p>a) Information noted pending a furthermore detailed report</p> <p>b) Council has determined as a matter of policy that caravan parks be short term (holiday park) stays; and</p> <p>c) Expressions of Interest (EOI) be invited for Management of the Lockhart Caravan Park for 1 July 2017 to 30 June 2018 with option of 2 x 12 month extensions on mutual agreement.</p>	<p>More detailed report to be presented at a future Council meeting.</p> <p>Expressions of Interest for the management of the Lockhart caravan park closed on 8/5/17.</p> <p>Interviews with shortlisted candidates currently being undertaken.</p> <p>Report and recommendation to be tabled at the Council meeting (closed section) on 15/5/17.</p> <p>Items (b) & (c) are complete.</p>
62/17	TEDO	<p>Minutes of the Tourism/Economic Development Steering Committee Meeting – Tourism & Economic Development Strategies and Incentives Strategy to be tabled to the TEDSC for feedback.</p>	<p>Incentives Policy has been incorporated into the Policy Manual. Complete.</p>
59/17	TEDO	<p>Minutes of the Tourism/Economic Development Steering Committee Meeting – South West Wireless Communications TEDO to approach SWWCC to conduct an initial assessment to ascertain the possibility of rolling out this internet service throughout Lockhart Shire.</p>	<p>TEDO has contacted SWWCC. Meeting with SWWSS held on 21/6/17. Further information awaited from SWWCC to facilitate community engagement.</p>
Ordinary Council Meeting held 20 March 2017			
49/17	DEES	<p>Request for Road Name Change</p> <p>a) Council supported the road name change necessary process to be commenced</p> <p>b) DEES to write back to applicant informing them of Council's decision.</p>	<p>(a) Council has commenced process for name change.</p> <p>Nil progress to-date.</p>

39/17	GM	<p>The Rock Regional Observatory Project Council, as Trust Manager of the Lockhart Crown Reserve Trust to:</p> <ol style="list-style-type: none"> a) Provide in-principle support for The Rock Regional Observatory Project b) Seek consent of the Minister to authorise Reserve 48746 for Racecourse and Showground to be used for an additional purpose that is consistent with the Project c) Assist in identifying any potential grant opportunities relevant to the Project. 	<p>The NSW Crown Lands Office has agreed that “Community Purposes” and “Public Recreation” be added as permitted uses of the Reserve for Racecourse and Showground.’ The additional permitted uses were notified in the Government Gazette on 30/06/17. The Rock Progress Association has been advised of the Gazettal. Completed.</p>
33/17	TEDO	<p>Minutes of the Tourism/Economic Steering Committee Meeting – Shire Signs Designs for the Shire signs to be investigated.</p>	<p>Dependent on budget.</p>
Ordinary Council Meeting held 6 February 2017			
5/17	GM	<p>Coffee Shop Proposal Council to invite Mandy Strong, Liz Lane and Susan Gooden to meet with Mayor and GM to discuss the proposal of a coffee shop in the former Billabong Motors building adjacent to the Green Gunyah Museum.</p>	<p>Meeting held on 1 March 2017. Discussions continuing. Proponents are awaiting outcome of grant application lodged by Museum Committee.</p>
2/17	GM	<p>Notice of Motion - The Rock to Boree Creek Rail Line Council:</p> <ol style="list-style-type: none"> a) Fully supports the upgrading of The Rock to Boree Creek rail line to heavy rail to enable the more efficient and cost effective use of rail infrastructure. b) At the appropriate time submit a submission to Transport NSW outlining the benefits of the upgrade. 	<p>Project proposal submitted prior to closing date with letters of support from neighbouring councils, local Parliamentarians grain growers and others. Complete.</p>
Ordinary Council Meeting held 19 December 2016			
345/16	DEES	<p>Swimming Pool Upgrade – Lockhart & The Rock Council:</p> <ol style="list-style-type: none"> a) Continues undertaking detailed design and planning works for both Lockhart and The Rock pool upgrades to ensure project is shovel ready this year with works funded from Council reserves; b) Continues engaging with respective pool Steering Committees to assist and provide guidance to Council; c) Applies for funding of \$1M for the pools under the current round Building Better Regions Fund; and d) Commence upgrade of the pools in 2016/17, 2017/18 and 2018/19 years’ subject to confirmation of grant funding, with project funding being combination of grant funding, third party contributions, loan and Council reserves. 	<p>Design works for The Rock buildings commenced.</p> <p>Grant application under BBRF closed 28 Feb 2017. Design work for buildings well advanced. DA’s submitted for all works.</p> <p>DA approved for building works at Lockhart. Final design plans for building works at The Rock, with DA approval expected within the next few weeks.</p>
Ordinary Council Meeting held 21 November 2016			
315/16	GM/ TEDO	<p>Australian Kelpie Hall of Fame</p> <ol style="list-style-type: none"> a) Greens Gunyah Museum be requested to develop and provide a long-term business plan to Council, outlining future developments and how they will be funded, and b) The item be brought back to Council for further discussion in the 2017/18 FY. 	<p>Lockhart & District Historical Society have developed a strategic plan and are working on extending this into a business plan.</p>

Ordinary Council Meeting held 19 September 2016			
241/16	TEDO	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.	Design has commenced by TEDO on the town and shire maps for information sign at The Rock and Lockhart. On completion of The Rock frame, TEDO will work with Lockhart Rotary to produce frame.
Ordinary Council Meeting held 18 July 2016			
185/16	DEES	Sewer Financial Plan and Proposed Extension at The Rock a) Commence with design and planning of sewer extension at The Rock in 2016/17 as per Lockhart Sewerage Business: Capital Works Plan and Financial Plan b) Undertake construction of Stages 1-6 of proposed low pressure sewer extension at The Rock in 2017/18 as per Lockhart Sewerage Business Capital Works Plan and Financial Plan c) Investigate feasibility of sewerage Council subdivision on Milne Rd in advance of rest of works.	Will commence quotes for design works once Project Officer is engaged. Project detailed design to commence Sept/Oct. Quotations being sought for design consultant. Currently liaising with other Authorities for access. Design works 100% complete with finalisation of authorities' requirements almost completed. Tenders currently being invited.
Ordinary Council Meeting held 16 May 2016			
109/16	DCCS	Old Lockhart Railway Station Building Council to: a) Seek to find a suitable use/tenant for the building b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.	Ongoing.
92/16	TEDO	Minutes of the Tourism/Economic Development Steering Committee – Virtual Touring Route TEDO investigate the potential to develop Drovers Way as a virtual touring route through the region.	Updated project brief sent to all participating LGAs in order to progress the project. Meeting early July with all stakeholders to progress.
Ordinary Council Meeting held 17 November 2014			
328/14	DCCS	Request for Financial Assistance – The Rock Men's Shed a) Suitable lease conditions be negotiated between Council and The Rock Men's Shed.	In progress.
Ordinary Council Meeting held 14 October 2014			
294/14	DCCS	Report of Section 355 Committees - Finances Council to endeavour to meet with all 355 Committees & Pleasant Hills Community Hotel to work with them to understand their costs and future projects	Plan being developed with correspondence to be sent. Workshop material in planning & being developed.
Ordinary Council Meeting held 19 June 2017 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Walker – Public Toilets, The Avenue, The Rock – Advised has received a complain about the mess in the public toilets in The Avenue, The Rock as well as the light not working in the men's toilet.	DEES advised Council is aware of issues and is attending to them.
	DEES	Cr Sharp – Culvert Cleaning – Enquired if there is a schedule for culvert cleaning throughout the Shire?	DEES advised he is aware of the issue and action is taken when resourcing permits.

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

Ordinary Council Meeting held 18 April 2017 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Verdon – Song Written by Former Grader Operator Mr Keith Ball – Enquired as to whether Council had a copy of the song about working on Council and if not, could a copy be obtained for historical purposes?	DEES advised he is not aware of the song and will contact the Funeral Director. Staff have spoken with family, a copy to be forwarded to Council in due course.
	DCCS	Cr Driscoll – Activities/Short Courses for Senior Citizens – Enquired if Council could look into providing activities/special programs for our Senior Citizens, e.g. computer/internet training, food/cooking days, millinery or craft days, etc?	DCCS advised he will investigate request and report to Council. Awaiting information from Greater Hume Shire.
	DEES	Cr Rockliff –Unrestrained Dogs Roaming Lockhart Streets – Advised there are several local dogs that are being allowed to roam Lockhart streets unrestrained and are urinating in our shopping precinct.	DEES advised Council is currently trying to sort out Ranger Services for our Shire as Wagga Wagga City Council is unable to assist at present and Council staff are now making contact with other neighbouring councils to engage this service. Been confirmed neighbouring Council's unable to assist. Alternative proposal to be presented to Council at July 2017 meeting.
	DEES	Cr Rockliff – Temporary Table and Seats Located on the Pavers near Walkway in Greet Street – Advised that the temporary table and seats are being well utilised and requested consideration of a permanent installation.	DEES advised he will consider this request. Staff have had a look at this request, and still considering options.
	DCCS	Cr Douglas – Requested Consideration of Provision of Liquid Soap Dispenser's in our Shire's Public Toilets.	DCCS advised he will investigate and provide costing to the next meeting. Interim report is being tabled at June Council meeting. Detailed report including costings is being tabled at July Council meeting.
Ordinary Council Meeting held 19 December 2016 – Councillor Questions & Statements			
Councillors' Questions	GM	Cr Driscoll – New Crown Lands Management Act – Enquired as to status of review of Crown Lands Management Act and has it been discussed at Council?	GM advised nothing happening at this stage as the majority of the new legislation will commence in early 2018, with further information to be provided in 2017, therefore it has not been discussed at Council as all current legislation remains in place. EOI process to be implemented to select Council's to "test" criteria for assessing land as local or state use.

Ordinary Council Meeting held 24 October 2016 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Verdon – Council Disaster Management Plan Availability – Also queried if Council Disaster Management Plan was available?	DEES advised the new Emergency Management Plan was almost complete and to expect a presentation to Council at a future meeting. Proposed to present EMP to July 2017 meeting.
Ordinary Council Meeting Held 16 November 2015 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Morgan – Funding Application for Brookdale Hill Blackspot Enquired if Council has received any news on this funding application?	DEES advised that no news has been received to date. Application has been unsuccessful at Federal level, currently being assessed at State level. Council currently undertaking design works for the intersections. Design work complete. Currently investigating services relocations required.

17 July 2017 Council Meeting - Correspondence Sent to Councillors

Date to Councillors	From	Subject	File Ref
15/06/17 (e-mailed)	ALGA News Editor	ALGA News 9 June 2017	A75-005
19/06/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #23 – 16 June 2017	S20-007
19/06/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
19/06/17 (e-mailed)	ALGA News Editor	ALGA News 16 June 2017	A75-005
26/06/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #24 – 23 June 2017	S20-007
26/06/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
26/06/17 (e-mailed)	ALGA News Editor	ALGA News 23 June 2017	A75-005
03/07/17 (e-mailed)	ALGA News Editor	ALGA News 30 June 2017	A75-005
03/07/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #25 – 30 June 2017	S20-007
03/07/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
10/07/17 (e-mailed)	ALGA News Editor	ALGA News 7 July 2017	A75-005
10/07/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #26 – 7 July 2017	S20-007

Recommendation: That the information be noted.

