

BUSINESS PAPER

**of the
Ordinary Meeting
Held
19 June 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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14 June 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, 19 June 2017** commencing at **5.00pm**.

The Order of Business will be as shown overleaf.

Yours faithfully

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

Peter Veneris
GENERAL MANAGER

Order of Business

Opening with a Prayer	
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Consideration of Business in Closed Session

There are no items listed for consideration by Council in Closed Session on 19 June 2017.

Resumption of Open Council Page 81

Mayoral Minute

Nil.

Mayoral Report

Nil.

Urgent Matters

Nil.

Notice of Motion

1. AUGUST 2017 MEETING DATE

Cr Verdon gives Notice that at the Council meeting to be held on 19 June 2017 he will be moving the following:

That Council:

- a) Move the August Council meeting forward by one week to Monday, 14 August 2017.

General Manager's Comments

- Council at its meeting held on 19 September 2016, resolved as follows:
"THAT subject to the right of Council to vary by resolution in pressing or necessitous circumstances Ordinary Meetings of the Council shall be held monthly at the Council Chambers, Green Street, Lockhart on the third Monday of each calendar month, except for January and February. For those months, a meeting will not be held in January, and in February will be on the first Monday. The commencement time of meetings to be fixed."

Attachments

1. Email dated 6 June 2017.

Notes:

Attachment 1. – Email dated 6 June 2017

Peter Veneris

From: Cr Greg Verdon
Sent: Tuesday, 6 June 2017 5:08 PM
To: Peter Veneris
Cc: Cr Rodger Schirmer
Subject: August Meeting date

Peter

I have spoken to Roger about moving the August meeting forward 1 week as I am leaving for Europe on 20/8. He has no objections and I would like to have a motion to that effect for next meeting. I will be seeking a leave of absence for September.

Regards

Greg

Sent from my iPad

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 THE ROCK MEMORIAL BOWLING CLUB ON TUESDAY, 6 JUNE 2017 COMMENCING AT 6.05PM.

PRESENT

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

APOLOGIES

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

LEAVE OF ABSENCE

Nil

PECUNIARY/NON-PECUNIARY INTEREST

Nil.

CONFIRMATION OF MINUTES

The minutes of the Meeting held Tuesday, 4 April 2017, as printed and circulated, be taken as read and confirmed on the Motion of M Jenkyn, seconded C Wiese.

1. Tourism & Economic Development Strategy

The revised Tourism & Economic Development Strategy, which includes the short, medium and long-term actions following the economic development strategy workshop in November 2016, was reviewed and approved by the TEDSC committee (attached as a separate document).

Recommendation: That the revised Tourism & Economic Development Strategy be adopted by Council.

Notes:

2. Investment Attraction Incentive Policy

The Lockhart Industrial Park Investment Attraction Incentives Policy, relating to the level of incentives/discounts which may be offered to entice buyers into the Lockhart industrial area, was reviewed and agreed upon by the TEDSC. The TEDSC agreed the Policy and the accompanying Investment Attraction Incentives Scheme Guidelines be recommended for approval (attached as separate documents).

Recommendation: That the Lockhart Industrial Park Investment Attraction Incentives Policy and the Investment Attraction Incentives Scheme Guidelines be adopted by Council.

Notes:

3. Riverina Country Change Campaign

Lockhart Shire Council previously participated in the very successful Riverina Country Change project run by Riverina Regional Development Australia (Riverina RDA). The project effectively provided a promotional platform and lead management mechanism for those considering a move out of metropolitan areas.

While it was disappointing the project was not undertaken in 2016, RDA Riverina confirmed with the TEDO they were looking to revitalise the Country Change project. RDA recently contacted Council and advised they were seeking government funding to re-establish the Riverina Country Change Campaign to attract new residents and businesses to rural areas in the Riverina.

The TEDSC was supportive of the proposed campaign, which includes an initial 4-month promotional campaign, followed by ongoing web and social media promotion, and the distribution of leads to all participating councils. If the RDA's application for funding is successful, the campaign will require a buy in from Riverina LGA's, at a rate of \$5,571 per council. RDA have confirmed no further buy in will be required for the project during the next two years.

As the TEDO has \$3,000 allocated for participation in Country Change in the 2016/17 and 2017/18 budgets, no additional funds are required to support the project. Acknowledging the success of this project previously, the TEDSC recommended participation in the RDA Riverina Country Change Campaign should their application for funding be successful.

Recommendation: That Lockhart Shire Council participate in the Riverina Country Change Campaign should RDA Riverina's application for funding be successful.

Notes:

4. Wall of Fame

The TEDO has received a quotation of \$3,150 to create and install the seven successful nominees for the Lockhart Shire Walk of Fame in Walter Day Park, as previously resolved by Council. The TEDSC acknowledged the importance of continuing to build on the attractions in Lockhart Shire and supported the funding of this project through the balance of the TEDO's 2016/17 promotion and development budget.

The nominated names are:

- John Herbert "Jack" Crawford (World Champion Tennis Player)
- Aubrey John Hodgson (International Rugby Player)
- Judy Kelly (Successful Actress)
- Nancy Mary Weir (Classical Pianist)
- Theodore Delwin Noffs (Founder Wayside Chapel/Ted Noffs Foundation)
- Don Kendell (Kendell Airlines)
- William Norman "Bill" Peach (Television Journalist/Presenter).

Recommendation: That the Lockhart Shire Walk of Fame project be undertaken.

Notes:

5. Go Local in Lockhart Shire

As part of the Go Local in Lockhart Shire campaign to encourage residents in Lockhart Shire to shop locally, the TEDO advised she is investigating the possibility of placing promotional beer coasters in the Lockhart Ex-Servicemen's Club, The Rock Memorial Bowling Club, Yerong Creek Bowling Club and the Pleasant Hills Community Hotel (image attached). The TEDSC were supportive of the project, seeing it as a good way to connect to local people.



Recommendation: That the Go Local Lockhart Shire campaign be supported by distributing promotional beer coasters throughout the Shire as appropriate.

Notes:

6. Current TEDO projects

The TEDSC discussed the possibility of inviting Tim Fischer and another famous face from the Doris Golder Wool Art Gallery collection to participate in a promotion video. This would be great promotion for the Gallery. The TEDO advised she will contact the president of the Lockhart Historical Society to discuss and progress.

Advertising	In addition to the advertising already undertaken by the TEDO regionally and nationally, a number of new opportunities for advertising include participation in the Newell Highway brochure, the North East Victoria/Southern Riverina map (driven by Albury Council), What's on South West (Riverina Murray region), and ongoing inclusion in Narrandera Shire and Wagga Council's new tourism brochures.
Business Survey	Survey is ready to be sent out to businesses in July 2017
Billboard	The TEDSC wondered if billboard is still going to be effective. The TEDO will investigate any available information and has been in touch with Narrandera Council regarding installing on an identified property.
Drovers Way Touring Route	Updated project brief sent to all participating LGAs in order to progress the project. 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.
SOL	TEDO has organised hot air balloon and helicopter flights over the weekend.
Love Lockhart Shire Photo Comp	Included in Lockhart Shire May radio campaign. Closing on 30 June.
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 and painting the Lockhart water tower which Progress could participate in and drive.

The Rock Progress	The Progress Association are looking for funding for the Faerie Tree project. Working on astronomy project. B&S Ball for 2017.
Lockhart Museum	Continuing to work on collections, large grant application submitted. Solar and wi-fi installed.
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	Following discussions with shop owners in Lockhart the TEDO requested prices for installing 20 flags in the main street featuring the words Welcome to Lockhart to create a warmer welcome and an 'open for business' impression. The flags would be strategically placed along the street and business owners would put in and take out the flags. 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 Lockhart Council Chambers on 4 July 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 15 May 2017			
121/17	COUNCIL	Closed Council – Performance Agreement, General Manager GM's Performance Agreement endorsed by Council.	Signature copies of the Performance Agreement have been prepared for execution by Review Committee Members and the GM.
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.	Letter provided to John & Naomi Fox. Meeting set for 28 th June for handover and contract signing, with start date being 1 st July.
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.	Council's solicitor has been instructed to prepare the Contract of Sale. Vendor's solicitor has confirmed agreement to transfer the land for \$1 on the basis of each party meeting its own legal costs.
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.
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.

112/17	GM/ DEES/ DCCS	<p>Innovation Fund Grant Applications Council supports and endorses the following Innovation Fund (Round 2) Grant Applications:</p> <ul style="list-style-type: none"> a) Electronic records management system; b) Risk/WHS/HR systems; c) Joint application with Narrandera Shire Council for Biz Module for accounting; d) Joint application with Greater Hume Shire Council for GPS tracking and electronic on-site systems; e) Joint application with Narrandera Shire Council for Scientifically Evaluation of Seal Useful Life; and f) Joint application with Coolamon, Junee and Temora Councils for implementation of an internal audit program. 	<p>Innovation Fund grant applications close 9 June 2017.</p> <p>Applications were submitted for: (a), (b), (d) and (e).</p> <p>Application relating to f) to be submitted by Temora Shire Council as the "lead council" for the joint application.</p> <p>Complete.</p>
108/17	GM	<p>Council's Application for a Special Rate Variation – IPART Determination Council to make personal and written representations regarding its experience with the FFTF and SRV process and also redouble its efforts to secure grant funding for the nominated projects and in particular the Lockhart and The Rock swimming pools.</p>	<p>Representations being made with the focus on securing funding for the swimming pool refurbishments.</p>
107/17	DCCS	<p>Quarterly Budget Review – March 2017 Adjustments in income, expenditure and reserves in the March 2017 Quarterly Budget Review be adopted.</p>	<p>Completed, presented at May Council Meeting</p>
106/17	GM/ DCCS	<p>Draft Delivery Program 2017-21 and Operational Plan 2017-18 and Budget Council to:</p> <ul style="list-style-type: none"> a) Apply the maximum permissible rate pegging limit 1.5% authorised by the Minister for Local Government in respect to the 2017/18 financial year b) Apply the maximum permissible limit on interest for overdue rates for 2017/18 when advised by the Office of Local Government c) Place the Draft Delivery Program 2017-2021 and Operational Plan Budget 2017-2018 and Delivery Program Budget 2017-21 on public exhibition seeking comments as required under the Local Government Act 1993 d) Sewer Fund Access charge for 2017-18 Council to apply the one standard access Charge for all water meter connection sizes while Council reviews the Best Practice Pricing guidelines with regards to fees and charges for different water meter connection sizes with a view to recommending fees and charges structure for the 2018/19 financial year budget. e) Include a footnote in the Draft Delivery Program 2017-21 and Operational Plan Budget 2017-18 indicating Council's intention to pursue all funding and grant opportunities to undertake the full pool refurbishments. 	<p>Public exhibition period concludes on 14 June 2017. To be presented for adoption at June Council meeting.</p>
102/17	DEES	<p>Livestock Loading Scheme Council to:</p> <ul style="list-style-type: none"> a) Not participate in the Livestock Loading Scheme and continue to assess permit applications on merit as requested, b) Undertake gazettal of all Lockhart Shire Council roads for up to 4.6m high vehicles to General Mass Limits (GML) only. 	<p>Letter provided by Council advising that it is not participating in scheme. Route variation advice provided to NHVR to allow up to 4.6m high vehicles. Complete.</p>

101/17	DEES	<p>Bridge Assessment Reports</p> <p>a) Council to apply for grand 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</p> <p>b) A programme of repair works to upgrade the structures to HML to be put in place, subject to funding applications.</p>	Nil progress to date.
100/17	DEES	<p>Policy – Awnings, Verandahs and Balconies over Footways</p> <p>Council to adopt the “Awnings, Verandahs and Balconies over Footways” policy.</p>	Policy adopted and letters provided to property owners with awnings over footways. Complete.
95/17	DEES	<p>Spirit of the Land Festival Request</p> <p>Council to continue to support the Spirit of the Land Festival and include \$12,000 in its draft budget for 2017/18.</p>	Letter provided to SOL committee advising of continuing council support. Complete.
Ordinary Council Meeting held 18 April 2017			
85/17	GM	<p>Related Party Disclosures</p> <p>Council endorsed Draft Policy 1.20 Related Party Disclosures for public exhibition and will consider and submissions received before formal adoption of the policy.</p>	Public exhibition period concluded on 2 June 2017. To be formally adopted at the June Council meeting.
74/17	GM	<p>LGNSW – Proposed Motion to 2017 Annual Conference</p> <p>b) Authorise the General Manager (GM) to serve orders in accordance with section 124 of the Local Government Act</p> <p>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</p> <p>d) Authorise the GM, DEES and MES to issue penalty infringement notices in accordance with Section 679 of the Local Government Act</p> <p>e) Appoint the GM, DEES and MES as an “authorised officer” pursuant to Section 187 of the Protection of the Environment Operations Act, and</p> <p>f) Adopt revised Policy 2.10.</p>	<p>Amended Policy 2.10 has been incorporated into Council’s Policy Register.</p> <p>Relevant enforcement documentation templates currently being reviewed.</p> <p>Training in issuing Penalty Infringement Notices and other enforcement actions is being arranged for the ‘authorised officers’.</p> <p>Photo ID’s being arranged for officers authorised to enter private property.</p> <p>A Local Orders Policy is being developed and to be presented to July Council meeting.</p>

73/17	GM	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.	Contact has been made with Mr Gordon Sagers, both verbally and in writing. Mr Sagers supports and appreciates Council's initiative. The following wording for the plaque has been agreed with Mr Sagers: - <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> Nil progress to-date.
72/17	GM	Caravan Parks a) Information noted pending a furthermore detailed report b) Council has determined as a matter of policy that caravan parks be short term (holiday park) stays; and c) Expressions of Interest (EOI) be invited for Management of the Lockhart Caravan Park for 1 July 2017 to 30 June 2018 with option of 2 x 12 month extensions on mutual agreement.	More detailed report to be presented at a future Council meeting. Expressions of Interest for the management of the Lockhart caravan park closed on 8/5/17. Interviews with shortlisted candidates currently being undertaken. Report and recommendation to be tabled at the Council meeting (closed section) on 15/5/17. Items (b) & (c) are complete.
63/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting – Volunteer BBQ 2017 Lockhart Shire Volunteer BBQ to be held in Lockhart on Friday, 12 May.	BBQ held at Walter day Park. Complete.
62/17	TEDO	Minutes of the Tourism/Economic Development Steering Committee Meeting – Tourism & Economic Development Strategies and Incentives Strategy to be tabled to the TEDSC for feedback.	Strategy reviewed by TEDSC and being presented to June Council meeting for adoption.
59/17	TEDO	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.	TEDO has contacted SWWCC. Meeting with SWWSS scheduled for 21/6/17.
Ordinary Council Meeting held 20 March 2017			
49/17	DEES	Request for Road Name Change a) Council supported the road name change necessary process to be commenced b) DEES to write back to applicant informing them of Council's decision.	(a) Council has commenced process for name change. Nil progress to-date.

40/17	GM	Residential Subdivision – Carson Rd, The Rock Authority granted for the Deed of Covenant relating to Lots 1 to 5 DP1220989 Carson Rd, The Rock, as presented, to be executed under the seal of Council.	Deed of Covenant has been registered on the titles. Complete.
39/17	GM	The Rock Regional Observatory Project Council, as Trust Manager of the Lockhart Crown Reserve Trust to: 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.	A submission has been forwarded to the NSW Crown Lands Office requesting that “Community purposes” and “Public Recreation” be added as permitted uses of the Reserve for Racecourse and Showground.’ The Rock Progress Association has been advised of Council’s decision and its submission to the Crown Lands Office.
33/17	TEDO	Minutes of the Tourism/Economic Steering Committee Meeting – Shire Signs Designs for the Shire signs to be investigated.	Dependent on budget.
Ordinary Council Meeting held 6 February 2017			
6/17	DEES	Cadet Engineer a) Endorse inclusion of position of ‘Cadet Engineer’ into the organisation structure, and b) Authorise the GM and DEES to sign the Charles Sturt University Memorandum of Understanding for Industry Placement Cooperation.	MOU signed and returned to CSU. Advertisement for position completed and placed on noticeboard at CSU. Interviews scheduled for 26 April 2017. Interviews have occurred. Find out placement week 8 May 2017. Successful candidate confirmed and due to commence on 3/7/17. Complete.
5/17	GM	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.	Meeting held on 1 March 2017. Discussions continuing. Proponents are awaiting outcome of grant application lodged by Museum Committee.
2/17	GM	Notice of Motion - The Rock to Boree Creek Rail Line Council: 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.	Letters of support obtained from neighbouring Councils. Personal and written representations made to newly appointed NSW Infrastructure Co-ordinator. A project proposal is currently being prepared for lodgement under the Fixing Country Rail program (refer separate report to June Council meeting).

