



AGENDA FOR ORDINARY COUNCIL MEETING

24 July, 2012

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council will be held in the **Rowena Hall** on **24 July, 2012** commencing at 10.00am to discuss the items listed in the Agenda.

- Please note that the bus will be leaving from the back of the Council Chambers at 8am

Don Ramsland
GENERAL MANAGER

WALGETT SHIRE COUNCIL AGENDA

CONFLICT OF INTERESTS

What is a "Conflict of Interests" – A conflict of interests can be two types:

Pecuniary – an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-Pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature.)

Remoteness

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

Who has a Pecuniary Interest? – A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- Another person with whom the person is associated (see below)

Relatives, Partners

A person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter

N.B. "Relative", in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse.
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter

However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company of other body, or
- Just because the person is a member of, or is employed by, the Council
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) At any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) At any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge – A person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Participation in Meetings despite Pecuniary Interest (S452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

Non-Pecuniary Interest – Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-Pecuniary conflicts of interest must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

Disclosure to be Recorded (S453 Act) A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee or Sub-Committee must be recorded in the minutes of the meeting.

AGENDA

1. **Opening of Meeting**
2. **Acknowledgement of Traditional Owners**
I would like to acknowledge the traditional owners of the lands within the Walgett Shire and I would also like to acknowledge the Aboriginal and Torres Strait Islander people who now reside within this Shire.
3. **Apologies**
4. **Welcome to Visitors**
5. **Public Forum Presentations**.....
6. **Declaration of Pecuniary/Non Pecuniary Interests**.....Nil
7. **Confirmation of Minutes/Matters Arising**..... 6
 1. Meeting 26th June 2012Pg 6
8. **Reserve Trust Management Committee Reports**Nil
9. **Mayoral Minutes**
 - 1.Native Vegetation Regulation ReviewPg 28
10. **Motions of which Notice has been given** Nil
11. **Presentation of Petitions**
12. **Councillor's Questions from Last Meeting**.....30
13. **Reports of Delegates and Representatives**.....32
 1. OROC Minutes.....Pg 32
 2. Floodplain Management Association Quarterly meeting.....Pg 45
 3. Floodplain Management Association Committee Minutes – 24 May 2012.....pg 48
14. **Reservation of items for Debate**.....Nil
15. **Reports of Officers**

GENERAL MANAGER

1. Council Decisions Action Report –June 2012.....Pg 49
2. Circulars Received from the NSW Local Government & Shire's Association of NSW – June 2012.....Pg 62
3. Circulars Received from Local Government Department of Premier & Cabinet - June 2012.....Pg 64
4. Monthly Calender – July 2012.....Pg 77
5. Recognition of Late Councillor Geoffrey (Dick) Colless – Perpetual Award.....Pg 82
6. 2012 Local Government Week Programme and ActivitiesPg 84
7. RV Friendly Scheme for Walgett Shire Towns and VillagesPg 86
8. Payment of Expenses and Provision of Facilities for Councillors Policy.....Pg 89

WALGETT SHIRE COUNCIL AGENDA

9. 2012 Quadrennial Elections – Caretaker Provisions and Councillor Obligations relating to the use of Council Resources and Electoral Material.....	Pg 91
10. Cumborah Hall Extensions Project – Method of Approach.....	Pg 93
11. Murray Darling Association Inc – Membership.....	Pg 96
12. Amalgamation of Associations – Voting	Pg 97
13. Matter Generally for Brief Mention or Information Only	Pg 99

CORPORATE SERVICES

14. Rural Fire Service – Deed of Agreement for Come-by-Chance Brigade Station.....	Pg 101
15. 2011 Census Results.....	Pg 103
16. Draft Restricted Cash as at 30 June 2012 and Carried Forward Projects into the 2012/2013 Financial Year.....	Pg 105
17. Stock Take Variance Financial Year 2012.....	Pg 111
18. Cash on Hand & Investment Report – June 2012.....	Pg 113
19. Community Assistance Scheme Round 2.....	Pg 116
20. Matters Generally for Brief Mention or Information.....	Pg 120

DIRECTOR PLANNING AND REGULATORY SERVICES

21. Grawin Opal Fields Locality Proposal	Pg 121
22. Proposal to Extinguish Right of Way	Pg 125
23. Draft Walgett Local Environmental Plan 2012	Pg 130

DIRECTOR URBAN INFRASTRUCTURE SERVICES

24. Matters Generally for Brief Mention or Information.....	Pg 153
---	--------

DIRECTOR ENGINEERING SERVICES

25. Projects under Auslink Roads to Recovery and Roads and Maritime Services Funding 12/13 & 13/14.....	Pg 156
26. Removal Grids on Purtell and Willis.....	Pg 158
27. Monthly Flood Works Report – July 2012.....	Pg 164
28. Matters Generally for Brief Mention or Information.....	Pg 168

16. Reports of Committees Nil

17. Confidential Reports/Closed Council Meeting Separate Cover

GOVERNANCE

1. Lightning Ridge Bore Baths – Pending Legal Matter	173
2. Organisational Structure Review.....	175
3. Industrial Subdivision Proposal – Walgett	178
4. Residential Subdivision Proposal – Lightning Ridge	180
5. Sale of Land – Walgett	182
6. Proposed Land Sale – Legal Costs Incurred	185

URBAN INFRASTRUCTURE SERVICES

7. Expression of Interest from Walgett RSL Club to Purchase Land	196
--	-----

PLANNING AND REGUALTORY SERVICES

8. Development Application, Rural Subdivision	201
---	-----

ENGINEERING SERVICES

9. Tender RFT12/006 –Walgett Airport	222
10. Matters Generally for Brief Mention or Information	224

18. Questions for the Next Meeting

19. Close of Meeting

Confirmation of Minutes

1. MINUTES OF COUNCIL MEETING–26 JUNE 2012

Minutes of Council meeting – 26th June 2012
<p>Recommendation:</p> <p>1. That the minutes of the Council meeting held on 26th June 2012 be confirmed.</p> <p>Moved:</p> <p>Seconded:</p>

Attachment Council Committee Minutes – 26th June 2012



MINUTES FOR ORDINARY COUNCIL MEETING

26th June, 2012

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council will be held in the Walgett Shire Council Chambers on 26th June, 2012 commencing at 10:11am to discuss the items listed in the Agenda.

Don Ramsland
GENERAL MANAGER

WALGETT SHIRE COUNCIL MINUTES

CONFLICT OF INTERESTS

What is a "Conflict of Interests" – A conflict of interests can be two types:

Pecuniary – an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-Pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature.)

Remoteness

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 44B of the Local Government Act.

Who has a Pecuniary Interest? – A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- Another person with whom the person is associated (see below)

Relatives, Partners

A person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter

N.B. "Relative", in relation to a person means any of the following:

- (a) The parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse.
- (b) The spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter

However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) At any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) At any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge – A person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Participation in Meetings despite Pecuniary Interest (S452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

Non-Pecuniary Interest – Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-Pecuniary conflicts of interest must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However,

Councillors should consider providing an explanation of why they consider a conflict does not exist.

- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absencing yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

Disclosure to be Recorded (S453 Act)

A disclosure (and the reasons for the disclosure) made at a meeting of the Council or Council Committee or Sub-Committee must be recorded in the minutes of the meeting.

---ofo---

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT WALGETT SHIRE COUNCIL CHAMBERS ON TUESDAY 26th June, 2012 AT 10:11AM
--

PRESENT

Clr B Murray	(Mayor)
Clr I Woodcock	
Clr K Smith	
Clr J Keir	
Clr M Martinez	
Clr L Walford	
Don Ramsland	(General Manager)
Stephen Holland	(Director Corporate Services)
Matthew Goodwin	(Director Planning & Regulatory Services)
Raju Ranjit	(Director Engineering Services)
Fred Coraide	(Director Urban & Infrastructure Services)
Bronwyn Newton	(Minute Secretary)

Welcome to Visitors

The Mayor welcomed all visitors to the meeting and acknowledged the traditional owners of the land.

Apologies

6/2012/1	Apologies – 26th June, 2012
----------	---

Resolved:

That apologies from Clr Greenaway & Clr Lane be accepted and leave of absence granted.

Moved: Clr Walford

Seconded: Clr Martinez

CARRIED

Public Forum Presentations

Anne Kennedy addressed the Council in relation to the issues raised in her letter of 14 June 2012.

Declaration of Pecuniary/Non Pecuniary Interests

Nil

Confirmation of Minutes

6/2012/2	Minutes of Council meeting – 22nd May 2012
Resolved: That the minutes of the Council meeting held 22 nd May, 2012 be confirmed. Moved: Clr Woodcock Seconded: Clr Martinez CARRIED	

6/2012/3	Minutes of Extraordinary Council meeting – 22nd May 2012
Resolved: That the minutes of the Extraordinary Council meeting held on 22 nd May 2012 be confirmed. Moved: Clr Walford Seconded: Clr Smith CARRIED	

Matters Arising

Clr Keir again raised the issue of all weather access to cemeteries within the Shire.

5/2012/1A	All Weather Access Cemeteries
Resolved: That Council investigate the cost of providing all weather access to all cemeteries within the Shire and provide a report to the June, 2012 Meeting. Moved: Clr Keir Seconded: Clr Smith CARRIED	

The Director of Urban & Infrastructure Services indicated that a report would be prepared for the next meeting.

Reserve Trust Management Committee Reports

Nil

Mayoral Minutes

Nil

Motions of which Notice has been given

Nil

Presentation of Petitions

N/A

Councillors Questions From Last Meeting

Cllr Greenaway

Question 1

Enquired as to the NSW Shires Association Position with regards the recently released report into the LHPA

Response:

The General Manager advised that a report is being prepared for the May Meeting and a submission will be lodged if required.

Cllr Keir

Question 1

Just another reminder for the Bus Stop at Burzen Junction Pre-School as well as putting more gravel at the entrance of the Carinda cemetery

Response:

1. The Director of Engineering Services advised that works are underway using Council's day labour force and should be completed by 30 May 2012
2. The Director Urban & Infrastructure Services advised the maintenance will be investigated

Question 2

Can Council look into redirecting/alternate route for heavy vehicles to access rather than driving through the main street? Cllr Keir advised that a response is needed to a letter received from Ms Prue Hutchinson (c/- Sam Hergarty Solicitors)

Response:

The Director Engineering Services advised that a reply has been prepared to the complainant and the matter listed for consideration at the June Traffic Committee

Cllr Martinez

Question 1

Can we get some quotes for resurfacing the Netball courts at Lightning Ridge as a matter of urgency?

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Fred Corstide returned to the meeting

6/2012/29	Matters Generally for Brief Mention or Information only from Director of Planning & Regulatory Services
Resolved:	
That the report by the Director of Planning & Regulatory Services on matters for brief mention, or information only, be received and noted.	
Moved:	Clr Keir
Seconded:	Clr Walford
CARRIED	

6/2012/30	Matters Generally for Brief Mention or Information only from Director Urban Infrastructure Services
Resolved:	
That the matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted.	
Moved:	Clr Woodcock
Seconded:	Clr Smith
CARRIED	
Resolved:	
That Representative of NSW Office of Water (Mr Bill Ho) be invited to attend the July meeting of Council to discuss operational issues surrounding the CoGarenebri Water Filtration Plant	
Moved:	Clr Smith
Seconded:	Clr Walford
CARRIED	

6/2012/31	Monthly flood works Report from Director Engineering Services – June 2012
Resolved:	
That Council receive and note the June 2012 flood works report.	
Moved:	Clr Woodcock
Seconded:	Clr Smith
CARRIED	

Fred Corstide left the meeting at 3.05pm

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

6/2012/32	Asset Management Strategy June 2012
Resolved:	
That Council adopt the Draft Asset Management Strategy, as circulated with this report	
Moved:	Cllr Smith
Seconded:	Cllr Keir
CARRIED	

6/2012/33	Monthly Report from Director Engineering Services – May 2012
Resolved:	
That Council receive and note the monthly road and bridge report which includes as to date information with regards flood damage estimates and RMS funding approvals.	
Moved:	Cllr Martinez
Seconded:	Cllr Smith
CARRIED	

*Steve Holland left the meeting at 3.14pm and returned to the meeting at 3.16pm
Fred Corralde returned to the meeting at 3.16pm
KC arrived at the meeting at 3.16pm*

Confidential Reports/Closed Council meeting

6/2012/34	Move into Closed Session at 3:45pm
Resolved:	
That the public be excluded from the meeting pursuant to Sections 10A (2)(c) & (d) of the Local Government Act 1993 on the basis that the items deal with:	
(c)	that information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting business (or proposed to conduct business)
(d)	that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
Moved:	Cllr Woodcock
Seconded:	Cllr Walford
CARRIED	

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

06/2012/35 Walgett Levee Rehabilitation-Grant funding
That Council:
<ol style="list-style-type: none">1. Endorse the NSW Public Works tender recommendation for Stage 1 of Walgett Levee Refurbishment Program.2. Accept the tender offer submitted by Batterline Earthmoving in the amount of \$494,210.003. Subject to satisfactory performance Council extend the Contract for expenditure of up to \$1 million4. Sign documents the necessary Legal documentation under the Common Seal of Council
Moved: Cllr Keir
Seconded: Cllr Woodcock
CARRIED

6/2012/36 Return to Open Session at 3.50pm
Resolved:
That Council return to open session
Moved: Cllr Woodcock
Seconded: Cllr Smith
CARRIED

Reports of Committees

6/2012/37 Adoption of Closed Session Reports
Resolved:
That Council adopt the following recommendation of the Closed Committee:
* Walgett Levee Rehabilitation Grant Funding
Moved: Cllr Woodcock
Seconded: Cllr Keir
CARRIED

Questions for the next Meeting

Cllr Woodcock

Question 1:

Can Council look into connecting 3 phase power to the Lightning Ridge Bore pump to reduce the electricity costs? Would also need to change over the pump switch board.

Response:

The Director Urban & Infrastructure Services will investigate and seek quotes

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Question 2:

Can Council inspect and fix the hole within the Khans Supermarket carpark at Lightning Ridge

Response:

Director Planning & Regulatory Services advised that Council have written to Mr Khan requesting repairs be carried out immediately. The Director of Engineering Services advised Khan's were approached when Council were in Lightning Ridge completing the work on the netball courts and offered to help with repairs however this offer was not taken up.

Clt Keir

Question 1:

Can Council inspect & repair Keep1 Street, Walgett as it is a gravel road in a terrible condition, This street provides access to Teacher Housing Units.

Response:

The Director of Engineering Services will investigate

Clt Martinez

Question 1:

Can Council inspect and repair the hole in the footpath at Lightning Ridge Khan's supermarket Carpark

Response:

Director Planning & Regulatory Services advised that Council have written to Mr Khan requesting repairs be carried out immediately. The Director of Engineering Services advised Khan's were approached when Council were in Lightning Ridge completing the work on the netball courts and offered to help with repairs however this offer was not taken up.

Question 2:

Can Council advise what happened to the RFDS airport lighting at Lightning Ridge which is needed especially during foggy conditions

Response:

The General Manager to investigate

Clt Walford

Question 1:

The town truck at Lightning Ridge needs to be inspected and repaired. When the boys start the truck there seems to be a litre of oil on the roof of the truck and when they recently completed the town run you could see hydraulic oil left on the road all around town.

Response:

The General Manager to investigate

Question 2:

The Lightning Ridge Sporting Field carpark is a sea of water and needs gravel to tidy up and level the area.

Response:

The Director Urban & Infrastructure Services noted to investigate.

Question 3:

The road to Namoi Village needs to be inspected and repaired. Apparently the school bus lost a wheel due to the poor state of the road.

Response:

Director of Engineering Services to inspect and provide a quote to the Walgett Aboriginal Lands Council to cover the costs of the repairs.

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Clr Smith

Question 1:

Can Council commence planting the trees in the main street of Collarenebri

Response:

The Director Urban & Infrastructure Services to arrange for these works to be carried out

Question 1:

The house boat in the Barwon River at Collarenebri has resurfaced and is located in the area where water sports activities occur it needs to be removed to prevent any accidents.

Response:

The General Manager to speak to the State Emergency Services regarding removing

Question 2:

Can Council investigate and repair the drainage issues within the Collarenebri township. Need to look into properly laser levelling the ground installing culvert pipes and/or white gravel.

Response:

The Director Urban & Infrastructure Services will investigate.

Clr Murray

Question 1:

Advised that the Principal at St Joseph's has requested trees need to be lopped near the school. She has also requested that when Council next get A1 tree trimming services to carry out work within Walgett, can Council let the school know as they need some trees lopped within the school yard.

Response:

The Director Urban & Infrastructure Services noted the need to arrange works and advised this is under control.

Question 2:

Clr Murray advised that he has received a letter from Mr Mark Evans requesting Council support trying to improve the mobile telephone service to the south of Walgett by utilising the tower 50kms south of Walgett

Response:

The General Manager to investigate

Close of Meeting

The meeting closed at 3.57pm

To be confirmed at the meeting of Council to be held on 24 July 2012.

Mayor

General Manager

Reserve Trust Management Committee Reports

Nil

Mayoral Minutes

1. WALGETT SHIRE COUNCIL MAYORAL MINUTE – NATIVE VEGETATION REGULATIONS REVIEW

COUNCIL MEETING: 24 July 2012
SUBJECT: Native Vegetation Regulation Review
FILE NUMBER: 10/202

Summary:

To consider whether Council should be making a submission with regards the current review of the Native Vegetation Regulation 2006.

Discussion (including issues and background):

The Native Vegetation Regulation 2006 and Native Vegetation Act 2003 are currently under review and public submissions close Friday 24 August 2012

Current Position:

Several consultation sessions have been conducted around NSW country locations. There is growing concern amongst rural landholders that the proposed changes are little more than "window dressing" and will never effectively address the widespread concerns of the rural community.

In particular, the socio-economic provisions fail to adequately address the concerns for increased productivity through appropriate levels of land clearing on a designated flood plain.

In turn, this works against farm succession and encouraging younger farmers to return to or stay on the land as they can only see an ever diminishing returns from the large amounts of capital required to effectively operate farming enterprises.

This is causing not only a marked decrease in both the age and size of the farming populations but also adding to the ever increasing downwards spiral of town populations particularly in Western NSW.

Relevant Reference Documents:

Native Vegetation Act 2003
Native Vegetation Regulation 2006
Review Fact Sheets 1 - 6
Walgett Shire Statement of Environment Report 2010/2011

Governance Issues:

The Walgett Shire 10 year Community Strategic Plan provides for Council to play a role in lobbying and facilitating discussion on issue of community concern.

Environmental Issues:

Evidence now available shows that proposed changes to the Regulation do not adequately address the environmental concerns of local landholders.

Stakeholders:

Council
Local Landholders
State Agencies

Financial Implications:

The cost of lobbying and facilitation is provided for from current budget votes.

Legal Issues:

Nil

Alternatives:

To make no submission and await outcome of the current review

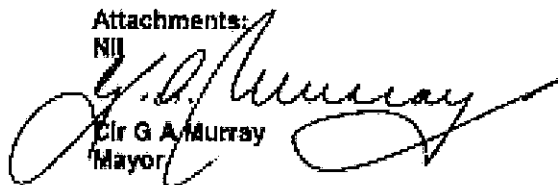
Conclusion:

That it is appropriate for Council to make a submission supporting the interests of local landholders who have become frustrated with the review process

Mayor's Minute Native Vegetation Regulations Review 2006
<p>Recommendation:</p> <p>That Council decide whether or not to make a formal submission in relation to the inadequacy of proposed changes to the Native Vegetation Regulation 2006.</p> <p>Moved:</p> <p>Seconded:</p>

Attachments:

Nil


G. A. Murray
Mayor

Motions of which Notice has been given

NIL

Presentation of Petitions

N/A

Councillors Questions From Last Meeting

Clr Woodcock

Question 1:

Can Council look into connecting 3 phase power to the Lightning Ridge Bore pump to reduce the electricity costs? Would also need to change over the pump switch board.

Response:

The Director Urban & Infrastructure Services will investigate and seek quotes

Question 2:

Can Council inspect and fix the hole within the Khans Supermarket carpark at Lightning Ridge

Response:

Director Planning & Regulatory Services advised that Council have written to Mr Khan requesting repairs be carried out immediately. The Director of Engineering Services advised Khan's were approached when Council were in Lightning Ridge completing the work on the netball courts and offered to help with repairs however this offer was not taken up.

Clr Keir

Question 1:

Can Council inspect & repair Keepit Street, Walgett as it is a gravel road in a terrible condition, This Street provides access to Teacher Housing Units.

Response:

The Director of Engineering Services will investigate

Clr Martinez

Question 1:

Can Council inspect and repair the hole in the footpath at Lightning Ridge Khan's supermarket Carpark

Response:

Director Planning & Regulatory Services advised that Council have written to Mr Khan requesting repairs be carried out immediately. The Director of Engineering Services advised Khan's were approached when Council were in Lightning Ridge completing the work on the netball courts and offered to help with repairs however this offer was not taken up.

Question 2:

Can Council advise what happened to the RFDS airport lighting at Lightning Ridge which is needed especially during foggy conditions

Response:

The General Manager to investigate

WALGETT SHIRE COUNCIL AGENDA

Clr Walford

Question 1:

The town truck at Lightning Ridge needs to be inspected and repaired. When the boys start the truck there seems to be a litre of oil on the roof of the truck and when they recently completed the town run you could see hydraulic oil left on the road all around town.

Response:

The General Manager to investigate

Question 2:

The Lightning Ridge Sporting Field carpark is a sea of water and needs gravel to tidy up and level the area.

Response:

The Director Urban & Infrastructure Services noted to investigate.

Question 3:

The road to Namoi Village needs to be inspected and repaired. Apparently the school bus lost a wheel due to the poor state of the road.

Response:

Director of Engineering Services to inspect and provide a quote to the Walgett Aboriginal Lands Council to cover the costs of the repairs.

Clr Smith

Question 1:

Can Council commence planting the trees in the main street of Collarenebri

Response:

The Director Urban & Infrastructure Services to arrange for these works to be carried out

Question 1:

The house boat in the Barwon River at Collarenebri has resurfaced and is located in the area where water sports activities occur it needs to be removed to prevent any accidents.

Response:

The General Manager to speak to the State Emergency Services regarding removing

Question 2:

Can Council investigate and repair the drainage issues within the Collarenebri township. Need to look into properly laser levelling the ground installing culvert pipes and/or white gravel.

Response:

The Director Urban & Infrastructure Services will investigate.

Clr Murray

Question 1:

Advised that the Principal at St Joseph's has requested trees need to be lopped near the school. She has also requested that when Council next get A1 tree trimming services to carry out work within Walgett, can Council let the school know as they need some trees lopped within the school yard.

Response:

The Director Urban & Infrastructure Services noted the need to arrange works and advised this is under control.

Question 2:

Clr Murray advised that he has received a letter from Mr Mark Evans requesting Council support trying to improve the mobile telephone service to the south of Walgett by utilising the tower 30kms south of Walgett

Response:

The General Manager to investigate

Reports of Delegates and Representatives

1. OROC MINUTES – 29 JUNE 2012

OROC MINUTES – 29 JUNE 2012

Recommendation:

1. That the minutes of the OROC Committee meeting held on 29th June 2012 be received and noted.

Moved:

Seconded:

Attachments: OROC Minutes – 29th June 2012

WALGETT SHIRE COUNCIL AGENDA

Minutes of the OROC Meeting

held at

Trangie Agricultural Research Centre

on

Friday 29th June 2012

at 11.00am

1. Meeting Open and apologies

Mayor of Narramine Shire Council, Cllr Bill McAnally warmly welcomed the OROC Board to the Narramine Shire and thanked the Trangie Agricultural Research Centre staff for the very informed tour of the Trangie/Nevertine Irrigation Scheme modernising project.

The meeting was opened at 11.00 am by OROC Chair Cllr Bill McAnally.

Present: Cllr Bill McAnally, Narramine Shire; Greg Lament, Narramine, Shire; Cllr Matthew Slack-Smith, Brewarrina Shire; Rod Shaw, Brewarrina Shire; Cllr Bill Murray, Walgett Shire; Don Ramsland, Walgett Shire; Cllr Lilliane Brady, Cobar Shire; Gary Woodman, Cobar Shire; Geoff Wise, Bourke Shire; Steve Loane, Warrumbungle Shire; Cllr Rex Wilson, Warren Shire; Ashley Wielinga, Warren Shire; Cllr Ken Gordon, Gilgandra Shire; Paul Mann, Gilgandra Shire; Cllr Mathew Dickerson, Dubbo City; Mark Riley, Dubbo City; Derek Francis, Bogan Shire; Cllr Tom Cullen, Coonamble Shire; Bruce Quarriby, Coonamble Shire and OROC Executive Officer Belinda Barlow.

A warm welcome was extended to Member for Dubbo and Parliamentary Secretary for Natural Resources, Terry Grant; Chris Evans and Gavin Priestly, NSW Public Works; Ashley Albury, NSW Planning and Infrastructure and Ross O'Shea and Jason Collins, NSW Premier and Cabinet.

Apologies: Cllr Ray Donald, Bogan Shire; Cllr Peter Shinton, Warrumbungle Shire; Cllr Jim Hampstead, Bogan Shire; Cllr Tim Horan, Coonamble Shire; Rick Warren, Coonamble Shire, Cllr Andrew Lewis, Bourke Shire and John Walkom, Chair, BDA Orana

Motion: *That the apologies be accepted by the OROC Board.*

WALGETT SHIRE COUNCIL AGENDA

Moved: Cllr Ken Gordon

Seconded: Paul Mann

CARRIED

2. Chris Evans – Regional Projects Co-ordinator, NSW Public Works
--

Chris Evans offered a presentation and overview of the business and projects of NSW Public Works.

3. Ashley Albury – Regional Director NSW Planning and Infrastructure

Ashley explained to the Board that the population figures distributed by NSW Planning in 2008 were incorrect and NSW Planning will rectify these figures in accordance with the newly released ABS data released on 21st June 2012. The Demography unit within NSW Planning uses a formula of inward and outward population + assumption to determine the population projection figures. Ashley added that the current trending data has been used since 1976, NSW population figures (NSW Planning) will be released early 2013. Furthermore Ashley acknowledged OROC's query for population planning maps to be considered by ROC boundaries.

3.1 Ross O'Shea – Western Regional Co-ordinator, NSW Premier and Cabinet

Ross O'Shea explained to the OROC Board that there are now 5 identified priorities and actions for the Orana Region that are a result of community and stakeholder consultations undertaken in the early part of 2012.

These priorities are:

Priority 1: Support economic growth within the region.

Priority 2: Engage with young people and their families to improve education outcomes and increase community participation and employment opportunities.

Priority 3: Support Aboriginal people and communities to develop and implement effective governance structures.

Priority 4: Improving regional infrastructure.

WALGETT SHIRE COUNCIL AGENDA

Priority 5: Integrate and coordinate human service delivery to improve Health outcomes and Community Safety.

4. Troy Grant – Member for Dubbo and Parliamentary Secretary for Natural Resources

Mr Grant advised the OROC Board that NSW Government has made significant investment in health and roads since coming into office 15 months ago. There has been a noteworthy investment in mental health and employment in the Dubbo electorate and the re-location of the Crown Lands office to Dubbo will attract 22 additional jobs. Mr Grant further advised that the leading issue that comes via his Dubbo Electorate office are concerns and queries relating to Crown Lands.

Member for Dubbo expressed the concerns of NSW Government in relation to Murray Darling Basin Plan as 56% of NSW is affected by the proposed plan. NSW Government is maintaining the stance that the Plan in its current form does not meet the needs of NSW. The review of SDLs should be pushed out further than 2015 and the NSW Government is encouraging no more buy backs in NSW and there should be major investment in water infrastructure from the Commonwealth to keep productive water in the system.

Mr Grant further advised the OROC Board, that NSW Minister for Planning Brad Hazzard will be visiting Dubbo on 17th July and any councils that would like to meet with him are warmly invited to do so on this day.

Concern regarding removing Development Applications from council services was raised, and Mr Grant stressed that there is discussion to take the decision making away from Councillors; leaving council professional staff with the final decision.

OROC Chair, Cllr Bill McAnally, raised the inflated cost of road construction (and associated procedures) in NSW compared with other states. Mr Grant informed the Board that the NSW Government is considering the cost of bureaucracy in NSW. He also reminded the Board that Infrastructure NSW Strategy is due for release in September 2012, and Member for Barwon, Kevin Humphries has been working to include the Barwon Roads Strategy as part of the Infrastructure NSW investment.

5. Confirmation of previous OROC Minutes - meeting held 20th April 2012

Motion: *That the Minutes of the OROC meeting held in Lightning Ridge on Friday 20th April 2012 be accepted as a true and accurate record of that meeting.*

WALGETT SHIRE COUNCIL AGENDA

Moved: Cr Lilliane Brady

Seconded: Cr Bill Murray

CARRIED

Business arising from previous Minutes – 20th April 2012

There was no recorded business arising

Confirmation of Minutes – GMAC Meeting held 1st June 2012

Motion: *That the Minutes of the GMAC meeting on 1st June 2012 in Dubbo, be accepted as a true and accurate record of that meeting and that the 2 recommendations contained therein be adopted.*

Moved: Mark Riley

Seconded: Rod Shaw

CARRIED

Business arising from GMAC Meeting – 1st June 2012

Recommendation 1: That the condolences of OROC are expressed to Mr Ramsland and that once funeral arrangements are known for Jane, that OROC send flowers to the funeral service.