Notes:

Staff Reports

STRATEGIC DIRECTION A: A Connected and Resilient Community

1. PUBLIC TOILET FACILITIES

(DCCS/P60-005)

Executive Summary

At the June 2017 meeting, an interim report was presented to Council on the consideration of providing liquid soap dispensers in all the Shire's public toilets. As a result, the following more detailed report is provided.

Report

Council's public amenities are currently at the following locations:

Lockhart	CWA Park Walter Day Park Cemetery
The Rock	Recreation Ground The Avenue, Urana St Coronation Park Cemetery
Tootool	Roadside Reserve
Yerong Creek	Stan Galvin Park.

Each public amenity located throughout the Shire is different, with regards to equipment and fittings currently in place and what equipment and fittings can be added to each location. The main issue is that some locations don't have power. This obviously limiting options to add fittings.

In further consultation with a local electrician, it was revealed that the new amenities located at The Avenue, Urana St, The Rock and Walter Day Park, Lockhart are limited by the amount of power available at each location.

For the two amenities, one at The Avenue, Urana St, The Rock and the other at Walter Day Park, Lockhart there are three options:

Option 1

- Install one high voltage electric hand dryer on the outside wall and soap dispenser (attachment).
- Preferred electric hand dryer is a high-quality Dyson Blade (\$1500), or cheaper option OZ1650S Stainless Steel Vandalism Resistant Hand Dryer (\$250).
- Move the basin in the male toilet outside, using existing plumbing. Have consulted with local plumber, estimate cost \$300 to \$400.

Option 2

- Install five low voltage electric hand dryers inside each toilet area and soap dispensers.
- Electric hand dryer model quoted JD MacDonald Autobeam Hand Dryer.

Option 3

- Install five soap dispensers, hand towel dispensers and wall mounted bins.

The other amenity locations have limited options and/or requirements due to existing fittings and access to power.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

Lockhart

CWA Park: Site already has electric hand dryers, hand towels and soap dispensers

Required: 2 stainless steel bins wall mounted.

Estimated Installation Cost: \$ 198.00

Operating Cost: Included in Admin Building.

Walter Day Park: Amenities don't have soap or hand towel dispensers and bins.

Option 1: 1 x high voltage electric hand dryer on outside of amenities (move basin from male toilet), 1 x soap dispenser, soap refills.

Estimated Installation Cost: \$ 2,139.00 (\$933.00 cheaper electric hand dryer)

Estimated Operating Cost per annum: \$ 490.00.

Option 2: 5 x low voltage electric hand dryers, soap dispenser, soap refills.

Estimated Installation Cost: \$ 3,284.00

Estimated Operating Cost per annum: \$ 490.00.

Option 3: 5 x soap dispenser, fixed bins, hand towel dispensers, soap & hand towel refills

Estimated Installation Cost: \$ 1,010.00

Estimated Operating Cost per annum: \$ 950.00.

Cemetery: No power at site (electric hand dryers not an option)

Required: 1 x soap dispenser, fixed bin, hand towel dispensers, soap and hand towel refills

Estimated Installation Cost: \$ 202.00

Estimated Operating Cost per annum: \$ 82.00.

The Rock

Recreation Ground: Site has hand towels, large free-standing bins, small soap dispensers

Option 1: 2 x high voltage electric hand dryer, 2 x soap dispenser, soap refills.

Estimated Installation Cost: \$ 3,478.00 (\$1,066.00 cheaper electric hand dryer)

Estimated Operating Cost per annum: \$ 490.00.

Option2: same Option 1.

Option 3: 2 x soap dispenser, fixed bins, hand towel dispenser, soap and hand towel refills

Estimated Installation Cost: \$ 404.00

Estimated Operating Cost per annum: \$ 246.00.

The Avenue, Urana Street: Amenities don't have soap or hand towel dispensers and bins

Option 1: 1 x high voltage electric hand dryer on outside of amenities (move basin from male toilet) 1 x soap dispenser, soap refills.

Estimated Installation Cost: \$ 2,139.00 (\$933.00 cheaper electric hand dryer)

Estimated Operating Cost per annum: \$ 440.00.

Option 2: 5 x low voltage electric hand dryers, soap dispenser, soap refills

Estimated Installation Cost: \$ 3,284.00

Estimated Operating Cost per annum: \$ 440.00.

Option 3: 5 x soap dispenser, fixed bins, hand towel dispensers, soap & hand towel refills

Estimated Installation Cost: \$1,010.00

Estimated Operating Cost per annum: \$ 740.00.

Coronation Park: Site has electric hand dryers x 2

Required: 2 x soap dispenser, soap refills

Estimated Installation Cost: \$ 78.00

Estimated Operating Cost per annum: \$ 36.00.

Cemetery: No power at site (electric hand dryers not an option), no soap dispenser, bin or hand towel dispenser

Required: 1 x soap dispenser, fixed bin, hand towel dispensers, soap and hand towel refills

Estimated Installation Cost: \$ 202.00

Estimated Operating Cost per annum: \$ 82.00.

Tootool

Roadside Reserve: No Power at Site, and out of date dispenser, cake soap

Required: 1 x soap dispenser, fixed bin, hand towel dispenser, soap and hand towel refills

Estimated Installation Cost: \$ 202.00

Estimated Operating Cost per annum: \$ 82.00.

Yerong Creek

Stan Galvin Park: Site has electric hand dryers x 2

Required: 2 x soap dispenser, soap refills.

Estimated Installation Cost: \$ 78.00

Estimated Operating Cost per annum: \$ 36.00.

Total Cost Estimations:

Option 1 plus Others,	Installation Cost:	\$ 8,716.00
	Operating Cost per annum:	\$ 1,634.00
Option 2 plus Others,	Installation Cost:	\$11,162.00
	Operating Cost per annum:	\$ 1,634.00
Option 3 plus Others,	Installation Cost:	\$ 3,384.00
	Operating Cost per annum:	\$ 2,254.00.

The operating costs detailed in report are estimations of the additional operating cost relating to the equipment and fittings being installed. Doesn't include any current operating costs for these public amenities.

There are a range of options available for each public amenity located throughout the Shire. For the public amenities located at CWA Park, both cemeteries, Coronation Park, Tootool Roadside Reserve and Stan Galvin Park would recommend installing fittings and equipment as detailed in Budget & Financial Aspects.

For the public amenities at Walter Day Park and The Avenue, options 1 and 3 would be preferred options. Option 3 being the most cost effective however may not be considered the most environmentally efficient.

The public amenities at The Rock Recreation Ground/Camping, if going with electric hand dryers, having to install two makes the option of installing high quality Dyson Blade option quite costly.

There is no current budget allocation. Funding options:

1. Current operating budget reducing surplus, reviewed at first Quarterly Budget Review.
2. Reserves
3. Apply to Stronger Country Communities Fund, Tranche C closing 18 October 2017.

Attachments

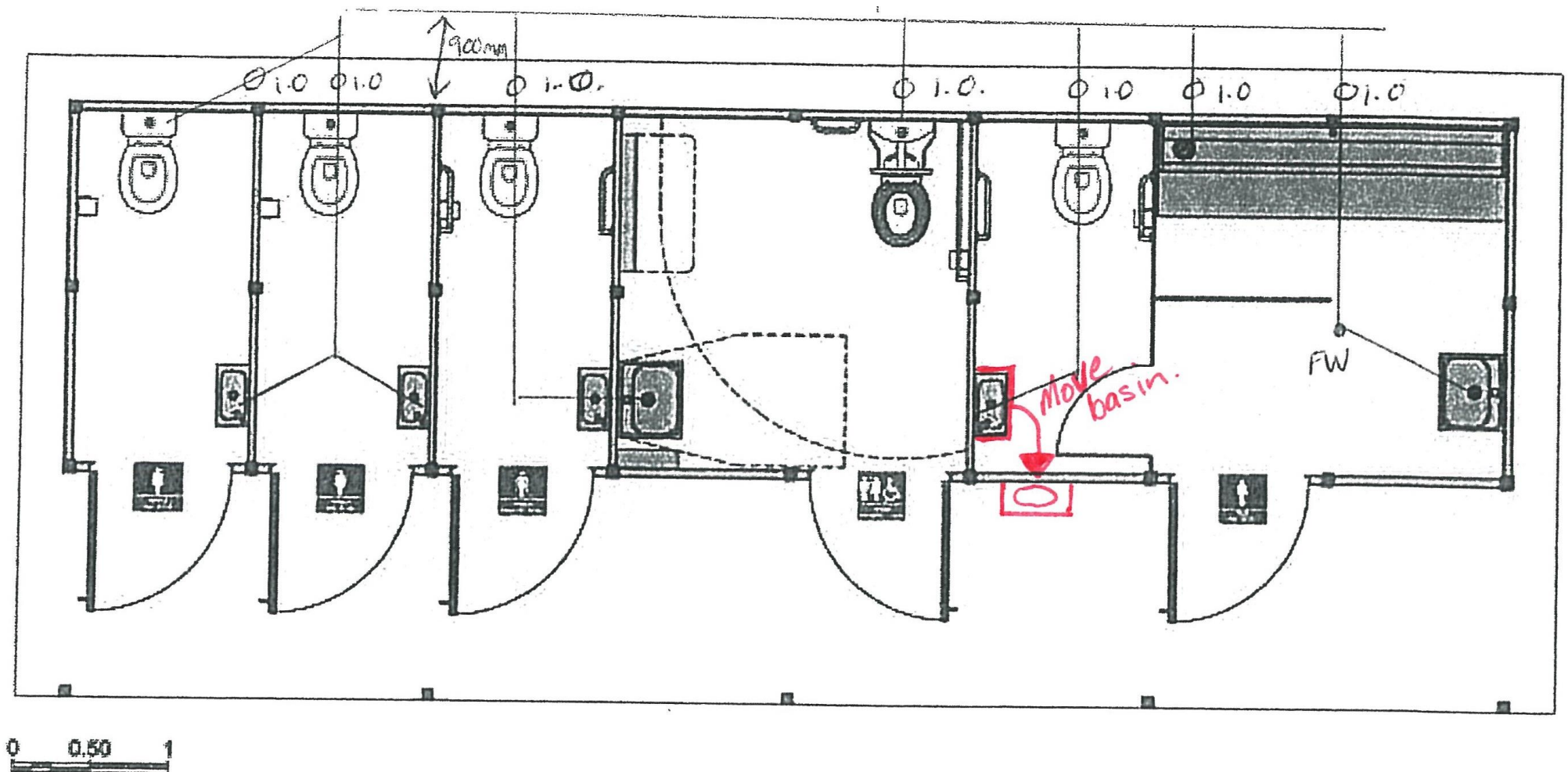
1. Floor plan of amenities at The Avenue, Urana St, The Rock and Walter Day Park, Lockhart showing relocating basin to outside wall.

