WALGETT SHIRE COUNCIL

AGENDA

23 June 2009

RAY KENT
General Manager

10 June 2009

Walgett Shire Council
PO Box 31
WALGETT NSW 2832

NOTICE IS HEREBY GIVEN that the Ordinary Meeting of Walgett Shire Council will be held in the **Walgett Shire Council Chambers commencing at 10.00am.**

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

Councillor Colless has advised that he will be unable to attend the June Council Meeting

4. Welcome to Visitors

5. Public Forum Presentations

(Limited to five minute presentations, and must relate to items listed within the Business Paper)

6. Declaration of Pecuniary/Non Pecuniary Interests

7. Confirmation of Minutes

8. Reserve Trust Management Reports

1. Lightning Ridge Caravan Park – Various Matters 22

9. Mayoral Minutes

1a. Walgett Shire Council – Mayoral Minute – Nomination to Western Lands Advisory Council 26

10. Motions of which Notice has been given

11. Presentation of Petitions

12. Councillor's Questions with Notice

13. Reports of Delegates and Representatives

2. Netwaste Forum Minutes 30
3. Camps on Claims Working Group Minutes 35
4. Lightning Ridge Precinct Committee – Minutes of Meeting 41

14. Reservation of items for Debate

15. Reports of Officers

GENERAL MANAGER

5. Fees for Mayor and Councillors 46
6. Payment of Expenses and Provision of Facilities for Councillors 53
7. Sister Cities Australia National Conference 66
8. Naming of Proposed Park in Collarenebri 81
9. Report on Management Plan 2008/2009 – 2012/2013 82

DIRECTOR CORPORATE AND COMMUNITY SERVICES

10. Adoption of Youth Strategy – A Five Year Plan 107
11. Country and Regional Living Expo – Go West 109
12. NAIDOC Celebrations 111
13. Trevallion Park Welcome Sign 112
14. Community Development and Tourism Quarterly Report – April/June 2009114
15. Investment Report as at 31 May 2009 117
16. Lehman Brothers Investment Report 119
17. Irrigable Land Rates and Rural Assessments Less than 40 Hectares Report 133
18. Budget Submissions 136
19. Management Plan and Budget 2009/2010 Report 138

DIRECTOR PLANNING AND REGULATORY SERVICES

20. Joint Regional Planning Panel Nominations 158
21. Local Orders Polcy 169
22. Fire Damaged Heritage Bulding – Collarenebri 184
23. Development and Complying Development Certificate Applications 188

DIRECTOR URBAN INFRASTRUCTURE SERVICES

24. Lightning Ridge Diving Pool Heating System 192
25. Impact of the Carbon Pollution Reduction Scheme (CPRS) on Landfill Management 212
26. Lightning Ridge Toilet Block Concept Design 216

DIRECTOR RURAL INFRASTRUCTURE AND SUPPORT SERVICES

27. Council Policy AFM - Road Maintenance Policy 223

16. Reports of Committees

17. Questions without notice from Councillors

18. Confidential Reports/Closed Council Meeting

DIRECTOR URBAN INFRASTRUCTURE SERVICES

1. Installation of Water Meters in Walgett and Collarenebri 3
1a. Sale of 8 Euroka Street, Walgett to K Hook 21

DIRECTOR RURAL INFRASTRUCTURE AND SUPPORT SERVICES

2. Tenders – Bridge Construction 31

19. Close of Meeting

3. Apologies

Councillor Colless has advised that he will be unable to attend the June Council Meeting

Recommendation:

1. That the apology be received and leave of absence granted for Councillor Colless for the June Council Meeting

6. Declaration of Pecuniary/Non Pecuniary Interests

7. Confirmation of Minutes

DRAFT

WALGETT SHIRE COUNCIL

MINUTES

26 May 2009

CAROLE MEDCALF
Acting General Manager

WALGETT SHIRE COUNCIL AGENDA

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT COUNCIL CHAMBERS ON TUESDAY 26 MAY 2009 COMMENCING AT 10:18 am

PRESENT

Clr I Woodcock (Mayor)
Clr G Colless (Deputy Mayor)
Clr R Greenaway
Clr J Keir
Clr M Martinez
Clr K Smith
Clr L Walford
Clr G Murray
Ms C Medcalf (Acting General Manager)
Mr M Goodwin (Director, Planning and Regulatory Services)
Mr I Taylor (Director, Rural Infrastructure & Support Services)
Mr F Coralde (Director, Urban Infrastructure Services)
Miss H Lovegrove (Minute Secretary)
Mrs D Parker (Minute Secretary)

Apologies

The Mayor lodged an apology on behalf of Councillor Lane

151/09 Apologies

Resolution:

1. That Councillor Keir's apology be noted and that she be granted leave of absence from the August 2009 Meeting of Council.
2. That Councillor Lane's apology be noted and the he be granted leave of absence from the May 2009 Meeting of Council

Moved: Clr Walford
Seconded: Clr Keir

CARRIED

Public Forum Presentations

Mr Jack Baker spoke on the following

- The traffic committee should consider more appropriate options for patrons of the IGA who wish to turn south bound
- Requested that Council follow up with the Department of Local Government in regards to differential rating
- The rating of irrigable farmland, when a irrigation licence exists the whole property is rated as irrigable farmland, this is unfair if the irrigation licence only covers a small amount of the property and the rating of farmland should be investigated

WALGETT SHIRE COUNCIL AGENDA

- Why are Council employees contacting ratepayers who have a Stock and Domestic Water Licences
- He has had no response to his letter dated 13 April 2009 can Council please look into it

Declaration of Pecuniary/Non Pecuniary Interests

- Clr Keir declared a pecuniary interest in item 13, Tenders Plant Hire
- Clr Murray declared a non pecuniary interest in item 12, Motor Vehicle Procedure
- Clr Greenaway declared a pecuniary interest in item 13, Tenders Plant Hire
- Clr Colless declared a pecuniary interest in the Mayoral Minute on the Walgett Saleyards

152/09 Confirmation of Minutes

Resolution:

That the minutes of the Council Meeting held on 12 May be confirmed.

Moved: Clr Greenaway
Seconded: Clr Walford

CARRIED

Questions without Notice

Councillor Keir

Question 1:

Can we have another tap near the middle of the Walgett Cemetery near the roses?

Response:

The Director Urban Infrastructure Services indicated that another tap could be installed

Question 2:

Has the Come – By – Chance sign been located and when erected could it go at the entrance to the town on Colless St?

Response:

The Director of Urban Infrastructure Services advised he would look into it.

Councillor Colless

WALGETT SHIRE COUNCIL AGENDA

Advised that he asked the Roads and Traffic Authority to address the intersection between Wareena and Fox Streets

Councillor Smith

Question 1:

Can the quotes for the skate park in Collarenebri be provided.

Response:

The Acting General Manager indicated they would be provided.

Reserve Trust Management Committee Reports

NIL

Mayoral Minute

Clr Colless declared an interest and left the meeting at 10.37am

153/09	Walgett Saleyards

Resolution:

That:

1. The scales at the Walgett Saleyards be repaired and the cost be funded from the Saleyards Maintenance Account ($4,924) and increased expenditure in the General Fund for 2008/09 of $2,550.

2. The new expenditure proposal for 2009/10 of $15,000 for repair of the scales and maintenance work on the entry driveway to the Saleyards be reduced by $7,500

Moved: Mayor Woodcock

Seconded: Clr Murray

CARRIED

Clr Colless returned to the meeting at 10:40am

WALGETT SHIRE COUNCIL AGENDA

Motions of which Notice has been given

154/09 Rating of Irrigable Farmland

Resolution:

That the Director Corporate and Community Services prepare a report for Council regarding the irrigable rates, which are not fair and equitable, according to the size of the actual irrigation on the entire property (Rate Notice).

Moved: Clr Murray

Seconded: Clr Greenaway

CARRIED

155/09 Date for September Council Meeting

Resolution:

That:

1. The September 2009 Council meeting be held in Carinda on Tuesday 29th commencing at 10.00 am.
2. The new meeting date be publicly notified.

Moved: Clr Keir

Seconded: Clr Colless

CARRIED

Council agreed to the following Item being taped

156/09 Lightning Ridge Precinct Committee – Minutes of Meeting

Resolution

That the Minutes of the April meeting of the Lightning Ridge Precinct Committee be noted.

Moved: Clr Walford

Seconded: Clr Martinez

CARRIED

WALGETT SHIRE COUNCIL AGENDA

157/09 Proposed Lodgement of Grant Applications

Resolution:

That Council endorses the lodgement of the grant applications as outlined.

Moved: Clr Greenaway

Seconded: Clr Murray

For: Clr Keir, Clr Murray, Clr Colless, Clr Martinez, Clr Smith, Clr Walford
Against: Clr Greenaway

CARRIED

158/09 Investment Report as at 30 April 2009

Resolution

That the investment report as at 30 April 2009 be received.

Moved: Clr Martinez

Seconded: Clr Murray

CARRIED

159/09 Report on Youth Development and Services February – April 2009

Resolution:

That the report on Youth Development and Services for the period February 2009 – April 2009 be noted.

Moved: Clr Martinez

Seconded: Clr Walford

CARRIED

WALGETT SHIRE COUNCIL AGENDA

160/09 2008-2009 Heritage Strategy Annual Report

Resolution:

That Council:

1. Endorse and adopt the 2008-2009 Heritage Strategy Annual Report for Walgett Shire, as prepared by Walgett Shire Council's Heritage Advisor, Ray Christison.
2. Submit the 2008-2009 Heritage Strategy Annual Report for Walgett Shire to the Heritage Office of the Department of Planning.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

161/09 Development and Complying Development Certificate Applications

Resolution:

That Council note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during April 2009.

Moved: **Clr Greenaway**

Seconded: **Clr Martinez**

CARRIED

WALGETT SHIRE COUNCIL AGENDA

162/09 Policy Reserve near the Lightning Ridge Airport

Resolution:

That Walgett Shire Council:

1. Write to the Department of Primary Industries and state that it wishes to amend the request made in a letter dated 30 September 1992, that opal mining and prospecting be excluded from an area located near the 3 Mile Road and the Lightning Ridge airport, as follows:

(a) Area A is not required for urban expansion because it is located within 500m of the airport, hence Walgett Shire Council believes that it should be made available for opal prospecting and mining.

(b) Area B is not required for urban expansion because it has been identified as vulnerable to stormwater inundation and includes a large silt dam associated with an opal dirt puddling operation, hence Walgett Shire Council believes that it should be made available for opal prospecting and mining.

(c) Area C is not required for urban redevelopment for the foreseeable future, hence Walgett Shire Council believes that it should be made available for opal prospecting and mining, provided that:

(i) Mining titles are only granted for opal prospecting or mining. Titles should not be granted for new mining purposes or other uses, to reduce the potential for any subsequent unnecessary land use conflict.
(ii) Rehabilitation of mine workings occurs to the standards presently applied to new opal fields. That is, all mine shafts and drill holes are to be backfilled upon completion, and all excess mullock removed from the site.
(iii) There is an understanding that at some stage in the medium to long term, Walgett Shire Council expects to request the Department of Primary Industries not to grant new opal prospecting or mining titles n the area when the land is required for urban expansion.

(d) The 26 hectare area adjoining Fantasia Street is needed for impending urban residential expansion and Council requests that it be retained as a policy reserve to exclude opal mining and prospecting titles.

2. Send the Lightning Ridge Miners Association a copy of the letter which is sent to the Department of Primary Industries.

Moved: Clr Walford

Seconded: Clr Keir

CARRIED

WALGETT SHIRE COUNCIL AGENDA

163/09 Delay of item 9

Resolution:

That item nine be delayed until the presenter from GHD arrives.

Moved: Clr Greenaway

Seconded: Clr Colless

CARRIED

164/09 Memorandum of Understanding – Water Utilities Sharing Group

Resolution:

That

1. This report be received.
2. Council adopts the Memorandum of Agreement in principle.
3. Council authorises the General Manager to continue negotiations with other participating Councils regarding the future of the Water Utilities Sharing Group
4. Council authorises the General Manager to officially inform the Minister of Water and Energy regarding the formation of Water Utilities Sharing Group.
5. That Council notify Moree Plains Shire Council that the alterations notified to Walgett Shire Council as presented in the MOU have been accepted

Moved: Clr Murray

Seconded: Clr Greenaway

CARRIED

WALGETT SHIRE COUNCIL AGENDA

165/09 Maintenance of Tracks on Opal Fields

Resolution:

That Council

1. Only provide road maintenance services on specifically designated and named 'public roads' on opal fields in Walgett Shire;
2. The specifically designated 'public roads' shall be those named by Council in its Rural and Urban Road Addressing Maps as published from time to time and for which Council is the Road Authority; and
3. That this statement be made a Policy of Council for consideration and adoption at its next general meeting.
4. That council write a letter to the Old Angeldool Rd Committee stating that the road is not Council's responsibility. That the letter include details of Council's responsibility and what is covered by their rates.

Moved: Clr Martinez

Seconded: Clr Smith

CARRIED

12.05pm Presentation from Filip Czyzewski of GHD on Lightning Ridge Diving Pool Heating System commenced

12.35pm Presentation concluded

166/09 Status of Lightning Ridge Diving Pool Heating System

Resolution:

That:

1. Council receives this report.
2. A Complete report be presented to Council at its June Ordinary Meeting.

Moved: Clr Greenaway

Seconded: Clr Colless

CARRIED

WALGETT SHIRE COUNCIL AGENDA

167/09 Council Procedure AFM – Motor Vehicle

Resolution:

1. That Council note the amended Procedure AFM - Motor Vehicle.
2. That a letter be written to the ladies required to use their own vehicles whilst assisting Council, stating that the policy has changed and the situation will not arise again

Moved: Clr Martinez

Seconded: Clr Smith

CARRIED

Clr Keir and Clr Greenaway declared an interest and left the meeting at 12.40pm

168/09 Tenders – Plant Hire

Resolution:

That Council accept tenders from the following businesses for E08007 Request for Standing Offers: Casual Plant Hire Walgett Shire NSW -

KJ Sherar
Sherrin Rental
Bows Sand & Gravel
PR & JA Cochrane
Rollers Australia
W&J Chapman Farming
Robert Rubie
Batterline Earthmoving
Christopher Underwood
Doncorp
Wax grading
Wintergreen Investment Pty Ltd

Moved: Clr Smith

Seconded: Clr Murray

CARRIED

Clr Keir and Greenaway returned to the meeting at 12.45pm

WALGETT SHIRE COUNCIL AGENDA

169/09 Closed Council Meeting

Resolution:

1. That the public be excluded from the meeting pursuant to Sections 10A (2)(c) of the Local Government Act 1993 on the basis that the items deal with:

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

Moved: Clr Greenaway

Seconded: Clr Colless

CARRIED

170/09 Former Mineral Claim 9701

Resolution:

That:

1. The Mayor and the General Manager negotiate to resolve issues associated with the offer of sale of land made by Walgett Shire Council to Beno William Divko on 23-7-1993, in the following context:

(a) Offer a cash settlement of $25 000 up to $30 000 having regard to the actuarial calculation appended.
(b) Offering to pay all costs associated with surveying and establishing a lot over the area of former Mineral Claim 9701.
(c) Not offering to pay any additional costs associated with Mr Divko obtaining a Western Lands Lease.
(d) The offers are made on the basis that they represent final and complete settlement of all issues associated with the proposed land sale detailed in a letter dated 12-7-1993 from Walgett Shire Council's General Manager.
(e) That the offer is accepted in writing.

2. Expenses incurred in the settlement are funded from the expected budget surplus for 2008-2009.

3. Council Advise the Team Leader, Tenure Administration, Western Region at the Department of Lands in Dubbo of Council's resolution.

Moved: Clr Martinez

Seconded: Clr Walford

CARRIED

WALGETT SHIRE COUNCIL AGENDA

171/09	Return to Open Session

Resolution:

That Council return to open session

Moved: Clr Martinez
Seconded: Clr Walford

CARRIED

Questions without Notice

Councillor Keir

Question 3

The Come-by-Chance tip is basically full and papers etc are blowing over the stock route, can it be cleaned up and it will need a new hole dug.

Response

Director Urban Infrastructure Services indicated he will advise staff to clean the area.

Question 4

An email has been received from Geoff Austin indicating it is 150 years since Walgett was first surveyed. Is it worth organising anything?

Response

The Acting General Manager advised she will look into it.

Councillor Murray

Question 1

Clr Murray received a letter from Mr Groenfeld of the Glengarry Hilton regarding the rebuilding of the Sheepyards Inn, what is the status of this building?

Response

The Director of Planning and Regulatory Services advised that he would send information relating to this issue to all Councillors. He has previously sent information to the other individual Councillors regarding the same request.

Questions 2

At the Lightning Ridge Mining Board meeting on Thursday what issues would Council like to raise and does Council want to levy rates on normal mineral claims.

WALGETT SHIRE COUNCIL AGENDA

Response

The Acting General Manager advised that what rates are levied is the Council's decision and that explaining the changes in the way we rate and clarifying the changes to the mining business rate classification may be items to raise at the meeting.

Question 3

Why were the papers faxed to council not distributed to Councillors as requested

Response

The Acting General Manager advised that they will be attached to the report that goes to the next meeting, now that the Notice of Motion has been voted on by Council.

Councillor Greenaway

Question 1

With the Rural Addressing road names, wasn't Rowena Road meant to be called Rowena Lane?

Response

The Director of Planning and Regulatory Services advised he will look into it and get back to Council

Question 2

When did the council decide to get a public facilities worker?

Response

The Acting General Manager suggested it may be a change of position title as no new positions have been added to the structure and that the Director of Urban Infrastructure Services will provide an answer to Council as the position is within that division

Question 3

Councillors received a letter from the General Manager stating that nine councillors will receive an allowance for phones calls but only 8 councillors will receive an internet allowance. Which Councillor misses out

Response

The Acting General Manager advised that the numbers were based on information provided to the General Manager and the Councillors can update that information if they wish and the allowances will be paid based on that information and in accordance with policy.

Councillor Colless

Question 1

Have we allocated $300 000 for CCTV in Walgett?

WALGETT SHIRE COUNCIL AGENDA

Response

The Acting General Manager advised that the amount relates to grant funding and the result of the application is unknown at this point. The Acting General Manager will look into it and provide a minute to Councillors.

Councillor Martinez

Question 1

Enquired about the Stony's Road fishermans pathway

Response

The Director of Planning and Regulatory Services indicated he will look into the matter.

Councillor Smith

Question 1

Please explain why the Mungindi Rd is now the Gundabloui Rd?

Response

The Director of Planning and Regulatory Services advised that community consultation was undertaken throughout 2007 and 2008 on the rural addressing road names and he will provide information to Councillors on this road.

Mayor

Question 1

Raised LR residents concerns about why funding was moved from acquiring CCTV in Lightning Ridge to heating the Lightning Ridge Pool

Response

The Acting General Manager advised that in the draft budget from staff that goes to Council for consideration, there was money allocated for both. Council decided to allocate the money to the heating of the pool as stated in the minutes of the 12 May 2009 Council Meeting.

Councillor Murray

Question 1

Has received a wish list from the Walgett Show Society and some comments of the state of the showground during the Walgett Show. The Gordon Pavilion was a mess and hadn't been cleaned before the show, the ladies toilets were filthy and not enough garbage bins were provided. A quote to fix the electric control boards was also provided

Response

The Director of Urban Infrastructure Services advised that a lot has been done in relation to the electrics at the showground, there is more to be done depending on available budget. He takes

WALGETT SHIRE COUNCIL AGENDA

the rest of the comments under advisement. The quote has been forwarded for inclusion in the June meeting prior to the adoption of the budget.

Councillor Smith

Question 2

Does the hot mix truck do certain jobs only or does it stop on the way to work on smaller jobs?

Response

The Director of Rural Infrastructure and Support Services advised that is varies and depends on the instructions given and which truck it is.

The meeting closed at 1:50

To be confirmed at the meeting of Council to be held on Tuesday 23rd June 2009.

Mayor | Acting General Manager

Recommendation:

1. That the minutes of the Council Meeting held 26 May 2009 be confirmed.

8. Reserve Trust Management Reports

1. LIGHTNING RIDGE CARAVAN PARK – VARIOUS MATTERS

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 230/05/30/49

Summary:

At the April 2009 Council Meeting it was resolved that "a further report be placed before the June 2009 meeting of Council in respect of the following matters: the status of permanent residents; the future of lessee owned transportable dwellings; outstanding works and outstanding rent." It should be noted that the current lease expires on the 4th October 2009.

Discussion (including issues and background):

The current approval to operate a caravan park and camp ground (issued 9th March 2007) allows for: 40 caravan sites for long term residents; 4 moveable dwellings with en-suites for short term residents; 20 caravan sites and 24 camping sites for short term residents. Currently there are approximately 20 long term residents on site and this is in accord with the approval.

The lessee owns 4 transportable dwellings which are located on lots 61 to 64 inclusive (see attached plan). It should be noted that these dwellings are in fact located on the title of the adjoining Hospital land as a consequence of the Council erecting a fence on an incorrect alignment. The Lessee, quite understandably, is not prepared to relocate the dwellings as the placement of the fence led him to believe that he was placing the dwellings on the Council controlled site. It is proposed that Council either realign the fence, or gain Health Department agreement to re-subdivide (previously not forthcoming), once the existing lessee has vacated the site.

Council's Building Surveyor advises that considerable works have been completed on the site since the latest approval was issued but that 4 structures are in a structurally unacceptable state. The Building Surveyor is preparing a Notice of Intention to Issue an Order pursuant to Section 121B of the Environmental Planning and Assessment Act 1979 which will be served on each of the owners of the structures requiring either repair or demolition. The locations of the 4 structures are identified on the attached plan.

The rent for the park is $25,000 per annum and no rent is outstanding.

The general condition of the park is poor and much work will be required to bring it up to a standard whereby revenue will be optimised and tourism benefits maximised. With this in mind, options are currently being explored for engaging a specialist Park Management Company to run the park for a period of a 18 months or so once the current lease expires to allow time for a range of issues to be addressed and certain upgrading work to be undertaken prior to a lease being tendered to the market.

Relevant Reference Documents:

Approval to Operate a Caravan Park and Camp Ground issued 9th March 2007.

Stakeholders:

Council, Lightning Ridge residents, Department of Lands.

Financial Implications:

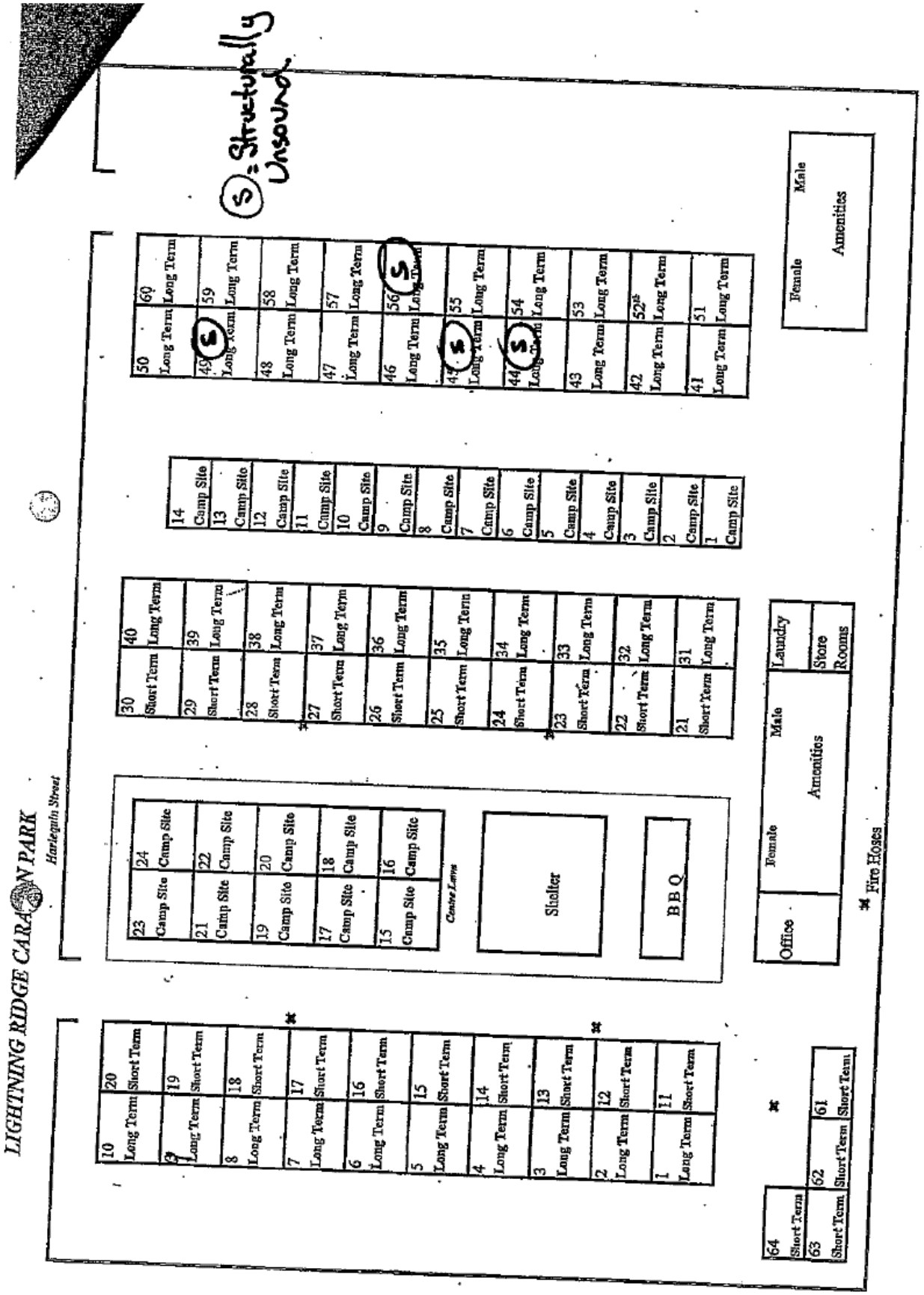
Nil

Recommendation:

1. That the report be noted.

Attachments:

Plan of Park, Photo of Park.


LIGHTNING RIDGE CARAVAN PARK
Harlequin Street
S = Structurally Unsound
Female
Male
Amenities
Office
Laundry
Store Rooms
Shelter
B B Q
Centre Lane
Fire Hoses

11/14/758612
12/14/758612
13/14/758612
14/14/758612
15/14/758612
4/758612
Hollworth St
392/805970
391/805970
4/1100315
10/1123745
2/1100315
1/1100315
9/1123745
3/1100315
3526
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7/243526

9. Mayoral Minutes

1A. WALGETT SHIRE COUNCIL – MAYORAL MINUTE – NOMINATION TO WESTERN LANDS ADVISORY COUNCIL

COUNCIL MEETING: 23rd June 2009

SUBJECT: Nomination to Western Lands Advisory Council

Summary:

The Western Division Group of the Shires Association nominates two members to the Western Lands Advisory Council. There is currently one Local Government vacancy and Council has the option of supporting a nominee from Bourke Shire Council or nominating its own candidate for consideration by the Western Division Group.

Discussion (including issues and background):

The Western Lands Advisory Council has the following functions:

- To advise the Minister on matters relevant to the objects of the Western Lands Act 1901
- To advise the Minister on matters affecting the administration of the Western Division
- To consult with people and organisations that have an interest in any matter affecting the administration of the Western Division

One of the Western Division Group's nominees (Councillor Wayne O'Mally from Bourke Shire) has resigned from the Advisory Council leaving Councillor Clive Linnett of Central Darling Shire as the only Local Government representative.

Councillor Murray has previously been a member of the Advisory Council (representing the NSW Farmers Western Division Council) and is prepared to be nominated for membership once more. Councillor Andrew Lewis of Bourke Shire Council has also been nominated.

Relevant Reference Documents:

Nil

Stakeholders:

Residents and lessees within the Western Division

Financial Implications:

Nil

Recommendation:

1. That Councillor Murray be nominated by Council to be a Western Division Group nomination to the Minister for Land's Western Lands Advisory Council.

Attachments:

Letter from the Secretary of the Western Division Group of the Shires Association of NSW; Department of Lands description of the Western Lands Advisory Council.

WESTERN DIVISION GROUP OF THE
SHIRES ASSOCIATION OF NSW

PO Box 165
WILCANNIA NSW 2836
Telephone: (08) 8083 8900
Facsimile: (08) 8091 5994
Email: council@centraldarling.nsw.gov.au

Walgett Shire Council
REC'D
19 JUN 2009

FILE: 236/06/00/00

Mr Ray Kent
General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

LETTER No: 3299.

REFER: RCK via JMG

16 June 2009

COPY:

Dear Ray

SUBJECT: Western Lands Advisory Council

Written correspondence has been received from the Minister for Lands, the Hon. Tony Kelly MLC, regarding correspondence from Bourke Shire Council nominating Councillor Andrew Lewis to the Western Lands Advisory Council.

As you would be aware under the provisions of the Western Lands Act, two members of the Western Lands Advisory Council are to be appointed to represent the interests of local Councils with each member being a nominee of the Western Division Group of the Shires Association of NSW.

Councillor Clive Linnett OAM AFSM from Central Darling Shire Council is the only standing Western Division representative on this Council following the resignation of Councillor Wayne O'Mally from Bourke Shire.

The Minister has referred the nomination of Councillor Lewis to the Western Division Group of the Shires Association for consideration.

Would you please provide me with your response to Councillor Lewis being appointed to this Council as soon as possible. Please also note that you are welcome to make other nominations from your Council.

I thank you for your consideration of this matter and look forward to receiving your response.

Yours faithfully

Mr Tim Hazell
SECRETARY

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
Members: Balranald – Bogan – Bourke – Brewarrina – Carrathool – Central Darling
Cobar – Hay – Lachlan – Moree Plains – Walgett – Wentworth – Department of Lands
Associate Members: Broken Hill City – Tibooburra Village Committee – Silverton Village Committee

Department of Lands

Reliable from the ground up

Western Lands Advisory Council

On 28 June 2002, a Bill to amend the *Western Lands Act 1901* was passed through the NSW Parliament. One of those amendments is Schedule 2: Western Lands Advisory Council.

What has changed?

The Minister for Lands is now advised by the Western Lands Advisory Council, a broadly based statutory advisory body.

The Western Lands Advisory Council is comprised of 14 members representing groups that have an interest in the Western Division. It comprises:

- an independent chairperson
- four people representing lessees in the Western Division (with two nominated by NSW Farmers Western Division Council, one representing Pastoralists of West Darling, and one to be non-aligned)
- one person representing the Nature Conservation Council
- two people representing local government.
- one person representing Catchment Management Boards
- two people representing the interests of Aboriginal people (with one nominated by the NSW Aboriginal Land Council)
- the Western Lands Commissioner
- one person representing the Minister for the Environment
- one person representing the Minister for Agriculture.

The principal functions of the Western Lands Advisory Council are:

- to advise the Minister on matters relevant to the objects of the *Western Lands Act 1901*
- to advise the Minister on matters affecting the administration of the Western Division
- to consult with people and organisations that have an interest in any matter affecting the administration of the Western Division.

How will this affect me?

Western Division people have an effective voice for communicating directly with the Minister for Lands concerning the administration of the Western Division or the *Western Lands Act 1901*.

People with concerns on any issues relating to the administration of the Western Division or the Western Lands Act should contact the most appropriate representative on the Western Lands Advisory Council.

Individuals who wish to be considered for appointment on the Western Lands Advisory Council should approach their respective nominating organisation to seek support.

Why change?

The amendments represent the most important and historic package of reforms to the management of the Western Division since the enactment of the Act in 1901.

In the past century, the Western Division has changed a great deal, but the legislation underpinning its management has lagged behind. The result has been that social and economic opportunities for Western Division residents and visitors have been unnecessarily restricted, and some administration was excessively cumbersome.

The 2002 amendments to the Act provided the people of the Western Division with

administrative systems and legislation more suited to the 21st century.

They allow for improved economic, soil and environmental outcomes for the Western Division and enable lessees and people living in the division to build increased security, flexibility and resilience into their operations.

How did this change come about?

The Western Lands Review was established in March 1998. The review team, led by The Hon. John Kerin undertook an extensive consultation process over an eighteen-month period.

Public consultation identified issues impacting on long term sustainable management of the Western Division.

The review team prepared its Western Lands Review Final Report by drawing on public responses, six independent consultancy reports and meetings with over 400 stakeholders. The report was released in March 2000 for a five-month feedback period. The report made 57 recommendations and attracted 216 submissions.

After consideration by the government, these amendments give effect to many of the final report's recommendations that have been endorsed by the then Minister for Land and Water Conservation, John Aquilina.