Recommendation 2: That OROC submit a motion to the AGM of the Murray Darling Association (MDA) requesting MDA to lobby for weirs in the Banwon and Darling River schemes be raised and/or renewed where necessary to improve the security of town water supplies.

6. OROC Correspondence

Motion: *That the OROC correspondence be accepted by the OROC Board.*

WALGETT SHIRE COUNCIL AGENDA

Moved: Cllr Ken Gordon

Seconded: Cllr Rex Wilson

CARRIED

7. Financial Report

The financial report was tabled by the Executive Officer.

Motion: That the OROC financial report for the period ending 20th May 2012, be accepted by the OROC Board

Moved: Cllr Ken Gordon

Seconded: Ashley Wieringa

CARRIED

8. Executive Officer's Report

Motion: (i) That OROC Board will meet with the Local Government Review Panel (1st Round) on 17th August in Dubbo.

(ii) That OROC Chair and Executive Officer is to work on developing a 30 minute presentation to the Local Government Review Panel, in consultation with Mark Riley, Paul Mann and Cllr Mathew Dickerson.

(iii) That Cllr Mathew Dickerson presents the OROC region focussed overview to the Local Government Review Panel on 17th August 2012.

Moved: Cllr Rex Wilson

Seconded: Mark Riley

CARRIED

WALGETT SHIRE COUNCIL AGENDA

Motion: *That OROC nominates Don Ramsland and Paul Mann to participate in the Aeromedical (rotary wing) consultation.*

Moved: Ashley Wierlinga

Seconded: Cllr Ken Gordon

CARRIED

Motion: *That OROC support GMAC and the OROC Weather Radar Steering Committee's decision to appoint GHD to undertake the OROC Weather Radar Project for the agreed sum of \$13,000.*

Moved: Ashley Wierlinga

Seconded: Gary Woodman

CARRIED

Motion: *That OROC notes that a submission signed by the OROC Chair has been sent to the report on the Ryan Review of LHPAs in NSW.*

Motion: *That OROC notes that a submission signed by the OROC Chair has been sent to IPART on the review of access pricing for NSW Grain Line Network.*

Motion: *That OROC notes that a submission signed by the OROC Chair has been sent to the State Government inquiry into the establishment of special economic zones.*

Moved: Cllr Ken Gordon

Seconded: Cllr Tom Cullen

CARRIED

Motion: *That the Executive Officer's Report is accepted by the Board.*

Moved: Cllr Ken Gordon

Seconded: Cllr Rex Wilson

CARRIED

WALGETT SHIRE COUNCIL AGENDA

9. General Business

Traralgon Agricultural Research Centre

Motion: *That OROC Board write to the Minister for Primary Industry expression our appreciation for the outstanding research and extension work being done at TARC and urge that this important research be guaranteed to continue.*

Moved: Geoff Wise

Seconded: Cllr Rex Wilson

CARRIED

Saleyard Operators

Steve Isane urged all councils that own and operate saleyards to be aware of the Australian Livestock Markets Association (ALMA) AGM being held on 25th and 26th July as it is proposed in a motion that the Board be reduced from 12 representatives to 7 representatives and therefore will remove any representation of councillors or local government senior staff to the ALMA Board

Temporary policy to change local government boundaries

It was noted that Ministerial Circular has been distributed to councils that notes there is a temporary policy to apply to propose to change local government boundaries.

Inland Rail Symposium

Motion: *That OROC write to Leader of National Party, Warren Truss and Minister for Transport and Infrastructure, Anthony Albanese supporting the development of the Melbourne to Brisbane Inland Railway.*

WALGETT SHIRE COUNCIL AGENDA

Moved: Cr Tom Cullen

Seconded: Greg Lamont

CARRIED

10. Close/Next Meeting

The next QROC Board meeting is set down for Friday 17th August in Dubbo to coincide with Local Government Review Panel consultation (Stage 1).

The meeting closed at 1.20 pm.

WALGETT SHIRE COUNCIL AGENDA

SUMMARY OF MOTIONS

1. Motion: *That the apologies be accepted by the OROC Board.*

Moved: Cllr Ken Gordon

Seconded: Paul Mann

CARRIED

2. Motion: *That the Minutes of the OROC meeting held in Lightning Ridge on Friday 20th April 2012 be accepted as a true and accurate record of that meeting.*

Moved: Cllr Lilliane Brady

Seconded: Cllr Bill Murray

CARRIED

3. Motion: *That the Minutes of the GMAC meeting on 1st June 2012 in Dubbo, be accepted as a true and accurate record of that meeting and that the 2 recommendations contained therein be adopted.*

Moved: Mark Riley

Seconded: Rod Shaw

CARRIED

4. Motion: *That the OROC correspondence be accepted by the OROC Board.*

Moved: Cllr Ken Gordon

Seconded: Cllr Rex Wilson

CARRIED

5. Motion: *That the OROC financial report for the period ending 20th May 2012, be accepted by the OROC Board*

Moved: Cllr Ken Gordon

Seconded: Ashley Wislingsa

CARRIED

WALGETT SHIRE COUNCIL AGENDA

6. Motion: (i) That OROC Board will meet with the Local Government Review Panel (1st Round) on 17th August in Dubbo.

(ii) That OROC Chair and Executive Officer is to work on developing a 30 minute presentation to the Local Government Review Panel, in consultation with Mark Riley, Paul Mann and Cllr Mathew Dickerson.

(iii) That Cllr Mathew Dickerson presents the OROC region focussed overview to the Local Government Review Panel on 17th August 2012.

Moved: Cllr Rex Wilson

Seconded: Mark Riley

CARRIED

7. Motion: That OROC nominates Don Ramsland and Paul Mann to participate in the Aeromedical (rotary wing) consultation.

Moved: Ashley Wislinga

Seconded: Cllr Ken Gordon

CARRIED

8. Motion: That OROC support GIMAC and the OROC Weather Radar Steering Committee's decision to appoint GHD to undertake the OROC Weather Radar Project for the agreed sum of \$13,000.

Moved: Ashley Wislinga

Seconded: Gary Woodman

CARRIED

WALGETT SHIRE COUNCIL AGENDA

9. Motion: *That OROC notes that a submission signed by the OROC Chair has been sent to the report on the Ryan Review of LHPAs in NSW.*
- 9.1 Motion: *That OROC notes that a submission signed by the OROC Chair has been sent to IPART on the review of access pricing for NSW Grain Line Network.*
- 9.2 Motion: *That OROC notes that a submission signed by the OROC Chair has been sent to the State Government inquiry into the establishment of special economic zones.*

Moved: Cllr Ken Gordon

Seconded: Cllr Tom Cullen

CARRIED

10. Motion: *That the Executive Officer's Report is accepted by the Board.*

Moved: Cllr Ken Gordon

Seconded: Cllr Rex Wilson

CARRIED

11. Motion: *That OROC Board write to the Minister for Primary Industry expression our appreciation for the outstanding research and extension work being done at TARC and urge that this important research be guaranteed to continue.*

Moved: Geoff Wise

Seconded: Cllr Rex Wilson

CARRIED

12. Motion: *That OROC write to Leader of National Party, Warren Truss and Minister for Transport and Infrastructure, Anthony Albanese supporting the development of the Melbourne to Brisbane Inland Railway.*

WALGETT SHIRE COUNCIL AGENDA

Moved: Cr Tom Cullen

Seconded: Greg Lamont

CARRIED

2. FLOODPLAIN MANAGEMENT ASSOCIATION QUARTERLY MEETING

REPORTING SECTION: Urban Infrastructure Services
AUTHOR: Siegfredo O Coralde – Director Urban Infrastructure Services
FILE NUMBER: 10/769

Summary:

This report recommends that Council note the Floodplain Management Association Quarterly Meeting held at Level 5 Meeting Room, Bureau of Meteorology, 200 Elizabeth Street, Darlinghurst commencing at 11:00 am.

Council did not send its representative to attend this meeting.

Background:

The Floodplain Management Association (FMA) held the first annual conference in 1961. The aim of the organization was to promote sound and responsible floodplain management and to make representations on behalf of Local Government at State and Federal levels. The association started growing steadily and currently had a membership of more than 90 organisations. Eighty five of current members are local authorities.

A committee of 7 manages the association's activities and meets quarterly. The committee is composed of an Executive Officer, Chairman, Deputy Chair, two Directors, Communication Officer and Immediate Past Chairman.

Current Position:

Council is not an active member of the Floodplain Management Association since 2011. However, the association still continues sending publications and other information to Council that includes the quarterly report meetings. The highlights of the meeting are briefly summarized:

Preparation is underway for the National FMA Conference 2013.

The wide range of land-use planning issues and recovery following the 2011 Queensland floods. Mr. Brendan Nelson of QRA was awarded as National Planner of the Year for his work with the Queensland Reconstruction Authority.

Raising the increased funding under the Natural Disaster Relief Program (NDRP) for durable restoration of infrastructure following floods, specifically in road issues with Hon. Duncan Ray, NSW Minister of Roads while attending the official opening of Moree town-by-pass road.

The forthcoming 63rd Conference of the International Commission on Irrigation and Drainage and Irrigation Australia Annual Conference to be held concurrently with the 7th Annual Asian Regional Irrigation Conference in Adelaide from 24-30 June 2012. Information can be viewed at <http://online.saneevent.com.au/ial2012/>.

The Flood Hazard Seminar held on 27 March 2012 presented by FM Global entitled 'Managing Your Flood Hazard' for commercial clients of FM Insurance Group, many of which are FMA Member Councils. The presentation seminars try to help clients with information to understand the flood exposure of their site/s, and resources available to help flood emergency response plan together.

The seminar included active practical participation from attendees. It then became apparent that the information Councils convey on their websites varies enormously in type, detail and useability. Some Councils only provide basic information while other neighbouring Councils provide comprehensive flood data such as depths, velocities, flow directions for a range of return intervals. This practical exercise showed participants the need of developing consistency in flood modelling and mapping which is the current aim of the National Flood Risk Information Project (NFRIP).

The range of AEP applications such as 0.2% (500 year) flood in premium calculations by insurers became an issue as this is not the usual output of many council flood studies. Adopting AEP flood percentages in flood calculations may be an issue to be explored at future FMA workshop.

The Hon. Brad Hazzard, Minister for Planning and Infrastructure announced a total review of the NSW Planning System, particularly the Environmental, Planning and Assessment Act 1979 with the aim to create a new planning legislation in NSW. The review panel divided the review into five milestones:

Review Announcement

Listening and Scoping (www.planningreview.nsw.gov.au)

Issues Paper (www.planningreview.nsw.gov.au/LinkClick.aspx?fileticket=vEnXxrnamc%3d&tabid=119&mid=569)

Policy Options Release by the end of May 2012

Draft Legislation - Details of timing release of 'white paper' and draft legislation to be published

The status of NSW Flood Data Base Project between OEH and SES funded by the Natural Disaster Resilience Program (NDRP). This project aims to create a strategic understanding and a common picture of flood risk and behaviour across NSW. It will address community vulnerability and ensure informed emergency response allowing for better monitoring and implementation of a NSW Flood Prone Land Policy. The information collated by this project will be initially available to Commonwealth Government, State Government and Local Government. It is noted that many Councils only supply information via the s149(2) and (5) process and therefore, accuracy and authenticity of the collated data may become a concern to local government stakeholders.

The 4-year National Flood Risk Information Project funded by the Commonwealth has started on 01 July 2012. This project is the government's response to the Natural Disaster Insurance Review (NDIR). The key deliverables include the development of an information portal, the development of national guidelines covering collection, comparability and reporting of flood risk information and revision of the Australian Rainfall and Runoff Tables.

The Bureau of Meteorology Report providing important information regarding the recent rain and flooding in New South Wales, flood warning performance and seasonal outlook for local authorities. The Year 2011/2012 according to the report is the busiest year on record with over 1,200 flood watches and warnings, 2,350 flood predictions and 36 towns excavated by SES as a result of high flooding incidents. Aside from St George, Walgett is the second town greatly affected by the January – February 2011.

Relevant Reference Documents/Policies:

Natural Disaster Resilience Program (NDRP)
Floodplains Development Manual 2005

WALGETT SHIRE COUNCIL AGENDA

Guideline on Development Controls on Low Risk Flood Areas 2007

Governance issues:

Nil.

Environmental issues:

Continued subscription and membership to the Floodplain Management Association (FMA) will ensure Council of up-to-date information regarding flood management issues. Walgett Township is located in the floodplain areas.

Stakeholders:

Walgett Shire Council
Floodplain Management Association Member Councils

Financial Implications:

Council to pay the \$1,100 annual membership fee.

Conclusion:

Floodplain Management Association (FMA) is one organization that can provide substantial information to Council regarding floods, land use planning and other environmental issues relevant to providing essential services to the community.

Council, therefore, consider renewing its membership with the Floodplain Management Association.

Council note that the next quarterly meeting is scheduled on 30 August 2012.

FLOODPLAIN MANAGEMENT ASSOCIATION QUARTELY MEETING

Recommendations:

1. Council note the Floodplain Management Association Quarterly Minutes of the meeting held at Level 5, Meeting Room, Bureau of Meteorology, 300 Elizabeth Street, Darlinghurst.
2. Council note that the next quarterly meeting is scheduled on 30 August 2012 and send a representative to attend this meeting.
3. Council consider renewing its membership with Floodplain Management Association.

Moved:

Seconded:

Minutes of Quarterly Meeting being circulated under separate cover

**3. FLOODPLAIN MANAGEMENT ASSOCIATION COMMITTEE
MINUTES – 24 MAY 2012**

FLOODPLAIN MANAGEMENT ASSOCIATION COMMITTEE MINUTES – 24 MAY 2012
--

Recommendation:

1. That the minutes of the Floodplain Management Association Committee meeting held on 24th May 2012 be received and noted.

Moved:

Seconded:

Attachments: Floodplain Management Association Committee Minutes – 24th May 2012 (*Being Circulated under Separate Cover*)

Reservation of items for Debate

Nil

Reports of Officers

1. COUNCIL'S DECISION ACTION REPORT – JUNE 2012

REPORTING SECTION: General Manager

AUTHOR: Don Ramsland

FILE NUMBER: 10/154

Summary:

This schedule summarises the action taken in respect of matters considered at the previous meeting of Council and includes any action from previous meetings still outstanding

Background:

Attached is the Resolution Register which summaries outstanding action in respect of all resolutions as well as any other matters raised at the last Meeting which required action. The Resolution Register also lists any matters from previous meetings (as of July 2011) that have not been finalised.

Current Position:

Details of Action taken/being taken are flagged for each motion.

Relevant Reference Documents/Policies:

Resolution Register 20 December 2011

Governance issues:

Standard procedure dictates that Council resolution should be implemented as soon as practicably be achieved.

Environmental issues:

Nil

Stakeholders:

Council and Manex Team

Financial Implications:

Nil

Alternative Solutions/Options:

Nil

Conclusion:

WALGETT SHIRE COUNCIL AGENDA

That the resolutions register be received and noted. It is requested that any queries be raised with the General Manager prior to meeting day facilitate proceedings at the meeting.

COUNCIL DECISIONS ACTION REPORT – JUNE 2012

Recommendation:

1. That the Resolution Register for June 2012 be received and noted.

Moved:**Seconded:****Attachments:**

Resolution Register for – June 2012

22 May 2012	5/2012/2	That Council investigate the cost of providing all weather access to all cemeteries within the Shire and provide a report to the June, 2012 Meeting. Moved: Cllr Keir Moved: Cllr Smith	Urban Infrastructure Services	Urban is working on this matter – 13/7/2012	Director Urban & Infrastructure Services	30/06/2012
22 May 2012	4/2012/36	That the switchboard repairs be carried out as soon as possible and the General Manager ascertain the reasons for the delay and position with regards to insurance Moved: Cllr Smith Seconded: Cllr Greenaway	General Manager	Repairs completed	General Manager	
22 May 2012	5/2012/14	That: 1. Council note the letter dated 23 March 2012 from Department of Planning & Infrastructure which conditionally certifies the draft Walgett Local Environmental Plan 2012 (LEP) for public exhibition under section 65 of the Environmental Planning and Assessment Act 1979. 2. Note the verbal presentation by Ashley Albury, the Regional Director of the Department of Planning & Infrastructure during which he indicated that: (a) He is prepared to provide a letter which guarantees the Department will allow rural lifestyle rezoning on suitable land in the vicinity of Collarenebri, Lightning Ridge and Walgett. (b) The Department supports the public exhibition of an LEP which includes two options for mining camps in the proposed "SP1 Special activities – mining" zone (preserved Opal Fields), one excluding additional camps (current wording) and the other which allows new camps related to Opal mining. 3. Endorse a Draft Walgett LEP 2012 which includes two options for mining camps within the SP1 zone, one excluding new camps and the other enabling them. 4. Request the GM to ensure that appropriate explanatory notes regarding the camp options are circulated to the public and NSW Government agencies during the public exhibition period. 5. Place draft Walgett Local Environmental Plan 2012 on public exhibition for a minimum period of six weeks. 6. Request the General Manager to arrange community information sessions regarding the draft Walgett Local Environmental Plan 2012 at Carinda, Collarenebri, Cumborah, Grawin, Lightning Ridge and Walgett early in the public exhibition period.	Planning & Regulatory Services	No 1 & 2 No action required - 13/7/2012	Director Planning & Regulatory Services	
22 May 2012	Questions for the next Meeting	Can a perpetual award be considered to honour the late Cllr Dick Colless Cllr Keir	General Manager	16/7/2012 - Report being prepared for July meeting	General Manager	

WALGETT SHIRE COUNCIL AGENDA

22 May 2012	Questions for the next Meeting	Can the Honour Board in the Council Chambers be updated the last time it was updated was back in 1999 Clr Keir	General Manager	Costs being obtained	General Manager	
22 May 2012	Questions for the next Meeting	Can Council look into the beautification of the main street in Lightning Ridge as I have noticed that bitumen is being used. The bitumen is not a good look, could something be done between the gutters and the footpath, can this be put on a program for Lightning Ridge? Clr Martinez	Governance	16/7/2012 - Report deferred to August meeting	General Manager	
22 May 2012	Questions for the next Meeting	Enquired as to whether there was any money in the budget to beautify main streets around the Shire Clr Martinez		Limited provision made in 2012/2013 Budget – Some funds carried forward from previous year	General Manager	30/6/2012
22 May 2012	Questions for the next Meeting	The main street in Collarenebri needs attention. There is a particular property that has overgrown grass and it is a fire hazard as well as being an eye sore Clr Smith	Governance	Matter resolved	General Manager	30/6/2012
22 May 2012	Questions for the next Meeting	The growth in the table drains along the side of the road is starting to create blind spots and this has a potential for accidents. Could this be actioned as a matter of urgency Clr Smith	General Manager	Referred to June RMCC meeting	General Manager	30/6/2012

Resolution Actions for Ordinary Meeting 26 June 2012

26 June 2012	6/2012/1	That apologies from Clr Greenaway & Clr Lane be accepted and leave of absence granted Moved: Clr Walford Seconded: Clr Martinez	General Manager	No further action required	General Manager	26/6/2012
26 June 2012	6/2012/2	That the minutes of the Council meeting held 22 nd May be confirmed Moved: Clr Woodcock Seconded: Clr Martinez	General Manager	No further action required	General Manager	26/6/2012

WALGETT SHIRE COUNCIL AGENDA

26 June 2012	6/2012/3	The minutes of the Extraordinary Council meeting held on 22 nd May 2012 be confirmed Moved: Cllr Walford Seconded: Cllr Smith	General Manager	No further action required	General Manager	26/6/2012
26 June 2012	6/2012/4	That Council: 1. Note the Strategic Waste Plan prepared by Netwaste on behalf of all member Councils 2. Considers integrating the six priority areas into the final development of its Solid Waste Management Plan. 3. Place the Strategic Waste Plan on Walgett Shire Council's website for general public information. Moved: Cllr Walford Seconded: Cllr Keir	Urban Infrastructure Services	Strategic Waste Plan already published on Council's Website No further action required	Director Urban & Infrastructure Services	13/7/2012
26 June 2012	6/2012/5	That the minutes of the Netwaste Committee minutes held on 1 st June 2012 be received and noted Moved: Cllr Smith Seconded: Cllr Martinez	Urban Infrastructure Services	No further action required	Director Urban & Infrastructure Services	13/7/2012
26 June 2012	6/2012/6	That the minutes of the Walgett Shire Local Area Traffic Committee minutes held on 7 th June 2012 be received and noted. Moved: Cllr Keir Seconded: Cllr Smith	Engineering Services	13/7/2012 - Ongoing action taken as required	Director of Engineering Services	13/7/2012
26 June 2012	6/2012/7	That the Action Register for May 2012, be received and noted Moved: Cllr Smith Seconded: Cllr Woodcock	General Manager	26/06/2012 - No further action required	General Manager	26/6/2012
26 June 2012	6/2012/8	That the information contained in the weekly circulars from the NSW Local Government and Shires Association be received and noted. Moved: Cllr Kelly Seconded: Cllr Martinez	General Manager	26/06/2012 - No further action required	General Manager	26/6/2012
26 June 2012	6/2012/9	That the information contained in the following Departmental circulars 12-13 to 12-18 from the Local Government Division Department of Premier and Cabinet be received and noted. <ul style="list-style-type: none"> • Circular to Councils 12-13 – Determination of the Local Government Remuneration Tribunal • Circular to Councils 12 -14 – Candidate Diversity Strategy and Thinking about becoming a Councillor • Circular to the Councils 12 – 15 – Release of the Destination 2036 Action Plan • Circular to the Councils 12 – 16 – Boarding House Tariffs for Residential Rating and Fee for Section 603 Certificates for 2012/13 • Circular to Councils 12 – 17 – Information about 	General Manager	2.7.2012 - Action taken as appropriate	General Manager	02/7/2012

WALGETT SHIRE COUNCIL AGENDA

		<p>Ratings for 2012/13</p> <ul style="list-style-type: none"> Circular to Councils 12 – 18 – Councillor Induction and Professional Development – A Guide for Councils. <p>Moved: Cllr Woodcock Seconded: Cllr Smith</p>				
26 June 2012	6/2012/10	<p>That Council receive and note the regular monthly calendar for the period June 2012 to August 2012</p> <p>Moved: Cllr Kelly Seconded: Cllr Walford</p>	General Manager	26/06/2012 - No action required	General Manager	26/6/2012
26 June 2012	6/2012/11	<p>That Council await the outcomes from the Division of Local Government's consultation process.</p> <p>Moved: Cllr Keir Seconded: Cllr Walford</p>	General Manager	02/07/2012 –Watching brief maintained	General Manager	02/07/2012
26 June 2012	6/2012/12	<p>That Council establish a small working party, comprising the Mayor, Deputy Mayor and MANEX to review the Plan and report on how best to contribute to the 5 key strategic directions identified in the Destination 2036 Action Plan</p> <p>Moved: Cllr Woodcock Seconded: Cllr Keir</p>	General Manager	02/07/2012 First meeting planned for late July 2012	General Manager	
26 June 2012	6/2012/13	<p>That the matters listed by the General Manager for brief mention or information be received and noted.</p> <p>Moved: Cllr Woodcock Seconded: Cllr Keir</p>	General Manager	26/06/2012 - No further action required	General Manager	02/07/2012
26 June 2012	6/2012/14	<p>That the Eligibility Criteria detailed in this report be adopted as criteria for evaluation of the applications under the Community Assistance Scheme</p> <p>Moved: Cllr Smith Seconded: Cllr Keir</p>	Corporate Services	13/7/2012 - Applications invited – Report for July Meeting	Director Corporate Services	
26 June 2012	6/2012/15	<p>That the Council, having considered any submissions received, formally adopt the Draft Walgett Shire Ten (10) Year Community Strategic Plan and that the Plan be submitted to the Division of Local Government for endorsement</p> <p>Moved: Cllr Woodcock Seconded: Cllr Keir</p>	Corporate Services	13/7/2012 - CSP & Other required documentation to be submitted to Department	Director Corporate Services	
26 June 2012	6/2012/16	<p>That Council having considered any submissions received:</p> <ol style="list-style-type: none"> Adopts the 2012/2013 Operational Plan and Budget, 2012/2016 Delivery Program and Long Term Ten (10) Year Financial Plan incorporating the following changes: <ul style="list-style-type: none"> A variation in the budget for the 2012/13 year of \$92k <p>Indicative figures for revenue/expenditure from RMS for 2012 Flood Damage have been received - \$10.3M</p> <p>Indicative figures for revenue/expenditure from RMS</p>	Corporate Services	13/7/2012 - Fees & Charges Schedule circulated. Work for Rates levy & Water Billing in progress	Director Corporate Services	

WALGETT SHIRE COUNCIL AGENDA

		<p>for 2012/2013 RMCC Works have been received - \$13.5M</p> <p>Provision has now been made for a capital grant of \$250K for the establishment of lower level PCYC Facility</p> <p>2. Adopts Fees and Charges 2012/2013 as listed in the Schedule of Fees and Charges 2012/2013 with Council reserving the right to vary fees and charges of a commercial nature as circumstances require.</p> <p>3. Makes the annual charge for the provision of domestic waste management services for each parcel of rateable land for which the service is available in accordance with section 496 of the Local Government Act (1993)</p> <p>4. Adopts the increase of 10% in Walgett and Collarenebri, and 3.6% in Lightning Ridge in the annual Sewer charge</p> <p>5. Adopts the Water Pricing Structure as set out in the Schedule of Fees and Charges</p> <p>6. Provision is made for the following additional strategies/action plans:</p> <ul style="list-style-type: none"> * Establishment of an effective Interagency Committee * Council operations, organisational structure and plant utilisation * Provision of a new works depot at Walgett * Additional Road Infrastructure initiatives to provide for the establishment of an effective landholders in local road maintenance/flood damage works. * Provision of Walgett Airport maintenance work - \$1M * Provision of Walgett Town Levee work - \$1m and ongoing * Provision for lobbying for a range of community and economic development proposals. <p>No capital projects over \$20,000 will be commenced without a detailed project cost and funding summary and supporting documentation being available.</p> <p>7. Moved: Cllr Woodcock Seconded: Cllr Smith</p>				
26 June 2012	6/2012/17	<p>That:</p> <p>1. The Three Year Internal Audit Plan as attached be adopted.</p> <p>2. The Walgett Shire Council Audit & Risk Management Charter as attached be adopted.</p> <p>3. The minutes of the Audit & Risk Management meeting held on 8th May 2012 be received and noted.</p> <p>Moved: Cllr Walford Seconded: Cllr Keir</p>	Corporate Services	13/7/2012 - Audit processes with A&RMC ongoing	Director Corporate Services	

WALGETT SHIRE COUNCIL AGENDA

26 June 2012	6/2012/18	That the cash on hand and investment report as at 31 May 2012 be received. Moved: Cllr Smith Seconded: Cllr Keir	Corporate Services	26/06/2012 - No further action required	Director Corporate Services	26/06/2012
26 June 2012	6/2012/19	That Council consolidate the water funds for reporting purposes. For pricing purposes, the individual funds need to be kept to ensure that the water tariff set for the towns is reflective of the costs incurred in providing the service. However for reporting purposes, there would be no internal loans, or separate reporting of individual water fund reserves Moved: Cllr Woodcock Seconded: Cllr Smith Cllr Martinez requested that his name be recorded as having voted against this resolution.	Corporate Services	Noted for E.O.Y Process	Director Corporate Services	26/06/2012
26 June 2012	6/2012/20	That Council: 1. Resolves in accordance with Section 566 of the Local Government Act 1993, to make the rate of interest to charge on overdue rates and charges be 10% for 2012/2013. 2. Resolves in accordance with Section 563 of the Local Government Act 1993, to make the discount 3.6% for payment in full of total rates and charges (less any rebates) for ratepayers whose payments are received in full on or before the 31 August 2012. 3. Resolves to make the Ordinary Rates for the 2012/2013 year as set out below on the land value for all ratable land within each category and sub-category specified, including each base amount and percentage of the total amount payable the base amount produces in conformity with section 500 of the Local Government Act 1993.	Corporate Services	Noted for conduct of 2012/13 Rates/Levy	Director Corporate Services	26/06/2012

WALGETT SHIRE COUNCIL AGENDA

[illegible]

WALGETT SHIRE COUNCIL AGENDA

26 June 2012	6/2012/24	That the funding agreement for services auspice by Council under the <i>Department of Families and Community</i> be executed under the Common Seal of Council. Moved: Cllr Walford Seconded: Cllr Smith	Corporate Services	Documents forwarded to funding body	Director Corporate Services	13/7/2012
26 June 2012	6/2012/25	That the funding agreement variation for the activities under the "Strong Collie" Program be executed under the Common Seal of Council. Moved: Cllr Woodcock Seconded: Cllr Walford	Corporate Services	Documents forwarded to funding body	Director Corporate Services	13/7/2012
26 June 2012	6/2012/26	That Council note the report on Development and Complying Development Certificate applications dealt with by Council staff under delegated authority from April to May 2012. Moved: Cllr Keir Seconded: Cllr Martinez	Planning & Regulatory Services	26/06/2012- No action required	Director Planning & Regulatory Services	26/06/2012
26 June 2012	6/2012/27	That Council seek clarification from Regional Manager Western Region Mr Ashley Albury, Department of Planning & Infrastructure in regards to the wording/guarantee for the provision of Rural Life Style zoning approval. Moved: Cllr Walford Seconded: Cllr Smith Planning Division: For: Cllr Murray, Cllr Smith, Cllr Walford, Cllr Martinez, Cllr Keir, Cllr Woodcock Against: Nil Note: Cllr Greenaway and Cllr Lane were absent from the meeting	Planning & Regulatory Services	Request for clarification submitted 11/7/2012 – In Progress	Director Planning & Regulatory Services	
26 June 2012	6/2012/28	That Council defer the consideration of the report to the July 2012 meeting of Council Moved: Cllr Smith Seconded: Cllr Keir Planning Division: For: Cllr Murray, Cllr Smith, Cllr Walford, Cllr Martinez, Cllr Keir, Cllr Woodcock Against: Nil Note: Cllr Greenaway and Cllr Lane were absent from the meeting	Planning & Regulatory Services	13/7/2012 - Report resubmitted for July Council meeting	Director Planning & Regulatory Services	
26 June 2012	6/2012/29	That the report by the Director of Planning & Regulatory Services on matters for brief mention, or information only, be received and noted. Moved: Cllr Keir Seconded: Cllr Walford	Planning & Regulatory Services	No action required	Director Planning & Regulatory Services	26/06/2012