Recommendation: That Council

- a) Adopt to install the fittings and equipment as detailed and costed be above for following locations, CWA Park, Lockhart & The Rock cemeteries, Coronation Park, Tootool Roadside Reserve and Stan Galvin Park, at an estimated install cost \$960.00 and with estimated operating costs of \$318.00 per annum.
- b) Adopt Option 1 for public Amenities at Walter Day Park, Lockhart and The Avenue, Urana St, The Rock, at an estimated install cost \$4,278.00 and with estimated operating costs of \$980.00 per annum.
- c) For the public amenities at The Rock Recreation Ground/Camping, for Council's consideration.

Notes:

Attachment 1. - Floor plan of amenities at The Avenue, Urana St, The Rock and Walter Day Park, Lockhart showing relocating basin to outside wall



2. TEMPORARY COMPLIANCE OFFICER POSITION

(DEES/S30-005)

Executive Summary

Council staff are proposing a 'Temporary Compliance Officer' position to provide improved service delivery to the Shire.

Report

Council staff are proposing a 'Temporary Compliance Officer' position to provide improved service delivery to the Shire. These areas of service delivery include:

- Companion animal and domestic stock control
- Development control surveillance
- Inspection of over grown lands, firewood collection, grazing, abandoned vehicles
- Swimming pools compliance inspections
- Inspection of on-site sewer management systems (OSSM)
- Patrol of public places.

Council does not have sufficient resources in house to manage these service deliveries adequately and as previously advised, our neighbouring Councils have been unable to assist in providing resources to Lockhart Shire.

Council has been receiving increased complaints regarding companion animal and domestic stock control, as well as reports of over grown blocks and dilapidated buildings. As a result, staff are proposing a revised 'Authority to Undertake Enforcement Action' Policy, as well as a new 'Local Orders Policy - Premises Not In A safe or Healthy Condition', to provide authorisation and direction to staff in managing these complaints. The Temporary Compliance Officer position would be used to enforce these policies as required amongst other duties.

The position would be initially 3 days/week (24 hrs/week), with ability to attend call outs after hours as required. Staff will investigate the opportunity to provide Compliance Officer services to neighbouring councils thus possibly being able to take the position up to full time.

It is proposed the position be called 'Temporary Compliance Officer', be Grade 9 on Council's salary structure with length of position of two years. A review of the position would occur at the end of the two years.

Integrated Planning and Reporting Reference

A2 – Provide and advocate for services that respond to the needs of our community.

B1 – Manage and improve the appearance of our towns.

Legislative Policy & Planning Implications

Position requires a working knowledge of the Local Government Act, 1993; Companion Animals Act, 1997; Roads Act, 1993; The Australian Road Rules; Impounding Act, 1993; Protection of the Environment Operations Act, 1997 and Regulations there under and experience in their enforcement.

Budget & Financial Aspects

- It is estimated that the position of Temporary Compliance Officer will be able to generate income via swimming pool, OSSM and other inspection fees as well as infringement notices and impounding fees. This is estimated to be \$43,000/year.
- The temporary Compliance Officer position 3 days/week would cost \$45,000/year, thus leaving a short fall of \$2,000/year to be funded from reserves.
- A vehicle for the Officer to use can be covered by the 2017/18 asset replacement budget and thus will have nil impact on the budget or reserves.

Attachments

Nil.

Recommendation: That Council endorses the proposed position of ‘Temporary Compliance Officer’ for a fixed term of two (2) years.

Notes:

3. POLICY 1.11 SECTION 355 COMMITTEES

(GMC70-025)

Executive Summary

A revised Policy 1.11 relating to Section 355 Committees is presented for Council’s consideration. Council is also required to review its delegations within 12 months of each term of office, including delegations made to its committees.

Background

At its meeting held on 6 February 2017 Council endorsed a process for the review of existing policies and development of new policies. The process included delegating authority to the General Manager to update existing Policies that require only minor amendments and do not alter the substance or intent of the Policy.

As part of the ongoing process of reviewing Council’s policies, Policy 1.11 Section 355 Committees has been reviewed. As the proposed changes are significant and more than merely minor amendments, the revised Policy is tabled for Council’s consideration.

Report

The existing Policy was last reviewed in 2009, is quite long and includes a significant amount of information that best belongs in a procedures manual rather than in a policy statement. For instance, the current Policy includes information on meeting procedures, election of office bearers, quorums etc. This information has been excluded from the revised Policy and is being incorporated into a procedures manual currently being prepared for distribution to all section 355 committees.

The revised Policy, a copy of which is attached, sets out the legislative context for the establishment of committees, the limitations on their powers, as well as a list of current section 355 committees and the Council function that has been delegated to each. The revised Policy also includes the following acknowledgement of the value of community based section 355 committees:

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

Council is also required to review its delegations during the first 12 months of each term of office. A list of functions delegated to section 355 committees is set out below.

SECTION 355 COMMITTEE	DELEGATION
Bidgeemia Hall Committee	Care, control and management of Bidgeemia Hall
Lockhart and District Historical Society	Care, control and management of the Dorothy Golder Museum.
Lockhart Recreation Ground Committee	Care, control and management of Lockhart Recreation Ground
Lockhart Showground & Racecourse Management Committee	Care, control and management of Lockhart Showground and Racecourse
Milbrulong Hall Committee	Care, control and management of Milbrulong Hall
Osborne Recreation Ground Committee	Care, control and management of Osborne Recreation Ground
Pleasant Hills Hall Committee	Care, control and management of Pleasant Hills Hall
Pleasant Hills Recreation Ground Committee	Care, control and management of Pleasant Hills Recreation Ground
The Rock Hall Committee	Care, control and management of The Rock Hall
The Rock Recreation Ground Management Committee	Care, control and management of The Rock Recreation Ground
The Rock Showground Management Committee	Care, control and management of The Rock Showground
Tootool Recreation Reserve Committee	Care, control and management of Tootool Recreation Reserve
Tourism and Economic Development Committee	Provide advice and make recommendations to Council in relation to tourism and economic development matters.
Yerong Creek Hall Committee	Care, control and management of Yerong Creek Hall
Yerong Creek Recreation Ground Committee	Care, control and management of Yerong Creek Recreation Ground

Integrated Planning and Reporting Reference

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

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

Legislative Policy and Planning Implications

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

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

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

Section 380 of the Local Government Act requires a council to review its delegations within 12 months of each term of office.

Budget and Financial Aspects

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

Attachments

1. Amended Policy 1.11 Section 355 Committees.

Recommendation: That Council:

- a) Endorse amended *Policy 1.11 Section 355 Committees* for public exhibition and consider any submissions received before formal adoption of the Policy.
- b) Delegate the functions listed in the report to the respective Section 355 Committees.

Notes:

Attachment 1. – Amended Policy 1.11 Section 355 Committees

1.11 Section 355 Committees

POLICY TITLE: SECTION 355 COMMITTEE FUNCTIONS

FILE REF: C70-035

REVIEW DATE: JUNE 2020

OBJECTIVES

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

POLICY STATEMENT

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

LEGISLATIVE CONTEXT

Establishment

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

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

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

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

The Council may dissolve any such Committee at any time.

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

Delegation of Function

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

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

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

LIMITATION OF POWERS

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

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

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

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

PROCEDURE MANUAL

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

CURRENT SECTION 355 COMMITTEES AND DELEGATIONS

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

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

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

4. REQUEST FOR FINANCIAL ASSISTANCE

(GM/D30-005)

Executive Summary

A request has been received from a 12-year-old school student for financial assistance towards travelling and accommodation costs to enable him to represent the NSW PSSA in the Australian Football Championships to be held in Darwin in August.

A request for an annual contribution has also been received from the Southern Sports Academy. The Wagga based Academy provides elite young athletes from Southern NSW with cutting edge development programs designed to assist them in their pursuit of higher level sporting achievements.

Report

1. Luke Mazzocchi lives at The Rock and attends Henschke Primary School as a Year 6 student. He also plays Under 13's football for The Rock & District Junior Football Netball Club.

Recently Luke participated in a three-day NSW football carnival at the conclusion of which he was selected to represent NSW at the Australian Football Championships to be held in Darwin in August. Luke has written requesting Council to consider making a donation that will assist him with his travel and accommodation costs whilst in Darwin. A copy of Luke's letter is attached.

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

- a) *Be based within the Lockhart Shire Council area.*
- b) *Be not-for-profit.*
- c) *Not be a recipient of any other financial or other type of assistance from the Council in any one financial year.*
- d) *Agree to acknowledge Council's contribution in all publicity relating to the events or activities which Council has contributed to (it being noted Council approval is required prior to use of the Council's logo in accordance with Policy 1.14).*
- e) *Complete the attached "Application for Donation/Financial Assistance" Form and submit to Council (Attachment 1).*

The Application Form has been completed in accordance with e) above a copy of which is also attached.

A search of Council's records revealed that support has been provided in similar circumstances in recent years as follows:

\$200	Bill Alexander	16/07/12	AFL Carnival in Adelaide
\$200	Abbey Fellows	17/03/14	Wagga Wagga Representative Netball
\$200	Brooke Peel	17/06/14	International Track & Field Tour, Canada
\$200	Kelsey Leaver	17/06/14	Cross Country Running Representative, USA
\$200	Holly Murphy	16/02/15	International Track & Field Tour, Canada.

2. The Southern Sports Academy has also written to Riverina Councils, including Lockhart Shire, seeking financial support. Formerly known as the Riverina Academy of Sport, the Southern Sports Academy is a not-for-profit, community based organisation established to identify and prepare talented sports people in the southern NSW region to reach their maximum potential on and off the field.

In the past the Academy sought a contribution from councils of \$200 per athlete from the respective local government area at the Academy. The Academy's latest request acknowledges that this can lead to fluctuations from year to year making budgeting difficult and indicates that it would welcome a contribution from Council that is more in line with its budgetary process.

A check of Council's records revealed that Council has not contributed to the Southern Sports Academy in recent years. Previously Council contributed amounts of \$450 and \$600 in 2012 and 2013 respectively. Presumably these amounts were based on the number of athletes from Lockhart Shire being supported by the Academy at that time.

Following enquiries made with the Academy it was noted that there are currently approximately 100 athletes being supported by seven different sports programs at the Academy. There are currently no athletes at the Academy from the Lockhart Shire local government area.

Integrated Planning and Reporting Reference

A3 – Support our children and young people.

Legislative Policy and Planning Implications

Section 356 of the Local Government Act states that "...*council may, in accordance with a resolution of the Council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions*".

Budget and Financial Aspects

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

Attachments

1. Letter from Luke Mazzocchi dated 21 June 2017.
2. Application for Donation/Financial Assistance.
3. Letter from Southern Sports Academy dated 7 June 2017.

Recommendation: That:

- a) Consistent with previous practice, Council make a \$200 contribution to Luke Mazzocchi to assist with travel and accommodation expenses relating to his participation in the Australian Football Championships to be held in Darwin, and
- b) The Southern Sports Academy be invited to resubmit its request for financial assistance for consideration by Council when it has athletes from the Lockhart Shire participating in its programs.