For more information

For more information on Western Division issues contact your local Department of Lands Office.

Dubbo
45 Wingewarra Street
PO Box 1840
Dubbo NSW 2830
T 02 6883 3000
F 02 6883 3099

Bourke
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PO Box 342
Bourke NSW 2840
T 02 6872 2144
F 02 6872 2993

Broken Hill
32 Sulphide Street
PO Box 692
Broken Hill NSW 2880
T 08 8082 5200
F 08 8087 2314

Cobar
62-64 Marshall Street
PO Box 307
Cobar NSW 2835
T 02 6836 1575
F 02 6836 2988

Buronga
32 Enterprise Way
PO Box 363
Buronga NSW 2739
T 03 5051 6200
F 03 5051 6259

Walgett
89 Wee Waa Street
PO Box 248
Walgett NSW 2832
T 02 6828 0110
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Note: This does not constitute legal advice.

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10. Motions of which Notice has been given

11. Presentation of Petitions

12. Councillors Questions with Notice

13. Reports of Delegates and Representatives

2. NETWASTE FORUM MINUTES

REPORTING SECTION: Urban Infrastructure Services

AUTHOR: Siegfredo O Coralde – Director of Urban Infrastructure Services

FILE NUMBER: 031/00/02/16

Summary:

This report recommends that Council note and accepts the Minutes of Meeting held at Bourke Shire Council on 28 May 2009.

Walgett Shire Council representatives were unable to attend the Bourke Forum.

Significant observations:

Netwaste is actively coordinating with participating Councils in promoting waste minimisation initiatives. One such initiative is the idea of removing organics from landfills. Tamworth, Lachlan and Shoalhaven Councils models are currently being examined and based on the opportunities that organic end-products can be utilized to benefit the community at large. Netwaste will put together a draft workshop plan and distribute to all participating Councils including Walgett Shire shortly. A workshop is planned for 27 August 2009 at Parkes where the final venue is yet to be determined.

Bourke Shire Council gave a presentation of the 'Village Scrap Metal Project' explaining the implementation processes and its benefits to the small village communities. This paper is not available for Council's viewing.

Netwaste is considering holding the 'green bag' regional trials with active participation of local schools and The Green Bags Co and Replas (Repeat Plastics Australia). No detail of this project is available at his stage.

Weddin Shire Council will host "Waste to Art" Regional Exhibition in 2011.

Financial Implications:

None.

Recommendations:

1. **That Council note and accepts the Minutes of the Meeting on 28 May 2009.**

2. **That Council asks Bourke Shire Council to provide a copy of the 'Village Scrap Metal Project' for reference in promoting its own metal recycling scheme in the future.**

3. **That Council sends a formal expression of interest to Netwaste to host the 'Waste to Art Regional Exhibition' in Walgett in 2012.**

Attachments:

Minutes of the 28 May 2009 Bourke Meeting

MINUTES OF THE MEETING OF NETWASTE FORUM HELD AT BOURKE ON THURSDAY 28 MAY 2009 COMMENCING AT 2.30 PM

ATTENDANCE

Antony Cullen-Ward (Bathurst Regional Council), Scott Kahler (Cobar Shire Council), Kristy Cosier (NetWaste), Gabrielle Ryan (NetWaste), Sue Clarke (NetWaste), Steve Campbell (Parkes Shire Council), Wayne Davis (Orange City Council), Kristin Zinga (Cabonne Shire Council), Dwayne Willoughby (Bourke Shire Council), Chris Brook (Narromine Shire Council), Barrie Toms (Lachlan Shire Council),

2. APOLOGIES

Peter Oldsen (Broken Hill City Council), Stephen Sykes (Orange City Council),Kookie Atkins (Coonamble Shire Council), Craig Lynch (Cowra Shire Council), Alan Lindsay (Lachlan Shire Council), Paul O'Brien (Blayney Shire Council), Steve Clayton (Dubbo City Council), Mike McCulloch (Dubbo City Council), Kylie Stewart (Mid-Western Regional Council), Francois Van de Berg (Brewarrina Shire Council), John Clague (Wellington Council), Fred Coralde (Walgett Shire Council), Adrian Butler (Lachlan Shire Council), David Neeves (Gilgandra Shire Council), Shane Wilson (Weddin Shire Council), Peter Wakeling (Cabonne Shire Council), Maryanne Stephens (Warren Shire Council), Paul Bennett (Forbes Shire Council), Leeanne Ryan (Central Darling Shire Council), Julian Geddes (Mid-Western Regional Council), Josh Loxley (Bogan Shire Council)

RESOLVED **Chris Brooks/Barrie Toms**

That the apologies be accepted and leave of absence granted to Peter Oldsen (Broken Hill City Council), Stephen Sykes (Orange City Council),Kookie Atkins (Coonamble Shire Council), Craig Lynch (Cowra Shire Council), Alan Lindsay (Lachlan Shire Council), Paul O'Brien (Blayney Shire Council), Steve Clayton (Dubbo City Council), Mike McCulloch (Dubbo City Council), Kylie Stewart (Mid-Western Regional Council), Francois Van de Berg (Brewarrina Shire Council), John Clague (Wellington Council), Fred Coralde (Walgett Shire Council), Adrian Butler (Lachlan Shire Council), David Neeves (Gilgandra Shire Council), Shane Wilson (Weddin Shire Council), Peter Wakeling (Cabonne Shire Council), Maryanne Stephens (Warren Shire Council), Paul Bennett (Forbes Shire Council), Leeanne Ryan (Central Darling Shire Council), Julian Geddes (Mid-Western Regional Council), Josh Loxley (Bogan Shire Council)

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED **Antony Cullen-Ward/Wayne Davis**

That the Minutes of the Meeting of the NetWaste Forum held at Gilgandra on 27 February 2009 are hereby confirmed as a true and accurate record of the decisions of that Meeting.

3.1 Matters arising from the minutes:
Nil

4. DECC Update – Projects of possible interest

DECC representatives were unable to attend the Bourke Forum therefore this item was unable to be discussed.

5. NETWASTE ORGANICS REUSE PROJECT

In order to outline a strategy of the 3 year plan, a workshop is planned for Thursday 27 August at Parkes (day prior to NetWaste Forum). A discussion to ascertain NetWaste Councils' objectives was held with the main outcomes being as follows:
Councils want to ultimately remove organics from landfill with a viable use of the end product – the Groundswell Project, Tamworth and Shoalhaven experiences and trials in Lachlan Shire provide examples of what works and what doesn't. The level of entry was agreed to be at processing level with collection and makeup (including size) of the actual waste to be decided. Council support and planning was discussed, as well as funding opportunities, training, education, and the overall role of NetWaste. Sue and Kristy will put together a draft workshop plan and distribute.

ACTION	Wayne Davis/Antony Cullen-Ward
▪ Sue and Kristy to devise a draft workshop structure including possible guest speakers, and send to Councils for feedback.	

6. BOURKE SHIRE COUNCIL UPDATE

Dwayne Willoughby gave a presentation of Bourke Shire Council's Village Scrap Metal Project, explaining the implementation and overall benefits – including monetary – back to the small village communities.

7. GREEN BAG PROPOSAL

Sue presented a report to the forum for discussion as an idea for a regional project, as part of the 3 year plan to start at the end of 2009. The program involves schools and is delivered by The Green Bag Co and Replas (Repeat Plastics Australia P/L). As volumes (of "green" bags etc) are an unknown at this stage, it was suggested that trials could be held throughout the region by interested participating schools. More information could be provided by a representative from The Green Bag Co at the next NetWaste Forum.

ACTION	Chris Brook/Barrie Toms
▪ That nomination of expressions of interest from Primary schools within the NetWaste area to be called for before the next Steering Committee meeting on 12 June 2009. ▪ Sue to invite The Green Bag Co representative to speak at next Forum in August.	

8. PROJECT CO-ORDINATOR'S REPORT

Kristy provided updates on current and upcoming projects and contracts.
Regarding E-Waste, it was agreed that if any non-residential group (eg schools, offices) wanted to dispose of their e-waste, their limit is 10 items. The e-waste material is to be sent to Sims by mid-June. A possible tour of the Sims facility is planned for Spring – details TBA.
Following a discussion regarding the Joint Forum (ie similar to the Dubbo zoo forum last year) it was decided that bi-annually was a sufficient time-frame.
Kristy has had a meeting with Lovick Contracting regarding the organics contract to discuss recent issues/problems raised by Gilgandra and Coonamble.

RESOLVED	Chris Brook/Wayne Davis
▪ That a tour of the Sims facility be planned for Spring this year. ▪ That the joint forum of NetWaste, CMA, Centroc & BOD be held bi-annually.	

9. ENVIRONMENTAL LEARNING ADVISOR'S REPORT

Sue Clarke gave an overview of her current education programs and recent/upcoming workshops.

Other topics covered included:

- Community Brochure – is complete and copies will be sent to the "Waste Wizards" featured in the brochure. Story Boards are presently being developed and will be distributed to each Council represented in the brochure.
- A U-Tube video will be filmed on 5 July which will show a waste-message in a unique way – will advise when finished & able to view.
- Waste To Art - the 2010 exhibition is confirmed for Wilcannia. Weddin has expressed an interest for the 2011 exhibition to be held in Grenfell A group in Coolah is interested in 2012, however this is only at the discussion stage at present. Concerns were raised that the message of Waste To Art may be getting lost and clouded somewhat by the popularity of the event. A meeting of the co-ordinators was suggested to clarify objectives and guidelines prior to starting the 2009/2010 exhibitions.
- Event Waste Management – a need for training was established & Sue will organise a day in November or December, probably linking in with meeting dates.

RESOLVED	Barrie Toms/Wayne Davis
▪ That Weddin Shire Council host Waste To Art Regional Exhibition in 2011 in Grenfell.	

ACTION	Wayne Davis/Chris Brook
▪ That a meeting/information session be provided for Waste To Art co-ordinators to confirm guidelines and objectives, and answer questions to assist in their role. ▪ Sue to organize an Event Waste Management training session for late this year.	

10. OPEN FORUM

Antony Cullen-Ward has researched possible landfill management short courses and recommends one presented by National Environment Centre Camps. There is also one held in the New England area. Options to be discussed at the next Steering Committee meeting.

ACTION	Antony Cullen-Ward/Wayne Davis
▪ Details of various options for landfill management short courses to be tabled at the Steering Committee meeting on 12 June 2009.	

NEXT ORDINARY MEETING – TO BE HELD IN PARKES ON FRIDAY 28 AUGUST 2009.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.00 pm

THIS IS PAGE NO. 3 AND THE FINAL PAGE OF THE MEETING OF THE NETWASTE FORUM HELD AT BOURKE ON THURSDAY 28 MAY 2009.

3. CAMPS ON CLAIMS WORKING GROUP MINUTES

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin - Director Planning and Regulatory Services

FILE NUMBER: 004/09/03/84

Summary:

Minutes of external bodies are generally placed before Council for noting and discussion where appropriate.

Discussion (including issues and background):

The draft minutes of the Camps on Claims Working Group meeting held on 27 May 2009 are attached.

Relevant Reference Documents:

Walgett Shire Growth Management Study and Strategy prepared by Edge Land Planning, dated October 2008 (To be updated as per Council resolutions 24 February 2009).
Outcomes Summary from the Walgett Shire Growth Management Study and Strategy Councillor Workshop held on 17 February 2009.

Stakeholders:

Walgett Shire Council, public.

Financial Implications:

Nil.

Recommendations:

That Walgett Shire Council resolve to:

1. Note the draft minutes of the Camps on Claims Working Group meeting held on 27 May 2009.

Camps on Claims Working Group
Minutes of meeting 27 May 2009

Present
DPI Janet Town, James Hereford-Ashley
WSC Janet Babic, Matthew Goodwin
DOL Andrew Bell, Peter Smith, Shaun Barker
DoP Peter Downes

1. Welcome, Apologies and Agenda
Peter Downes welcomed members, especially Shaun Barker who was attending for the first time.
Apologies
Peter noted apologies from:
John Leeks, DPI
David Lane, WSC
Jody Burgess, DOL
Members agreed with the agenda.

2. Minutes of previous meeting
Members agreed with the minutes.
Actions 1 and 3 were done. DPI will ensure that it resources the camps on claims process.
Action 2 For the Native Title lands, Jody Burgess is validating owners' addresses with DPI at the rate of 10 per week.
Action 4 was covered by Matthew under item 3.3 in the agenda.

3.1 Granting leases on the Per Occ
Andrew tabled DOL's summary of progress, which is attached.
This showed that take-up on the Per Occ and land bought from Mr Crutchfield averaged 94%, up 9% from the February report. 76% of camps have had WLLs gazetted. 22 people on the Per Occ and 36 on Crutchfield's land have not applied, but more need extra information, which is delaying granting those leases. The small number on the Per Occ is due to the good work of Bob Hewlett in contacting owners. The working group is most grateful for his help.

The working group discussed what to do about the small number of people who have not applied for WLLs. James proposed that DPI would take photographs of the camps to see how substantial they are, so that the working group can assess the situation. He will present this to the next meeting. Peter S urged that it will be important to follow through on these people, not let the problem lie, as in the past.

Matthew asked if there were any squatters in unregistered camps; James thought that there probably are. Peter D mentioned that National Parks sometimes give people a lifetime tenancy in areas bought to add to national parks. Those people can live in their shacks, but when they leave NPWS demolishes the shacks. He suggested that this might be used for recalcitrant owners. Members did not discuss this idea at this meeting.

ACTION James to organise to photograph camps which have not applied for WLLs, and to report on them to the next working group meeting.

Native Title areas
As noted above, invitations were going out as soon as the owners' addresses were verified. This is currently about ten per week.

3.2 Funds, Purchases and Trusts
James reported that the amount in the camps residential fund is currently $303 419.98. He said that this will not increase much because of the increasing number of conversions to WLLs.

Land purchase from Adrian Newton
Peter D reported that negotiations with Adrian Newton were progressing well. Andrew pointed out that it would take about six months to survey, subdivide and register the property before individual leases could be issued. Peter S added that a fence might be needed, at a cost of about $2 000 per kilometre. He also noted that there were problems with liquor licences on crown land, which affected the Grawin Store and Grawin Social Club. Andrew added that he proposed to issue interim licences to those uses if the land was bought.

Offering leases on the GGSMA land is still held up by the Aboriginal Land Claim under the NSW Act.

A Trust for the Preserved Fields
There was no progress on this item, but Andrew promised to advance it. Matthew said that the council is keen for the Per Occ Trust to go ahead. ACTION Andrew.

3.3 Planning Issues
Matthew reported that the council wants to amend the shire's Growth Management Strategy which is now back with Ian Sinclair. After that, the Strategy and the draft LEP will go to the DoP for their agreement. The council wants to include some new lifestyle lots, and wants to allow new WLLS (ie not conversions) on the preserved fields. All members strongly opposed allowing new WLLs; the working group's aim has been to legitimate existing houses but to prevent any new ones

Matthew also reported that the council's draft budget made no provision to fund either a concept plan, or to acquire the Fantasia Street town extension. Members expressed dismay and reiterated the importance of this extension to help keep residential pressure off the preserved fields. ACTION Peter D to write to the council stressing the importance of this extension.

3.4 Electricity
Matthew indicated that Walgett Shire Council had recently resolved to review its policy regarding mains electricity connections on the preserved opal fields. He expected that the general intent of the current policy of not

supporting mains connections would be maintained, but it would be updated to take account of situations where Council support may not be required and others where a connection was sought for a mining purpose and there was no potentially opal bearing land involved.

4 New business
In answer to a question, Matthew explained the operation of the Building Code of Australia. It applies to houses on the preserved fields, but is not strongly enforced because of council resources. There is a slow trickle of requests for building certificates as camps are sold.

5 Other business - nil

6 Actions
James to organise photographing remaining camps which have not applied for WLLs.
Andrew to progress the Per Occ Trust
Peter to write to WSC about the importance of progressing the town extension.

7 Next meeting – 19 August 2009

Camps on Claims Working Group Meeting – 27/5/09

1) Bevan's Cactus Block **(as of 25/5/09)**

107 Invitations Sent
3 RMC's Expired/Cancelled
104 Possible WLLs
1 Outstanding Invitation
103 Applications Lodged
87 Granted
10 Provisional Approval given
6 Awaiting more info from applicant

99% take up **84% gazetted**

Increase of 5% since last report

2) Nebia Hill Block

100 Invitations Sent
4 RMC's Expired/Cancelled
96 Possible WLLs
2 Outstanding Invitations
94 Applications Lodged
88 Granted
4 Provisional Approval given
2 Awaiting more info from applicant

98% take up **92% gazetted**

Increase of 12% since last report

3) Hawks Nest Block

171 Invitations Sent
5 RMC's Expired/Cancelled
166 Possible WLLs
4 Outstanding Invitations
1 Fee Paid but no app form
161 Applications Lodged
139 Granted
12 Provisional Approval given
9 Awaiting more info from applicant

97% take up **84% gazetted**

Increase of 3% since last report

4) Airport Block

418 Invitations Sent
3 RMC's Expired/Cancelled
415 Possible WLLs
15 Outstanding Invitations
2 Cases requiring Survey
398 Applications Lodged
325 Granted
43 Provisional Approval given
30 Awaiting more info from applicant

96% take up **78% gazetted**

Increase of 4% since last report

5) Crutchfields

183 Invitations Sent
1 Lot without owner details
1 RMC's Expired/Cancelled
181 Possible WLLs
36 Outstanding Invitations
145 Applications Lodged
93 Granted
36 Provisional Approval given
16 Awaiting more info from applicant

80% take up **51% gazetted**

Increase of 24% since last report

Total:

978 Invitations Sent
16 Cancelled/No details etc
962 Possible WLLs
61 Outstanding Invitations/Survey etc
901 Applications Lodged
733 Granted
102 Provisional Approval given
66 Awaiting more info from applicant

94% take up **76% gazetted**

Increase of 9% since last report

NEWTOWN FIELD – INVITATIONS HAVE NOW BEEN SENT FOR THE LAST SEVEN BLOCKS FROM DP 1076808 – 1 APP RECEIVED

14. Reservation of items for Debate

15. Reports of Officers

4. LIGHTNING RIDGE PRECINCT COMMITTEE – MINUTES OF MEETING

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 004/09/09/92

Summary:

Minutes of meetings of Precinct Committees are placed before Council for information and discussion, where appropriate.

Discussion (including issues and background):

Minutes of the meeting held on the 16th April 2009 are attached. Copies have been distributed to Directors for noting and action, where appropriate.

Relevant Reference Documents:

Nil

Stakeholders:

Residents of Lightning Ridge and surrounding areas.

Financial Implications:

Nil

Recommendations:

1. That the Minutes of the April meeting of the Lightning Ridge Precinct Committee be noted.

Attachment:

Minutes of the Precinct Committee's April meeting.

Lightning Ridge Precinct Committee

C/- P.O. Box 1774
LIGHTNING RIDGE NSW 2834

22 May 2009

Mr R Kent
General Manager
Walgett Shire Council
P.O. Box 31
Walgett NSW 2832

Dear Sir

Attached are the minutes of our meeting held on 21 May 2009. Our next meeting is to be held on Thursday 2 July at 6:30pm in John Murray room at Lightning Ridge District Bowling Club.

Yours faithfully

Maria Sorokoput

Maria Sorokoput
Secretary/Treasurer.

Walgett Shire Council
REC'D
27 MAY 2009
FILE: 004/09/09/92
LETTER No: 2877
REFER: RKK via JMG.
COPY:

Lightning Ridge Precinct Committee

Held 21 May 2009 6:50pm

At Lightning Ridge Bowling Club

Minutes

Present: Robert Jelbart, Maria Sorokoput, Danielle Osborne, Michael Taylor, Karin Thurston, Kym Briscoe, Petrina Brown
Community Members: Val & Tim McGrath, Mick Canfell and Norm Schoffield

Apologies: Christina Johannson, Geoff Naismith, Kerry McBride

Minutes from 16th April 2009 accepted.
Moved Kym Briscoe,
2nd Michael Taylor
Passed Unanimously.

Business arising from Correspondence In

Walgett Shire DA's: 2009/013; 2009/06; 2009/012
Committee discussed the DA's and had no reasons for any objections.

Business arising from Correspondence Out

Lightning Ridge District Bowling Club: Committee told that the LRDBC we now charge fees for the use of their facilities. Committees are able to write to the Board to ask for dispensation from paying these fees. A letter was sent to cover this meeting. Members discussed alternative venues but there is a lack of suitable public facilities in Lightning Ridge and have decided to write to the board each time we require the room.

Security Cameras
We received a copy of the Agenda for the next Walgett Shire Council meeting to be held on 26 May 2009 On page 10 it was noted that a motion had been put forward in reference to New Expenditure Proposals 2009/2010: CCTV Project. The amount that had been proposed was $150,000. This amount is now proposed to be allocated to the heating of the Lightning Ridge Diving Pool. A letter to be written to the Walgett Shire Council explaining our concerns and asking for clarification on any plans spend any money on improving the security in our town.
Motion: A letter to be sent to Mayor Ian Woodcock and Clr Manuel Martinez inviting them to attend our next meeting.
Moved: Petrina Brown
2nd: Norm Schoffield.
Passed Unanimously
Motion: A letter to be sent to Area Commander NSW Police inviting him to speak to our members in reference to the current high crime rate and what we as a committee can do to lobby for a safe and secure town.
Moved: Val McGrath
2nd Norm Schoffield
Passed Unanimously
Motion: A letter to be sent to Lightning Ridge Commerce Committee inviting them to attend our next meeting.
Moved: Petrina Brown
2nd Val McGrath
Passed Unanimously

Toilet Facilities
Karin Thurston put forward a letter and proposed cleaning timetable for all the public facilities in Lightning Ridge. The letter and proposal was read to the meeting. It was agreed generally that the cleanliness of these facilities left a lot to be desired especially on weekends and public holidays. The location of the dump point for caravans is a disgrace. The disabled facilities are inadequate and very inaccessible for wheel chairs as the doors open inwards making it difficult to maneuver especially if there is a carer. Patronage at the Bore Baths has increased dramatically since Rotary International of Lightning Ridge completed upgrading the area.
Motion: The letter and proposal be sent to Walgett Shire Council
Moved Karin Thurston
2nd Norm Schoffield

General

Youth
There was a general discussion in relation to the unruly youth who seem to be roaming the streets. Members of our committee asked what can be done to make parents more accountable for their children's behaviour.

Street Signs
There are a lot of damaged signs in Lightning Ridge. Some of the signs are pointing the wrong way and this can be very confusing for visitors to our town. Signs need to replaced or repaired and have sufficient lighting so that they are visible at night.

Dogs
Early morning and evening walkers are disturbed by the number of dogs that are roaming and defecating on the walk ways and roads. This can make it quite dangerous to walk a dog on a lead as some of these dogs are quite furious. It was suggested that the Dog catcher might change his routine for a few days and conduct a survey as to whether more dogs are caught during this time
Motion: A letter to be sent to Walgett Shire Council asking for a trial by the Dog Catcher to vary his normal routine and conduct a survey as to whether more strays are captured.
Moved: Val Mc Grath
2nd Norm Schoffield

Traffic Control
Our committee would like information on the findings of the Traffic Survey done in Lightning Ridge. There is a possible need for more speed humps to be placed in areas where cars speed. Areas that the committee is aware of are: Black Prince Drive, Fantasia St and Halley's Comet St.
Motion: a letter to be sent to Walgett Shire Council asking what traffic controls are proposed for Lightning Ridge
Moved: Petrina Brown
2nd Kym Briscoe

Power on Camps
Mick Canfell brought up the subject of exorbitant cost for power on camps especially where a power line is going across a Western Lands Lease or Residential Claim and in other cases just meters from the frontage. Michael Taylor thought that our committee should help camp dwellers get power connected. Robert Jelbart told the committee that the LRMA are against power lines in these areas and that Country Energy is not very keen to pursue power for these areas.

LRMA Request for Opal Prospecting and Mining
Robert Jelbart drew the committee attention to the maps on pages 57 & 58

Meeting closed 8:10pm
Next meeting: Thursday 2 July 2009 @ 6:30pm

Signed.....**Signed** .....
Robert Jelbart (President) **Maria Sorokoput (Secretary/Treasurer)**

5. FEES FOR MAYOR AND COUNCILLORS

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 145/02/00/00

Summary:

Pursuant to Section 241 of the Local Government Act 1993, the Local Government Remuneration Tribunal determines the categories for Councils and the maximum and minimum fees to be paid during the forthcoming Financial Year to Mayors and Councillors within each category. The Tribunal released its determinations for the 2009/10 Financial Year on the 18th May 2009.

Discussion (including issues and background):

Attached are the pages from the Tribunal determination which contain the Categories into which Councils and County Councils have been placed along with the range of fees that may be paid to Mayors and Councillors. Walgett Shire Council is one of 77 Councils categorised as Rural. All fees have been increased by 2.5%. It is considered appropriate that the maximum Councillor fee be adopted and that the additional fee to be applied to the position of Mayor also be the maximum permitted. It is recommended that 25% of the Mayor's fee be allocated to the Councillor occupying the position of Deputy Mayor. Note that the fee for the Deputy Mayor must be allocated from the Mayoral fee.

Relevant Reference Documents:

Local Government Act 1993. 2009 Report and Determinations of the Local Government Remuneration Tribunal.

Stakeholders:

Councillors and citizens.

Financial Implications:

Provision for the fees has been made in the Draft Budget 2009/10.

Recommendations:

That:

1. **the Councillor fee for 2009/10 be $9,290**
2. **the Mayoral fee for 2009/10 be $20,280**
3. **25% of the Mayoral fee be allocated to the Councillor who occupies the position of Deputy Mayor**

Attachments:

portion of the "Report of the Determination of the Local Government Remuneration Tribunal" 2009.

training for Councillors and Mayors to assist in addressing these issues. While these developments undoubtedly place additional demands upon Councillors and Mayors, the demands are not unique to local government but apply throughout all areas of responsibility in society and in workplaces.

51. The Tribunal notes that despite the additional demands, the number of people seeking election to local government continues to increase. During 2008, 4410 persons nominated for election to local government. This is an increase of 28% over the 3,428 persons who nominated for election in 2004.
52. The Tribunal is aware that there are also broader issues facing local government in NSW at the present time - in particular, the impact of State government planning reforms. These reforms will result in a range of Council development and planning responsibilities being transferred to either the Planning Assessment Commission or to Joint Regional Planning Panels. While these changes are still to be fully realised, the Tribunal will monitor over the coming year the likely impact of planning reforms on Councillor roles and responsibilities.
53. The Tribunal is also aware that the global economic downturn poses significant challenges to local government. The downturn in economic activity has affected and will continue to affect all levels of government including local government. The Tribunal will also monitor how Councils manage these challenges. To offset the likely impact on local communities, Councils across Australia have received grants under the Federal Government Community Infrastructure Program to assist Councils to build and renew local infrastructure. The Tribunal notes that Councils in NSW have already received $85 million and will be eligible for a share of a further $500 million to be distributed to Councils and Shires across Australia. These grants will pose challenges to Councils given the timeframes imposed to complete grant related projects.
54. Having regard to these factors and after taking the views of the Assessors into account the Tribunal considers that an increase of 2.5 per cent in the fees for Councillors and Mayors is appropriate for the current year and so determines. An increase greater than this amount would be excessive given the current state of the global economy and local economies as indicated by recent key economic indicators and wage movements across the public and private sectors.

Local Government Remuneration Tribunal

Helen Wright
Dated: 29 April 2009

DETERMINATION PURSUANT TO SECTION 239 OF CATEGORIES OF COUNCILS AND COUNTY COUNCILS EFFECTIVE FROM 1 JULY 2009

Category - Principal City (1)
Sydney
Category - Major City (3)
Newcastle
Parramatta
Wollongong
Category - Metropolitan Major (2)
Blacktown
Penrith
Category - Metropolitan Centre (16)

Bankstown	Liverpool
Baulkham Hills	North Sydney
Campbelltown	Randwick
Fairfield	Ryde
Gosford	Sutherland
Hornsby	Warringah
Hurstville	Willoughby
Lake Macquarie	Wyong

Category – Metropolitan (21)

Ashfield	Lane Cove
Auburn	Leichhardt
Botany	Manly
Burwood	Marrickville
Camden	Mosman
Canada Bay	Pittwater

Canterbury	Rockdale	
Holroyd	Strathfield	
Hunters Hill	Waverley	
Kogarah	Woollahra	
Ku ring Gai		
Category - Regional Rural (32)		
Albury City	Greater Taree	
Armidale Dumaresq	Griffith	
Ballina	Hastings	
Bathurst Regional	Hawkesbury	
Bega Valley	Kempsey	
Blue Mountains	Lismore	
Broken Hill	Maitland	
Byron	Orange	
Cessnock	Pt Stephens	
Clarence Valley	Shellharbour	
Coffs Harbour	Shoalhaven	
Dubbo	Tamworth Regional	
Eurobodalla	Tweed Heads	
Gt Lakes	Wagga Wagga	
Goulburn Mulwaree	Wingecarribee	
Queanbeyan	Wollondilly	
Balranald	Glen Innes Severn	Narromine
Category - Rural (77)		
Balranald	Glen Innes Severn	Narromine
Bellingen	Gloucester	Palerang
Berrigen	Greater Hume	Parkes
Bland	Gundagai	Oberon
Blayney	Gunnedah	Richmond Valley
Bogan	Guyra	Singleton
Bombala	Gwydir	Snowy River
Boorowa	Harden	Temora
Bourke	Hay	Tenterfield
Brewarrina	Inverell	Tumbarumba
Cabonne	Jerilderie	Tumut
Carrathool	Junee	Upper Hunter
Central Darling	Kiama	Upper Lachlan
City of Lithgow	Kyogle	Uralla
Cobar	Lachlan	Urana
Conargo	Leeton	Wakool
Coolamon	Liverpool Plains	Walcha
Cooma-Monaro	Lockhart	Walgett
Coonamble	Mid-Western Regional	Warren
Cootamundra	Moree Plains	Warrumbungle
Corowa	Murray	Weddin
Cowra	Murrumbidgee	Wellington
Deniliquin	Muswellbrook	Wentworth
Dungog	Nambucca	Yass Valley
Forbes	Narrabri	Young
Gilgandra	Narrandera	

TOTAL GENERAL PURPOSE COUNCILS 152

Category - County Councils Water (5)

Central Tablelands	Riverina Water
Goldenfields Water	Rous
MidCoast	

Category - County Councils Other (9)

Castlereagh – Macquarie Richmond River

Central Murray
Far North Coast
Hawkesbury River
New England Weeds
Southern Slopes
Upper Hunter
Upper Macquarie

TOTAL COUNTY COUNCILS 14

DETERMINATION PURSUANT TO SECTION 241 OF FEES FOR COUNCILLORS AND MAYORS

Pursuant to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, Mayors, members and chairpersons of County Councils effective on and from 1 July 2009 are determined as follows:

	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
	Minimum	Maximum	Minimum	Maximum
Principal City	21,140	31,000	126,310	170,150
Major City	14,080	23,250	29,940	67,750
Metropolitan Major	14,080	23,250	29,940	67,750
Metropolitan Centre	10,560	19,730	22,460	52,410
Metropolitan	7,040	15,500	14,980	33,840
Regional Rural	7,040	15,500	14,980	33,840
Rural	7,040	9,290	7,480	20,280
County Council – Water	1,400	7,750	3,000	12,730
County Council - Other	1,400	4,640	3,000	8,460

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

Local Government Remuneration Tribunal

Helen Wright
Dated: 29 April 2009

- **APPENDIX A**

CATEGORIES OF COUNCILS AND MAYORAL OFFICES

Principal City
It is appropriate that the Tribunal retain a separate category for the City of Sydney in recognition of its role as the commercial, cultural, entertainment and ceremonial centre of the City and State. Sydney City Council will be classified as Principal City for this purpose.

Major City
This category includes the large cities of Newcastle City Council, Wollongong City Council and Parramatta City Council.

These Councils are metropolitan in nature with major industrial areas, major residential, commercial and tourism activities and significant education and health care facilities. They may be differentiated from those described as Metropolitan Major and Metropolitan Centres on the basis of their significant regional focus.

Newcastle City Council provides regional services to residents across the Hunter and the Mid North Coast. The Newcastle Port Corporation, which is one of the world's largest coal export ports, is located

within the Council area. Ventures such as these, which have a broader State and national focus, impact upon the operations of the Council.

Similarly Wollongong City Council provides regional services to the South Coast region which is an area of significant growth. The City also contains the steel works and the Port Kembla Port Corporation. Traditionally a commodities good port, the port is currently undergoing major expansion that will see general and bulk cargoes, containers and vehicle handling become increasingly more important.