WALGETT SHIRE COUNCIL AGENDA

26 June 2012	6/2012/30	<p>That the matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted.</p> <p>Moved: Cllr Woodcock Seconded: Cllr Smith</p> <p>That Representative of NSW Office of Water (Mr Bill Ho) be invited to attend the July meeting of Council to discuss operational issues surrounding the Collarenebri Water Filtration Plant</p> <p>Moved: Cllr Smith Seconded: Cllr Walford</p>	Urban Infrastructure Services	Invited Mr Bill Ho to attend July meeting but he declined	Director Urban & Infrastructure Services	
26 June 2012	6/2012/31	<p>That Council receive and note the June 2012 flood works report.</p> <p>Moved: Cllr Woodcock Seconded: Cllr Smith</p>	Engineering Services	Monthly Report - Ongoing Activities	Director of Engineering Services	
26 June 2012	6/2012/32	<p>That Council adopt the Draft Asset Management Strategy, as circulated with this report</p> <p>Moved: Cllr Smith Seconded: Cllr Keir</p>	Engineering Services	Appropriate action being taken	Director of Engineering Services	
26 June 2012	6/2012/33	<p>That Council receive and note the monthly road and bridge report which includes as to date information with regards flood damage estimates and RMS funding approvals.</p> <p>Moved: Cllr Martinez Seconded: Cllr Smith</p>	Engineering Services	Monthly Report – Ongoing Activities	Director of Engineering Services	
26 June 2012	6/2012/34	<p>That the public be excluded from the meeting pursuant to Sections 10A (2)(c) & (d) of the Local Government Act 1993 on the basis that the items deal with:</p> <p>(c) that information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting business (or proposed to conduct business)</p> <p>(d) that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.</p> <p>Moved: Cllr Woodcock Seconded: Cllr Walford</p>	General Manager	26/06/2012 -No further action required	General Manager	26/6/2012
26 June 2012	6/2012/35	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse the NSW Public Works tender recommendation for Stage 1 of Walgett Levee Refurbishment Program. 2. Accept the tender offer submitted by Batterline Earthmoving in the amount of \$494,210.00 3. Subject to satisfactory performance Council extend the Contract for expenditure of up to \$1 million 	Urban Infrastructure Services	13/7/2012 - Action being taken to Award tender	Director Urban & Infrastructure Services	

WALGETT SHIRE COUNCIL AGENDA

26 June 2012	4.	Sign documents the necessary Legal documentation under the Common Seal of Council Moved: Cllr Keir Seconded: Cllr Woodcock	General Manager	26/06/2012 - No further action required	General Manager	26/6/2012
26 June 2012	6/2012/36	That Council return to open session Moved: Cllr Woodcock Seconded: Cllr Smith	General Manager	Tender documentation ongoing – 13/7/2012	Director Urban & Infrastructure Services	
26 June 2012	6/2012/37	That Council adopt the following recommendation of the Closed Committee: * Walgett Levee Rehabilitation Grant Funding Moved: Cllr Woodcock Seconded: Cllr Keir	Urban Infrastructure Services	Investigation in progress -13/7/2012	Director Urban & Infrastructure Services	
26 June 2012	Questions for the next Meeting	Can Council look into connecting 3 phase power to the Lightning Ridge Bore pump to reduce the electricity costs? Would also need to change over the pump switch board	Urban Infrastructure Services	Works in progress 11/7/2012.	Director Engineering Services	13/7/2012
26 June 2012	Questions for the next Meeting	Can Council inspect and fix the hole within the Khans Supermarket carpark at Lightning Ridge	Engineering Services Planning & Regulatory Services	Job done with 40% Council Contribution for footpath issue	Director Planning & Regulatory Services	
26 June 2012	Questions for the next Meeting	Can Council inspect & repair Keepit Street, Walgett as it is a gravel road in a terrible condition, This street provides access to Teacher Housing Units.	Engineering Services	Investigation in progress – 13/7/2012	Director Engineering Services	
26 June 2012	Questions for the next Meeting	Can Council inspect and repair the hole in the footpath at Lightning Ridge Khan's supermarket Carpark	Engineering Services Planning & Regulatory Services	Works in progress 11/7/2012.	Director Engineering Services	13/7/2012
26 June 2012	Questions for the next Meeting	Can Council advise what happened to the RFDS airport lighting at Lightning Ridge which is needed especially during foggy conditions	General Manager	16/7/2012 – Matter being investigated	General Manager	

WALGETT SHIRE COUNCIL AGENDA

26 June 2012	Questions for the next Meeting	The town truck at Lightning Ridge needs to be inspected and repaired. When the boys start the truck there seems to be a litre of oil on the roof of the truck and when they recently completed the town run you could see hydraulic oil left on the road all around town.	General Manager	16/7/2012 – Matter being referred to Plant Committee	General Manager	
26 June 2012	Questions for the next Meeting	The Lightning Ridge Sporting Field carpark is a sea of water and needs gravel to tidy up and level the area.	Urban Infrastructure Services	Progressing – 13/7/2012	Director Urban & Infrastructure Services	
26 June 2012	Questions for the next Meeting	The road to Namoi Village needs to be inspected and repaired. Apparently the school bus lost a wheel due to the poor state of the road.	Engineering Services	Council portion has been completed except sealing. Community's road portion is in investigation	Director Engineering Services	
26 June 2012	Questions for the next Meeting	Can Council commence planting the trees in the main street of Collarenebri	Urban Infrastructure Services	Trees bought were same (unsafe) species as before – to be reordered	Director Urban & Infrastructure Services	
26 June 2012	Questions for the next Meeting	The house boat in the Barwon River at Collarenebri has resurfaced and is located in the area where water sports activities occur it needs to be removed to prevent any accidents.	General Manager	16/7/2012 – Matter discussed with SES. RMS to be approached to remove obstacle from Waterways	General Manager	
26 June 2012	Questions for the next Meeting	Can Council investigate and repair the drainage issues within the Collarenebri township. Need to look into properly laser levelling the ground installing culvert pipes and/or white gravel.	Urban Infrastructure Services	13/7/2012 - Investigation in progress	Director Urban & Infrastructure Services	
26 June 2012	Questions for the next Meeting	Advised that the Principal at St Joseph's has requested trees need to be lopped near the school. She has also requested that when Council next get A1 tree trimming services to carry out work within Walgett, can Council let the school know as they need some trees lopped within the school yard.	Urban Infrastructure Services	Tree already cut No further action required	Director Urban & Infrastructure Services	13/7/2012
26 June 2012	Questions for the next Meeting	Cir Murray advised that he has received a letter from Mr Mark Evans requesting Council support trying to improve the mobile telephone service to the south of Walgett by utilising the tower 30kms south of Walgett	General Manager	13/7/2012 – Letters sent to Federal Member & Complainant	General Manager	

2. CIRCULARS RECEIVED FROM THE NSW LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF NSW – JUNE 2012

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 10/615

Summary:

Copies of weekly circulars received from the Local Government and Shires Association since 22 June 2012 Council meeting have been distributed to Councillors.

Background:

The following items in each circular have been flagged by the General Manager as requiring particular attention of councillors:

Issue 25

Item 4 Census Data (2011)
Item 10 Impact of Carbon Pricing on Landfills
Item 14 Comprehensive review of Crown Land Management
Item 15 Local Government Infrastructure Finance Review

Issue 26

Item 3 Local Government Week Awards Evening
Item 11 Review of Native Vegetation Regulation - 2005
Item 12 LGSA Cost Shifting Survey 2010/11
Item 13 Local Government (State) Award 2010 – Pay Rates Traineeships
Item 20 Local Government Supports Inland Rail Project

Issue 27

Item 4 Bluett Awards 2012
Item 7 Independent Local Government Review Panel
Item 13 Roadside Vegetation Implementation Project Release Consultation Paper
Item 15 Alcohol and Drugs Policy and Procedure

Issue 28

Item 7 New Public Health Act 2010
Item 11 Auxiliary Disaster Resilience Grants Scheme
Item 12 Review of Funding of Fire and Emergency Services in NSW
Item 18 Award History and Workforce Planning
Item 19 Finance for Non-Finance Managers

Current Position:

Senior Management Staff and Councillors need to peruse these circulars and raise any matters of interest with the General Manager prior to the Meeting.

Relevant Reference Documents/Policies:

Nil

WALGETT SHIRE COUNCIL AGENDA

Governance issues:

Senior Management Staff and Councillors are requested to review weekly Circulars and keep abreast of Local Government issues occurring at Industry level.

Environmental issues:

Nil

Stakeholders:

Councillors
Walgett Shire Council staff

Financial Implications:

Nil

Alternative Solutions/Options:

Not Applicable

Conclusion:

Both Senior Management Staff and Councillors need to consider the contents of the various circulars and determine what action, if any, needs to be taken.

CIRCULARS RECEIVED FROM THE NSW LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW

Recommendation:

1. That the information contained in the weekly circulars from the NSW Local Government and Shires Association be received and noted.

Moved:

Seconded:

Attachments:

Nil

3. CIRCULARS RECEIVED FROM THE LOCAL GOVERNMENT DEPARTMENT OF PREMIER AND CABINET – JUNE 2012

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 10/616

Summary:

Copies of circulars received 12-19 to 12-24 from the Local Government Division Department of Premier and Cabinet are attached for Councillors information.

Background:

The General Manager has flagged the following circular as requiring the particular attention of councillors:

- Circular to Councils 12-19 – September 2012 Local Government Elections – Caretaker Provisions
- Circular to Councils 12-20 – September 2012 Local Government Elections – Use of Council Resources and Electoral Material
- Circular to Councils 12-21 – Local Government Infrastructure Audit – Data Collection
- Circular to Councils 12-22 – Preparation of Non-Residential Rolls
- Circular to Councils 12-23 – TCORP Assessment of Financial Sustainability
- Circular to Councils 12-24 – Practice Note No.15 Water Safety Update

All circulars have been emailed to Councillors prior to Council meeting.

Current Position

Circular 12-19 – See separate report
Circular 12-20 - See separate report
Circular 12-21 - See separate report
Circular 12-22 - Advertisements being circulated in Local papers
Circular 12-23 - Refer to separate report
Circular 12-24 - Staff action required

Relevant Reference Documents:

Nil

Governance Issues:

All circulars have Governance implications. Where necessary the subject of particular circulars will be raised in following reports.

Copies of the briefing papers/discussion papers have been forwarded to all Councillors under separate cover. Councillors need to consider what the long term impacts may be on Local Government generally and Walgett Shire in particular.

WALGETT SHIRE COUNCIL AGENDA

Environmental issues:

Nil

Stakeholders:

Councillors
Walgett Shire Council staff

Financial Implications:

Obviously some circulars will have a financial impact and where this is the case, Councillors particular attention will be drawn to them.

Alternative Solutions/Options:

Nil

Conclusion:

Council will need to comply with the various requirements set out in the circulars.

CIRCULAR RECEIVED FROM THE DIVISION OF LOCAL GOVERNMENT – JUNE 2012

Recommendation:

1. That the information contained in the following Departmental circulars 12-19 to 12-24 from the Local Government Division Department of Premier and Cabinet be received and noted.
 - Circular to Councils 12-19- September 2012 Local Government Elections – Caretaker Provisions
 - Circular to Councils 12-20 – September 2012 Local Government Elections – Use of Council Resources and Electoral Material
 - Circular to Councils 12-21 – Local Government Infrastructure Audit – Data Collection
 - Circular to Councils 12-22 – Preparation of Non-Residential Rolls
 - Circular to Councils 12- 23 – TCORP Assessment of Financial Sustainability
 - Circular to Councils 12-24 – Practice Note No.15 Water Safety Update

Moved:

Seconded:



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 12-19
Date 25 June 2012
Doc ID. A285090

Contact Governance Team
02 4428 4100

SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS – CARETAKER PROVISIONS

Purpose

With the upcoming local government elections in September 2012 this circular provides a summary of the new caretaker provisions pursuant to the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

Issue

- Like Commonwealth and State Government, local councils are expected to assume a caretaker role during the election period to ensure that major decisions are not made which would limit the actions of an incoming council.
- On 22 June 2012 amendments were made to the *Local Government (General) Regulation* to mandate what were formerly caretaker conventions.
- Clause 393B requires that the council, the General Manager or any other delegate of the council (other than a Joint Regional Planning Panel or the Central Sydney Planning Committee) must not exercise the following functions during the four weeks preceding an ordinary election (caretaker period):
 - Entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger).
 - Determining a controversial development application, except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period. The term "controversial development application" is defined as one for which at least 25 persons have made submissions by way of objection.
 - Appointing or renewing the appointment of the General Manager or terminating their employment. (This does not include the appointment of an acting or temporary General Manager).
- In particular cases these functions may be exercised with the approval of the Minister.

Division of Local Government
8 O'Keefe Avenue NCWRA NSW 2541
Locked Bag 3015 NCWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4208
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 90 557 953 195

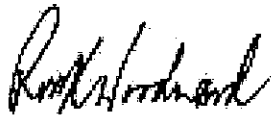
WALGETT SHIRE COUNCIL AGENDA

2

- The caretaker period for the September 2012 ordinary local government elections commences on Friday 10 August 2012 and ends on Saturday 8 September 2012.

Action

- General Managers are asked to bring this circular to the attention of all councillors and senior staff.



Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 12-20
Date 28 June 2012
Doc ID: A245099

Contact Governance Team
02 4428 4100

SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS – USE OF COUNCIL RESOURCES AND ELECTORAL MATERIAL

Purpose

With the upcoming local government elections in September 2012 this circular provides a reminder of the obligations of council officials in relation to the use of council resources and the potential for council publications to be considered 'electoral material'.

Issue

- To ensure transparency, accountability and community confidence in councils during local government elections it is important that council officials observe their obligations in relation to the use of council resources.
- All council officials must use council resources ethically, effectively and carefully. Council officials must not use resources for private purposes unless the use is lawfully authorised and proper payment is made where appropriate.
- The Model Code of Conduct deems the interest of a councillor in their re-election to public office to be a personal interest. The Model Code of Conduct requires that council officials must:
 - be scrupulous in their use of council property, including intellectual property, official services and facilities
 - not permit the misuse of council property by any other person or body
 - avoid any action or situation which could create the impression that council property, official services or public facilities are being improperly used for their own or any other person's or body's private benefit or gain
 - not seek or obtain, either directly or indirectly, any benefit or other improper advantage for themselves, or any other person or body, from the use of council information
 - not convert any property of the council to their own use unless properly authorised
 - not use council property or facilities for the purpose of assisting their or others election campaign (unless such property or facilities are available for use and proper payment is made where appropriate)

Division of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 657 863 195

2

- o not use council letterhead, council crests and other information for private purposes.
- Council resources must also be used in accordance with council policies such as the council's policy on the payment of expenses and the provision of facilities to mayors and councillors.
- Misuse of council resources may be a breach of a council's code of conduct and may result in disciplinary action under its code. It may also result in action by the Division of Local Government and other regulatory agencies, such as the Independent Commission Against Corruption and the NSW Ombudsman.
- Councils should also be aware that publications that promote the current elected council's policies or emphasises the achievements of an elected member or group may potentially fall within the definition of "electoral matter" and thereby constitute "electoral material" under clause 356A of the Local Government (General) Regulation. "Electoral material" is subject to certain regulatory requirements during the 40 days preceding the election.
- Electoral matter broadly includes any matter that is intended or likely to affect voting in an election. The name and likeness of a candidate also fall within the definition of electoral matter.
- In practical terms, council publications that may be affected include websites, newsletters, media releases, published speeches, brochures on services/facilities, advertisements, letters to residents and newspapers.

Action

- General Managers are asked to bring this circular to the attention of all councillors and senior staff.
- General Managers should ensure that appropriate mechanisms are in place to ensure that council resources are used appropriately.
- Councils must not issue publications that fall within the definition of "electoral matter" during the 40-day regulated period prior to the election.



Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet



Circular No. 12-21
Date 4 July 2012
Doc ID: A285685

Contact Performance & Compliance
02 4428 4100

LOCAL GOVERNMENT INFRASTRUCTURE AUDIT – DATA COLLECTION

Purpose

To request information from councils that will assist with the completion of the council by council infrastructure audit. The information for group one and group two IP&R councils will need to be submitted by 27 July 2012 and for group three councils by 31 August 2012.

Issue

- A key part of the NSW Government's Local Infrastructure Backlog Policy is the conduct of a council by council infrastructure audit.
- The Division of Local Government is responsible for conducting the audit which is due to be completed by 31 March 2013.
- The main purpose of the audit is to develop reliable data on the infrastructure backlog and to identify trends and issues across the State.
- The approach which the Division is taking is to review existing council documentation including asset management plans, community strategic plans, long term financial plans, and past financial statements. This information will be supplemented by on site visits for certain councils and a request for specific information from all councils.
- In developing the methodology for the audit the Division sought input from council staff and industry bodies.
- Critical to the success of the audit is the involvement and input of councils.
- Following the completion of the audit each council will receive an infrastructure audit report. This report will provide the council with information on the extent of the infrastructure backlog based on existing infrastructure and future community needs, as well as a view on the capacity of the council to address its backlog.
- Prior to the finalisation of their report each council will be provided with an opportunity to provide comment and feedback.

Division of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4188 TTY 02 4428 4206
E dlq@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 89 567 883 185

Action

- The Division will shortly release to councils a survey and data collection tool. The information which this tool requires is data from council's Long Term Financial Plans and Asset Management Plans that have been completed under the Integrated Planning and Reporting (IP&R) process.
- Group one and group two IP&R councils will need to complete and return the data by 27 July 2012. Group three IP&R Councils will need to complete and return the data by 31 August 2102.
- The assistance of councils in completing and returning this information is appreciated and will help ensure that the infrastructure audit adds value to future infrastructure policy decisions at a state and local level.



Ross Woodward

Chief Executive, Local Government

A Division of the Department of Premier and Cabinet



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 12-22
Date 4 July 2012
Doc ID: A283868

Contact Council Governance Team
02 4428 4100
dlg@dlg.nsw.gov.au

PREPARATION OF NON-RESIDENTIAL ROLLS

The purpose of this circular is to encourage councils to maximise the opportunity for all eligible voters to participate in the upcoming local government elections.

Section 266 of the Local Government Act 1993 provides that all non-resident owners, occupiers and ratepaying lessees of rateable land, (non-residential voters), in an area are eligible to vote in local government elections.

Sections 299 and 300 of the Act provide that council general managers (other than the City of Sydney) are required to prepare the non-residential rolls. These rolls close 40 days prior to election day.

It is important that everyone eligible to vote in the upcoming local government elections has the opportunity to do so. To this end, the Division requests that general managers ensure that any person wishing to lodge a claim for inclusion on the non-residential rolls has the opportunity to do so.

Councils should include relevant information, including eligibility criteria and the process for making a claim for inclusion on the non-residential rolls on their websites. Councils are also encouraged to include information for non-residential voters in any election advertising that they undertake.

General managers should also ensure that customer service staff are aware of this issue and can assist any person wishing to make a claim for inclusion on the non-residential rolls.

The cooperation of general managers and council staff in regard to this issue is appreciated.

The non-residential rolls for the City of Sydney are prepared by the NSW Electoral Commission. Further information for non-residential electors for the City of Sydney is available on the Commission's website at www.elections.nsw.gov.au or by contacting the Commission by telephone on 1300 135 735.

Division of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

2

Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 12-20
Date 5 July
Doc ID. A287089

Contact Performance & Compliance
4428 4100
dlg@dg.nsw.gov.au

TCORP ASSESSMENT OF FINANCIAL SUSTAINABILITY

Purpose

To advise all councils that the New South Wales Treasury Corporation (TCorp) will undertake a review of the financial sustainability of each council. This will provide an independent assessment of each council's financial sustainability. All assessments are expected to be completed by 31 December 2012. The information from these assessments will be collated and provided to assist the Independent Local Government Review Panel.

Issue

- In March 2012, the Minister for Local Government announced the establishment of an Independent Local Government Review Panel (Review Panel) to be chaired by Professor Graham Sansom. The Review Panel is to develop options to improve the strength and effectiveness of local government in NSW.
- In accordance with its Terms of Reference, the Review Panel is required to consider the financial sustainability of each local government area in NSW.
- To assist the Review Panel, TCorp has been commissioned to prepare a Report for each council that provides an overview of its existing financial performance and position, a review of financial forecasts, future sustainability, and benchmarking and comparisons with other councils. TCorp's work will include:
 - o A review of council's three most recent years audited consolidated annual accounts
 - o Undertaking a detailed review of the council's 10 year financial forecasts. The review will include assessment of key assumptions that underpin the financial forecasts, and where appropriate, scenario analysis to stress test forecasts for adverse movements in key assumptions and risks
 - o Identifying significant changes to future financial forecasts from existing financial performance, and highlight risks associated with such forecasts
 - o Discussions with council management to understand overall strategy and management experience

Division of Local Government
5 D'Keele Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4189 TTY 02 4429 4209
E dlg@dg.nsw.gov.au www.dlg.nsw.gov.au ABN 99 567 863 195

2

- Benchmarking and comparisons with other councils against its comparable peers
- Conduct an analysis of each council's financial sustainability
- These reports will not only assist the Review Panel, but they will also serve as a valuable independent appraisal of council's financial position and its future outlook.
- In order for the assessments to be conducted TCorp will require information from each council. Councils are encouraged to assist TCorp and provide this information in a timely manner.
- TCorp is already working with those councils that have applied for funding under the Government's Local Infrastructure Renewal Scheme (LIRS) and it is anticipated that the reports for those councils will be completed by the end of August 2012. Reports for all other councils will be finalised by 31 December 2012.
- TCorp's Senior Manager Corporate Finance, Mr Kevin Pugh, is leading the TCorp Assessment Team. Councils with questions regarding the assessment process can contact Kevin on (02) 93269257 or by email at kevin.pugh@tcorp.nsw.gov.au.

Action

To maximise the value of the independent financial assessments councils are encouraged to work collaboratively with TCorp.



Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 12-24
Date 12 July 2012
Doc ID: A286504

Contact Innovation Team
02 4428 4100

PRACTICE NOTE NO.15 WATER SAFETY UPDATE

Purpose

The purpose of this Circular is to inform councils that *Practice Note No.15 Water Safety* has been updated to align with current relevant national Vocational and Education Training Packages, Australian Standards and NSW legislation; and to include updated details for organisations referenced in the Practice Note.

Issue

- Currently applicable Training Packages do not generally include references to specific training organisations but, rather, generic competencies for qualifications required by water safety personnel.
- The Australian Standard applying to water safety signage has been revised.
- The NSW Occupational Health and Safety Act 2000 has been replaced by the NSW Work Health and Safety Act 2011.
- The updated Practice Note is available on the Division's website at http://www.dlg.nsw.gov.au/dlg/dlghome/dlg_DocumentsIndex.asp?sectionid=1&documenttype=5&mi=6&ml=2.

Action

Councils are encouraged to make use of the Practice Note to assist in the management of aquatic recreation facilities and services in their areas.

A handwritten signature in black ink, appearing to read 'Ross Woodward'.

Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

4. MONTHLY CALENDAR – JULY 2012

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 10/22

Summary:

Monthly calendar of Council activities

Discussion (including issues and background):

It was resolved at the 28 September 2010 Ordinary meeting of Council to produce a monthly in-house calendar as a central focus point to allow Councillors and senior management staff to plan their activities and spread their work load having regard to upcoming commitments.

It also avoids situations where some Councillors missed meetings or are not aware of when they have been scheduled. In addition, outside organisations have been requested to send meeting notice and minutes direct to Council's various representatives. Where notification is received meeting dates will be listed on the strategic tasks, events and meetings calendar and the representative(s) names flagged.

Current Position:

The calendar for the months of July 2012 to September 2012 is attached. Councillors are requested to raise any queries prior to the meeting.

Relevant Reference Documents/Policies:

Nil

Governance issues:

Good governance centres in part on good communication and forward planning. Councillors are requested to advise the General Manager's Executive Assistant of any coming community or councillor function so as to avoid any clashes of commitments.

Environmental issues:

Not applicable

Stakeholders:

Councillors
Walgett Shire Council staff

Financial Implications:

Nil

WALGETT SHIRE COUNCIL AGENDA

Alternative Solutions/Options:

Not applicable

Conclusion:

Provided there are no changes it is appropriate to receive and note the information.

MONTHLY CALENDAR – JUNE 2012

Recommendation:

1. That Council receive and note the regular monthly calendar for the period July 2012 to September 2012.

Moved:

Seconded:

Attachments:

Calendar for July 2012 to September 2012.....

WALGETT SHIRE COUNCIL AGENDA



STRATEGIC TASKS, EVENTS AND MEETINGS CALENDAR

July 2012

Sun 1 July			
Mon 2 July			
Tue 3 July			
Wed 4 July		Lightning Ridge - CWP Meeting	
Thu 5 July			
Fri 6 July			
Sat 7 July			
Sun 8 July			
Mon 9 July			
Tue 10 July		Lightning Ridge - Interagency Meeting	
Wed 11 July			
Thu 12 July		Walgett – Health Advisory Council Meeting	
Fri 13 July			
Sat 14 July			
Sun 15 July			
Mon 16 July			
Tue 17 July			
Wed 18 July			
Thu 19 July			
Fri 20 July			
Sat 21 July			
Sun 22 July		Water Management Conference – Wagga Wagga (to 24 July)	
Mon 23 July			
Tue 24 July	10.00am	Council Meeting - Rowena	GM, Councilor's and Exec Team
Wed 25 July			
Thu 26 July			
Fri 27 July			
Sat 28 July			
Sun 29 July			
Mon 30 July	6.00am	Rolls Close for Local Government Elections Councilor Nominations Open	All Candidates
Tue 31 July	12.00am	Caretaker Period Commences	



STRATEGIC TASKS, EVENTS AND MEETINGS CALENDAR

August 2012

Wed 1 Aug	5.30pm	Lightning Ridge – CWP Meeting	
Thurs 2 Aug			
Friday 3 Aug			
Sat 4 Aug			
Sun 5 Aug			
Mon 6 Aug			
Tue 7 Aug			
Wed 8 Aug	12 Noon	Council for Merriamiana Cess	
Thu 9 Aug			
Fri 10 Aug			
Sat 11 Aug			
Sun 12 Aug			
Mon 13 Aug		Local Government Week Commences	
Tue 14 Aug		Lightning Ridge – Interagency Meeting	
Wed 15 Aug		Youth Award Announcement - Sydney	
Thu 16 Aug			
Fri 17 Aug			
Sat 18 Aug			
Sun 19 Aug		Local Government Week Concludes	
Mon 20 Aug			
Tue 21 Aug			
Wed 22 Aug	10.00am	Council Meeting – Walgett	GM, Councillors and Exec team
Thu 23 Aug			
Fri 24 Aug			
Sat 25 Aug			
Sun 26 Aug			
Mon 27 Aug			
Tue 28 Aug			
Wed 29 Aug			
Thu 30 Aug			
Fri 31 Aug	5.00pm	Election Material Registration Closes	



STRATEGIC TASKS, EVENTS AND MEETINGS CALENDAR

September 2012

Saturday	1	
Sunday	2	
Monday	3	
Tuesday	4	
Wednesday	5	
Thursday	6	
Friday	7	
Saturday	8	Local Government Elections
Sunday	9	
Monday	10	
Tuesday	11	
Wednesday	12	
Thursday	13	
Friday	14	
Saturday	15	
Sunday	16	
Monday	17	
Tuesday	18	
Wednesday	19	Tentative date for Celebration of Ped
Thursday	20	
Friday	21	
Saturday	22	
Sunday	23	
Monday	24	
Tuesday	25	First Meeting of new Council
Wednesday	26	
Thursday	27	
Friday	28	
Saturday	29	
Sunday	30	

5. RECOGNITION OF LATE COUNCILLOR GEOFFREY (DICK) COLLESS – PERPETUAL AWARDS

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 10/6

Summary:

To consider the recognition of the contribution made to the Walgett Shire District by the late Councillor Geoffrey (Dick) Colless.

Background:

This issue was raised at the June, 2012 meeting of Council when it was agreed that the matter should be the subject of a formal report.

Current Position:

It is believed that the most effective way to honour the memory of the late "Dick" Colless and give due recognition to his tireless efforts and support for a wide range of community organisations is by way of perpetual trophies.

These could be made in a number of ways and to the various organisations where he was the go between for Council.

One method would be to set aside a sum of say \$10,000 annually to provide scholarships for local youth undertaking further tertiary studies at University or TAFE. This would enable four scholarships of say \$2,500 to be awarded annually.