Notes:

Attachment 1. – Letter from Luke Mazzocchi dated 21 June 2017

Lockhart Shire Council
Att: Peter Veneris
65 Green St
Lockhart NSW
2656

Luke Mazzocchi
"Redbank"
The Rock NSW
2655

0427107927
mbmazz@bigpond.com

21st June 2017

Re: NSW PSSA AFL Selection

Dear Peter,

My name is Luke Mazzocchi, I am 12 years old I live on a farm at The Rock & attend Henschke Primary School where I am in year 6. I also play football in the Under 13's for The Rock & District Junior Football Netball Club.

Recently I represented Mackillop at the NSW football carnival, over 3 days we played 6 games winning all the games except the grand final where we were beaten by 1 point. At the conclusion of the carnival I was lucky enough to be selected as 1 off 22 players to represent the NSW Blue Pups at the upcoming Australian football championships to be held in Darwin this coming August.

I am extremely excited to be going to Darwin to play football for NSW however I also understand that it will be a very expensive trip for my Mum & Dad to pay for. I write this letter in the hope that the Lockhart Shire Council would consider making a donation that will help with my travel and accommodation expenses whilst I am in Darwin.

Yours sincerely,

Luke Mazzocchi

Donations given to you/your organisation by Council over the last three years:

AMOUNT	DATE	PURPOSE TO WHICH FUNDS WERE PUT
N/A		

Do you consent to Council evaluating how the funds were spent, if Council elects to do so? Yes/No
(Please circle)

3. Information Regarding the Organisation (Organisations/Groups)

What services or activities does your organisation provide to Lockhart Shire residents?

N/A

How will the donation you have requested benefit Lockhart Shire Council residents?

PRINCIPAL OBJECTIVES: Describe in broad terms the principal objective of your organisation, as stated in your Constitution.

How many members does your organisation have?

4. Additional Information

Please include any additional information which you consider necessary.

5. How will your organisation/you acknowledge the Council's donations?

I will be extremely great full & would be willing to acknowledge the councils donation anyway I can.

6. Declaration of Non-Profit/Registered Charity or Organisation (Organisations/Groups)

I _____ declare the _____ is a non-profit
(Office Bearer) (Organisation/Group)
organisation/registered charity for the purposes of the Australian Taxation Office.

Luke Mazzocchi

(Signed)

(Witness)

(Registration Number)

President/Chairperson

27/6/17

Date

Attachment 3. – Letter from Southern Sports Academy dated 7 June 2017

Southern Sports Academy
PO Box 8545, Koorngal NSW 2650
p: 02 6931 8111 | f: 02 6931 8011 | w: www.ssa-nsw.org.au
ABN 15 193 274 996

D30-005
22767

Log: []
INFO REPLY REPORT
SM []
DCCS []
14 JUN 2017
EES []
ES []

Wednesday, 7 June 2017

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

Dear Rod,

The Southern Sports Academy continues to provide elite young athletes from Southern NSW with cutting edge development programs designed to assist them in their pursuit of higher level sporting achievements. The Academy has built on its focus of ensuring that athletes that graduate from the Academy do so as more rounded individuals possessing the necessary sporting and life skills to excel in the next phase of their lives.


We have continued to produce athletes of the highest calibre, evidenced by the numbers of athletes who have gone on to represent their sport at State, National and International competition. In doing so, these athletes remain great ambassadors for the regions in which they emanate.

Historically The Academy has invited you to contribute to the development of athletes from your Local Government Area by contributing \$200 per athlete to the Southern Sports Academy, and I understand that this is increasingly difficult to both budget and source funding when there can be such a variation from year to year. We have found that there have been an increased number of councils that have declined to provide assistance, sadly putting at risk the sustainability of the Academy on a broader scale.








Since the inception of the Academy in 1992, the collective contributions of LGA's from around the region have been vital not only to the success of the Academy, but also to its survival. I would like to ask if there is a more effective means for us to seek an ongoing partnership, whereby the council can budget financial assistance for the Academy pathway for its junior elite athletes longer term.

On behalf of athletes from your region, I look forward to discussing further any potential partnership.

On behalf of athletes from your region, we look forward to your continued support.

Yours sincerely,

Terrey Kiss
Chairman

Mark Calverley CEO
6931 8111

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Reach Your Goals!

5. PURCHASE OF LOT 2 DP255427 SCOTT STREET, THE ROCK

(GM/C80-005)

Executive Summary

Authority is requested to execute under Council's seal, documentation relating to the purchase of Lot 2 DP255427 Scott Street, The Rock.

Report

Council, at its meeting held on 15 May 2017, resolved to accept an offer from the owner of Lot 2 DP255427 Scott Street, The Rock for the land to be transferred to Council for consideration of \$1 on the basis of each party meeting its own legal costs.

The matter is now progressing on this basis and authority to execute the Contract of Sale, the Transfer and related documentation under Council's seal is required.

In addition, Section 25 of the Local Government Act requires all land vested in Council to be classified as either "community land" or "operational land". The purpose of classification is to identify clearly that land which should be kept for use by the general public (community) and that land which need not (operational). The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means.

"Community land" must not be sold and must not be leased or licensed for more than 21 years and may only be leased or licensed for more than 5 years if public notice of the proposed lease or licence is given and, in the event that an objection is made to the proposed lease or licence, the Minister's consent is required. No such restrictions apply to "operational land".

Before a council acquires land, or within 3 months after it acquires land, a council may resolve that the land be classified as "community land" or "operational land". Any land acquired by a council that is not classified at the end of the period of 3 months is taken to have been classified as "community land".

As Council is yet to determine the future use of the subject land in Scott Street, The Rock, it is considered to be in Council's best interests to classify the land as "operational land" so as to leave all options open regarding its future use. Failure to classify the land as "operational land" within three months of its acquisition will mean the land will be deemed to have been classified as "community land" and Council will be restricted in how it is permitted to deal with the land in the future.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Council is required, pursuant to Section 25 of the Local Government Act, to classify all land vested in Council as either "community land" or "operational land".

Budget & Financial Aspects

Not applicable.

Attachments

Nil.

Recommendation: That in respect of Council's purchase of Lot 2 DP255427 Scott Street, The Rock:

- a) Authority be granted to execute the Contract of Sale and the Transfer document under Council's seal; and
- b) The land be classified as "operational land" for the purposes of Section 25 of the Local Government Act.

Notes:

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

6. LOCAL ORDERS POLICY – PREMISES NOT IN A SAFE OR HEALTHY CONDITION (GM/C70-025)

Executive Summary

This Report proposes the preparation of a local orders policy to specify the criteria that will be taken into consideration when determining when premises are not in a safe and healthy condition and an Order under Section 124 may be issued.

Background

Section 124 of the Local Government Act provides that a council may order a person to do or to refrain from doing certain things in certain circumstances.

Council at its meeting held on 18 April 2017 authorised Council officers to issue Orders under Section 124, enter premises pursuant to Section 191 and issue Penalty Infringement Notices pursuant to Section 679 of the Act.

Section 159 of the Local Government Act enables a council to prepare a draft local orders policy for the purpose of specifying the criteria which the council must take into consideration in determining whether or not to give an order under section 124.

Report

The circumstances identified in Section 124 that can be subject to a council order include the following:

No.	To do what?	In what circumstances	To whom?
21	To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.	The land or premises are not in a safe or healthy condition.	Owner or occupier of land or premises.

The report tabled at the 18 April Council meeting arose out of Council's concerns regarding unsafe, unhealthy and unsightly premises in the Shire.

Whether or not premises are in a safe and healthy condition can be a subjective matter. Identifying the criteria that Council will take into consideration when determining land is not in a safe and healthy condition will provide clarification and promote consistency and transparency in how Council deals with these matters. Section 159 of the Act provides for the preparation of a local orders policy specifically for this purpose.

Accordingly, a "Draft Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition" has been prepared and identifies the criteria Council will take into consideration in determining whether the circumstances exist to justify the issuing of an Order.

Integrated Planning and Reporting Reference

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

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

Legislative Policy and Planning Implications

Section 159 of the Local Government Act enables a council to prepare a draft local orders policy to specify the criteria which the council must take into consideration in determining whether or not to give an order under section 124.

The council must give public notice of a draft local policy after it is prepared for a period of not less than 28 days. The public notice must also specify a period of not less than 42 days after the date on which the draft local policy is placed on public exhibition during which submissions may be made to the council.

If after considering any submissions received the council resolves to adopt the local orders policy, it must give public notice of the adoption or revocation of a local policy.

A council may at any time revoke a local policy adopted under Section 159. A local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

Budget and Financial Aspects

Not applicable.

Attachments

1. Draft Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition.

Recommendation: That Council, in accordance with Part 3 of the Local Government Act:

- a) Place “Draft Local Orders Policy No. 1 – Premises not in a Safe or Healthy Condition” on public exhibition for a period of not less than 28 days;
- b) Accept submissions in relation to the Draft Local Policy for a period of 42 days after the date on which the Draft Local Policy is placed on public exhibition.

Notes:

Attachment 1. – Draft Local Orders Policy No. 1 – Premises Not in a Safe or Healthy Condition

Local Orders Policy No. 1 – Premises or Land not in a Safe or Healthy Condition

POLICY TITLE: LOCAL ORDERS POLICY NO. 1 – PREMISES OR LAND NOT IN A SAFE OR HEALTHY CONDITION
FILE REF: E30-115
REVIEW DATE: SEPTEMBER 2021

PURPOSE

This Local Order Policy (No. 1) has been written in accordance with s159 of the Local Government Act 1993.

Local Order Policy (No. 1) deals specifically with premises or land which is not in a safe and healthy condition.

Under this Local Order Policy an Order can be issued to require an owner or occupier of land, to do, or refrain from doing, certain things to ensure the land or premises are placed or kept in a safe or healthy condition.

SCOPE

The Orders Policy shall apply to:

1. All premises and all areas associated with those premises;
2. All land within the following planning zones within Lockhart Shire:
 - a) RU5 Village;
 - b) R5 Large Lot Residential.
 - c) IN1 General Industrial
 - d) SP2 Infrastructure.

OBJECTIVE:

This Local Orders Policy has been prepared to specify the criteria that Council will consider when determining whether or not premises or land which is in a safe and healthy condition and whether the issuing of an Order is warranted.

This policy aims to:

- a) Ensure consistency and fairness in the manner in which Council deals with issuing orders;
- b) Make the Council's policies and requirements for orders readily accessible and understandable to the public;

CIRCUMSTANCE

Council may serve an order when the land or premises are not in a safe or healthy condition.

CRITERIA

The circumstance of unsafe or unhealthy land may be considered to exist when an authorised Council officer observes any or all of the following:

Overgrown Vegetation¹

Land may be considered to be not in a safe or healthy condition when it is located in a built up urban area and vegetation on the land:

- a) Is harbourage for vermin (evidence can include sightings, faeces, nests, runs, eggs etc.); or
- b) Is likely to be harbourage for vermin (such vegetation should be consistently thick to an average height of 500mm covering vacant land or the unbuild portion of land). It does not follow from this that an uncleared or regenerated bush block comprising of mainly indigenous vegetation would be considered likely to be a harbourage for vermin; or
- c) Is determined by the relevant fire authority as posing a high fire hazard (Council will not consider vegetation to be a fire hazard if it has been determined not to be a fire hazard by the NSW Fire Service or the Rural Fire Service).