Parramatta City Council provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. Parramatta is also considered as an alternative CBD for metropolitan Sydney with a number of large public and private sector organisations relocating their head offices to this location.

Metropolitan Major
Blacktown City Council and Penrith City Council are classified as Metropolitan Major. These Councils have a residential population greater than 250,000 or have another special feature of section 240 which the Tribunal considers distinguishes them from other Metropolitan Councils.

Blacktown City Council has the greatest population of all Councils in NSW, with a current population in excess of 280,000. As articulated in the 2001 Report and Determination the Tribunal accepts that such a significant population imposes additional burdens of responsibility on Councillors and Mayors and justifies recognition for remuneration purposes.

The Tribunal recategorised Penrith City Council into the same category as Blacktown City Council in 2002. While Penrith does not have a population greater than 250,000, it provides significant regional services to greater western Sydney, residents of the Blue Mountains and Nepean districts and to residents of the Central West of NSW. The Tribunal's review finds that the unique characteristics of Penrith City Council continue to warrant its inclusion within the category of Metropolitan Major for remuneration purposes. The extent of regional servicing is considered to be greater than those services provided by other Metropolitan Councils.

Metropolitan Centre
These Councils are typically large multi-purpose organisations which serve as regional centres for the interests of a wider number of residents.

They are characterised by large populations, such as Sutherland Shire Council with a population in excess of 200,000, and large revenues, such as Wyong City Council with a total operating revenue in excess of $200 million per annum. Council business may include significant infrastructure and support for commercial and retail facilities such as Ryde, Willoughby and North Sydney Councils. A number of Councils in this group have high levels of population growth and urban residential development such as The Hills Shire Council. Councils in this category including Randwick City Council also host significant sports/recreation/cultural facilities and major educational and/or health facilities.

The breadth of these operations impacts upon the role and responsibilities of Councillors and Mayors and warrants recognition for remuneration purposes.

Metropolitan
The remaining metropolitan Councils have smaller populations and in some cases smaller areas than other Councils in the metropolitan region. The scale or diversity of operations is less than for the Councils classified as Metropolitan Centres. While a number of the Councils display characteristics similar to those of Councils categorised as Metropolitan Centres, such as high population densities, the primary activities of these Councils would be expected to be:

- The design and maintenance of public works
- Waste and environmental services
- Upkeep of parks and reserves
- Approval of building and development applications
- Monitoring of services such as building control, health, food etc.
- Strategic planning, child care, community development

- Provision of facilities such as public halls and swimming pools

Other issues for these Councils include environmental issues, ageing infrastructure and urban consolidation, with such activities having neither the scale nor diversity of operation of Metropolitan Centres.

Rural Regional
Characteristics of these Councils are regionalism and growth. The major town centres of regional Council areas are important centres of commerce, trade, work and recreation for thousands of people in and outside the local government area which these towns serve.

This category includes the large rural centres of Wagga Wagga, Tamworth, Armidale, Orange, Albury, Dubbo and Bathurst. These Councils generally have a significant urban population existing alongside their traditional farming sector, and are surrounded by smaller towns and villages. These large rural centres often contain a regional airport and provide significant educational, health, sport and recreational facilities for communities throughout their region. In addition, a number attract large visitor numbers to established tourism ventures, such as the Western Plains Zoo, or events, including the Tamworth Country Music Festival and Bathurst Motor races.

This category also contains the large Councils located on or close to the coast. These Councils have high levels of population, including Tweed, Shoalhaven, Port-Macquarie Hastings, Coffs Harbour and Blue Mountains Councils and significant population growth, including Maitland, Tweed and Queanbeyan Councils. These factors impact upon the planning responsibilities of these Councils which are reflected in the high number of development applications, specifically in Tweed, Shoalhaven, Coffs Harbour and Clarence Valley Councils. Several of these areas also provide significant regional services including regional airports and recreation and tourist facilities.

These factors impact upon the roles and responsibilities of Councillors and Mayors and are reflected in the range of remuneration provided for this group.

Rural
These Councils have many of the features of Rural Regional Councils but have smaller populations and are less likely to have a regional focus. They may have one or two significant townships combined with a considerable rural population.

The activities of rural Councils are predominantly concerned with a broad range of community services including the provision of road services and the maintenance of roads, bridge maintenance, weed eradication, rubbish collection and the maintenance of public conveniences and recreational grounds.

In addition, they are often engaged in tourism promotion on a significant scale and are often involved in industrial development and planning and environment matters.

Categories of County Councils, Chairperson and Member Offices

County Councils Water
These County Councils provide water and/or sewerage functions. While a number of councils provide water and/or sewerage services to their local communities, the joint approach by County Councils in planning and installing large water reticulation and sewerage systems requires additional time and energy of those Councillors who are prepared to accept these additional responsibilities.

County Councils Other
These County Councils are those involved in noxious weed eradication or flood plain management.

County Councils involved in noxious weed eradication are specified as a Local Control Authority under the *Noxious Weeds Act* 1993. These County Councils are formed to administer, control and eradicate declared noxious weeds.
There is currently one County Council responsible for Flood Plain Management – Richmond River County Council.

6. PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 145/02/00/00

Summary:

Council must review, adopt and submit a Policy on "Expenses and Facilities" to the Director General of the Department of Local Government each year. Before adopting a new or substantially amended Policy, Council must give public notice of at least 28 days and call for public submissions.

Discussion (including issues and background):

Council's Policy on "Payment of Expenses and Provision of Facilities for Councillors" is attached. The Policy was prepared and exhibited in 2008 and adopted at the September 2008 Council Meeting. The 2008 Report, which summarises the main provisions of the Policy, is also attached. It is considered that the Policy remains appropriate and that it should be re-adopted.

Relevant Reference Documents:

Local Government Act 1993. Local Government Act (General) Regulation 2005 – Payment of Expenses and Provision of Facilities.

Stakeholders:

Councillors and citizens

Financial Implications:

Provision for all costs has been made in the Draft 2009/10 Budget.

Recommendations:

That:

1. existing Council Policy "Payment of Expenses and Provision of Facilities for Councillors" adopted 2 September 2008 be re-adopted.

2. the adopted Policy be submitted to the Director General of the Department of Local Government

Attachments:

Council Policy "Payment of Expenses and Provision of Facilities for Councillors"; General Manager's Report to July 2008 Council meeting.

1. PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS

REPORTING SECTION: General Manager

AUTHOR: Ray Kent - General Manager

FILE NUMBER:

Summary:

Council must review and submit a Policy on "Expenses and Facilities" to the Director General of the Department of Local Government each year. Before adopting a new or substantially amended Policy, Council must give public notice of at least 28 days and call for public submissions.

Discussion (including issues and background):

Attached is a new Policy which is proposed to replace the current Policy (also attached). The new Policy:

1. quantifies a range of expenses and allowances that are not quantified in the current policy
2. adopts Australian Taxation Office guidelines for the determination of the maximum limits for accommodation and meal expenses
3. provides for "carer" costs and financial assistance for the disabled
4. provides for the provision of additional facilities, services and allowances such as printer, telephone line, allowance for internet/email
5. provides guidance for the standard of vehicle to be made available to the Mayor and allows for the Mayor to be provided with a mobile phone

A summary of key proposed provisions is as follows:
1. Councillors paid a mileage rate for use of private vehicle on Council business as prescribed in the Local Government State Award
2. Council will supply: combined phone/fax/answering machine; laptop computer and printer; telephone line
3. Council will pay: rental of one telephone line; allowance of $60 per month to cover phone calls; allowance of $30 per month if Councillors have internet/email and make available for Council business
4. Councillors can claim Carer expenses up to $2,000 per annum
5. Councillor assistance to a limit of $2,000 per annum is available to assist overcome disability, access problems
6. Councillors provided with comprehensive insurance cover
7. Councillors provided with access, at the Walgett Administration Centre, to: photocopier; facsimile machine; telephone; internet enabled computer; meeting room
8. Councillors provided with secretarial support and access to Council pool car
9. Council will meet postal costs if mail directed through Council mailing system
10. Councillors provided with four drawer filing cabinet for home use
11. Councillors provided with: business cards; name badge; all stationery including writing pads, pens, diaries, folders, paper for facsimiles and printers, ink cartridges
12. All Councillors entitled to attend Annual Conference of Shires Association with spouse/partner and the Annual C Division Conference of the Shires Association. Female Councillors entitled to attend the Annual Australian Local Government Women's Association NSW Branch Conference.

13. Councillors entitled to attend maximum of three conferences/seminars in addition to those identified in 12. above
14. In addition to the entitlements of a Councillor the Mayor will be provided with: a fully serviced, fueled and maintained vehicle for Council business to a standard equivalent to a Holden Berlina or Ford Fairmont; a mobile phone; a dedicated office in the Administration building at Walgett with computer and phone

Relevant Reference Documents:

Local Government Act 1993 and Regulations; Various Local Government Department Guidelines

Stakeholders:

Councillors and citizens

Financial Implications:

Provision for all costs has been made in the 2008/09 Budget

Recommendations:

That:
1. The Draft Policy, "Payment of Expenses and Provision of Facilities for Councillors", be placed on public exhibition for a period not less than 28 days and submissions on its provisions be invited

2. The Draft Policy be further considered at the September 2008 Ordinary Meeting of Council, along with any submissions received during the public exhibition period

Attachments: Proposed Policy; Current Policy

GOV - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS

Adoption Date: 2 September 2008

Review Date: 28 August 2009

Responsible Officer: General Manager

PART 1 INTRODUCTION

Purpose of the Policy

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors. The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

Policy Objectives

The objectives of this policy are:

- To ensure that the details and range of expenses paid and facilities provided to the Councillors by the Council are clearly and specifically stated, fully appropriate to the importance of office, are consistently applied and transparent, and are acceptable to the community.
- To ensure that the Councillors are reimbursed for expenses reasonably incurred in the performance of their roles as a Councillor.
- To ensure that election to Council is open to all by ensuring that no one would be financially or otherwise disadvantaged in undertaking the civic duties of a Councillor.

Making and Adoption of the Policy

Councils are required on an annual basis to review and submit their policy to the Director General of the Department of Local Government within 28 days of adoption by Council. Council must adopt a policy each year even if the policy is the same as its existing policy. Current policies must be submitted by 30 November each year.

Before adopting or amending a policy, Council must give public notice of its intention and allow at least 28 days for public submissions. All submissions received will be considered and appropriate changes made prior to the adoption of the policy.

Council is not required to give public notice of a proposed amendment if the amendment is not substantial. The term “not substantial” should be taken to mean minor changes to wording of the policy or changes to monetary provisions or rates that are less than 5%. It also means minor changes to the standard of the provision of equipment and facilities. Any new category of expenses, facilities and equipment included in the policy will require public notice.

Reporting Requirements

Section 428 of the *Local Government Act 1993* requires Council to include in their annual report:

- The council's policy on the provision of facilities for, and the payment of expenses to, the Mayor and Councillors
- The total amount of money expended during the year on providing those facilities and paying those expenses
- Additional information as required by the Local Government (General) Regulation 2005

The additional annual reporting information is for the purposes of transparency and accountability. Council is now required to report separately on the following:

- The total cost of expenses and the provision of facilities for the Mayor and all Councillors
- The cost of the provision of dedicated office equipment allocated to Councillors on a personal basis such as laptop computers, mobile phones, telephones and facsimile machines and internet installed in the Councillors' home (including line rental and internet access)
- The cost of phone calls including mobiles, home located landlines, facsimile and internet services
- Spouse/partner/accompanying person expenses (limited to circumstances outlined on page 14 of the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director General of Department of Local Government)
- Conference and seminar guidelines
- Training and skill development expenses
- Interstate travel expenses (including subsistence and out-of-pocket expenses)
- Overseas expenses (including subsistence and out-of-pocket expenses)
- Care and other related expenses (of dependants to enable a councillor to undertake his or her civic functions)

In addition to the statutory requirements, Councils should report costs where they are significant. That is, the provision of facilities and equipment that are above what would normally be required for the day to day running of the Council.

Legislative Provisions

- Section 252-254 of the *Local Government Act 1993* – Payment of expenses and provisions of facilities
- Section 12 of the *Local Government Act 1993* – What information is publicly available?
- Section 23A of the *Local Government Act 1993* – Director-General's guidelines
- Section 428 of the *Local Government Act 1993* – Annual Reports
- Clause 217 of the Local Government (General) Regulation 2005 – Additional information for inclusion in Annual Reports
- Clause 403 of the Local Government (General) Regulation 2005 – Payment of expenses and provision of facilities

Other Government Policy Provisions

- Department of Local Government Guidelines issued under section 23A of the *Local Government Act 1993*

- Department of Local Government Circulars to Councils:
  - Circular 05/08 Legal assistance for Councillors and Council employees
  - Circular 02/34 Unauthorised use of Council resources

- Model Code of Conduct for Local Councils in NSW, Use of council resources being particularly relevant

- ICAC Publication – No Excuse for Misuse, preventing the misuse of council resources

Approval arrangements for claiming expenses and use of facilities

The General Manager, in consultation with the Mayor, is responsible for authorising the payment of expenses or the provision of facilities in accordance with this policy. If there is disagreement the matter is to be referred to Council for determination.

PART 2 PAYMENT OF EXPENSES

General Provisions

Payment of expenses

Walgett Shire Council is committed to ensuring that Councillors are reimbursed for expenses reasonably incurred in the performance of their duties so that they are not financially or otherwise disadvantaged in undertaking their civic duties.

All expenses and costs must be claimed in accordance with this policy.

Council operates a purchase order system that will enable most expenses associated with attendance at conferences, seminars and training to be directly invoiced to Council. This system can be used to cover expenses relating to accommodation, registration and travel. Where possible, provision will be made for the cost of meals and incidental costs not covered by registration fees, to be invoiced directly to Council.

To seek reimbursement for expenses not directly invoiced to Council, Councillors should submit a Claim for Reimbursement of Expenses form within four (4) weeks of the expense being incurred. The Claim form must be itemised and should not be general in nature. All appropriate receipts and tax invoices must be attached. Reasonable out of pocket or incidental expenses may not require specific receipts provided that it can be demonstrated that the expenses were actually incurred, not general in nature and the Councillor certifies that the expenditure was for the purpose intended. Generally, it will be expected that a tax invoice or receipt will accompany all claims for reimbursement.

Reasonable out of pocket expenses will be limited to parking fees, taxi fares, internet charges, telephone calls, meals not included in the conference program and the reasonable cost of drinks accompanying a meal. Council will not meet the cost of laundry or the cost for the use of a bar fridge in a hotel room.

The Mayor and Councillors may request an advance payment in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. In most cases the advance payment will be in the form of petty cash and will need to be pre arranged with the General Manager. On their return, Councillors must reconcile all expenses against the cost of the advance within two (2) weeks. Generally, it is expected that tax invoices and/or receipts will accompany all reconciliations of advance payments.

A general expenses allowance will not be available under any circumstance.

Establishment of monetary limits and standards

The limit for daily accommodation, meal and incidental expenses will be in accordance with the Australian Taxation Office determination in relation to what are reasonable expenses, provided that such expenses are subject to a period of stay not exceeding the period for the conference or authorised business plus one day each way of travel (if required as determined by the General Manager and Mayor).

The Taxation Determination is available on the ATO legal database and is reviewed and updated annually.

Spouses and Partner Expenses

On occasions it is considered appropriate for partners (meaning spouses, partners or accompanying persons ie a person who has a close personal relationship with the Councillor and/or provides carer support to the Councillor) of Councillors to attend official Council functions within the local government area that are of a formal and ceremonial nature. Such functions would be those that a Councillor's partner could be reasonably expected to attend. Examples include (but are not limited to) Australia Day award ceremonies, Citizenship ceremonies, civic receptions and charitable functions for charities formally supported by Council. In these instances certain costs incurred by the Councillor on behalf of their partner are properly those of the Councillor in the performance of his or her function and Walgett Shire Council will meet the reasonable costs of the partner attending these functions.

When the Mayor (or a Councillor representing the Mayor) attends an official function of Council or an official ceremonial duty outside the local government area, but within the State, and it is considered appropriate for their partner to attend, Council will also meet the reasonable costs of the partner.

The payment for partners to attend appropriate functions as permitted above are limited to the ticket, meal and/or the direct cost to attend the function. Peripheral expenses incurred by partners such as grooming, special clothing and transport are not considered reimbursable items.

Where partners accompany Councillors interstate, or to seminars, conferences and the like, the Councillor will be personally responsible for all additional costs associated with their partner's attendance, including travel, accommodation, meals, partner tours etc. The exception is the Annual NSW Shires Association Conference where Council will cover the cost of registration and attendance at the official conference dinner of a partner.

Specific Expenses for Councillors

Attendance at seminars and conferences

Requests to attend seminars and conferences should generally be in writing outlining the benefits for Council. The approval for discretionary trips and attendance at conferences, seminars and training, should be approved by a full meeting of the Council. If this is not possible, then the approval must be given jointly by the Mayor and the General Manager.

After returning from a conference or seminar, Councillors may provide a written report to Council on the aspects of the conference or seminar relevant to Council business and/or the local community.

Where attendance at a conference or seminar has been approved, Council will pay the conference registration fee including costs of related official lunches and dinners, and associated tours where they are relevant to the business and interests of Council. The reasonable cost of transportation and accommodation associated with the attendance at the seminar or conference, and meals when they are not included in the conference fee, will also be met.

All Councillors are entitled to attend the Annual Conference of the NSW Shires Association and the Annual C Division Conference of the Association. All female Councillors are entitled to attend the Annual Australian Local Government Women's Association NSW Branch Conference. Apart from the forementioned, Councillors will generally be limited to attendance at a maximum of three additional conferences or seminars in any Financial Year.

Training and educational expenses

Walgett Shire Council supports and encourages an active learning process and skills development of Councillors to ensure that they carry out their functions as effectively as possible. It is essential where Council is paying these expenses that the training or educational course is directly related to the Councillor's civic functions and responsibilities. Requests to attend training should be in writing outlining the benefits for Council. The approval for training must be given jointly by the Mayor and the General Manager who will consider the appropriateness of the training for each Councillor and the budgetary constraints.

The General Manager will arrange training and briefing sessions for newly elected Councillors as required by the Department of Local Government. The cost to provide this training is provided for in the Annual Budget.

Travel arrangements and expenses

All travel by Councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

It may be necessary for Councillors to travel both within and outside the local government area in order to represent Council at meetings or events, attend conferences or undertake training. With limited public transport the majority of travel will be by motor vehicle. Council will provide a motor vehicle where possible. Where a Council motor vehicle is not available Councillors may be requested to use their own motor vehicle. Travel arrangements shall be agreed between the General Manager and the Councillor prior to the travel taking place.

Where Councillors use their own private vehicle as part of their official duties they will be reimbursed at a rate determined by the Notional Agreement Preserving the Local Government (State) Award 2004 for Vehicle Allowance and should claim reimbursement within four (4) weeks. Official duties include: meetings of Council and Council Committees (whether a Committee member or not); Council inspections; civic functions; Council related meetings, seminars and engagements; meetings with staff and constituents on Council business.

When a Council vehicle is required by a Councillor travelling both within and outside the local government area, the vehicle must be booked though the General Manager. If the vehicle is required before 8.15am the Councillor must make arrangements with the General Manager to collect the vehicle the evening before. Likewise if the Councillor returns after 5.00pm the Councillor must arrange with the General Manager to return the vehicle the following morning.

The driver is personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.

All travel to meetings and events outside the Shire should only be undertaken with the General Managers consent.

Travel to destinations outside NSW requires the joint approval of the General Manager and Mayor. The application for approval should include full details of the travel, including itinerary, costs and reasons for the travel. Council will provide a motor vehicle where possible.

In some circumstances it may be necessary for Councillors to travel by air due to the remoteness of the Walgett Shire. Travel by air is only available with the consent of the General Manager.

Telecommunication expenses and related

On request, Council will supply a Councillor with a combined phone/fax/answering machine.

On request, Council will supply a Councillor with a laptop computer and a printer.

On request, Council will install a telephone line in a Councillors residence.

Councillors are entitled to the payment of the rental cost of one telephone line.

Councillors will receive an allowance of $60 per month to cover phone call costs. Should Councillors business related costs exceed this amount they will need to submit a claim for reimbursement along with evidence of total incurred cost.

A Councillor who has an internet service and email address which is available for Council business will receive an allowance of $30 per month.

Care and other related expenses

Councillors can claim for the reimbursement for the cost of carer arrangements, including childcare expenses and the care of the elderly, disabled and/or sick immediate family members of Councillors to allow Councillors to undertake their Council business obligations. A limit of $2,000 per annum per Councillor is allowed.

The reimbursement for care and other related expenses should be calculated at the end of each month and submitted to Council within four (4) weeks for reimbursement.

A limit of $2,000 per annum will also be available for related expenses associated with the special requirements of Councillors such as disability and access needs, to allow performance of normal civic duties and responsibilities.

Insurance expenses and obligations

Pursuant to Section 382 of the *Local Government Act 1993* Councillors will receive the benefit of insurance cover for the following matters arising out of their civic duties:

- Public Liability – for matters arising out of Councillors performance of their civic duties and/or exercise of their council functions
- Professional Indemnity – for matters arising out of Councillors performance of their civic duties and/or exercise of their council functions.
- Personal injury – for injury whilst on council business. Note that councillors are not covered by workers compensation payments or arrangements.
- Travel insurance – for approved interstate and overseas travel on council business.

Legal expenses and obligations

Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are to be distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. An example of the latter are expenses arising from an investigation as to whether a Councillor has acted corruptly.

Council may disburse money only if the disbursement is authorised by the Local Government Act 1993. Therefore, if a Councillor has a legal matter that they believe merits assistance, then the matter is to be reported to Council for determination. In considering such a matter Council will be guided by the contents of Department of Local Government circular 05/08 “Legal assistance for councillors and council employees”.

PART 3 PROVISION OF SERVICES AND FACILITIES

Provision of facilities generally

Walgett Shire Council will provide facilities, equipment and services that are appropriate to support the Mayor and Councillors in undertaking their roles as elected members of Council. Facilities will be provided to ensure the safety of Councillors. Council facilities, equipment and services are not to be used to produce election material or for any other political purpose. Councillors should not obtain private benefit from the provision of equipment or facilities including any travel bonus schemes or other such loyalty programs.

Private use of equipment and facilities

It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment.

Where more substantial private use has occurred the Councillor must reimburse Council for the actual cost to council of the private use in question. This reimbursement will be made on a full cost recovery basis and in accordance with Councils Schedule of Fees and Charges.

Provision of Equipment and Facilities for Mayor and Councillors

Office Equipment

Councillors will be provided access to photocopiers, facsimile machines, telephones and other relevant office equipment, located at the Council Administration building in Walgett, for official Council business.

Dedicated computer equipment

An internet connected computer dedicated for use by Councillors will be provided at the Council Administration building in Walgett for official Council business.

Office space and meeting rooms

Councillors wishing to conduct formal meetings that are related to Council business will have access to meeting rooms at the Council Administration building in Walgett. All bookings are to be made through the Executive Assistant to General Manager.

Secretarial and administration support

All Councillors will be provided with secretarial support so that official duties can be carried out in a professional manner. Secretarial support will be provided upon request to the General Manager.

Postage

Council will meet the cost of all official postage provided mail is directed through the Council mailing system.

Business cards

All Councillors will be issued with business cards for use during their official duties.

Filing

On request, a four drawer filing cabinet will be provided for use in a Councillor's residence.

Council vehicle

Councillors will have access to a Council pool car, if available, for use on official council business. All bookings for Council vehicles are to be made through the Executive Assistant to General Manager.

Meals and refreshments

Food and refreshments may be provided for official Council meetings and functions as determined by the General Manager.

Name badges

All Councillors will be issued with a Council name badge.

Stationery

Council shall provide Councillors with stationery including writing pads, pens, diaries, folders, paper for facsimiles and printers, and ink cartridges.

Provision of Additional Equipment and Facilities for Mayor

The Mayor will be provided with additional facilities to those identified for Councillors to recognise the special role, responsibilities and duties of the position both in the Council and the community.

Provision of a dedicated motor vehicle

The mayor will be provided a fully serviced, fuelled and maintained vehicle to a standard equivalent to a Holden Berlina or Falcon Fairmont for business use.

Mobile phone

The Mayor will be provided with a mobile phone as specified by the General Manager. A limit of $200 per month applies to the maximum cost to be borne by Council.

Furnished mayoral office

The Mayor will be provided with a dedicated office located in the Administration building in Walgett. A refreshment cabinet will be maintained and stocked by Council within budgetary constraints. The Mayor will have access to a computer located in the Mayoral office.

PART 4 OTHER MATTERS

Acquisition and returning of facilities and equipment by Councillors

On the completion of their term of office, extended leave of absence or the cessation of civic duties, Councillors are required to return all equipment and other facilities issued by Council within four (4) weeks

Dedicated phone lines issued for official Council business will be disconnected within seven (7) working days of the cessation of duties.

Councillors will be given the option to purchase Council equipment previously allocated to them at the cessation of their duties at an agreed fair market price or written down value.

Status of the Policy

Adopted
Amended

7. SISTER CITIES AUSTRALIA NATIONAL CONFERENCE

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 235/06/00/00

Summary:

The 2009 Conference will be hosted by Tamworth Regional Council 19-22 July. Council is requested to consider whether it will have a representative attend and whether it is prepared to sponsor a delegate to the associated Youth Conference.

Discussion (including issues and background):

Walgett Shire Council is not a member of Sister Cities Australia though it has a Rural/Metropolitan Sister City Agreement with Gosford City Council. In 2008, Gosford Council hosted the National Sister City Conference and sponsored the attendance of the General Manager and the Administrator of Walgett Council at the Conference. At the Conference, both Councils signed a "Mentor Agreement", which is attached.

This year, Tamworth Regional Council is hosting the National Conference and it is considered that it would be beneficial for Council to retain its links with the movement by being represented. The program for the Conference is attached. The Registration Fee is $850 for a delegate of a non member Council. Accommodation costs would be around $110 per night.

The Conference also has a "Youth Conference Program" – see attached. Councils sponsor youth delegates (aged 16 to 23 years) who participate in Workshops and who also work together to prepare a creative arts presentation which is performed on the final day of the Conference. This year, apart from youth representatives from Australian Councils, there will be representatives from New Zealand and Chaoyang, a suburb of Beijing. The all inclusive Registration Fee for youth delegates is $330 and this includes all meals and accommodation at Calrossy Anglican Girls School. The Conference is held during the July School holidays and it is suggested that the names of members of our Youth Council, who would like to attend, would be placed in a hat and the name of the attendee drawn.

Relevant Reference Documents:

Nil

Stakeholders:

Councillors and residents

Financial Implications:

Total cost would be in the order of $1,700

Recommendations:

That:

1. **Councillor ….. represent Council at the 2009 Sister Cities Australia National Conference in Tamworth**

2. **Council sponsor a Youth Delegate to the Conference who shall be a member of the Shires Youth Council**

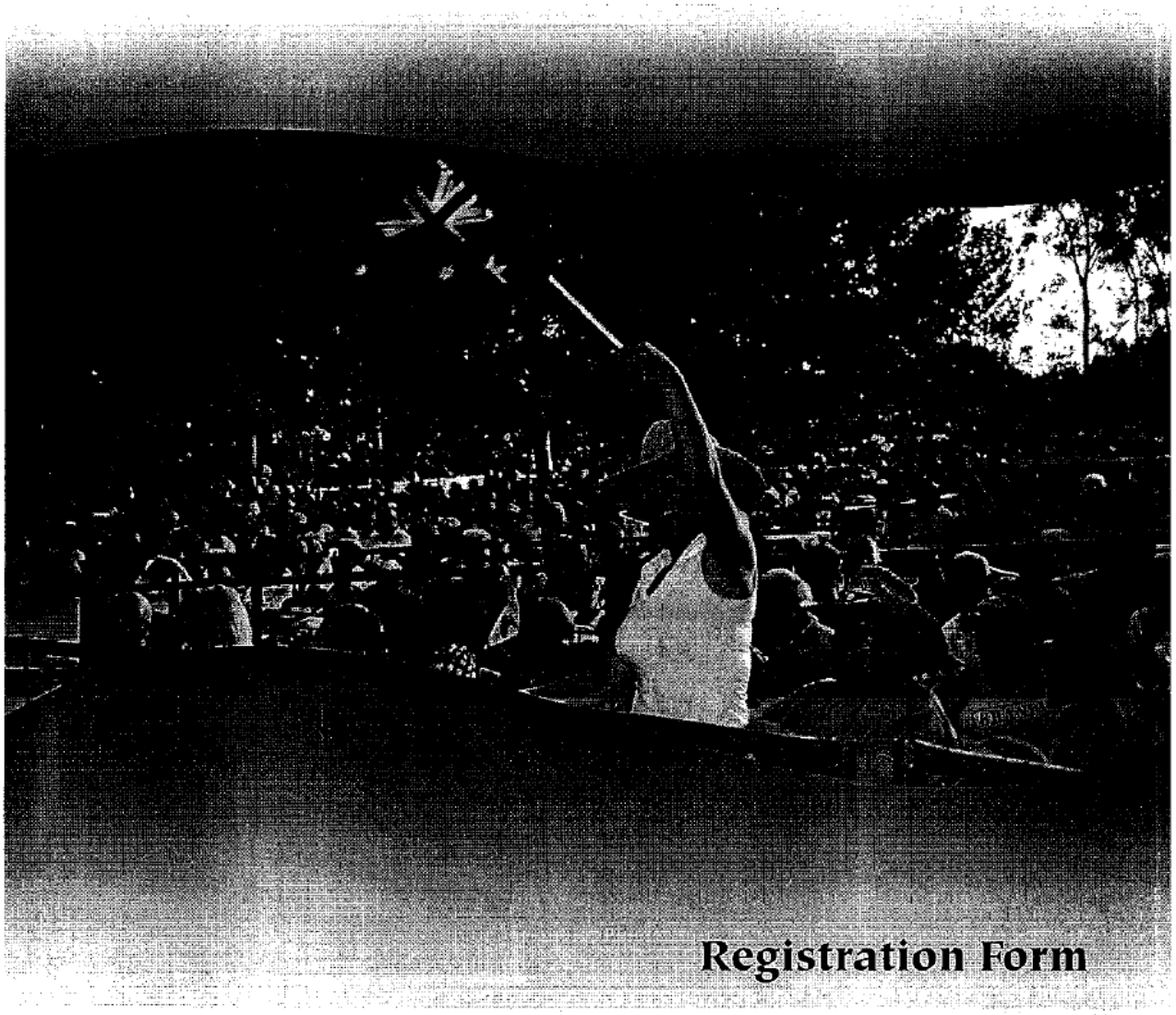
Attachments:

Registration Forms and Programs for the Sister Cities Conference; Mentor Agreement between Gosford and Walgett Councils

Sister Cities Australia National Conference

Tamworth NSW 19-22 July, 2009

BACK TO BASICS



REGIONAL COUNCIL
Tamworth

SCA
SISTER CITIES
AUSTRALIA

Back to Basics

Sister Cities Australia National Conference
TAMWORTH 2009

In the 'Heart of Country' NSW, the Tamworth Region is found in the north west of the state, half way between Sydney and Brisbane on the New England Highway.

Famous for its Annual Country Music Festival, Tamworth welcomes the opportunity to host the 2009 Sister Cities Australia National Conference in the same way it welcomes 75,000 visitors each January.

The Tamworth region is bursting with life and atmosphere; prepare to be romanced by its people, places and character, with cultural activities and spectacular scenery.

The theme for the 2009 Sister Cities Annual National Conference is 'Back to Basics' where we will focus on the frame work needed to foster and support successful sister city relationships.

The program for the 2009 SCA conference to be held at the Tamworth Regional Entertainment and Conference Centre is sure to enliven you as we welcome some fantastic Guest speakers and international visitors.

The evenings are sure to be a hit with Tamworth delivering what it's most famous for; its country hospitality and friendship.

The partners program and half day tours offer the chance to experience the Tamworth Region's fine scenery and culinary delights.

The 2009 Youth Program based at Calrossy Anglican Girls School will also be going back to basics with the youth learning about the importance of the Sister City movement and how they can be actively involved.

Be prepared to experience the country and all that it has to offer. Bring your flannelette shirt, your boots and hat and we will see you in July for the 2009 Sister Cities Australia National Conference.