Alternatively, or in addition, trophies could be awarded annually for a selected event at either/or the Walgett Campdraft, Walgett Races or a Business House .

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Community

Governance Issues:

Appropriate guidelines and applications forms would need to be developed.

Environmental Issues:

Nil

WALGETT SHIRE COUNCIL AGENDA

Financial Implications:

It is suggested that a sum be set aside annually from the interest Council makes on investments

Legal Issues:

Nil.

Alternatives/Options:

Any one or group of the above suggestions could be proceeded with.

Conclusion:

It is appropriate for Council to give this matter further consideration.

RECOGNITION OF LATE GEOFFREY (DICK) COLLESS – PERPETUAL AWARD

Recommendation:

For Council's consideration

Moved:

Seconded:

Attachments:

6. 2012 LOCAL GOVERNMENT WEEK PROGRAMME AND ACTIVITIES

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 09/1121

Summary:

To advise Council of arrangements for 2012 Local Government Week.

Background:

The 2012 Local Government Week will run between Monday, 13 August to Sunday, 19th August.

The LGSA is running a series of events in Sydney and the opportunity is available for Council to run a series of activities/programmes to promote local government at a local level.

Current Position:

Council has been nominated for the State Local Government Youth Award which will be announced at a special event on Wednesday 15 August, 2012 and appropriate arrangements are being made for Council to be represented.

It is also planned to hold a special ceremony local to present cheques for local organisations that have applied to Council for donations/sponsorship.

In addition, it is proposed to approach local media to run a local government supplement promoting Council's activities in our local papers.

Relevant Reference Documents:

Nil

Stakeholders:

Council
Local community

Governance Issues:

Nil

Environmental Issues:

Nil

Financial Implications:

Any costs will be met from existing budget provisions

WALGETT SHIRE COUNCIL AGENDA

Legal Issues:

Nil

Alternatives/Options:

Do nothing

Conclusion:

That Council note the proposal for marking 2012 Local Government Week

2012 LOCAL GOVERNMENT WEEK PROGRAMME AND ACTIVITIES

Recommendation:

That the General Manager's report on 2012 Local Government Week planning be received and noted and the action being taken endorsed.

Moved:

Seconded:

Attachments:

7. **RV FRIENDLY SCHEME FOR WALGETT SHIRE TOWNS AND VILLAGES**

REPORTING SECTION: Economic Development
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 1/342

Summary:

To further consider the applying for Burren Junction, Collarenebri, Walgett and Lightning Ridge being designated as "RV Friendly Towns" as well as Carinda and Rowena being designated as "RV Friendly Locations".

Background:

This matter was at Council's October 2011 meeting when it was resolved:

10/2011/23 RV Friendly Scheme for Walgett Shire Towns & Villages

Resolution:

1. That council receive and note the report in relation to RV Friendly Town Schemes within Walgett Shire and seek submissions from the General Public.
2. That Council endorses all 6 applications including Burren Junction, Collarenebri, Carinda, Rowena, Lightning Ridge and Walgett and supports the establishment of signage once Walgett Shire Council has received approval from CMCA once any submissions have been reviewed.
3. That Council advise the CMCA of the proposals and seek approval to establish appropriate signage.

Moved: Cllr Lane

Seconded: Cllr Woodcock

CARRIED

Current Position:

Subsequently the proposal was advertised in the local media during March/April 2012 and submissions invited. At the closing date for public input the following 6 submissions had been received.

- Lightning Ridge IBC
- The Black Queen
- Crocodile Caravan Park, Opal Caravan Park, Lightning Ridge Tourist Park & Lightning Ridge Outback Resort and Caravan Park
- Opal Caravan Park
- NSW Government Primary Industries
- Opal Bin

WALGETT SHIRE COUNCIL AGENDA

Copies of these submissions have been circulated under separate cover for Council's consideration.

Accordingly, it is now appropriate for Council to further consider the proposal.

Looking at the objections raised by the Department of Primary Industries, the main issue is that the "short term" parking required by the CMCA criteria should not be located on a Crown Reserve not authorised for that purpose.

The issue of "competitive neutrality" is really a furphy as there is no intention for Council to compete with existing business operators. If Council provides a designated caravan parking area on a dedicated public road for "free" it is drawing rather a long bow to consider this to be an act in competition with existing caravan park operators.

The two other submissions opposing the concept come from existing caravan park operators in Lightning Ridge. They also raise both the "short term" parking and "competitive neutrality" issues discussed above. Other issues raised in these submissions are either not relevant or centre on "hypothetical" scenarios that really have no direct bearing on the concept being considered.

On the other hand, the three remaining submissions rightly recognise the benefits that could flow to the whole community as well as the broad commercial sector should the proposal go ahead.

Indeed, the fact that there is a commercial opportunity for caravan park operators themselves if they are prepared to think outside the square is also highlighted.

Relevant Reference Documents:

RV Friendly Towns Scheme Assessment Form
RV Friendly Locations Scheme Assessment Form

Governance Issues:

Council has followed an open and transparent approach to this issues by advertising the proposal and inviting submissions. 6 were received within the timeframe allowed. It is now appropriate to consider the content of these submissions and decide whether it is relevant.

Environmental Issues:

Experience indicates that it is far more preferable for designated "camping areas" to be identified and appropriately supervised and maintained rather than the current haphazard approach which council result in various problems, particularly those associated with health issues.

Perhaps some of the concerns raised in the attached submissions could be addressed by approaching the RMS to erect appropriate signage at the roadside rest area on the Castlereagh Highway near Lightning Ridge.

Stakeholders:

Walgett Shire Council
Caravan and Motorhome Club of Australia (CMCA)
Communities of Burren Junction, Collarenebri, Walgett, Lightning Ridge, Carinda and Rowena
Local Caravan Park Operators

WALGETT SHIRE COUNCIL AGENDA

Financial Implications:

Any signage costs be funded from existing tourism allocations. Some grant funding is available for the installation of sewer dump points at selected locations.

Options/Alternatives:

Do nothing

Erect signage prohibiting overnight camping on roads and reserves.

Conclusion:

That Council further consider applying for Burren Junction, Collarenebri, Walgett and Lightning Ridge to be designated as "RV Friendly Towns" as well as Carinda and Rowena to be designated as "RV Friendly Locations". In reaching a determination, Council should consider what is in the best interests of the whole community and endeavour to reach a consensus that creates a "win-win" situation for all stakeholders.

RV FRIENDLY SCHEME FOR WALGETT SHIRE TOWNS AND VILLAGES

Recommendation:

1. That Council receive and note the report in relation to RV Friendly Town Schemes within Walgett Shire.
2. That Council endorse all 5 applications including Burren Junction, Collarenebri, Carinda, Rowena, Lightning Ridge and Walgett and supports the establishment of signage once Walgett Shire Council has received approval from CMCA from existing budget allocations.
3. That Council advise the CMCA of the proposals and seek approval to establish appropriate signage
4. That Council identify suitable areas on dedicated public roads to designate as "caravan parking" areas which could be used for "short term" parking
5. That an approach be made to the RMS for the erection of appropriate signage at the roadside rest area on the Castlereagh Highway near Lightning Ridge
6. Council respond appropriately to each of the submissions received.

Moved:

Seconded:

Attachments:

Submission received from

1. Lightning Ridge IBC
 2. The Black Queen
 3. Opal Bin
 4. Crocodile Caravan Park, Opal Caravan Park, Lightning Ridge Tourist Park & Lightning Ridge Outback Resort and Caravan Park
 5. Opal Caravan Park
 6. NSW Government Primary Industries
2. CMCA Guidelines for "RV Friendly Towns" and "RV Friendly Locations"

8. PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS POLICY

REPORTING SECTION: Corporate & Community Services
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 09/1409

Summary:

The purpose of this report is to enable Council to review the Policy for the Payment of Expenses and Provision of Facilities to Councillors.

Background:

Council is required to adopt a Policy for the Payment of Expenses and the Provision of Facilities to Councillors within five months after the end of each year, with a copy of the Policy to be forwarded to the Department of Local Government.

Current Position:

The existing Policy has been revised for Council's consideration, taking into account the existing policy, legislative requirements and the guidelines issued by the Department of Local Government.

Vide Minute 09/2011/12 Council adopted as Policy that from 2011/2012 Councillor fees in future be set at the maximum level set by the Local Government Remuneration Tribunal annually subject to 25% of the Mayoral fee being allocated to the Councillor who occupies the position of Deputy Mayor.

Relevant Reference Documents:

Local Government Act 1993
WSC Policies Document
WSC Procedures Document

Governance Issues:

The adoption of a policy will contribute to the good governance of the organisation

Environmental Issues:

Nil

Stakeholders:

Councillors
Council staff

Financial Implications:

The monetary amounts in the policy were updated Three years ago, and the current draft policy does not provide for an increase.

Options/Alternatives:

Council is required to adopt a policy for the Payment of Expenses and the Provision of Facilities to Councillors, however the terms of the policy may be varied.

Conclusion:

The limits of expenditure have not been increased as they were reviewed in 2009. Council should consider whether the suggested limits are equitable.

PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS POLICY

Recommendation:

- | |
|---|
| <ol style="list-style-type: none">1. That Council give notice of its intention to adopt the Draft Policy for the Payment of Expenses and Provision of Facilities to Councillors, in accordance with Section 253 of the Local Government Act.2. Consider updating the various expenditure limits3. And that the Draft Payment of Expenses and Provision of Facilities for Councillors policy then be placed on public exhibition and public submissions invited. |
|---|

Moved:

Seconded:

Attachments:

Revised Payment Expenses and Provision of Facilities for Councillor Policy (will be circulated under separate cover to Councillors before the Council meeting)

**9. 2012 QUADRENNIAL ELECTIONS – CARETAKER PROVISIONS
AND COUNCILLOR OBLIGATIONS RELATING TO THE USE OF
COUNCIL RESOURCES AND ELECTORAL MATERIAL**

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 11/299

Summary:

To advise Council of caretaker provisions leading up to the 2012 Quadrennial Local Government Elections and the obligations of Councillors with regards the use of council resources and electoral material.

Background:

The 2012 Quadrennial Council elections will be held on Saturday 8 September 2012 and caretaker provisions take effect from Friday 10 August 2012 and continue to Saturday 8 September 2012.

Current Position:

On 22 June 2012 amendments were made to the Local Government (General) Regulation to mandate what were formerly caretaker conventions. Full details are set out in Divisional Circular 12 – 19 which was issued on 25 June 2012.

Circular 12 – 20 provides a reminder to councillors and official with regards the use of Council resources and electoral material.

Relevant Reference Documents:

Divisional Circulars 12 – 19 and 12 – 20 (see attachments in item 3)

Stakeholders:

Council
Councillors
Local community

Governance Issues:

The circulars identified detail what is expected of Councils and Councillors in the interests of what is considered to be good governance.

Environmental Issues:

Nil

Financial Implications:

Nil

Legal Issues:

Nil

Alternatives/Options:

Nil

Conclusion:

Council and Councillors attention is drawn to the requirements of Divisional Circulars 12 – 19 and 12 – 20.

2012 QUADRENNIAL ELECTIONS – CARETAKER PROVISIONS AND COUNCILLOR OBLIGATIONS RELATING TO THE USE OF COUNCIL RESOURCES AND ELECTORAL MATERIAL

Recommendation:

That Council receive and note the General Manager's report with regards Council's and Councillors' obligations in the lead up to the 2012 Quadrennial Local Government elections.

Moved:

Seconded:

Attachments:

10. CUMBORAH HALL EXTENSIONS PROJECT – METHOD OF APPROACH

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 12/134

Summary:

To consider method of approach to the Cumborah Hall Extensions Project.

Background:

Council in recent years has set aside funds for the extension of the Cumborah Hall. The amount provided currently stands at \$90,000. This amount is currently being held in the Restricted Funds Reserve.

There have been ongoing discussions with representatives of the Cumborah Hall Reserve Trust Committee with regards the best method of approaching this project to gain the maximum returns from Council's contribution.

Current Position:

Draft plans and estimates have been prepared and these indicate that Council's contribution will be fully utilised and that the project may have to be staged to allow the Committee to source additional funds to finish the project.

It is proposed that the Cumborah Hall Reserve Trust Committee undertake the project as "owner/builders" and that Council staff provide appropriate supervisory support and project management.

Relevant Reference Documents:

Draft plans, specifications and estimates

Stakeholders:

Council
Cumborah Hall Trust
Cumborah residents

Governance Issues:

Council is proposing to work with the Cumborah Hall Trust Committee in an open and transparent manner to obtain best value for the dollar for both the Cumborah community and residents of the Shire at large. To do this it is proposed to adopt Council's procurement guidelines and policies.

Environmental Issues:

Environmental issues will be addressed as part of the development application process.

Financial Implications:

Council is endeavouring to keep costs for the project at a minimum and to use voluntary and in kind support whenever possible to reduce costs.

Legal Issues:

Appropriate documentation will be prepared as the project proceeds.

Alternatives/Options:

Invite tenders for the project but it is believed that this would see project costs blow out over the level of funds currently available.

Stage the project

Do nothing

Conclusion:

It is believed that the approach to this project as detailed above will provide the best opportunity for a positive outcome for all the stakeholders.

CUMBORAH HALL EXTENSION PROJECT
<p>Recommendation:</p> <p>That Council receive and note the General Manager's report and endorse the action being taken with regards undertaking the Cumborah Hall Extensions Project.</p> <p>Moved: Seconded:</p>

Attachments:

Nil

11. MURRAY DARLING ASSOCIATION INC - MEMBERSHIP

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 10/199

Summary:

To enable Council to consider joining the Murray Darling Association Inc.

Background:

The General Manager of the Murray Darling Association, Mr. Ray Najar, visited Walgett recently and met with both the Mayor and General Manager to discuss the benefits of Council joining/rejoining the Murray Darling Association.

Current Position:

Subsequently, the attached letter was received from the Association explaining the focus of its activities and inviting Council to renew membership.

The annual conference of the Association will be held in Mildura between 22-25 August 2012.

Relevant Reference Documents:

Nil

Stakeholders:

Council
River communities

Governance Issues:

Nil

Environmental Issues:

Nil

Financial Implications:

Membership of the association for 2012/2013 is \$627.75 (incl GST)

Legal Issues:

Nil

Alternatives/Options:

Not join the Association

Conclusion:

Council should consider joining the Murray Darling Association Inc.

MEMBERSHIP OF MURRAY DARLING ASSOCIATION INC

<p>Recommendation:</p>

<p>That Council join the Murray Darling Association at a cost of \$627.75 (incl GST) for 2012/2013.</p>

<p>Moved:</p>

<p>Seconded:</p>

Attachments:

Letter from Murray Darling Association Inc.

12. AMALGAMATION OF ASSOCIATIONS – VOTING

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 09/1314

Summary:

To consider how to approach voting in respect of the amalgamation of the Local Government Association of NSW and The Shires Association of NSW issue.

Background:

Council is well aware of the background to this issue as the matter has been before Council for consideration on a number of occasions.

Current Position:

At Council's meeting on 22nd May 2012 Council resolved that the Mayor, Clr. G A Murray, be nominated as the person to vote on Council's behalf with regards this matter.

Three documents:

1. Outline of Scheme of Amalgamation
2. The "Yes" case
3. The "No" case

that have now been forwarded to Clr. Murray have now been circulated under separate cover to all Councillors for their consideration.

Clr. Murray has requested that the matter be listed for Council's consideration and determination as to whether Council wishes to formally resolve which way to record its vote in the matter or leave it up to the Mayor's discretion.

Relevant Reference Documents:

"One Association" case briefing documents

Stakeholders:

Council
Councillors

Governance Issues:

This is a matter for Council's determination. The vote to be cast by Clr. Murray will be completed under secret ballot principles.

Environmental Issues:

Nil

WALGETT SHIRE COUNCIL AGENDA

Financial Implications:

Nil

Legal Issues:

Nil

Alternatives/Options:

No alternatives are available

Conclusion:

That Council consider whether it wishes to instruct its voting delegate in any particular way.

AMALGAMATION OF ASSOCIATION – VOTING DIRECTION

Recommendation:

That Council determine whether it wishes to give its voting delegate any special directions with regards voting on the "One Association" issue.

Moved:

Seconded:

Attachments:

Three documents circulated under separate cover.

13. MATTERS FOR BRIEF MENTION OR INFORMATION ONLY REPORT

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 09/1455

Summary:

To advise Council on the following matter/issues which are for brief mention or information only

1. PCYC Progress

Informal advice to hand indicates that since Council missed out on attracting a \$2.5M capital grant, one of the smaller \$250K grants has been quarantined for Walgett. At this stage how the smaller grant will be structured is yet to be clarified.

2. Walgett Weir Proposal

Work on preparing the case for raising the coping of the existing Walgett Weir by approximately 700mm is continuing and could take several months to finalise.

3. Interagency Committee representations

Advice to hand is that a project officer has been appointed to a vacancy in the Premier and Cabinet Department which has been relocated to Bourke. It is understood that the project officer's role will be to re-introduce and co-ordinate interagency committees for the Shires of Bourke, Brewarrina and Walgett commencing almost immediately.

4. RPT Services

Further discussions have been held with key stakeholders interested in providing an RPT service into Walgett and possibly other western centres. It is likely that a detailed submission which focuses on the government owning key infrastructure and leasing it back to a suitable operator will be developed shortly.

5. Local Government Review Panel Visit

Advice to hand is that the recently appointed Local Government Review Panel will visit Dubbo on 17th August 2012 with a view to explaining to western area LGAs how it will be functioning as part of the State Governments overall 2036 process.

6. RMCC Contract Review

Council has been advised that the RMCC contracts state wide have been extended by twelve months until 2013. Council should keep a close eye on this issue as changes are expected in the years to come and could vitally effect the way in which local road infrastructure is maintained and upgraded. When reviews were conducted previously, the focus was on having larger, competitive tendering arrangements with key stakeholders not necessarily being based either on a local or regional basis.

7. 2012 Bluett Award Nominations

Provided staff resources are available, it is proposed to lodge an application for the 2013 Bluett Award which closes on 31st July 2012, as a precursor to a more enhanced application being made for 2014.

WALGETT SHIRE COUNCIL AGENDA

8. Native Title Claim

Council has received formal notification that it is subject to a Native Title claim covering a large area of north western NSW. At this stage a meeting of some 17 LGAs involved with the claim is being held at Gunnedah on Tuesday 24 July 2012. Arrangements are being made for Council to be represented at that meeting and a further report prepared for the August meeting advising of the proposed way forward.

9. Walgett Welcome functions

It is proposed to conduct a welcome function for new residents to Walgett during early August as a forerunner to regular welcome sessions for new residents planned for towns throughout the Shire. If possible, this first function will be held to coincide with 2012 Local Government Week.

10. Lightning Ridge Medical Centre Concept

Preliminary advice to hand is that both Federal and State Government funds have now been secured for a proposed new medical centre being planned for Lightning Ridge. At this stage the concept in draft is for Council to be the owner of the premises, with its contribution to the project being the provision of the land on which the centre will be built.

In discussions some time ago, it was indicated Council would only be interested in such a concept if a firm agreement were to be negotiated ahead of any commitment being made. The operation would need to be run under a fully commercial basis by the new Medicare Local with Council not being expected to make any form of subsidy or be disadvantaged by cost shifting from higher tiers of governments for non-core Local Government functions.

To meet probity Issues, any land to be acquired would need to be assessed at Market Value by an independent Valuer. If the figure being asked were to be too high then a Compulsory Acquisition Process may need to be completed.

MATTER FOR BRIEF MENTION OR INFORMATION ONLY

Recommendation

That the General Manager's report on matters for brief mention or information only be received and noted.

Moved:

Seconded:

Attachments:

14. RURAL FIRE SERVICE – DEED OF AGREEMENT FOR COME BY CHANCE BRIGADE STATION

REPORTING SECTION: Corporate Services
AUTHOR: Stephen Holland – Director Corporate Services
FILE NUMBER: 09/1238

Summary:

The land on which the Come By Chance RFS brigade station is located was transferred to the Rural Fire Service in error. The RFS is currently in the process of transferring ownership back to the landholder. This report recommends that the Council complete the necessary documentation for the ongoing use of the Brigade Station by the Council for the conduct of RFS activities under the Zone Agreement.

Background:

The Come By Chance RFS brigade station is located on Lot 1 DP13603 Colless St. The property was originally transferred from the landholders James Alfred Coxon and Colleen Patricia Coxon to the Rural Fire Service (RFS). Subsequently, the Council at the request of the RFS resolved at its meeting held on 20 December 2011 to agree to the transfer of the property from the RFS to the Council.

Current Position:

The RFS has now advised that it concurs with the view of the landholder that it was only intended that the RFS / Walgett Shire Council have ongoing use of the land and not that the land be transferred in title to the RFS. The RFS is currently proceeding to have the property transferred to the Coxons' and as such the transfer to Council will not proceed.

It is proposed that the tenure of the brigade station now be by way of Deed of Agreement (not a lease) which the RFS advises is the standard form of tenure for brigade stations of this type. The Deed of Agreement is between the Council and the Coxons' and has been signed by the landholder. In addition there is an Authority Agreement between the landholder, the Council and the RFS which also requires signing by the Council. This document relates to the operation of the brigade station and the Council's obligation to maintain the building. The respective documents have been signed by the RFS and the Coxons' and the report recommends that the Council also complete the agreements.

Relevant Reference Documents/Policies:

Rural Fire District Service Agreement North West Zone

Governance issues:

Rural Fires Act 1997 (NSW) as amended

Environmental issues:

N/A

WALGETT SHIRE COUNCIL AGENDA

Stakeholders:

Landholder, Come By Chance Community, Council and RFS

Financial Implications:

Under the Zone Agreement, the Council is responsible for the running costs of Brigade Stations in its area.

Alternative Solutions/Options:

N/A

Conclusion:

This report relates to the correction of the title position for Lot 1 DP13603 at Come By Chance and the requirement to complete the documentation necessary for the ongoing use of the RFS Brigade Station.

RURAL FIRE SERVICE –DEED OF AGREEMENT FOR COME-BY-CHANCE BRIGADE STATION

Recommendation:

1. That the Council execute the Deed of Agreement for the Come By Chance RFS Brigade Station between Walgett Shire Council and James Alfred Coxon and Colleen Patricia Coxon under Seal of Council.
2. That the Brigade Station Authority and Agreement Document between the Rural Fire Service, Walgett Shire Council, James Alfred Coxon and Colleen Patricia Coxon be signed by the General Manager.

Moved:

Seconded:

Attachments:

15. 2011 CENSUS RESULTS

REPORTING SECTION: Corporate Services
AUTHOR: Stephen Holland – Director Corporate services
FILE NUMBER: 10/133

Summary:

This report informs the Council of the initial release of the 2011 census results and provides details of a number of statistical categories relating to the Walgett Shire.

Background:

The census is conducted every five (5) years with the 2011 data providing a comparison with the 2006 results.

Current Position:

On 10 July representatives from the Australian Bureau of Statistics (ABS) presented an overview of the 2011 census results for Walgett Shire. The presentation detailed some initial statistics and there will be further releases over the next few months. These were based on the usual place of residence with those that reflect your actual location on census night to be released next month. The presentation was based on the shire and not particular centres of population such as Walgett however these details and a very wide range of information can be obtained from the ABS website www.abs.gov.au. It was emphasised that people who had difficulty navigating the website should contact the national information and referral service on 1300 135 070 and they will assist them to source the information they are after.

Specific points of interest included;

The shire population decreased by 7.1% which is about 500 people less. This compares with;
Moree Plains - minus 3.9%
Narrabri - minus 1.5%
Gwydir - minus 6.5%
Coonamble – minus 4.2%
Warren – plus 0.3%

The percentage of the population identifying as ATSI nationally increased by 20%, up from 2.3% to 2.5% of total population, whilst the percentage identifying in Walgett Shire was static at 28.1% (28.2% in 2006).

The median age of 41 compares favourably with other neighbouring areas.

In Walgett Shire 79.3% of residents were born in Australia and the most common language spoken at home after English is Serbian. A printout of stats for the Walgett LGA is attached as is a copy of the ABS presentation.

Financial Assistance Grant

The Financial assistance Grant (FAG) consists of a general purpose component and a local roads component. The local roads component is based on a fixed share of the national pool

WALGETT SHIRE COUNCIL AGENDA

(NSW 29%) whilst the general purpose component includes a number of factors including CPI and population projections, revenue allowances, expenditure allowances and the calculation of disability allowances. Population is the multiplier used in the calculation of disability expenditure allowances for thirteen (13) functions. It is reasonable to expect that the 7.1% drop in the shire population will have some effect on the level of the FAG grant.

Relevant Reference Documents/Policies:

N/A

Governance issues:

Council functions that utilise ABS data would now incorporate the 2011 results into their respective operations

Environmental issues:

N/A

Stakeholders:

Walgett Shire Community
Walgett Shire Council
Federal and State Government Agencies

Financial Implications:

There is likely to be a modest reduction in the future FAG allocation due to a drop in population.

Alternative Solutions/Options:

Nil

Conclusion:

The 2011 census results will be utilised by a wide spectrum of government and individual users. Of particular interest to Walgett will be the potential for the drop in population to adversely affect grant funding, in particular the FAGS grant. However given the range of other factors considered, it is reasonable to expect that any reduction would be modest.

2011 CENSUS RESULTS

Recommendation:

1. That the report be received and noted.

Moved:

Seconded:

Attachments:

16. DRAFT RESTRICTED CASH AS AT 30 JUNE 2012 AND CARRIED FORWARD PROJECTS INTO THE 2012/2013 FINANCIAL YEAR

REPORTING SECTION: Corporate Services
AUTHOR: Susie Jones – Finance Manager
FILE NUMBER: 11/158

Summary:

This report represents the financial position Council is in at 30 June 2012 and the corresponding restricted balances to be carried forward into the 2012/2013 budget.

Background:

A number of operational and capital budgets were not completed in the 2011/2012 year. It is proposed to restrict these balances out of Council funds as at 30 June 2012, and carry forward the budgets into the new financial year.

Current Position:

Please refer to Appendix 1 for a breakdown of the draft restricted reserves as at 30 June 2012. This schedule reflects both the externally restricted cash from Grants received, as well as the internally restricted cash for carried forward provisions and projects.

See below for list of carried forward projects to be included in the current year budget. These represent the amounts restricted as at 30 June 2012 which are expected to be paid out in the 2012/2013 year, plus any further funds expected to be received in conjunction with ongoing granted projects.

As funds are restricted from the 2011/2012 budget, there is a zero financial impact on the 2012/13 budget.

With the proposed budgets restricted over Council funds as at 30 June 2012, the unrestricted balance as at 30 June 2012 as shown the restricted cash schedule attached is \$372,223, which is a large improvement on the budgeted \$60,655, and is mainly due to the Federal Assistance Grant again being paid in advance.

It is noted that the restricted balances have not been audited, and are subject to change.

WALGETT SHIRE COUNCIL AGENDA

<i>Operational budgets to carry forward into 2012/13 budget year</i>	<i>Expense</i>	<i>(Income)</i>
Marketing & Promotion	61,822	
Shire Signage	49,323	
Advertising - Publications	8,200	
Corporate Radio Sponsorship (not yet paid for 2012 year)	5,500	
Regional and Strategic Roads Project (not yet paid)	5,000	
Section 356 Expenditure-Burren Junction Pool (not yet claimed)	20,400	
Section 356 Lightning Ridge Opal Queen (not yet claimed for 2012 year)	3,000	
Development of Australian Opal Centre (stage 2)	101,040	
Community Services transition training grant expense	3,227	
Youth Worker Project Walgett	5,151	
Strong Colli Project	98,867	
Strong Colli Project Grant income		(57,166)
CDAT (community development grant)	4,000	
Healthy Living Communities		(285,643)
Healthy Living Communities expense	565,421	
After School Homework Program	2,842	
Library Priority Programs	61,051	
Contribution to Regional Library (balance of budget)	35,520	
Museums Grant		(8,259)
Museum Advisor	14,259	
Art Across the Ages	3,352	
Heritage Advisor Grant		(4,442)
Heritage Projects Grant		(4,942)
Heritage Advisor	15,641	
Heritage Projects	14,825	
Project-Local Environmental and Development Plans	40,000	
Lightning Ridge Urban Expansion Design	20,000	
Noxious Weeds Contribution to CMCC	41,206	
Transfer to reserves - Flood damage received not spent	36,202	
TOTALS	1,215,849	(360,452)
WATER		
Revaluation of Assets	28,270	
	28,270	

WALGETT SHIRE COUNCIL AGENDA

Capital Budgets to carry forward	Expense	(Income)
Authority upgrade	10,000	
77 Fox St Capital Maintenance - replace exterior façade	18,255	
Dementia Day care Centre Grant expense	382,950	
Meeting Room at Cumborah	90,000	
Colly Tennis Courts	7,000	
L/Ridge Bore Baths purchase of land	40,000	
Resurface Lightning Ridge netball courts	51,500	
Walgett Cemetery Memorial Wall	15,000	
Colly Boat Ramp	105,600	
Collarenebri boat ramp grant		(79,200)
Walgett Library Extension grant	200,000	
Walgett Levee	1,166,667	
Colly Aerodrome Lighting Grant		(26,403)
Aerodrome Obstacle Limitation improvement	25,000	
Walgett Aerodrome Upgrade	273,850	
Collarenebri Aerodrome Lighting	36,731	
Warrena and Fox St Drainage Repairs	88,000	
Walgett Depot (release of reserve)	100,000	
Rural Unsealed Pavement	90,000	
Walgett Water		
NOW Aboriginal WS&S Program		(856,000)
Grant -Fluridation Plant Program		(80,000)
Strengthening Basin Communities		(949,000)
Grant - Water Meter Installation Program		(2,345,000)
Walgett Open Water Drains Up-Grade	68,644	
Water Treatment Plant-Renewal/Replacement	4,725,917	
Fluridation Plant Program	22,753	
Collarenebri Water		
Grant -Fluridation Plant Program		(80,000)
Water Disinfection Program	15,000	
Rehab of Chlorine Dosing Reservoir	50,000	
Feasibility - Filtration Plant Up-grade	100,000	
Fluridation Plant Program	22,753	
Walgett Sewer		
NOW Grant income		(1,855,000)
Namoi Village Sewer System	1,310,500	
Walgett Effluent Ponds reconstruction	762,500	
Walgett Sewer Switchboard repairs and building refurbishment	300,000	
Walgett Sewer lifts x2	150,000	
Waste		
Tip remediation costs	391,033	
	10,619,653	(6,270,603)

Relevant Reference Documents/Policies:

Walgett Shire Council Capital Budget 2012/13
Draft Restricted Cash Schedule (Appendix I)

Governance issues:

N/A

Environmental issues:

N/A

Stakeholders:

Walgett Shire Council
Walgett Shire Ratepayers

Financial Implications:

As balances are restricted as at 30 June 2012 out of the 2011/2012 budget, there is a nil impact on the 2012/13 budget.