Ordinary Council Meeting held 19 December 2016			
345/16	DEES	<p>Swimming Pool Upgrade – Lockhart & The Rock Council:</p> <p>a) Continues undertaking detailed design and planning works for both Lockhart and The Rock pool upgrades to ensure project is shovel ready this year with works funded from Council reserves;</p> <p>b) Continues engaging with respective pool Steering Committees to assist and provide guidance to Council;</p> <p>c) Applies for funding of \$1M for the pools under the current round Building Better Regions Fund; and</p> <p>d) Commence upgrade of the pools in 2016/17, 2017/18 and 2018/19 years' subject to confirmation of grant funding, with project funding being combination of grant funding, third party contributions, loan and Council reserves.</p>	<p>Design works for The Rock buildings commenced.</p> <p>Grant application under BBRF closed 28 Feb 2017. Design work for buildings well advanced. DA's submitted for all works.</p> <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> <p>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</p> <p>b) The item be brought back to Council for further discussion in the 2017/18 FY.</p>	<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			
264/16	DEES	<p>F111 Stabiliser Display, The Rock</p> <p>a) Council supports installation of F111 Stabiliser Fin</p> <p>b) Site meeting to occur to agree position for installation</p> <p>c) Council to meet costs of up to a maximum of \$3,000 in-kind support to complete project (incl. installation of soon to be delivered anchor).</p>	<p>Letter written to The Rock RSL.</p> <p>Displays have been delivered to The Rock. Works to be undertaken in New Year.</p> <p>Welding works for Anchor have been completed. Anchor sand blasted & painted. Concrete works scheduled for after Easter weekend.</p> <p>Displays installed. Further concreting works required when resourcing permits. Complete.</p>
241/16	TEDO	<p>Minutes of Tourism/Economic Development Steering Committee - Town Visitor Information Boards</p> <p>New town visitor information boards to be designed and installed in The Rock and Lockhart.</p>	<p>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.</p>

Ordinary Council Meeting held 18 July 2016			
185/16	DEES	<p>Sewer Financial Plan and Proposed Extension at The Rock</p> <p>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</p> <p>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</p> <p>c) Investigate feasibility of sewerage Council subdivision on Milne Rd in advance of rest of works.</p>	<p>Will commence quotes for design works once Project Officer is engaged.</p> <p>Project detailed design to commence Oct Sept.</p> <p>Quotations being sought for design consultant.</p> <p>Currently liaising with other Authorities for access. Design works 100% complete with finalisation of authorities' requirements almost completed. REF completed. Hope to go to tender in next few weeks.</p>
Ordinary Council Meeting held 16 May 2016			
109/16	DCCS	<p>Old Lockhart Railway Station Building</p> <p>Council to:</p> <p>a) Seek to find a suitable use/tenant for the building</p> <p>b) Begin negotiations with JHR to hand building back, if suitable use/tenant not found within next 6 months.</p>	Ongoing.
92/16	TEDO	<p>Minutes of the Tourism/Economic Development Steering Committee – Virtual Touring Route</p> <p>TEDO investigate the potential to develop Drivers Way as a virtual touring route through the region.</p>	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	<p>Request for Financial Assistance – The Rock Men's Shed</p> <p>a) Suitable lease conditions be negotiated between Council and The Rock Men's Shed.</p>	In progress.
Ordinary Council Meeting held 14 October 2014			
294/14	DCCS	<p>Report of Section 355 Committees - Finances</p> <p>Council to endeavour to meet with all 355 Committees & Pleasant Hills Community Hotel to work with them to understand their costs and future projects</p>	<p>Plan being developed with correspondence to be sent.</p> <p>Workshop material in planning & being developed.</p>
Ordinary Council Meeting held 15 May 2017 – Councillor Questions & Statements			
Councillors' Questions	DCCS	<p>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?</p>	DCCS advised this should not be an issue.
	DCCS	<p>Cr Sharp – Statement – Advised he is getting quite a lot of positive feedback on Council's Monthly Newsletter.</p>	Noted. Complete.
	DEES	<p>Cr Douglas – Yerong Creek Mangoplah Road – Enquired if there are any plans to widen this road?</p>	DEES advised this work already on future capital works programme to commence once The Rock Mangoplah Road widening is completed in the next couple of years. Nil further action at this stage. Complete.

Councillors' Questions	DEES	Cr Marston – Missing Road Signs, Rods Rd, The Rock – Advised Rods Road signs on the Olympic Highway are missing and the No Through Road sign has been knocked down.	DEES will investigate and take appropriate action. DEES advise GHSC of missing signs; LSC has replaced 'no through road' sign. Complete.
	DCCS	Cr Driscoll – The Rock Recreation Ground Toilets – Enquired as to whether mops, toilet brushes and soap dispensers can be provided at The Rock Recreation Ground Toilets as a request has come from campers?	DCCS will investigate and advise.
	DEES	Cr Driscoll – Lockhart Caravan Park – Enquired if would be possible for Lockhart Caravan Park to have a mix of powered and free sites to encourage more visitors to the town?	DEES advised that free camping is already available at the Lockhart Showgrounds and would be better to leave Lockhart Caravan Park for customers who are happy to pay for the privilege of being able to utilise the additional facilities provided at the Caravan Park. Nil further action required. Complete.
	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.	GM advised that this is a good idea and he will instigate shortly.
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.
	DEES	Cr Verdon – Could The Rock Bowling Club become an Emergency Evacuation Centre – Enquired if The Rock Bowling Club could become an Emergency Evacuation Centre?	DEES advised if the Club could write to Council he would present the request to the next LEMC meeting in June 2017. Complete.
	GM	Cr Driscoll – Recent Councillor Training Day Conducted by REROC – Thanked Council and REROC for recent Councillor training day and enquired as to whether further training could be provided to Councillors like the Planning Session conducted by Tony Donoghue.	Feedback has been provided to REROC. Complete.
	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.

Councillors' Questions	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.
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 21 November 2016 – Councillor Questions & Statements			
Councillors' Questions	GM/ DEES	Cr Day – Refurbishment of Lockhart Town Signs – Enquired on status of refurbishing the Lockhart town signs?	GM advised there is no money in current budget for town signs upgrades. DEES advised he will meet with Cr Day to discuss possible works. Cr Day & DEES working on refurbishment of the signs. Staff has removed one of the signs and Cr Day talking with Littlewood signs regarding refurbishing. All signs currently at Littlewoods for refurbishment. All signs now refurbished and to be re-installed shortly. Refurbished signs installed. Complete.

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.
Ordinary Council Meeting Held 17 August 2015 – Councillor Questions & Statements			
Councillors' Questions	DEES	Cr Verdon – Solar Power Concerned about high cost of electricity at public recreation grounds and pools within Shire and enquired if Council has considered solar power, especially for The Rock Recreation Ground?	DEES has spent considerable time/gone to seminars investigating this issue and will be putting a report to Council shortly. DW will also investigate if s355 Committees could come under Council's power supply contract to obtain a saving. DEES has investigated and grouping all electrical accounts into Council account is possible. Staff currently investigation total number of accounts that could be rolled over. Council contract for supply of electricity expires 31/12/2017. Tenders for new supply contract due shortly and opportune time to include these other facilities in the supply contract. New supply contract in place for 1/1/2018. Complete.
Ordinary Council Meeting Held 22 June 2015 – Councillor Questions & Statements			
Councillors' Questions	Cr Day	Cr Day - Milbrulong Silos Cr Day will talk to Graincorp about Milbrulong silos and possibility of obtaining more land for bunkers – maybe eastern end of Lockhart Industrial Park?	Nil other land available. No further action at this stage. Complete.

19 June 2017 Council Meeting - Correspondence Sent to Councillors

Date to Councillors	From	Subject	File Ref
15/05/17 (e-mailed)	Mick Flinn, The Rock RSL Sub-Branch	Thank you for work assisting the installation of ships anchor and F111 stabiliser in The Avenue of Honour at The Rock	C63-015
15/05/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #18 – 12 May 2017	S20-007
15/05/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
15/05/17 (e-mailed)	ALGA News Editor	ALGA News 12 May 2017	A75-005
22/05/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #19 – 19 May 2017	S20-007
22/05/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
22/05/17 (e-mailed)	ALGA News Editor	ALGA News 19 May 2017	A75-005
26/05/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #20 – 26 May 2017	S20-007
26/05/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
26/05/17 (e-mailed)	ALGA News Editor	ALGA News 26 May 2017	A75-005
01/06/17 (e-mailed)	Gladys Berejiklian, Premier, Dominic Perrottet, Treasurer, NSW Government	Media Release – Fire and Emergency Services Levy to be Reviewed to Ensure Fairness	R10-017
02/06/17 (e-mailed)	ALGA News Editor	ALGA News 2 Jun 2017	A75-005
05/06/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #21 – 2 June 2017	S20-007
05/06/17 (e-mailed)	Cr Keith Rhoades, LGNSW	President of LGNSW Weekly Update	S20-007
09/06/17 (e-mailed)	Miriam Dayhew, Charles Sturt University	Murray Darling Medical School Advocacy	D22-005
09/06/17 (e-mailed)	Cr Keith Rhoades, LGNSW	LGNSW Weekly #22 – 9 June 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 May 2017 meeting, Council requested a report on the consideration of providing liquid soap dispensers in all the Shire's public toilets.

Report

Council's public toilets are currently at 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.

Twenty-two (22) soap dispenser units would be required to fit out all these toilet facilities with soap dispensers. Good quality units can be sourced at \$39 per unit. Installation can be facilitated internally with the hours charged to the overall cost of dispensers.

If soap dispensers are to be installed, it would be expected that paper towel or electric dryer also be installed.

Council is investigating the long-term feasibility of paper towels versus electric hand dryers. When these investigations are complete, a report will be provided to Council.

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

- Soap dispenser units 22 @ \$39 = \$858 plus labour to install.
- There is no current budget allocation.

Attachments

Nil.

Recommendation: Interim report for Council's information.

Notes:

STRATEGIC DIRECTION B: A Dynamic and Prosperous Economy

2. LOTS 1 TO 5 CARSON ROAD, THE ROCK

(GM/C80-006)

Executive Summary

Authority to execute Transfer documents under Council's seal is required to facilitate the completion of the Contracts of Sale exchanged in relation to Lots 1 to 5 Carson Road, The Rock.

Report

As previously reported to Council, Contracts of Sale have been exchanged for all five lots in the first stage of Council's residential subdivision at Carson Road, The Rock.

In accordance with a resolution of Council passed on 20 March 2017 a Deed of Covenant was prepared by Council's solicitor for registering on the Titles of the subject Lots. The purpose of the Deed was to register a Restriction on Use on the Titles prohibiting further subdivision of the land into smaller lots.

It was necessary for this Restriction on Use to be put in place prior to any of the sales being completed. Council's Solicitor has now confirmed that the Deed of Covenant has been registered on the Titles.

Contracts were exchanged on the basis of settlement being due in six months from the date of exchange. However, two of the purchasers have requested an earlier settlement. There is no reason why settlement cannot take place earlier now that the Restriction on Use has been registered.

In order to enable settlement to occur it is necessary to obtain Council's authority to execute the relevant Transfer documents under Council's seal. It is recommended that Council grant authority to execute the Transfer documents under seal for all five Lots so that the settlements can occur for all five Lots as they fall due. This will overcome the need to present a separate report to Council for each individual settlement.

Integrated Planning and Reporting Reference

B3.4.1 – Provide strong strategic direction for economic development within the Shire.

Legislative Policy and Planning Implications

Contracts of Sale have been exchanged for Lots 1 to 5 Carson Road, The Rock.

At settlement, and upon receipt of the balance of the purchase price, Council is required to provide the purchaser with the original Certificate of Title and a Transfer document executed under Council's seal.

Budget and Financial Aspects

At the request of the purchasers, two of the five sales might now be completed before the end of the current financial year. The remaining three Contracts are scheduled for completion in 2017/18.

The proceeds from the sales will be placed in the Future Infrastructure Reserve to help fund the development of the next stage of the subdivision.

Attachments

Nil.

Recommendation: That authority be granted to execute the Transfers and related documentation for the sales of Lots 1 to 5 DP1220989 Carson Road The Rock, under Council's seal.

Notes:

STRATEGIC DIRECTION C: An Environment that is Respected and Protected

3. BIOSECURITY AND ENVIRONMENTAL REPORT

(DEES/N10-025)

Executive Summary

Monthly report on biosecurity and environmental matters.

Report

Weeds

Property Inspections

The majority of inspections were carried out on residential properties, prompted by notification of a change of ownership, and notification of the presence of weeds from the general public.

The weeds most commonly found were Privet (*Ligustrum* sp.), Green Cestrum (*Cestrum parqui*), St John's Wort (*Hypericum perforatum*), and Horehound (*Marrubium vulgare*).

Other weeds found in lower frequency were Prickly Pear (*Opuntia* sp.), Bridal Creeper (*Asparagus asparagoides*), Tree of Heaven (*Ailanthus altissima*), Sweet Briar (*Rosa rubiginosa*), Lippia (*Phyla canescens*), Silverleaf Nightshade (*Solanum elaeagnifolium*), and Asparagus Weed (*Asparagus* sp.).

No. 1 st Inspections	No. Re-inspections required	No.2 nd Inspections	No. Sect 18A's issued	No.3 rd Inspections	No. Section 18's issued
9	4	6	0	1	0

Spray Program

Priority for spraying has been given to the control of Horehound (*Marrumbium vulgare*), Silverleaf Nightshade (*Solanum elaeagnifolium*), Bridal Creeper (*Asparagus asparagoides*), Sweet Briar (*Rosa rubiginosa*), St John's Wort (*Hypericum perforatum*), African Boxthorn (*Lycium ferocissimum*), Privet (*Ligustrum* sp.), Prairie Ground Cherry (*Physalis hederifolia*) and Feathertop Rhodes Grass (*Chloris virgata*) on roadsides within the Shire.

Pests

Common White Snail

In response to the recent precipitation, baits were applied to Fairview Lane on 16 May. Very few live snails were found to be present during baiting, yet later in the month larger numbers were found, possibly as a result of the warmer than normal autumn temperatures. Burning of the vegetation on Fairview Lane has been undertaken in June, to deplete the organic matter that is present, which provides both shelter and food for the snails.

Biosecurity Matters

Biosecurity Act 2015

The Biosecurity Act 2015 repeals ten pieces of legislation, including the Noxious Weeds Act 1993, with the aim of incorporating biosecurity implications at a state level. The Biosecurity Act 2015 is set to commence on Saturday 1st July. The Biosecurity Regulation 2017 is currently in draft, and a final version will be released in June.

The majority of supporting documents, including templates, are currently under development and will be available from July 1, through the Department of Primary Industries. These documents will be provided to ensure consistency throughout the State, rather than each council producing individual documentation.

From July 1, when the Biosecurity Act 2015 becomes enforceable, the term 'noxious weeds' will no longer exist. Instead, the Biosecurity Act refers to 'biosecurity matter', defined as any living thing (other than human), disease, prion, contaminant or disease agent which has the potential to cause a biosecurity impact, that is, an adverse effect on the NSW economy, the environment or the community. This may be various things, including stock diseases, insects, plant diseases etc., and therefore, various control authorities have power under the Biosecurity Act.

As for Councils, they are responsible for enforcing the NSW Biosecurity Act 2015 and regulations only in respect to weed management. This includes activities such as: conducting weed inspections on public and private property; inspecting and controlling weeds in high risk pathways and sites; providing education, training and resources for both the public and staff in relation to weed management; administering and ensuring compliance of the regulatory tools; responding to breaches of the Act; and notifying and reporting on weed activities to the Biosecurity Information System (BIS).

Fortunately, the Biosecurity Act 2015 claims to provide modern, flexible tools and powers that allow effective management of pests and diseases, weeds and contaminants across the landscape regardless of whether it is private or public land. It also provides for risk based decision making that enables a flexible approach to responding and managing biosecurity risks regardless of the type of biosecurity matter.

For clarification, weeds which are considered as prohibited matter are now listed in the Biosecurity Act 2015. Prohibited matter is biosecurity matter that is considered as of extreme or high risk. The list includes State priority weeds that are not present in NSW, or may be of national interest, and the objective is to prevent these weeds from establishing in NSW.

State priority weeds are listed in the Biosecurity Regulation 2017, and are present in limited distribution and abundance in some parts of the State, and where the elimination of the biosecurity risk posed by these weeds is reasonably practicable. Other weeds listed in the Biosecurity Regulation 2017 are State priority weeds which are widely distributed in some parts of the State. While broad scale elimination is not practicable, minimization of the biosecurity risk posed by these weeds is reasonably practicable and containment is the management objective.