¹ Overgrown vegetation does not include any vegetation that is protected by legislation and does not include a commercial crop. Vermin does not include any native fauna.

Accumulation of Materials, Refuse or Other Hazardous Items²

Land or premises may be considered not in a safe or healthy condition when materials accumulated thereon or in:

- a) Provide harbourage for vermin (evidence may include faeces, sightings, nests, runs, eggs etc.); or
- b) Are likely to attract, or provide harbourage for, vermin. (Council will not consider inert items that are stacked in a safe, tidy manner, at least 300 mm off the ground and at least 600mm from a boundary to allow adequate mowing around the items, as being likely to attract, or provide harbourage to vermin); or
- c) Aid the breeding of flies, mosquitoes, or other potentially disease carrying insects or animals; or
- d) Are likely to be releasing gas/dust/vapour/liquid or other emission which could be considered harmful to humans and/or the environment; or
- e) Are suspected to contain asbestos and are being handled (including, but not limited to, cutting, sanding, breaking, removing), or stored in a manner inconsistent with NSW WorkCover and / or Department of Environment and Climate Change guidelines and is considered likely to lead to the release of fibres and/or dust to present a threat to health (material suspected as being asbestos is assumed to be asbestos, unless the recipient, or proposed recipient, of an Order can prove otherwise); or
- f) The material is considered to be hazardous.

Breeding and/or Infestation of Disease Vectors or Noxious Pests³

Land or premises may be considered not to be in a safe or healthy condition when:

- a) They are infested with vermin, flies, mosquitoes or other insects or animals that are recognized as potentially carrying human diseases; or
- b) Conditions are aiding the breeding of vermin, flies, mosquitoes or other insects or animals that are recognized as potentially carrying human diseases; or
- c) Noxious pests are breeding on or infesting a premises.

Inappropriate Handling of Sewage⁴

Land or premises may be considered not to be in a safe or healthy condition when:

- a) The plumbing on the premises is failing, leading to the discharge of sewage/ inappropriate handling of sewage; or
- b) The premises are currently serviced by an on-site sewage management system (OSSM) and that system is failing to meet the requirements of:
 - i. The conditions of consent / approval in any approval to install or operate the on-site system, or
 - ii. The requirements of the Environmental and Health Protection Guidelines: On-site Sewage Management for Single Households.

Unsafe or Unhealthy Conditions in a Building or Structure

Land or premises may be considered not to be in a safe or healthy condition when:

- a) A building contravenes the structural or health and amenity provisions of the Building Code of Australia to an extent which causes it to be unsafe or unhealthy; or
- b) A wall or structure is considered dangerous by an authorised Council officer; or
- c) Overcrowded sleeping conditions prevail (as determined by the Public Health (General) Regulation 2002); or
- d) A designated drinking water supply system is contaminated or is unfit for human consumption; or
- e) A food premises contravenes health and safety requirements of Chapter 3 of the Australia New Zealand Food Standards Code.

Other

Any other situation which is deemed by the Director Engineering and Environmental Services as being likely to pose an immediate danger to health or safety to the greater public.

REMEDIAL ACTION

An order may specify certain works that need to be undertaken in order to place a property in a safe and healthy condition. These works may include, but are not limited to, any of the following:

- a) Remove, cut, slash, mow, prune, trim, or thin out overgrown vegetation on the property.
- b) Removal of waste material, and any unwanted material, and dispose of at a suitably licensed waste facility.

² Vermin does not include any native fauna.

³ Noxious Pests include European wasps, fire ants or any other pest determined by the Director Engineering and Environment Services (in consultation with the Department of Primary Industry or any other relevant Government Authority), but does not include any native fauna.

⁴ Sewage is taken to be either grey water or black water.

- c) Store materials in a safe and tidy manner at least 300 mm off the ground level and 600mm away from boundary fences (to allow mowing to be undertaken).
- d) Eradicate disease vectors or noxious pests that are harbouring on the property.
- e) Remove items or material which are aiding the harbourage and / or breeding of disease vectors or noxious pests.
- f) Engage a pest controller to manage disease vectors or noxious pests that may be present on the site, and remove the potential for harbourage.
- g) Clean the premises, or aspects of the premises, to place it in a healthy condition.

NOTICE OF INTENT

Prior to the issue of an order, Council must give the owner or occupier of the land or premises a notice of intent to give an order.⁵

MAKING REPRESENTATIONS

Any person in receipt of a notice of intent may make written representations on the proposed order within 14 days.⁶

HEARING AND CONSIDERATION OF REPRESENTATIONS

Depending on the circumstances, the Director Engineering and Environmental Services, or any other delegated officer, shall be the officer to determine the representations in respect of the issue of an order.⁷

ISSUING OF AN ORDER

Should it be necessary to issue an order, a reasonable period will be given so that the terms of the order can be complied with.

The order will be issued by the Director Engineering and Environmental Services or any other delegated officer, on the owner or occupier of the land or premises.

RIGHT OF APPEAL

The person affected by the order has the right of appeal to the Land and Environment Court within 28 days after the service of the order on the person.

PENALTY

Any person not complying with an order is guilty of an offence in accordance with the Local Government Act 1993, and may be subject to prosecution or a fine.

A penalty notice (on the spot fine) may be issued for failure to comply with the terms of Order No.1. After issuing a penalty notice, Council may proceed to issue a new order for an ongoing offence.

If a person fails to comply with the terms of an Order, Council may do such things as necessary or convenient to give effect to the terms of the Order, in accordance with s678 of the Local Government Act 1993.

LEGISLATIVE PROVISIONS AND DURATION OF THIS LOCAL POLICY

This Local Order Policy (No.1) has been adopted under Part 3 of the Local Government Act - Adoption of Local Policies Concerning Approvals and Orders

Pursuant to Section 165 of the Local Government Act:

- 1) A council may amend a local policy adopted under this Part by means only of a local policy so adopted.
- 2) An amending local policy may deal with the whole or part of the local policy amended.
- 3) A council may at any time revoke a local policy adopted under this Part.
- 4) A local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

⁵ *The need for a notice of intent to give an order does not apply in emergency situations (section 129 of the Local Government Act 1993).*

⁶ *This does not apply in emergency situations (section 129 of the Local Government Act 1993).*

⁷ *This does not apply in emergency situations (section 129 of the Local Government Act 1993).*

7. POLICY 2.10 AUTHORITY TO UNDERTAKE ENFORCEMENT ACTION

(GM/C70-025)

Executive Summary

Council's Policy 2.10 Authority to Undertake Enforcement Action has been reviewed so as to provide guidance to staff when performing a regulatory role on behalf of Council and in particular when circumstances warrant enforcement action being taken.

Background

Section 124 of the Local Government Act provides that a council may order a person to do or to refrain from doing certain things in certain circumstances.

Council at its meeting held on 18 April 2017 authorised Council officers to issue Orders under Section 124, enter premises pursuant to Section 191 and issue Penalty Infringement Notices pursuant to Section 679 of the Act.

In a separate report to Council a Local Orders Policy is proposed in order to specify the criteria that will be taken into consideration specifically for when determining when land is not in a safe and healthy condition.

Report

Council's Policy 2.10 Authority to Undertake Enforcement Action has been reviewed so as to provide guidance to staff when performing a regulatory role on behalf of Council and in particular when circumstances warrant enforcement action being taken. This policy not only relates to dealing with premises that are determined not to be in a safe or healthy condition but all of council's regulatory activities including pollution, roads, animal control, food safety as well as environmental and development non-compliance.

The policy reflects a staged approach to ensuring compliance will be achieved and in the first instance businesses and individuals will be given the opportunity to discuss and remedy the breach before action is taken. The staged approach could include:

- Counselling the person who carried out an unlawful activity to educate them on the relevant requirements.
- Negotiating with the person who carried out the unlawful activity to obtain an undertaking from them to address the issues of concern arising from an investigation. For example, the submission of a section 96 application to modify consent.
- A letter requiring works to be carried out or works to cease, or other remedial action in lieu of more formal action i.e. a warning letter, including a Notice of Intention to Issue an Order.

Continued non-compliance would then lead to formal enforcement action such as the issuing of an Order. Non-compliance with a Council Order could result in a number of other remedies including the issuing of a penalty infringement notice.

A copy of the amended policy is attached.

Integrated Planning and Reporting Reference

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

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

Legislative Policy and Planning Implications

Section 124 of the Local Government Act provides that a council may order a person to do or to refrain from doing certain things in certain circumstances.

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

Budget and Financial Aspects

Not applicable.

Attachments

1. Amended Policy 2.10 Authority to Undertake Enforcement Action.
2. Flowchart illustrating staged approach.

Recommendation: That Council place amended Policy 2.10 Authority to Undertake Enforcement Action on public exhibition for a period of not less than 28 days.

Notes:

Attachment 1. – Amended Policy 2.10 Authority to Undertake Enforcement Action

2.10 Authority to Undertake Enforcement Actions

POLICY TITLE: AUTHORITY TO UNDERTAKE ENFORCEMENT ACTIONS

FILE REF: E30-015

REVIEW DATE: JULY 2020

1. STATEMENT OF INTENT

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

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

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

2. GENERAL PRINCIPLES

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

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

3. OPTIONS FOR ACTION IN CONFIRMED CASES OF UNLAWFUL ACTIVITY

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

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

Approaches to be considered without taking formal regulatory action include:

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

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

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

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

A flow chart illustrating a staged approach is attached.