Proudly Hosted by:

Contact Details:

For further information please cont

Katie Alchin
Administration Officer
Tamworth Regional Council
(02) 6767 5712
k.alchin@tamworth.nsw.gov.au
www.tamworth.nsw.gov.au

Jodie Archer
Administration Officer
Tamworth Regional Council
(02) 6767 5557
jarcher@tamworth.nsw.gov.au
www.tamworth.nsw.gov.au

Tourism Tamworth
(for Tourist information)
(02) 6767 5300
www.visittamworth.com

Accommodation

BACK TO BASICS

Accommodation for adult delegates can be booked directly with the hotel of your choice. Delegates are encouraged to book accommodation early to secure your first preference. Please advise the hotel/motel that you are a SCA conference delegate to obtain discounts if applicable. Please see map on next page for motel locations in relation to Tamworth Regional Entertainment and Conference Centre.

	Accommodation	Room Rates (per night)		Contact
1	Golden Guitar Motor Inn 4 Star Accommodation 2/8 The Ringers Road	Single Room: Double Room: Executive Room:	$110 $110 $160	Phone: (02) 6762 2999 Fax: (02) 6762 2899 Email: info@goldenguitarmotorinn.com.au
2	Motel 359 2.5 Star Accommodation 359 Goonoo Goonoo Road	Single: Double: Triple Share: Quad Share:	$74 $79 $84 $89	Phone: (02) 6762 4100 Fax: (02) 6762 1789 Email: motel359@exemail.com.au Web: www.motel359.com.au
3	Comfort Inn Hallmark 3.5 Star Accommodation 236 Goonoo Goonoo Road	Budget Room: Twin Room: Deluxe: Executive: Executive w/ spa:	$81 $99 $121.5 $130.5 $175.5	Phone: (02) 6765 7022 Fax: (02) 6765 8818 Email: halltam@bigpond.net.au Web: www.comfortinnhallmark.com.au
4	Town and Country Motor Inn 3.5 Star Accommodation 217 Goonoo Goonoo Road	Single: Double: Twin (2 beds): (*add $10 for deluxe room)	$85* $95* $100*	Phone: (02) 6765 3244 Fax: (02) 6762 0118 Email: info@townandcountrymotorinn.com.au Web: www.townandcountrymotorinn.com.au
5	All Settlers Motor Inn 4.5 Star Accommodation 191 Goonoo Goonoo Road	Queen Bath Unit: Single: Double/Twin: King Spa Unit: Single: Double:	 $137 $148 $145 $179	Phone: (02) 6762 1566 Fax: (02) 6762 2316 Email: allsettlers@bestwestern.com.au Web: www.bestwestern.com.au
6	Quality Hotel Powerhouse 4.5 Star Accommodation Armidale Road	Delux room (queen bed): Family room:	$165 $185	Phone: (02) 6766 7000 Fax: (02) 6766 7748 Email: gm@qualityhotelpowerhouse.com.au Web: www.qualityhotelpowerhouse.com.au
7	Motel Grande 3 Star Accommodation 117 Goonoo Goonoo Road	Single: Double: Twin: (*add $10 for deluxe room)	$78* $83* $98*	Phone: (02) 6765 4444 Fax: (02) 6762 0330 Email: motel grande@bigpond.com Web: www.motelgrande.com.au
8	Roydons Motor Inn 3.5 Star Accommodation Cnr Church St & Goonoo Goonoo Road	Single: Double: Twin: Family (queen + singles):	$75 $88 $95 $110	Phone: (02) 6767 7355 Fax: (02) 6765 7542 Email: roydons1@bigpond.net.au

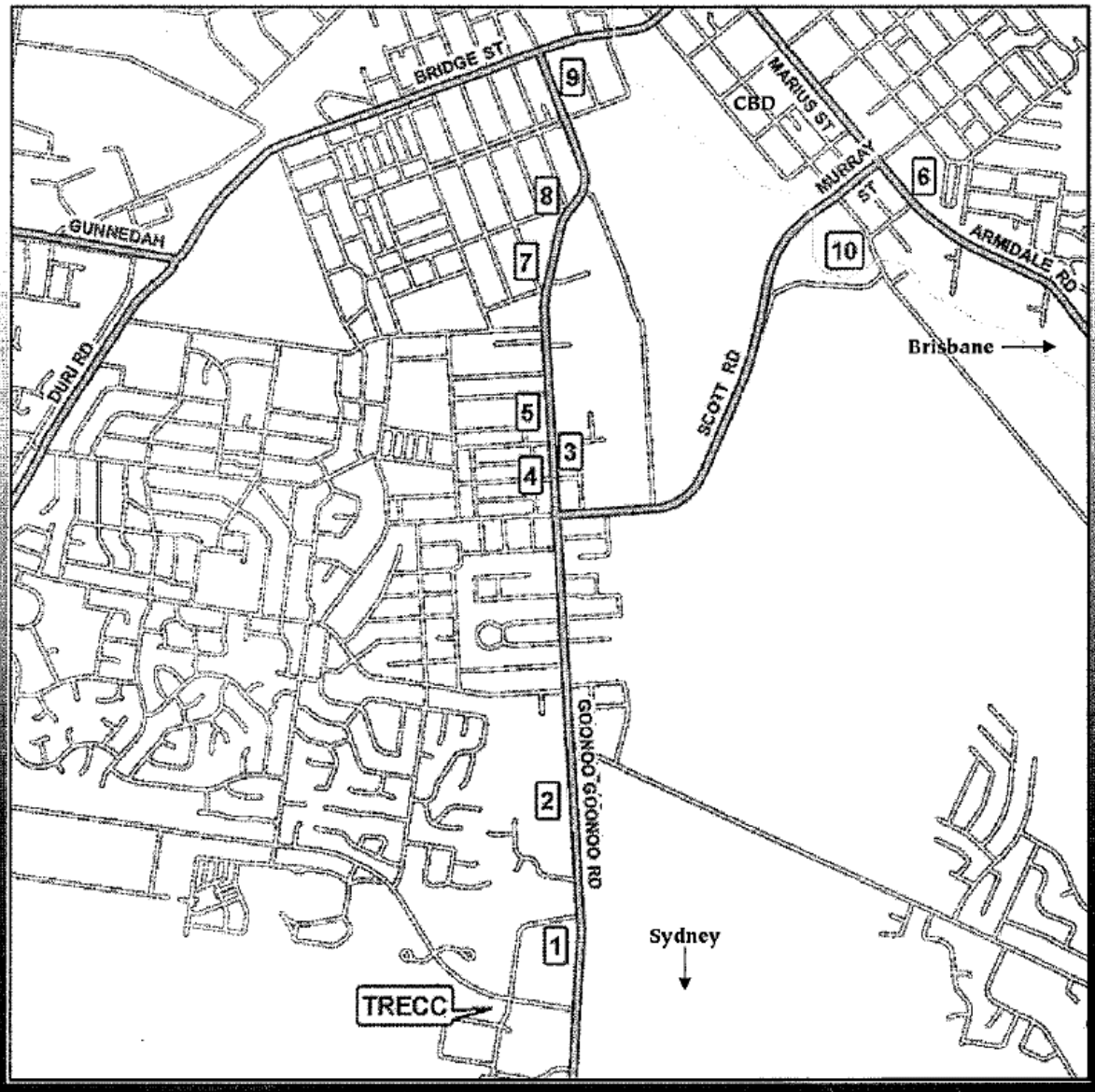
Boasting a fashionable yet rural and relaxed lifestyle, the Tamworth region entices visitors from all corners of the globe. With accommodation facilities from five-star through to unique bed and breakfasts to camping, the region can cater to any budget and style.
Tamworth offers major accommodation chains including Choice (Quality and Comfort Inn), Best Western, Quest, Golden Chain, Country Comfort and Budget, plus Top Tourist and Big 4 caravan parks as well as a number of other independent facilities.

2/9

Accommodation

BACK TO BASICS

	Accommodation	Room Rates (per night)		Contact
9	Country Comfort Tamworth Towers 3.5 Star Accommodation 80-90 Ebsworth Street	Twin Share: Triple Share: Deluxe: Executive Spa:	$105 $125 $125 $150	Phone: (02) 6765 8361 Fax: (02) 6762 0894 Email: manager@tamworthtowers.com.au Web: www.countrycomforthotels.com
10	Paradise Tourist Park 3 Star Accommodation 575 Peel Street	River View Villa: Ensuite Cabin: Standard Cabin: Budget Cabin: (Prices are for up to 2 person per night)	$130 $81 $71 $58	Phone: (02) 6766 3120 Fax: (02) 6766 3518 Email: big4tamworth@westnet.com.au Web: www.paradisetouristpark.com.au



3/9

2009 Registration Fees

BACK TO BASICS

Adult Delegate

Includes: Welcome Reception, First Timers session, all conference sessions and associated materials, morning tea, lunch and afternoon tea, Social Dinner and Gala Dinner.

	SCA Member	Non– Member
Standard Registration (Due 12 June, 2009)	$750	$850

Youth Delegate

Refer to Youth Delegates Registration Form for payment.

Standard Registration	$330	$330

Accompanying Persons

Includes: Welcome Reception, daily tours, Social Dinner and Gala Dinner.

Standard Registration		$350

Individual Day Registration

Monday 20 July	$215	$250
Tuesday 21 July	$215	$250
Wednesday 22 July	$215	$250
Welcome Reception- Sunday 19 July	$80	$80
Social Dinner-- Monday 20 July	$100	$100
Gala Dinner– Tuesday 21 July	$120	$120

Optional Half Day Social Sessions

Refer to page 9 for information.

Wednesday 22 July	$110	$110

PAYMENT

I enclose: ☐ Cheque (to be made out to Tamworth Regional Council)

☐ Please Invoice for 1 July, 2009* OR

Please debit me the following credit card;

☐ VISA ☐ Mastercard

Card No _____ Expiry Date _____

Card holders Name _____

Amount Payable _____ Signature _____

When making payment, please specify that your payment is for the 2009 SCA Conference.

This document will be a Tax Invoice for GST purposes when full payment is made. Please keep a copy of the completed Registration Form for GST purposes.

* please see terms and conditions on page 9.

4/9

2009 Sister Cities Australia National Conference Registration Form

BACK TO BASICS

Delegate:

Title_____ First Name_____ Surname_____

Organisation_____

Position_____

Contact Details (for correspondence)

Title_____ First Name_____ Surname_____

Postal Address_____

Suburb/Town/City_____ State_____ P/code_____

Phone_____ Fax_____ Mobile_____

Email_____

Special Requirements (e.g. Dietary/ Access)_____

_____

Affiliation (please circle): SCA Member Non– Member

Participant Type (please circle): Adult Delegate Accompanying Partner

SCA Executive International Delegate

Do you consent to your personal details (name, email, phone number & organisation) shown on this registration form to be included on a list to be distributed to all delegates attending this conference?

Please circle: YES / NO

Will you be attending the First Timers session on Monday 19th– 7:30am?
(Breakfast will be included with this session)

Please circle: YES / NO

I have read, understood and accept the terms and conditions of this registration as listed on page 9 of this registration form.

Signature_____ Date_____

Registration Forms can be faxed to
Tamworth Regional Council on (02) 6767 5499
or mailed to:
The General Manager
Att: Katie Alchin
Tamworth Regional Council
PO Box 555
TAMWORTH NSW 2340

5/9

Back to Basics

Sister Cities Australia National Conference
Adult Conference Program (DRAFT)

BACK TO BASICS

Day 1 - Sunday 19 July 2009

12:00pm - 5:00pm	Conference Registration Tamworth Regional Entertainment and Conference Centre (TRECC) Greg Norman Drive, Tamworth
5:30pm - 7:00pm	Welcome Cocktail Reception: Tamworth Regional Art Gallery, Peel Street By SCA President Finger food provided Dress: Smart Casual List of suggested restaurants will be available for dinner

Day 2 - Monday 20 July 2009

7:30am - 8:30am	First Timers Introduction- Sister Cities Australia (Breakfast Included) Tamworth Regional Entertainment and Conference Centre (TRECC)
8:00am - 9:00am	Conference Registration Tamworth Regional Entertainment and Conference Centre (TRECC)
9:00am - 9:10am	Opening Presentation by Master of Ceremonies Welcoming address by Tamworth Mayor James Treloar and Bill Wilson President of Sister Cities Australia
9:10am -10:05am	Keynote Address- Shannon Dolan Who we are, our brand, and how to send out the message with clarity, confidence and inspiration.
10:05am -10:30am	Sponsor Presentation
10:30am -11:00am	Morning Tea
11:00am - 11:45am	Workshop Session 1- The Art of Communication Presented by Greg Hammond
11:45am - 12:00pm	Sannohe Delegation Presentation
12:00pm -12:30pm	Keynote Address- Adam Marshall, Mayor Gunnedah Shire- Teamwork & Politics; How To Get the Best Out of Your Committee
12:30pm - 1:30pm	Lunch
1:30pm - 1:45 pm	Gore Delegation Presentation
1:45pm - 2:00pm	Sponsor Presentation
2:00pm - 2:45pm	Concurrent Sessions 1 - How to write a Winning Awards Entry- SCA Judges 2 - International Cultural Differences - Tips to Remember 3 - Media Publicity - Jim Morand, Sister City News
	National Awards and Inspiration [illegible] to Nominees
2:45pm - [illegible]	Afternoon [illegible]
[illegible]	Announcement
[illegible]	Dr[illegible]

Day 3 - Tuesday 21 July 2009

9:00am - 9:45am	Address Pam Fayle- Former Australian Ambassador to Germany
9:45am - 10:30am	Workshop Session 2- continuation from Day 1 The Art of Communication Presented by Greg Hammond
10:30am - 11:00am	Morning Tea
11:00am - 11:30am	Chaoyang Delegation Presentation
11:30am - 12:15pm	Address Converting Non Believers- Wilton Boyd
12:15pm - 1:15pm	Lunch
1:15pm - 2:00pm	International Panel Session
2:00pm - 3:00pm	Keynote Address: Gen Y - Dominic Thurbon
3:00pm - 3:30pm	Afternoon Tea
3:30pm - 4:00pm	Youth Debate on Gen Y
7:00pm - 11:00pm	Gala Dinner Award Announcements & Presentations Tamworth Regional Entertainment and Conference Centre (TRECC) Dress: Semi Formal

Day 4 - Wednesday 22 July 2009

9:00am - 9:30am	Youth Presentation
9:30am -9:45am	2010 Conference Presentation
9:45am -10:15am	SCA- Q & A
10:15am - 10:30am	Morning Tea Hosted by Rockhampton Regional Council, host 2010 Sister Cities Australia Conference
10:30am - 11:30am	SCA General Meeting- including election of office Bearers for 2009 - 2011
11:30am - 11:40am	Closing Address SCA President Official Handover of Banner to Rockhampton Regional Council for 2010 Sister Cities Australia Conference

Optional Half Day Program (Not included in cost of Conference)

12:00pm - 4:30pm	Social Sessions - Golf at Longyard Golf Course OR Half day Tour - Visit to Historic Town of Nundle including Lunch

For more information:
Katie Alchin
Ph 02 6767 5712
Email:-
k.alchin@tamworth.nsw.gov.au

SCA SISTER CITIES AUSTRALIA

REGIONAL COUNCIL Tamworth

Back to Basics

Sister Cities Australia National Conference
Youth Conference Program (DRAFT)

BACK TO BASICS

Day 1 - Sunday 19 July 2009

12:00pm - 4:00pm	Conference Registration Lunch, Meet and Greet, Warm and Fuzzy Bags Calrossy School
3:30pm	Afternoon Tea
4:00pm	Youth Delegates Welcome, Conference Overview and Icebreakers
5:00pm	Tamworth Lookout – Welcome to Tamworth & Indigenous Welcome
5:30pm - 7:00pm	Welcome Cocktail Reception: Tamworth Regional Art Gallery, Peel Street By SCA President Dress: Smart Casual
7:15pm - 8:45pm	Dinner at Hogs Breath Café Peel Street
9:00pm	Return to Calrossy Icebreakers and Dormitory competition

Day 2 – Monday 20 July 2009

8:00am - 9:00am	Breakfast – Morning Activity
9:00am - 9:10am	Conference Opening
9:10am - 10:30am	Back to Basics – What is sister Cities Australia all about? Icebreakers/Games
10:30am – 11:00am	Morning Tea
11:00am - 12:30pm	Around the World in 80 Minutes
12:30pm - 1:30pm	Lunch
1:30pm - 4:00pm	Tamworth Youthie Club Afternoon Workshops including Address from Adam Marshall, Mayor Gunnedah Shire Council Bush or Line dancing, Art Music or Photography Afternoon Tea
[illegible]	Preparation [illegible]
[illegible]	Dinner at [illegible] Pumpkin Theatre

Day 3 - Tuesday 21 July 2009

9:00am - 9:45am	Address Pam Fayle- Former Australian Ambassador to Germany
9:45am - 10:30am	Workshop Session 2- continuation from Day 1 The Art of Communication Presented by Greg Hammond
10:30am - 11:00am	Morning Tea
11:00am - 11:30am	Chaoyang Delegation Presentation
11:30am - 12:15pm	Address Converting Non Believers- Wilton Boyd
12:15pm - 1:15pm	Lunch
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2:00pm - 3:00pm	Keynote Address: Gen Y - Dominic Thurbon
3:00pm - 3:30pm	Afternoon Tea
3:30pm - 4:00pm	Youth Debate on Gen Y
7:00pm - 11:00pm	Gala Dinner Award Announcements & Presentations Tamworth Regional Entertainment and Conference Centre (TRECC) Dress: Semi Formal

Day 4 - Wednesday 22 July 2009

9:00am - 9:30am	Youth Presentation
9:30am -9:45am	2010 Conference Presentation
9:45am -10:15am	SCA- Q & A
10:15am - 10:30am	Morning Tea Hosted by Rockhampton Regional Council, host 2010 Sister Cities Australia Conference
10:30am - 11:30am	SCA General Meeting- including election of office Bearers for 2009 - 2011
11:30am - 11:40am	Closing Address SCA President Official Handover of Banner to Rockhampton Regional Council for 2010 Sister Cities Australia Conference

Optional Half Day Program (Not included in cost of Conference)

12:00pm - 4:30pm	Social Sessions - Golf at Longyard Golf Course OR Half day Tour - visit to Historic Town of Nundle including lunch

For more information:
Katie Alchin
Ph 02 6767 5712
Email:-
kalchin@tamworth.nsw.gov.au

SCA SISTER CITIES AUSTRALIA

REGIONAL COUNCIL Tamworth

Youth Delegates Registration Form

BACK TO BASICS

Youth delegates must be between 16– 23 years of age.

Delegate:

Title_____ First Name_____ Surname_____

Date of Birth_____ Age_____

Contact details:

Title_____ First Name_____ Surname_____

Postal Address_____

Suburb/ Town/ City_____ State_____

P/code_____ Country_____

Phone_____ Fax_____ Mobile_____

Email_____

Special Requirements (e.g. Dietary/Access)_____

_____

Youth Delegates MUST be accompanied by an Adult delegate.

Name of Accompanying Adult_____

T– Shirt size: please circle

Boys Sizes:	S	M	L	XL	XXL		
Girls Sizes:	8	10	12	14	16	18	20

Registration Fees: Full Conference Registration $330

Includes: Accommodation at Calrossy Anglican Girls School for the duration of the conference, Welcome Reception, all conference sessions and associated materials, all meals, Social Dinner, Gala Dinner and Transfers.

PAYMENT

I enclose : ☐ Cheque (to be made out to Tamworth Regional Council)

☐ Please Invoice For 1 July, 2009* OR

Please debit me the following credit card;

☐ VISA ☐ Mastercard

Card No_____ Expiry Date_____

Cardholders Name_____

Amount Payable_____ Signature_____

When making payment, please specify that your payment is for the 2009 SCA Conference.

This document will be a Tax Invoice for GST purposes when full payment is made. Please keep a copy of the completed Registration Form for GST purposes.

* please see terms and conditions on page 9.

Youth Consent Form

BACK TO BASICS

Purpose of the Consent Form:

This form is intended to ensure that you (the delegate/guardian) provide informed consent for participation in the activities organised by Tamworth Regional Council, in relation to the 2009 SCA Conference, on the terms and conditions set out in this form. This form contains terms which are of legal force and effect. Tamworth Regional Council asks that you read this form carefully and, if necessary, obtain your own advice on the effect of the form before signing it and being bound by it.

Youth Delegate's Surname_____ First Name_____

Preferred Name_____ Date of Birth_____

Special Requirements (e.g. Dietary/Access)_____

_____

Allergies_____

_____

Health Issues_____

_____

Current Medication_____

_____

Emergency Contact Name_____

Relationship to Youth Delegate_____

All Hours Contact Number/s_____

1. I give consent/agree for the delegate to participate in the Youth Program at the SCA National Conference in Tamworth on 19th, 20th, 21st & 22nd of July, 2009.
2. I give consent/agree that neither the Tamworth Regional Council nor its Officers or workers are liable for any damage or injury that may be incurred by the Delegate during the duration of the Youth Program.
3. I authorise the staff in the event of any illness or accident to obtain on my behalf any such medical assistance the Delegate may require which may include injection, anaesthetics and/ or blood transfusions. In case of emergency I give consent/agree for the Delegate to be transported by Ambulance or private motor vehicle.
4. I understand that the Youth Program is drug, tobacco and alcohol free and the Delegate agrees to these conditions.
5. I understand that a 'no dating' policy will apply during the Youth Program to all youth delegates.
6. I give consent/agree for the delegate to be photographed/videoed for documentation/display for purposes of the program.
7. I understand that delegates in breach of these conditions will forfeit their registration, will be excluded from participation in the Youth Program and at the discretion of Youth Leaders will be required to return home at the expense of the delegate/guardian.

Release and Indemnity

8. I, the signatory, do hereby agree to release the Tamworth Regional Council from any liability whatsoever for any bodily injury, loss or damage which may be sustained by the delegate or incurred as a direct result of participating in the 2009 SCA National Conference or the place of accommodation being Calrossy Anglican Girls School.

Signature of Youth Delegate_____ Date_____

(Parent/Guardian signature required if Youth Delegate is under the age of 18)

Signature of Parent/Guardian_____ Date_____

7/9

MENTOR AGREEMENT
GOSFORD CITY COUNCIL and WALGETT SHIRE COUNCIL

On the 8th August 2007, Gosford Shire Council and Walgett Shire Council signed a Rural/ Metropolitan Sister City Agreement. A key objective of the Agreement was to promote excellence in Local Government through exchange and communication.

Further to this Agreement we, on behalf of our two Councils, agree as follows:

- Our two Councils will seek to develop mutually supportive operational arrangements whereby Walgett will provide staff development experiences and opportunities for Gosford staff and Gosford will seek to support Walgett Council's operations in a human resource sense

- Gosford Council will make available its training courses, at a fair charge, to the staff and Councillors of Walgett Shire

- Gosford will, whenever possible, attempt to provide short term relieving staff when Walgett is unable, or expects to be unable, to exercise key functions when staff are absent on extended leave. Particular areas of need are anticipated in the areas of Human Resource Officer; Health and Building Surveyor; Information Technology Officer; Development Control Officer; Accountant; Engineer. Walgett undertakes to meet the total cost of such a relieving staff service

- Gosford Council will, whenever feasible, make available specialist staff for the purpose of providing full fee paying consultancy services to Walgett Shire in respect of special projects and programs. Areas of need would be expected to include structural and civil engineering; records management; landscape architecture; urban and regional planning; environmental services; development assessment

- In recognition of the importance of the support and development of our aboriginal citizens, we agree that our Aboriginal Liaison Officers will be encouraged to support each other in the delivery of their respective programs

- Gosford Council will, where possible, provide an independent commercial development assessment service for Development Applications lodged by Walgett Shire Council

- In furtherance of this Agreement, we will seek to ensure that the senior staff of our respective Councils become, and remain, familiar with the Administrations of the others Council

.....
Jim Macfadyen
Mayor, Gosford City Council

.....
Peter Wilson
General Manager, Gosford City Council

.....
Vic Smith
Administrator, Walgett Shire Council

.....
Ray Kent
General Manager, Walgett Shire Council

8. NAMING OF PROPOSED PARK IN COLLARENEBRI

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 315/01/06/00

Summary:

It is Council Policy that naming suggestions will be invited from the community when a public place is to be named. In September or October 2009 a new park will be opened at Collarenebri and it is appropriate that at the time of opening the Park be formally named.

Discussion (including issues and background):

Contracts were exchanged at the end of May for the Council acquisition of Lot 10 DP 758262 Walgett Street, Collarenebri. A skate-park and children's playground will be developed on the site. It is proposed that an invitation be extended to the community to suggest names for the proposed park. The invitation will be extended via letters sent to Collarenebri community organisations.

Relevant Reference Documents:

Nil

Stakeholders:

Residents of Collarenebri.

Financial Implications:

The cost of signage and a plaque.

Recommendations:

That:

1. **Council invite suggestions from the Collarenebri community for the naming of the proposed park to be established at Lot 10 DP 758262 Walgett Street, Collarenebri.**

2. **A further report on the subject be placed before Council following the deadline for the lodgement of naming suggestions.**

Attachments:

Nil

9. REPORT ON MANAGEMENT PLAN 2008/2009 – 2012/2013

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 145/11/11/00

Summary:

This report summarises the extent to which performance targets set by Management Plan 2008/2009 – 2012/2013 have been achieved during the quarter January 2009 – March 2009.

Discussion (including issues and background):

Under Section 407 of the Local Government Act 1993 the General Manager is required to report periodically on the implementation of the Management Plan. A report must be presented to Council within 2 months after the end of each quarter. This report is presented to Council to demonstrate achievements for the quarter January 2009 – March 2009.

Relevant Reference Documents:

Local Government Act 1993
Walgett Shire Council Management Plan 2008/2009 – 2012/2013

Stakeholders:

Walgett Shire Council

Financial Implications:

Nil

Recommendations:

1. That the Report on the Management Plan 2008/2009 – 2012/2013 for the period January 2009 – March 2009, be received.

PERFORMANCE MEASUREMENT

PERFORMANCE MEASUREMENT - GENERAL MANAGER

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
1.	To promote better practice and encourage improvement in the way Council conducts its activities and ensure good governance	Completion of the Local Governments Self Assessment Checklist.	Checklist requirements completed by June 2009.	General Manager	On target
		Review Organisation Structure	Implement Organisational changes prior to September 2008.		New structure adopted and operational. Structure reviewed by Council in April 2009
2.	To develop and improve the aesthetic physical characteristics of the Shire.	Upgrade Town Centre's of Walgett and Collarenebri.	Walgett CBD upgrade complete by November 2009. Collarenebri CBD upgrade complete by December 2009.	General Manager	Target remains Target remains
3.	To be a good employer and provide leadership through a safe and productive workplace.	Staff appraisals to include reference to actions required to achieve training and multi skill objectives.	All staff appraised annually.	General Manager	Ongoing
		Develop an organisational culture, which acknowledges dedication and innovation.	Employee of the Month to be recognised for dedication and innovation. Employee of the year to be judged in December each year.		Ongoing
		Provide a contemporary Council depot in Walgett	Plans, specifications and approvals in place for a new Walgett Depot by September 2009. Construct new Walgett Depot by December 2010.		Funds allocated. Project has been scheduled Dependent on Council decision

PERFORMANCE MEASUREMENT - GENERAL MANAGER

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
4.	To Provide training for newly elected Councillors.	Ensure that all newly elected Councillors are provided with the necessary training as required by the Department of Local Government.	Information sessions for prospective Council election candidates to be undertaken in July 2008. Training and briefing sessions for members of new Council to be conducted in September and October 2008.	General Manager	Complete Complete
5.	To provide strong local and regional leadership.	Council will encourage greater involvement and participation in regional and state activities by its senior staff and Council representatives.	Mayor and Councillors involved in the activities of the Shires Association, C Division and Western Division of the Association, where relevant. Senior staff active members of relevant professional groups.	General Manager	Ongoing Limited involvement only

PERFORMANCE MEASUREMENT - GENERAL MANAGER

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
6.	To ensure that Council's corporate planning needs and policy decisions meet the requirements and expectations of the community and comply with the legislative requirements.	Council will consult widely and communicate decisions effectively.	Council's website will be updated regularly and contain relevant and current information. General Manager will be available for regular interviews with media. General Manager will attend meetings with community groups and organisations. Council will inform community through press releases and information passed onto Precinct Committees and Community Working Parties. General Manager will ensure Council news column placed in local newspapers at least fortnightly. An Operational Plan scheduling budgeted projects over 18 months to be completed March 2009 A strategic Community Plan for Council covering 10 years to be completed by April 2009	General Manager	Website amendment training has been arranged for key staff. Ongoing Ongoing Ongoing Ongoing Complete Complete
7.	To ensure responsible and good governance.	All meetings of Council are appropriately advertised to the public.	All meetings are advertised to comply with the Local Government Act 1993. Opportunities are provided to the public, to address agenda items at every meeting.	General Manager	Ongoing
		Walgett Shire Management Plan 2008/2009-2012/2013 is prepared and adopted.	By 30 June 2008		Plan adopted

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
1.	To provide, operate, & maintain an efficient reticulated Water Supply to designated town and village areas	To maintain potable water supplies within NHMRC microbiological guideline limits	No. tests - 98% compliance	Director, Infrastructure and Engineering Services	On going (close monitoring)
		Timely repair main breaks and service connections	No unplanned interruptions - less than 10% exceed 5 hours duration		On going
		All hydrants maintained in a serviceable condition	No failures; nil failures reported by Fire authorities		On going
		To promote water conservation through Council's Savewater! website	On-going		Not yet started
		Water Service metering completed & new tariff structure adopted	Completion, October 2009		Water meter not yet installed
		Water Mains Replacement – trunk raw water main Walgett, & Carinda AC mains	Metres replaced, Walgett - June 2009, Metres replaced, Carinda - June 2011		Walgett deferred - $70,000 Carinda completed
		Feasibility Study for the Replacement of Walgett Filtration Plant	Completion, June 2009		Not yet started
		Complete replacement of Potable Metered Standpipes in Walgett & Lightning Ridge	Completion, March 2009		In progrress

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
2.	To provide, operate, & maintain a common Waster Water (sewage) disposal system for designated town and village areas	To discharge effluent within License conditions and Environmental Legislation	Nil pollution incidents nil Prosecutions.	Director, Infrastructure and Engineering Services	License (to operate) preparation in progress
		Timely repair main chokes/blockages	Nil unplanned interruptions - less than 10% exceed 5 hours duration		On going (constant monitoring)
		Reline all AC sewer mains in Walgett	Completion, June 2010, CCTV required		CCTV to be completed
		Fence the effluent ponds at Collarenebri, to maintain public safety	Completion, June 2009		In progress
		Replace the effluent pump station at Collarenebri, to provide continuity of service	Completion, June 2009		Preparation of specifications not started
3.	To provide kerb-side Domestic Waste collection services in designated town and village areas	To provide a weekly service to all customers	No services - < 5% bin services are missed	Director, Infrastructure and Engineering Services	On going (constant monitoring)

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
4.	To provide bulk / Commercial Waste disposal facilities within Walgett Shire	To provide landfills for commercial and bulk waste at Walgett & Lightning Ridge	No services -< 5% bin services are missed	Director, Infrastructure and Engineering Services	Monitoring in progress
		To construct a hardstand area at Walgett Landfill for wet weather operations	Completion, March 2009		Site investigation to start
		To complete the Solid Waste Asset Management Plan including defining future of bulky waste facilities at Villages and recycling facilities	Completion of Plan, August 2009		Completed
		To undertake Environmental Assessment and Approvals for a replacement Landfill at Lightning Ridge	September 2009		Not yet started
5.	To encourage recycling of waste within Walgett Shire	To incorporate recycling as part of the Solid Waste Asset Management Plan	Completion of Plan, August 2009	Director, Infrastructure and Engineering Services	Collation of data not yet started, completion expected Nov 09
		To promote waste education through Netwaste "Waste to Art" and other opportunities	On-going		Closed coordination with Netwaste program

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
6.	To manage & mitigate the impacts of Stormwater and Flood flows within designated town and village areas	To maintain serviceability of Council's stormwater systems to prevent urban flooding during minor storm events	Nil flooding incidents due to stormwater surcharge during minor storms, 95% minor storms are flood free	Director, Infrastructure and Engineering Services	On going (constant monitoring)
		To maintain pollution control structures on stormwater systems	Nil pollution incidents due to control structure failure - control structures fail in < 5% of minor storms		On going (constant monitoring)
		To maintain Walgett Levee and Flood systems in a state of readiness to combat flood threats up to 1% AEP flood	Audit Inspection - serviceable assessment at a randomly called audit of all structures		Audit yet to commence
		To complete design and documentation of Walgett Flood Levee refurbishment	Project reached call tender stage, September 2008		Waiting for final plan resolution. DWE to provide documentation
		To refurbish Walgett Flood Levee	Complete June 2013		Plan ok, document not yet started, DWE to provide documentation
		Safety Upgrade of Open Stormwater Channels at Lightning Ridge	complete June 2013		Analysis not yet started, Audit inspection required
		To replace failed kerb & gutter	Complete 2017		Walgett – priority – long term strategy Lightning Ridge – to complete