The Riverina Regional Strategic Weed Management Plan 2017-2022 (the Plan) lists regional priority weeds for the Riverina region, with varying degrees of biosecurity risk, ranging from weeds that are not currently found in the region, to weeds present in limited distribution and abundance, to broad scale weeds that can be contained, as well as weeds that are of concern to the region.

The Plan (attached) has been developed by the Local Land Services in conjunction with Council and associated State Government Agencies in the Riverina. In May, the Riverina Local Land Services Board endorsed the Plan, and Council is required to do the same, to demonstrate our commitment to weeds in the region.

In addition to these weeds lists, Lockhart Shire Council will be developing an additional list specific to our Shire. This local priority weeds list will be developed in consultation with the community, following implementation of the new Act. Inclusion of weeds in this list will be based on:

- those species which are absent from the Shire but present regionally
- those that Council has previously committed extensive expenditure and labour to ensure control and management;
- and those that present invasive pressures from neighbouring shires.

To support implementation of the new legislation, Council's Environmental Officer completed ten online Biosecurity NSW Legislation Training modules provided by the NSW DPI. The modules included: Legislation and the Biosecurity Act 2015; Biosecurity Duties and Risk Based Decision Making; Biosecurity Emergencies; Management Tools; Powers of Authorised Officers; Enforcement and Compliance; Accreditation, Certification and Auditing; Prohibited Dealings, Biosecurity Registration and Traceability Systems; Fees, Cost Recovery Orders and Compensation; and Permits.

Training involved a tutorial for each module, as well as comprehension of each study guide, followed by an assessment task. This online training is available to the general public. This training was then complimented by face to face training provided by NSW Department of Primary Industries staff in early June, to which the Environmental Officer and Manager Environmental Services attended. The training was crucial in learning how to interpret and apply the new legislation.

Environmental Matters

Fire, Fauna, Weeds and Ferals Conference

In May the Environmental Officer attended the Fire, Fauna, Weeds and Ferals Conference. Topics that were explored included: the flammability of native and introduced plant species; the predation of feral animals following a fire event and their impact on native fauna; weed species response to a fire event with respect to various fire intensities; fire intensity implications on the soil seedbank for both native and weed species; weed species response to combinations of chemical application and fire regime; ecological burns; cultural burns; implications for fauna through the loss of habitat and protection from prescribed fires; and community engagement. These topics will be integrated into the management of high conservation areas, incorporated into the management for controlling weeds, and considered in future project management.

Galore Hill Scenic Reserve

The final operation for the Galore Hill Scenic Reserve Rehabilitation Project occurred on the 16 May. Direct seeding occurred in the designated degraded site, containing seed from species that are locally native to the area, and consists of mostly shrub species as this is the layer of vegetation that is largely absent from the site.

Integrated Planning and Reporting Reference

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

Legislative Policy and Planning Implications

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

Budget and Financial Aspects

Will be conducted within Councils allocated budget.

Attachments

1. Riverina Regional Strategic Weed Management Plan 2017-2022 (attached as a separate document).

Recommendation: That:

- a) Council adopt the Riverina Regional Strategic Weed Management Plan 2017-2022, and
- b) The information in this report be noted.

Notes:

4. LETTER OF PETITION – 32 FERRIER STREET, LOCKHART

(DEES/B35-040)

Executive Summary

Council has received a letter of petition regarding the condition of the residence at 32 Ferrier Street, Lockhart.

Report

Council has received a letter of petition regarding the condition of the residence at 32 Ferrier Street, Lockhart. Staff are aware of the condition of this property through previous complaints and have also had previous discussions with the owners. Staff have since met with the owners of the property and are working through options to resolve the matter.

In addition, staff are preparing an "Enforcement Policy" and "Local Orders Policy" to assist in dealing with matters like the one raised in the petition. This will be the subject of a detailed report to Council at the July 2017 meeting, at which an update regarding 32 Ferrier Street will also be provided.

Integrated Planning and Reporting Reference

C2.3 - Ensure responsible development practices are exercised.

Legislative Policy & Planning Implications

- Local Government Act 1993 - s8A, s96, s124, s159, s165, s191, s678 & s679.
- Protection of the Environment Operations Act 1997 - s187.

Budget and Financial Aspects

Unknown at this stage and will be subject to what course of action is agreed.

Attachments

1. Letter of Petition re. 32 Ferrier Street, Lockhart, received 2 June 2017.

Recommendation: That the information be noted.

Notes:

Attachment 1. - Letter of Petition re. 32 Ferrier Street, Lockhart, received 2 June 2017

Attention: General Manager and Councillors OF Lockhart Shire Council

Letter of Petition Re 32 Ferrier Street Lockhart

GM sighted

File No:	835-040		
Log:	22600		
	INFO REPLY REPORT		
GM	<input checked="" type="checkbox"/>		
DCCS			
DEES			
MES			
HR			
VEDO			

*6/6
8/6/17*

We formerly submit a petition in regard to the state of dis-repair of the residence at 32 Ferrier Street Lockhart.

1. The home is beyond repair with roof cladding missing from the roof.
2. Verandah boards are loose, broken and in dis-repair.
3. The house is never locked and youth of Lockhart have broken into the home.
4. The interior of the property is littered with rubbish, clothing and broken furniture etc.
5. Vermin has been seen and neighbours in the area have had snakes, rats, mice and possums in their properties. Many of these infestations have been reported to Council.
6. The yard is a significant problem in the summer months and a fire could easily be lit with disastrous results to the property and neighbouring homes.
7. The property significantly devalues real estate in the area and in the Lockhart township

Some of the undersigned have written to council or have spoken to council staff with regard to many of the above issues.

It was noted last year that an attempt had been made to have the garden mowed. This involved a lawn mower mowing a strip from the driveway to the garage and out again.

Since this attempt no further action has been made to clean up this property.

We request Lockhart Shire Council undertake action to have the existing infrastructure removed, the allotment cleaned of rubbish and weeds so that the allotment can be maintained in a manner that will assist with attracting another resident to construct a home in Lockhart.

Attached – Signatures of Lockhart Residents

1 of 3

No.	NAME	ADDRESS
1	JAMIE ANDERSON 0459 204665 m	31 FERRIER ST LOCKHART
2	DAVID ANDERSON	118 GREEN ST LOCKHART
3	P. M. Smith.	307 FERRIER ST LOCKHART
4	May	67 BROOKING ST LOCKHART
5	JEAN Gooden 0429205181	29 Green Street Lockhart, 2656.
6	Moya Gooden 0429205180	29 Green St Lockhart.
7	Jean Turner 24 Green Street Lockhart.	
8	John E Smith John E Smith Suburb	30 Ferrer St Lockhart
9	David Mulvey.	26 FERRIER ST LOCKHART
10	Doss Matthews m	27 Ferrer St lockhart m

2 of 3

11	n mitchell	33 Ferris St Lockhart
12	Barry Love	28 Ferris St Lockhart.
13	DARRELL CARTER	18 HEBDEN ST LOCKHART
14	Kevin Peterson	19 Hebdon St Lockhart
15	John MATUSIAK	25 FERRIER ST LOCKHART
16	Speedy Lockhart	38 Green St Lockhart 2656
17	Noble Jeffery	36 Green Street LOCKHART NSW

18	George Rappley 45 Rhey	21 Green St Lockhart.
19	IAN KING Ian King	23 Green St Lockhart
20	COL SCHRAMER Col Schramer	25 GREEN ST LOCKHART NSW 2656
21	Jon R Smith	33 Green St Lockhart, 2556
22	K.M. Smith	33 Green St Lockhart 2656
23	CHRISTINE MONTGOMERY C Montgomery	38 Jennien St Lockhart 2656
24	Roger & Jean Goodie on behalf occupants 27 Green St.	27 & 29 Green St Lockhart.
25	JUDY MATUSIAK Judy Matusiak	25 FERRIER ST LOCKHART 2656

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

5. ENGINEERING REPORT

(DEES/T10-005)

Executive Summary

Monthly report on engineering matters.

Background Information

(a) *Works Report:* Construction projects have been progressing well despite cooler weather and some recent rain. The Urana Lockhart Road Causeways Upgrade project is almost complete with sealing and tidy up works to finish off. Grubben Road Upgrade is now completed. Re-sheets of various gravel roads is well advanced and due for completion shortly.

Two grader crews are currently on re-sheets, and then will move to maintenance grading. Council is slightly behind scheduled maintenance grading due to a larger works program this year as all crews have undertaking construction projects. It is envisaged that this will be caught up over the coming months.

Resealing programme for 2016/17 is now also complete.

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.

Only major PAMPS project this year is the sealing/completion of path from The Rock to The Rock Hill Nature Reserve. This work has now commenced and due for completion shortly.

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

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

(d) *Traffic Committee:* Traffic Committee has approved safety and warning signage for the newly sealed Grubben Road, as well as reported trouble spots on intersection of Tinamba & Wattles Lanes, Yerong Creek Mangoplah Road near WWCC boundary and Bidgeemia Road near JR Smith Lane.

(e) *Lockhart Local Emergency Management Committee:* Next meeting is scheduled for Friday, 16 June 2017.

(f) *Fleet:* The jetpatcher has been delivered. The emulsion tank is now expected to be delivered before the end of June 2017.

Legislative Policy and Planning Implications

Nil.

Integrated Planning and Reporting Reference

D3.1 – Develop infrastructure for our community.

Budget and Financial Aspects

Will be conducted within Council's allocated budget.

Attachment

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

Recommendation: That the information be noted.

Notes:

6. 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 by the end of June 2017. Development Approval (DA) has been granted for the amenities upgrade at Lockhart pool.
- b) *The Rock Sewer Extension:* The Survey and design works have been completed. The final documents are being compiled and expect to go to tender by June 2017.
- c) *The Rock STP Tertiary Ponds Upgrade:* The construction work on the new ponds has been completed with plumbing of the pipe work nearly completed and the security fencing to be done in the next few months.
- d) *Demolition of Voluntary Purchase Properties:* Demolition work of the Day Street house at The Rock is completed. 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 July. 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:

7. PARKS AND GARDENS REPORT

(DEES/P10-005)

Executive Summary

Monthly report on parks and gardens.

Report

Playgrounds

A replacement spring rocker and new powered coated platforms to replace the split and weathered plastic-coated platforms on the existing equipment have been delivered for installation at Stan Galvin Park; completing the upgrade of the playground which also included a new double swing set and Cellula Rope Unit.

New platforms have been installed at Lockhart Recreation Ground and a four-way spring rocker has been delivered. The installation of the new rocker will be the culmination of the refurbishment that started last financial year.

New spring rockers have also arrived to replace the two aging rockers at Yerong Creek Recreation Ground.

A replacement slide also had to be ordered for Wal Alexander Park; the old slide had deteriorated and become brittle.

A rotary hoe has been used to rejuvenate the softfall at all Shire playgrounds.

Galore Hill Nature Reserve

Work to redefine the Morgan's Cave and Summit to Saddle walking tracks has continued, including installation of signage stating estimated walking times and directional arrows. The refurbished geodetic sign has been reinstalled at the top of the lookout tower.

Crews have also been assisting with another granted funded project to remove dead shrubs and trees in the old plantation sights to clear the ground for direct seeding of indigenous species. The plant markers for these specimens are also being removed along with some old fencing.

Parks and Gardens

Irrigation systems have been turned off at most sites. Hand watering has been reduced due to rain and cooler temperatures. Routine garden maintenance is being conducted including regular weeding, spraying, pruning, redefining garden edges and some replacement planting and transplanting. The Shire's roses are still flowering well and being deadheaded regularly. Winter pruning will be scheduled toward the end of July and into August.

Tree

The annual pruning of the Shire's many Peppercorns has been completed. Pruning of urban lanes and formative pruning of smaller street trees will continue throughout winter.

Mowing and Slashing

Milbrulong, Lockhart airstrip and Osborne Recreation Ground mowing has been completed. Pleasant Hills and Munderwaddy Cemetery will be scheduled in the next month, weather permitting. Mowing and edging of most irrigated areas is still being conducted fortnightly, growth has started to slow however.

Weed Control

Regular weed control is being conducted on Council property including hand spraying and weeding of gardens. Khaki weed and catheads have been prevalent this season due to regular rain throughout most of summer; known problem areas will be noted for attention next season.

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:

8. 2017 NSW LOCAL ROADS CONGRESS

(DEES/P55-010)

Executive Summary

The Director of Engineering and Environmental Services and Mayor Schirmer attended the NSW Local Roads Congress in Sydney on 5 June 2017.

Report

IPWEA holds an annual NSW Local Roads Congress at Parliament House in Sydney. This year's congress was attended by the Director of Engineering and Environmental Services and Mayor Schirmer on Monday 5 June 2017.

The communiqué of the conference is attached for information. There were a variety of speakers from the Office of Local Government, Roads and Maritime Services (RMS), MP's, Infrastructure NSW, Transport for NSW, as well as Council Engineers.

One of the main themes to come out of the Congress is for Councils to have a 'Road Safety Plan'.

The Congress also provided opportunity for both Director and Mayor to network with NSW Government staff on various funding wishes of the Shire, as well as being able to keep Lockhart Shire at the forefront of the State Government's minds.

Integrated Planning and Reporting Reference

D2 – Improved transport safety and accessibility.

Legislative Policy and Planning Implications

Nil.

Budget and Financial Aspects

Nil.

Attachments

1. 2017 NSW Local Roads Congress Communique.

Recommendation: That the information be noted.

Notes:

Attachment 1. – 2017 NSW Local Roads Congress Communiqué

NSW LOCAL ROADS CONGRESS
Making Our Roads Work
5 June 2017
Congress Communiqué

The NSW Roads & Transport Directorate, a partnership between Local Government NSW and the Institute of Public Works Engineering Australasia (IPWEA), in holding the 2017 NSW Local Roads Congress resolved to announce the following communiqué.

The Congress recognizes the contribution of other levels of Government in providing ongoing financial assistance for the management of local roads and infrastructure, particularly in regional areas through:

NSW Government

- Rebuilding NSW
- Regional Road Block Grant and REPAIR Programmes
- Fixing Country Roads
- Fixing Country Rail
- Fixing Country Truck Washes

Australian Government

- Bridges Renewal Programme
- Heavy Vehicle Safety and Productivity Programme
- Black Spot Programme
- Roads to Recovery Program
- Financial Assistance Grants

While the funding of the Roads to Recovery Programme has been maintained with \$4.4 billion from 2013–14 to 2020–21 for the construction, repair and upgrade of local roads, it is critical to the management of council roads there is a need for this funding to become permanent and for the quantum to be increased to support regional freight connections and to provide efficient links between areas of production and national and international ports and markets.

Local Government acknowledges the key role that these funding programs provide in assisting to address social equity, road safety and drive the economy, noting the particular importance of providing support to regional communities. These capital funding programs are vital to supporting productivity improvements by addressing the ‘first mile’ issues on local and regional roads, to open up access by higher productivity freight vehicles to improve transport efficiency.

The chronic under-funding of basic road resurfacing and renewal works is contributing to worsening road safety outcomes as evidenced by the increasing road toll on local and regional roads. The Congress notes with concern:

- the increasing proportion of fatal and injury crashes occurring in regional NSW, now representing 67% of fatalities
- the increasing proportion and number of fatal and injury crashes occurring on Council roads, now representing over 45% of crashes
- the high percentage of pedestrian fatalities, now representing 18% of all road related deaths in NSW

Information collected by IPWEA (NSW) indicates that very few councils have adopted a Strategic Road Safety Plan as part of their suite of strategic planning tools. This must be addressed to ensure that councils are considering the road safety implications of all the activities they undertake.

The NSW Local Government Road Safety Officers programme is a key part of addressing the road safety issue. The current three year funding program is creating uncertainty for Councils and making it difficult to retain qualified Road Safety Officers. The Congress calls on the NSW Government to make a long term commitment to the NSW Local Government Road Safety Officer programme.

The Congress fully supports Australian Local Government Association's (ALGA) call for:

- A Local Government - Higher Productivity Investment Plan of \$200m per year over 5 years be provided by the Federal Government to facilitate increased freight access on local roads by addressing current barriers to effective implementation of the Heavy Vehicle National Law
- A Local Government Community Infrastructure Program of \$300m per year over 4 years to help achieve important social and regional policy outcomes, including attraction and retention of skilled workers, preventative health, social cohesion and tolerance, stronger social capital and community resilience and better access to broad-based education, learning and employment.

The Congress fully supports The Local Government NSW (LGNSW) *Submission on the NSW Budget for 2017/18* publication in relation to road and transport infrastructure issues, principally the focus on: *“investment in local infrastructure - roads in particular – as the logical, crucial “last mile” of its infrastructure strategy and a key part of the NSW Government’s urban and regional planning agenda, driven by population growth, demand for housing and the need for liveable communities”*.