Alternative Solutions

Council can choose not to carry forward the budgets and instead replace them with new budgets.

Conclusion

DRAFT RESTRICTED CASH AS AT 30 JUNE 2012 AND CORRESPONDING CARRIED FORWARD PROJECTS INTO THE 2012/2013 BUDGET

Recommendation:

1. Council note the Draft restricted cash report, and adopt the variations to the 2012/2013 budget for uncompleted projects as at 30 June 2012

Moved:

Seconded:

Attachments:

Appendix 1 – Restricted Funds

WALGETT SHIRE COUNCIL AGENDA

APPENDIX 1

Restricted Cash Schedule as at 30 June 2012

	30-Jun-11	Transfers To Reserve	Transfers from Reserve	30-Jun-12
External Restrictions				
Grants				
Operating				
Healthy Living Community grant	-	279,778	-	279,778
Art Across the Ages	-	3,752	-	3,752
Bringing Golf project	-	41,701	-	41,701
Youth Officer Walgett	-	5,151	-	5,151
After School Programs	-	2,842	-	2,842
Minister of Transport	-	3,786	-	3,786
Museum Advisor	-	4,000	-	4,000
CCAT	-	4,000	-	4,000
Heritage Advisor	-	11,179	-	11,179
Heritage Projects	-	9,883	-	9,883
Community Services transition training grant	4,024	-	(4,797)	3,227
YAPSA	2,500	-	(2,500)	-
HEP G	700	-	(700)	-
Juvenile Justice	1,000	-	(1,000)	-
Walgett Community Capability Fund	-	-	-	-
Library Priority Grant	-	61,451	-	61,451
LR Opal Centre grant	-	101,840	-	101,840
Walgett Recreational Reserve Trust	-	37,736	-	37,736
Capital				
Obstacle Unification grant (astronomy)	-	25,800	-	25,800
Lewis Grant	-	1,166,667	-	1,166,667
Regional Infrastructure Program	3,149	26,500	(1,149)	28,500
Walgett Aerodrome upgrade	-	273,850	-	273,850
SES Shed RFFS/SES contribution	-	100,000	-	100,000
Walgett Library Extension	-	200,000	-	200,000
Dementia Day case Centre Grant	982,079	382,950	(982,079)	382,950
Total Grants	994,303	2,740,858	(982,225)	2,744,583
ROADS				
Roads to Recovery	-	-	-	-
Local Roads Road damage	-	36,202	-	36,202
Total RTA	-	36,202	-	36,202
Externally restricted Funds (not including Water/Sewer/Waste)	994,303	2,777,059	(982,225)	2,792,585
Internally restricted funds - Operating				
Relief Regulatory officer	18,454	-	(11,454)	-
Marketing and promotion	-	119,345	-	119,345
Council Election	-	45,000	-	45,000
Regional and Strategic Roads Project	-	5,000	-	5,000
Corporate Radio Sponsorship (undrawn to 2012)	-	5,500	-	5,500
Local Environmental Plan (1:1 grant)	20,000	-	-	20,000
Museum Advisor (local cont'd below)	-	6,000	-	6,000
LR Urban acquisition design	20,000	-	-	20,000
LEP	30,000	-	-	30,000
Contribution to Regional Library	-	35,510	-	35,510
Contribution to LR Community Centre (undrawn to FY2011)	25,000	-	-	25,000
LR Opal Queen (donation undrawn FY2012)	-	3,000	-	3,000
Burns Junction Pool (undrawn)	-	20,400	-	20,400
Nodous Weeds contribution	-	41,206	-	41,206

WALGETT SHIRE COUNCIL AGENDA

Internally restricted funds - Capital				
Council Owned Overlays Capital expenditure	30,900		(30,680)	-
Grass Trap Pollutant grant	10,900		(20,000)	-
resurface LA Hobell Court		51,508		51,508
Walgett Cemetery Memorial Wall		15,008		15,008
Coffy Boat Pier council contribution		26,408		26,408
Cumbeah meeting room		90,008		90,008
Coll St Overground portable groundland	3,437		(3,467)	-
Lavoe Bank Upgrade	45,300		(45,000)	-
State Roads - CIVIC Warranty	350,300			350,000
Regional Infrastructure Program	110,979		(118,979)	-
Shade Shelter Coll State Park	559		(559)	-
17 Fox Street Capital expenditure	30,300	18,255	(18,000)	18,255
Bowen Junction Bone Bane	99,323		(99,365)	-
Lighting Ridge Bone bath		48,000		48,000
Collawenabri Tennis courts	7,900			7,900
Walgett Binwground Update	5,900		(5,000)	-
Footpath from bowling club to hospital (Collawenabri)	50,900		(50,000)	-
Unsealed Roads		90,900		90,900
Cell Aerodrome Lighting	10,323			10,323
Authority Upgrade		10,900		10,000
Wharrie and Fox St Drainage Repairs	86,300			86,000
Plant Food		269,301		269,224
	859,148	891,227	(206,127)	1,454,253
Provisions				
GM contract package allowances		7,571		7,571
Lease Liability	300,000			300,000
Capital PR Restoration	300,000			300,000
	600,000	7,571	-	607,571
Total Internal	1,459,148	898,798	(206,127)	2,151,819
Total General Fund Reserves	2,691,572	3,670,966	(1,588,098)	4,774,440
Walgett Water	(184,454)	331,000	-	246,544
Lightning Ridge Water	3,137,907	(749,375)	-	2,388,532
Collawenabri Water	(384,994)		(313,145)	(1,112,145)
Villages Water	(31,666)		(12,583)	(44,250)
Interest	(24,008)	57,566	14,000	57,566
Water Fund	2,281,849	(341,000)	(211,728)	1,699,121
Walgett Sewer	1,421,752	-		1,511,579
Lightning Ridge Sewer	580,501			1,020,886
Collawenabri Sewer	(344,923)			(399,333)
Interest	(2,000)	83,270	1,068	82,270
Sewerage Fund	1,655,330	83,270	1,068	2,219,369
Domestic Waste Mgt	-	638,139	(238,915)	399,224
Total External Restricted Funds	1,655,330	638,139	(238,915)	2,054,554
Total Restricted Funds	3,137,179	1,526,937	(447,043)	4,217,073
Unrestricted Cash	398,455			378,223
Total Cash on Hand and at Bank as at 30 June 2012	3,535,634	-	-	3,595,296

17. STOCK TAKE VARIANCE FINANCIAL YEAR 2012

REPORTING SECTION: Corporate Services
AUTHOR: Susie Jones - Finance Manager
FILE NUMBER: 11/4

Summary:

This report is to advise Council of the outcome of the Stores and materials stocktake held at Council's main Works Depot on 20 June 2012.

Background:

The Local Government (General) Regulation 2005 requires Council to take all reasonable measures to ensure that the assets owned, or under control of, the Council are properly accounted for. To assist in the control of Council's Stores and Material's assets, a stock take is undertaken annually. Physical counts are performed on all stock items held in the store. The results of the count are then compared to the stock item balances contained in Council's Financial Management software system. If there are any major variances, a physical re-count is usually performed on each item to confirm the original count. Once all counts are completed, a discrepancy report is produced which details the recommended write-off or write-on for the stock take period.

Current Position:

The stock take resulted in a variance of \$10,288.72. This amounts to 1.6% of the total stock on hand. The majority of the variance was due to an overstatement of Eco prime in the system, which is used in road construction, and has been attributed to the difficulty in reading the gauge when stock is taken out of stores. The stock take report is attached and requires Council approval for the adjustments to the stores ledger and the write off of the total adjustment of \$10,288.72.

When the large amount of road works which have recently taken place is taken into consideration, the discrepancy is considered reasonable.

Relevant Reference Documents/Policies:

Local Government (General) Regulation 2005
Stock take policy and procedures

Governance issues:

Stock take policy and procedures are to be reviewed in the coming financial year, and will include the set up and maintenance of stock balances held at Lightning Ridge and Collarenebri.

Financial Implications:

A write off of \$10,288.72 will be included in Council's general fund profit and loss for the year ended 30 June 2012 as a result of the 2012 Financial year stock take.

WALGETT SHIRE COUNCIL AGENDA

Alternative Solutions/Options:

N/A

Conclusion:

That Council approve the write off of stock to the stores ledger and control account.

STOCK TAKE VARIANCE FINANCIAL YEAR 2012
--

Recommendation:

- | |
|---|
| <ol style="list-style-type: none">1. That Council approve the write off of stock with a total value of \$10,288.72 to the stores ledger and control account |
|---|

Moved:

Seconded:

Attachments:

Nil

18. CASH ON HAND & INVESTMENT REPORT

REPORTING SECTION: Corporate Services
AUTHOR: Shane Roberts – Senior Finance Officer
FILE NUMBER: 09/1460

Summary:

This report summarises the cash on hand and investments held by Walgett Shire Council as at 30 June 2012.

Background:

Walgett Shire Council operates one primary transaction account with the Commonwealth Bank and invests surplus funds to its operational requirements. The level of funds held in the account at any time reflects the outlook in terms of payments to be made in the short term.

Current Position:

As at 30 June 2012 the operational bank account's balance was \$3,354,551.30. The reconciliation of this balance is:

**Operational Account Bank Reconciliation
 As at 30 June 2012**

	\$
Opening Ledger Account Balance as at 1 June 2012	1,813,304.63
Add: Receipts	7,414,722.36
Add: Recalled Investments	
Less: New Investments	
Less: Payments	(5,884,527.49)
Closing Ledger Balance as at 30 June 2012	3,343,499.50
 Balance as per Bank Statement as at 30 June 2012	 3,354,551.30
Add: Receipts not banked	12,774.12
Less: Payments not presented	(23,825.92)
Closing Balance of Bank Account	3,343,499.50

No Term Deposits were recalled in June 2012.

No New Term Deposits were made in June 2012.

No transfers were done from the 24hour online account in June 2012.

1 transfer was made to the 24hour online account in June 2012 to the value of \$2,000,000.00.

WALGETT SHIRE COUNCIL AGENDA

As at 30 June 2012 Walgett Shire Council's investment register's balance was \$6,000,243.79.
The balance as per the attached investment report comprised:

Term Deposits	\$6,000,000.00
Floating Rate Collateralized Debt Obligation (CDO)	\$ 243.79

The values disclosed for the Floating Rate Collateralized Debt Obligation (CDO) are market values as at 30 June 2012 and were supplied by the ANZ Group.

24 Hour Online Account Balance	\$2,002,107.30
--------------------------------	----------------

Relevant Reference Documents/Policies:

09/1772/0025	June 2012 bank reconciliation ledger 11.5010
09/1460-02/008	Investments Report To Council 2011-2012

Governance issues:

Nil

Environmental issues:

Nil

Stakeholders:

Walgett Shire Council
Residents of Walgett Shire Council

Financial Implications:

As per report

Alternative Solutions/Options:

NIL

Conclusion:

As at 30 June 2012 Walgett Shire Council's total available cash and invested funds were \$11,345,850.59 represented by:

Reconciled Operational Account Balance	\$3,343,499.50
Investments	\$6,000,243.79
24 Hour Online Saver Account	\$2,002,107.30

CASH ON HAND AND INVESTMENT REPORT AS AT 30 JUNE 2012

Recommendation:

1. That the cash on hand and investment report as at 30 June 2012 be received.

Moved:

Seconded:

WALGETT SHIRE COUNCIL AGENDA

Attachments:

<u>Investment Institution</u>	<u>Type of Investment</u>	<u>Term (days)</u>	<u>Rate %</u>	<u>Ref</u>	<u>Reset Date</u>	<u>Maturity Date</u>	
Term Deposits							
Credit Union Australia	Term Deposit	329	5.83	754/12		05-Dec-12	\$250,000.00
Bank of Queensland	Term Deposit	182	6.00	755/12		11-Jul-12	\$500,000.00
Bankwest	Term Deposit	154	5.70	759/12		04-Jul-12	\$250,000.00
Suncorp	Term Deposit	182	6.00	762/12		15-Aug-12	\$250,000.00
Credit Union Australia	Term Deposit	322	5.95	763/12		09-Jan-13	\$250,000.00
Suncorp	Term Deposit	182	5.80	764/12		09-Jan-13	\$250,000.00
National Australia Bank	Term Deposit	182	5.88	765/12		22-Aug-12	\$500,000.00
Bank of Queensland	Term Deposit	182	5.85	768/12		29-Aug-12	\$250,000.00
Credit Union Australia	Term Deposit	210	5.96	767/12		26-Sep-12	\$250,000.00
Suncorp	Term Deposit	182	5.86	768/12		05-Sep-12	\$250,000.00
Credit Union Australia	Term Deposit	343	6.05	769/12		13-Feb-13	\$250,000.00
Bankwest	Term Deposit	182	5.85	770/12		05-Sep-12	\$250,000.00
Suncorp	Term Deposit	119	5.60	772/12		18-Jul-12	\$250,000.00
IMB	Term Deposit	182	5.80	773/12		19-Sep-12	\$500,000.00
Bankwest	Term Deposit	98	5.85	775/12		04-Jul-12	\$250,000.00
Newcastle Permanent Building Society	Term Deposit	105	5.73	776/12		25-Jul-12	\$250,000.00
Bankwest	Term Deposit	98	5.80	777/12		25-Jul-12	\$250,000.00
National Australia Bank	Term Deposit	182	5.70	778/12		17-Oct-12	\$250,000.00
National Australia Bank	Term Deposit	189	5.57	779/12		07-Nov-12	\$250,000.00
IMB	Term Deposit	91	5.10	780/12		12-Sep-12	\$500,000.00
Floating Rates Collateralized Debt Obligations (CDO)							
Zircon Finance Ltd	Floating Rate CDO		0.00			20-Sep-14	\$0.00
Morgan Stanley Acs SP	Floating Rate CDO	91	6.950		20-Mar-12	20-Jun-15	\$243.79
Helium Capital Ltd	Floating Rate CDO		0.0000			23-Jun-14	\$0.00
							\$243.79
							\$6,000,243.79
							\$2,002,107.30
							\$6,002,351.09

Term Deposit Ledger Balance

24 hour Online Bank Account

Note that this is a separate interest bearing account linked with the Main Bank Account

Investment Report as at 30 June 2012

I hereby certify that the investments shown herein have been invested in accordance with Section 625 of the Local Government Act 1993, associated regulations and in accordance with Council's Policies and Procedures.

Signed

Susie Jones

Finance Manager

Prepared and Recommended by Julie McKeown

Finance Officer

19. COMMUNITY ASSISTANCE SCHEME ROUND 2

REPORTING SECTION: Corporate and Community Services
AUTHOR: Shane Roberts – Senior Finance Officer
FILE NUMBER: 10/405/026

Summary:

This report identifies requests for financial assistance from Council through the Community Assistance Scheme 2012/2013 and under Section 356 of the Local Government Act 1993

This is the first of two rounds of requests for financial assistance for the 2012/2013 financial year.

Background:

Applications have been received from community organisations for financial assistance under the Community Assistance Scheme. The scheme was advertised Shire wide, with applications closing 31 July 2012.

Applicants must be non-profit organisations and based in, or affiliated with, Walgett Shire. Donations are generally up to \$3,000.00, and are limited to one donation per organisation per year.

The Community Assistance Scheme objectives are to:

- Support charities and community projects, events and activities which occur within the Walgett Shire area, and are a benefit to the community;
- Foster or support new services, initiatives and resources within the Shire;
- Improve awareness and use of community services and resources within the Shire;
- Encourage increased participation in local community events within the Shire.

Current Position:

An amount of \$16,000.00 has been provided for in the 2012/2013 Budget. In accordance with Section 356 of the Local Government Act 1993. This is to be utilised between the two rounds of funding as well as a nominal amount to be utilised in the advertising of the scheme.

7 Community Organisations have requested funding in this first round for the 2012/2013 financial year as listed below with the recommended granting total.

WALGETT SHIRE COUNCIL AGENDA

Organisation	Project	Cost of Project/Activity	Amount Requested	Recommended Amount	Beneficiaries
Lightning Ridge Community Radio	Community Radio in Lightning Ridge and surrounding Opal Fields	\$3,000.00	\$1,000.00	\$1,000.00	Lightning Ridge Community
Collarenebri Jockey Club	Annual Collarenebri race meeting compulsory ambulance attendance	\$42,000.00	\$500.00	\$500.00	Collarenebri Community by attracting visitors to spend locally and Walgett Shire residents for a safe day out
Coolibah Kids	To improve Long Day Care facilities by upgrading Childrens Play Activity Area	\$5,000.00	\$3,000.00	\$1,500.00	Walgett residents and businesses to ensure quality child care available for working parents and potential employees for all businesses
Collarenebri Rodeo Inc	Collarenebri Rodeo is a 14 event sporting activity	\$30,000.00	\$1,300.00	\$1,300.00	Collarenebri Community by attracting visitors to spend locally and Walgett Shire residents by providing a great day out
Goodooga - Lightning Ridge CWA	To subsidise cost of lunch for Annual Wool Day which is the major Fund raising event to support charities	\$3,000.00	\$1,000.00	\$1,000.00	Local children with special needs, women and children in crisis and youth
Barwon Aboriginal Corporation	Walgett Rugby League Knockout and Gala Day which will bring 16 Rugby League Teams to the Community	\$25,000.00	\$3,000.00	\$1,500.00	Walgett Community business and members of all ages by attracting people to spend locally and provide a great day out
Moorambilla Voices	To financially assist 37 Walgett Shire children who passed auditions to attend 1 of 3 intensive, residential camps held in Baradine in August and September to work alongside professional musician, composers and artists	\$18,500.00	\$2,000.00	\$0.00	Personal achievement activity is not currently provided for under guidelines
Totals			\$11,800.00	\$6,800.00	
ANNUAL BUDGET				\$16,000.00	
Remaining if approved				\$9,200.00	

Relevant Reference Documents/Policies:

WSC Procedures – AFM – Requests for Assistance
 Section 356 Local Government Act 1993
 Local Government (General) Regulation 2005

Governance issues:

Nil

Environmental issues:

Nil

Stakeholders:

Walgett Shire Council
Various community organisations
Walgett Shire Community

Financial Implications:

A total of \$16,000.00 is budgeted for the Community Assistance Scheme. If the Round 1 recommendations are approved there will be \$9,200.00 remaining for Round 2 applications in January 2013.

Alternative Solutions/Options:

Nil

Conclusion:

All recommended applications for funding from the Community Assistance Scheme are of benefit to the Walgett Shire Communities.

WALGETT SHIRE COUNCIL AGENDA

COMMUNITY ASSISTANCE SCHEME DONATIONS – ROUND 1 2012/2013 APPLICATIONS

Recommendation:

That Council applies funds for financial assistance under section 356 of the Local Government Act 1993 for the first round of 2012/2013 as follows:

Organisation	Project	Cost of Project/Activity	Amount Requested	Recommended Amount	Beneficiaries
Lightning Ridge Community Radio	Community Radio in Lightning Ridge and surrounding Opal Fields	\$3,000.00	\$1,000.00	\$1,000.00	Lightning Ridge Community
Collarenebri Jockey Club	Annual Collarenebri race meeting compulsory ambulance attendance	\$42,000.00	\$500.00	\$500.00	Collarenebri Community by attracting visitors to spend locally and Walgett Shire residents for a safe day out
Coolibah Kids	To improve Long Day Care facilities by upgrading Childrens Play Activity Area	\$5,000.00	\$3,000.00	\$1,500.00	Walgett residents and businesses to ensure quality child care available for working parents and potential employees for all businesses
Collarenebri Rodeo Inc	Collarenebri Rodeo is a 14 event sporting activity	\$30,000.00	\$1,300.00	\$1,300.00	Collarenebri Community by attracting visitors to spend locally and Walgett Shire residents by providing a great day out
Goodooga - Lightning Ridge CWA	To subsidise cost of lunch for Annual Wool Day which is the major Fund raising event to support charities	\$3,000.00	\$1,000.00	\$1,000.00	Local children with special needs, women and children in crisis and youth
Barwon Aboriginal Corporation	Walgett Rugby League Knockout and Gala Day which will bring 16 Rugby League Teams to the Community	\$25,000.00	\$3,000.00	\$1,500.00	Walgett Community business and members of all ages by attracting people to spend locally and provide a great day out
Moorambilla Voices	To financially assist 37 Walgett Shire children who passed auditions to attend 1 of 3 intensive, residential camps held in Baradine in August and September to work alongside professional musician, composers and artists	\$18,500.00	\$2,000.00	\$0.00	Personal achievement activity is not currently provided for under guidelines

Totals	\$11,800.00	\$6,800.00
ANNUAL BUDGET		\$16,000.00
Remaining if approved		\$9,200.00

Moved:

Seconded:

Attachments:

20. MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR CORPORATE SERVICES – JUNE 2012

REPORTING SECTION: Corporate Services
AUTHOR: Stephen Holland– Director Corporate Services
FILE NUMBER: 12/14

1. September 2012 Local Government Election Update

The Returning Officer (RO), Noelene Kiss visited Walgett on Wednesday 4 July to discuss preparations for the Council election on Sept 8. Contact details for the RO are;

Email: ro@moreeregion.elections.nsw.gov.au.

Fax : 02 9293 1332 (phone number not yet available)

Nominations

An advertisement calling for nominations is required to be placed during the period 16 July to 1 August. It is proposed to place the advertisement in the Walgett Spectator, Ridge News and North West Magazine during the week commencing 23 July.

Nominations open on Monday 30 July and close at 12 Noon on Wednesday 8 August. An information pack including a nomination form will be distributed at the meeting. For further information or help with roll verification, Candidates are able to contact the RO or the Help Desk on 1300 135 736

A comprehensive range of election information including additional nomination forms can be obtained by accessing votensw.info or www.elections.gov.au

2. Healthy Communities Initiative – Walgett Shire

At its meeting held on Tuesday 14 February, the Council resolved to accept the funding for the Healthy Communities Program in the sum of \$566,042. The program was due to run until 30 June 2013 however the Department has now extended the program until 30 June 2014. Changes to the program delivery to reflect the extended timeline will be effected through a revised Implementation Plan. The commencement of the program has been substantially delayed due to difficulty in appointing a Healthy Communities Coordinator however it is hoped to make an appointment following interviews in the week commencing 9 July.

A Deed of Variation is required to be executed by Council to incorporate the changes to the program and it is recommended that the document be executed under seal of Council.

MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR CORPORATE SERVICES – JUNE 2012

Recommendation:

- | |
|---|
| <ol style="list-style-type: none">1. That the matters listed by the Director Corporate Services for brief mention or information be received and noted.2. That the Deed of Variation for the Funding Agreement relating to the Healthy Communities Initiative – Walgett Shire be executed under Seal of Council. |
|---|

Moved:

Seconded:

21. GRAWIN OPAL FIELDS LOCALITY PROPOSAL

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Director of Planning & Regulatory Services, Matthew Goodwin
FILE NUMBER: 09/1158

Summary:

During June 2012 Walgett Shire Council undertook public consultation regarding its proposal to establish a new locality titled "Grawin Opal Fields". It is recommended that Council request that the Geographical Names Board of NSW establish the Grawin Opal Fields as proposed during the public consultation process.

Background:

At the meeting held on 6 March 2012 (Adjourned from 14 February 2012) Walgett Shire Council considered a report on a request from Jan Morgan for Council's support for the establishment of the Grawin opal fields as a locality so that it can then be assigned a postcode by Australia Post. Council then resolved:

That Walgett Shire Council resolve to defer until its March Meeting the following recommendation:

1. Note Jan Morgan's request for the establishment of the Grawin opal fields as a locality to enable Australia Post to allocate it with a post code.
2. That the Director Planning and Regulatory Services prepare a report for the next Council meeting on a draft proposal for the proposed locality of Grawin and Council also write to GGSMA seeking an expression of opinion with regards to the Postcode issue.

Subsequently at the meeting held on 24 April 2012 Walgett Shire Council resolved to:

1. Note and endorse the draft document titled "Information package – Grawin Opal Fields Locality Proposal".
2. Undertake public consultation regarding the Grawin Opal Fields locality proposal for a minimum of 28 days.
3. Consider any submissions received regarding Grawin Opal Fields locality proposal after the public consultation period has ended.

Under normal circumstances the Geographical Names Board of NSW requires that:
Locality names should be no longer than one word.
One locality should not be enclosed by another (ie 'donut' localities are discouraged).

In an e-mail dated 20 March 2012 Rhet Humphries, a Spatial Information Officer with the Geographical Names Board of NSW has indicated that the Board would be prepared to consider a Grawin Opal Fields locality proposal that is not compliant with these requirements (Trim record 09/115//0007).

The draft "Information package - Grawin Opal Fields Locality Proposal" was finalised and circulated as a document titled "Explanatory notes - Grawin Opal Fields Locality Proposal" during the public consultation process (see Attachment A). Public consultation was undertaken from mid May to 29 June 2012. Consultation included displaying the explanatory notes at the following sites:

- Glengarry opal field:

WALGETT SHIRE COUNCIL AGENDA

- > Grawin Glengarry Sheepyards Miners Association office
- > The Glengarry Hilton.
- Grawin opal fields:
 - > Grawin Club in the Scrub.
 - > Grawin Store.
- Sheeppark opal fields:
 - > Sheeppark Pub.
- Walgett - Council Chambers.
- Walgett Shire Council web site, at <http://www.walgett.nsw.gov.au/> .

Copies of the explanatory notes were posted on 18 May 2012 to the following land holders (predominantly Western Lands Lease holders) within, and adjoining, the proposed locality:

Minister Administering the National Parks & Wildlife Act 1974

Mr N W Warden

Mr P W & Mrs E A Powell

Combadero Pty Ltd

Mrs M A Newton

Mr J V & Mrs V A Usher

Mr G K Kelly

Telstra Corporation Limited

Mr D P Remond

The State of New South Wales

Mr W S Newton

Mr N W Warden & ADW & LC Stump Pty Limited

Mr D B & Mrs N A Thwaites

Mr H A Gruenefeld & Ms G Gruenefeld

NSW Rural Fire Service - NW Zone

Morendah Pastoral Co Pty Limited

Mr L J Wills

Copies of the explanatory notes were also posted on 18 May 2012 to the Western Lands Commission unit of NSW Trade & Investment, the Mineral Resources unit of NSW Trade & Investment and the Glengarry Grawin Sheeppark Miners' Association.

Current position:

The Geographical Names Board of NSW requires 'community acceptance' for a locality proposal, as well as the agreement of the Council.

Submissions were received regarding the locality proposal, as follows:

Objection letter from Wayne & Judy Newton (Attachment B).

Letter from Van Zutphen. Note that the letter only refers to postcode matters and does not indicate anything about the locality proposal (Attachment C).

Petition objecting to the proposal with 34 signatures (Attachment D).

Petition supporting the proposal with 57 signatures (Attachment E).

It appears that some people assume that establishing the Grawin Opal Fields as a locality will result in it being assigned a unique post code thereby resolving all mail delivery problems. The reality is that:

- Australia Post is responsible for allocating postcodes.

WALGETT SHIRE COUNCIL AGENDA

- It is unlikely that Australia Post will assign the Grawin Opal Fields a unique postcode, given that it has not assigned unique postcodes for other localities adjoining the Walgett locality (eg Cumborah, Cryon, Come-by-Chance).
- If the locality is established, Australia Post is likely to assign it the same postcode as Walgett, which is 2832.

If the Grawin Opal Fields become an official locality with a shared postcode, then it is expected that this may help Australia Post reduce mail delivery problems for affected residents.

58 out of 93 (62%) respondents appear to have indicated support for the locality proposal. If the submissions are representative of community opinion, then a majority the community supports the proposal.

Relevant reference documents/policies:

- * 'Assignment of postcodes', Australia Post web site at <http://auspost.com.au/about-us/assignment-postcodes.html>.
- * Postcodes, Australia Post web site at <http://auspost.com.au/apps/postcode.html>.
- * 'Determining Suburbs and Localities in NSW', October 2009, published by the Geographical Names Board of NSW.
- * 'Guidelines for the determination of placenames', October 2009 published by the Geographical Names Board of NSW.
- * Business paper & minutes for the 6 March 2012 Walgett Shire Council meeting.
- * Business paper & minutes for the 24 April 2012 Walgett Shire Council meeting.
- * E-mail dated 20 March 2012 from Rhet Humphries, Spatial Information Officer with Geographical Names Board of NSW (Trim record 09/115/0007).