4. ENFORCEMENT ACTION

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

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

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

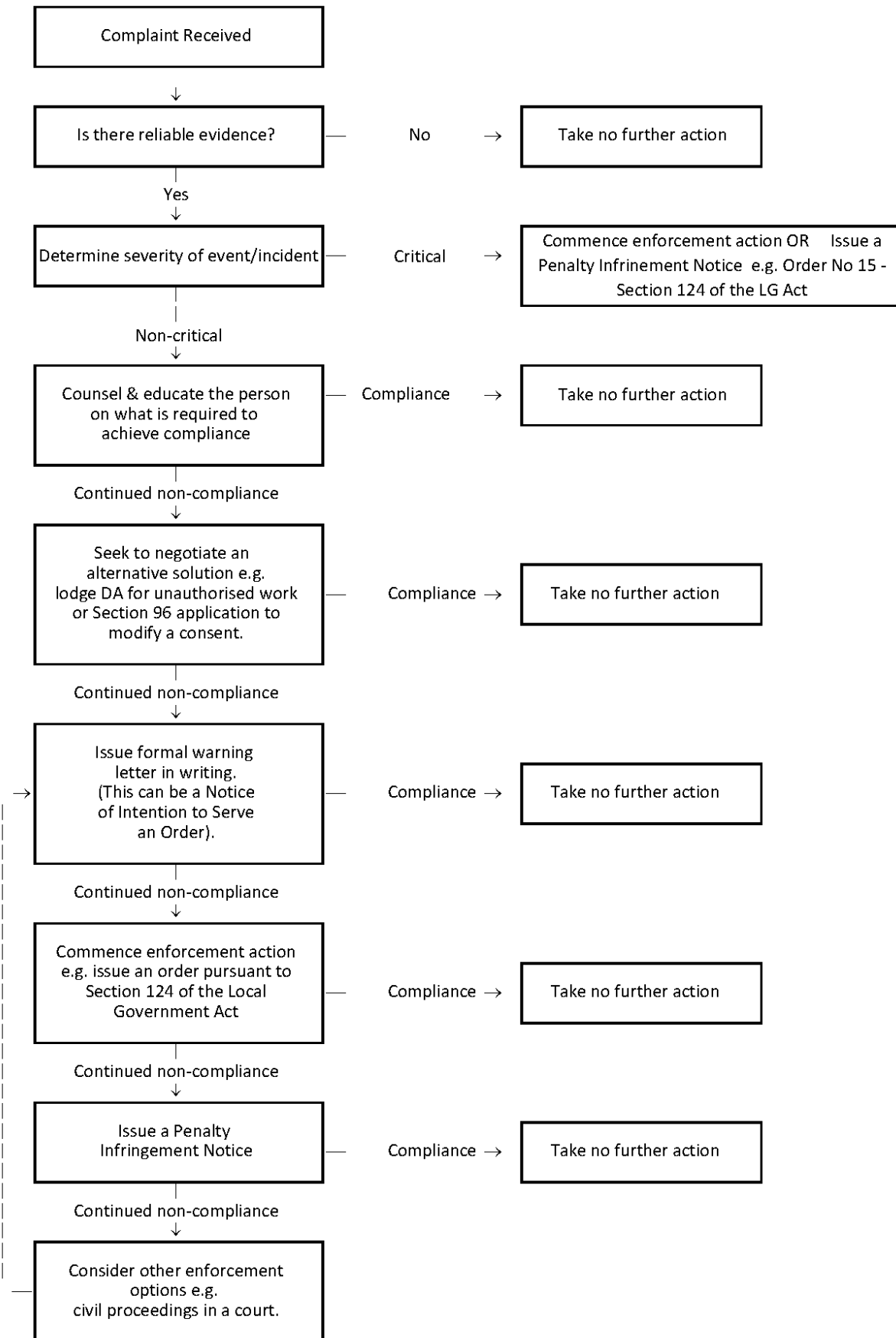
- Issuing of Notices and Orders requiring compliance with legislative requirements or those of an environmental planning instrument.
- Commencement of criminal proceedings for an offence under legislation or alternatively issuing a Penalty Infringement Notice (PIN).
- Commencement of civil proceedings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

5. AUTHORISED PERSONS

The following persons are authorised to undertake enforcement action:

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

Attachment 2. – Flowchart illustrating staged approach



STRATEGIC DIRECTION C: An Environment that is Respected and Protected

8. BIOSECURITY AND ENVIRONMENTAL REPORT

(DEES/N10-025)

Executive Summary

Monthly report on biosecurity and environmental matters.

Report

Weeds

Property Inspections

Due to the high volume of gravel transportation that is underway, the gravel pits were inspected to establish the presence/absence of noxious weeds. Being high risk sites, these areas are inspected regularly to limit the potential of weed dispersal throughout the Shire. All inspected pits were free of noxious weeds, and any noxious weeds which were in close proximity to these mining sites have been recorded and scheduled for control.

Spray Program

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

Pests

Common White Snail

To deplete the organic matter that is present within Fairview Lane, which provides both shelter and food for the common white snails, this vegetation was burnt on 5 June, in cooperation with GrainCorp employees and the adjoining private land holder.

Biosecurity Matters

Biosecurity Act 2015

The final version of the Biosecurity Regulation 2017 was released in early June. The Biosecurity Regulation 2017 provides additional detail in regards to how the management tools in the Biosecurity Act 2015 will be used with respect to certain biosecurity matter, carriers and associated activities. Many changes have been made to the Biosecurity Regulation 2017 draft version, particularly evident in the face-to-face Biosecurity Act training, when applying these principles to a specific situation.

In preparation for the commencement of the Biosecurity Act 2015 on Saturday 1 July, various documents have been reviewed, including Council's Pesticide Use Notification Plan and Council's Weeds Control Strategy. As NSW DPI releases their proposed policies, procedures, and templates, these and all other related weed documentation will evolve over the coming months. Wherever possible, Council's Environmental Officer will provide clarification of significant changes to the general public through Council's website and newsletter.

Environmental Matters

Galore Hill Scenic Reserve Biodiversity Study Project

In June OzArk Environmental & Heritage Management Pty Limited supplied Council with the final version of the biodiversity assessment report. This project was supported by the Riverina Local Land Services Community Grants, through funding from the Australian Government's National Landcare Programme. This biodiversity assessment will be used by Council staff to revise the Galore Hill Scenic Reserve Plan of Management.

Particular aspects of the report that are significant include: changes in vegetation composition with the encroachment of cypress pine woodland community into previously dominated currawang shrubland, resulting in loss of the significant currawang population; identification of five tree dwelling microbats that are present at the reserve, including the Little Forest Bat, being fifty millimetres long and weighing only five grams; and recorded sightings of eight threatened species of birds on the reserve.

The Galore Hill Biodiversity Field Day was held on 30 June. There were eighteen attendees at the field day. These attendees had a wide range of interests, including orchids, reptiles, vegetation, birds, and soils. Various histories and past experiences were discussed throughout the day, enhancing the scientific data that has been collected, and supplying reasoning to why some aspects of the biodiversity at Galore Hill exist. The Galore Hill Community Network was established during the field day. This network will provide interested parties with a platform to communicate with others in regards to the reserve, provide the coordination of historical events that have occurred on the reserve, and provide expert advice in regards to the management of the reserve.

Burkes Creek Reserve Environmental Weed Control Project

On ground works for the Burkes Creek Reserve Environmental Weed Control Project commenced in June. This project, funded through the NSW Government's Public Reserves Management Fund Program, has been initiated to control the significant amount of environmental weeds that have established on the Burkes Creek banks. These environmental weeds could essentially cause a reduction in water flow through this area, and disperse seed which could establish further downstream.

Integrated Planning and Reporting Reference

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

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

Legislative Policy and Planning Implications

Weed inspections and associated activities are carried out in accordance with the Noxious Weeds Act 1993, the Biosecurity Act 2015 and associated regulations.

Budget and Financial Aspects

Will be conducted within Councils allocated budget.

Attachments

Nil.

Recommendation: That the information in this report be noted.

Notes:

9. BIOSECURITY ACT 2015 – APPOINTMENT OF AUTHORISED OFFICER (GM/N10-025)

Executive Summary

The Biosecurity Act 2015 came into force on 1 July 2017. Section 372 of the Act provides councils with the authority to appoint authorised officers to control weeds.

Report

A detailed report regarding the new Biosecurity Act 2015 (the Act) was tabled at the last meeting of Council. The Act came into force on 1 July 2017 at which time the Noxious Weeds Act 1993 was repealed.

The Act established councils as Local Control Authorities (LCAs) and prescribes the following functions for LCAs in relation to weed management:

- a) The prevention, elimination, minimisation and management of the biosecurity risk posed, or likely to be posed, by weeds;
- b) To develop, implement, co-ordinate and review weed control programs;
- c) To inspect land in connection with its weed control functions;
- d) To keep records about the exercise of the LCAs functions under the Act;
- e) To report to the Secretary about the exercise of the LCAs functions under the Act.

Section 372 of the Act provides LCAs (councils) with the authority to appoint authorised officers to control weeds. A person appointed by the LCA may exercise the functions prescribed in the Act for authorised officers but only in relation to weeds within the LCA area. Before a person can be authorised under the Act they must have completed the 10 online training modules and attended the mandatory face-to-face training for the Act. Council's Environmental Officer has completed the necessary training.

Section 375 of the Act provides for the LCA to delegate to any officer or employee of the LCA any function conferred on the LCA by the Act or regulations.

It is proposed that Council delegate to the General Manager the functions conferred on Council by the Biosecurity Act 2015. The General Manager will then, in exercise of this delegation, appoint Council's Environmental Officer as an authorised officer under the Act in relation to weeds within the Lockhart Shire local government area.

Integrated Planning and Reporting Reference

C – An environment that is respected and protected.

C2 – Decrease occurrence, spread and impact of weeds and pests throughout our Shire.

Legislative Policy & Planning Implications

To facilitate compliance with the new Biosecurity Act 2015 it is proposed that the functions conferred on Council by the Act be delegated to the General Manager and that the Council's Environmental Officer be appointed as an authorised officer under the Act for the control of weeds.

Budget and Financial Aspects

An allocation of \$127,350 is provided in the 2017/18 Budget for weed control. The activities of the authorised officer appointed pursuant to the new Biosecurity Act will be undertaken within Council's Budget.

Attachments

Nil.

Recommendation: That:

- a) Council delegate to the General Manager the functions conferred on Council as the Local Control Authority by the Biosecurity Act 2015; and
- b) The Council's Environmental Officer be appointed as an authorised officer under the Biosecurity Act 2015 in relation to weeds within the Lockhart Shire local government area

Notes:

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

10. ENGINEERING REPORT

(DEES/T10-005)

Executive Summary

Monthly report on engineering matters.

Background Information

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

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

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

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

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

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

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

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

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

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

Legislative Policy and Planning Implications

Nil.

Integrated Planning and Reporting Reference

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

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

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

Recommendation: That the information be noted.

Notes:

11. MAJOR PROJECTS UPDATE

(DEES/T10-005)

Executive Summary

Update on Council's current major projects.

Report

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

- a) *Swimming Pools Upgrade:* Construction documents and engineering plans for The Rock pool buildings have commenced and are expected to be completed in the next two weeks. Development Approval (DA) has been granted for the amenities upgrade at Lockhart pool.
- b) *The Rock Sewer Extension:* The final documents have been compiled and the Tender for the construction works has been advertised locally on 1 July 2017 and in the Sydney Morning Herald 4 July 2017. The Tender closes 7 August 2017 with the review period 8 August to 21 August 2017.
- c) *The Rock STP Tertiary Ponds Upgrade:* The construction work and the plumbing of the pipe work on the new ponds has been completed. The security fencing is to be done in the next few months.
- d) *Demolition of Voluntary Purchase Properties:* Current grant funding allows for one more property to be purchased at each of Lockhart and The Rock in 2017/18.
- e) *Flood Mitigation Construction:* It is expected that staff will call for tenders for the construction works for the Lockhart Levee by September. There is some administration works remaining regarding Aboriginal Land Claim on the Commons that need to be completed before construction works can commence. The Rock Streven Street drainage works remains on reserve list for funding from OEH.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

Nil.

Budget & Financial Aspects

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

Attachment

Nil.

Recommendation: That the information be noted.

Notes:

12. PARKS AND GARDENS REPORT

(DEES/P10-005)

Executive Summary

Monthly report on parks and gardens.

Report

Green Street, Lockhart

The section of nature strip from The Rio to the walk bridge has had the existing ground cover removed between the footpath and kerb and replaced with granite and mulch. The mulch sections will be planted out with ground covers, low shrubs and grasses to tie it in with the Museum side of the street which is now almost completely covered by vegetation. Steps have been constructed to highlight the location of the Lovelocks arch and garden. Crepe Myrtles will be replaced where necessary and it is hoped the mulch will assist their establishment as it has on the opposite side of the street.