The Congress notes the significant impact the skills shortage in professional personnel is having on delivering outcomes for the community and calls on the Australian and NSW Governments to work with Local Government to build the capacity of existing professional personnel and support an increased number of cadetships across the Local Government sector.

To further the outcomes of this Congress, the Congress calls on Governments to take the following measures:

NSW Local Government

The Congress calls on all Councils in NSW to:

1. progress the Congress Communiqué by all Councils writing to the relevant Ministers and their local NSW and Australian Government MPs seeking their support for the Congress outcomes
2. continue to improve asset management performance including working with the Office of Local Government to provide transparency and consistency of infrastructure measures within the Integrated Planning & Reporting framework
3. pro-actively address the skills shortage issue by incorporating measures within each Council’s Workforce Strategy to:
 - a. build capacity within the Local Government sector by supporting ongoing training and knowledge sharing, including within regional groups and peak professional bodies
 - b. implement a cadetship program with appropriate experiential development and mentoring programs to develop the skills needed to deliver services to our communities in the short and long term
4. actively support the pursuit of innovation and use of improved techniques to better meet community needs.
5. implement Road Safety Auditor training of existing staff available through the partnership with IPWEA NSW and Transport for NSW to develop the specialist skills within all Councils
6. develop strategic road safety plans by no later than 30 June, 2019
7. support long term asset management of local roads by extending membership of Weight of Loads Groups to include a greater number of councils across NSW

NSW Government

The Congress calls on the NSW Government to:

1. work with the LG sector to develop improved infrastructure reporting including 10 year forward infrastructure schedules based on condition, functionality and capacity requirements needed to service the community, now and in longer term
2. develop a sustainable infrastructure funding framework and model utilizing the Integrated Planning and Reporting Framework as the basis gathering an aggregated funding picture for NSW Councils
3. work with the Australian Government to redistribute additional Federal Assistance Grants within NSW to regional to address social equity and reduce the infrastructure renewal funding gap. Any reduction in funding for metropolitan councils to be offset by a one off approval to increase rates above the approved rate cap
4. develop a more meaningful rating system for Councils as an incentive to meeting population density targets, and ensuring Councils are financially sustainable, including consideration of rating vertically to recognize the demands placed upon Councils from high density development
5. continue to provide resources to Local Government for the management and upgrade of transport infrastructure, particularly to address the declining condition of bridges, open up opportunities for higher productivity vehicles
6. implement a new Active Walking Programme to supplement the existing Active Transport Programme, to address the deficiency in footpaths and pedestrian facilities
7. implement a programme through the Department of Planning to develop strategies to determine and mitigate the cumulative impact of State Significant Development, e.g. mining, on communities and transport infrastructure beyond the immediate development area
8. undertake meaningful engagement with Local Government across the regions including to develop the NSW Transport Plan, Regional Transport Plans (inclusive of Freight Plans and identified intermodal options), NSW Freight and Ports Strategy and NSW Road Safety Plan
9. ensure all transport and freight plans refocus on the proposed solutions to provide an integrated network of rail, road transport, intermodals and address the need to overcome institutional impediments to access to rail
10. increase the Regional Roads Block Grant funding to address the \$89 million per year funding gap on Regional Roads
11. commit to ongoing council involvement in existing RMCC arrangements on the state road network
12. support for councils to work with local businesses and communities to implement local and regional Climate Change Plans - particularly in relation to infrastructure.
13. re-assess all environmental legislation to provide clarity and allow road safety to be addressed within road reserves in an efficient and cost effective manner within Local and Regional Road reserves
14. Consider broader landscape solutions, including the current sale of Crown road reserves and the proposed biodiversity funding programs, to address sustainability of fauna and flora, outside of the road corridors.
15. Support councils financially in developing and implementing strategic road safety plans as part of the implementation of the NSW Road Safety Plan 2021
16. Increase financial support for Weight of Loads groups for better road asset management and road safety.
17. to improve reporting and sharing of data with Local Government for emergency situations (road closures etc.)
18. Actively support, and commit to working collaboratively with, the Regional Infrastructure Coordinator, particularly in improving the delivery of road infrastructure across NSW.

NSW & Australian Governments

The Congress calls on the NSW and Australian Governments to:

1. Work with Councils to develop improved integrated regional transport plans
2. Continue the funding to Local Government under grant programmes such as *Fixing Country Roads* and the *Bridges Renewal Programme*
3. Build upon the Fixing Country Rail Programme to target the reduction of freight loads on local and regional roads, including resolving institutional impediments for access to existing rail
4. Provide transport linkages, both rail and road, to the future inland rail line to ensure the best productivity outcomes for NSW and Australia.
5. ALGA work with COAG, informed by IPWEA, and other State LG peak bodies and, to develop a new National Infrastructure Partnership for the three tiers of Government for smarter long term investment planning in transport and community infrastructure.
6. Review the National Disaster relief payments scheme to
 - Establish turnaround times by Government for approvals of works to mitigate the risk of managing damaged road networks
 - Allow Councils to determine the most efficient and effective method of delivery of works, either by day labour or contract
 - Allow Local Government to utilize the funding for betterment of affected assets, to reduce future potential damage, risk and inconvenience to our communities

Australian Government

The Congress calls on the Australian Government to:

1. Work with the NSW Government to review the distribution of Federal Assistance Grants in NSW, having regard to social equity for regional communities with lower populations
2. progressively increase funding to Local Government tied to a percentage of the GST equivalent to 1% of National GDP
3. permanent doubling of Roads to Recovery (to at least \$700 million per annum) from 2019-20
4. reinstate the funding gap created by the FAG indexation freeze and to fund the gap into the future
5. require ARTC to identify, consider and address community infrastructure impacts resulting from increased use of rail freight, as part of their future "Capacity Strategy Plans."

Australian Local Government Association

The NSW Congress seeks the support of ALGA to deliver the NSW Roads Congress outcomes.

Further enquiries:

Warren Sharpe OAM, President IPWEA (NSW) - 0409 398 358

Garry Hemsworth, Director IPWEA (NSW) – 0427 432 216

Mick Savage, Manager Roads & Transport Directorate - 0418 808 085

9. DEVELOPMENT APPLICATIONS

(MES/P25-010)

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

DA No	Development	Applicant/Owner	Site of Development
37/17	Change of use to existing Class 10 building	RV & JA Gooden	45 Hebden St, Lockhart
38/17	New detached Colorbond shed	Gerald Rainbird	52 King St, The Rock
39/17	Extension to existing shed	Terry Chandler	2-8 Osborne St, The Rock
40/17	New detached Colorbond shed	Chris Wetherell	4 Nicholas St, The Rock
42/17	RV Camping Site	James Van Strijp	4760 Olympic Hwy, The Rock

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:

10. VARIATION TO DCP – BUILDING LINE SETBACKS

(MES/P25-005)

Executive Summary

Council have received a request for variation to the building controls in the Lockhart Development Control Plan 2016 (DCP), for works proposed at 24 Yerong Street, The Rock.

Report

The Lockhart DCP has been introduced with the aim of providing efficient development that positively responds to the character of existing villages. In this instance, building line setbacks have been adopted to allow for correct siting of buildings relative to each other, the public domain and natural features, while also maintaining safety, privacy, noise amelioration, views, streetscape, provision of services, retention of vegetation and protection of sensitive areas.

An existing residence at 24 Yerong Street, The Rock, pre-dates these setback requirements, with a current reduced setback of 4.2m (approx.). The current requirement for block of this size is 6.5m.

The owner plans to either extend the existing dwelling, or demolish and re-build to a similar design while maintaining a similar reduced setback - Council's resolution being the determining factor. The owner's preference is to demolish and rebuild with a reduced building line setback. A development application will be lodged based on Council's decision.

Under the DCP, an extension to the existing dwelling is not subject to the building line setback controls from the property frontage. A 3m setback from the side boundary will still apply, however, as the land is a corner allotment. Meanwhile, if the dwelling is demolished and re-constructed, the DCP does require a complying building line setback of 6.5m.

The land at 24 Yerong Street The Rock is not an unreasonable size, measuring 1000m². However, the owner argues that the position of existing sheds, and the mandatory 3m side setback from Wilson Street, leaves a far smaller building envelope for the dwelling, and hence the reason for wanting a reduced building line setback from the front. Before determining the request, Council should consider the following:

Precedence

In Yerong Street, there are no buildings that comply exactly with the 6.5m setback. Some measure to only 4.2m, while others extend to over 8m. No consistency applies, and this inconsistency extends around onto Wilson Street as well. Most of these existing homes pre-date Council's building line setback controls.

Impacts on street aesthetics

The existing dwelling at 24 Yerong Street, The Rock, is constructed with a reduced building line setback of 4.2m, and while this is substantially less than the control requirement, the large nature strip and street trees maintain a wide street appeal without impacting on vision and safety of road users. From a road user's perspective, the variation in building line setbacks is not immediately obvious, and is more largely influenced by landscaping and fences to property frontages.

Objectives of the control requirements

The nature strip fronting the properties along Yerong Street does not have a footpath, and nor does it contain any of Council's critical utilities. The average sizes for lot frontages are 25m, and lot sizes are equal to or greater than 900m², thereby providing adequate light, ventilation and privacy around residential buildings.

Based on this information, and considering the current location of the dwelling, it would be difficult to justify denying the request for a reduced building line setback of 4.2m from Yerong Street.

Integrated Planning and Reporting Reference

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

Legislative Policy & Planning Implications

The Lockhart Shire Development Control Plan is pursuant to Division 6 of the Environmental Planning and Assessment Act 1979, and sets out Council's controls for building and development in conjunction with the Lockhart Local Environmental Plan 2012.

Budget and Financial Aspects

Nil.

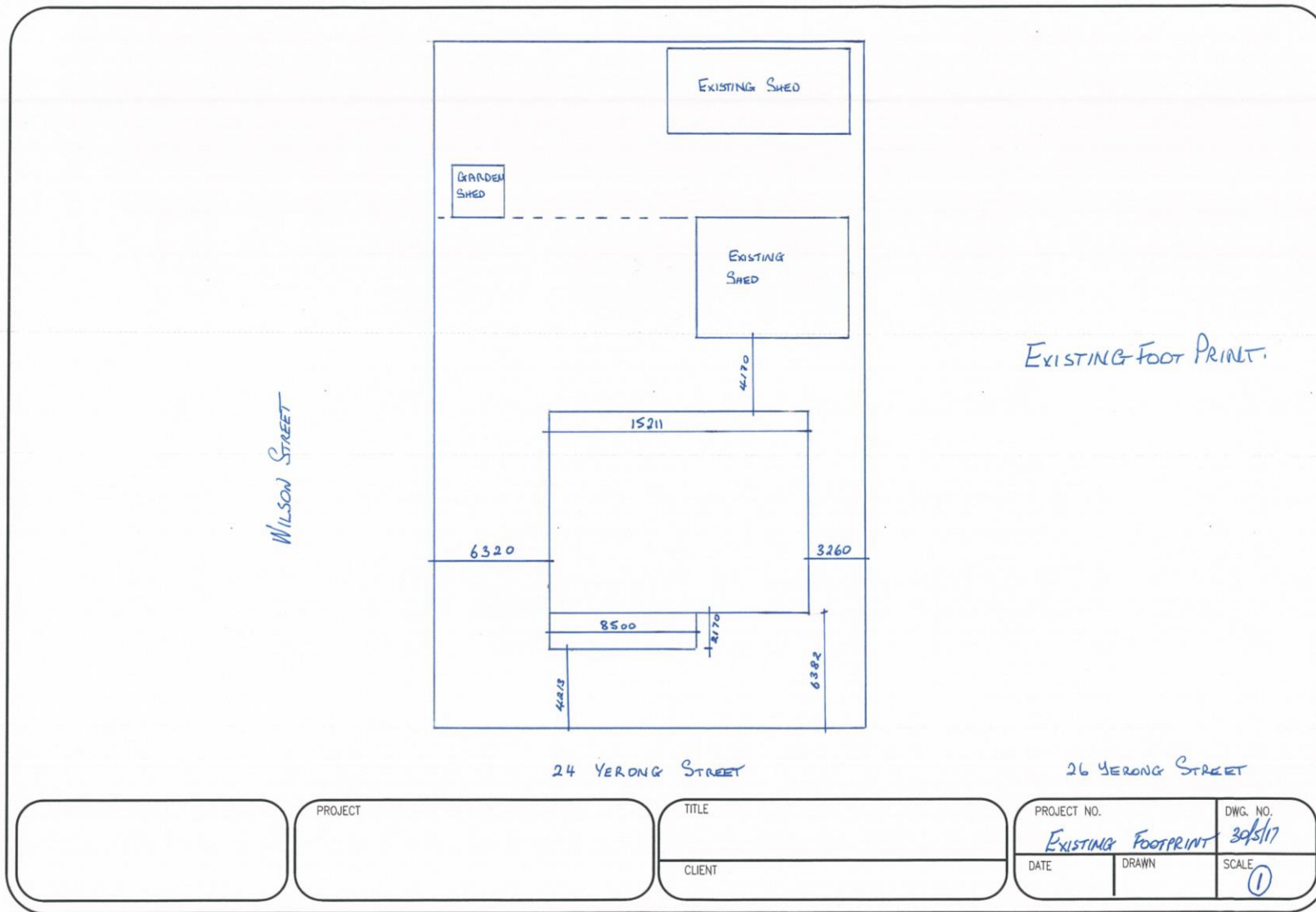
Attachments

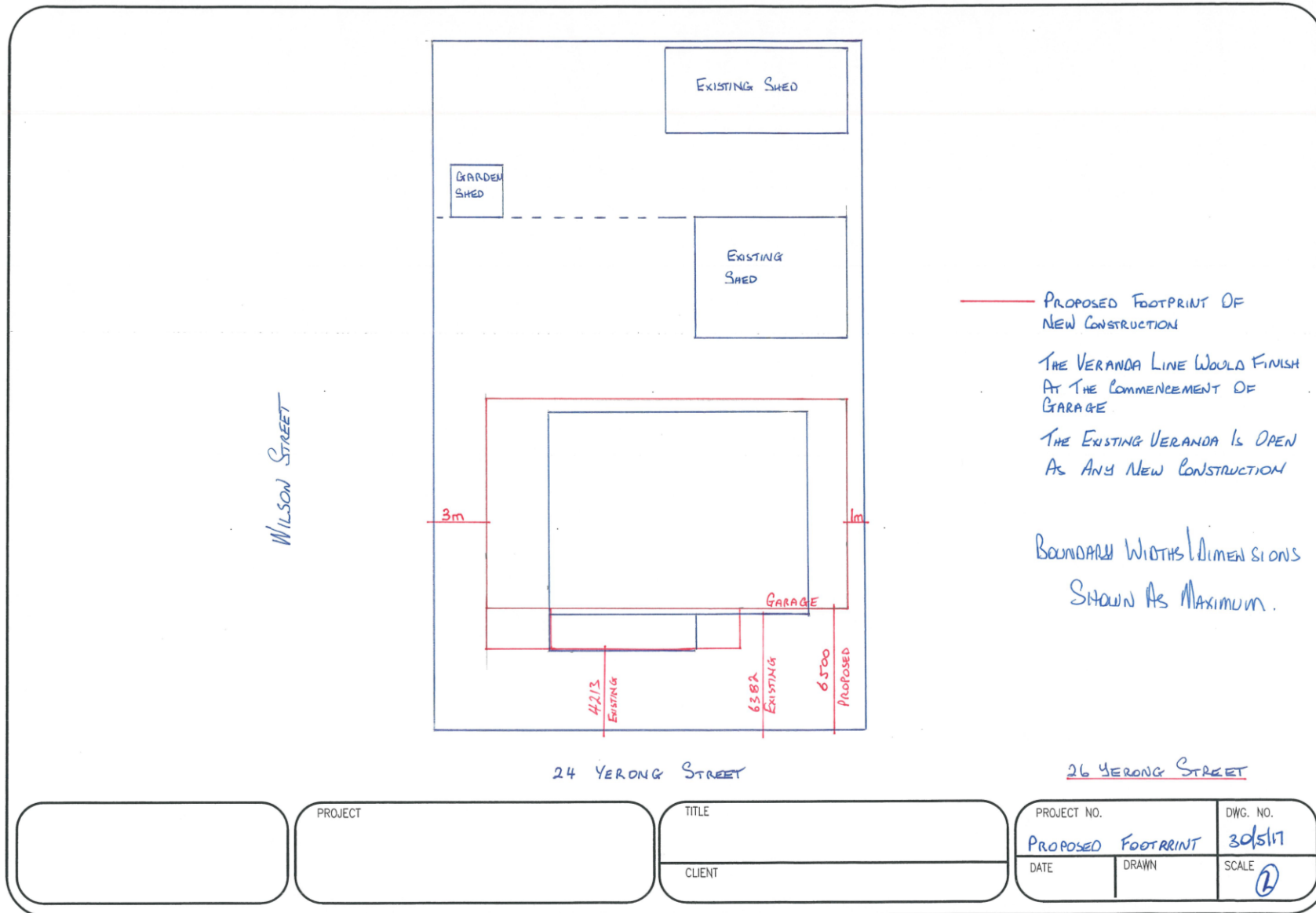
1. Proposed site plans.
2. Request letter from applicant.