Governance issues:

Section 8 of the Local Government Act 1993 establishes Council's charter, which includes:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to have regard to the long term and cumulative effects of its decisions
- to engage in long-term strategic planning on behalf of the local community
- to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

Environmental issues:

Nil.

Stakeholders:

Walgett Shire Council, Geographical Names Board of NSW, Australia Post and residents.

Financial Implications:

Nil.

Alternative solutions/options:

Not proceed with the locality proposal:- Council can choose not to proceed with the Grawin Opal Fields locality by not submitting the proposal to the Geographical Names Board of NSW. Of

WALGETT SHIRE COUNCIL AGENDA

the submissions received, 38% were opposed to the proposal for various reasons. This has not been recommended because the majority of submissions support the proposed locality.

Undertake further consultation:- Council could undertake further consultation. This has not been recommended because it is unlikely to achieve a different outcome.

Conclusion:

RAWIN OPAL FIELDS LOCALITY PROPOSAL

Recommendation:

That Walgett Shire Council resolve to:

1. Note the various submissions received during public consultation regarding the Rawin Opal Fields locality proposal.
2. Provide the Geographical Names Board of NSW with a copy of this report regarding the public consultation associated with the Rawin Opal Fields locality proposal.
3. Request that the Geographical Names Board of NSW establish the Rawin Opal Fields locality based on the boundaries shown in the "Affected Lot" map included in the Explanatory Notes.

Moved:

Seconded:

Attachments:

- A – Explanatory Notes – Rawin Opal Fields Locality Proposal
- B – Public submission – Newton Objection
- C – Public submission – Van Zutphen
- D – Public submission – Objection petition
- E – Public submission – Support petition

(Provided under separate cover)

22. PROPOSAL TO EXTINGUISH RIGHT OF WAY

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Matthew Goodwin – Director Planning and Regulatory Services
FILE NUMBER: 09/1839-02

Summary:

A developer has recently indicated that they are proposing to redevelop a site in Walgett which includes a right of way which has been built over. It is recommended that Council resolve to extinguish the right of way.

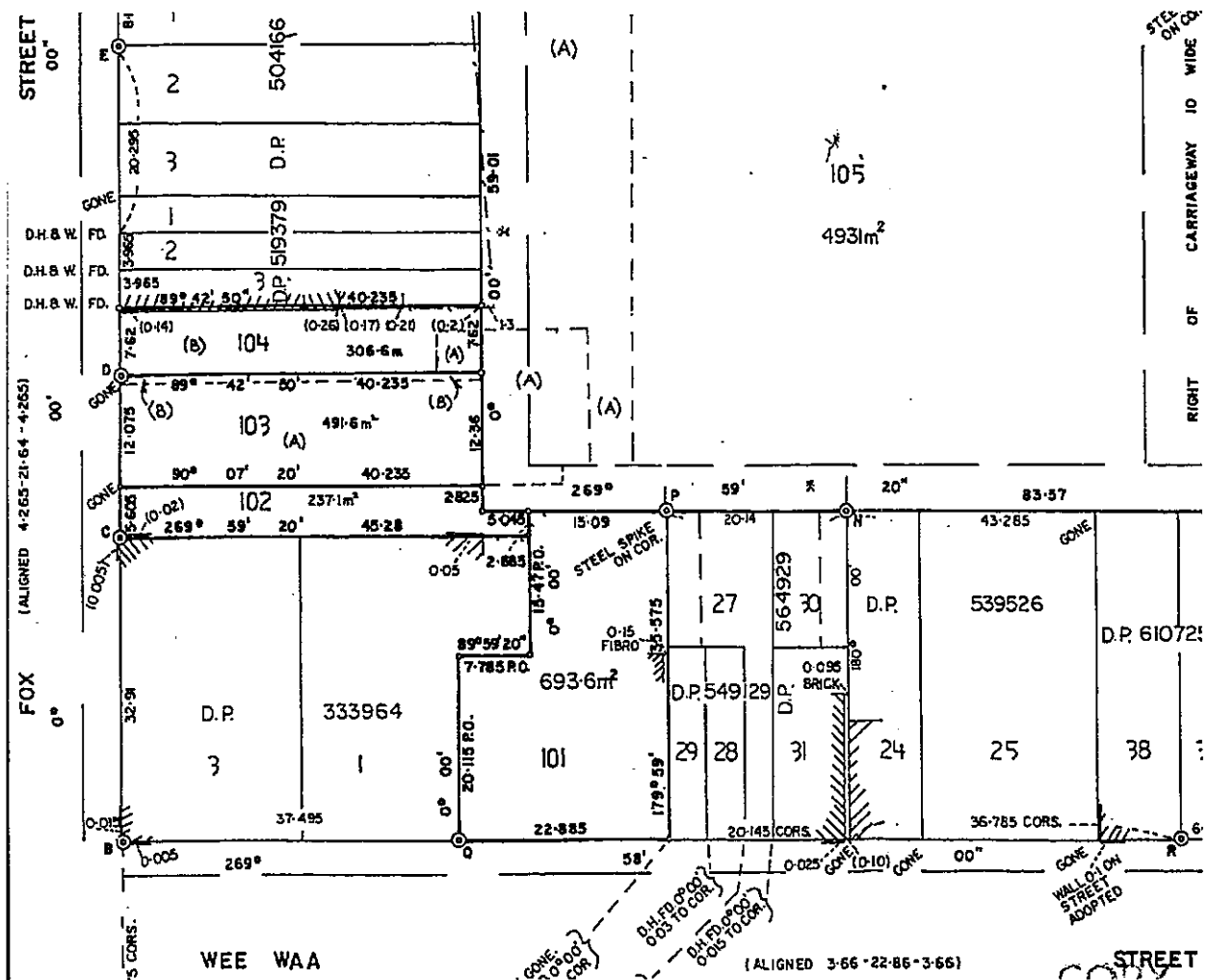
Background:

Recently the owners of lot 103 DP 878481 indicated that they are preparing to lodge a Development Application for the redevelopment of a building located on lot 103 & 104 DP 878481 and lot 32 DP 1113454 as highlighted in the aerial photograph below.



A right of way C5934 burdens lot 103 DP 878481 and passes through the middle of the building, as shown in the extract from the deposited plan below (marked (B)). The certificate of title for the lot (see attachment A) indicates that the right of way benefits land within the Council car park at the rear of the building. By allowing a commercial building to be constructed over the right of way, Council has effectively rendered it obsolete.

WALGETT SHIRE COUNCIL AGENDA



Current position:

The current owners of lot 103 & 104 DP 878481 and lot 32 DP 1113454, Baden Anderson and Robert Jelbart have indicated that they intend to lodge a Development Application for the redevelopment of the building located on the site. Council's planning staff have advised them that Council would be likely to impose conditions of development consent which require:

- Consolidation of the three lots on which the existing and proposed building is located to ensure compliance with the Building Code of Australia.
- Extinguishment of the right of way which burdens lot 103 DP 878481, given that it is redundant.

It is recommended that Council note the situation and support extinguishment of the right of way.

Relevant Reference Documents:

Not applicable.

Governance issues:

Section 8 of the Local Government Act 1993 establishes Council's charter, which includes:

- * to exercise community leadership

WALGETT SHIRE COUNCIL AGENDA

- * to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- * to have regard to the long term and cumulative effects of its decisions
- * to engage in long-term strategic planning on behalf of the local community
- * to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

Environmental issues:

No significant issues known at this stage.

Stakeholders:

Affected land owners, public, Walgett Shire Council.

Financial implications:

No significant issues known at this stage.

Alternative solutions/options:

Do nothing:- Council could choose not to support the extinguishment of the right of way. This course of action has not been recommended because it will continue to place a burden upon the land when there is no significant public benefit. It may also delay the consolidation of the land.

Conclusion:

PROPOSAL TO EXTINGUISH RIGHT OF WAY

Recommendation:

That Walgett Shire Council resolve to:

1. Note that right of way C5934 registered on lot 103 DP 878481, owned by Baden Michael Anderson and Robert Anthony Jelbart, is effectively redundant given that there is a building constructed over it.
2. Support the extinguishment of a right of way C5934 registered on lot 103 DP 878481.
2. Affix the Council seal under the signature of the General Manager and Mayor to any legal documents that may be required to extinguish right of way C5934 registered on lot 103 DP 878481.

Moved:

Seconded:

Attachments:

- A – Title search for lot 103, DP 878481
- B – Deposited plan 878481

WALGETT SHIRE COUNCIL AGENDA

Attachment A – Title search for lot 103, DP 878481

Page 1 of 1



Land & Property
Information

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 103/878481

SEARCH DATE	TIME	EDITION NO	DATE
17/7/2012	2:15 PM	7	27/10/2009

LAND

LOT 103 IN DEPOSITED PLAN 878481
AT WALGETT
LOCAL GOVERNMENT AREA WALGETT
PARISH OF WALGETT COUNTY OF BARADINE
TITLE DIAGRAM DP878481

FIRST SCHEDULE

BADEN MICHAEL ANDERSON
ROBERT ANTHONY JELBART
AS JOINT TENANTS

(T AF73756)

SECOND SCHEDULE (6 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

2 C5934 RIGHT OF WAY 3.05 WIDE APPURTENANT TO THE PART
SHOWN SO BENEFITED IN THE TITLE DIAGRAM AFFECTING THE
PART DESIGNATED (A) IN DP589942

3 K530209 RIGHT OF CARRIAGEWAY APPURTENANT TO THE PART SHOWN
SO BENEFITED IN THE TITLE DIAGRAM AFFECTING THE PART
DESIGNATED (D) IN DP519379

4 P898051 RIGHT OF CARRIAGEWAY APPURTENANT THE PART SHOWN SO
BENEFITED IN THE TITLE DIAGRAM AFFECTING THE PART
DESIGNATED (C) IN DP519379

5 DP878481 RIGHT OF CARRIAGEWAY 5 WIDE APPURTENANT TO THE LAND
ABOVE DESCRIBED

6 DP878481 RIGHT OF CARRIAGEWAY 10 WIDE APPURTENANT TO THE LAND
ABOVE DESCRIBED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

lg:walg-ldouglas Matthew Goodwin

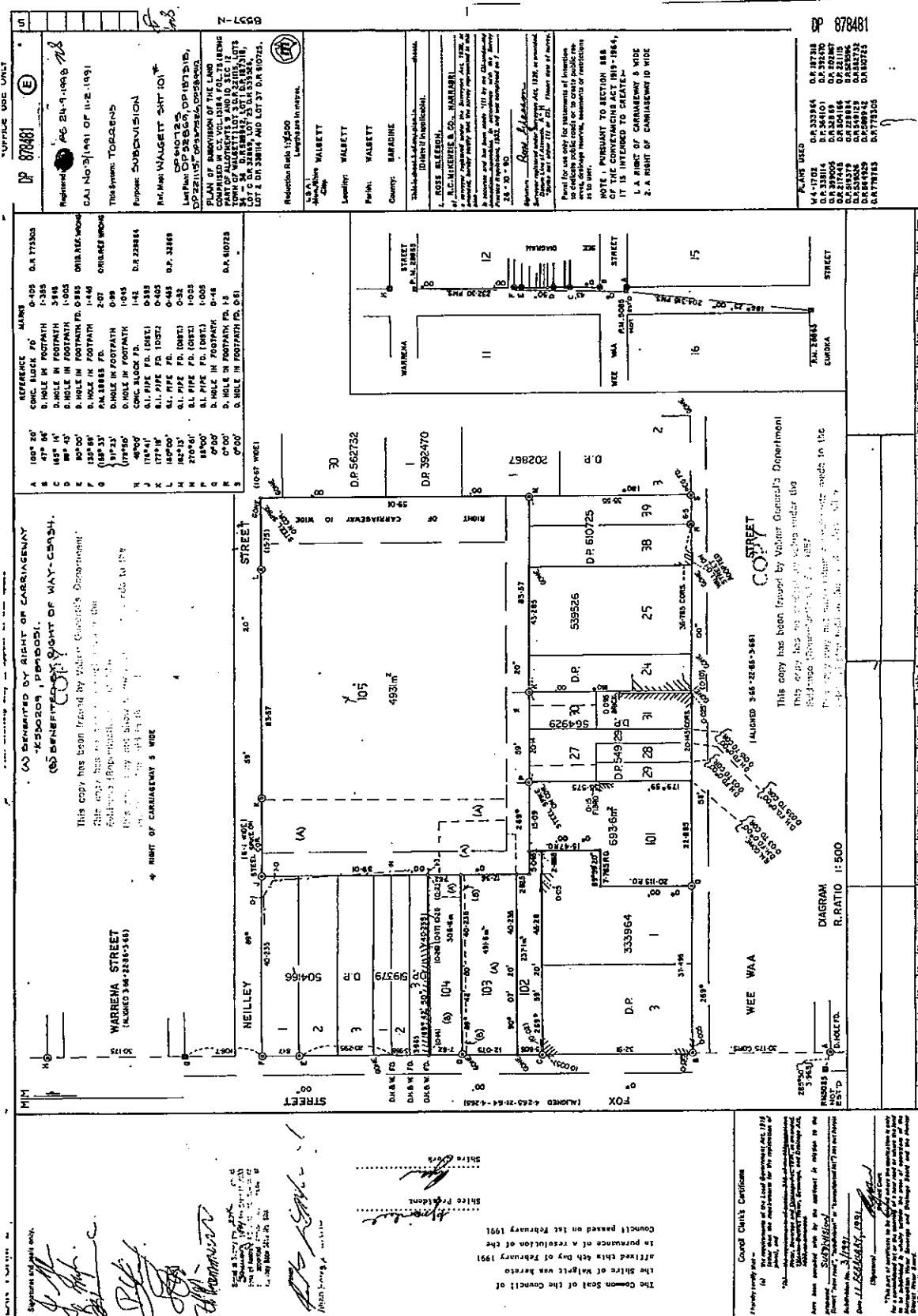
PRINTED ON 17/7/2012

* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE.
WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

https://six.nsw.gov.au/wps/myportal/!ut/p/b1/04_SjzQ1NjQ3MzcycNCP0I_KSyzLTE... 17/07/2012

Attachment B – Deposited plan 878481

Client: valgen / Document: dp 08764841 PLAN / Revision: 28-Sep-1998 / Status: OK / Printed: 28-Sep-1998 21:49 / Images: 1 / Warning: Supplied by NSW Land and Titles Office
: for internal use by the Valuer Generals Office

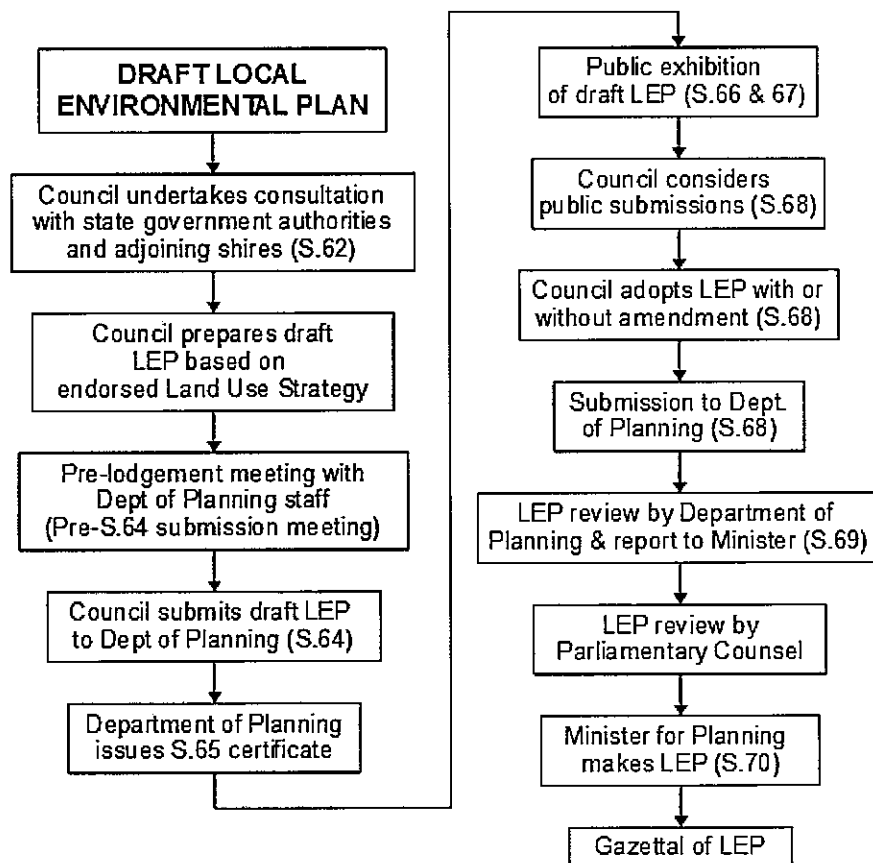


23. DRAFT WALGETT LOCAL ENVIRONMENTAL PLAN 2012**REPORTING SECTION:** Planning & Regulatory Services**AUTHOR:** Director Planning & Regulatory Services, Matthew Goodwin**FILE NUMBER:** 09/1109**Summary:**

Recently Council sought further information from the NSW Department of Planning & Infrastructure regarding rural lifestyle zoning. This report recommends that Council note the response from the Department and proceed with the public exhibition of the plan.

Background:

The flow chart below provides a simplified overview of the LEP development process. Shaded steps have now been completed. Sections 65, 66 and 67 of the Environmental Planning and Assessment Act 1979 have been repealed, but the DOPI has advised that they still apply to Walgett Shire's draft LEP because it was in development prior to the introduction of the new 'gateway' provisions (see clause 12 of the Environmental Planning & Assessment Regulation 2000).



WALGETT SHIRE COUNCIL AGENDA

In conjunction with a letter dated 12 June 2012, the Department of Planning & Infrastructure (DOPI) issued a revised section 65 certificate which authorised the public exhibition of the draft Walgett Local Environmental Plan 2012 (draft LEP) subject to certain conditions being met (See Attachment A). The seven conditions relating to refinement of draft LEP mapping have been met. Hard copies of the draft LEP document and associated maps were provided to Councillors at the 26 June 2012 Council meeting.

The section 65 certificate enables Council to undertake public exhibition of the draft Walgett Local Environmental Plan 2012 in accordance with sections 66 and 67 of the Environmental Planning and Assessment Act 1979. In summary sections 66 and 67 have the effect of requiring Council to:

- * Publicly exhibit the draft Walgett Local Environmental plan for a minimum of 28 days.
- * Publicly exhibit the associated environmental study, which in this case is the Walgett Shire Growth Management Study and Strategy.
- * Publicly exhibit documents which affect the content and operation of the Local Environmental Plan, such as the standard Local Environmental Plan document and section 117 directions issued by the Minister for Planning.
- * Notify the public of the exhibition period.

Key elements of the planned public consultation process include:

- (a) Making digital (pdf) copies of the draft LEP and associated maps available via Council's web site.
- (a) Making explanatory notes available for the draft LEP (see Attachments C & D)
- (b) Making colour hard copies of the LEP and associated maps available via Council's Walgett office (for a nominal fee to cover some of the costs of production).
- (c) Writing to, and inviting submissions from:
 - * Precinct committees.
 - * Adjoining shires.
 - * Relevant state government agencies.
 - * Relevant federal government agencies (Civil Aviation Safety Authority).
- (d) Writing to and inviting submissions from known community groups within the Shire.
- (e) Holding community information meetings early in the public consultation process.
- (f) Writing to individual land holders affected by proposed changes that could be regarded as significant, including:
 - * Rezoning of land as B2 Local Centre, IN1 General Industrial, R5 Large Lot Residential, SP1 Special Activities (Opal Mining) or SP3 Tourist.
 - * Local heritage listing under the LEP.

At a meeting held on 26 June 2012 Walgett Shire Council considered the 12 June 2012 letter and resolved:

That Council seek clarification from Regional Manager Western Region Mr Ashley Albury, Department of Planning & Infrastructure in regards to the wording/guarantee for the provision of Rural Life Style zoning approval.

Current Position:

In a letter dated 18-7-2012 the DOPI has addressed large lot living opportunities and exhibition of the draft LEP (See Attachment B).

The Department of Planning and Infrastructure has been requested to send a representative to address the Council meeting regarding the draft LEP, as per the offer within its letter dated 18-7-2012.

WALGETT SHIRE COUNCIL AGENDA

Relevant Reference Documents/Policies:

LEP preparation is regulated by:

- * Environmental Planning & Assessment Act 1979.
- * Environmental Planning & Assessment Regulation 2000.
- * Standard Instrument (Local Environmental Plans) Order 2006.
- * Local Government Act 1993.
- * Directions for LEP preparation issued by the Minister for Planning (Section 117 directions).

Other relevant documents include:

- * Draft Walgett Local Environmental Plan 2012 document (85 pages dated June 2012).
- * Draft Walgett Local Environmental Plan 2012 land use matrix (3 pages dated June 2012).
- * Draft Walgett Local Environmental Plan 2012 maps (83 A3 maps dated 4-6-2012).
- * Walgett Shire Growth Management Study and Strategy, prepared by Edge Land Planning, dated June 2010.
- * Numerous Department of Planning circulars and guidelines regarding LEP development.
- * Report on the Section 430 Investigation into Walgett Shire Council, by the Department of Local Government, dated 29 January 2004.
- * Minutes and business paper for the 9 May 2012 (deferred from 24 April) Council meeting.
- * Minutes and business paper for the 22 May 2012 Council meeting.
- * Minutes and business paper for the 26 June 2012 Council meeting.

Governance issues:

Council's charter:- Section 8 of the Local Government Act 1993 establishes Council's charter, which includes:

- * to exercise community leadership
- * to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- * to have regard to the long term and cumulative effects of its decisions
- * to engage in long-term strategic planning on behalf of the local community
- * to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

Section 430 investigation:- Substantial problems arise for Council and the public from a planning instrument (the Interim Development Order No 1 – Shire of Walgett 1968) that is outdated and inconsistent with the current planning legislation framework. It is also important to note that this deficiency was the subject of recommendation 29 within the Report on the Section 430 Investigation into Walgett Shire Council, by the Department of Local Government, dated 29 January 2004 (page 55). The recommendation was:

286 Recommendation 29: That council undertakes to develop a local environmental plan (LEP) as a matter of urgency. If existing staffing levels are insufficient to develop the LEP, council should utilise the services of an experienced consultant.

Voting:- Section 375A of the Local Government Act 1993 requires a division to be called when a motion for a planning decision is put at a meeting of the Council, and the names of Councillors voting for and against the motion must be recorded.

Environmental issues:

An LEP is an important tool to facilitate particular land uses within appropriate settings, while restricting or prohibiting them in inappropriate settings.

WALGETT SHIRE COUNCIL AGENDA

Stakeholders:

The public, Walgett Shire Council, Department of Planning & Infrastructure, State government agencies.

Financial Implications:

In 2004 Council committed \$140,000 (GST excluded) for the Walgett Shire land use strategy and Local Environmental Plan project. This budget was based on a \$70,000 grant from the Department of Planning's planning reform fund, matched dollar for dollar by Council.

At the 26 July 2011 meeting Walgett Shire Council resolved to carry forward a budget of \$40,000 for Local Environmental Plan and Development Control Plan development from 2010-2011 to 2011-2012. This amount is adequate to maintain the funding required from Council under the memorandum of understanding (MOU) for the planning reform fund grant.

In a letter dated 23-3-2011 the Department of Planning has extended the time for completion of the LEP project under the MOU until 31 October 2011.

Alternative Solutions/Options:

Do nothing:- This would stall the development of a LEP. This option has not been recommended because it would be inconsistent with the memorandum of understanding for the planning reform fund grant, community expectations and good governance.

Review elements of the draft LEP:- This option has not been recommended because:

- * The development of the draft LEP has occurred over a significant period of time and included extensive consultation with state government agencies, the community and the DOPI.
- * The community, state government agencies and Council will have an opportunity to review the draft LEP in conjunction with its public exhibition. Any changes which have significant merit are expected to be endorsed by the DOPI, hence be incorporated into the gazetted LEP.

Conclusion:

DRAFT WALGETT LOCAL ENVIRONMENTAL PLAN 2012

Recommendation:

That Walgett Shire Council resolve to:

1. Note the letter dated 12 June 2012 from the Department of Planning & Infrastructure conditionally certifying the draft Walgett Local Environmental Plan 2012 for public exhibition under section 65 of the Environmental Planning and Assessment Act 1979.
2. Note the letter dated 18 July 2012 from the Department of Planning & Infrastructure regarding large lot living opportunities and the draft Walgett Local Environmental Plan 2012.
3. Note and endorse the draft Walgett Local Environmental Plan 2012 document and mapping dated June 2012.

WALGETT SHIRE COUNCIL AGENDA

4. Place the draft Walgett Local Environmental Plan 2012 on public exhibition for a minimum period of six weeks.
5. Request the General Manager to arrange community information sessions regarding the draft Walgett Local Environmental Plan 2012 at Carinda, Collarenebri, Cumborah, Grawin, Lightning Ridge and Walgett early in the public exhibition period.

Moved:

Seconded:

Attachments:

A – dopi LETTER & section 65 CERTIFICATE – 12-6-2012

b – dopi LETTER REGARDING LARGE LOT LIVING – 18-7-2012

c – DRAFT LEP EXPLANATORY NOTES – general

d – DRAFT LEP EXPLANATORY NOTES – DWELLINGS ON PRESERVED OPAL
FIELDS

WALGETT SHIRE COUNCIL AGENDA

Attachment A – dopi LETTER & section 65 CERTIFICATE – 12-6-2012



**Planning &
Infrastructure**

Contact: Wayne Garnsey
Phone: 02 68412160
Fax: 02 6884 8483
Email: wayne.garnsey@planning.nsw.gov.au

Mr Don Ramsland
General Manager
Walgett Shire Council
PO Box 31
Walgett NSW 2832

Our ref: 12/09285
Your ref:

Attention:

Matthew Goodwin, Director of Planning and Regulatory
Services

Dear Mr Ramsland

Draft Walgett Local Environmental Plan 2012 – New Section 65 Certificate to exhibit

I am writing in relation to the attendance at a Council meeting on 22 May 2012 by Departmental officers Ashley Albury and Wayne Garnsey and respond to the issues raised by your Council. These issues related to dwellings on the opal fields near Lightning Ridge as well as opportunities for living on large lots.

Dwellings on the opal fields near Lightning Ridge.

Further to your representations in relation to allowing additional dwellings on the opal fields over and above the existing opportunities I wish to advise the Department has redrafted Schedule 1 of the certified draft LEP to:-

- o acknowledge the existing living opportunities as identified and mapped as Item 1 of Schedule 1. The related lot size map will only relate to the existing camps.
- o insert Item 1A for exhibition purposes only to provide for additional dwellings on current and future mineral claims on land that is proposed to be zone SP1 – Special Activities marked as Mining. For this option the lot size map relating to zone SP1 will identify a 2500m² lot size. This will allow for both public and agency consultation during exhibition.

It is to be noted by Council that option 1A is inconsistent with section 117 Direction 1.5 – Rural Lands. Should Council pursue this option post exhibition thorough justification for the inconsistency with the approved strategy and section 117 Direction 1.5 – Rural Lands will be required.

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website planning.nsw.gov.au

WALGETT SHIRE COUNCIL AGENDA

For exhibition Council will need to produce clear explanatory notes and separate maps as to what is being proposed and the outcome for Item 1 and Item 1A of Schedule 1.

It is to be clearly noted that the options contained in Schedule 1 are for exhibition purposes only and that Council will need to make justified recommendations when the draft LEP is submitted for finalisation.

New section 65 Certificate to exhibit.

The change in Schedule 1 of the draft Walgett Local Environmental Plan 2012 (draft LEP) has required the issue of a new certificate under section 65 of the Environmental Planning and Assessment Act 1979 (the Act) to allow the draft LEP to be publicly exhibited.

I am pleased to advise that I have conditionally certified the draft LEP for exhibition. The new section 65 certificate and a copy of the certified draft Plan (Instrument, Maps and Matrix) are enclosed.

Schedule 2 of the section 65 certificate includes conditions requiring amendments to be made to the draft maps prior to exhibition taking place. It is requested that you provide the Western Region office with a copy of the draft LEP prior to exhibition that satisfies the conditions of the section 65 Certificate.

As an opinion has not been issued by Parliamentary Counsel that the draft LEP may be legally made, the Department has issued this certificate on the understanding that Council, when exhibiting the draft LEP, makes it clear to the public that the draft LEP may be changed to satisfy legal drafting requirements. Council may also provide Explanatory Notes / Fact Sheets for exhibition explaining what the draft LEP does.

Please note that references to the particular sections of the Act in this letter relate to the previous plan making provisions repealed on 1 July 2009.

Council is reminded to place on exhibition with the certified draft LEP the relevant State Environmental Planning Policies, any Regional Environmental Plans (deemed SEPPs) and section 117 Directions that apply.

It has been identified that the draft Plan is inconsistent with the section 117 Directions 1.2 – Rural Zones, 1.5 – Rural Lands (except for Item 1A of Schedule 1) and 6.3 Site Specific Provisions. As the delegate of the Director-General, I am satisfied that the inconsistencies are justified by the approved Walgett Shire Growth Management Study and Strategy 2010 or are of minor significance. Council is required to place this letter on exhibition to demonstrate that these inconsistencies have been addressed and are of minor significance.