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
7.	To improve & maintain Urban Street Infrastructure such that they contribute to a safe and attractive environment for business and recreation	To provide regular pavement sweeping, litter removal, and vegetation maintenance to urban streets and car parks	meters maintained -on-going	Director, Infrastructure and Engineering Services	Intermittent monitoring on going
		To clean & maintain public toilets in road related areas	Audit inspection, annual overall audit score > 80% pass rate		On going
		To replace hazardous footpaths to minimise Council's public liability risk	meters maintained - on-going		Setting/auditing assessment primitive not yet started
		Upgrade Walgett CBD pedestrian lighting	Completion June 2009		Part of EOI CBD beautification
		Replace Street Trees	No replaced -ongoing		In progress
		Upgrade pedestrian traffic facilities, Burren Junction	Completion May 2009		Programmed June/July in progress
		Resealing of pavements every 8-15 years	meters of seal, all of the sealed network has a seal < 20 years old by June 2013		On going
		To construct a new public toilet in Lightning Ridge	Completion June 2009		Concept Plan for approval Tender – July 09 Completed Oct 09

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
8.	To improve & maintain Urban Parklands such that they contribute to a safe and attractive community environment	To provide regular litter removal, and vegetation maintenance to urban parklands	meters maintained - on-going	Director, Infrastructure and Engineering Services	On going (constant monitoring)
		To clean & maintain public toilets in parklands	Audit inspection, annual overall audit score > 80% pass rate		On going (constant monitoring)
		To install/replace automatic watering systems in Gray Park, Len Cram Park, and Lions Park Lightning Ridge	Completion September 2009		Len Cram Park Completed Gray Park in Progress
		Install Playground equipment in selected parks	Units Installed - 6 units by June 2011		In progress
		Upgrade amenities Trevallion Park	Completion March 2009		In progress (Alternate plan for Primitive Camping ground to finalise

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
9.	To improve & maintain Recreational & Sporting Facilities such that they contribute to a safe and attractive environment for the social development of the community	To provide regular litter removal, and vegetation maintenance to recreational & sporting facilities	meters maintained - on-going	Director, Infrastructure and Engineering Services	On going (constant monitoring)
		To clean & maintain public toilets in recreational & sporting facilities operated by Council	Audit inspection, annual overall audit score > 80% pass rate		On going (constant monitoring)
		Install an automatic watering system Walgett No. 1 Oval	Completion October 2009		In progress – Completion by June 09
		Install a shade structure over main Collarenebri Pool	Completion October 2009		In Progress
		Facilities Upgrade Lightning Ridge Bore Baths	Completion April 2009		In Progress
		Improvements Burren Junction Bore Baths	Completion April 2009		In Progress
		Construct Skate Park in Walgett	Completion June 2009		In Progress
10.	To improve & maintain public Cemeteries within Walgett Shire	To provide regular litter removal, and vegetation maintenance to public cemeteries	meters maintained - on-going	Director, Infrastructure and Engineering Services	On going
		Construct memorial wall Walgett cemetery	Completion, June 2009		Specifications yet to finalise

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
11.	To improve & maintain Walgett Cattle Saleyards	To maintain walgett cattle saleyards in safe and serviceable condition	Audit inspection -annual overall audit score > 90% pass rate	Director, Infrastructure and Engineering Services	Ongoing
12.	To improve & maintain public Airfields within Walgett Shire to support regular passenger services to Walgett & Lightning Ridge, aero-medical access to Collarenebri, and emergency access during floods at other sites	To conduct regular inspections and maintenance to meet registration and security requirements	No inspections - 98% inspections completed, 98% defects completed on time	Director, Infrastructure and Engineering Services	On going (Constant monitoring)
		To provide 'roo-run' services for night aero-medical operations	No runs - 98% availability to conduct requested 'roo runs'		On going
		To maintain Collarenebri airport serviceability for night aero-medical operations	No night aero-medical calls - < 5% of calls diverted		On going
		Maintain & reseal pavements to ensure serviceability for aircraft operations	Audit inspection, annual overall audit score > 98% pass rate		On going
		Upgrade Collarenebri Airport to mains power lighting	Completion June 2009		Application re-submitted awaiting outcome
		Seal the Collarenebri main runway	Completion November 2009		

PERFORMANCE MEASUREMENT – DIRECTOR URBAN INFRASTRUCTURE SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
13.	To implement and maintain Asset Management Systems that meet legislated and government guidelines, provide an effective resource for strategic planning of asset replacement, identify future capital expenditure liabilities, and provide a systematic defence against public liability risks	To implement electronic systems and procedures that efficiently record complaints, inspections, defects, and works/rectification instructions linked directly to the affected asset	complete June 2010	Director, Infrastructure and Engineering Services	Analysis in progress
		To record the details and valuation of each Council asset in an auditable system as required	As per Dept Local Govt. Schedule: Land, Buildings, Other Assets – August 2008 Roads & Drainage – August 2009		Collation analysis in progress
		To document long-term plans for the operation, maintenance and renewal of Council's assets to maintain a sustainable level of service to the community	Water – December 2009 Transport – March 2010 Community Infrastructure – December 2010		Yet to finalise the strategy

PERFORMANCE MEASUREMENT – DIRECTOR RURAL INFRASTRUCTURE & SUPPORT SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
1.	To improve & maintain Regional Roads & Bridges to provide safe, efficient, all-weather access on key transport routes within Walgett Shire	Heavy Patching on sealed roads to repair major pavement defects	meters of defects repaired, less than 10% of the sealed network has a major defect by June 2013	Director, Infrastructure and Engineering Services	Funds proposed to be reallocated
		Resealing of geotextile pavements with only a single seal and other pavements every 8-13 years	meters of seal, all of the sealed geotextile network has a minimum of a double seal by June 2010		Approx 110,000m² Reseal areas for 08/09 identified
		RR329: reconstruction & sealing of remaining unsealed section	meters of seal - all of RR329 is sealed by December 2009		In progress
		RR329 Pian Cr Bridge: completion of replacement	Completion, new concrete structure is open to traffic by September 2008		Open 3/10/08
		RR333: completion of reconstruction & sealing of remaining unsealed section	meters of seal, all of RR333 is sealed by December 2009		Penultimate stage completed
		RR333 Castlereagh River Bridge: replacement	Completion, new concrete structure is open to traffic by June 2008		Tenders closed
		RR457: reconstruction & sealing to 25km south of Qld border	meters of seal, open to traffic by September 2008		Complete Feb 09
		RR333: Cumberdoon Bridge Replacement	Completion, new concrete structure, open to traffic by Nov 09		Tenders closed
		RR:402 Sparkes Warrumbool Bridge replacement	Completion, new concrete structure, open to traffic by Nov 09		Tenders closed
		RR402 26 mile Warrumbool Bridge replacement	Completion, new concrete structure, open to traffic by Nov 09		Tenders closed

PERFORMANCE MEASUREMENT – DIRECTOR RURAL INFRASTRUCTURE & SUPPORT SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
2.	To improve & maintain Shire Roads & Bridges to provide safe access to most rural properties within Walgett Shire and efficient, all-weather access to key population centres	Resealing pavements every 8-13 years	meters of seal, all of the sealed network has a seal < 13 years old by June 2013	Director, Infrastructure and Engineering Services	Approx 5,000 m² Reseal areas identified for 08/09
		Gravel Resheeting of unsealed pavements to maintain trafficability	meters of resheet, all of the gravel sheeted network is in wet weather trafficable condition by June 2013		Millie road in progress
		Reshape Formation of formed roads to maintain drainage and safety	km of road reshaped, 95% of the formed road network is trafficable within 5 days of rain by June 2013		Ongoing
		SR 120: Epping Bridge and 1st Epping Bridge: replacement	Completion - new concrete structure is open to traffic by June 2009		Tenders closed
3.	To improve & maintain Traffic Facilities (Road Linemarking, Traffic Signs, and Medians) to facilitate safe and efficient vehicle movement in Walgett Shire	Investigation of traffic issues and referral to Local Area Traffic Committee (LATC) (where relevant)	No issues considered, resolution of issues within 90 days of referral	Director, Infrastructure and Engineering Services	LATC met March 2009 Meeting due June 09
		Installation of minor changes to traffic facilities	Facilities Installed, works constructed within agreed time and budget		Ongoing ~ Pedestrian facilities at Walgett & Burren Junction ~ Walford coronial ~ Walgett College improvements

PERFORMANCE MEASUREMENT – DIRECTOR RURAL INFRASTRUCTURE & SUPPORT SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
4.	To operate Council Quarries and Gravel Pits in a safe and efficient manner to provide cost-effective materials for road construction and maintenance operations	Implement a revised Mine Safety Management Plan to meet new legislation	Key personnel trained and authorised within legislated period	Director, Infrastructure and Engineering Services	Production Manager Nominated
		Resolve Licensing & Approval issues	Compilation of Quarry Register and correction of any omissions by June 2009		In progress
5.	To mange Council's Plant & Vehicle Fleet to provide appropriate and efficient plant and vehicles to meets Council's operational needs	Review Plant Replacement Program	Complete by December 2008	Director, Infrastructure and Engineering Services	In Progress
		Review the Motor Vehicle Replacement Policy	Complete by June 2009		Complete
		Review Plant Hire Rates (internal)	Complete by February 2009		60% complete
6.	To maintain & operate a Repair and Maintenance Workshop for heavy plant and vehicles that efficiently provides maintenance and repair services (including mobile services) that meets the operational needs of Council	Review and adjust procedures, human and physical resources to meet operational needs	On-going	Director, Infrastructure and Engineering Services	Ongoing
		Complete functional brief of requirements for replacement workshop	Complete by September 2008		Site options identified

PERFORMANCE MEASUREMENT – DIRECTOR RURAL INFRASTRUCTURE & SUPPORT SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
7.	To maintain & operate a Supplies Store to secure supplies that are not readily available at local businesses and to hold spares needed for emergency works to meet the operational needs of Council	Review and adjust procedures, human and physical resources to meet operational needs	On-going	Director, Infrastructure and Engineering Services	Ongoing
		Complete functional brief of requirements for replacement store	Complete by September 2008		Refer 6
8.	To provide the administer Council's support obligations to Emergency Services including the Local Emergency Management Committee, Rural Fire Service, and State Emergency Service	To provide the Local Emergency Management Officer	On-going	Director, Infrastructure and Engineering Services	Two LEMC meeting to date DISPLAN under review Risk Management Assessment under review
		To represent the General Manager at Rural Fire Service Zone Service Level Agreement and Bushfire Management Meetings	On-going		Three meetings to date

PERFORMANCE MEASUREMENT - DIRECTOR CORPORATE AND COMMUNITY SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
1.	Provide an efficient timely and user friendly response to client requests and concerns.	Council will maintain and improve its customer action request statistics.	Respond to issues raised within thirty days taking appropriate recommendations to Council. Reduce Customer Action Requests System average days outstanding to <45 days. All customer enquiries and complaints will be dealt with in five working days.	Director Corporate and Community Services	Targets met Ongoing, Council Management ensure dealt with in a timely manner
2.	To provide services to meet the needs of people from cultural and linguistic backgrounds.	Review Local Ethnic Affairs Priorities Statement (LEAPS) and Action Plan 2006-2009.	Completed by December 2008.	Director Corporate and Community Services	In Progress
		Provide cultural awareness training to staff.	Ensure that cultural awareness training is provided to all current staff by April 2009 and subsequently every two (2) years.		Completed

PERFORMANCE MEASUREMENT - DIRECTOR CORPORATE AND COMMUNITY SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
3.	Develop an organisation that displays good management and strong forward planning.	Management Plan and Budget Review undertaken on a quarterly basis.	Completed October 2008, February 2009, April 2009 and July 2009.	General Manager and Director Corporate and Community Services	April completed
		Rates and Annual Charges Outstanding reduced by sale of land for unpaid rates, agreements and strong debt recovery policy.	Rates and Annual Charges outstanding reduced to 9% by June 2010. At least annually hold sales of land for unpaid rates in accordance with S713 of LGA.	Director Corporate and Community Services	Target Exceeded 7.89% June 2008 Sale of land held in Jan 09
		Operate sound financial management practices	Acceptable level of above 2:00:1 unrestricted current ratio maintained Debt Service Ratio below 10% Maintained		
4.	Provide a secure and compliant Records Management Regime.	Purchase, install and implement an electronic records system.	Electronic records system purchased installed and implemented by January 2009.	DCCS and Records Manager & staff	, Training to commence June 09
		Continue with the "Authority" record keeping system, in keeping with its obligations under Australian Standards (ISO 15489 as amended)	100% operational with suitably qualified staff.		Authority training being provided again May 09
5.	Council to provide, or lobby for the provision of, adequate social and community services across the Shire. social matters on behalf of the Community.	Update the Social and Community Plan for 2008/09 and report to Council on achievements from the Plan	Social and Community Plan updated and achievements of Social Plan reported to Council in October 2008, February 2009, April 2009 and July 2009. Community events promoted on Councils website.	Director Corporate and Community Services	Social Plan report March 09 Completed
		Continue to provide library services across the Shire, and to enhance the service, wherever possible	Library usage numbers are maintained and where possible increased, and library opening hours are increased in at least one location.		Lightning Ridge hours increased Library numbers increased

PERFORMANCE MEASUREMENT - DIRECTOR CORPORATE AND COMMUNITY SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
6.	To ensure that Information Technology is adequate for the organisation and to facilitate access to IT in the community	Continue implementation of "Conquest" System to ensure more effective tracking of Council assets.	Conquest fully operational December 2008.	Director Corporate and Community Services	Training to take place in April 2009
		Provide ongoing training and support to all staff.	Regular training provided. Web page training provided annually to representatives of all Council departments. IT training provided to all new staff.		Ongoing training provided to all staff within budgetary constraints
		Implement the Community Wireless Internet pilot project in Collarenebri	Community Wireless Internet project implemented by November 2008.		Community Committee established Jan 09 Operational at Colly agency Oct 08. In progress
7.	To provide quality service to all customers.	Measure performance through the use of a Customer Satisfaction Survey.	A minimum of 160 surveys per annum, tracking individual responses and mean averages for each survey.	Director Corporate and Community Services	Completed
		Further review and develop processes and procedures to ensure optimal delivery and customer satisfaction.	An average of four to be targeted:- 1= Poor, 2= Fair, 3= Good, 4= Very Good, 5= Excellent		

PERFORMANCE MEASUREMENT - DIRECTOR CORPORATE AND COMMUNITY SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
8.	To provide a highly skilled and motivated workforce.	Staff are continually provided with adequate resources and training when required to ensure optimal productivity.	Percentage of staff at skill level 2 and above is over 50% by December 2009.	Director Corporate and Community Services	Ongoing
		Staff turnover is kept at an acceptable level of industry standard.	Labour turnover is below average industry standard.		
		Restructure of Organisational Structure	Completed June 2008		Completed
		Review Salary System	Completed June 2009		Consultation and implementation complete July 2009
		Development of Human Resources Strategy	Completed December 2008, School to Work Program implemented, Minimum of two (2) apprentice/traineeships employed by June 2009		School to Work – ongoing – 3 current participants
9.	To develop and promote Walgett Shire through tourism and visitation programs to achieve major sustainable benefits for the community	Report to Council the achievements of the Tourism Destination Strategy.	Completed July 2008, October 2008, February 2009 and April 2009.	Director Corporate and Community Services	Completed
		Continue to improve presentation of shire towns and entrances.	Signage Audit requirements met by December 2010.		In progress
		Make information regarding tour options available to all visitors to the Shire through the provision of tourism information and pamphlets.	Tourism pamphlets updated annually. Significant Aboriginal sites promoted in pamphlets.		In progress

PERFORMANCE MEASUREMENT - DIRECTOR CORPORATE AND COMMUNITY SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
10.	To offer equal opportunity to all young people within our Shire, striving to achieve positive outcome for the benefit of all youth in the Shire.	Development of Youth Services Strategy	Completed by January 2009	Director Corporate and Community Services	Draft Strategy to March 09 Council meeting
		Provision of Quality Supervised Programs relevant to the youth of today to engage and maintain their attendance in the programs and to provide a safe and enjoyable environment.	Youth centre attendance figures increased by 25% by June 2009. Staff provided with training opportunities by June 2009.		Attendance figures increased by in excess of 25% during special events. Other attendance figures stable. Staff training provided as necessary. Completed first Aid, Mental Health, Sexual Assault, Substance Abuse courses.
		Renovation of Youth centre buildings to ensure safety standards are met.	Applications for grant funding sought to upgrade Lightning Ridge and Collarenebri Youth Centres by March 2009		Ongoing
11.	To enhance, support and sustain economic development in the Walgett Shire.	Develop strategies and events for the effective marketing and promotion of the Shire.	Upgrade of CBD of main towns Provide support with annual events through webpage, brochures and advertising.	Director Corporate and Community Services	Funding sought by 09
		Access funding opportunities relevant to Economic Development in the Walgett Shire.	Identify funding opportunities and provide support with grant applications to local businesses and/or community organisations.		Facilitated employer workshop
		Provide support to existing businesses in the Shire, where appropriate			Assisted community groups with funding applications

PERFORMANCE MEASUREMENT - DIRECTOR CORPORATE AND COMMUNITY SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
12.	To ensure a high quality of service and responsiveness to the needs of the Aboriginal community within Walgett Shire.	Develop an Aboriginal Community Development and Reconciliation Plan.	Adopted by June 2008. All recommendations achieved by April 2009.	Director Corporate and Community Services and Aboriginal Liaison Officer	Ongoing, 19 of 31 recommendations achieved to date
		Develop an Aboriginal Employment Strategy.	Draft presented to Council by November 2008.		AL Officer on extended leave, relief officer employed
		Further develop School to Work Programme.	Implemented in Walgett, Lightning Ridge and Collarenebri by July 2008.		Implemented in Lightning Ridge & Colly & Walgett
		Formalise partnerships between Council and agencies through an interagency approach.	Formalise a MoU with local Aboriginal community through CWP by November 2008.		

PERFORMANCE MEASUREMENT - DIRECTOR PLANNING AND REGULATORY SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
1.	To promptly and professionally assess development proposals.	Process Complying Development Certificate Applications.	90% of complete applications are finalised within 7 days.	Director Planning and Regulatory Services	8 Applications average 7 days
		Process Construction Certificate and Development Applications	80% of complete applications are finalised within 40 days		5 Applications average 48 days
2.	To develop a Local Environmental Plan that brings Walgett Shire in line with current New South Wales standards.	Prepare and adopt a Local Environmental Plan based on the Walgett Shire Growth Management Study and Strategy	Draft Environmental Plan to be finalised by August 2008.	Director Planning and Regulatory Services	Study & Strategy being revised in accordance with Council resolution dated 24.2.2009
3.	To provide companion animal management and control services.	(a) Address emergency situations where dogs are attacking people and animals.	(a) All attacks are investigated within 24 hours of notification.	Director Planning and Regulatory Services	Target believed to be met
		(b) Micro chipping of companion animals.	(b) 90% of animals are micro chipped within three working days of request.		Target believed to be met
4.	To ensure that dilapidated premises and environmental health matters are addressed to minimise risks to the public.	Complaints will be promptly investigated.	Action will be taken within two weeks to address 90% of complaints received.	Director Planning and Regulatory Services	Initial action taken but frequently of minimal effect
5.	Minimise the risk of significant environmental pollution.	Respond to major pollution incidents.	All reported major incidents are investigated within 24 hours.	Director Planning and Regulatory Services	No incidents reported

PERFORMANCE MEASUREMENT - DIRECTOR PLANNING AND REGULATORY SERVICES

No	Mission Aim	2008/2009 Activity	Measurement, Method and Target	Responsible Manager	Status
6.	To responsibly manage planning and environmental issues, while taking into account the needs of the community and updating means of acquiring information for users.	Integration of GIS (Geographical Information System) into present corporate software package.	Continual operational updates.	Director Planning and Regulatory Services	2008 Spot imagery acquired
7.	To monitor algal blooms within the Namoi and Barwon Rivers.	Submit samples of river water from Collarenebri and Walgett to the Department of Natural Resources for analysis of algal content.	Samples are submitted on a weekly basis in summer and fortnightly in winter.	Director Planning and Regulatory Services	Target predominantly met
8.	To provide a water supply to Walgett, Collarenebri, Lightning Ridge, Carinda, Cumborah and Rowena.	Undertake a regular programme of sampling and testing to check potable water quality.	Weekly sampling of Walgett, Lightning Ridge and Collarenebri. Monthly sampling of all other water supply	Director Planning and Regulatory Services	Target predominantly met Target met
9.	To ensure that rural and urban addressing within the Shire is improved to comply with Australian Standards.	Rural Addressing number allocation and signage implementation.	Complete by 30 June 2008.	Director Planning and Regulatory Services	Number notification undertaken May 2009-06-10 Signs delivered
		Urban Addressing numbers allocated with community consultation.	Majority of urban premises clearly numbered by 30 June 2009.		Not yet commenced
10.	To produce a compliant State of the Environment (SoE) Report or annual supplementary report	Review and update SoE and/or supplement by August each year	Update completed by August each year.	Director Planning and Regulatory Services	Completed Nov 2008

10. ADOPTION OF YOUTH STRATEGY – A FIVE YEAR PLAN

REPORTING SECTION: Corporate and Community Services

AUTHOR: George McCormick – Youth Development Officer

FILE NUMBER: 100/33/01/00

Summary:

The Walgett Shire Council "Youth Strategy A five year plan 2009 – 2014" is presented to Council for adoption.

Discussion (including issues and background):

At the meeting of Council on the 24th March 2009, Council resolved the following:

80/09 Draft Youth Strategy 2009 – 2014 – a five year plan
Resolution: 1. That Council resolve to receive the Walgett Shire Youth Strategy (Draft) 2009 – 2014 2. That Council resolves to publicly exhibit the draft Youth Strategy for twenty eight (28) days for consultation and comment. **Moved:** Clr Lane **Seconded:** Clr Walford **CARRIED**

The Walgett Shire Council Youth Development Youth Strategy 2009 – 2014 was placed on public exhibition with submissions closing at 4pm, Wednesday 29th April.

The Strategy was extensively advertised in both local newspapers in Council's regular column on the following dates: 1st & 2nd April, 8th & 9th April, 15th & 16th April. Council has not received any written submissions, from individuals or organisations, in regard to the Strategy. The 28 day period has ended and Council has only received support from organisations in regard to the Strategy.

Relevant Reference Documents:

Walgett Shire Council Social Plan, 2007 - 2010
Walgett Shire Council Management Plan, 2009 - 2014
Constitution of the Walgett Shire Youth Council - 2008
NSW Youth Action Plan

Stakeholders:

Walgett Shire Youth and Young People
Walgett Shire Council
Communities within the Walgett Shire
Service Providers of the Walgett Shire

Financial Implications:

Costed in 2010 Walgett Shire Council budget

Recommendations:

1. That Council adopt the Walgett Shire Youth Development "Youth Strategy –2009 – 2014".

Attachments:

Under separate Cover

11. COUNTRY AND REGIONAL LIVING EXPO – GO WEST

REPORTING SECTION: Corporate and Community Services

AUTHOR: Lianne Tasker – Manager Community Development & Tourism

FILE NUMBER: 002/04/03/99

Summary:

The Country and Regional Living Expo is an economic development opportunity for local government to address declining population, skills shortages and business development. Council representation will promote growth and development within the Shire.

Discussion (including issues and background):

The Country and Regional Living Expo is an economic development opportunity for local Councils and other organisations. The event will take place on 7-9 August 2009 at Rose Hill (Sydney) with an anticipated patronage of 8000 visitors. The Expo provides opportunity for Councils to address declining population, skills shortages and business expansion by;

Promoting Shire investment opportunities
Advertising "hard to fill" employment opportunities Shire wide
Promoting business opportunities for people seeking a tree-change
Creating a contact list of potential leads and opportunities

As part of the Go West Regional Development Group Council can "buy into" attendance at the Expo at a reduced rate of $1500.

Attendance at the Expo is in accordance with the Management Plan which aims "to enhance, support and sustain economic development in the Walgett Shire "

Relevant Reference Documents:

Go West levels of commitment document.

Stakeholders:

Walgett Shire community members, businesses, organisations and agencies with an interest in the social and economic outcomes of people residing, working in, and visiting, the Walgett Shire.

Financial Implications:

$1500 and human resource costs of staff.

Recommendations:

1. **That Council participate in the Country and Regional Living Expo with a presence at the event.**

2. **That a recommended marketing strategy be provided for approval at the July 2009 Council meeting.**

12. NAIDOC CELEBRATIONS

REPORTING SECTION: Corporate and Community Services

AUTHOR: Lianne Tasker – Manager Community Development & Tourism

FILE NUMBER: 002/04/03/99

Summary:

NAIDOC celebrations will occur during the week 5 – 12th July 2009. The NAIDOC celebration organising group has requested Council to facilitate and participate in a breakfast and flag raising ceremony.

Discussion (including issues and background):

NAIDOC is a National celebration of Aboriginal culture and heritage. NAIDOC week is celebrated throughout the Walgett Shire each year to coincide with the National NAIDOC week celebrations in July.

Council has outlined its commitment to supporting NAIDOC celebrations through Recommendation 7 of the Walgett Shire Council Aboriginal Community Development and Reconciliation Plan –

"that Council supports NAIDOC week celebrations through support with Grant applications and assisting with the co-ordination of the program through community Services and Youth Services"

The NAIDOC community organising group has requested that Council facilitate a breakfast and flag raising ceremony and that Council representatives attend.

Relevant Reference Documents:

Walgett Shire Council Social Plan 2007 – 2010, Walgett Shire Council Aboriginal Community Development and Reconciliation Plan 2007 - 2010

Stakeholders:

Walgett Shire community members.

Financial Implications:

Grant funding has been sourced for the event.
An amount of $1,000 has been allocated from Community Services budget.

Recommendations:

1. **That Council support facilitation and representatives attend the NADOC celebration breakfast and flag raising ceremony in July 2009.**

13. TREVALLION PARK WELCOME SIGN

REPORTING SECTION: Corporate and Community Services

AUTHOR: Lianne Tasker – Manager Community Development & Tourism

FILE NUMBER: 245/02/01/00

Summary:

Dharriwaa Elders Group have provided text and images for a Welcome Sign proposed for Trevallion Park, Walgett.

Discussion (including issues and background):

The Walgett Shire's Tourism Plan 2009 – 2011 allows for provision of welcome signage in the towns and villages of the Shire.

The Walgett Shire Council Aboriginal Community Development and Reconciliation Plan 2007 – 2010 recognises the importance of promoting Indigenous cultural heritage through signage –

"Council will endeavour to promote the cultural aspect of each of its communities in such ways, and support the ideas that community members may have in promoting the cultural heritage of the communities within the Shire". Pg 10.

Three signs are planned for Trevallion Park, Walgett-

Large Shire Information sign
Medium welcome sign- outlining pioneer heritage.
Medium welcome sign – outlining Indigenous history.

Dharriwaa Elders Group have produced text and images they believe to be culturally appropriate for use on the Indigenous welcome sign. A copy of the draft proposed sign is attached for Council approval.

Relevant Reference Documents:

Walgett Shire Tourism Plan 2009 – 2011, Walgett Shire Council Aboriginal Community Development and Reconciliation Plan 2007 – 2010.

Stakeholders:

Walgett Shire community members, visitors to Walgett Shire, Tourism NSW.

Financial Implications:

Funds allocated from current tourism signage strategy budget.

Recommendations:

1. **That Council approve the Indigenous welcome sign for production and installation at Trevallion Park, Walgett.**

Attachments:

The Aboriginal people of Walgett welcome you

"Gulbiyaay ngindaay ganu" ("Welcome to you all")

bawadhaarr - totem of the Ngiyambaa

YOU ARE now in Gamilaraay country, close to its western borders the Barwon River. West of the Barwon lies Ngiyambaa country. To the north and west, on the other side of the Big Warrambool, lies Yuwaalaraay country. People from all three nations now live together in Walgett – in town and the satellite villages of Namoi Village and Gingie Reserve.

The original landscape provided gurumaa (home) for many thousands of years for people, plants and animals. The rivers, lakes and wetlands, used to be clear and flowing, fed by springs, waterholes, local and upstream rains. Dharriwaa (Narran Lakes wetland) was an important meeting place for many Aboriginal nations. Cocoran Lake, Angledool Lake, many warambool and the Narran, Barwon and Namoi Rivers were all important waterways that are today only a shadow of their former sizes.

Stories involving the creator Baayami, Gamya (serpents) and other mega fauna, about how the local environment was made, continue to be told today. Sacred waterholes, wingga (spirit trees) and other places featuring in the creation stories are fiercely protected wherever possible by elders. Spirituality is also continued through art.

Around Walgett there is much evidence of Aboriginal people's sacred and everyday lives. Gulabaa (coolibah trees) and gubumuu (black box trees) were cut by yurandy (stone axes) to make canoes, shelters, containers and shields from their bark, and decorations for ceremonies. Burial grounds, community campsites, hunting and food collecting locations are remembered and often still evident but now mostly inaccessible and largely unmanaged for they are located on private land. Crown lands including stock routes and public watering places provide access to rivers and still contain many places of cultural heritage significance including fruit and medicine plants, which is why they are important to keep.

dhinaiian - totem of the Gamilaraay

Many elders living in Walgett today grew up on Aboriginal station camps where they and their parents worked hard for little pay to establish the local agricultural industries. Dungaleur, Boorooma, Baimkine, Gingie, Bangate and Angledool Stations were the larger ones.

Some grew up on the Aboriginal Reserves of Angledool (until it was closed in 1936 and the people were moved to Brewarrina Aboriginal Station), Brewarrina and Walgett ("Gingie") where their lives were controlled by bells and managers and they lived on meager food rations of white flour, tea and sugar. From there they were sent out to work still children, to surrounding properties in housework, stationhands and in the shearing industry.

As Aboriginal people were gradually moved from reserves and station camps, and further away from their lands, they came to living in tin shacks around the edges of town. Most camped beside the river where they could always find a feed and collect water. Again, these people worked for the agricultural industries and provided services to Walgett town families and local businesses.

Some Walgett elders, as happened to generations before them, were taken as children from their families to live at Cootamundra Girls Home and Kinchella Boys Home. They are now known as "the stolen generations".

A shield - scarred tree

The Walgett Aboriginal community lives with the legacy of generations of poverty, low education levels, poor nutrition, lack of access to lands and foods, great losses of languages and cultural knowledge, native vegetation and water quality. Aboriginal activists established local Aboriginal organisations – the land council, medical service, legal service, CDEP and others. Today the Dharriwaa Elders Group, the Walgett Aboriginal Medical Service, the Walgett Aboriginal Land Council and Koolyangarra Pre-school survive due to their voluntary leadership.

Walgett man and warringaa (Aboriginal men and women) excel in sports. Many rugby league and boxing stars were born here. Entertainment is also high on the agenda. Currently there are five Walgett entertainment groups which regularly perform here and around NSW to great acclaim. Other professions where we have achieved success include teaching, health, welfare, legal services, education and general public services.

We want to keep our culture and language strong in Walgett and are happy to share what we have with visitors. We care about the birds and animals, the plants, water and environment. We ask that you respect us and our home and you will be welcomed back again.

George Rose, OAM founder of Walgett's Aboriginal legal, medical and elders group services

This sign was produced by the Dharriwaa Elders Group June 2009.

14. COMMUNITY DEVELOPMENT AND TOURISM QUARTERLY REPORT – APRIL/JUNE 2009

REPORTING SECTION: Corporate and Community Services

AUTHOR: Lianne Tasker –Manager Community Development & Tourism

FILE NUMBER: 135/02/00/00

Summary:

Community Development and Tourism quarterly progress report.

Discussion (including issues and background):

Youth
Youth services are progressing in line with the Walgett Shire Youth Development Youth Strategy 2009 – 2014. The Youth Development Officer has provided the Youth Week acquittal to Council, as a separate report.

Tourism
- Actions from the Walgett Shire Tourism Plan 2009 - 2011 are being progressed.
- 13/61 actions completed.
- Walgett Visitor Information Centre visitors April – June = 425
- Internet Centre visitors – local people = 45, visitors = 42.
- Destination Branding Expressions of Interest advertisement is closed with 11 applications received.