Recommendation: That Council, through determination of a Development Application for the works, permit a variation to the Lockhart DCP for a reduced building line setback of 4.2m for a new dwelling at 24 Yerong Street, The Rock NSW.

Notes:

Attachment 1. – Proposed Site Plans





SLIDING DOOR SCHEDULE			
No.	HEIGHT (mm)	WIDTH (mm)	CODE
A	2100	314.0	FxxF2131
B	2100	314.0	FxxF2131

WINDOW SCHEDULE			
No.	HEIGHT (mm)	WIDTH (mm)	CODE
1	1800	2050	SF1821T
2	1800	2050	SF1821T
3	1800	2050	SF1821T
4	1800	2050	SF1821T
5	1800	2050	SF1821T
6	600	610	SF606
7	1200	1210	SF1212
8	1200	1210	SF1212
9	900	1450	SF915
10	900	1450	SF915
11,12 & 13	1200	1210	SF1212

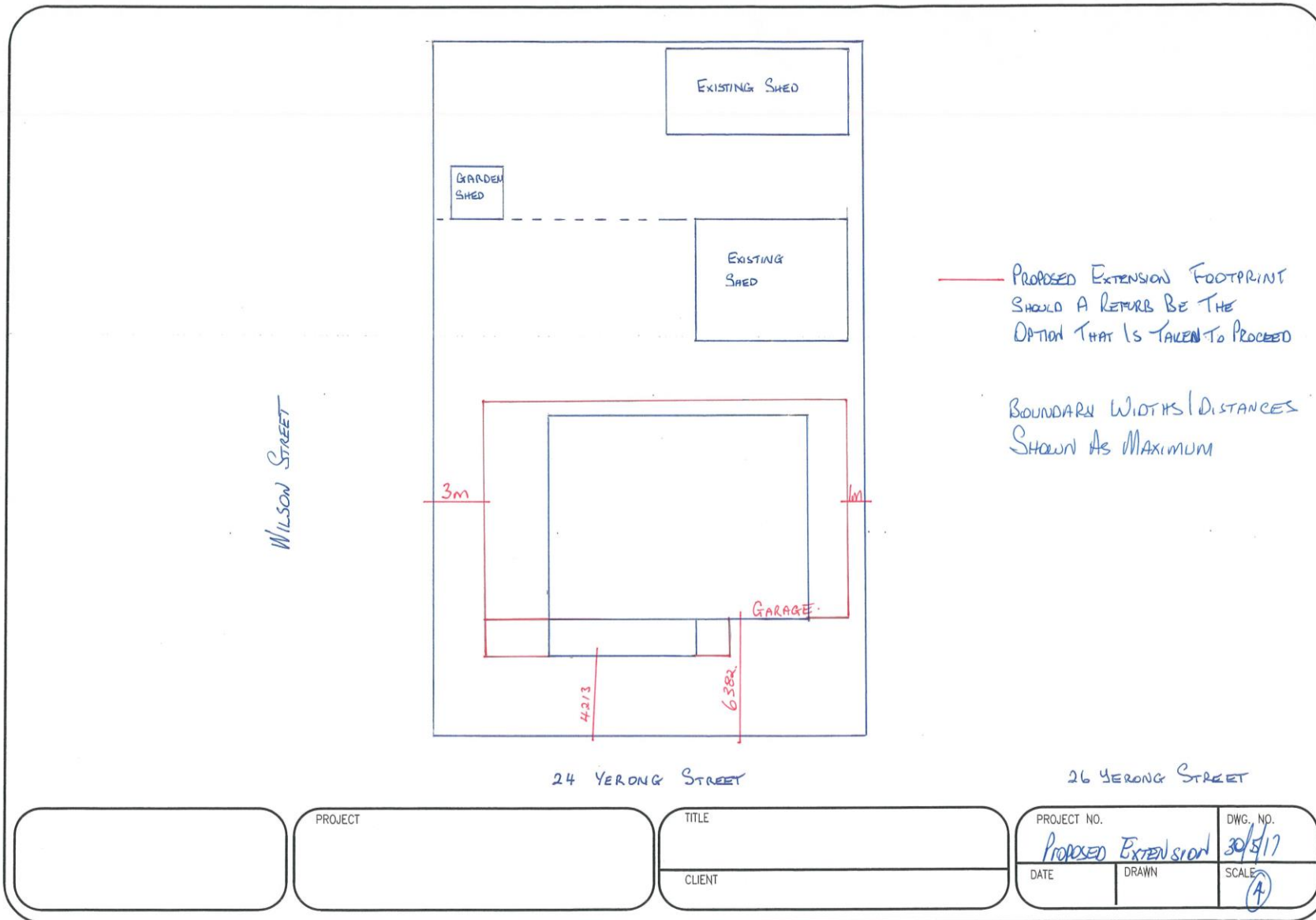
RIGHT ELEVATION
SCALE 1:100 H 1:100 @ A3

LEFT ELEVATION
SCALE 1:100 H 1:100 @ A3

REAR ELEVATION
SCALE 1:100 H 1:100 @ A3

FRONT ELEVATION
SCALE 1:100 H 1:100 @ A3

NOTATIONS: Lengths shown are in metres		<p>CAF CONSULTING 200m 37 162 592 656 25 Wyndham Street, Shepparton P.O. Box 1946, Shepparton, VIC 3632 T: 03 5651 3347 F: 03 9631 3343 e: info@cafconsulting.com.au w: cafconsulting.com.au</p>	Client: [REDACTED] Project: [REDACTED] Location: [REDACTED] Property: PROPERTY Title: LAYOUT PLAN		Design: N/A Drawn: J. BISH 17/01/17 Designer: J. BISH 17/01/17 Approver: C. FINDLAY 17/01/17 Scale: 2882 C01 Issue: AS SHOWN Property: 2882 C01 Sheet: 1 of 3	
Issue: [REDACTED] Description: [REDACTED] Date: [REDACTED]			Date: [REDACTED] Description: [REDACTED]		Date: [REDACTED] Description: [REDACTED]	
Issue: [REDACTED] Description: [REDACTED] Date: [REDACTED]			Date: [REDACTED] Description: [REDACTED]		Date: [REDACTED] Description: [REDACTED]	
Issue: [REDACTED] Description: [REDACTED] Date: [REDACTED]			Date: [REDACTED] Description: [REDACTED]		Date: [REDACTED] Description: [REDACTED]	



Attachment 2. – Request Letter from Applicant

24 Yerong Street - Proposals – June 2017

Alan Gundrill,

Thanks for your time last week it was appreciated, and I hope the submission below is not to confusing.

The following request is made in regard to 24 Yerong Street, The Rock, which forms part of the estate of Keith Francis Ball, which is under the control of Ian Mcleod solicitor located in Lockhart.

It is understood that a letter has been provided, signed by the executors Darryl Ball (Son) and Dianne Thompson (Daughter) my wife, to Birgit Ronnfeldt by Ian, to allow preliminary discussions to be held on options that could be available on either a refurbishment and extension, or demolition and replacement of the current residence.

This submission is only based on the residence and not the remainder of the lot at this time.

My wife and I are considering purchasing the property and would like to seek Council advice on what options would be considered advantageous, and believe that any upgrade or enhancement of the residence and the lot, would be to the benefit of the community, Council and general area.

The basic line at the front of the residence for a new application on an empty block, is understood to be 6.5m, from the front street alignment, with any new floor level at or about 500mm from existing ground level.

There are application processes that require adherence and these would be followed in due course.

However in this instance, the front of the existing residence in its current position is closer to the front boundary that what is required on a complete new build from a green field site.

The footprints that has been shown on the attached drawings are indicative only, and are an attempt to show the maximum that would be requested with an application and the distances required from the boundaries.

Attached with this submission are two aerial shots of the residence in A4, that indicate the current situation, location and surroundings of the lot.

Sheet A

Shows two adjacent residences, one to the rear, one adjacent as well as the two cross streets.

Sheet B

A closer shot of the lot, residence and existing structures on the site.

There have been two aerial shots of the residence that show the current residence.

Sheet 1 – A3

Is a sketch plan of the existing lot, with the measurements shown of the current residence, and distances to the nearest boundaries as well as the existing colorbond shed.

The shed has cream coloured exterior wall sheeting, with a zincalume roof and would remain as is.

The existing residence as shown, front wall, is closer to the front boundary than the 6.5m distance that is currently required by Council, therefore the veranda as shown is approx 4200mm.

Sheet 2 – A3

This has the existing layout of the residence, together with a footprint of a proposed new residence, should the option be taken to remove and rebuild on the same site.

The proposed new footprint, would therefore have the new front wall of the residence at 6.5m from the front boundary with the veranda to be open and in the same line as existing.

There has also been included the distances from the fence line.

Proposal one

Is to demolish the existing residence, and replace it with a transportable home similar to the one that is next door at 26 Yerong Street that is owned by Darryl and Rhonda Ball. The height at the ridge of the roof is 3930m from Ground level, and is in the vicinity of the ridge height at 24 Yerong Street.

The proposed residence would have an open verandah to the front, to the same width as the existing on the current residence and a garage to the side as shown.

The footprint is shown on sheet 2.



Proposal two

Is to demolish the existing residence, and replace with a steel framed kit home that would reflect the current lines of the existing residence as shown.

The measurement to the top of the ridge currently is around 4m and any new proposal would endeavour to be at this height.

A3 sheet no. 3 attached, is a steel framed (miners cottage) which reflects the current style of the house. The elevations are provided to show the intent of the design of this proposal, with colorbond walls (colour to be



confirmed) and zincalume roof to match the existing shed as shown on sheet 2.	
The front wall is around 2.7m in height with the rear wall at 2.4m, the ridge height would be in the vicinity of 4m.	
<u>Proposal three</u>	
A3 Sheet 4	
Is to carry out an extension and refurbishment of the existing residence with the two ends extended out to the current permissible distances from the boundaries as well as a minor extension of the footprint at the rear.	
The veranda would just be an extension of the same current building line as shown.	

In closing what is being asked is the following,

1

The extension of the residence to the footprint that is shown on sheet three (3), would mean that this is carried out to the existing distances from the front of the house to the front boundary alignment.

2

Should it be that the preferred option is to rebuild, then is it permissible, that the footprint of the new building be as prescribed to what has been indicated on sheet 2.

The front of the residence would be realigned from 6382mm to 6500mm, the verandah would be in the same line and distance as existing.

The front veranda in all options is to be open as per the existing residence as shown in the photo of proposal 2.

Regards

STRATEGIC DIRECTION E: Strong Leadership and Services

11. STATEMENT OF FUNDS FOR MAY 2017

(DCCS/F10-010)

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

Statement of Funds as at:	31 May 2017	
Combined Bank Accounts:		\$
Bank Balance as at:	1 May 2017	675,351.11
Plus: Receipts to:		
Rates receipts bank 2 & 5	430,904.38	
Sundry Debtor receipts	30,217.94	
Grant receipts -	-	
FAG 4th Qrt Grant	904,345.50	
Block Grant	256,250.00	
R2R 05/17 Qrt Grant	578,052.00	
Galore Hill Trust Interest	3.89	
Investments redeemed	1,000,000.00	
Interest on Investment	19,423.87	
DEFT transfer	90,000.00	
Bas Refund	49,249.00	
Other receipts	142,099.38	
Total receipts for month		<u>3,500,545.96</u>
		<u>4,175,897.07</u>
Less: Payments for Month less Canc. Chqs		2,902,858.26
New Term Deposits		400,000.00
Current Bank Balance		<u>873,038.81</u>

Investments:	Interest Rate per Annum	Amount Invested	% of Total
Bankwest	2.50	250,000.00	4.55%
Bankwest	At Call	700,000.00	12.73%
BENDIGO	1.50	250,000.00	4.55%
BENDIGO	2.15	250,000.00	4.55%
BENDIGO	2.25	500,000.00	9.09%
Curve Securitys/AMP	2.50	250,000.00	4.55%
IMB Limited	2.55	300,000.00	5.45%
IMB Limited	2.50	250,000.00	4.55%
nab	2.52	250,000.00	4.55%
NAB	2.53	250,000.00	4.55%
NAB	2.58	500,000.00	9.09%
NAB	2.63	300,000.00	5.45%
NAB	2.53	300,000.00	5.45%
RIM AMP	2.50	400,000.00	7.27%
Rim AMP	2.50	250,000.00	4.55%
RIM-amp	2.50	500,000.00	9.09%
		<u>5,500,000.00</u>	
TOTAL FUNDS HELD ARE:		<u>6,373,038.81</u>	100.00%

These funds are comprised as follows:

	CURRENT A/C	INVESTMENTS	TOTAL
General Fund	-555,760.61	4,539,035.51	3,983,274.90
Combined Sewerage	1,397,247.46	960,964.49	2,358,211.95
Galore Hill Trust Fund	31,551.96		31,551.96
	<u>873,038.81</u>	<u>5,500,000.00</u>	<u>6,373,038.81</u>

RESERVES	Externally Restricted	2,389,763.91
	Internally Restricted	3,110,236.09
	Unrestricted	873,038.81
		<u>6,373,038.81</u>

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


 Director Corporate Services
 6 June 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 May 2017 be received.

Notes:

12. DRAFT DELIVERY PROGRAM 2017-2021, OPERATIONAL PLAN BUDGET 2017-2018, DELIVERY PROGRAM BUDGET 2017-2021 AND FEES & CHARGES 2017-2018 (DCCS/I13-005)

Executive Summary

The Draft Delivery Program 2017-2021, Operational Plan Budget 2017-2018, Delivery Program Budget 2017-2021 and Fees & Charges 2017-2018 are tabled for Council's consideration and adoption.

Report

General Fund Report

The Draft Delivery Program 2017-2021, Operational Plan Budget 2017-2018 and Delivery Program Budget 2017-2021 along with Draft Fees and Charges 2017-2018 have been placed on exhibition for 28 days in accordance with the Local Government Act 1993. Submissions relating to the Delivery Program, Operational Plan Budget, Delivery Program Budget and Fees and Charges were able to be received up to 4pm on Wednesday 14 June 2017. At the time of preparing this report, no submissions had been received. Any submissions received post this report being prepared will be tabled at the June 2017 Council Meeting.

The following table provides a summary of General Fund expenditure for 2017-18:

Total Operating Expenditure (excl. Depreciation)	5,791,554
Total Depreciation	2,818,900
Total Capital Expenditure	5,682,601
Total Expenditure	14,293,055

The Draft Budget for General Fund provides for a surplus of \$10,114.00.

The Office of Local Government released a circular on 18 May 2017 advising the Maximum Interest on Overdue Rates and Charges. In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for the 2017-18 rating year will be 7.5%.

Since the Draft Budget went on public exhibition, Council has been notified that its REROC membership for 2017/18 has increased by approximately \$3,500 to \$17,164. This is as a result of fewer member councils' due to mergers within the REROC council area.

The fees payable to the Mayor and Councillors from 1 July 2017 as determined by Council at its meeting held on 15 May 2017 have also been incorporated into the draft budget.

On the 30 May 2017, the NSW State Premier released a media statement informing the implementation of the Fire and Emergency Services Levy (FESL) will be deferred. So, for 2017/18 Council Rates Notices will not have any FESL charges. The FESL will continue to be collected via insurance policies for 2017/18.

Council's Rating Structure will be changed for 2017/18. The Special General Rate, Bushfire Services, will be removed and the funds generated will be incorporated into remaining categories.

In the recent Federal Budget, the Australian Government will bring forward the first two instalments of the estimated 2017-18 Financial Assistance Grants and resume annual indexation of CPI increases from 2017-18. This will not affect the amount of Financial Assistance Grants (FAGS) Council receives between now and 30 June 2018. However due to the advanced payments of FAGS, this will have significant implications to Council's reported revenue and profits in Council's Audited Statements for 2016/17 and 2017/18. With the most noticeable impact being on any benchmark ratios which have been used in the Fit for the Future process as indicators of Council's performance.

Sewer Fund Report

The following table provides a summary of Sewer Fund expenditure for 2017-18.