At this time the draft LEP is considered to be inconsistent with Section 117 Direction 3.5 – Development near Licensed Airports. Consultation with the Civil Aviation Safety Authority is required during the section 66 exhibition period and any inconsistency is to be reviewed and included in Council's section 68 submission.

It is to be further noted that as delegate of the Director-General I have approved the proposed changes made to the provision of land identified for public purposes including open space thus satisfying section 117 Direction 6.2 – Reserving Land for Public Purposes.

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website planning.nsw.gov.au

WALGETT SHIRE COUNCIL AGENDA

It is important that community consultation on the draft LEP engages key stakeholders including the following government agencies:

NSW Department of Primary Industries
Office of Environment and Heritage
Roads and Maritime Services
Crown Lands
NSW Rural Fire Service
Civil Aviation Safety Authority
Catchment Management Authorities (Border Rivers/ Gwydir, Central West, Namoi and Western).

Council should ensure that any final draft plan and maps submitted to the Department following community consultation are consistent with the Act and Regulations. Council should also note that the Department and Parliamentary Counsel may modify some local model clauses and your plan may need to be amended accordingly. The Department's Regional office can assist Council to review the final plan before submission to the Minister.

Large Lot Living opportunities

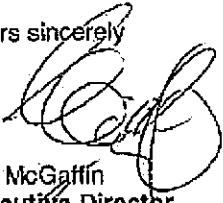
Council has made representations requesting that the Department consider opportunities for large lot residential living opportunities near the settlements of Walgett, Lightning Ridge and Collarenebri. It is to be clearly noted that the Department supports a variety of living opportunities in suitable locations. Council's Growth Management Study and Strategy 2010 did not identify large lot living opportunities and therefore was not provided for in the draft LEP.

I wish to advise that the Department will assist and support Council in identifying suitable sites for large lot living opportunities and will assist in consultation with agencies in relation to this matter. This matter can be progressed as a separate Planning Proposal so as not to unduly delay the draft LEP.

I look forward to Council now placing the draft LEP on exhibition as a matter of urgency so that the new planning instrument for Walgett Shire Council can be finalised.

If you have any questions in relation to this matter, please contact, Wayne Garnsey, Acting Team Leader Western Region of the Department of Planning and Infrastructure. Mr Garnsey can be contacted on telephone number 02 68412180.

Yours sincerely


Neil McGaffin
Executive Director
Planning Operations

12.6.12

Enc:
S65(2) Certificate, Tag 1 Certified draft Walgett LEP 2012 (Instrument), Tag 2 Certified draft Walgett LEP 2012 – maps, Tag 3 Certified draft Land Use Matrix, Tag 4 Technical mapping comments

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website planning.nsw.gov.au



Planning &
Infrastructure

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

SECTION 65(2) CERTIFICATE

As a delegate of the Director-General of the Department of Planning and Infrastructure, I, Neil McGaffin, under section 65(2) of the *Environmental Planning and Assessment Act, 1979*, certify that the draft plan named in Schedule 1 may be publicly exhibited under section 66 of the Act subject to the condition that the draft LEP be amended as set out in Schedule 2.

Signed

Neil McGaffin
Executive Director
Planning Operations

Dated

12 June 2012

As a delegate of the Director-General for the Department of Planning and Infrastructure, I certify that I have no notice of the revocation of my delegation.

Schedule 1

Draft Walgett Local Environmental Plan 2012 attached to this certificate and marked 'Certified for Public Exhibition May 2012'

Schedule 2 conditions

Prior to public exhibition Walgett Shire Council is required to amend the draft LEP identified in Schedule 1 to:

Maps

1. To comply with the Department's *Standard Technical Requirements for LEP Maps* as identified in detail provided in Tag 4.
2. Relevant to Item 1 of Schedule 1- Additional Permitted Use - the lot size maps relative to zone SP1 - Special Activities - marked as Mining being amended to indicate 2500 m2 on the residential mineral claims where dwellings are to be permitted and not to cover the full extent of zone SP1. The remainder of zone SP1 land is to have a large lot size so as to prevent further dwellings being permitted. For the purpose of exhibition Council may annotate this area with "No subdivision permitted for dwellings"
3. Relevant to Item 1A of Schedule 1 - Additional Permitted Use - the lot size maps relative to zone SP1 -Special Activities - marked as Mining should indicate 2500m2 throughout.
4. Maps relating to Groundwater, Biodiversity, Wetlands and Urban Release Areas being omitted.
5. Amend LZN maps that relate to the settlements of Walli, Ginging and Namoi to indicate the zone for each settlement as being E4 - Environmental living and amend the related LSZ maps accordingly.
6. Create maps that identify Item 2 of Schedule 1 - Additional permitted uses.
7. Amend Map cover sheet to reflect the changes to the new map set.

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT B - DOPI LETTER RE. LARGE LOT LIVING - 18-7-2012



Planning &
Infrastructure

Contact: Wayne Gamsey
Phone: 02 68412180
Fax: 02 6884 8483
Email: wayne.garnsey@planning.nsw.gov.au

Mr Don Ramsland
General Manager
Walgett Shire Council
PO Box 31
Walgett NSW 2832

Our ref: 11/04052
Your ref:

Attention:
Matthew Goodwin, Director of Planning and Regulatory
Services

Dear Mr Ramsland

Draft Walgett Local Environmental Plan 2012 (Draft LEP) – large lot living opportunities

I am writing in response to your correspondence dated 11 July 2012 relating to a Council meeting held on 26 June 2012 and the matter of large lot living opportunities that has delayed the exhibition of the draft LEP.

In our letter dated 12 June 2012 the Department gave an undertaking to assist and support Council in identifying suitable sites for large lot residential living opportunities near Walgett, Lightning Ridge and Collarenebri.

I wish to reiterate that the Department supports the provision of a variety of living opportunities in all local government areas. To ensure that this matter is progressed the Department will assist Council in identifying suitable sites in consultation with relevant agencies for such land use. So as not to unduly delay the draft LEP the Department will assist Council through the Planning Proposal process to facilitate the provision of large lot living opportunities and guarantees consideration through the Gateway.

The Department offers to attend the next Council meeting to clarify the process that is required to progress the identification of and facilitate land for the provision of large lot living opportunities.

Western Region Office Level 1 Area 1 No 188 Macquarie Street Dubbo NSW 2830 PO Box 58 Dubbo NSW 2830
Telephone: (02) 68412180 Facsimile: (02) 68848483 Website planning.nsw.gov.au

WALGETT SHIRE COUNCIL AGENDA

As Council is aware its current planning controls are outdated and it is important that the draft LEP is progressed to public exhibition so that community consultation can be undertaken to allow modern planning controls to be implemented.

If you have any questions in relation to this matter, please contact me on (02) 68412180.

Yours sincerely



18.7.12

Ashley Albury
Regional Director
Western Region

ATTACHMENT c – EXPLANATORY NOTES - GENERAL

**DRAFT WALGETT LOCAL
ENVIRONMENTAL PLAN 2012
EXPLANATORY NOTES**



77 Fox St. (P.O. Box 31)
WALGETT, N.S.W. 2832

Telephone: (02) 6828 1399
Facsimile: (02) 6828 1608
E-mail: admin@walgett.nsw.gov.au

Introduction

These explanatory notes are intended to:

1. Provide a simplified explanation of what the draft Walgett Local Environmental Plan 2012 is.
2. Inform the community of their opportunity to make submissions regarding the content of the draft Walgett Local Environmental Plan 2012 during the public exhibition period.

What is a Local Environmental Plan (LEP)?

A Local Environmental Plan (LEP) is a legal document prepared by Council to regulate land use and development within the Shire. It contains two main parts:

1. A written document – This includes a series of clauses that describe what development may, or may not, be approved in particular areas of the shire.
2. Maps – Maps show how land within the shire is classified under the LEP.

LEPs are prepared under the *Environmental Planning and Assessment Act 1979* and its Regulations. Under changes to the Act in March 2006, all Councils in NSW are required to prepare and implement a comprehensive Local Environmental Plan in accordance with a standardised environmental planning instrument known as the *Standard Instrument (Local Environmental Plans) Order 2006*.

The Draft LEP 2012 will guide land use and development by zoning land, identifying appropriate land uses that are permitted or prohibited in each zone and by controlling the nature of development by the implementation of various clauses. The Draft LEP 2012 also identifies special matters that need to be considered in the development assessment process, such as heritage items and flood affected land.

Interim Development Order No. 1 – Shire of Walgett 1968

Currently land use and development within the Walgett Shire is regulated by a document titled "the Interim Development Order No. 1 – Shire of Walgett 1968" (IDO). The IDO has been the key tool shaping growth in the Shire, as it sets out where development can occur. As well as this, the existing IDO provides for agricultural and mining activity.

Draft Walgett Local Environmental Plan 2012

Council has prepared a new draft LEP titled 'Draft Walgett Local Environmental Plan 2012' (Draft LEP 2012). The new LEP will apply to the whole of the Walgett Shire local government area.

As well as translating the existing IDO controls into the new standard format required by the State Government, the Draft LEP 2012 will provide direction for the future development of the Walgett Shire. The Draft LEP 2012 does this through zoning land for housing, commercial and industrial development, rural development, environmental protection and special purposes.

Why has the Council created a new LEP?

The NSW State Government requires all Councils to prepare a new LEP that is consistent with the Standard Instrument (Local Environmental Plans) Order 2006, known as the 'standard instrument'.

All zone names and numbers have changed under the standard instrument. In addition, there are a number of new zones as provided in the standard instrument. The Draft LEP 2012 mapping is

significantly different to the current mapping for the IDO and has been prepared in accordance with the Department of Planning 'Mapping Guidelines' and requirements.

The current IDO maps only contain a 'zoning' layer. The Draft LEP 2012 mapping covers the entire Local Government Area and comprises a sheet tile layout (refer to the Map Sheet Indexes) with a total of 83 A3 (size) map sheets in PDF digital format at varying scales. In addition to the mandatory *Land Application Map* (LAP), six themes (layers) are covered in Council's mapping, including:

- LZN Land Zoning
- LSZ Lot Size
- HER Heritage
- LRA Land Reservation Acquisition

The number of mapping themes applying to a tile area varies.

How was the Draft Walgett Local Environmental Plan 2012 written?

By law, most of the Draft LEP 2012 wording is based on the NSW Government's "Standard Instrument" LEP (black writing within the document).

Wording proposed by Council in consultation with the Department of Planning & Infrastructure is shown in red writing. This wording is generally based on recommendations contained in the Walgett Shire Growth Management Study & Strategy, as adopted by Walgett Shire Council in Dec 2010.

How is the Draft LEP different from the existing IDO?

Key differences between the draft LEP and the IDO include:

- New zones.
- New names and definitions for types of development.
- New wording and clauses within the Draft LEP 2012 for the regulation of development.

Individuals and companies may be affected through the Draft LEP making significant changes to what may or may not be done on, or near, land that they have an interest in. In that context all people who may be affected by the Draft LEP 2012 are encouraged to review the full Draft LEP 2012 public exhibition documentation.

Definitions

The Draft LEP 2012 contains a dictionary of definitions for land uses, such as hospital and industry, and general terms, such as building height and native fauna. The dictionary is compulsory and all local councils in NSW must use these definitions in their LEPs. Over time this will mean that all LEPs in NSW will define land uses in the same way.

Group Terms and the Parent-Child Relationship

The dictionary includes a number of distinct 'groups' of land use terms that cover a range of related land uses. Group terms and the related land uses are described as having a parent child relationship, that is, the group term is the 'parent' definition and the related land uses that fall under the group term are 'child' definitions. There are also a number of sub-groups that are covered by a child definition.

The parent-child relationship allows a number of land uses to be referred to without having to list them individually. For example, the group term 'residential accommodation' may be used in a land use table to include all types of residential development such as dwelling-houses, dual occupancies and residential flat buildings (child definitions), without having to list these child definitions individually.

How to use the definitions

It is important to understand the parent-child relationship between group terms and related land uses when reading the land use tables in the Draft LEP 2012. There are a number of different ways that the group term and parent-child relationship may be structured.

If the group term is listed as prohibited then the related 'child' definitions are also prohibited in the same zone. Similarly, if the group term is listed as permitted the related 'child' definitions are also permitted in the zone.

It is also possible for a group term to be listed as prohibited but a related 'child' definition listed as permitted. This means all the uses under the group term would be prohibited, but the child definition would be permitted.

Alternatively, a group term may be listed as permitted in a zone but a related 'child' definition listed as prohibited. This means all the uses that fall under the group term would be permitted except for the individually listed child definition.

For example, in the RU5 Village Zone '*Residential accommodation*' is permissible with consent, but '*Rural workers dwellings*' are prohibited.

Some developments will have to satisfy the definition of the 'child' as well as the 'parent'.

For example, a 'market' means:

'...retail premises comprising an open-air area or an existing building used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis'

'Retail premises' means:

'...a building or place used for the purpose of selling items by retail, or for hiring or displaying items for the purpose of selling them by retail or hiring them out, whether the items are goods or materials (or whether also sold by wholesale)'.

Therefore to be defined as a 'market' the development must satisfy the criteria in both the 'market' definition and the 'retail premises' definition.

A number of definitions listed in the land use table do not have a 'parent' or group term, for example, '*research station*' and '*cemetery*'.

Land Use Matrix

A land use matrix has been prepared as a tool to assist in understanding the land use tables in the Draft LEP 2012. It identifies what land uses are permitted in the different zones and shows uses that are permitted under State Environmental Planning Policies. The matrix is a useful guide, but the land use tables and exact definitions must be used when determining whether a particular development is permissible on a particular site.

Clauses

The written parts of the Draft LEP 2012 consists predominantly of clauses which address administrative matters such as the Name of the Plan and the Aims of the Plan. Clauses also contain the criteria that development must satisfy to gain approval. The Draft LEP 2012 contains three types of clauses, these being: compulsory, optional and local.

WALGETT SHIRE COUNCIL AGENDA

Draft Walgett Local Environmental Plan (LEP) 2012 – Explanatory Notes - general

Compulsory clauses - Set by the state government's standard LEP and cannot be altered. These clauses must be included in all LEPs across the state and relate to general administrative and planning matters that are all relevant to all Councils. There are also a number of clauses that are compulsory in particular circumstances, such as rural subdivision standards. If the clauses are applicable, they must be included in the Draft LEP 2012. Compulsory clauses are shown in black text and labelled as compulsory.

Optional clauses - Part of the state government's standard LEP but councils can decide whether or not to include them in their LEP. Optional clauses include matters such as minimum lot size, building height, floor space ratio and tree preservation. Optional clauses are shown in black text and labelled as optional.

Local clauses - Cover issues that are specific to the local area, for example, controls to address flooding and development of river front land. Some local clauses cover general planning matters such as savings provisions, temporary use of land and dwelling entitlements. Local clauses are shown in red text in the Draft LEP and labelled as local.

The table on the following page lists the clauses in the Draft LEP 2012, specifies the type of clauses and provides a guide as to the purpose of the clause.

PART	CLAUSES	PROVISIONS
Part 1	Preliminary Clauses 1.1 – 1.9A	Name of plan, aims of plan and relationship to other instruments. It is mandatory that these clauses are addressed.
Part 2	Permitted or Prohibited Development Clauses 2.1 – 2.8	Objectives and land use table for each zone, exempt and complying development, unzoned land, additional permitted, subdivision, demolition and temporary use of land. It is mandatory that these clauses are addressed.
Part 3	Exempt & Complying Development Clauses 3.1 – 3.3	Provisions for exempt and complying development, which are listed in Schedules 2 & 3 and exclusion of exempt and complying development from environmentally sensitive areas. It is mandatory that these clauses are addressed.
Part 4	Principal Development Standards Clauses 4.1 – 4.6	Provisions for subdivision, erection of dwellings in rural zones, floor space ratio, height of buildings and exceptions to development standards. It is mandatory that these clauses are addressed.
Part 5	Miscellaneous Provisions Clauses 5.1 – 5.13	Contains a range of provisions including classification of land; development near zone boundaries; architectural roof features, fire alarms, preservation of trees and vegetation, heritage conservation; bushfire, zone boundaries, infrastructure development and eco-tourist facilities. It is mandatory that these clauses are addressed.
Part 6	Urban Release Areas Clauses 6.1 – 6.4	Contains provision prepared by Council to address issues of local significance and which are not included in the Standard LEP instrument.
Part 7	Additional Local Provisions Clauses 7.1 – 7.10	Contains provisions prepared by Council to address issues of significance and which are not included in the Standard LEP instrument.
Schedules & Dictionary	Schedules 1 – 5	Contains Schedules for additional permitted uses, exempt and complying development, classification and reclassification of public land and environmental heritage.
	Dictionary	The Dictionary contains the definitions of terms uses in the Plan. Other terms are defined in the Environmental Planning and Assessment Act, 1979.

WALGETT SHIRE COUNCIL AGENDA

Maps

The Draft LEP 2012 requires supporting LEP maps. The maps have been prepared in accordance with the standard mapping requirements of the State Government. All maps must be prepared using the same electronic data, format, grids and colours.

There are 83 maps associated with the regulatory controls in the Draft LEP 2012. The maps relate to the development standards such as lot size and zoning and identify areas where additional controls apply, such as heritage items.

There may be a number of maps that apply to one parcel of land. This means that a number of clauses will be triggered for any development application on that land. For example, the zoning map, lot size map and heritage map could apply to one property.

The maps cover the entire Walgett Shire Council Local Government Area. During public exhibition the maps can be viewed on Council's website www.walgett.nsw.gov.au.

In addition to the mandatory *Land Application Map* (LAP), six themes (layers) are covered in Council's mapping, as shown in the table below.

MAP THEME	NUMBER	MAP PURPOSE
Height of Buildings (HOB)	1 map	Specifies that the maximum permissible height of buildings within the LGA is 10 metres.
Additional Permitted Uses (APU)	12 maps	Shows the location of additional land uses that are permitted within the SP1 Special activities (mining) zone under Schedule 1 of the Draft LEP 2012. Note that only six of the maps will be used, with the actual maps used dependent upon whether option 1 or 1A is applied to mining camps under Schedule 1 of the LEP.
Land Reservation Acquisition (LRA)	2 maps	Shows land reserved for acquisition.
Lot Size (LSZ)	28 maps	Identifies the minimum lot size for the subdivision of land. There are variations in the minimum lot size between zones. Note that only twenty two of the maps will be used, with the actual maps used dependent upon whether option 1 or 1A is applied to mining camps under Schedule 1 of the LEP.
Heritage (HER)	17 maps	Identifies heritage items listed in Schedule 5 – Environmental Heritage of the Draft LEP 2012.
Land Zoning (LZN)	22 maps	Shows the land use zoning of all land within the LGA.

Land Use Zones

Every property is included in a land use zone under a Local Environmental Plan (LEP). Land use zones identify different functions for different areas, for example, businesses are generally located in business zones. Land use zones determine the type of development that may or may not be carried out on land, for example, where shops are permitted.

Land is separated into zones based on the characteristics of the land and types of land uses that are suited to the particular location. Land may also be zoned to separate uses that may not be compatible, or to cluster similar uses together. For example, residential zones are primarily for housing and industrial zones are primarily for industry.

WALGETT SHIRE COUNCIL AGENDA

Draft Walgett Local Environmental Plan (LEP) 2012 – Explanatory Notes – general

The Draft LEP 2012 proposes 13 land use zones. These are predominantly new zones, but for many properties there will be no real change. Most zones in the current LDO will convert to a similar zone in the Draft LEP 2012.

Objectives

Each zone sets out objectives for development in the zone. The core objectives are compulsory (set by the State Government Standard LEP) and are shown in black text. Local objectives may be added by Council. The local objectives are shown in red text in the Draft LEP 2012.

Each land use table sets out land uses under:

- Item 2 (Permitted without consent);
- Item 3 (Permitted with consent); or
- Item 4 (Prohibited).

Land Zoning Map

The proposed zones are identified on the Land Zoning Maps, which are available from Council's website. An overview of the zones is provided in the table below.

Rural Zones	
RU1 Primary Production	This zone covers land used for most kinds of primary industry production, including extensive agriculture, horticulture, intensive livestock agriculture, mining, forestry and extractive industries. It is aimed at maintaining and enhancing the natural resources base.
RU3 Forestry	This zone is intended to identify and protect land that is to be used for long-term forestry use. It only applies to land administered by the Department of Primary Industries pursuant to the Forestry Act 1916.
RU5 Village	This zone covers the villages of Collarenebri, Rowena, Burren Junction, Cumborah & Carinda. A mixed use of residential, retail, light industrial, community, recreational and other like uses are permitted with consent.
Residential Zones	
R1 General Residential	This zone is used in the urban areas of Walgett and Lightning Ridge. It is intended to be applied to land where residential housing is the predominant land use. The zone objectives encourage the provision of a variety of housing types and densities. Land uses that are fundamentally incompatible with residential land use are prohibited.
R5 Large Lot Residential	This zone is used in parts of Carinda and Cumborah where there are relatively low densities of residences. It allows for low density residential housing in a rural setting.
Business Zones	
B2 Local Centre	<p>This zone has been used to identify Walgett and Lightning Ridge's central business areas. It is intended that the zone will facilitate the consolidation and concentration of commercial uses in a defined area.</p> <p>The zone provides for a range of retail, business, entertainment and community functions that typically service a wide catchment.</p>

WALGETT SHIRE COUNCIL AGENDA

Draft Walgett Local Environmental Plan (LEP) 2012 – Explanatory Notes - general

Industrial Zones	
IN1 General Industrial	This zone is intended to accommodate a wide range of industrial and warehouse uses. It has been applied to the general industrial areas of Walgett and Lightning Ridge. The zone accommodates rural industries, storage premises, depots and freight transport facilities. It also includes wholesale supplies and bulky goods premises.
Special Purpose Zones	
SP1 Special Activities	This zone is intended for special land uses or site with special characteristics that can not be accommodated in other zones. It has been applied to various older opal fields commonly perceived to have significant mining, historical, tourism and cultural values. In addition to the other listed prohibitions, the zone generally prohibits the 'group' term definitions of <i>Commercial premises, Rural industries, Industries and Tourist and visitor accommodation</i> .
SP2 Infrastructure	This zone is intended to cover a wide range of physical and human infrastructure uses such as public utility undertakings including sewer treatment plants. The purpose of the zone is shown in the Land Zoning Maps, with most other uses prohibited.
SP3 Tourist	This zone is proposed to be established in the vicinity of the Lightning Ridge bore baths, an area with existing tourism values and potential for additional associated development. This zone is aimed at enhancing opportunities for tourism development in an appropriate setting.
Recreation Zones	
RE1 Public Recreation	This zone has been used to cover a wide range of public recreation areas and activities, including local and regional open space. Council may permit typical public recreation uses in this zone. A range of land uses compatible with the recreation use of the land should be permitted.
Environmental Protection Zones	
E1 National Parks & Nature Reserves	This zone applies to existing national parks and nature reserves. All uses currently authorised under the National Parks and Wildlife Act 1974 will continue to be permitted without consent within this zone.
E4 Environmental Living	This zone applies to the aboriginal settlements of Namoi and Gingie near Walgett, as well as Walli at Collarenebri. Consideration was given to applying an R1 General Residential zone in these areas, but this was felt to be inappropriate given that they are not located within urban areas, adjoin major rivers and are generally exposed to a risk of flood inundation.

Key Issues for the community

The following issues are expected to be of interest to the community:

- **Zoning of land** – New zones have been proposed for Walgett and Lightning Ridge, including "B2 Local Centre", "IN1 General Industrial", "R1 General Residential" and "SP3 Tourist" (Lightning Ridge only). Currently these areas are zoned as 2. Village or township under the IDO.

The more specific zoning proposed under the Draft LEP 2012 is intended to facilitate appropriate development in suitable areas (eg. commercial premises within a B2 local centre zone). It will also have the effect of prohibiting uses perceived as inappropriate under the proposed zoning.

- **Heritage schedule** – Schedule 5 within draft LEP lists 85 buildings/sites proposed for local heritage 'listing'. The list is generally based on recommendations in the Report of the Community Based Heritage Study 2008.

All landowners will be notified again by letter that their building/site is being proposed for heritage listing.

WALGETT SHIRE COUNCIL AGENDA

Draft Walgett Local Environmental Plan (LEP) 2012 – Explanatory Notes – general

- Minimum lot size for a dwelling entitlement in rural areas – The draft LEP includes provisions to:
 - Establish a 400 hectare minimum lot size for a dwelling entitlement in a "RU1 Primary Production" zone (sub-clause 4.2A(3)(a)).
 - Enable existing holdings with an area of less than 400 hectares and an existing dwelling entitlement to maintain that entitlement for 5 years (sub-clause 4.2A(4)). "Existing holdings" definition within LEP includes land that was a holding on 20 September 1968.
 - Rural workers' dwellings are permitted for "employees of existing agricultural or rural industries" (clause 4.2B).
- Development on land vulnerable to flooding – Clause 7.1 of the draft LEP requires Council to be satisfied that a proposed development:
 - Incorporates appropriate measures to manage risk to life from flood.
 - Will not significantly adversely affect flood behaviour.

Final wording of the clause has not been determined by the Department of Planning & Infrastructure. It is expected that developments such as houses will be required to be constructed so they have at least 0.5m freeboard above the maximum known flood height for the site.

- R5 Large Lot Residential zone at Carinda & Cumborah – Parts of Carinda and Cumborah that have relatively low densities of dwellings have been proposed to be zoned R5. This will have the effect of:
 - Restricting new dwellings within the R5 zone to lots with a minimum area of 10,000m².
 - Facilitating the consolidation of the village areas over the long term.
- SP1 Special Activities (Mining) zone - Dwellings – Please see the separate document titled 'Draft Walgett Local Environmental Plan 2012 Explanatory Notes - Dwellings on the Preserved Opal Fields' for more information.
- SP1 Special Activities (Mining) zone - Businesses – The Draft LEP 2012 enables existing long established businesses in the zone to be formalised (item 2, schedule 1). Some of these do not yet have an appropriate land title or development consent from Council.

The Draft LEP 2012 generally prohibits new business activities within the zone. Businesses are generally more appropriately located within urban areas with appropriate infrastructure and there is less opportunity for land use conflict.

Where can I find further information regarding the Draft LEP 2012?

For further information, go to the Council's website at www.walgett.nsw.gov.au to find the Draft LEP 2012, supporting maps and documents.

Hard copies of the Draft LEP 2012 and supporting information will be available for public inspection at:

- Walgett – Council Office at 77 Fox Street.
- Lightning Ridge – Library at 51 Pandora St.
- Collarenebri – Council office at Wilson St.
- Carinda – store at 17 Colin St.
- Grawin, Glengarry Sheepyard – GGSMA office, Glengarry opal field.

You can also speak directly to Council's Town Planner, Matt Clarkson, by telephoning (02) 6828 6129.

WALGETT SHIRE COUNCIL AGENDA

Draft Walgett Local Environmental Plan (LEP) 2012 – Explanatory Notes - general

Public exhibition period

The Draft LEP 2012 will be on public exhibition from _____ to _____ 2012.

How do I make a submission regarding the Draft LEP 2012?

To make a written submission on any issues of interest or concern, please address your correspondence to:

The General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2380

Alternatively submissions can be sent via:

- E-mail to admin@walgett.nsw.gov.au
- Fax on 02 6828 1608.

Closure date for submissions

Submissions will be accepted up to the close of business on Monday 20 August 2012.

What will happen to my submission?

Your submission will be considered by Council following the close of the public exhibition period. All submissions, including any personal information, will be made available for public inspection.

Possible drafting changes

Please note that an opinion has not been issued by Parliamentary Counsel that the draft LEP may be legally made. The Department of Planning & Infrastructure has authorised public exhibition of the draft LEP on the understanding that it may be changed prior to gazettal to satisfy legal drafting requirements.

Reportable Political Donations and Gifts

If you make a submission on the draft LEP 2012, sub-section 147(5) of the *Environmental Planning and Assessment Act 1979* requires you to disclose any reportable political donations or gifts made to a Councillor or Council employee within the previous 2 years. If the donation or gift is made after the submission, a disclosure statement must be sent to the relevant consent or approval authority within 7 days after the donation or gift is made.

If you have made any such donations or gifts you **must** complete a disclosure form and include it with your submission. The form is available on Council's website (www.walgett.nsw.gov.au).

Note:

These explanatory notes provide general information only. Members of the public should consult the formal exhibition material for specific information.

END.

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT d – EXPLANATORY NOTES – DWELLINGS ON PRESERVED OPAL FIELDS

DRAFT WALGETT LOCAL ENVIRONMENTAL PLAN 2012 MINING CAMP DWELLINGS IN SP1 ZONES



77 Fox St. (P.O. Box 31)
WALGETT, N.S.W. 2832

Telephone: (02) 6828 1399
Facsimile: (02) 6828 1608
E-mail: admin@walgett.nsw.gov.au

Introduction

These explanatory notes regarding mining camp dwellings are intended to:

1. Provide a simplified overview of provisions within the draft Walgett Local Environmental Plan 2012 (Draft LEP 2012) that affect mining camp dwellings within proposed SP1 zones.
2. Draw the public's attention to the fact that the draft LEP 2012 contains provisions that can be used to either:
 - a) Enable only existing mining camps to be rebuilt and maintained, OR;
 - b) Enable existing and new mining camps to be built, rebuilt and maintained.
3. Inform the community of their opportunity to make submissions regarding the content of the draft LEP 2012 during the public exhibition period.