Libraries
An early literacy project has commenced aiming to increase community visitation. The library officer engages with children and mothers/carers at community playgroups. This target group are not connected to pre-school or day care facilities and the library officer acts both as a bridge to the Walgett library as well as an early literacy educator. To date the library officer outreaches to 2 playgroups and has plans for weekly visits to Gingi Village and Namoi Reserve, in partnership with McKillop Family Services.

Story Time sessions have increased in both libraries.

Waste to Art Exhibition
Exhibition was held in Lightning Ridge this year over Easter weekend. 37 entries of which 12 competed in the regional exhibition held in Gilgandra and one of these received a Highly Commended award. Workshops where held in Lightning Ridge over four weeks prior to exhibition.

Visitation
There has been an increase in men becoming members and using the library during the quarter with an increase in Audio books for this target group. There has also been an increase in adults using the computer for RTA tests.

New members - Lightning Ridge – 32
- Walgett – 34

Items borrowed - Lightning Ridge – 3652
(increase of 566 items from previous quarter)
- Walgett – 1591
(increase of 256 items from previous quarter)

Collarenebri Agency

A customer feedback strategy has been implemented for Collarenebri Agency to identify and improve service to the community.

Community Development

Community Consultation – consultation plan developed in preparation for the new Social Plan due in September 2009. Community forums, agency meetings and school consultations underway. Completed to date – public forums Burren Junction, Grawin and Rowena, Collarenebri children, Lightning Ridge and Walgett service providers.

Walgett Community & Cultural Festival – a community committee has been established and is working together to produce the festival which is scheduled for August 2009. The Festival aims to celebrate the diverse community and cultural life of Walgett.

In consultation with the community, development and funding submission for an inter-generational youth arts project (Department of Immigration and Citizenship). The project aims to foster relationships between Lightning Ridge youth and culturally diverse community members. This project is developed in response to community identified relationship issues between young people and the culturally diverse population of Lightning Ridge.

Main Street Beautification expression of interest completed and advertised. Applications have closed with 22 expressions of interest received.

Development of the Walgett Shire Rejuvenation Project. This funding application involves a partnership with local organisations in response to the Federal Government's "Jobsfund" program. The project, if granted funding, will involve building and upgrading community infrastructure while providing training and job opportunities for local people.

Actions identified in the Aboriginal Community Development and Reconciliation Plan 2007 – 2010 are progressing, despite the absence of an Aboriginal Liaison Officer for a period of time.
Staff participated in Sorry Day celebrations in June.

NAIDOC day will take place in July 2009. Staff are actively involved in planning and facilitation of events during the NAIDOC week, in collaboration with the NAIDOC committee.

Cultural Awareness Training was carried out.

School visits to Collarenebri School involved staff conducting sessions with children to raise awareness of the role of Walgett Shire Council.

A new committee has been formed to manage Namoi House and Barwon Cottage (Men's & Women's accommodation services). Staff members are actively assisting the committee to ensure funding and Legislative guidelines are adhered to and management and service provision meet the needs of the community.

Economic Development
In response to community request an employer workshop has been arranged. The workshop will focus on the current challenges for local employers and possible collaborative strategies for employee recruitment and retention.

Funding applications
Assisting community groups to identify issues, develop projects in response and apply for external funding is an important part of the community development role. Projects developed;

- Diverse Australia Program – Intergenerational Arts Project. In partnership with Transcultural Community Inc.

- NAIDOC application for celebration in July. Partnership with NAIDOC organising committee.

- Building the Country – (1) Rowena Hall application commenced. Partnership with Rowena Hall community members/user groups. (2) Walgett Wireless Broadband Internet project submitted in collaboration with Dharriwaa Elders Group & Walgett Community College.

- JobsFund applications – (1) Walgett Shire Rejuvenation Project and (2) Lightning Ridge Community Centre in partnership with Lightning Ridge Neigbourhood Centre.

Relevant Reference Documents:

Walgett Shire Council Social Plan 2007 – 2010,
Walgett Shire Council Aboriginal Community Development and Reconciliation Plan 2007 – 2010,
Walgett Shire Tourism Plan 2009 – 2011,
Walgett Shire Youth Development Youth Strategy 2009 - 2014.

Stakeholders:

Walgett Shire community members, organisations and agencies with an interest in the social outcomes of people residing, working in, and visiting, the Walgett Shire.

Financial Implications:

Nil

Recommendations:

1. That the Community Development and Tourism quarterly report (April – June 2009) be accepted.

15. INVESTMENT REPORT AS AT 31 MAY 2009

REPORTING SECTION: Corporate and Community Services

AUTHOR: Myrene Lovegrove – Finance Manager

FILE NUMBER: 180/02/01/00

Summary:

This report summarises the investments of Walgett Shire Council for the month of March 2009.

Discussion (including issues and background):

The following report includes floating rate collaterized debt obligations (CDO). These products are independently valued annually. The values disclosed are market values at 30 June 2008. The next valuation will be as at 30 June 2009.

The Investment Ledger summary as at 30 April 2009 as follows

Recommendations:

1. That the investment report as at 30 April 2009 be received.

INVESTMENTS - CONSOLIDATED

Council investments have been made in accordance with the Local Government Act 1993, the regulations and council's investment policy

Investment Institution	Type of Investment	Term (days)	Rate %	Ref	Reset Date	Maturity Date		
Term Deposits								
Local Government Financial Services	Term Deposit	98	4.10	569/09		28-Jul-09	$	500,000.00
Police & Nurses Credit Society	Term Deposit	98	3.95	570/09		28-Jul-09	$	500,000.00
Suncorp Metway	Term Deposit	112	3.81	571/09		18-Aug-09	$	500,000.00
Bank of Western Australia	Term Deposit	105	4.00	572/09		11-Aug-09	$	500,000.00
Bank of Western Australia	Term Deposit	120	3.75	548/09		03-Jun-09	$	300,000.00
National Australia Bank	Term Deposit	182	4.00	549/09		04-Aug-09	$	300,000.00
Citibank	Term Deposit	154	4.68	551/09		21-Jul-09	$	500,000.00
Savings & Loans Credit Union	Term Deposit	91	4.05	553/09		02-Jun-09	$	500,000.00
Newcastle Permanent Building Society	Term Deposit	91	4.19	554/09		02-Jun-09	$	500,000.00
National Australia Bank	Term Deposit	91	4.10	557/09		16-Jun-09	$	200,000.00
IMB Ltd Financial Services	Term Deposit	119	4.05	558/09		14-Jul-09	$	500,000.00
AMP Banking	Term Deposit	109	4.25	559/09		14-Jul-09	$	500,000.00
Maquarie Bank	Term Deposit	95	4.30	560/09		30-Jun-09	$	500,000.00
Bank of Queensland	Term Deposit	95	4.25	561/09		30-Jun-09	$	500,000.00
Bank of Queensland	Term Deposit	87	4.25	562/09		26-Jun-09	$	500,000.00
Australian Central Credit Union	Term Deposit	63	3.82	563/09		09-Jun-09	$	500,000.00
Local Government Financial Services	Term Deposit	90	4.10	564/09		07-Jul-09	$	500,000.00
Westpac	Term Deposit	90	3.95	565/09		07-Jul-09	$	500,000.00
Citibank	Term Deposit	91	4.60	566/09		08-Jul-09	$	500,000.00
Suncorp Metway	Term Deposit	98	4.18	567/09		21-Jul-09	$	500,000.00
Savings & Loans Credit Union	Term Deposit	91	4.20	568/09		14-Jul-09	$	250,000.00
Westpac	Term Deposit	95	4.00	573/09		11-Aug-09	$	500,000.00
National Australia Bank	Term Deposit	91	4.00	574/09		25-Aug-09	$	500,000.00
Callable Range Accrual Notes (CRAN)								
Commonwealth Bank of Australia bond	Term Deposit	92	7.50	555/09	16-Jun-09	16-Dec-10	$	500,000.00
Royal Bank Canada bond	Term Deposit	92	7.70	556/09	16-Jun-09	16-Mar-11	$	500,000.00
Floating Rates Collaterized Debt Obligations (CDO)								
Zircon Finance Limited	Floating Rate CDO		0.00			20-Sep-14	$	175,275.00
Managed Aces SP	Floating Rate CDO	94	5.06		22-Jun-09	20-Jun-15	$	64,670.00
Helium Capital	Floating Rate CDO	92	4.33		23-Jun-09	23-Jun-14	$	105,800.00
Magnolia Finance	Floating Rate CDO	94	4.51		22-Jun-09	20-Mar-12	$	36,500.00
							$	**11,932,245.00**

16. LEHMAN BROTHERS INVESTMENT REPORT

REPORTING SECTION: Corporate and Community Services

AUTHOR: Myrene Lovegrove - Finance Manager

FILE NUMBER: 180/02/01/00

Summary:

This report provides an update on Council's investments held with Lehman Brothers Australia Limited.

Discussion (including issues and background):

Currently Council's investment portfolio includes four Floating Rates Collaterized Debt Obligations held with Lehman Brothers (Australia) Limited. As disclosed in monthly investment reports to Council the four products are:

Zircon Finance Limited
Managed Aces SP
Helium Capital
Magnolia Finance

The market value of these products as at 30 June 2008 was $382,245.00. As part of the end of financial year process, and on the advice of Council's auditors, Spencer Steer, an independent valuation as at 30 June 2009 will be sourced and disclosed in Council's Financial Statements.

To date this financial year, interest coupons totalling $29,574.00 have been received. The last interest coupons for this financial year are due in late June 2009. Magnolia Finance with a market value of $36,500.00 is the only product not currently paying an interest coupon. Coupon interest is calculated on the original purchase price of these products ($1,000,000.00) providing a current rate of return on market value of approximately 10.3%, whilst term deposits currently return around 3.9% These products have maturity dates between March 2012 and June 2015. These investments continue to comply with the Local Government Ministerial Investment Order.

Lehman Brothers (Australia) Limited continues its voluntary administration status with PPB appointed as administrator on 26 September 2008. The administration process doesn't impact on Walgett Shire Council's interest received on these investments or ownership of these products. Walgett Shire Council's service delivery to its rate payers and its cash flow is not affected by these investments.

A report to creditors by the voluntary administrators, dated 28 May 2009 is attached for your information. The report discussed both liquidation and deed of company arrangement alternatives for return to creditors. This report indicates any creditor taking legal action against Lehman Brothers (Australia) Limited may receive less than 6.7% under a deed of arrangement and between 0% and 13% under liquidation. Walgett Shire Council is currently not a creditor of Lehman Brothers (Australia) Limited.

Relevant Reference Documents:

PPB: Further report to Creditors by the Voluntary Administrator.

Stakeholders:

Walgett Shire Council
Walgett Shire Ratepayers

Financial Implications:

Nil realised loss until sold.

Recommendations:

1. Council continues monitoring its investments with Lehman Brothers (Australia) Limited.

Attachments

PPB: Further report to Creditors by the Voluntary Administrator.

LEHMAN BROTHERS (AUSTRALIA) LIMITED (Voluntary Administrators Appointed)
A.C.N. 066 797 760

FURTHER REPORT TO CREDITORS BY THE VOLUNTARY ADMINISTRATORS

BACKGROUND

Creditors who attended yesterday's adjourned Second Meeting will be aware that the Administrators were provided with an amended proposal for a Deed of Company Arrangement from Lehman Brothers Asia Holdings Limited (In Liquidation) (**LB Asia**), late on 26 May 2009 (**Amended Proposal**).

In the period of time between the receipt of the Amended Proposal and yesterday's meeting, the Administrators were not able to consider the Amended Proposal so as to reconsider, if necessary, the opinion they are required to provide to creditors pursuant to section 439A(4)(b) of the *Corporations Act 2001*.

Mr Hodgkinson of KPMG, who acts for the liquidator of LB Asia, addressed yesterday's meeting and indicated that he was uncertain as to whether the Amended Proposal would be available for acceptance by creditors for any extended period of time due to the complicated relationships between the former Lehman related entities. Creditors yesterday voted to adjourn the Second Meeting until 4 pm, 28 May 2009 to allow the Administrators time in which to consider and report to creditors on the Amended Proposal. It was agreed at the Second Meeting that this report would be available on the website of PPB.

ADMINISTRATORS' RECOMMENDATION

In the light of the amendments identified below, the benefit to all creditors of receiving their payments much earlier than if the Company was placed in liquidation, the comparative returns available upon liquidation and the fact that the Contingent Litigation Creditors will have their claims dealt with without the need to resort to expensive and protracted litigation, the outcome of which is uncertain, the Administrators are of the opinion that:

(i) it is in the creditors' interests for the Company to execute a Deed of Company Arrangement in accordance with the Amended Proposal;

(ii) It is not in the creditors' interests for the administration to end;

(iii) It is not in the creditors' interests for the Company to be wound up.

Creditors who attended yesterday's adjourned meeting will be aware that Gowing Brothers Limited (**Gowings**) has withdrawn its proposal for a Deed of Company Arrangement. The Administrators understand that Gowings are, at this time, in favour of the Company entering into a Deed of Company Arrangement in accordance with the Amended Proposal.

THE AMENDED PROPOSAL

In section 6.2.2 of our Report to Creditors dated 18 May 2009, the Administrators express concern about the enforceability of the required releases and indemnities from creditors (in certain circumstances) under the former LB Asia proposal, in favour of the Company, its officers and the Lehman entities and their officers and the potential for such provisions to breach section 445D of the *Corporations Act 2001*. It was principally the requirement for the provision of these extensive releases and indemnities that caused the Administrators to revise their opinion from their First Report dated 19 March 2009.

The Amended Proposal changes the former proposal by :

- Removal of any limitation on making claims or commencing actions against Third Parties noting that "Third Parties" do not include the Company or any Lehman entities;
- Removal of any requirement that creditors provide releases to directors and officers of the Company and the Lehman entities;
- Removal of any requirement that parties bound by the DOCA, indemnify the Company and the Lehman entities for any loss which may be caused by commencement of proceedings against a Third Party;
- Increasing the immediate cash payment to the Litigation Creditors' Fund (**LCF**) from $36m to $43.2m of which $1 million and $200,000 respectively will be payable to Wingecarribee Shire Council, in reimbursement of the costs of their court action which has benefitted all contingent claimants and Gowings in reimbursement of their Deed costs in respect of their deed proposal, a number of features of which have been incorporated into the amended Asia proposal, (Fixed Payments) ;

- Adding guidelines for admission to proof of the claims of Litigation Creditors as set out at pages 2 and 3 of the attached presentation from KPMG.
- Creating a total LCF including the Fixed Payments of $43.2m plus any insurance proceeds.
- Adding a mechanism for Litigation creditors to "appeal" any determination of their claim
- Capping the fees and expenses of the LCF Administrators at $250,000 including GST (excluding legal fees incurred in relation to any contingent creditor claim disputes)
- Creditors should be aware that the DOCA will purport to restrict their ability to make claims against Lehmans entities other than the Company. Based upon the Administrators investigations to date, it appears unlikely that creditors will have such claims available to them.

ANALYSIS OF EXPECTED RETURNS

Our further analysis of the effect of these amendments is set out in the following tables below:

A Estimated Distributions Upon Liquidation

B Estimated Distribution of the General Deed Fund

C Estimated Distribution of the Litigation Creditors Fund

D Comparative Returns to Creditors under Liquidation and Deed

In relation to the above tables, we make the following comments:

(i) Creditors should note that the amended proposal from LB Asia provides for gross insurance recoveries in the amount of $12.5m under the high case. Recoveries under the insurance policies is uncertain and we are not in a position to comment as to the effect of Section 562 of the Corporations Act on any insurance receipts. As stated in our earlier reports, creditors should take their own advice on the effect of Section 562 of the Corporations Act. As set out in the Deed proposal the costs of pursuing the insurance providers will be met from the main Deed fund;

(ii) The returns to Contingent Creditors are based upon the estimated universe of losses in the amount of $625.6m consistent with our previous reports. Returns to Contingent Creditors will vary in accordance with the terms of the Deed proposal;

(iii) Whilst we have conducted a preliminary assessment as to the delineation of losses falling within the various creditor categories, the ultimate composition of the different categories will be determined following receipt of further and better particulars from contingent creditors. For the purposes of this analysis, they must be treated as estimates only.

Should any creditor wish to discuss any aspect of the above, please contact:

Neil Singleton or Marcus Ayres (02) 8116 3000

Dated this 28th day of May 2009

Neil Singleton

Joint Voluntary Administrator

PPB

ANNEXURE A

LEHMAN BROTHERS AUSTRALIA LIMITED

LIQUIDATION ALTERNATIVE

L:\LEHAUST\Third Report to Creditors\28 May Report\[LB Asia Deed Proposal.xlsx]LB Asia Deed

			CLAIMANTS LOSE				CLAIMANTS WIN			
	No.	Claims ($'000)	ERV Low ($'000)	%	ERV High ($'000)	%	ERV Low ($'000)	%	ERV High ($'000)	%
Estimated Assets Pool			142,316		247,598		142,316		247,598	
Estimated Insurance Proceeds			0		12,500		0		12,500	
			142,316		260,098		142,316		260,098	
Deduct Estimated 'Static' Priority Payments										
Administrators Remuneration			3,100		3,100		3,100		3,100	
Legal Fees			1,500		1,500		1,500		1,500	
Estimated Additional Costs in Litigation			1,600		1,600		26,100		26,100	
			6,200		6,200		30,700		30,700	
Estimated Assets Available for Distribution			**136,116**		**253,898**		**111,616**		**229,398**	
First Tranche Payments										
Priority Unsecured Creditors			5,182		5,182		5,182		5,182	
Balance Available for Unsecured Creditors			130,934		248,716		106,434		224,216	
Second Tranche Payments										
Employees - Unsecured	3	400	296	74%	400	100%	53	13%	112	28%
Trade Creditors	97	8,700	6,433	74%	8,700	100%	1,154	13%	2,430	28%
Related Parties							0		0	
Asia	6	141,848	104,883	74%	141,848	100%	18,809	13%	39,624	28%
Australia	1	5,813	4,298	74%	5,813	100%	771	13%	1,624	28%
Europe/United States	4	20,319	15,024	74%	20,319	100%	2,694	13%	5,676	28%
Litigation Creditors	308	625,575	0		0		82,953	13%	174,750	28%
		802,655	130,934		177,080		106,434		224,216	
Third Tranche Payments										
Subordinated Claim	1	**87,500**	0	0%	71,636	82%	0	0%	0	0%
Total Funds Distributed			**136,116**		**253,898**		**111,616**		**229,398**	
NET PRESENT VALUE (6 YEARS DISCOUNTED AT 5%)				55%		75%		10%		21%

PPB

ANNEXURE B

LEHMAN BROTHERS AUSTRALIA LIMITED
(ADMINISTRATORS APPOINTED)

ESTIMATED RETURN UNDER DEED SCENARIOS

L:\LEHAUST\Third Report to Creditors\28 May Report\[LB Asia Deed Proposal.xlsx]LB Asia Deed

LB ASIA HOLDINGS DEED PROPOSAL (INCORPORATING AMENDMENTS AT 26 MAY 2009)

			Deed Low		Deed High	
	Creditors ($'million)	No.	($'million)	%	($'million)	%
Total Estimated Assets			142.3		247.6	
Deduct Priority Costs						
Administrators 'Static' Remuneration (Estimated)			3.1		3.1	
'Static' Legal Fees (Estimated)			1.5		1.5	
			137.7		243.0	
Deduct Priority Creditors						
Employee Entitlements	5.2	18	5.2	100%	5.2	100%
Amount available for ordinary creditor claims			132.5		237.8	
ESTIMATED FIRST TRANCHE CREDITORS						
Litigation Claimant Creditors (Refer to LCF Distribution Schedule)			43.2		43.2	
Estimated Amount available to Second Tranche Creditors			89.3		194.6	
ESTIMATED SECOND TRANCHE CREDITORS						
Employee Creditors - Unsecured	0.4	3	0.4	100.0%	0.4	100.0%
Trade Creditors	8.7	104	8.7	100.0%	8.7	100.0%
			9.1		9.1	
Estimated Amount available to Third Tranche Creditors			80.2		185.5	
ESTIMATED THIRD TRANCHE CREDITORS						
Lehman Brothers Australia Related Parties	5.8	4	2.8	47.8%	5.8	100.0%
Lehman Brothers Asia Holdings	105.6	1	50.4	47.8%	105.6	100.0%
Other Lehman Brothers Asian Companies	36.2	5	17.3	47.8%	36.2	100.0%
Lehman Brothers Overseas Companies	20.3	8	9.7	47.8%	20.3	100.0%
			80.2		167.9	
ESTIMATED FOURTH TRANCHE CREDITORS						
LB Granica (Subordinated Debt)	87.5	1	Nil	0.0%	17.6	20.1%
TOTAL FUNDS DISTRIBUTION			132.5		237.8	

PPB

ANNEXURE C

LEHMAN BROTHERS AUSTRALIA LIMITED
(ADMINISTRATORS APPOINTED)

ESTIMATED RETURN FROM LITIGATION CREDITORS FUND

LB ASIA HOLDINGS DEED PROPOSAL (Amended 26.05.09)

			LCF Low		LCF High	
	Gross Claims ($'Million)	No.	($'Million)	%	($'Million)	%
Total Estimated Assets (Excluding Insurance Recoveries)			43.20		43.20	
Add Possible Insurance Recoveries			0.00		12.50	
			43.20		55.70	
Deduct Priority Costs						
Administrators 'Static' Remuneration (Estimated)			0.25		0.25	
'Static' Legal Fees (Estimated)			0.10		0.10	
			42.85		55.35	
Deduct Priority Creditors						
Legal expenses reimbursed (Wingecarribee)			1.00		1.00	
Gowings			0.20		0.20	
Amount available for Litigation Creditor claims			**41.65**		**54.15**	
Contingent Creditors						
IMP	266.3	94	26.49	10%	34.44	13%
Crystallised Losses	6.3	4	0.63	10%	0.82	13%
Non-IMP						
Notional losses < $2.5m	100.3	173	6.48	6%	8.43	8%
Notional Losses $2.5m - $5.0m	87.0	26	4.41	5%	5.73	7%
Notional Losses > $5.0m	172.1	16	3.64	2%	4.73	3%
			41.65		54.15	
Effective Dividend Rate (i.e. using gross claims values of $625.6 million)				6.7%		8.7%

PPB

ANNEXURE D

LEHMAN BROTHERS AUSTRALIA PTY LIMITED

SUMMARY OF COMPARATIVE RETURNS UNDER LIQUIDATION AND DoCA

	LOW VALUE		
	Liquidation		Deed
Category of Creditor	Claimants Lose c/$	Claimants Win c/$	LB Asia c/$
Employees	100.0	100.0	100.0
General Creditors	74.0	13.0	100.0
Lehman Group Companies (excluding LBAG)	74.0	13.0	47.8
Litigation Creditors	0.0	13.0	6.7*
Subordinated Creditor - LBAG	0.0	0.0	0.0

* In relation to the returns to Contingent Creditors, please refer to Annexure C

	HIGH VALUE		
	Liquidation		Deed
Category of Creditor	Claimants Lose c/$	Claimants Win c/$	LB Asia c/$
Employees	100.0	100.0	100.0
General Creditors	100.0	26.0	100.0
Lehman Group Companies (excluding LBAG)	100.0	26.0	100.0
Litigation Creditors	0.0	26.0	6.7*
Subordinated Creditor - LBAG	82.0	0.0	20.1

* In relation to the returns to Contingent Creditors, please refer to Annexure C

17. IRRIGABLE LAND RATES AND RURAL ASSESSMENTS LESS THAN 40 HECTARES REPORT

REPORTING SECTION: Corporate and Community Services

AUTHOR: Carole Medcalf – Director Corporate & Community Services

FILE NUMBER: 180/09/01/00

Summary:

Councillor Murray requested a report be prepared regarding irrigable land rates for the June 2009 meeting and to be considered prior to the adoption of the Budget/Management Plan 2009/2010.

Discussion (including issues and background):

There were 201 farmland properties that had a greater than 20% increase in their general rate over what was levied in 2008.

Of these there were 8 properties that did not have a write-off as the property had changed in configuration from 2008 that also impacted on the valuation of the property. (Only properties that are the same configuration as the previous rating year are considered when doing the analysis of the 20% capping.) There were 4 dryland and 4 irrigable properties.

There were 193 farmland properties that had a write-off due to the 20% capping. Of these there were 183 dryland and 10 irrigable properties.

Last year Council amalgamated all irrigable sub-categories into one as part of the transition to coming back to one farmland rate over the next few years, required by the Department of Local Government.

Under Section 529 Clause 2(a) of the Local Government Act 1993 sub categorisation of farmland can only be based on:

- Intensity of land use
- Irrigability of the land
- Economic factors

The crux of the issue with irrigable land is that the property is under section 515 of the Local Government Act 1993 "a parcel of rateable land valued as one assessment". The subcategory of irrigable is allowed under Section 529 Clause (4) Land may be taken to be irrigable for the purposes of subsection (2) (a) if, and only if, it is the subject of a water right within the meaning of the Valuation of Land Act 1916. The definition of parcel of land, in relation to rateable land, means a portion or parcel of land separately valued under the Valuation of Land Act 1916.

And;

Where the definition (from Valuation of Land Act 1916) water right means a right or authority (however described) under the Water Management Act 2000, the Water Act 1912 or any other Act, being a right or authority to construct, install or use works of irrigation, or to use water supplied by works of irrigation.

The argument has been that the water right may have only been attached to one title of the many titles within a rateable parcel. However as all of the "irrigable" farmland properties are valued as one assessment there is no opportunity to apply the irrigable rate to only a portion of the valuation. To achieve this, the rateable parcel would have to be split into two or more separately valued parcels (assessments).

Rural less than 40ha

Regarding the new categorisation or Rural less than 40ha, these properties will have to be either categorised as Residential or Business.

S516 Categorisation as residential

(1) Land is to be categorised as residential if it is a parcel of rateable land valued as one assessment and:

(a) its dominant use is for residential accommodation (otherwise than as a hotel, motel, guest-house, backpacker hostel or nursing home or any other form of residential accommodation (not being a boarding house or a lodging house) prescribed by the regulations), or
(b) in the case of vacant land, it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes, or
(c) it is rural residential land.

Where the definition of rural residential land means land that:

(a) is the site of a dwelling, and
(b) is not less than 2 hectares and not more than 40 hectares in area, and
(c is either:
(i) not zoned or otherwise designated for use under an environmental planning instrument, or
ii) zoned or otherwise designated for use under such an instrument for non-urban purposes, and
d) does not have a significant and substantial commercial purpose or character.

Under S529 Clause 2(b) sub categorisation of residential
(b) for the category “residential”—according to whether the land is rural residential land or is within a centre of population

If the properties affected do not meet Section 516 definition and the definition of rural residential land they must be categorised as Business.

Of the properties looked at there were some that would fall under Residential and some under Business (where there is no sign of residential accommodation). Staff have shifted those assessments (at time of writing 19 assessments affected) into Other - Residential and Other - Business. Letters have been sent notifying of the proposed change of category.

Relevant Reference Documents:

Local Government Act 1993

Stakeholders:

Walgett Shire Council
Walgett Shire Council Ratepayers and Residents

Financial Implications:

Changes to rates category rural residential under 40 hectares

Recommendations

1. **That Council adopts the Farming irrigable rate proposed in the Draft Management Plan 2009/2010.**

2. **That Council categorises those lands previously proposed as Rural less than 40 hectares as Other - Residential or Other - Business depending on the activity conducted on the assessment as proposed in the Draft Management Plan 2009/2010.**

18. BUDGET SUBMISSIONS

REPORTING SECTION: Director Corporate and Community Services

AUTHOR: Myrene Lovegrove - Finance Manager

FILE NUMBER: 145/11/12/00 and 180/08/00/00

Summary:

This report provides an update on submissions received and grants/expenditure requested since the draft Management Plan was advertised for public comment.

Discussion (including issues and background):

Walgett Shire Council's draft Budget and Management Plan was advertised for public comment from 15 May to 4:30pm 12 June 2009. The following submissions and requests for expenditure were received during the submission period:

1.	Petition with 69 signatures received from Lightning Ridge Community to re-allocate $150,000 from the Lightning Ridge diving pool to CCTV in Lightning Ridge.	$150,000
2.	Letter from a ratepayer requesting re-allocate $150,000 from the Lightning Ridge diving pool to CCTV in Lightning Ridge.	$150,000
3.	Submission from Department of Lands for a Lightning Ridge town extension at Fantasia Street, specifically to acquire land and prepare a concept plan for development. $20,000 would be required for the concept plan and $70,000 for land acquisition.	$20,000 $70,000
4.	Request for $2,000.00 to support SPERANZA (suicide prevention, education, research in Australia and New Zealand with its GASS Surf-activ8, “Communities That Care And Mental Health Festival Day” in Manly.	$2,000
5.	Request for sponsorship between $2,500 and $7,500 by Wetlandcare Australia for world wetlands day.	$2,500 - $7,500
6.	Request for donation by Carinda & District Race Club meeting for prizes for meeting on 25th July 2009.	
7.	Lightning Ridge Preschool Committee has requested funding towards the following shortfalls: Transition Officer $35,000, bus program $16,000 and operating expenses $15,000.	$66,000
8.	$100 for Dr Frank Kotai and Tony Rees for a donation to the RFDS Outback Air Race.	$100
9.	Women's Legal Services NSW has requested the donation of the use of the Collarenebri Community Hall -Supper Room for a domestic violence workshop.	
10.	An additional $8,000.00 to complete the business continuity plan (DCCS).	$8,000
11.	Development of a workplace emergency and evacuation program at a cost of $8,000.00 (DCCS)	$8,000
12.	Rowena progress association Xmas in July $500 requested	$500
13.	RARMS: relocation of Walgett Doctors Surgery - physical relocation involving Council staff and vehicles	
14.	RARMS request for furniture costs	
15.	Trans Cultural Community Council requests $20,000 for a migrant support worker for 7 hours per week plus utilities and rent	$20,000

16.	Coolibah Kids Long Day Care Centre for incentives to attract staff	$20,000
17.	Australian Opal Centre – Employ staff to assist in funding applications, collection, growth and management and a trade mission to China	$20,000
18.	Australian Opal Centre – Preserved Opal Fields heritage study	$12,000

The projected operating surplus in the General Fund for 2009/10 is $149,557.00

Relevant Reference Documents:

Draft Management Plan 2009/10 to 2013/14

Stakeholders:

Walgett Shire Council
Walgett Shire Ratepayers

Financial Implications:

Up to $434,100 in additional expenditure

Recommendations:

That the following additional proposals for expenditure be included in the 2009/10 budget

Attachments:

Submissions circulated under separate cover.

19. MANAGEMENT PLAN AND BUDGET 2009/2010 REPORT

REPORTING SECTION: Corporate and Community Services

AUTHOR: Carole Medcalf – Director Corporate & Community Services

FILE NUMBER: 145/11/12/00

Summary:

This report recommends that the draft Budget and Management Plan, which includes the Fees and Charges for the year ending 30 June 2010 and Budget for 2009/2010 – 2013/ 2014 be formally adopted by Council.

Discussion (including issues and background):

The draft Budget and Management Plan was advertised for public comment from 15 May 2009, with the closing date for submissions being 4.30 pm on 12 June 2008.

Submissions were received during the public comment period and, where appropriate, have been considered. Please see attached submissions received from the Walgett Rate Payers Association.