Total Operating Expenditure (excl. Depreciation)	373,800
Total Depreciation	165,000
Total Capital Expenditure	1,285,000
Total Expenditure	1,823,800

The Draft Budget for Sewer Fund provides for a surplus of \$5,659.00.

Integrated Planning and Reporting Reference

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

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

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

Legislative Policy & Planning Implications

Draft Delivery Program, Operational Plan, Delivery Program Budget and Fees and Charges are required to be presented to Council for adoption after being placed on exhibition for 28 days under the Local Government Act 1993.

Budget & Financial Aspects

The budget that is adopted will be Council's Budget for 2017-2018 that will fund the provision of Council's services and activities. The changes that have occurred since the draft budget was placed on exhibition eg increased REROC Membership fee, have been incorporated into the document which is being presented for adoption.

Attachments

1. Draft Budget 2017-2018 (attached as a separate document).
2. Draft Fees & Charges 2017-18 (attached as a separate document).
3. Draft Delivery Program 2017-21 and Operational Plan 2017-18 (attached as a separate document).

Recommendation: That:

1. Council note and consider any public submissions made in respect to the Draft Delivery Program 2017-2021 and Operational Plan Budget 2017-2018 and Delivery Program Budget 2017-2021;
2. The Draft Delivery Program Budget 2017-2021 incorporating estimates of income and expenditure for Council's General Fund and Sewer Fund and the Draft Revenue Policy be adopted;
3. Pursuant to the provisions of the Local Government (Financial Management) Regulation 1993, expenditure required to finance works, services and activities of the Council for the financial year 2017-18 as detailed in Part 1 Budget Estimates section of the Council's Operational Plan Budget 2017-18 and Delivery Program Budget 2017-21 be approved and voted accordingly;

4. Council, pursuant to section 535 of the Local Government Act 1993, hereby **makes** the following **Ordinary Rates** for the rating period 1 July 2017 to 30 June 2018;
- i. An *ad valorem* rate of 0.271854 cents in the dollar (zero point two seven one eight five four), on all rateable land in Lockhart Shire, categorised as FARMLAND in accordance with Section 515 of the Local Government Act 1993, and named “**Farmland**”.
 - ii. An ordinary rate on all rateable land in Lockhart Shire, categorised as RESIDENTIAL in accordance with Section 516 of the Local Government Act 1993, excluding land that is subject to either Residential – Lockhart, Residential – The Rock, Residential – Yerong Creek or Residential – Rural, and named “**Residential**”, comprising,
 - a) A base amount of \$40.00 (forty dollars) estimated to realise 33% (thirty-three percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.749573 cents in the dollar (one point seven four nine five seven three).
 - iii. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - LOCKHART in accordance with Section 516 of the Local Government Act 1993, and named “**Residential – Lockhart**”, comprising,
 - a) A base amount of \$75.00 (seventy-five dollars) estimated to realise 22% (twenty two percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.103796 cents in the dollar (one point one zero three seven nine six).
 - iv. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - THE ROCK in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - The Rock**”, comprising,
 - a) A base amount of \$75.00 (seventy-five dollars) estimated to realise 21% (twenty one percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.508696 cents in the dollar (zero point five zero eight six nine six).
 - v. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - YERONG CREEK in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - Yerong Creek**”, comprising,
 - a) A base amount of \$80.00 (eighty dollars) estimated to realise 39% (thirty nine percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.562843 cents in the dollar (zero point five six two eight four three).
 - vi. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as RESIDENTIAL - RURAL in accordance with Section 516 of the Local Government Act 1993, and named “**Residential - Rural**”, comprising,
 - a) A base amount of \$50.00 (fifty dollars) estimated to realise 13% (thirteen percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.358449 cents in the dollar (zero point three five eight four four nine).
 - vii. An ordinary rate on all rateable land in Lockhart Shire, categorised as MINING in accordance with Section 517 of the Local Government Act 1993, and named “**Mining**”, comprising,
 - a) A base amount of \$150.00 (one hundred and fifty dollars) estimated to realise 0% (zero percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.8 cents in the dollar (one point eight).
 - viii. An ordinary rate on all rateable land in Lockhart Shire, categorised as BUSINESS in accordance with Section 518 of the Local Government Act 1993, excluding land that is subject to either Business – Lockhart, Business – The Rock or Business – Yerong Creek, and named “**Business**”, comprising,
 - a) A base amount of \$120.00 (one hundred and twenty dollars) estimated to realise 29% (twenty nine percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 3.371521 cents in the dollar (three point three seven one five two one).

- ix. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - LOCKHART in accordance with Section 518 of the Local Government Act 1993, and named "**Business – Lockhart**", comprising,
- a) A base amount of \$150.00 (one hundred and fifty dollars) estimated to realise 32% (thirty two percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.363673 cents in the dollar (one point three six three six seven three).
- x. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - THE ROCK in accordance with Section 518 of the Local Government Act 1993, and named "**Business - The Rock**", comprising,
- a) A base amount of \$130.00 (one hundred and thirty dollars) estimated to realise 23% (twenty three percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 0.801022 cents in the dollar (zero point eight zero one zero two two).
- xi. An ordinary rate on all rateable land in Lockhart Shire, sub-categorised as BUSINESS - YERONG CREEK in accordance with Section 518 of the Local Government Act 1993, and named "**Business - Yerong Creek**", comprising,
- a) A base amount of \$50.00 (fifty dollars) estimated to realise 14% (fourteen percent) of the total yield of this rate, and
 - b) An *ad valorem* rate of 1.894420 cents in the dollar (one point eight nine four four two zero).
5. Council, pursuant to section 535 of the Local Government Act 1993, hereby **makes** the following charges for the rating period 1 July 2017 to 30 June 2018:
- WASTE MANAGEMENT:**
- i. A Domestic Waste Management annual charge of \$372.00 (three hundred and seventy two dollars) for a once weekly garbage bin collection service and a once fortnightly recycle bin collection service for all rateable residential properties with a dwelling, located within the area for which the service is available, named "**Domestic Waste Management**".
 - ii. A Domestic Waste Management vacant charge of \$51.00 (fifty one dollars) for all vacant rateable residential assessments located within the area for which the service is available, named "**Domestic Waste Vacant**".
 - iii. An additional Domestic Waste Management annual charge of \$122.00 (one hundred and twenty two dollars) for an additional once weekly garbage bin collection service for any rateable residential properties with a dwelling who request the additional service, located within the area for which the service is available, named "**Domestic Waste Additional Garbage**".
 - iv. An additional Domestic Waste Management annual charge of \$122.00 (one hundred and twenty two dollars) for an additional once fortnightly recycle bin collection service for any rateable residential properties with a dwelling who request the additional service, located within the area for which the service is available, named "**Domestic Waste Additional Recycle**".
 - v. A Waste Management annual charge of \$372.00 (three hundred and seventy-two dollars) for a once weekly garbage bin collection service and a once fortnightly recycle bin collection service for all rateable non-residential occupied properties, located within the area for which the service is available, named "**Waste Management Non-residential**".
 - vi. A Waste Management vacant charge of \$51.00 (fifty-one dollars) for all vacant rateable non-residential assessments located within the area for which the service is available, named "**Waste Management Vacant Non-residential**".
 - vii. An additional Waste Management annual charge of \$122.00 (one hundred and twenty two dollars) for an additional once weekly garbage bin collection service for any rateable occupied non-residential properties who request the additional service, located within the area for which the service is available, named "**Waste Management Additional Garbage**".
 - viii. An additional Waste Management annual charge of \$122.00 (one hundred and twenty two dollars) for an additional once fortnightly recycle bin collection service for any rateable occupied non-residential properties who request the additional service, located within the area for which the service is available, named "**Waste Management Additional Recycle**".

- ix. A Waste Management charge of \$51.00 (fifty-one dollars) for all assessments with a dwelling who do not receive a Domestic Waste Management charge, named “**Tip Availability**”.

SEWERAGE CHARGES:

- x. A Sewerage Availability annual charge of \$495.00 (four hundred and ninety-five dollars) for all rateable residential properties with a dwelling, located within the town of Lockhart for which the service is available, named “**Lockhart Sewerage Residential**”.
- xi. A Sewerage Availability vacant annual charge of \$250.00 (two hundred and fifty dollars) for all vacant rateable residential properties, located within the town of Lockhart for which the service is available, but is not connected, named “**Lockhart Sewerage Vacant Residential**”.
- xii. A Sewerage Availability annual charge of \$495.00 (four hundred and ninety-five dollars) for all rateable residential properties with a dwelling, located within the town of The Rock for which the service is available, named “**The Rock Sewerage Residential**”.
- xiii. A Sewerage Availability vacant annual charge of \$250.00 (two hundred and fifty dollars) for all vacant rateable residential properties, located within the town of The Rock for which the service is available, but is not connected, named “**The Rock Sewerage Vacant Residential**”.
- xiv. A Sewerage Availability annual charge of \$495.00 (four hundred and ninety-five dollars) for all rateable residential properties with a dwelling, located within the town of Yerong Creek for which the service is available, named “**Yerong Creek Sewerage Residential**”.
- xv. A Sewerage Availability vacant annual charge of \$250.00 (two hundred and fifty dollars) for all vacant rateable residential properties, located within the town of Yerong Creek area for which the service is available, but is not connected, named “**Yerong Creek Sewerage Vacant Residential**”.
- xvi. A Sewerage Availability annual charge of \$220.00 (two hundred and twenty dollars) for all water meter sizes for all rateable non-residential properties, located within the town of Lockhart for which the service is available, named “**Lockhart Sewerage Non-residential access charge**”.
- xvii. A Sewerage usage annual charge of \$1.55 (one dollar and fifty-five cents) per kilolitre for all rateable non-residential properties, located within the town of Lockhart for which the service is available, named “**Lockhart Sewerage Non-residential usage charge**”.
- xviii. A Sewerage Availability annual charge of \$220.00 (two hundred and twenty dollars) for all rateable non-residential properties, located within the town of Lockhart for which the service is available, that are vacant and/or do not have a water meter, named “**Lockhart Sewerage Non-Residential Vacant**”.
- xix. The minimum charge (being the combined total of the Sewer Access Charge and the Non-Residential Sewer Usage Charge) applicable to **Lockhart non-residential** metered assessments will be \$386.00 (three hundred and eighty-six dollars) for the period 1 July 2017 to 30 June 2018.
- xx. A Sewerage Availability annual charge of \$260.00 (two hundred and sixty dollars) for all water meter sizes for all rateable non-residential properties, located within the town of The Rock for which the service is available, named “**The Rock Sewerage Non-residential access charge**”.
- xxi. A Sewerage usage annual charge of \$1.18 (one dollar and eighteen cents) per kilolitre for all rateable non-residential properties, located within the town of The Rock for which the service is available, named the “**The Rock Sewerage Non-residential usage charge**”.
- xxii. A Sewerage Availability annual charge of \$260.00 (two hundred and sixty dollars) for all rateable non-residential properties, located within the town of The Rock for which the service is available, that are vacant and/or do not have a water meter, named “**The Rock Sewerage Non-Residential Vacant**”.
- xxiii. The minimum charge (being the combined total of the Sewer Access Charge and the Non-Residential Sewer Usage Charge) applicable to **The Rock non-residential** metered assessments will be \$426.00 (four hundred and twenty-six dollars) for the period 1 July 2017 to 30 June 2018.
- xxiv. A Sewerage Availability annual charge of \$240.00 (two hundred and forty dollars) for all water meter sizes for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, named “**Yerong Creek Sewerage Non-residential access charge**”.

- xxv. A Sewerage usage annual charge of \$1.37 (one dollar and thirty-seven cents) per kilolitre for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, named the “**Yerong Creek Sewerage Non-residential usage charge**”.
- xxvi. A Sewerage Availability annual charge of \$240.00 (two hundred and forty dollars) for all rateable non-residential properties, located within the town of Yerong Creek for which the service is available, that are vacant and/or do not have a water meter, named “**Yerong Creek Sewerage Non-Residential Vacant**”.
- xxvii. The minimum charge (being the combined total of the Sewer Access Charge and the Non-Residential Sewer Usage Charge) applicable to **Yerong Creek non-residential** metered assessments will be \$465.00 (four hundred and sixty-five dollars) for the period 1 July 2017 to 30 June 2018.
6. the Draft Fees and Charges 2017-18 as displayed on public exhibition be adopted;
7. the interest charge on overdue rates be set at the maximum permitted by the Office of Local Government of 7.5% for the 2017-18 financial year.

Notes:

13. THE ROCK TO BOREE CREEK RAIL LINE

(GM/R05-005)

Executive Summary

Council is advocating for the upgrade of The Rock to Boree Creek rail line to heavy rail.

Report

Council has been advocating for some time, including soliciting letters of support from neighbouring councils, for the upgrade of The Rock to Boree Creek rail line to heavy rail.

The Rock to Boree Creek railway branch line is currently light weight rail which will not allow wagons to be loaded to their maximum axle weight.

Upgrading the rail line to heavy rail will create productivity efficiencies as well as reduce the amount of grain transported on Shire roads.

At the meeting held on 6 February 2017 it was resolved that Council:

- 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.”*

Fixing Country Rail is a program to fund rail infrastructure enhancement projects that eliminate connectivity constraints on the NSW regional rail network and reduce the cost to market for regional businesses. It is designed to complement the Fixing Country Roads program to build an efficient freight transport network in regional NSW.

Expressions of Interest for the first full round of Fixing Country Rail opened on 15 May and close on 14 July 2017.

Anyone can submit a Fixing Country Rail project proposal in response to the call for Expressions of Interest but funding can only be awarded to rail infrastructure owners and managers.

According to the Program Guidelines Fixing Country Rail will accept two types of applications as follows:

1. Applications for funding for projects on the State-owned network submitted by Transport for NSW and ARTC; and
2. Proposals for eligible rail infrastructure upgrades on the State-owned network submitted by third parties including industry, industry associations and councils.

Council falls within the second of the two categories described above as an interested third party. Accordingly, and in accordance with Council's resolution of 6 February 2017, a project proposal has been prepared and is proposed to be lodged under the Fixing Country Rail program.

A briefing paper advocating for the upgrade and containing the same information as is proposed to be submitted to Transport for NSW under the Fixing Country Rail program, has also been provided to the recently appointed NSW Infrastructure Co-ordinator during a meeting with him earlier this year. A copy of the briefing paper is attached.

Integrated Planning and Reporting Reference

E4.1 - Ensure a collaborative approach to the provision of services and support.

E4.1.2 – Support in the attraction of funding to facilitate identified priorities.

Legislative Policy & Planning Implications

Not applicable.

Budget & Financial Aspects

Not applicable. Funding under the Fixing Country Rail Program can only be awarded to rail infrastructure owners and managers.

Attachments

1. Project Proposal – Upgrading of The Rock to Boree Creek Railway Branch Line.

Recommendation: That Council submit a proposal for the upgrade of The Rock to Boree Creek Rail Line to Transport for NSW under the Fixing Country Rail program.

Notes:

Attachment 1. – Project Proposal – Upgrading of The Rock to Boree Creek Railway Branch Line

**Lockhart Shire Council
Project Proposal
Upgrading of The Rock to Boree Creek Railway Branch Line**

Executive Summary

The Rock – Boree Creek region is a significant grain production zone.

The Rock to Boree Creek railway branch line is currently light weight rail which will not allow wagons to be loaded to their maximum axle weight.

Upgrading the rail line to heavy rail will create productivity efficiencies as well as reduce the amount of grain transported on Shire roads.

Current Situation

The rail link from Boree Creek to The Rock is 57 km long. It leaves the main Sydney-Melbourne line at The Rock and links the communities of Milbrulong, Lockhart and Boree Creek.

The branch line carries grain from receival points to the main Sydney-Melbourne line at The Rock from which the grain is routed either to ports in Victoria to the south or NSW to the north.

The branch line is currently light weight rail which will not allow wagons to be loaded to their maximum axle weight causing significant productivity loss for operators. This is compounded by recent upgrades to receival sites which have resulted in higher volumes of grain that needs to be transported to port.

The current inefficiencies of the rail network also result in a higher proportion of grain being transported by road.

Rationale

The estimated cost of upgrading the line to a higher axle weight is not known to Council but believed to be in the vicinity of \$25 million. The line is owned by Transport for NSW.

It is noted that a critical component of any upgrade of the rail line is the replacement/enlargement of two culverts on the railway line at the eastern and western ends of the Lockhart Township.