Walter Day Park

Landscaping of the new public toilet site has commenced with excavation of the site for granite paths to the 'At the Dance' and 'Nine Martyrs' and the extension of garden beds. Lockhart CWA and Red Cross have been contacted regarding the relocation of plaques and roses to new prominent positions within the refurbished rose gardens.

Sculpture Trail

Excavation of a new path through Cowan Gardens has also taken place. The path will be granite with a steel edging and will be a link from the craft shop in Green Street to the sculptures in Cowan Gardens and on to Walter Day Park.

The Rock Skate Park

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

Burkes Creek Reserve

The Rock P&UM crew have been beautifying the entry to the reserve; installing railway sleeper bollards to mark the access point and deter vehicle entry.

Playgrounds

Softfall maintenance and topping up is almost complete.

Trees

Annual pruning of street and park trees is almost complete in Lockhart. The chipper will be transported to The Rock to expedite the tree program. Some replacement planting has also begun with more planned during the cooler months.

Parks and Gardens

The Shire's roses are being deadheaded regularly. Annual pruning will be scheduled in August.

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

Irrigation systems are being turned down or off. The extension of the irrigation system at Hodgson Park and upgrade of the aging system at Lockhart Cemetery have been completed by contractors.

Mowing and Slashing

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

Weed Control

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

General maintenance

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

Integrated Planning and Reporting Reference

D1 – Infrastructure that facilitates an active community.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

Nil.

Recommendation: That the information be noted.

Notes:

13. ROADS PROGRAMME 2017/18

(DEES/A60-025)

Executive Summary

Council once again has a significant roads construction programme planned for 2017/18 year.

Report

Council's adopted Operational Plan for 2017/18 has allocated \$3,597,459 to roads and footpath capital works. This includes an R2R allocation of \$1,413,037 however it excludes any Fixing Country Roads (State) and Heavy Vehicle Safety & Productivity Program (Federal) funding.

Council staff propose the following roads programme for 2017/18 year, which is slightly modified to that presented in the Operational Plan to incorporate potential bridge repairs:

- PAMPS program - \$45,000 (external funding still TBC)
- Widen MR543 Shoulders - \$325,000
- Brookdale intersection, Wagga Road - \$300,000
- Various Heavy Patching of Regional Roads – \$75,000
- Continue widening Western Road - \$300,000
- Continue widening Osborne Yerong Creek Road - \$300,000
- Continue widening The Rock Mangoplah Road - \$150,000
- Commence widening Yerong Creek Mangoplah Road – \$150,000
- Upgrade/Repair bridges to HML – allocate Council funds of \$612,459 (with total funding required approx. \$1,600,000)
- Resealing Regional Roads - \$250,000
- Resealing of Local Roads - \$350,000
- Resheeting of gravel roads - \$740,000 being:
 - Alf Freemans Lane - \$60,000
 - Plums Lane - \$24,000
 - Montagues Lane - \$20,000
 - MacArthur Street (Y/C) plus seal - \$20,000
 - JR Smiths Lane - \$40,000
 - Krauses Lane - \$50,000
 - Shaws Lane - \$40,000
 - Forcks & Spurrells Lanes - \$60,000
 - Urban back lanes - \$50,000
 - Unallocated - \$376,000.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

- All works will be undertaken within budget allocations for 2017/18
- Bridge upgrade/repairs to HML estimated cost is \$1,600,000. Allowing for a Council contribution of \$612,459 would mean grant funding of approx. \$1,000,000 is required.

Attachments

Nil.

Recommendation: That Council:

- a) Endorses the roads programme for 2017/18 year; and
- b) Applies for funding under Round 3 of Fixing Country Roads of up to \$1,000,000 to undertake bridge repairs and upgrade to HML.

Notes:

14. DEVELOPMENT APPLICATIONS

(MES/P25-010)

The following development applications were approved, with conditions, from 1 June 2017 to 30 June 2017.

DA No	Development	Applicant/Owner	Site of Development
DA28/17	Refurbishment of changerooms at the Lockhart Pool	Lockhart Shire Council	Urana St, Lockhart
DA41/17	Additions & alterations to existing dwelling	Jarrad Higginson	2294 Lockhart The Rock Rd, French Park
CDC43/17	Installation of solar panels	Modern Building Certifiers	4760 Olympic Highway, The Rock
CDC44/17	Inground swimming pool	JH Lamont & EM James	90 Green St, Lockhart
DA46/17	Installation of a shipping container, erection of a carport, deck & verandah at rear & patio at front of property	Susan Berryman	31 Norman St, The Rock
DA47/17	Consolidation of 2 allotments	Simon Flinn	2294 Lockhart The Rock Rd, French Park
DA48/17	Installation of a shipping container	Glenn & Ann Taylor	Crawford St, Pleasant Hills

Integrated Planning & Reporting Reference

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

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

Nil.

Attachment

Nil.

Recommendation: That the information be noted.

Notes:

STRATEGIC DIRECTION E: Strong Leadership and Services

15. STATEMENT OF FUNDS FOR JUNE 2017

(DCCS/F10-010)

The reconciled position of funds held in Council's bank accounts and on investment as at 30 June 2017 is shown below for the information of members.

Statement of Funds as at:	30 June 2017	
Combined Bank Accounts:		\$
Bank Balance as at:	1 June 2017	873,038.81
Plus: Receipts to:		
Rates receipts bank 2 & 5	38,776.71	
Sundry Debtor receipts	153,640.27	
Grant receipts -	-	
FAG 1st & 2nd Qtr 2017/2018 Grant	1,864,331.00	
Galore Hill Trust Interest	4.02	
Investments redeemed	250,000.00	
Interest on Investment	19,573.52	
DEFT transfer	-	
Bas Refund	156,856.00	
FBT Refund	5,547.94	
Flood Mitigation	13,218.30	
Sale Plant	45,568.25	
Sale 8 & 2 Carson Rd, The Rock	170,966.54	
Scrap Metal Sales	33,687.90	
Other receipts	123,275.34	
Total receipts for month		2,875,445.79
		3,748,484.60
Less: Payments for Month less Canc. Chqs		1,540,211.59
New Term Deposits		1,250,000.00
Current Bank Balance		958,273.01

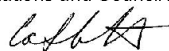
	Interest Rate per		
Investments:	Annum	Amount Invested	% of Total
Bankwest	2.50	250,000.00	3.70%
Bankwest	2.45	250,000.00	3.70%
Bankwest	2.45	500,000.00	7.41%
Bankwest	At Call	700,000.00	10.37%
BENDIGO	2.15	250,000.00	3.70%
BENDIGO	2.00	250,000.00	3.70%
BENDIGO	2.25	500,000.00	7.41%
BENDIGO	2.20	250,000.00	3.70%
Curve Securitys/AMP	2.25	250,000.00	3.70%
IMB Limited	2.50	250,000.00	3.70%
IMB Limited	2.55	300,000.00	4.44%
IMB Limited	2.55	500,000.00	7.41%
NAB	2.53	300,000.00	4.44%
NAB	2.25	250,000.00	3.70%
NAB	2.48	500,000.00	7.41%
NAB	2.48	300,000.00	4.44%
Rim AMP	2.50	250,000.00	3.70%
RIM AMP	2.25	400,000.00	5.93%
RIM-amp	2.25	500,000.00	7.41%
		6,750,000.00	
TOTAL FUNDS HELD ARE:		7,708,273.01	100.00%

These funds are comprised as follows:

	CURRENT A/C	INVESTMENTS	TOTAL
General Fund	-338,535.97	5,789,035.51	5,450,499.54
Combined Sewerage	1,265,253.00	960,964.49	2,226,217.49
Galore Hill Trust Fund	31,555.98		31,555.98
	958,273.01	6,750,000.00	7,708,273.01

RESERVES	Externally Restricted	2,726,000
	Internally Restricted	2,746,000
	Unrestricted	2,236,273
		7,708,273

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



Director Corporate Services
6 July 2017

Integrated Planning and Reporting Reference

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

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

Notes:

16. NEW LOCAL GOVERNMENT (STATE) AWARD

(GM/S30-010)

Executive Summary

The Local Government (State) Award 2014 expired on 30 June 2017. A new Local Government (State) Award 2017 has been negotiated by LGNSW and relevant local government unions. The new Award was made by the NSW Industrial Relations Commission (NSWIRC) on 30 June 2017 and commenced on 1 July 2017.

Report

In the lead-up to the 30 June 2017 expiry date of the *Local Government (State) Award 2014*, LGNSW has been in negotiations with the Local Government unions for a new award. As well as meeting directly for negotiations, the parties have participated in conciliation of dispute proceedings before the NSWIRC.

On 2 June 2017, the LGNSW Board endorsed a *without prejudice* package of award variations contained in a draft *Local Government (State) Award 2017*.

This included the following pay increases, to be applied from the first full pay period commencing on or after 1 July:

- 2017: 2.35%, with a minimum payment of \$20.40 per week.
- 2018: 2.50%, with a minimum payment of \$21.80 per week.
- 2019: 2.50%, with a minimum payment of \$22.30 per week.

The unions conducted their internal processes for approval of the package of conditions. The package of conditions offered by LGNSW was accepted which settled the dispute proceedings before the NSWIRC. The NSWIRC made the new award, on 30 June 2017.

Whilst Council was required to finalise its 2017/18 Operational Plan and Budget prior to the award negotiations being finalised, the pay increases incorporated into the new Award are within Council's adopted Budget.

Integrated Planning and Reporting Reference

E1 - Plan for the long-term sustainability of the Shire. Attract and retain a quality workforce.

Legislative Policy & Planning Implications

The Local Government (State) Award 2014 expired on 30 June 2017.
The Local Government (State) Award 2017 commenced on 1 July 2017.
The Award governs the conditions of employment for Council's employees.

Budget & Financial Aspects

Council's 2017/18 Budget was premised on an Award increase of 2.5%.

Attachments

Nil.

Recommendation: That the commencement of a new Local Government (State) Award 2017 be noted.

Notes:

17. REVIEW OF ORGANISATION STRUCTURE

(GM/S30-005)

Executive Summary

Section 333 of the Local Government Act requires a council to review its organisation structure within 12 months of an ordinary election of the council.

Report

Council may review and re-determine the organisation structure at any time but must review it within 12 months of an ordinary election. The last ordinary election of Council was held in September 2016.

The current two department organisation structure is the result of a review of the structure emanating from the Fit for the Future process. A key action in the Council Improvement Action Plan was to “Reduce the number of Directors from 3 to 2”.

The current structure has now been in place for three years, is considered to be operating effectively and no changes are being proposed.

A copy of the current structure listing the areas of responsibility under the General Manager and the two directors is attached.

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 & 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.

Budget & Financial Aspects

Not applicable.