Relevant Reference Documents:

Draft Budget and Management Plan 2009/2010 – 2013/2014

Stakeholders:

Walgett Shire Council
Walgett Shire Council Ratepayers and Residents

Financial Implications:

As recommended and set out in the Budget and Management Plan 2009/2010 – 2013/2014

Recommendations

1. **That Council adopt the Management Plan 2009/2010 – 2013/2014 as presented with any adopted changes.**

2. **That council adopt a 3.5% increase in the total levy for General Fund Rates.**

3. **That the Fees and Charges 2009/2010 as listed in the Management Plan be adopted, with Council reserving the right to vary fees and charges of a commercial nature as circumstances require.**

5. **That Council resolves to adopt the rates structure for ordinary rates as follows:**

	2010 Rate in $	2010 Base Amount	2010 Minimum
Walgett Residential	0.04259	170.00	0.00
Walgett Business	0.04737778	220.00	0.00
L/Ridge Residential	0.010512	170.00	0.00
L/Ridge Business	0.01005	220.00	0.00
Collarenebri Residential	0.125	130.00	0.00
Collarenebri Business	0.11792	180.00	0.00
B/Junction Residential	0.03	120.00	0.00
B/Junction Business	0.035	170.00	0.00
Carinda Residential	0.14927	70.00	0.00
Carinda Business	0.03510151	100.00	0.00
Cumborah Residential	0.01662	65.00	0.00
Rowena/CBC Residential	0.41511	65.00	0.00
Rowena/CBC Business	0.315675	100.00	0.00
Rural (Farmland)	0.0042794	0.00	170.90
Rural Irrigable	0.00561134	0	170.90
Preserved Opal Fields - Residential	0.048819646	115.00	
Preserved Opal Fields - Business	0.06	170.00	0.00
Other - Residential	0.0077625	115.00	0.00
Other - Business	0.0098325	135.00	0.00

6. **That Council 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 29 August 2009.**

7. **That the following fees and charges be set :**

SERVICE PROVIDED	RATES, RATING INFORMATION AND ENQUIRY FEES			
		2009/2010	GST	TOTAL
Section 603 Certificate		$60.00	Nil	$60.00
Urgent Section 603 Certificate		$120.00	Nil	$120.00
Information given in writing		$20.00	$2.00	$22.00
Inspection of valuation records by applicant	*per hour or part thereof*	$30.00	$3.00	$33.00
Search conducted by Council	*per hour or part thereof*	$60.00	$6.00	$66.00
Reprinting rate notices	*per notice*	$5.00	$0.50	$5.50

	RATES - PENALTIES			
		2009/2010	GST	TOTAL
Accrual of Interest on Rates and Charges (Refer Section 566 Local Government Act)		$0.09	Nil	$0.09
Legal Fees				actual cost

SERVICE PROVIDED	DOMESTIC WASTE MANAGEMENT			
		2009/2010	GST	TOTAL
Waste Management Charge	*per annum*	$37.30	Nil	$37.30
Garbage Collection Charge (S501) per occupancy	*per bin per annum*	$341.27	Nil	$341.27
Additional Bin Collection	*per bin per annum*	$341.27	Nil	$341.27
Late Collection Charge		$83.25	Nil	$83.25

SERVICE PROVIDED	TRADE WASTE MANAGEMENT			
		2009/2010	GST	TOTAL
Trade Waste Management				
240L MGB Collection - weekly collection	*per bin per annum*	$341.27	Nil	$341.27
360L MGB Collection - twice weekly collection	*per bin per annum*	$950.00	Nil	$950.00

SERVICE PROVIDED	SEWERAGE			
		2009/2010	GST	TOTAL
Walgett	*per annum*	$354.64	Nil	$354.64
Lightning Ridge	*per annum*	$335.79	Nil	$335.79
Collarenebri	*per annum*	$383.88	Nil	$383.88
Walgett	*per annum*	$354.64	Nil	$354.64
Lightning Ridge	*per annum*	$335.79	Nil	$335.79
Collarenebri	*per annum*	$383.88	Nil	$383.88
Walgett - Cistern charges, hotels, motels, caravan parks, licensed clubs	*per annum*	$55.55	Nil	$55.55
Lightning Ridge - Cistern charges, hotels, motels, caravan parks, licensed clubs	*per annum*	$52.34	Nil	$52.34
Collarenebri - Cistern charges, hotels, motels, caravan parks, licensed clubs	*per annum*	$60.22	Nil	$60.22
Lightning Ridge Pump Assisted Sewerage Charge	*per annum*	$335.79	Nil	$335.79

SERVICE PROVIDED	WATER	2009/2010	GST	TOTAL
Carinda	*per annum per property*	$328.76	Nil	$328.76
Rowena	*per annum per property*	$386.51	Nil	$386.51
Carinda Bore Water	*per annum per unit*	$312.38	Nil	$312.38
Cumborah	*per annum per property*	$350.28	Nil	$350.28
Walgett	*per assessment or per dwelling (whichever is greater)*	$752.54	Nil	$752.54
Lightning Ridge	*per assessment or per dwelling (whichever is greater)*	$669.22	Nil	$669.22
Collarenebri	*per assessment or per dwelling (whichever is greater)*	$781.41	Nil	$781.41
Metered Standpipes	*per load*	$57.75	Nil	$57.75
+ ADD	*per kilolitre*	$1.22	Nil	$1.22
Meter Reading Charge	*per request*	$33.08	Nil	$33.08

SERVICE PROVIDED	ADMINISTRATION	2009/2010	GST	TOTAL
Research Staff Costs (minimum one hour)	*per hour*	$59.09	$5.91	$65.00
Document Folding	*per 1,000 or part thereof*	$36.36	$3.64	$40.00
Typing	*per hour*	$54.55	$5.45	$60.00
Laminating	*A4*	$3.64	$0.36	$4.00
Laminating	*A3*	$5.45	$0.55	$6.00
Laminating (Large Documents)	*per linear cm*	$0.23	$0.02	$0.25
Plans and Map Printing - over the counter	*A3 to A2*	$4.00	Nil	$4.50
Plans and Map Printing - over the counter	*A2 to A1*	$6.50	Nil	$7.00
Plans and Map Printing - over the counter	*A1 or larger*	$11.00	Nil	$11.00
Plans and Map Printing - by post	*Smaller than A1*	$12.00	Nil	$12.00
Plans and Map Printing - by post	*A1 or larger*	$17.00	Nil	$17.00
Binding	*First 100 pages*	$3.64	$0.36	$4.00
+ ADD	*per each additional 100 pages*	$2.73	$0.27	$3.00
Freedom of Information Application		$30.00	Nil	$30.00
Freedom of Information - Internal Review		$42.00	Nil	$42.00

SERVICE PROVIDED	LIBRARY	2009/2010	GST	TOTAL
Photocopying B&W	*per page*	$0.28	$0.03	$0.31
Overdue Item	*per item*	$0.56	$0.06	$0.61
+ ADD	*per day*	$0.19	$0.02	$0.20
Lost Membership Card		$1.53	$0.15	$1.69

SERVICE PROVIDED	WALGETT VISITOR INFORMATION AND INTERNET CENTRE	2009/2010	GST	TOTAL
BLACK & WHITE COPYING				
Photocopying B&W - A4 Single - (0-50 copies)	*per page*	$0.28	$0.03	$0.31
Photocopying B&W - A4 Single - (51-100 copies)	*per page*	$0.23	$0.02	$0.26
Photocopying B&W - A4 Single - (101-500 copies)	*per page*	$0.19	$0.02	$0.20
Photocopying B&W - A4 Single - (501+ copies)	*per page*	$0.14	$0.01	$0.15

Photocopying B&W - A4 Double sided - (500+ copies)	*per page*	$0.37	$0.04	$0.41
Photocopying B&W - A4 Double sided - (500+ copies)	*per page*	$0.33	$0.03	$0.36
Photocopying B&W - A4 Double sided - (500+ copies)	*per page*	$0.28	$0.03	$0.31
Photocopying B&W - A4 Double sided - (501+ copies)	*per page*	$0.23	$0.02	$0.26
Photocopying B&W - A3 Single - (0-50 copies)	*per page*	$0.56	$0.06	$0.61
Photocopying B&W - A3 Single - (51-100 copies)	*per page*	$0.51	$0.05	$0.56
Photocopying B&W - A3 Single - (101-500 copies)	*per page*	$0.47	$0.05	$0.51
Photocopying B&W - A3 Single - (501+ copies)	*per page*	$0.42	$0.04	$0.46
Photocopying B&W - A3 Double sided - (0-50 copies)	*per page*	$0.65	$0.07	$0.72
Photocopying B&W - A3 Double sided - (51-100 copies)	*per page*	$0.60	$0.06	$0.66
Photocopying B&W - A3 Double sided - (101-500 copies)	*per page*	$0.56	$0.06	$0.61
Photocopying B&W - A3 Double sided - (501+ copies)	*per page*	$0.51	$0.05	$0.56
COPYING TO COLOUR PAPER				
Photocopying Colour Paper - A4 Single - (0-50 copies)	*per page*	$0.28	$0.03	$0.31
Photocopying Colour Paper - A4 Single - (51+ copies)	*per page*	$0.23	$0.02	$0.26
Photocopying Colour Paper - A4 Double sided - (0-50 copies)	*per page*	$0.37	$0.04	$0.41
Photocopying Colour Paper - A4 Double sided - (51+ copies)	*per page*	$0.33	$0.03	$0.36
COLOUR COPYING				
Photocopying Colour - A4 Full Page - (0-50 copies)	*per page*	$3.81	$0.38	$4.19
Photocopying Colour - A4 Full Page - (51+ copies)	*per page*	$3.43	$0.34	$3.77
Photocopying Colour - A3 Full Page - (0-50 copies)	*per page*	$5.77	$0.58	$6.34
Photocopying Colour - A3 Full Page - (51+ copies)	*per page*	$5.19	$0.52	$5.71
COLOUR COPYING - Authorised School Projects				
Photocopying Colour School Projects - A4 Full Page - (0-50 copies)	*per page*	$3.35	$0.33	$3.68
Photocopying Colour School Projects - A4 Full Page - (51+ copies)	*per page*	$3.35	$0.33	$3.68
Photocopying Colour School Projects - A3 Full Page - (0-50 copies)	*per page*	$5.21	$0.52	$5.73
Photocopying Colour School Projects - A3 Full Page - (51+ copies)	*per page*	$5.21	$0.52	$5.73
COLOUR COPYING - Additional Charges				
Wallet size		$0.47	$0.05	$0.51
4' x 6'		$1.02	$0.10	$1.13
5' x 7'		$2.05	$0.20	$2.25
6.5' x 8.5'		$3.07	$0.31	$3.38
FAXING				
Inwards	*initial page*	$1.02	$0.10	$1.13
+ ADD	*additional page*	$0.47	$0.05	$0.51
Outwards	*initial page*	$2.98	$0.30	$3.27
+ ADD	*additional page*	$1.02	$0.10	$1.13
PHOTO QUALITY COPYING (Best quality paper used)				
Black & White A4 Full Page		$0.33	$0.03	$0.36
Colour A4 Full Page		$3.91	$0.39	$4.30
Sepia A4 Full Page		$1.95	$0.20	$2.15
Black & White 8.5' x 6.5'		$0.33	$0.03	$0.36
Colour 8.5' x 6.5'		$2.98	$0.30	$3.27
Sepia 8.5' x 6.5'		$1.44	$0.14	$1.59
Black & White 5' x 7'		$0.33	$0.03	$0.36
Colour 5' x 7'		$0.19	$0.02	$0.20

Sepia 5' x 7'		$1.02	$0.10	$1.13
Black & White 4' x 6'		$0.33	$0.03	$0.36
Colour 4' x 6'		$1.12	$0.11	$1.23
Sepia 4' x 6'		$0.65	$0.07	$0.72
Black & White Wallet Size		$0.33	$0.03	$0.36
Colour Wallet Size		$0.56	$0.06	$0.61
Sepia Wallet Size		$0.47	$0.05	$0.51
PRINTING				
Black & White Copies	*per page*	$0.33	$0.03	$0.36
Colour Copies	*per page*	$3.35	$0.33	$3.68
LAMINATING				
Laminating - A3		$5.77	$0.58	$6.34
Laminating - A4		$3.91	$0.39	$4.30
Laminating - A5		$1.95	$0.20	$2.15
Laminating - Credit Card Size		$1.02	$0.10	$1.13
INTERNET CHARGES				
Internet Usage	*initial ½ hour*	$2.73	$0.27	$3.00
+ ADD	*per minute thereafter*	$0.09	$0.01	$0.10
Internet Usage - Members	*per hour*	$3.18	$0.32	$3.50
TYPING	*per hour*	$59.09	$5.91	$65.00

SERVICE PROVIDED	***CEMETERY***			
		2009/2010	**GST**	**TOTAL**
BURIAL - Lawn Section				
Walgett only				
NOTE: Grave excavation included				
a) 1st Interment		$1,090.91	$109.09	$1,200.00
b) Reopening for 2nd Interment		$545.45	$54.55	$600.00
c) Childs cask (less than 1.1 m long)		$272.73	$27.27	$300.00
included in the interment fee.				
BURIAL - monumental section (Walgett, Lightning Ridge, Collarenebri)				
NOTE: Grave excavation included				
a) 1st Interment or		$636.36	$63.64	$700.00
b) Reopening for 2nd Interment or		$318.18	$31.82	$350.00
c) Childs cask (less than 1.1 m long)		$181.82	$18.18	$200.00
BURIAL - monumental section				
Burren Junction, Cumborah and Carinda				
a per job basis				
a) 1st Interment or		$400.00	Nil	$400.00
b) Reopening for 2nd Interment or		$200.00	Nil	$200.00
c) Childs cask (less than 1.1 m long)		$150.00	Nil	$150.00
BURIAL - ADDITIONAL CHARGES				
(Where Council excavates the grave)				
a) Weekend and public holiday interment		$300.00	$30.00	$330.00
b) Extra (double) depth		$90.91	$9.09	$100.00
BURIAL RESERVATION				
All Public Cemeteries	*per plot*	$181.82	$18.18	$200.00
MEMORIAL WALL (where provided)				
Niche and plaque up to a value of $90.00 (inc. GST)		$200.00	$20.00	$220.00

Copy of Cemetery Register			
a) Digital (email or CD)	$18.18	$1.82	$20.00
b) Printed	$36.36	$3.64	$40.00
Exhumation - fee	$250.00	Nil	$250.00
Exhumation - excavation, ancillary staff & equipment	cost	yes	cost

SERVICE PROVIDED ***IMPOUNDING***

	2009/2010	GST	TOTAL
Abandoned Vehicles			
Charges for seizure, taking custody, removal, keeping and releasing vehicle			
a) Examination and valuation of vehicle	$75.00	Nil	$75.00
b) Photographs	$25.00	Nil	$25.00
c) Notice to Police	$50.00	Nil	$50.00
d) Advertising Charges	$40.00	Nil	$40.00
+ ADD	cost	Nil	cost
e) Notification	$30.00	Nil	$30.00
f) Release Fee	$50.00	Nil	$50.00
g) Towing and Removal	$40.00	Nil	$40.00
+ ADD	cost	Nil	cost
h) Charges for keeping vehicle in custody per day	$25.00	Nil	$25.00
Impounding of Abandoned Shopping Trolleys	$80.00	Nil	$80.00

SERVICE PROVIDED ***ANIMAL CONTROL***

		2009/2010	GST	TOTAL
REGISTRATION				
Desexed Cat or Dog		$40.00	Nil	$40.00
Desexed Cat or Dog owned by Pensioner		$15.00	Nil	$15.00
Entire (not desexed) Cat or Dog		$150.00	Nil	$150.00
Entire (not desexed) Cat or Dog owned by a Registered Breeder		$40.00	Nil	$40.00
Assistance Dogs		Free	Nil	Free
Micro chipping		$55.00	Nil	$55.00
IMPOUNDED CATS & DOGS				
Dog and Cat Impounding Release Fee		$30.00	Nil	$30.00
Dog and Cat Impounding Sustenance	*per day*	$25.00	Nil	$25.00
SALE OF CATS & DOGS				
All animals are to be desexed and vaccinated		Discounted veterinary fees		
+ ADD (administration fees)		$18.18	$1.82	$20.00
IMPOUNDED HORSES ETC				
Administration Costs for impounded horses, cattle, goats and sheep:-		Actual veterinary fees		
+ ADD (administration fees)		$40.00	Nil	$40.00
a) Entry of Impounding		$30.00	Nil	$30.00
b) Entry of Release		$15.00	Nil	$15.00
c) Advertising		cost	Nil	cost
+ ADD (administration fees)		$25.00	Nil	$25.00
d) Notice of Impounding		$30.00	Nil	$30.00
e) Transportation to pound		cost	Nil	cost
+ ADD (administration fees)		$40.00	Nil	$40.00

DRIVING FEES

Rates for driving or taking to pound, horses, asses, mules, cows or camels				
1st Animal	*per km*	$0.80	Nil	$0.80
2nd Animal	*per km*	$0.60	Nil	$0.60
Additional Animals	*per km*	$0.33	Nil	$0.33
Driving Fees *(Owned by the same person and impounded at the one time)*				
0 - 100 sheep	*per km*	$2.00	Nil	$2.00
Each additional 100 sheep (or part thereof)	*per km*	$1.00	Nil	$1.00
Driving Fees - Every goat or pig	*each*	$1.00	Nil	$1.00
Sustenance - Horses, cattle, goats and sheep				
Cattle and Horses (Weekdays)	*each*	$5.00	Nil	$5.00
Cattle and Horses (Weekends & Public Holidays)	*each*	$10.00	Nil	$10.00
(Minimum charge of $40.00 per day per owner)				

SERVICE PROVIDED	CONSTRUCTION AND COMPLYING DEVELOPMENT CERTIFICATES			
		2009/2010	GST	TOTAL
APPLICATIONS				
(i) <$5,000		$50.00	Nil	$50.00
+ ADD		0.5% x proposed building cost		
(ii) >$5,000 and < $100,000		$50.00	Nil	$50.00
+ ADD		0.35% x proposed building cost		
(iii) >$100,000 and <$250,000		$407.50	Nil	$407.50
+ ADD		0.2% x proposed building cost		
(iv) >$250,000		$707.50	Nil	$707.50
+ ADD		0.1% x proposed building cost		
Lodgement with Council of a: · A Complying Development Certificate, · A Construction Certificate, · An occupation certificate, OR · A subdivision certificate, issued by a private certifier		$30.00	Nil	$30.00

SERVICE PROVIDED	CONSTRUCTION AND COMPLYING DEVELOPMENT CERTIFICATES			
		2009/2010	GST	TOTAL
Construction Certificate and Complying Development Certificate modification fee				
Class 1,10	*per application*	$30.00	Nil	$30.00
Class 2-9	*per application*	30% x original application fee		

SERVICE PROVIDED	BUILDING/PLANNING CERTIFICATES			
		2009/2010	GST	TOTAL
Outstanding Notices Certificate (S.735A of the Local Government Act)		$50.00	Nil	$50.00
Orders Certificate (s.121ZP of the Environmental Planning and Assessment Act 1979)		$50.00	Nil	$50.00
Planning Certificates (S.149 (2))		$40.00	Nil	$40.00
Planning Certificate with additional information (S.149 (2) & (5))		$100.00	Nil	$100.00
Swimming Pool Certificate of compliance		$50.00	Nil	$50.00
Swimming Pool Certificate of exemption		$50.00	Nil	$50.00
Building certificate - DOMESTIC (class 1 together with any class 10 on the site)	*per dwelling contained in the building*	$210.00	Nil	$210.00
Building certificate - COMMERCIAL (< 2000m2)				
- First 200m2		$210.00	Nil	$210.00
- Next 200-2000m2	*per m2*	$0.42	Nil	$0.42
Building certificate - COMMERCIAL (> 2000m2)				
- First 2000m2		$966.00	Nil	$966.00
- Next 2000m2 +	*per m2*	$0.06	Nil	$0.06
Additional Inspections, where more than one inspection is necessary		$75.00	Nil	$75.00
Copy of Building Certificate		$10.00	Nil	$10.00

SERVICE PROVIDED	BUILDING/PLANNING PLANS			
		2009/2010	GST	TOTAL
Stamping of additional plans and specifications when Construction Certificate approved				
0-4 instances		Free	Free	Free
5+ instances	*each*	$10.00	Nil	$10.00
Copy of Building Plans		$40.00	Nil	$40.00
+ ADD			Standard Copying Charges	
Certified copies of a document, plan or map (under section 150(2) of the Environmental Planning and Assessment Act 1979)	*per document, plan or map*	$40.00	Nil	$40.00

SERVICE PROVIDED	MANDATORY INSPECTIONS			
		2009/2010	GST	TOTAL
BCA 1a or 1b (domestic)				
- new building up to $100,000	*7 Inspections*	$320.00	$32.00	$352.00
- new building over $100,000	*7 Inspections*	$409.09	$40.91	$450.00
- minor alterations & additions	*1 Inspection*	$80.00	$8.00	$88.00
- major alterations & additions	*4 Inspections*			$352.00
BCA 2,3 or 4 (commercial)				
- Up to $500,000	*5 Inspections*	$400.00	$40.00	$440.00
- Over $500,000	*9 Inspections Typically*	$720.00	$72.00	$792.00

BCA 10a or 10b	*2 Inspections*	$156.36	$15.64	$172.00
BCA 5,6,7 or 8 (commercial)				
- Up to $250,000	*4 Inspections*	$320.00	$32.00	$352.00
- Over $250,000	*7 Inspections*	$560.00	$56.00	$616.00
BCA 9a, 9b, or 9c (commercial)				
- Up to $1.0M	*9 Inspections Typically*	$720.00	$72.00	$792.00
- Over $1.0M		Fees Calculated based on number & complexity of inspections required		
Pool				
- inground	*5 Inspections incl. fences*	$320.00	$32.00	$352.00
- above ground	*2 Inspections incl. fences*	$156.36	$15.64	$172.00
Fencing	*1 Inspection*	$80.00	$8.00	$88.00
Additional or repeat inspections	*each*	$80.00	$8.00	$88.00
Restumping of Buildings.	*2 Inspections*	$156.36	$15.64	$172.00
Demolition (where requested)				
- With asbestos	*3 Inspections*	$240.00	$24.00	$264.00
- Without asbestos	*2 Inspections*	$156.36	$15.64	$172.00
Manufactured home or moveable dwelling (S.68)	*3 Inspections*	$240.00	$24.00	$264.00
Requested inspections of slab, frames, etc on commercial basis for work not associated with a CC or CDC	*per inspection*	$90.91	$9.09	$100.00

SERVICE PROVIDED	***INSPECTIONS - HEALTH***			
		2009/2010	**GST**	**TOTAL**
Inspection fee on behalf of a Private Certifier where Council is not the issuer of the Construction Certificate or Complying Development Certificate (per inspection)	*per inspection*	$150.00	Nil	$150.00
Hair, Beauty or Skin Penetration Premises Inspection Fee		$100.00	Nil	$100.00
Food Premise Inspection Fee		$100.00	Nil	$100.00
Trade waste inspection		$100.00	Nil	$100.00

SERVICE PROVIDED	***BUILDING/PLANNING RESEARCH***			
		2009/2010	**GST**	**TOTAL**
In depth advice or research by professional staff not covered by other fees or charges	*per hour*	$80.00	$8.00	$88.00
(Minimum Charge $88.00)	*per km travelling*	$0.91	$0.09	$1.00
Administrative Fee for searching Development Services Records	*per hour*	$40.00	$4.00	$44.00
List of Development Applications or Construction Certificates, digital format only				
6 months		$80.00	Nil	$80.00
12 months		$100.00	Nil	$100.00

Existing Use - Written Response	*minimum*	$70.00	Nil	$70.00
Rezoning enquiry requiring written response	*minimum*	$140.00	Nil	$140.00

SERVICE PROVIDED	*ACTIVITY - STRUCTURES AND PUBLIC ENTERTAINMENT*			
		2009/2010	**GST**	**TOTAL**
Activity Approval A1 - Install manufactured home, moveable dwelling, etc on land		$400.00	Nil	$400.00

SERVICE PROVIDED	*ACTIVITY - PLUMBING*			
		2009/2010	**GST**	**TOTAL**
Activity Approval B1 - Water Supply Work				
a) new service		$150.00	Nil	$150.00
b) modify existing		$75.00	Nil	$75.00
Activity Approval B2 - Draw and Sell Water from Council Supply	*per annum*	$200.00	Nil	$200.00
Activity Approval B3 - Water Connection or Meter - STANDARD CONNECTIONS				
All prices include water meters				
standard single 20mm water connection (raw or filtered)		$700.00	Nil	$700.00
dual 20mm water connection (raw and filtered)		$950.00	Nil	$950.00
single 25mm water connection(raw or filtered)		$800.00	Nil	$800.00
dual 25mm water connection (raw and filtered)		$1,100.00	Nil	$1,100.00
Activity Approval B3 - Water Connection or Meter - NON-STANDARD CONNECTIONS				
For services greater than 25mm		cost	Nil	cost
For relocation or replacement of services with a larger service		cost	Nil	cost
Activity Approval B3 & B4 - Water & sewer				
Disconnection from council water & sewer mains		$300.00	Nil	$300.00
Reconnection (where existing meter in place)		$100.00		$100.00
Activity Approval B4 - Sewerage Work				
a) new service		$180.00	Nil	$180.00
b) modify existing		$80.00	Nil	$80.00
Activity Approval B5 - Stormwater Drainage				
a) new service		$100.00	Nil	$100.00
b) modify existing		$50.00	Nil	$50.00
Activity Approval B6 - Connect private sewer to public	*per dwelling*	$200.00	Nil	$200.00
Activity Approval - combined application *where complete applications are lodged at same time with a single plumber*	*per dwelling*	$200.00	Nil	$200.00

SERVICE PROVIDED	ACTIVITY - WASTE	2009/2010	GST	TOTAL
Activity Approval C4 - Dispose of Waste into a Council Sewer		$100.00	Nil	$100.00
Activity Approval C3, Place a Waste Storage Container in a public place	*per bin*	$60.00	Nil	$60.00
storage facility or a drain connected to any such device or facility.				
a) Connected to Council System		$80.00	Nil	$80.00
b) Domestic on site sewerage management facility, e.g. septic tank		$100.00	Nil	$100.00
Section 68A)				
a) up to 2 systems on a single property		$30.00	Nil	$30.00
b) each for additional systems		$10.00	Nil	$10.00

SERVICE PROVIDED	ACTIVITY - COMMUNITY LAND	2009/2010	GST	TOTAL
Activity Approval D1 - Engage in a Trade or Business *($Nil for a non profit community organisation with appropriate public liability insurance)*		$200.00	Nil	$200.00
Activity Approval D2 - Direct or procure a theatrical, musical or other entertainment for public *($Nil for a non profit community organisation with appropriate public liability insurance)*		$100.00	Nil	$100.00
Activity Approval D3 - Construct a temporary enclosure for the purpose of entertainment *($Nil for a non profit community organisation with appropriate public liability insurance)*		$100.00	Nil	$100.00
Activity Approval D4 - For a fee or reward, play a musical instrument or sing *($Nil for a non profit community organisation with appropriate public liability insurance)*		$100.00	Nil	$100.00

SERVICE PROVIDED	ACTIVITY - PUBLIC ROADS	2009/2010	GST	TOTAL
Activity Approval E1 - Swing or hoist goods over any part of a public road by means of a lift,		$200.00	Nil	$200.00
Activity Approval E2 - Expose or allow to be exposed any article in or on or so as to overhang		$100.00	Nil	$100.00

SERVICE PROVIDED	ACTIVITY - OTHER	2009/2010	GST	TOTAL
Activity Approval F2 - Operate a caravan park or camping				
a) Caravan Site		$6.00	Nil	$6.00
b) Camping Site		$1.65	Nil	$1.65
(Minimum Charge $100.00)				
Activity Approval F4 - Install a domestic oil or solid fuel heating appliance, other than a portable appliance		$80.00	Nil	$80.00
Activity Approval F5 - Install or operate amusement devices (within the meaning of the Construction Safety				
a) First device		$60.00	Nil	$60.00
b) Subsequent devices * *for all devices at the same time*		$40.00	Nil	$40.00
Activity Approval F7 - Use a standing vehicle or any article for the purpose of selling any article in a public place	*per annum*	$200.00	Nil	$200.00

Miscellaneous Activity Approvals - Any Section 68 Local Government Act 1993 Activity Approval not referred to above	$100.00	Nil	$100.00

SERVICE PROVIDED — ***GIS MAPS AND DATA***

		2009/2010	GST	TOTAL
Drainage Diagram		$22.00	Nil	$22.00
GIS Data owned by Council E.g. Urban aerial photos, water main data, sewer main data, zoning data *$Nil for Government Authorities, Community Groups and Non Profit Groups*	*DVD*	$100.00	$10.00	$110.00
GIS Maps				
a) Colour A1		$54.55	$5.45	$60.00
b) Colour A0		$90.91	$9.09	$100.00
c) Black and White up to A3		$20.00	$2.00	$22.00

SERVICE PROVIDED — ***ENGINEERING - PLANT HIRE***

	2009/2010	GST	TOTAL
Brentwood Trailer / Truck Combination	Quote given on request (includes GST)		
Jackpick, Compressor and Operator	Quote given on request (includes GST)		
Loader	Quote given on request (includes GST)		
Backhoe / Loader	Quote given on request (includes GST)		
Water Tanker (11,800L)	Quote given on request (includes GST)		
Tractor / Slasher / Mower - Large	Quote given on request (includes GST)		
Tractor / Slasher / Mower - Small	Quote given on request (includes GST)		
Crane Truck	Quote given on request (includes GST)		
Skid Steer and Attachments	Quote given on request (includes GST)		
Trader Truck	Quote given on request (includes GST)		
Concrete Saw	Quote given on request (includes GST)		
Truck - 7 Tonne	Quote given on request (includes GST)		
Roller	Quote given on request (includes GST)		
Grader	Quote given on request (includes GST)		

* Availability of most plant is limited and Council reserves the right to deny the availability of any plant not in a serviceable
* All plant must be hired with a Council employee as operator

SERVICE PROVIDED	ENGINEERING - SHOWGROUNDS, SPORTS GROUNDS			
		2009/2010	GST	TOTAL
Bond - Refundable				
Showgrounds	*per user*	$1,000.00	Nil	$1,000.00
Sports Grounds	*per user*	$250.00	Nil	$250.00
Cost of any cleaning / repairs after function, and loss of keys to be borne by hirer.				
Bond deposited into Council's Bank Account				
Temporary Licence Fee	*per annum*	$100.00	Nil	$100.00
Kitchen				
Bond	*per user*	$250.00	Nil	$250.00
Fees	*per day*	$31.82	$3.18	$35.00
(includes use of cool room, bain marie, microwave, freezer,etc.)				
Gazebo				
Bond		$100.00	Nil	$100.00
Fees	*per day*	$9.09	$0.91	$10.00
Bond deposited into Council's Bank Account				
Sanitary Bins	*per bin per booking*	$22.73	$2.27	$25.00
Chairs & Tables				
Bond		$100.00	Nil	$100.00
Chairs	*each per day*	$0.91	$0.09	$1.00
Tables	*each per day*	$4.55	$0.45	$5.00
Cool Room (Bar)	*per day*	$31.82	$3.18	$35.00
Showground/Racecourse				
Travelling Microphone (Any event)				
Bond		$250.00	Nil	$250.00
Fees	*per day*	$9.09	$0.91	$10.00
Bond deposited into Council's Bank Account				
Floodlights Bar and Surrounding Area	*per day*	$13.64	$1.36	$15.00
Showground/Racecourse				
(maximum of 7 days for booked events only)				
(Minimum Charge $30.00 per booking)				
Floodlights	*per day*	$33.64	$3.36	$37.00
Showground/Racecourse Arena				
Electricity/Camping				
Showground/Racecourse/Sportsgrounds				
(maximum of 7 days for booked events only)				
- Individual	*per day*	$4.55	$0.45	$5.00
- Organisation	*per day*	$9.09	$0.91	$10.00
Line Marking - Sportsgrounds	*per season (12 month period)*	$227.27	$22.73	$250.00
Floodlights - Sportsgrounds	*per night*	$22.73	$2.27	$25.00
	per season	$227.27	$22.73	$250.00

SERVICE PROVIDED	ENGINEERING - HALLS			
		2009/2010	GST	TOTAL
Bond - Refundable	*per user*	$250.00	Nil	$250.00
For all Halls				
Cost of any cleaning / repairs after function, and loss of keys to be borne by hirer.				
Bond deposited into Council's Bank Account				
Function - Collarenebri				
Combined	*per day*	$90.91	$9.09	$100.00
Supper Room	*per day*	$45.45	$4.55	$50.00
Main Hall	*per day*	$63.64	$6.36	$70.00
Meetings - Collarenebri				
Meeting Room	*per day*	$4.55	$0.45	$5.00
Supper Room	*per day*	$13.64	$1.36	$15.00
Main Hall	*per day*	$63.64	$6.36	$70.00
Function - Rowena, Carinda and Burren Junction				
Combined	*per day*	$22.73	$2.27	$25.00
Supper Room	*per day*	$13.64	$1.36	$15.00
Main Hall	*per day*	$13.64	$1.36	$15.00
Meetings - Rowena, Carinda and Burren Junction				
Supper Room	*per day*	$7.27	$0.73	$8.00
Main Hall	*per day*	$7.27	$0.73	$8.00
Cleaning - All Halls	*per hour*	$31.82	$3.18	$35.00
+ ADD	*per km travel*	$0.61	$0.06	$0.67

SERVICE PROVIDED	ENGINEERING - COUNCIL CHAMBERS/MEETING ROOM			
		2009/2010	GST	TOTAL
Council Chamber/Meeting room				
(Non profit organisations are exempt)				
Meeting Room	*per day*	$50.00	Nil	$50.00
Back of Council Chambers	*per day*	$70.00	Nil	$70.00
Council Chambers	*per day*	$100.00	Nil	$100.00

SERVICE PROVIDED	ENGINEERING - SALEYARDS			
		2009/2010	GST	TOTAL
Saleyard Fees				
Yard Dues - Cattle Sold	*per head*	$3.18	$0.32	$3.50
Yard Dues - Store Cattle Sold	*per head*	$2.09	$0.21	$2.30
Yard Dues - Horses	*per head*	$11.36	$1.14	$12.50
Yard Dues - Bulls	*per head*	$11.36	$1.14	$12.50
Working Use - Cattle (ie, use of crush)	*per head*	$1.00	$0.10	$1.10
Private Weighing of Cattle	*per head*	$3.18	$0.32	$3.50
Casual use of yards for sheep	*per 1,000 (or part thereof) per day*	$26.27	$2.63	$28.90
Casual use of yards for cattle	*per 100 (or part thereof) per day*	$28.64	$2.86	$31.50

SERVICE PROVIDED	ENGINEERING - WALGETT SWIMMING POOL			
		2009/2010	GST	TOTAL
Family Season Ticket		$227.27	$22.73	$250.00
Single Season Ticket		$109.09	$10.91	$120.00
Adult (+child under 2yrs)		$1.82	$0.18	$2.00
Children		$1.82	$0.18	$2.00

SERVICE PROVIDED	ENGINEERING - CARINDA SWIMMING POOL			
		2009/2010	GST	TOTAL
Family Season Ticket		$36.36	$3.64	$40.00
Single Season Ticket		$18.18	$1.82	$20.00
Adult and Child	*per person*	$2.27	$0.23	$2.50

* *All tickets $5.00 deposit on key*

SERVICE PROVIDED	ENGINEERING - COLLARENEBRI SWIMMING POOL			
		2009/2010	GST	TOTAL
Family Season Ticket		$136.36	$13.64	$150.00
Single Season Ticket		$68.18	$6.82	$75.00
Adult and Child	*per person*	$1.82	$0.18	$2.00

SERVICE PROVIDED	ENGINEERING - BURREN JUNCTION SWIMMING POOL			
		2009/2010	GST	TOTAL
Family Season Ticket		$81.82	$8.18	$90.00
Single Season Ticket		$45.45	$4.55	$50.00
Adult		$2.73	$0.27	$3.00
Child		$1.82	$0.18	$2.00
Child under 5 year of age				Free

SERVICE PROVIDED	ENGINEERING - WATER SUPPLY INVESTIGATION			
		2009/2010	GST	TOTAL
Fire Flow Investigation		$200.00	$20.00	$220.00
Max / Minimum Pressure Enquiries		$118.18	$11.82	$130.00

SERVICE PROVIDED	ENGINEERING - WALGETT AERODROME			
		2009/2010	GST	TOTAL
Casual Rental Rental of Hangar Space at Walgett Aerodrome	*per week* *(or part thereof for less than 4 weeks)*	$45.45	$4.55	$50.00
Monthly Rental Rental of Hangar Space at Walgett Aerodrome	*per month* *(or part thereof for periods exceeding 4 weeks)*	$136.36	$13.64	$150.00
Annual Rental Rental of Hangar Space at Walgett Aerodrome	*per annum*	$1,363.64	$136.36	$1,500.00

SERVICE PROVIDED	ENGINEERING			
		2009/2010	GST	TOTAL
Garbage Bin - New Mobile Garbage Bins (MGB)				
- 240L	*each*	$65.00	$6.50	$71.50
- 360L	*each*	$95.00	$9.50	$104.50
Compost Bin - New Bin	*each*	$54.55	$5.45	$60.00
Worm Farm - New	*each*	$70.00	$7.00	$77.00
Solid Septic Waste Management Dump Solid Septic Waste	*per m3*	$15.00	$1.50	$16.50

SERVICE PROVIDED	DEVELOPMENT APPLICATIONS

245AA What is the maximum fee?