Upgrading the line to the same axle weight as the main line will have the following benefits: -

- Enabling wagons to be loaded to their maximum weight significantly increases productivity i.e. carting the same amount of grain with less trains means higher productivity and lower costs to producers and operators;
- Lower rail costs would in turn support higher grain prices to growers by rail providers passing the reduction in rail cost to grain exporters through lower rail rates and exporters, competing for grain, using lower rail rates to bid higher grain prices for export bound grain;
- Upgrading the rail line to the same axle load as the main line will generate operating cost and wagon productivity benefits by:
 - Removing the need to change locomotives from heavy weight locomotives in order to operate on the light rail line;
 - Removing the need for transferring the locomotives with increased manning costs;
 - Reducing cycle time by avoiding delays in transit time to transfer the locomotives; and
 - Avoiding additional capital costs in holding two sets of locomotives;

- Supporting the movement of export grain through NSW bulk and container ports and reversing the decline in bulk grain moved by rail to NSW port terminals. A large portion of grain on The Rock to Boree Creek rail line moves across to rail systems in other states;
- More effective rail to port operation and lower rail rates would increase the volume of grain received into silos on the rail line, reducing the portion of grain that is stored on farm due to the high cost of rail transport;
- Leveraging on GrainCorp's changes to its grain receival sites in the area. These changes involve spending millions of dollars upgrading the sites at Boree Creek and Milbrulong whilst closing other sites in the area resulting in significantly more grain being deposited at Boree Creek and Milbrulong both of which are situated on the subject branch line;
- Encouraging greater use of rail for the transporting of grain and thereby reducing the amount of trucks on Shire roads with resulting financial, environmental and road safety benefits;
- The majority of roads in the local area used for the transporting of grain are local roads funded by local councils. The inadequacy of the rail link contributes to the deterioration of the road network at significant cost to ratepayers;
- The impact on the local road network is exacerbated by the trend towards trialling heavy vehicles to improve the efficiency of road transport as has occurred under the Grain Harvest Scheme. Engineering estimates indicate that a truck carrying an additional 0.5 tonnes does 1.6 times more damage to the road and a truck carrying an additional 2.13 tonnes are 8.4 times more damaging to the road network;
- Shifting more freight from road to rail improves safety for other users of the road network including school buses and local residents going about their daily activities.
- The Riverina and South West Slopes and Plains Containerised Cargo Demand Assessment (June 2014) prepared by PWC for Transport for NSW noted that transport by rail has a lower probability of accidents. For each net tonne kilometre travelled, rail is a third less likely to cause either an injury or fatality. This results in savings in relation to health and vehicle repair costs.
- Replacing/enlarging the two culverts on the railway line at the eastern and western ends of the Lockhart Township, in addition to representing an upgrade of the line to heavy rail, will have significant benefits for the town in terms of flood mitigation.

Strategic Alliance and Stakeholder Support

NSW Freight and Port Strategy

Upgrading The Rock to Boree Creek rail line to heavy rail is aligned with the "NSW Freight and Port Strategy" (November 2013) as follows: -

- *Action 1E: Improve the productivity of NSW regional rail network for the movement of grain into both the export and domestic grain markets. This will support increased returns to NSW's grain growers.*
- *Action 2C: Develop and maintain capacity for increased movement of grain on the rail network to support and grow NSW's \$2.5 billion grain industry. This will increase the share of export grain moved by rail by:-*
 - *Supporting the movement of export grain through NSW bulk and container ports. A large portion of grain on The Rock to Boree Creek rail line moves across to rail systems in other states;*
 - *Reversing the decline in bulk grain moved by rail to NSW port terminals.*

Melbourne to Brisbane Inland Rail Route

Upgrading The Rock to Boree Creek rail line capitalises on the route chosen for the Melbourne to Brisbane Inland Rail. Inland Rail will provide a rail freight connection between Melbourne and Brisbane that will connect regional Australia with global markets.

The decision to build the southern section of the inland freight railway through Albury and Wagga Wagga instead of the alternative option through Shepparton and Griffith, reinforces the benefits of upgrading The Rock to Boree Creek rail line so that wagons can be loaded to their maximum capacity.

NSW Transport Long Term Masterplan

The Project also aligns with the NSW Transport Long Term Masterplan for the Murray-Murrumbidgee Region as follows: -

- Key issued raised - *“Support local productivity with rail and road infrastructure and simplified freight regulation”.*
- How the NSW Transport Long Term Master Plan responds – *“Introduce initiatives to move regional freight more efficiently, implement rail freight infrastructure enhancements to increase the share of freight carried on the rail network.”*

Independent Pricing and Regulatory Tribunal (IPART)

The benefits of moving grain by rail as opposed to road transport are consistent with the findings of the Independent Pricing and Regulatory Tribunal (IPART) in its review of access pricing on the NSW grain line network (April 2012) which noted that: -

“After considering stakeholder submissions and sensitivity testing of assumptions in our supply chain cost model, we confirm our Draft Finding that rail has a substantial cost advantage over road for transporting grain to port on each of the grain line routes at current access prices.”

Using its estimated supply chain costs, IPART noted rail's cost advantage over road transport for the relevant rail line as follows: -

Rail line	Rail Supply Chain Costs (\$/t)	Road Supply Chain Costs (\$/t)	Rail's cost advantage (\$/t)
Boree Creek – Port Kembla	43.02	58.32	15.30

Riverina Eastern Regional Organisation of Councils (REROC)

The project is also consistent with the Regional Freight Transport Plan prepared by REROC's Infrastructure Planning Committee which noted that: -

“The region's rail infrastructure is under-utilised, closures of branch lines over the last fifteen years has forced an increasing number of grain trucks onto roads, many of them HML vehicles, including road trains.

These are roads that were never designed to withstand continuous use by heavy vehicles. The result has been an accelerated deterioration of the road network leading to significant inefficiencies in the carriage of freight. In addition as many of the roads that are bearing the increased usage fall within the responsibility of local government the consequence is that the cost of moving freight has been shifted from the rail network (where it could be recouped by users) to the road network where it is met by local government.”

Riverina Murray Regional Plan

The Project aligns with the Riverina Murray Regional Plan released by the Minister for Planning, the Hon Anthony Roberts MP, in March 2017 which includes: -

“Direction 17 - Transform the region into the eastern seaboard’s freight and logistics hub;

Direction 18 - Enhance road and rail freight links.”

Neighbouring Councils

The rail link is situated within the Federation and Lockhart Shires and services properties in Federation and Narrandera Shires to the west, Wagga Wagga City Council to the north and east, and Greater Hume Shire to the south. Letters of support for the upgrading of the rail link have been received from Greater Hume, Narrandera and Wagga Wagga Councils, copies of which are attached. The upgrade was previously also supported by the former Urana Shire Council which now forms part of the newly proclaimed Federation Council following its merger with Corowa Shire.

Other

GrainCorp has previously advised of its support for The Rock to Boree Creek rail line as demonstrated by Boree Creek’s designation as a ‘primary site’ under its investment program.

Upgrading the rail line also has had the support of Daryl McGuire MP, Member for Wagga Wagga over a long period of time (refer Hansard 17 November 2005 and 23 April, 2010).

Further Information

For further information regarding Council’s Project Proposal please contact: -

Peter Veneris
General Manager
Lockhart Shire Council
65 Green Street (PO Box 21)
Lockhart NSW 2656

Email PVeneris@lockhart.nsw.gov.au
Mobile 0408 965 567

14. POLICY 1.5 PRIVACY MANAGEMENT PLAN

(GM/C70-025)

Executive Summary

Council's current policy regarding privacy and personal information was last reviewed by Council in 2009. A revised Policy 1.5 Privacy Management Plan is presented for Council's consideration.

Council's existing Policy 1.5 is premised on the Model Plan issued in June 2000. However, a revised Model Privacy Management Plan was issued by the Division of Local Government in January 2013.

Report

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 1.5 Privacy Management Plan has been reviewed. As the proposed changes are significant and more than merely minor amendments, the revised Policy is tabled for Council's consideration.

The Privacy and Personal Information Protection Act 1998 requires all councils to prepare a Privacy Management Plan.

The Division of Local Government (now the Office of Local Government) previously prepared a Model Privacy Management Plan for Local Government in consultation with the Privacy Commissioner and LGNSW. Councils have the option of adopting the Model Plan or developing their own plan.

Council's existing Policy 1.5 is premised on the Model Plan issued in June 2000. However, a revised Model Privacy Management Plan was issued by the Division of Local Government in January 2013. It is considered appropriate that Council formally adopt the most recent Model Privacy Management Plan for Local Government and that Policy 1.5 be amended to reflect that.

A revised Policy 1.5 Privacy Management Plan is attached. The updated Model Privacy Management Plan for Local Government has not been attached due to the size of the document but can be viewed at <http://www.olg.nsw.gov.au/sites/default/files/Model-privacy-management-plan.pdf>.

Integrated Planning and Reporting Reference

E6.1 – Provision of excellent leadership and governance within Council.

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

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

E6.2 – Provide responsible management of knowledge resources.

Legislative Policy & Planning Implications

Section 33 of the Privacy and Personal Information Protection Act 1998 requires all councils to prepare a Privacy Management Plan.

Budget and Financial Aspects

Nil.

Attachments

1. Amended Policy 1.5 Privacy Management Plan.
2. The updated Model Privacy Management Plan for Local Government can be viewed at <http://www.olg.nsw.gov.au/sites/default/files/Model-privacy-management-plan.pdf>.

Recommendation: That Council adopt:

- a) The Model Privacy Management Plan for Local Government dated January 2013; and
- b) Amended Policy 1.5 Privacy Management Plan, as presented.

Notes:

Attachment 1. – Policy 1.5 Privacy Management Plan

1.5 Privacy Management Plan

POLICY TITLE: PRIVACY PLAN

FILE REF: P52-005

REVIEW DATE: JUNE 2020

OBJECTIVES

- a) To comply with Section 33 of the Privacy and Personal Information Protection Act 1998, which requires all Councils to prepare a Privacy Management Plan, and
- b) To enable the Council to fulfill its statutory functions and responsibilities under the Local Government Act 1993 in a manner that seeks to comply with the Privacy and Personal Information Protection Act 1998 (PPIPA).

POLICY STATEMENT

That the Model Privacy Management Plan for Local Government – January 2013, and The Privacy Code of Practice for Local Government – June 2000 are adopted for purposes of Council operations.

*Confirmed by Council 17 August 2009
Refer minute 283/09*

*Adopted by Council – 15 April 2002
Refer Minute No. 23077*

15. POLICY 1.7 FRAUD CONTROL POLICY

(GM/C70-025)

Executive Summary

A revised Policy 1.7 Fraud Control is presented for Council's consideration.

Report

At its meeting held on 6 February 2017 Council endorsed a process for the review of existing policies and development of new policies. 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 1.7 Fraud Control has been reviewed. As the proposed changes are significant and more than merely minor amendments, the revised Policy is tabled for Council's consideration.

A revised Policy 1.7 Fraud Control is attached. The revised Policy includes a new definition of "fraud" to accord with the definition contained in Australian Standard 8001-2008 on fraud and corruption control. This definition has been used by the NSW Audit Office for the development of its Fraud Control Improvement Kit. ICAC's definition of "corruption" has also been adopted for the purposes of the revised Policy.

The revised Policy incorporates strategies for the prevention, detection, reporting and investigation of fraud. It is noted that some of these strategies refer to a process of internal audit. Whilst Council does not currently have an internal audit committee and internal audit function as such, this will become a mandatory requirement as a result of recent amendments to the Local Government Act.

Discussions are currently underway with several neighbouring councils regarding a collaborative and resource sharing approach to engaging internal audit services. This is also the subject of a grant application to the Office of Local Government's Innovation Fund.

Integrated Planning and Reporting Reference

E6.1 – Provision of excellent leadership and governance within Council.

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

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

E6.2 – Provide responsible management of knowledge resources.

Legislative Policy & Planning Implications

Council will be required to have established an Audit, Risk and Improvement Committee within six months following the next ordinary election of Councillors.

Budget & Financial Aspects

Nil.

Attachments

1. Amended Policy 1.7 Fraud Control Policy.

Recommendation: That the amended Policy 1.7 Fraud Control Policy, as presented, be adopted.

Notes:

Attachment 1. – Amended Policy 1.7 Fraud Control Policy

1.7 Fraud Control Policy

POLICY TITLE: FRAUD CONTROL POLICY

FILE REF: D14-010

REVIEW DATE: June 2020

1. PRINCIPLES

This policy is applicable to Councillors, staff and delegates. It is designed to protect public funds and assets, protect the integrity, security and reputation of the Council and its staff, and maintain a high level of services to the community.

There are four (4) elements to Council's Policy namely:

- i. Prevention;
- ii. Detection;
- iii. Reporting; and
- iv. Investigation.

Fraud control is the protection of Council's assets from fraudulent exploitation. The desired outcome of this fraud control policy is elimination of cases of fraud involving staff and elimination, by all possible efforts, of fraud against Council generally.

2. DEFINITIONS

For the purpose of this Policy, the Australian Standard 8001-2008 on fraud and corruption control's definition of fraud has been adopted. Specifically fraud is defined as:

"Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity."

Some examples of fraud include:

- Unauthorised use of Council plant and equipment or other Council resources;
- Private use of Council's inventory and stores;
- Claiming unworked overtime on time sheets;
- Providing confidential Council information to unauthorised persons or bodies;
- Allowing contractors to not fully meet contract requirements
- Improper use of information for personal benefit;
- Deliberate falsification, concealment or use of falsified documentation.

"Corrupt conduct" is defined by Section 8 of the Independent Commission Against Corruption (ICAC) Act 1988 as:

- a) *"Any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority, or;*
- b) *any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her official functions, or;*
- c) *Any conduct of a public official or former public official that constitutes or involves a breach of public trust, or;*
- d) *Any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person."*

4. RESPONSIBILITY

All Councillors and Management personnel are responsible for fostering an environment, within their areas of control, which makes active fraud control a responsibility of all staff and for issuing clear standards and procedures to encourage the minimisation and deterrence of fraud. More specifically the division of responsibility is as follows:

- a) Council – responsible for ensuring appropriate policies are in place and reviewed regularly including:
 - Fraud Control Policy;
 - Code of Conduct;
 - Statement of Business Ethics;
 - Public Interest Disclosure and Reporting Policy;
- b) General Manager – responsible for:
 - Ensuring a Fraud Risk Assessment is undertaken;
 - Developing a Fraud Control Action Plan;
 - Authorising internal investigations of suspected fraud;
 - Keeping the Mayor informed of any internal fraud investigations.
- c) Directors – responsible for:
 - Advising the General Manager of any reports of suspected fraud or corruption;
 - Promoting an ethical climate and maintaining awareness amongst staff of their obligation to always act honestly, in accordance with Council's Codes and Policies and in compliance with the law.
- d) All staff – responsible for:
 - Acting ethically, in accordance with Council's Codes and Policies and in compliance with the law;
 - Reporting any suspicions of fraud or corrupt conduct to their Director.

5. PREVENTION

Council is committed to preventing fraud at its origin. Fraud flourishes in an environment where there are insufficient controls to prevent waste, abuse and mismanagement. Council believes that an emphasis on fraud prevention, rather than fraud investigation, will lead to a reduction of these opportunities for waste, abuse and mismanagement.

In this regard a Fraud Risk Assessment will be undertaken with mitigation measures identified and implemented to minimise the risk of fraud and increase the likelihood of detection.

Council recognises that fraud prevention requires the maintenance of an ethical climate, which encourages all staff to be active in protecting Council's funds and assets, and in reporting any breaches of accepted standards. Directors and managers must be mindful of their responsibility to foster and develop in their areas the highest standards of ethical behaviour and commitment to a highly ethical workforce culture.

Awareness and education is also important for the prevention of fraud. In this regard Council's Information for New Employees Handbook and induction procedures will contain information regarding Council's Values, Business Ethics, Code of Conduct, Fraud Control Policy and Public Interest Disclosures and Reporting Policy.

6. DETECTION

Detection relies on having appropriate internal controls and reporting mechanisms in place including the following:

- A Fraud Risk Assessment identifying mitigation measures to minimise the risk of fraud and increase the likelihood of detection.
- An independent check by Council's Internal Auditor that the mitigation measures identified in the Fraud Risk Assessment are in place and working effectively.
- A strategic and tactical Internal Audit Plan with Internal Audit reviews focusing on selected areas of activity.
- A system for reporting suspected fraud or corrupt conduct and making protected disclosures.

7. REPORTING

Internal Reporting

Any suspected instances of fraud or corruption from either internal or external sources should be reported by staff to their Director.

Any suspicions of fraud or corrupt conduct involving a Director should be reported to the General Manager.

Any suspicions of fraud or corrupt conduct involving the General Manager should be reported to the Mayor.

The information provided in each case should include wherever possible:

- Details of and relating to the suspected offence; and
- Details of the suspected offender(s) where known.

For a report of any wrong doing to be a protected disclosure in accordance with the Public Interest Disclosures Act, the report has to be made to a person or position prescribed in Policy 1.18 - Public Interest Disclosures and Reporting System.