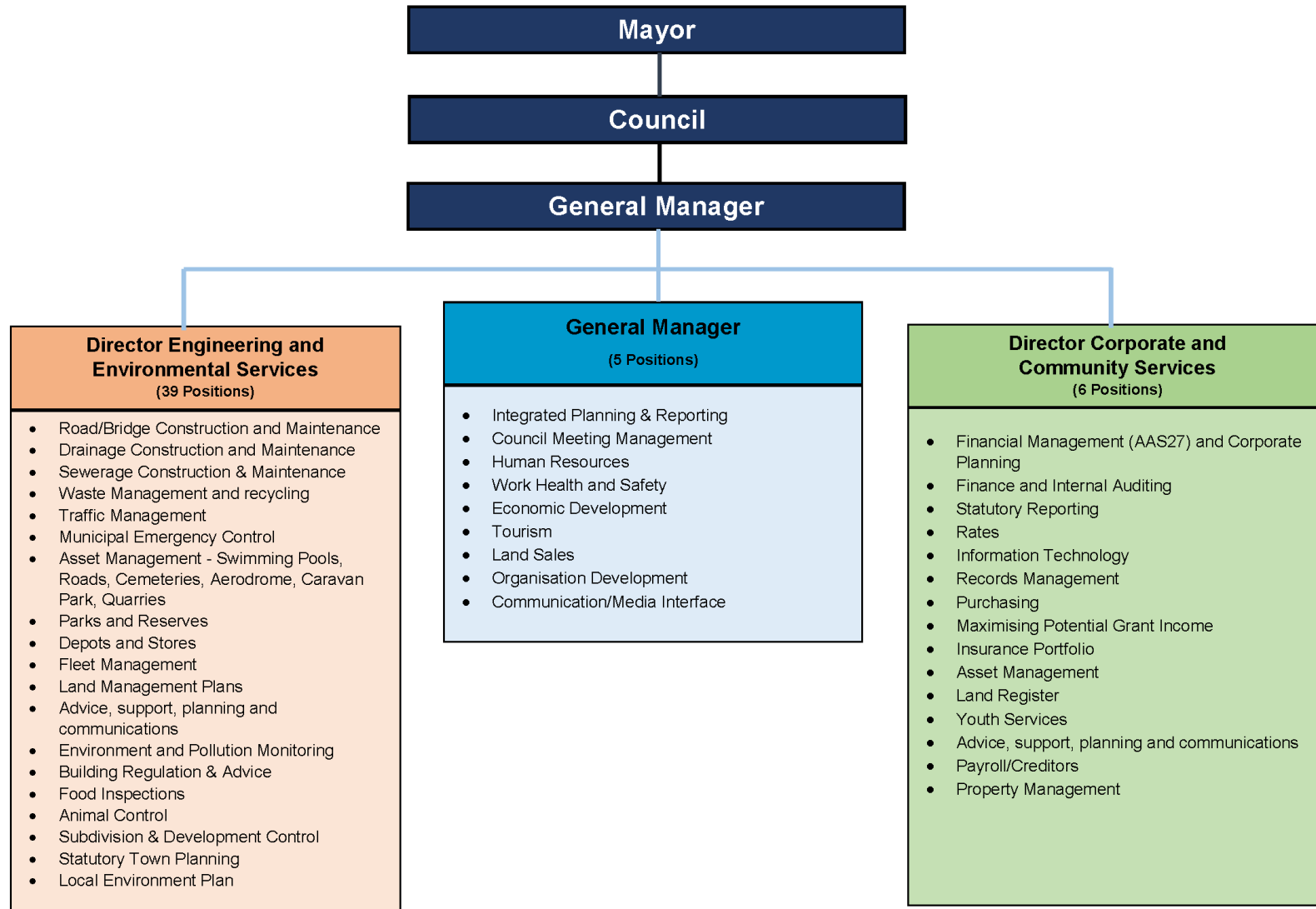
Attachments

1. Organisation structure.

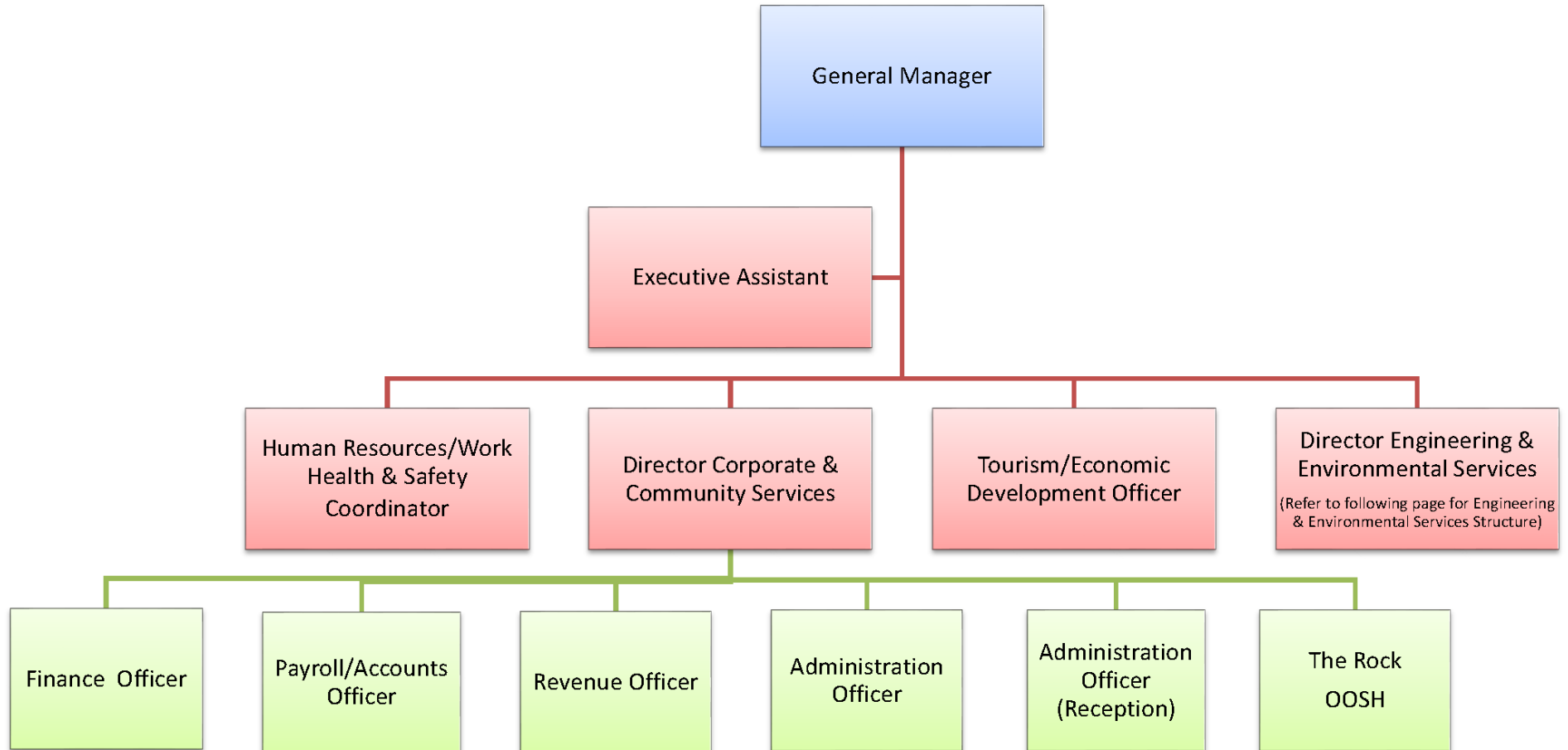
Recommendation: That Council reaffirm the current organisation structure.

Notes:

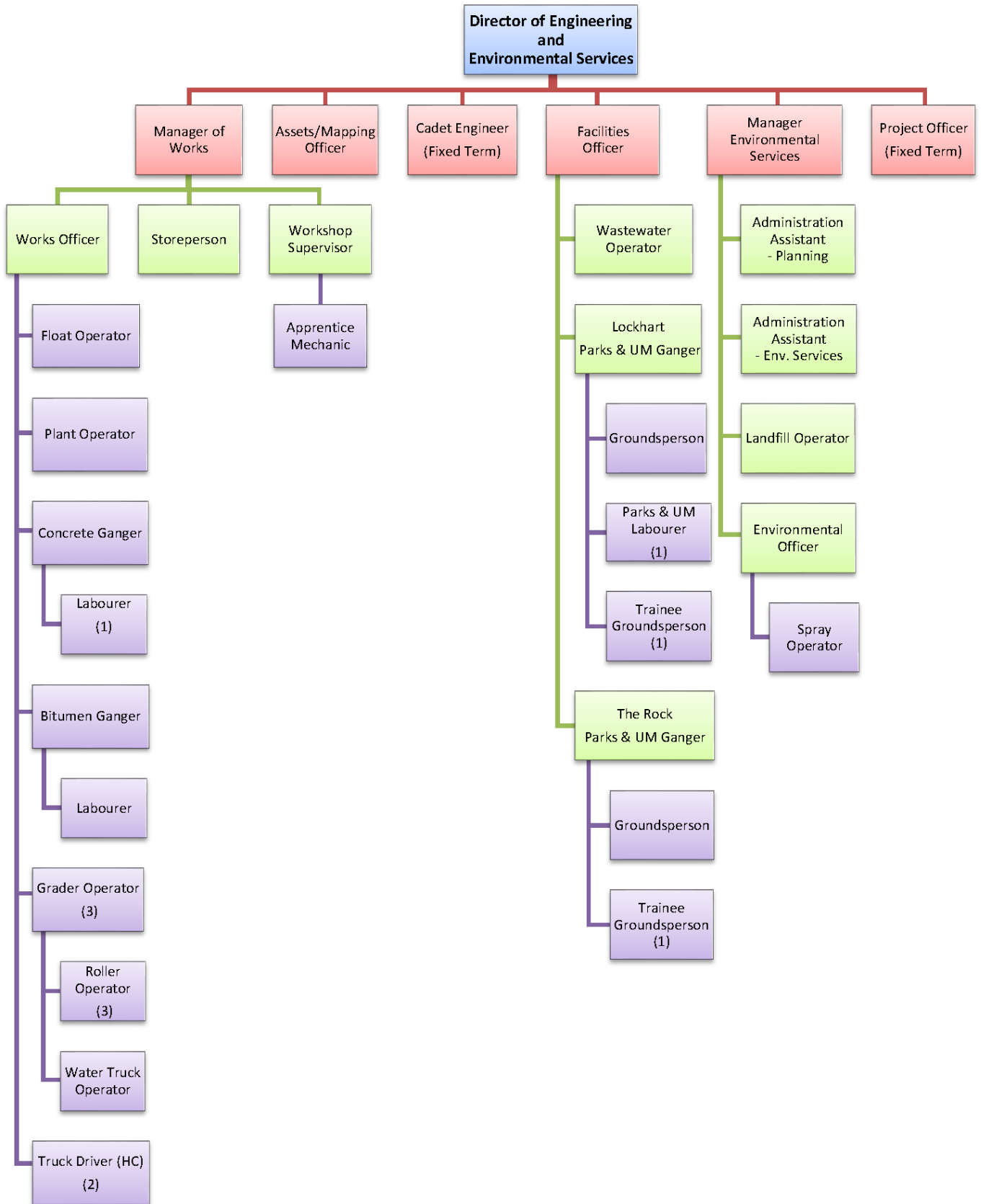
Attachment 1. – Organisation Structure



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

There are no items listed for consideration by Council in Closed Session on 17 July 2017.