It is recommended that the notes are read in conjunction with the:

- Document titled 'Draft Walgett Local Environmental Plan 2012 Explanatory Notes'.
- Draft Walgett Local Environmental Plan 2012 documents and maps.

Affected lands – the proposed 'SP1 Special Activities – Mining' zone

The draft LEP 2012 proposes to establish a 'SP1 Special Activities – Mining' zone over the areas commonly known as the 'preserved' or older opal fields. The zone boundary generally covers potentially opal bearing ridge landforms within the areas previously mapped by the Mineral Resources division of the NSW Department of Primary Industries as 'preserved' opal fields. The SP1 Special Activities – Mining zone will include the areas noted in the table below.

AREA	OPAL FIELDS	RURAL PROPERTIES	LEP ZONING MAP SHEETS
Lightning Ridge	Majority of older opal fields in the vicinity of Lightning Ridge	"Opal Ridge", "Weetalbah Run", "Weetalbah", "Wybara" & Crown Reserve 1024168	LZN_004A, LZN_004AA & LZN_004AB
Old Cocoran	Old Cocoran (Cocoran A) opal field	"Rexeer"	LZN_001A
Carter's	Parts of the Carter's rush opal fields	"Summer Hill"	LZN_002A
Grawin	Including Hammond's Hill, Richard's Hill, Czinner's & Grawin C opal fields	"Combadero" & "Mundaroo"	LZN_002A
Glengarry	Including Glengarry and Millionaire's Gully opal fields	"Mundaroo" & Crown Reserve 1024168	LZN_002B
Sheepyard	Including Sheepyard, Central Station, Chinaman's Gully, New Glengarry, Wild Cat & Williamson's Corner opal fields	Crown Reserve 1024168	LZN_002B

Land ownership and titles within the proposed 'SP1 Special Activities – Mining' zone

The 'SP1 Special Activities – Mining' zone will affect land that is predominantly owned by the Crown (ie. NSW Government), with some small areas of freehold land involved. There is a wide range of interests in land within the proposed zone, including:

- Western Lands Leases for grazing.
- Crown Reserve 1024168 opal mining, exploration and public access.
- Western Lands Leases for residences.
- Western Lands Leases for businesses.
- Mineral Claims used primarily as residences.
- Mineral Claims used solely for mining opal.
- Mining Purposes Leases and Mining Leases used for opal puddling.
- Permissive occupancies for gravel extraction

Mining camps within the proposed 'SP1 Special Activities – Mining' zone

The draft LEP 2012 proposes two alternatives for mining camp dwellings within the proposed 'SP1 Special Activities – Mining' zones, as follows:

- Option 1 – Enable dwellings to be built and rebuilt only on existing 'residential mineral claims' (item 1 in Schedule 1) within the zones.

These sites have been mapped and identified by green shading on the six Additional Permitted Uses Maps marked "Option 1". The mapped areas include all current residential Mineral Claims, Western Lands Leases for residential purposes and Mining Leases [also Mining Purposes Leases].

OR,

- Option 1A – Enable dwellings to be built and rebuilt on existing and new 'mineral claims' anywhere within the zone.

The affected area has been mapped and identified by green shading on the six Additional Permitted Uses Maps marked "Option 1A".

Option 1 and 1A are contained in Schedule 1 of the draft LEP 2012 document.

Walgett Shire Council encourages the public to make submissions regarding the draft LEP 2012 including whether option 1 or 1A is the appropriate method for dealing with dwellings in the proposed 'SP1 Special Activities – mining' zones. It will be helpful for Council if people making submissions include reasons why one option is regarded as better than the other.

Where can I find further information regarding the Draft LEP 2012?

For further information, go to the Council's website at www.walgett.nsw.gov.au to find the Draft LEP 2012, supporting maps and documents.

Hard copies of the Draft LEP 2012 and supporting information will be available for public inspection at:

- Walgett – Council Office at 77 Fox Street.
- Lightning Ridge – Library at 51 Pandora St.
- Collarenebri – Council office at Wilson St.
- Carinda – store at 17 Colin St.
- Grawlin, Glengarry Sheepyard – GGSMA office, Glengarry opal field.

You can also speak directly to Council's Town Planner, Matt Clarkson, by telephoning (02) 6828 6129.

WALGETT SHIRE COUNCIL AGENDA

Draft Walgett Local Environmental Plan (LEP) 2012 – Explanatory Notes – Mining camp dwellings in SP1 zones

Public exhibition period

The Draft LEP 2012 will be on public exhibition from _____ to _____ 2012.

How do I make a submission regarding the Draft LEP 2012?

To make a written submission on any issues of interest or concern, please address your correspondence to:

The General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2380

Alternatively submissions can be sent via:

- E-mail to admin@walgett.nsw.gov.au
- Fax on 02 6828 1608.

Closure date for submissions

Submissions will be accepted up to the close of business on Monday 20 August 2012.

What will happen to my submission?

Your submission will be considered by Council following the close of the public exhibition period. All submissions, including any personal information, will be made available for public inspection.

Possible drafting changes

Please note that an opinion has not been issued by Parliamentary Counsel that the draft LEP may be legally made. The Department of Planning & Infrastructure has authorised public exhibition of the draft LEP on the understanding that it may be changed prior to gazettal to satisfy legal drafting requirements.

Reportable Political Donations and Gifts

If you make a submission on the draft LEP 2012, sub-section 147(5) of the *Environmental Planning and Assessment Act 1979* requires you to disclose any reportable political donations or gifts made to a Councillor or Council employee within the previous 2 years. If the donation or gift is made after the submission, a disclosure statement must be sent to the relevant consent or approval authority within 7 days after the donation or gift is made.

If you have made any such donations or gifts you **must** complete a disclosure form and include it with your submission. The form is available on Council's website (www.walgett.nsw.gov.au).

Note:

These explanatory notes provide general information only. Members of the public should consult the formal exhibition material for specific information.

END.

24. MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION FROM DIRECTOR URBAN INFRASTRUCTURE SERVICES

REPORTING SECTION: Urban Infrastructure Services

AUTHOR: Siegfredo Coralde – Director Urban Infrastructure Services

FILE NUMBER: 10/585

1. Australian Carbon Price Commences. The new carbon pricing mechanism, which came into effect on 1 July 2012, will hopefully reduce greenhouse-gas emissions, drive innovation and ensure businesses remain competitive, according to the government. The mechanism will see carbon priced at \$23 per tonne, rising by 2.5 per cent each year during a three-year fixed price period until 1 July 2015, when the mechanism will transition to an emissions trading scheme with a price determined by the market. Approximately, 500 Australian businesses will be required to pay for their carbon emissions under the plan, and much of the revenue collected will support investment in research, project development and employment growth in the clean-energy industry such as through the Clean Energy Finance Corporation.

For Councils, The carbon price will have broad implications, particularly in relation to their landfill activities because the waste sector is covered under the scheme.

Clean Energy Regulator (**Regulator**) published its 'Liable Entities Public Information Database' (**LEPID**) for 2012/2013 in May 2012. The list identified 238 entities, including seven Councils.

Around 70 of the 500 plus local government authorities around Australia are likely to be directly liable to pay the carbon price. In this context, the Regulator contacted 104 councils indicating that they may be liable to pay the carbon price:

- New South Wales – 46
- Victoria - 21
- Queensland - 17
- Western Australia - 10
- Tasmania - 7
- Northern Territory - 2
- South Australia - 1

On 22 May 2012, the Hon. Mark Dreyfus QC MP, Parliamentary Secretary for Climate Change and Energy Efficiency issued a media release regarding the impact of the carbon price on councils. The media release notes that:

- Most Councils will have no carbon price liability from landfills. Only large sites generating more than 25,000 tonnes of carbon dioxide equivalent to greenhouse-gas pollution a year is covered.

Walgett Shire Council is not included in the 104 list Councils that may be liable to pay the carbon price: However, once Council decides to establish a regional landfill in 2013 that will result to dispose more than 25,000 tonnes of annual waste at any given year, corresponding greenhouse pollution charges will be incurred.

WALGETT SHIRE COUNCIL AGENDA

- The carbon price does not apply to pollution from waste deposited in a landfill before 1 July 2012, known as 'legacy waste'.
- Councils can capture methane gas to earn 'carbon credits' under the Government's Carbon Farming Initiative. Councils can use credits to meet their carbon price liability or generate income by selling them to high-emitting polluters.
- Capturing enough methane to reduce a Council's liability below the 25,000 tonne threshold will mean that the council will not incur the carbon price.
- Councils can also use captured methane to generate electricity for the local community and generate another source of income under the Renewable Energy Target.
- The federal government is providing household assistance to compensate for the carbon price which is, on average, \$10.10 per household per week. Any potential increases in Council rates are factored into the Government's household assistance package.

Notably, the media release also notes that the Government has made rules deeming landfill emissions in 2012/13 to be zero, so Councils with large landfills will have no carbon price obligations in 2012/13. More information is available at www.cleanenergyfuture.gov.au and the Regulator's website www.cleanenergyregulator.gov.au

- 2. Landfill Performance Assessment.** The Environmental Protection Agency (EPA) will conduct an environmental assessment of landfill sites across the EPA North Branch in the latter part of this year. Sites include licence, unlicensed and closed landfills. EPA to involve waste groups and local government in the assessments and will invite Councils to participate in workshops to outline and define the project. Walgett Shire Council provided the following landfill sites as requested by EPA:

Landfill No.	Facility Name	Locality	Lot No.	Planning Dept. ID
12466	Walgett Waste Depot	Walgett	60, 102,106,145	750291
			1	1100497
	Burren Junction Landfill	Burren Junction	Portion 45	R44242
	Carinda Garbage Depot	Carinda	Portion 2 & 20	R54389 & R61342
	Lightning Ridge Garbage Depot	Lightning Ridge	91 & 4138	76643
	Rowena Landfill	Rowena	52	753953

- 3. Land Matter Guidelines.** The Water Directorate's latest technical publication and joint project with Roads and Transport Directorate was released to 97 member Water Directorate Councils in June 2012. This final version provides guidance on many aspects of land acquisition for water, sewer and road assets. Additional topics included in this new publication are compensation, interest to be acquired, native title and aboriginal land rights, acquiring particular types of land, other considerations (such as mining issues), case studies and annexures. Council still yet to receive its copy.

WALGETT SHIRE COUNCIL AGENDA

4. **WTP Guidelines for Residual Reuse and Backwash Water Reclamation.** This guideline is scheduled for distribution to member Councils next month. GHD prepared this document under guidance of the Water Directorate's Water Sub-Committee.
5. **Summary of the 2011 Australian Drinking Water Guidelines.** This guideline is scheduled for distribution to member Councils in August/September 2012. Adrian Farrant, is preparing this document under guidance of Water Directorate's Water Sub-Committee.
6. **Namoi Catchment Water Study: Phase 3 Reports.** Council received copies of Parts A and B of Namoi Catchment Water Study from Schlumberger Water Services, the independent expert who completed the study under the direction of the Department of Trade and Investment, New South Wales. Copies can be loaned to any interested parties by contacting Walgett Library.

MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR URBAN INFRASTRUCTURE SERVICES
--

Recommendation:

1. That the matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted.

Moved:

Seconded:

25. PROJECTS UNDER AUSLINK ROADS TO RECOVERY AND ROADS & MARITIME SERVICES FUNDING 2012-2013 & 2013/2014

REPORTING SECTION: Engineering Services
AUTHOR: Raju Ranjit – Director Engineering Services
FILE NUMBER: 09/1119

Summary:

The purpose of this report is to allow Council to consider proposed projects to be carried out with AusLink Roads to Recovery (RTR) and Repair Programme (RMS) funding for 2012/2013 and 2013/2014.

Background:

Council has a funding allocation under the Roads to Recovery Program from 1st July 2009 to 30th June 2014 of \$ 4,675,507 (\$ 935101 yearly). The balance RTR funding yet to be allocated is \$ 1,205,711.90.

A grant application for an amount of \$400,000 has been applied under the Repair Programme for RR7716 (Come By Chance Road).

Details of the project proposals for 2012 /2013 and 2013/2014 under RTR and RMS funding are as follows:

Project	Funds		Project Description	Proposed Completion Date		Remarks
	RTR	RMS				
Come By Chance Road (Regional Road-RR7716), from start point 25.313 km to 29.671 km and 30.425km to 31.067km measured from the intersection of Fox Street and Euroka Street.	\$400,000	\$400,000	Reconstruction ,gravel resheeting and sealing for approximately 5km in length x 7 metres width x 100 mm thick.	Oct-12		WSC
Gundabloui Road (Regional Road-RR457) from start point of 5.20 km to 8.2 km measured from the intersection of SH12 (near post office) and RR457	\$400,000		Reconstruction , gravel resheeting and sealing for approximately 3 km in length x 7 metres width x 100 mm thick.	Oct -13		WSC
Ridge Road (Regional Road RR426) from start point of 2.080km to 3.58 km measured from the intersection of RR457 and RR426.	\$230,000		Reconstruction and gravel resheeting for approximately 1.5 km in length x 7 metres width x 100 mm thick.	Oct-12		WSC

WALGETT SHIRE COUNCIL AGENDA

Project	Funds		Project Description	Proposed Completion Date		Remarks
	RTR	RMS		2012/2013		
Rowena Road (Local Roads - SR123), from start point 6.4 km to 16.80 km measured from the intersection of Rowena Road and Merrywinebone Road.	175,711		Gravel resheeting for 10.40 km in length x 7 m width x 200 mm thick	Oct-12		TBA
Total	\$1,205,711	\$400,000				

Relevant Reference Documents:

Roads to Recovery and RMS funding documents

Stakeholders:

Walgett Shire community members, businesses and organisations with an interest in Walgett Shire Tourism.

Financial Implications:

2012/2013 and 2013/2014 LTFP and Delivery/Operational Plans

Alternative Solutions / Options:

Nil

Conclusion:

That Council consider the projects listed for funding under RTR and RMS programmes.

PROJECTS UNDER AUSLINK ROADS TO RECOVERY AND ROADS & MARITIME SERVICES FUNDING 2012/2013 AND 2013/2014

Recommendation:

1. That Walgett Shire Council approve the above projects under RTR and RMS funding programmes for 2012/2013 and 2013/2014.

Moved:

Seconded:

Attachments:

Nil

26. REMOVAL GRIDS ON PURTELL AND WILLIS

REPORTING SECTION: Engineering Services

AUTHOR: Raju Ranjit - Director Engineering Services

FILE NUMBER: 11/211

Summary:

Council has received an invoice for the removal of fencing and grids on Bukulla, Collarenebri. The payable amount is \$ 17,600.00 (incl GST). This report recommends that Council accept the invoice submitted for payment.

Background:

Walgett Shire Council has established a policy to encourage the removal of unsatisfactory stock grids and the fencing of road reserves. Based on the policy, a letter had been issued to the property owner on 23rd August 2007 to remove fencing and the grids.

Current Position:

- The Property owner Andrew Norris had completed the removal of fencing and is ready to remove the grids on Willis Road and Purtell Road. The Property owner had installed double fencing for 4.3 km and single fencing for 1.3 km on Willis Road. Number of grids to be removed on this road - three.
- Single fencing for 8 km on Purtell Road. Number of grids to be removed on this road - one

Relevant Reference Documents/Policies:

Walgett Shire Council Grid Policy

Governance issues:

Nil

Environmental issues:

Nil

Stakeholders:

Walgett Shire Council, Rate payers and other road users

Financial Implications:

The proposed expenditure for 2011/2012 is above the approved budget allocation of \$15,000.00

WALGETT SHIRE COUNCIL AGENDA

Alternative Solutions/Options:

Nil

Conclusion:

Council approve the invoice for the payment once the work is completed

REMOVAL OF GRIDS PURTELL AND WILLIS ROADS

Recommendation:

Council approve the payment of \$ 17,600.00 to Mr Andrew Norris for the removal of grids on the Purtell and Willis Roads with payment to be made immediately the works involved are completed.

Moved:

Seconded:

Attachments:

Invoice

Letters

WALGETT SHIRE COUNCIL AGENDA

Raju Ranjit

From: apromis28@bigpond.com
Sent: Friday, 1 June 2012 5:45 AM
To: Raju Ranjit
Subject: Fwd: Removal of grids _Bukulla Wills Road and Puntella Road
Attachments: Walgett Shire grid removal.doc; Walgett Shire fence completed.doc

On 1/06/2012 2:25 PM, apromis28@bigpond.com wrote:

Dear Mr Ranjit,

The fencing has been completed by Tyndee Pty Ltd to enable the removal of the grids. This work was notified first in the year 2007. Before the removal of the grids our company would like some assurance that the incentive of \$4,000.00 per grid that was offered by the Walgett Shire Council, to encourage the fencing that would allow the removal of these grids, is going to be honoured.

I have attached copies of letters written to the Shire council regarding this matter.

Looking forward to assistance with this matter.

Yours faithfully,

Andrew Morris, Manager, CibaCorp.

WALGETT SHIRE COUNCIL AGENDA

Tyndex Pty Ltd
Bukula, Willis Road, Collarenebri, NSW 2833

Invoice to:

Walgett Shire Council
PO Box 31
Walgett
NSW 2832

TAX INVOICE

Reference	Invoice No	Date	Due Date
Grid Removal	7	25-Jun-12	02-Jul-12
Description	Qty	Price	Total
Fencing and grid removal on Bukula of shire roads Purtells and Willis			
Grids removed - 1> Purtells Road 2.1 kms east of Purtells and Willis Road junction	1 Grid	\$4,000.00	\$4,000.00
2> Willis Road 1.5 kms south west of Purtells and Willis Road junction	1 Grid	\$4,000.00	\$4,000.00
3> Willis Road 3.7 kms south west of Purtells and Willis Road junction	1 Grid	\$4,000.00	\$4,000.00
4> Willis Road 5.8 kms south west of Purtells and Willis Road junction	1 Grid	\$4,000.00	\$4,000.00
Sub Total			\$16,000.00
Plus GST			\$1,600.00
Total Amount Payable			\$17,600.00

Bank Details: Tyndex Pty Ltd

BSS : 484-799

A/C No. : 08677-1706

To enable the removal of the grids 21 kms of fencing was done.

Thank you for your business!

REMITTANCE ADVICE

Invoice No	Due Date	Amount Payable	Amount Paid
7	02-Jul-12	\$17,600.00	

Please send cheques to:
Tyndex Pty Ltd
Bukula
Willis Road
Collarenebri
NSW 2833



Shire of Walgett

Rn: 7109

Reference: AN:AN: 175/04/00/00
Your Reference: Mr Alan Nelson
Case No:

23 August 2007

Mr A Norris
Tyndex Pty Ltd
"Blaimore"
BELLATA NSW 2397

Dear Sir

Re: Fencing of Road Reserves

Thank you for your letter dated 9 August 2007, in which you enquire about possible Council assistance with fencing of road reserves through your property "Bukulla", Collarenebri.

Council has established a policy to encourage the removal of unsatisfactory stock grids and the fencing of road reserves and will, in your case, make a payment of \$4,000 per grid towards the cost of fencing material to allow you to remove these grids. The actual removal of the grids will be undertaken by Council, after you have completed the fencing.

You have indicated that you are looking to remove four grids in total, three on Willis' Road and one on Purles Road. An incentive payment of \$16,000 will be made to you upon completion of the fencing and removal of the stock grids. Should you wish to proceed, please indicate when the fencing is complete and the grids can be removed.

Yours sincerely

Alan Nelson

Alan Nelson
Manager Engineering

For

Stephen McLean
General Manager

All communication to be addressed to the General Manager, P.O. Box 31, Walgett NSW 2332
Telephone: (02) 8828 1399 Fax: (02) 8828 1308 Email: admin@walgett.nsw.gov.au
Telephone: (02) 8828 1399 Fax: (02) 8828 1308 Email: admin@walgett.nsw.gov.au



Shire of Walgett

AKN 88 763 070 300

RN:8094.

Reference: IT.IT.173040000
 Your Reference: Mr Barry Maher
 Contact:

15 September 2007

Mr Andrew Norris
 Tyndex Pty Ltd
 "Blainmore"
 BELLATA NSW 2397

Dear Sir

Re: Removal of Grids – "Bukulla"

Thank you for your letter of 19 September 2007 regarding the fencing to remove grids on "Bukulla" Collarenebri.

Council notes that these grids can now be removed and will incorporate this work within its maintenance program.

If you have any further queries regarding this advice, please contact Council's Works Engineer, Mr Barry Maher on phone 6828 6121 or bmaher@walgett.nsw.gov.au.

Yours sincerely

Ian Taylor
Acting Manager Engineering

For

Stephen McLean
General Manager

27. MONTHLY FLOOD WORKS REPORT FROM DIRECTOR ENGINEERING SERVICES – JULY 2012

REPORTING SECTION: Engineering Services
AUTHOR: Raju Ranjit – Director Engineering Services
FILE NUMBER: 11/211

Summary:

The purpose of this report is to inform Council of progress relating to the February 2012 flood restoration works in the period since the report was prepared in late June 2012.

Background:

RMS – Flood work programs

Shire Roads

Road number	Road Name	Amount to be contributed by RMS	Amount to be contributed by Council	Total expenditure to 10/07/2012	Who is doing
SR 1	Franxton Road	\$36,769		\$490.10	Phil Stewart
SR 2	Belarra Lane	\$106,061		\$802.10	Phil Stewart
SR 3	Clarkes Lane	\$9,885			Phil Stewart
SR 5	Cryon Road	\$190,907			Phil Stewart
SR 12	Millie Road	\$143,025			Ramein
SR 13	Woodvale Road	\$111,256			Ramein
SR 14	Baroona Road	\$91,346			Ramein
SR 15	Pokataroo Road	\$50,030			Phil Stewart
SR 16	Mercadool Road	\$145,698			Phil Stewart
SR 19	Springs Road	\$3,630			RidgeRock
SR 21	Meadow Plains Road	\$17,000			Wintergreen
SR 24	Marlbone Road	\$20,716		\$528.71	Wintergreen
SR 27	Colrose Road	\$19,456			Wintergreen
SR 28	Wingadee Road	\$10,140			Wintergreen
SR 31	Gungalman Road	\$39,781			Peter Cochraine
SR 38	Wanourie Creek Road	\$18,120			Peter Cochraine
SR 40	Ginghet Road	\$7,061		\$2,200.00	Tom Williams
SR 43	Bushs Road	\$9,846			Peter Cochraine
SR 45	Borehead Road	\$7,914			RidgeRock

WALGETT SHIRE COUNCIL AGENDA

Road number		Road Name	Amount to be contributed by RMS	Amount to be contributed by Council	Total expenditure to 10/07/2012	Who is doing
SR	48	Boorooma Creek Road	\$25,252		\$5,197.30	T cummings + wSC
SR	51	Millencowbah Road	\$23,400			RidgeRock
SR	52	Willis Road	\$6,570			RidgeRock
SR	53	Koomalah Road	\$124,044			RidgeRock
SR	57	Epping Road	\$50,889			Wintergreen
SR	59	Moomin Road	\$60,342			Ramein
SR	60	Marra Creek Road	\$7,512			Tom Williams
SR	61	Cambo Road	\$34,365			RidgeRock
SR	64	Wimbledon Road	\$26,028			T Cummings
SR	67	Collarenebri Mission Road	\$13,000			Phil Stewart
SR	70	Lone Pine Road	\$13,980			RidgeRock
SR	71	Rossmore Lane	\$8,100			Wintergreen
SR	72	Middle Route Road	\$17,496			RidgeRock
SR	73	Miralwyn Road	\$10,554			Tom Williams
SR	77	Nedgera Road	\$11,009			Peter Cochraine
SR	79	Pagan Creek Road	\$5,916			Phil Stewart
SR	85	Tungra Road	\$47,510		\$237.89	T cummings+ WSC
SR	88	Fabians Road	\$24,990			RidgeRock
SR	89	Belaba Road	\$17,007			Wintergreen
SR	90	Fairview Road	\$26,436			Wintergreen
SR	92	Strathmore Road	\$6,360			T cummings
SR	95	Banarway Crossing Road	\$22,360		\$1,095.35	RidgeRock
SR	98	Lorne Road	\$72,913			RidgeRock
SR	101	Wilby Wilby Road	\$530,135		\$42.60	T cummings
SR	102	Angledool Road	\$244,548		\$199.88	RidgeRock
SR	103	Bugilbone Road	\$130,824			Wintergreen
SR	110	Kurrajong Road	\$5,040			T cummings
SR	111	Narran Lake Road	\$20,170			T cummings
SR	112	Brewon Road	\$72,024		\$7,152.00	Tom Williams
SR	113	Binghi Road	\$13,168			Tom Williams
SR	114	Bogewong Road	\$24,378			Peter Cochraine
SR	115	Aberfoyle Road	\$18,266			Peter Cochraine
SR	116	Goangra Road	\$185,711		\$35,574.56	WSC
SR	117	Beanbri Road	\$499,530			WSC

WALGETT SHIRE COUNCIL AGENDA

Road number		Road Name	Amount to be contributed by RMS	Amount to be contributed by Council	Total expenditure to 10/07/2012	Who is doing
SR	118	Yarraldool Road	\$140,365		\$306.90	Wintergreen
SR	121	Pian Creek Road	\$156,948			Wintergreen
SR	122	Old Burren Road	\$54,015			Wintergreen
SR	123	Rowena Road	\$131,288		\$1,019.73	Phil Stewart
SR	124	Dundee Road	\$52,470			Wintergreen
SR	125	Glen Eden Road	\$145,997		\$663.00	Phil Stewart
SR	126	Mils Road	\$53,486			RidgeRock
SR	127	Boora Road	\$21,870			RidgeRock
SR	128	Camerons Lane	\$36,389			Phil Stewart
SR	129	George Sands Way	\$131,640		\$61.26	WSC
SR	131	O'Neils Road	\$59,754			Wintergreen
		Tip Road	\$70,200		\$154.66	WSC
		Emergency Works	\$477,188	-	\$477,188	
		Council's Contribution	-\$29,000	\$29,000		
			\$4,941,077	\$29,000	\$532,914	

Regional Roads

Road number		Road Name	Amount to be contributed by RTA	Amount to be contributed by Council	Total expenditure to 10/07/2012	Who is doing
RR	426	Ridge Road	\$24,480			Ridge Rock
RR	457	Gundabloui Road	\$341,161			Ridge Rock
RR	402	Gingie Road	\$628,763			New bold
RR	7716	Come By Chance Road	\$276,086			WSC
RR	333	Carinda Road	\$547,750			New bold
RR	329	Merrywinebone Road	\$3,817,345			WSC
		Emergency Works	\$173,474	-	\$173,474	
		Council's Contribution				
			\$5,809,059		\$173,474	

Current Position:

The February 2012 flood restoration works have been started on SR116, RR402, SR 129, Tip Road, SR118, SR15 and SR122 and SR101. A negotiation for SR 101 (Rotten Plain) and for Grawin Creek box culvert with contractors are in progress.

Relevant Reference Documents/Policies:

Nil

Governance issues:

Nil

Environmental issues:

Flood water

Stakeholders:

Council and Users

Financial Implications:

WSC Management plan 2012/2013

Alternative Solutions/Options:

Nil

Conclusion:

The December 2010 floor restoration works have been ended and Feb 2012 flood restoration works are in full swing .

MONTHLY FLOOD WORKS REPORT FROM DIRECTOR ENGINEERING SERVICES – JULY 2012
--

<p>Recommendation:</p>

- | |
|---|
| <p>1. That Council receive and note the monthly July 2012 flood restoration works report.</p> |
|---|

<p>Moved:</p>

<p>Seconded:</p>

Attachments:

Nil

28. MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR ENGINEERING SERVICES– JULY 2012

REPORTING SECTION: Engineering Section
AUTHOR: Raju Ranjit – Director of Engineering Services
FILE NUMBER: 11/378

1. March for Ricky Walford Shield carnival on August 2012

This matter had been discussed in June Local Area Traffic Committee and recommended that not to have a night march for the safety reasons of children.

Following proposal has been set for the carnival:

- Bus will be available to take kids home after the march on 8th August 2012.
- The march will not be up the main street after dark. They will be marching around the no.2 oval after dark.
- On Saturday (11th August 2012) , there will not be a march.
- Carnival will be at the show ground and all stalls will be at the show ground on Saturday 11th August 2012.

2. Pitt Street sealing work

Sealing work in Pitt Street between Warrena & Wee Waa Street and Euroka & Arthur Street has been scheduled in August 2012 under Roads To Recovery funding. The existing condition of the kerb and gutter in the portions is in bad condition and needs to be replaced.

Submission of tenders for the kerb & gutter construction has been invited and received three prices.

Working space for the replacement of existing kerb & gutter is very limited and the trees roots can damage the new K/G in future. The two options have been determined:

Option A: Leave the tree as it is, remove the existing K/G and relocate the Kerb/Gutter at a distance of 1 m from the existing location.

Option B: Remove the trees and replace the existing kerb & gutter.

The estimated cost for the sealing is 150,000 and \$ 70,000 for K/G

MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR ENGINEERING SERVICES – JULY 2012

Recommendation:

1. That the matters listed by the Director of Engineering Services for brief mention or information be received and noted.

Moved:

Seconded:

Attachments:
Nil

CONFIDENTIAL REPORTS/CLOSED COUNCIL MEETING

Questions for the next Meeting

Councillors are reminded of the need for all questions for the next meeting to be provided in writing at the meeting.