Management recognises that the reporting of fraud is a sensitive issue (especially against work colleagues). To affirm the integrity of this function, therefore, management will ensure the confidentiality of information passed to any member of the Management Executive. It will achieve this by maintaining the confidentiality of both the complainant and suspect, and by avoiding rumours, morale problems and the possibility of wilful destruction of evidence.

External Reporting

In determining whether a particular matter, fraudulent or otherwise, is of sufficient seriousness that it should be referred to an external agency for investigation, a preliminary assessment / investigation of the alleged case of fraud will be undertaken to ensure that sufficient facts have been disclosed from which there is a reasonable cause to believe an offence has been committed, or attempted to be committed, and the matter is of a fraudulent nature within the terms of the definition of fraud given in Section 2;

In the event that there is a reasonable suspicion that, in a particular matter, an offence has occurred, and that the matter may have implications for another organisation, then a report on that matter, excluding personal information unless prima facie evidence exists, will be provided to the relevant organisation at the earliest opportunity.

External agencies to which wrong doing can be reported include;

- NSW Independent Commission Against Corruption - for corrupt conduct;
- NSW Ombudsman – for maladministration;
- NSW Office of Local Government – for serious and substantial waste in local government;
- NSW Information Commissioner for disclosures about a government information contravention;
- NSW Police – for criminal matters.

8. INVESTIGATION

The General Manager is responsible for authorising internal investigations and informing external persons or bodies are appropriately notified.

Where the initial investigation discloses a serious or complex situation beyond the Council's resources and investigative capabilities, the General Manager may, in consultation with the Mayor, engage external assistance to undertake the investigation.

In the case of any instance of alleged fraud, any such accusations shall be brought to the attention of the person against which such allegations are made at the earliest opportunity and any such person shall, in a case of an investigation in to any such alleged conduct, be entitled to obtain independent Union and/or legal advice regarding such matters.

Council recognises that in such circumstances where the allegation of fraud carries the imputation of criminal conduct, then such employees' right to silence shall be recognised.

9. RELATED DOCUMENTS

Policy 1.4 - Code of Conduct

Policy 1.6 - Statement of Business Ethics

Policy 1.18 - Public Interest Disclosures and Reporting System

Adopted by Council on 19 June 2017

Refer minute No. xxx/2017

Confirmed by Council 17 August 2009

Refer minute 283/09

Adopted by Council – 21 August 2006

Refer Minute No. 268/06

16. POLICY 1.17 COUNCILLORS ACCESS TO INFORMATION

(GM/C70-025)

Executive Summary

The Model Code of Conduct issued by the Office of Local Government and adopted by Council on 20 March 2017 deals specifically with the issue of Councillors' access to information thereby superseding Council's own policy on the matter.

Report

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 1.17 Councillors Access to information has been reviewed and it is recommended that it be rescinded.

Council's current policy regarding Councillors' access to information was adopted in April 2011 and has not been reviewed since that time. In the meantime, a new Model Code of Conduct has been issued by the Office of Local Government in 2015 and adopted by Council on 20 March 2017.

The Code of Conduct includes a specific section dealing with Councillors access to information thereby superseding Council's own policy on this matter. The relevant section of the Code of Conduct (Part 7, page 15) provides greater clarity, including making a distinction between a Councillors right to information to enable them to perform their civic duties as well as their right to information as a private citizen.

An extract from the relevant section of the Code of Conduct states as follows:

- *"The general manager and public officer are responsible for ensuring that members of the public, councillors and administrators can gain access to the documents available under the Government Information (Public Access) Act 2009.*
- *The general manager must provide councillors and administrators with information sufficient to enable them to carry out their civic office functions.*
- *Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to carry out their civic office functions and in accordance with council procedures.*
- *Members of staff of council who provide any information to a particular councillor in the performance of their civic duties must also make it available to any other councillor who requests it and in accordance with council procedures.*
- *Councillors and administrators who have a private (as distinct from civic) interest in a document of council have the same rights of access as any member of the public."*

The Code of Conduct also deals with the use and security of confidential information, personal information and access to council resources, all matters which are not covered by Council's own Policy.

In lieu of the most recent version of the Model Code of Conduct specifically addressing the issue of Councillors access to information, and bearing in mind that Council has formally adopted the Model Code, it is considered that Policy 1.17, a copy of which is attached, is no longer necessary and should be rescinded.

Integrated Planning and Reporting Reference

E6.1 – Provision of excellent leadership and governance within Council.

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

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

E6.2 – Provide responsible management of knowledge resources.

Legislative Policy & Planning Implications

Section 440 of the local Government Act provides that a council must adopt a code of conduct (the "adopted code") that incorporates the provisions of the model code.

The adopted code may include provisions that supplement the model code.

A council's adopted code has no effect to the extent that it is inconsistent with the model code as in force for the time being.

Budget & Financial Aspects

Nil.

Attachments

1. Policy 1.17 Councillors Access to Information.

Recommendation: That in lieu of the most recent version of the Model Code of Conduct issued by the Office of Local Government specifically addressing the issue of Councillors access to information, and bearing in mind that Council has formally adopted the Model Code, Council's "Policy 1.17 Councillors Access to Information", be rescinded and removed from the Policy Register.

Notes:

Attachment 1. – Policy 1.17 Councillors Access to Information

1.17 Councillors Access to Information

POLICY TITLE: COUNCILLORS ACCESS TO INFORMATION
FILE REF: F25-005
EXPIRY DATE: UNLIMITED –TO BE REVIEWED BY COUNCIL AFTER 2012 COUNCIL ELECTIONS

OBJECTIVES

1. To ensure Councillors are able to obtain sufficient information from the General Manager to enable Councillors to make informed decisions and to carry out their civic duties.
2. Formalise the means by which Councillors are able to seek information from the General Manager.
3. The process Councillors may undertake if information is not provided.

POLICY STATEMENT

1. The Local Government Act 1993 requires Councillors as a group to direct and control Council's affairs, allocate resources, determine policy and monitor it's performance. As individuals Councillors also communicate Council policy and decisions to the community, exercise community leadership and represent the views of residents and ratepayers to Council. A Councillors role extends beyond attendance at formal meetings of the Council.

In order to undertake their responsibilities Councillors have a right to access Council information that is reasonably necessary for exercising the functions of their civic office, including those roles outlined above which extend beyond decision making at formal meetings.

Access to Council information does not include information on which the Councillor has a Pecuniary Interest.

2. Councillors should place in writing to the General Manager any requests for information held by Council.
The request may be considered in accordance with the Government Information (Public Access) Act 2009 (GIPA Act) and response provided to the Councillors within ten (10) working days.
3. If the request for information is denied by the General Manager Councillors may use the complaint handling functions of the NSW Ombudsman and the NSW Division of Local Government.

*Adopted by Council on – 18 April 2011
Refer Minute No. 114/11*

17. POLICY 1.20 “RELATED PARTY DISCLOSURES”

(GM/C70-025)

Executive Summary

The new Policy 1.20 “*Related Party Disclosures*” is presented for adoption following public exhibition of the document.

Report

At the Council meeting held on 18 April 2017 Council endorsed a new Policy 1.20 “*Related Party Disclosures*”, for public exhibition.

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

No submissions were received following the public exhibition.

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

Integrated Planning and Reporting Reference

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

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

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

Legislative Policy & Planning Implications

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

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

The new Policy 1.20 will be incorporated into Council’s Policy Manual following adoption.

Budget & Financial Aspects

Not applicable.

Attachments

1. Policy 1.20 “*Related Party Disclosures*”.

Recommendation: That Policy 1.20 “*Related Party Disclosures*” as publicly exhibited, be adopted.

Notes:

Attachment 1. – Policy 1.20 “Related Party Disclosures”

1.20 Related Party Disclosures (Draft)

POLICY TITLE: RELATED PARTY DISCLOSURES
FILE REF: D30-005
EXPIRY DATE: REFER SECTION 13 OF POLICY

1. OBJECTIVES

From 1 July 2016, Council is required to disclose Related Party Relationships and Key Management Personnel (KMP) compensation in its Annual Financial Statements.

The purpose of this Policy is to define the parameters for Related Party Relationships and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124 - Related Party Disclosures.

2. DEFINITIONS

"Act": means the Local Government Act 1993.

"AASB 124": means the Australian Accounting Standards Board, Related Party Disclosures Standard.

"Close family members" of a person": are those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council and include:

- (a) that person's children and spouse or domestic partner;
- (b) children of that person's spouse or domestic partner; and
- (c) dependents of that person or that person's spouse or domestic partner.

Refer also Section 11 Procedures.

"Entity": can include a body corporate, a partnership or a trust, incorporated association, or unincorporated group or body.

"Key Management Personnel (KMP)": - as defined in Section 5 of this Policy.

"KMP Compensation": means all forms of consideration paid, payable, or provided in exchange for services provided, and may include:

- Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees;
- Post-employment benefits such as pensions, other retirement benefits, postemployment life insurance and post-employment medical care;
- Other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit sharing, bonuses and deferred compensation; and
- Termination benefits

"Material": (materiality) means the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis an entity's financial statements. For the purpose of this policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

"Ordinary Citizen Transaction": means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council.

“Possible (Possibly) Close Family Members of a person”: are those family members who could be expected to influence, or be influenced by, that person in their dealings with the Council and include:

- (a) that person's brothers' and sisters';
- (b) aunts, uncles, and cousins of that person's spouse or domestic partner;
- (c) dependents of those persons' or that person's spouse or domestic partner as stated in (b); and
- (d) that person's or that person's spouse or domestic partners', parents' and grandparents.

Refer also Section 11 Procedures.

“Related Party”: defined in Section 6 of this Policy.

“Related Party Transaction”: - is a transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.

“Regulation”: - means the Local Government (General) Regulation 2005

“Significant”: (significance) means likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/ taxpayer relationship.

“Remuneration”: means remuneration package and includes any money, consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a related party transaction.

3. RELATED LEGISLATION AND DOCUMENTS

- Australian Accounting Standard AASB124 related party disclosures (AASB124)
- Australian Accounting Standard AASB10 consolidated financial statements (AASB10)
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Council Code of Conduct Policy

4. POLICY STATEMENT

Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions.

Related Party relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A Related Party relationship could influence the normal business operations of Council even if Related Party Transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties. Alternatively, one party may refrain from trading with Council because of the significant influence of another—for example, a local supplier may be instructed by its parent not to engage in supplying goods to Council.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect assessments of Council's operations.

AASB 124 provides that Council must disclose all material and significant Related Party Transactions and outstanding balances, including commitments, in its Annual Financial Statements. Generally, disclosure will only be made where a transaction has occurred between Council and a related party of Council. In addition the transaction must be material in nature or size, when considered individually or collectively.

When assessing whether such transactions are significant the following factors will be taken into consideration:

- significance in terms of size;
- was it carried out on non-market terms;
- is it outside normal day-to-day council operations;
- was it subject to council approval;
- did it provide a financial benefit not available to the general public;
- was the transaction likely to influence decisions of users of the Annual Financial Statements.

Regard must also be given for transactions that are collectively, but not individually significant.

To enable Council to comply with AASB 124 Council's KMP, as defined in Section 5 of this Policy, are required to declare details of any Related Parties and Related Party Transactions. Such information will be retained and reported, where necessary, in Council's Annual Financial Statements.

5. KEY MANAGEMENT PERSONNEL (KMP)

AASB 124 defines KMP's as "those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly".

For Council's purposes and the purposes of this Policy KMP's are considered to include:

- 1) Mayor;
- 2) Councillors;
- 3) General Manager;
- 4) Director Engineering and Environmental Services
- 5) Director Corporate and Community Services
- 6) Manager Environmental Services

6. IDENTIFICATION OF RELATED PARTIES

A related party is a person or entity that is related to the entity that is preparing its financial statements.

For Council's purposes and the purposes of this Policy, related parties of Council are:

- a) Entities related to Council;
- b) Key Management Personnel (KMP) of Council
- c) Close family members of KMP;
- d) Possible close family members of KMP's; and
- e) Entities or persons that are controlled or jointly controlled by KMP, or their close family members, or their possible close family members.

Also a person or entity is a related party of Council if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- they are an associate or belong to a joint venture of which Council is part of;
- they and Council are joint ventures of the same third party;
- they are part of a joint venture of a third party and council is an associate of the third party;
- they are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council;
- they are controlled or jointly controlled by Close members of the family of a person;
- they are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council; or

- they or any member of a group of which they are a part, provide KMP services to Council.

7. RELATED PARTY TRANSACTIONS

All transactions between Council and related parties, whether monetary or not, are required to be identified. Such transactions may include:

- Purchase or sale of goods;
- Purchase or sale of property and other assets;
- Rendering or receiving services;
- Leases;
- transfers of research and development;
- transfers under licence agreements;
- transfers under finance arrangements (including loans and equity contributions in cash or in kind);
- provision of guarantees or collateral;
- commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised);
- Quotations and/or tenders;
- Commitments; and
- Settlements of liabilities on behalf of Council or by Council on behalf of the related party.

8. EXEMPTIONS

Related party transactions excluded from disclosure requirements on the basis of Ordinary Citizen Transactions are;

- Any valid discounts and fee waivers that are available to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance, and
- Any service or benefit occurring within normal employee, customer or supplier relationships and at arm's length; and
- are not material or significant;

9. DISCLOSURES

Council must disclose all material and significant Related Party Transactions in its annual financial statements and include the following detail:

- a) The nature of the related party relationship; and
- b) Relevant information about the transactions including:
 - (i) The amount of the transaction;
 - (ii) The amount of outstanding balances, including commitments,
 - (iii) Provision for doubtful debts related to the amount of outstanding balances; and
 - (iv) The expense recognised during the period in respect of bad or doubtful debts due from related parties.

10. MATERIALITY

Materiality thresholds are reviewed annually as part of the audit process and reported related party disclosures will be in compliance with the framework of the Australian Accounting Standard AASB124 and other relevant standards, as required.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- Significance of transaction in terms of size;
- Whether the transaction was carried out on non-market terms;

- Whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets;
- Whether the transaction is disclosed to regulatory or supervisory authorities;
- Whether the transaction has been reported to senior management; and
- Whether the transaction was subject to Council approval.

Regard must also be given for transactions that are collectively, but not individually significant.

11. PROCEDURES

The method for identifying the close family members, possible close family members and associated entities of KMP will be by KMP self-assessment. KMP have an ongoing responsibility to advise Council immediately of any Related Party Transactions.

The preferred method of reporting is for KMP to provide details of Related Parties and Related Party Transactions to the Director Corporate and Community Services.

Information provided will be reviewed in accordance with the Council's operational requirements and held on a centralised register.

Should a KMP have any uncertainty as to whether a transaction may constitute a related party transaction they should contact the Director Corporate and Community Services for clarification.

12. PRIVACY

Information provided by KMP and other related parties shall be held for the purpose of compliance with Council's legal obligation and shall be disclosed where required for compliance or legal reasons only.

13. POLICY REVIEW

This policy will be reviewed when any of the following occur:

- a change of Councillors, General Manager or other KMP;
- organisation restructure;
- the related legislation/documents are amended or replaced;
- other circumstances as determined from time to time by a resolution of Council; and
- changes to the Local Government Code of Accounting Practice and Financial Reporting.

14. TRAINING AND COMMUNICATION

This Policy will be provided to KMP in the initial awareness raising and data collection and as part of new Councillor inductions.

Internal training on supporting this Policy shall be scheduled as required.

*Adopted by Council – xx June 2017
Refer Minute No. XX/17*

18. ACTING GENERAL MANAGER

(GM/S30-005)

Executive Summary

The impending absence of the General Manager on annual leave will necessitate the appointment of an Acting General Manager for a temporary period.

Report

The General Manager will be absent on leave from 17 July 2017 until 9 August 2017.

It is intended to provide both Directors with the opportunity to act in the role of General Manager during periods when the General Manager is on leave as this is seen as an important professional development opportunity for Directors.

On this occasion, it is proposed that the Director Engineering and Environmental Services be appointed as the Council's Acting General Manager.

Integrated Planning and Reporting Reference

E4 - Provide strong and effective leadership.

Legislative Policy and Planning Implications

Section 334 of the Local Government Act 1993 provides that the Council must appoint a person as its General Manager.

Budget and Financial Aspects

Provision is made in the annual budget for the payment of higher duties when senior staff, managers and supervisors are absent on leave.

Attachments

Nil.

Recommendation: That the Director Engineering and Environmental Services be appointed as the Council's Acting General Manager for the period 17 July to 9 August 2017.

Notes:

Questions and Statements

Nil.

Closed Session Agenda

There are no items listed for consideration by Council in Closed Session on 19 June 2017.