(1) The fee for a development application must not exceed the maximum amount determined in accordance with this Division.

(2) The services covered by the fee for a development application include the following:

(a) the receipt of the application, and any internal referrals of the application,

(b) consideration of the application for the purpose of determining whether any further information is required in relation to the

(c) inspection of the land to which the proposed development relates,

(d) evaluation of the proposed development under section 79C of the Act, including discussion with interested parties,

(e) preparation of internal reports on the application,

(f) preparation and service of notices of the consent authority's determination of the application,

(g) the monitoring and reviewing by the Director-General of the practices and procedures followed by consent authorities in

(i) for the purpose of assessing the efficiency and effectiveness of those practices and procedures, and

(ii) for the purpose of ensuring that those practices and procedures comply with the provisions of the Act and this Regulation,

(h) the monitoring and reviewing by the Director-General of the provisions of environmental planning instruments:

(i) that control development, or

(ii) that are required to be taken into consideration by consent authorities when dealing with development applications,

for the purposes of assessing the effectiveness of those provisions in achieving their intended effect and making recommendations

(i) the operational expenses of the Building Professionals Board established under the Building Professionals Act 2005.

Note. Clause 50 (1) (c) provides that a development application must be accompanied by the fee, not exceeding the fee

246 What is the fee for a development application?

(1) The maximum fee for development involving the erection of a building, the carrying out of work or the demolition of a work

(2) Despite subclause (1), the maximum fee payable for development for the purpose of one or more advertisements is:

(a) $215, plus $70 for each advertisement in excess of one, or

(b) the fee calculated in accordance with the Table,

whichever is the greater.

(3) The fees determined under this clause do not apply to development for which a fee is payable under clause 247.

TABLE:

Estimated cost	Maximum fee payable
Up to $5,000	$110
$5,001-$50,000	$170, plus an additional $3 for each $1,000 (or part of $1,000) of the estimated cost.
$50,001-$250,000	$352, plus an additional $3.64 for each $1,000 (or part of $1,000) by which the estimated cost exceeds $50,000.
$250,001-$500,000	$1,160, plus an additional $2.34 for each $1,000 (or part of $1,000) by
$500,001-$1,000,000	$1,745, plus an additional $1.64 for each $1,000 (or part of $1,000) by
$1,000,001-$10,000,000	$2,615, plus an additional $1.44 for each $1,000 (or part of $1,000) by
More than $10,000,000	$15,875, plus an additional $1.19 for each $1,000 (or part of $1,000) by

247 Development involving the erection of a dwelling-house with an estimated construction cost of $100,000 or less
A maximum fee of $364 is payable for development involving the erection of a dwelling-house with an estimated cost of

248 Residential flat development
An additional fee, not exceeding $600, is payable for development which is required to be referred to a design review panel

249 Development involving the subdivision of land

The maximum fee payable for development involving the subdivision of land is calculated as follows:

(a) Subdivision (other than strata subdivision):

(i) Involving the opening of a public road, $500 plus $50 for each additional lot created by the subdivision, or

(ii) Not involving the opening of a public road, $250 plus $40 for each additional lot created by the subdivision,

(b) Strata subdivision, $250 plus $50 for each additional lot created by the subdivision.

Note. For example, a plan of subdivision that provides for 5 lots over land that has previously comprised 2 lots will result in the

250 Development not involving the erection of a building, the carrying out of a work, the subdivision of land or the

A maximum fee of $220 is payable for development that does not involve the erection of a building, the carrying out of a work,

251 Designated development

In addition to any other fees payable under this Division, a maximum fee of $715 is payable for designated development.

252 What additional fees are payable for development that requires advertising?

(1) In addition to any other fees payable under this Division, a consent authority may charge up to the following maximum fees

(a) $1,665, in the case of designated development,

(b) $830, in the case of advertised development,

(c) $830, in the case of prohibited development,

(d) $830, in the case of development for which an environmental planning instrument or development control plan requires

(2) The consent authority must refund so much of the fee paid under this clause as is not spent in giving the notice.

252A What additional fees are payable for development that requires concurrence?

(1) An additional processing fee up to a maximum of $110, plus a concurrence fee for payment to each concurrence authority,

(2) The consent authority must forward each concurrence fee to the concurrence authority concerned at the same time at which

(3) The concurrence fee for a development application is not payable:

(a) to any concurrence authority whose concurrence may be assumed in accordance with clause 64, or

(b) to any concurrence authority that has notified the consent authority in writing that payment of the fee is waived, whether

(3A) A concurrence authority may repay to the consent authority the whole or any part of a concurrence fee paid to it under this

(4) The additional processing fee is not payable:

(a) for any application in respect of which concurrence may be assumed in accordance with clause 64 for all of the concurrence

(b) for any application made before 1 July 2002.

(5) For the purposes of this clause, the concurrence fee payable to a concurrence authority for a development application is $250

253 What additional fees are payable for integrated development?

(1) An additional processing fee up to a maximum of $110, plus an approval fee for payment to each approval body, are payable

(2) The consent authority must forward each approval fee to the approval body concerned at the same time at which it forwards

(2A) The approval fee for a development application is not payable to any approval body that has notified the consent authority

(2B) An approval body may repay to the consent authority the whole or any part of an approval fee paid to it under this clause, in

(3) The additional processing fee is payable in respect only of applications made on or after 1 July 2002.

(4) For the purposes of this clause, the approval fee payable to an approval body for a development application is $250 or such

254 What if two or more fees are applicable to a single development application?

If two or more fees are applicable to a single development application (such as an application to subdivide land and erect a

255 How is a fee based on estimated cost determined?

(1) In determining the fee for development involving the erection of a building, the consent authority must make its

(a) the costs associated with the construction of the building, and

(b) the costs associated with the preparation of the building for the purpose for which it is to be used (such as the costs of

(1A) In determining the fee for development involving the carrying out of a work, the consent authority must make its

(1B) In determining the fee for development involving the demolition of a building or work, the consent authority must make its

(2) The estimate must, unless the consent authority is satisfied that the estimated cost indicated in the development application

256 Determination of fees after development applications have been made

(1) The determination of a fee to accompany a development application must be made before, or within 14 days after, the

(2) A determination made after the lodging of a development application has no effect until notice of the determination is given

(3) A consent authority may refuse to consider a development application for which a fee has been duly determined and notified

256A Proportion of development application fees to be remitted to Director-General

(1) For each development application lodged with a consent authority for development referred to in clause 246 (1) having an

$$P = \frac{0.64 \times E}{1,000} - 5$$

where:

(1A) Such part of the amount referred to in subclause (1) as is not directed by the Minister to be paid into the Building

(2) On or before the 14th day of each month, the consent authority must forward to the Director-General the total amount set

(3) The report referred to in subclause (2) must contain such information, and be prepared in such form, as the Director-General

256B Staged development applications

The maximum fee payable for a staged development application in relation to a site, and for any subsequent development

20. JOINT REGIONAL PLANNING PANEL NOMINATIONS

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin - Director Planning and Regulatory Services

FILE NUMBER: 235/06/00/00

Summary:

The Minister for Planning has written to Walgett Shire Council inviting it to nominate delegates to participate in the Western Region Joint Regional Planning Panel. It is recommended that Walgett Shire Council resolve to make the nominations sought.

Discussion (including issues and background):

In a letter dated 3 June 2009 the NSW Minister for Planning, the Hon Kristina Keneally MP, has written to Walgett Shire Council inviting it to nominate two members, and an alternate member, to sit on the Western Region Joint Regional Planning Panel (JRPP). The letter and associated Information Package for Council Nominees are attached.

Under the new arrangements Council officers will assess development proposals that are regionally significant. The council officer's assessment and recommendations will then be referred to the JRPP to make its determination. Regionally significant development is proposed to include:

- Commercial, residential, mixed use, retail and tourism development with a capital investment value more than $10 million and less than $100 million
- Community infrastructure and ecotourism developments more than $5 million both public and private, such as schools, community halls and child care facilities
- Designated development (development needing an environmental impact statement)
- Development where the council is the proponent or has a potential conflict of interest

It should be noted that Section 8.4 of the Information Package suggests:

> "*that Councils should require nominees to declare any private interests that may conflict with the public duties they would be required to perform if nominated to a JRPP*."

Sections 2 and 5 of the attached "Information Package for Council Nominees" outline the selection criteria for Council nominees.

Relevant Reference Documents:

Letter dated 3 June 2009 from Minister for Planning seeking Council nominations for JRPP (as attached).
Media release from Minister for Planning regarding funding for JRPPs at
http://www.planning.nsw.gov.au/mediarelplan/fs20090603_858.html
Department of Planning's web site dealing with JRPPs at
http://www.planning.nsw.gov.au/planning_reforms/jrpp.asp

Stakeholders:

Public, Walgett Shire Council.

Financial Implications:

The Minister for Planning stated in a media release dated 3 June 2009 that:

"The new funding I am announcing today [$2.4 million] will cover the costs associated with administration of the new planning panels, as well as employment costs for the three state members."

It remains unclear whether this funding is also intended to cover costs incurred by Walgett Shire Council's delegates to attend meetings of the Joint Regional Planning Panel.

Recommendations:

That Walgett Shire Council resolve to:

1. Nominate the following Councillors as members of the Western Region Joint Regional Planning Panel for the Walgett Shire:
(a) Councillor
(b) Councillor

2. Nominate the following Councillor as its alternate member of the Western Region Joint Regional Planning Panel for the Walgett Shire:
(a) Councillor

3. Request the General Manager to write to the Director-General of the Department of Planning and notify them of Walgett Shire Council's nominees for the Western Region Joint Regional Planning Panel.

Walgett Shire Council
REC'D
09 JUN 2009
FILE: 235/06/00/00
LETTER No: 3081.
REFER: MPG
COPY:

NSW | The Hon **Kristina Keneally** MP
Minister for Planning | Minister for Redfern Waterloo

Mr Ray Kent
General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

3 June 2009

Request for Council Nominees to the Western Region Joint Regional Planning Panel

Dear Mr Kent,

As previously advised, the NSW Government's planning reforms include the establishment of Joint Regional Planning Panels (JRPPs) to determine development proposals of regional significance. JRPPs will provide independent, merit-based assessment, drawing on Councils' expertise and local and regional knowledge.

As you are aware, councils in the Western Region were sent a letter notifying of the implementation of JRPPs and advising that the functions of JRPPs in the Western Region would be undertaken by the Planning Assessment Commission (PAC).

I have received submissions and representations requesting the establishment of a JRPP for the Western Region. Accordingly, I have determined that a JRPP will be established for the Western Region.

Councils in the Western Region are now being invited to nominate two members – and an alternate member – to sit on the Western Region JRPP to determine regional development applications in their Local Government Area.

All JRPPs will commence operation on 1 July 2009. However, under the transitional provisions, only development applications received after 1 July 2009 that relate to regional development are to be determined by a JRPP. Therefore, it is not anticipated that JRPP matters will need to be determined until August or September 2009.

I have requested the Department of Planning to undertake an Expression of Interest (EOI) process to nominate state members for the Western Region JRPP and this process is to commence shortly.

The Department has received a number of enquiries from councils in other regions in relation to council nominees to JRPPs. I wish to bring to your attention the legal requirement that *at least one* of the Council panellists is to have a high level of expertise in *one or more* of the following fields: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering and tourism. Please ensure your nominations include an explanation of how this criterion is met.

It is a matter for each council to identify how its nominees are selected. In selecting members, however, councils should have regard to the conflict of interest that would be created for a person nominated to the Regional Panel if they were in any way responsible for

New South Wales Government
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1 Farrer Place, Sydney NSW 2000
GPO Box 5341, Sydney NSW 2001
T 61 2 9228 5811
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office@keneally.minister.nsw.gov.au

or involved in the assessment and recommendation of a matter to be determined by the Regional Panel.

Guidance for councils in selecting nominations is provided in an updated version of the Information Package for Council Nominees (enclosed). Please note that additional copies of the information package are available by emailing innovation@planning.nsw.gov.au.

Please consult the information package and return advice of your council's nominations in writing **by Tuesday 30 June 2009** (or shortly thereafter if a further brief period is required because of the Council's meeting schedule) to:

Director General
NSW Department of Planning
GPO Box 39
Sydney NSW 2001

For further information please contact Sarah McGirr on (02) 9228 6347.

I look forward to councils' co-operation in progressing this important initiative.

Yours sincerely

The Hon Kristina Keneally MP

Enc: Information Package for Council Nominees

NSW GOVERNMENT
Department of Planning

EXPRESSIONS OF INTEREST AND NOMINATIONS FOR THE JOINT REGIONAL PLANNING PANELS

Information Package for Council Nominees

June 2009

1. Joint Regional Planning Panels

1.1. About Joint Regional Planning Panels

The NSW Government's planning reforms, aimed at delivering a more efficient and transparent planning system, include the establishment of Joint Regional Planning Panels (JRPPs).

The NSW Government is now requesting councils to nominate two persons to become members of the relevant JRPP. Each council should also nominate an alternate member, who could replace a council nominee if unavailable.

The NSW Government is also currently seeking Expressions of Interest (EOIs) for candidates interested in being appointed as State members of the JRPPs. This is being done through an advertised EOI processes.

The objective of JRPPs is to create a panel of people with appropriate expertise to determine development proposals of regional significance providing stronger-decision making through greater expertise, independence and regional knowledge.

Six regions are proposed to be established covering metropolitan and regional areas of NSW (see figure one). The JRPPs are planned to commence operation on 1 July 2009.

1.2. Functions of JRPPs

The functions of JRPPs are to:

1. Exercise certain consent authority functions for 'regional development'; and
2. Where requested, advise the NSW Minister for Planning on planning or development matters or environmental planning instruments in respect to the JRPPs' region.

JRPPs will also have such other functions as are conferred on them by the *Environmental Planning and Assessment Act 1979* (EP&A Act). For example, JRPPs may have a role in relation to Local Environmental Plans (LEPs). This may include being appointed as the Relevant Planning Authority (RPA) for a LEP or, where requested by the Minister, reviewing or providing advice in respect of a proposed LEP. Where a JRPP is appointed as an RPA for a LEP, the Minister may also delegate plan making powers to the JRPP. JRPPs may also, in limited circumstances, be appointed by the Minister to exercise the functions of planning assessment panels under s.118 of the EP&A Act.

A regional panel is not subject to the direction or control of the Minister, except in relation to the procedures of a regional panel and to the extent provided for in the EP&A Act.

1.3. Commencement of JRPPs

Under the current Planning Reform Implementation Program, JRPPs are targeted to commence operation on 1 July 2009.

1.4. Support and Training

The Department of Planning (DoP) will provide to Councils detailed guidelines to assist them prepare for the commencement of JRPPs. These guidelines will provide information on how JRPP matters are dealt with.

Prior to the commencement of the JRPPs, the DoP will conduct information sessions throughout the State for council staff, stakeholders and the community.

A Code of Conduct, based on the local government Model Code of Conduct, will be provided to all JRPP members.

Persons appointed as Panel members will be required to attend a training program that will be developed and provided by the DoP.

1.5. Council's Role in Relation to Matters under Consideration by the JRPP

The assessment of applications to be determined by the JRPPs is to be undertaken by the relevant council officers in which the proposed development is located. The council officers are to submit their assessment report and recommendations to the JRPP for determination.

Whilst the council will not be the determining body for JRPP matters, the council will have the opportunity to provide its views about any matters that are to be considered by a JRPP. The councils view may be provided to a JRPP by way of a submission in the same way that any other submissions about the matter are provided to a JRPP for its consideration in determining a matter.

The JRPP must consult the council prior to determining a matter which is likely to have significant financial implications for the council.

1.6. Consultation with Stakeholders

The DoP is currently engaged in a consultation process regarding aspects of JRPPs. Elements of the policy may be varied as a result of the consultations or further reviews that may be undertaken.

The performance of JRPP will be monitored regarding the number and type of DAs determined by JRPP and timeframes. This information will provide the basis for any reviews or regional boundary adjustments.

2. Membership of JRPPs

The JRPPs are to consist of five members as follows:

State Members: Three State members appointed by the Minister, each having expertise in *one or more* of the following: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

In appointing the State members, the Minister is required to have regard to the need to have a range of expertise represented among the panel's members. One of the State members will be appointed as the Chairperson of the JRPP. Each panel may elect a State member to be a Vice-Chairperson.

Council Members: Two council members appointed by each council that is situated in a part of the state for which a JRPP is appointed. At least one council nominee is required to have expertise in *one or more* of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism. Important additional selection criteria are listed in Section 5. It will be a matter for each council to identify how the nominees are to be selected. Guidance for councils in selecting their nominees is available in Section 6.

The council nominees will automatically become members of the JRPP for matters in that council's local government area.

If a council within the area of a JRPP fails to nominate one or more council nominees, a JRPP may still exercise its functions in relation to the area of the council concerned.

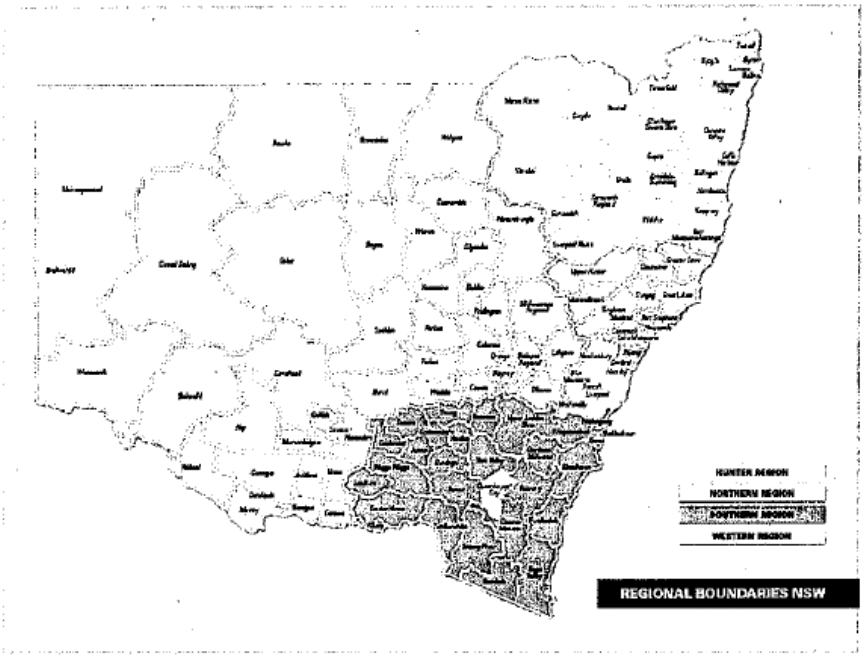
Alternates: A council may, from time to time, appoint a person to be the alternate of a member nominated by the council, and may revoke any such appointment.

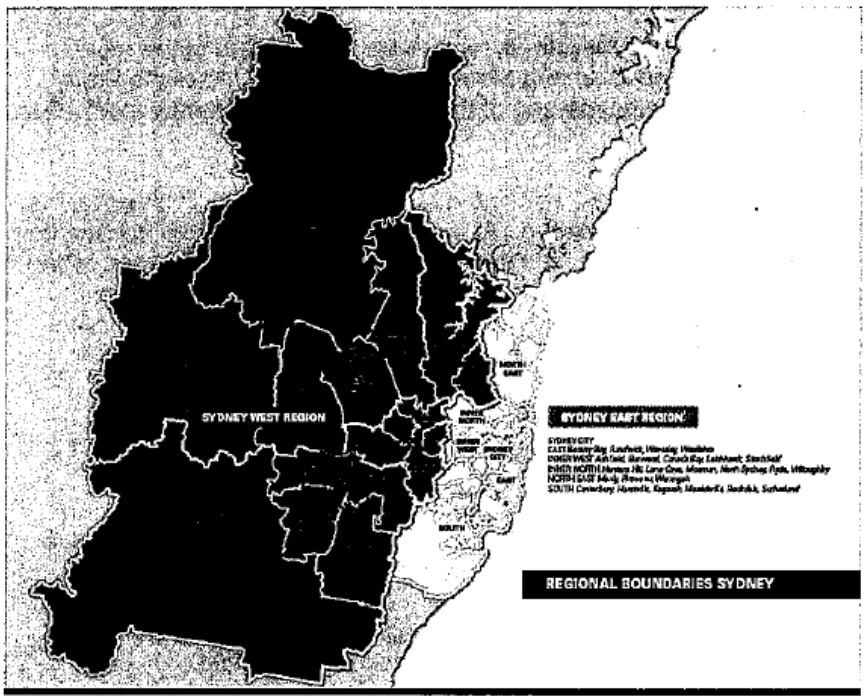
3. Coverage of JRPPs

Six regions are proposed, corresponding with the existing DoP regions. These are:

- Northern Region
- Hunter Region
- Southern Region
- Western Region
- Sydney Metro East Region; and
- Sydney Metro West Region.

The JRPP provisions do not apply in the City of Sydney, where the Central Sydney Planning Committee (CSPC) will continue to function.





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4. Administrative and Other Matters

Administrative and technical support for the operations of the JRPPs will be provided by the PAC Panel Secretariat and through the Regional Branches of the DoP.

JRPPs are independent bodies, accountable to the Minister, but otherwise not subject to the direction and control of the Minister. JRPP members will be required to act at all times in accordance with best practice probity and accountability requirements and to demonstrate impartiality in the exercise of their functions.

5. Nominations of Council Members to the JRPP

In preparing nominations, councils should address each of the selection criteria below including an outline of the nominee's qualifications, skills, attributes and experience under each criterion, along with examples of their achievements relevant to the criterion.

The NSW Government is requesting councils to nominate two persons to become members of the relevant JRPP for the council's area. Each council should also nominate an alternate member, who could replace a council nominee if unavailable.

Selection Criteria

It is important for the JRPP to consist of members from a diverse background with a broad range of skills and experience. The selection criteria include:

- Senior level experience in dealing with multiple stakeholders
- High level communication skills
- Capability to drive high profile outcomes in a credible and authoritative manner
- High level analytical skills; and
- Knowledge of the assessment of complex developments and planning matters; and

In addition, *at least one* of the two Council nominees must have a high level of expertise in *one or more* of the following fields:

- Planning
- Architecture
- Heritage
- The environment
- Urban design
- Land economics
- Traffic and transport
- Law
- Engineering
- Tourism.

6. Guidance for Councils in Selecting Nominees

All members of JRPPs will be expected to act independently in reaching their decisions. Therefore, in determining nominees, councils should consider the potential for conflicts of interest, either real or perceived.

Councils may choose to undertake a local Expression of Interest (EOI) process to identify members of the community who would make suitable members of the JRPP. This could be undertaken through existing channels such as Council's Mayoral Column in the local media, Council's website or newsletter (where applicable).

Should a council decide to nominate a member of its staff or an elected member of the council, it should do so in full recognition that such persons will be independent members of JRPPs. As such they should not be subject to influence by other council officers or Councillors on matters that are to be determined by a JRPP.

7. Responsibilities of Members

The responsibilities of JRPP members are to:

- Exercise their functions in accordance with statutory requirements as set out in the EP&A Act and associated regulations
- Comply with an approved JRPP Code of Conduct
- Promote a sense of confidence in the JRPPs as independent decision making bodies
- Establish and maintain effective working relationships with the councils in the relevant JRPP region
- Foster a positive working relationship with other JRPP members, the Panel Secretariat and the Department of Planning
- Follow approved JRPP procedures and participate in regular reviews of procedures, to ensure efficient and effective practices are adopted
- Perform their functions with integrity, impartiality, honesty, conscientiousness, care, skill, diligence; and
- Participate in/chair panel meetings or hold public hearings or panel meetings in a timely, efficient and cost-effective manner while having proper regard to the issues.

8. Appointment Terms and Conditions

8.1. Statutory Position

JRPPs are statutory bodies representing the Crown. Each council within a JRPP region is to nominate two members (and an alternate member) to sit on the JRPP with respect to matters that are within that council's area.

8.2. Term of Appointment

The term of appointment for council panellists is up to three years. Councils may nominate a shorter time period if they desire.

8.3. Remuneration

A JRPP member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine.

8.4. Private Interests

As part of the consideration of nomination of members to a JRPP, it is suggested that councils require nominees to declare any private interests that may conflict with the public duties they would be required to perform if nominated to a JRPP.

8.5. Pecuniary Interests

If a member of a JRPP has a pecuniary interest in a matter being considered or about to be considered at a meeting of a JRPP, and the interest appears to raise a conflict with the proper performance of the member's duties in relation to consideration of the matter, the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the JRPP. Unless otherwise determined, the member must not be present during any deliberations by the panel with respect to the matter or take part in any decision of the panel with respect to the matter.

8.6. Other Matters

i. ***Dealing with the Media:*** A protocol will be prepared whereby the Chairperson can comment on decisions and respond to questions.

ii. ***Disclosure or misuse of information:*** Members are required under the Act not to unlawfully disclose or use any information received in connection with carrying out their duties under the Act.

iii. ***Appropriate use of Secretariat Resources:*** The JRPP must use resources provided by the Panel Secretariat and the DoP in an effective and efficient manner; and not use such resources for private purposes.

iv. ***Removal from office:*** A council may remove any of its nominees from office at any time. The Minister may remove a State or council member from office if the Independent Commission Against Corruption (ICAC) recommends that consideration be given to the removal of the member because of corrupt conduct by that member.

v. ***Vacancies:*** A vacancy in the office of a member occurs if the member:
- Dies, or
- Completes a term of office and is not reappointed, or
- Resigns the office by instrument in writing addressed to the Minister or applicable council, as the case requires, or
- In the case of a council nominee, is removed from office by an applicable council or by the Minister where ICAC recommends removal, or
- In the case of a State member is removed from office by the Minister or by the Governor under Chapter 5 of the *Sector Employment and Management Act 2002*, or
- Is absent from three consecutive meetings of the regional panel of which reasonable notice has been given to the member personally or by post, except on leave granted by the panel or unless the member is excused from the panel for having been absent from those meetings, or
- Becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
- Becomes a mentally incapacitated person, or
- Is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more and is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable.

vi. ***Regulations:*** Regulations may be made in relation to the procedures of regional panels in exercising their functions, the provision of information and reports by regional panels and other matters.

9. Notification of Council Members

Each council should provide advice of the two persons (including the area of expertise of one of them), and one alternate, it has nominated to become members of the relevant JRPP for its area.

Such advice should be should be provided by **Tuesday 30 June 2009** in writing to:
Director-General
NSW Department of Planning
GPO Box 39
Sydney NSW 2001

21. LOCAL ORDERS POLCY

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin - Director Planning and Regulatory Services

FILE NUMBER: 275/06/00/00

Summary:

Recently Walgett Shire Council publicly exhibited a draft Local Orders Policy and this report recommends that Council adopt the exhibited policy.

Discussion (including issues and background):

A Local Orders Policy (LOP) is a statutory policy established under Chapter 7 of the Local Government Act 1993 (LGA) which supplements the Act and the Local Government (General) Regulation 2005. The LOP specifies the criteria which the Council must take into consideration when determining whether or not to give an order under Section 124 of the LGA.

The current LOP was adopted by Walgett Shire Council on 19 October 2006. It will expire on 18 September 2009, which is 12 months after the declaration of the poll for the 2008 Council election (in accordance with Section 165(4) of the LGA).

The draft LOP that is attached to this report was submitted to the 24 March 2009 meeting where Walgett Shire Council resolved to:

1. **Note and endorse the draft Walgett Shire Council Local Orders Policy.**
2. **Notify the public of the draft Walgett Shire Council Local Orders Policy through the Lightning Ridge News and the Walgett Spectator.**
3. **Place the draft Walgett Shire Council Local Orders Policy on public exhibition and invite written submissions on the draft policy in accordance with the Local Government Act 1993.**

Section 160 of the LGA requires that:

1. The local council must give public notice of a draft LOP after it has been prepared (LGA S.160(1)).
2. The LOP must be placed on public exhibition for not less than 28 days (LGA S.160(2)).
3. The public notice must also specify a period of not less than 42 days during which the public can make submissions to the council (LGA S.160(3)).

The draft LOP was placed on public exhibition from 25/3/2009 to 25/5/2009, and submissions were accepted for a 61 day period. Public notification of the exhibition period occurred via notices in Walgett Shire Council's newspaper column on the following dates:

- Walgett Spectator – 8/4/2009, 15/4/2009 and 29/4/2009.
- The Ridge News – 9/4/2009, 16/9/2009 and 30/4/2009.

No submissions were received.

The following process must be followed by Walgett Shire Council to establish a LOP:

1. After considering all submissions received, the Council may decide to amend, adopt without amendment, or not to adopt the LOP (LGA S.161(1)).
2. If the amendments are not substantial in the Council's opinion, then it may adopt the amended LOP without further public exhibition (LGA S.161(2)).
3. If the amendments are substantial, then the LOP must be publicly exhibited once more in accordance with the LGA, as described above (LGA S.161(2)).
4. The council must give public notice of the adoption of a LOP (LGA S.166)).

The attached draft LOP was prepared in accordance with the Draft Local Orders Policy Practice Note, published by the Department of Local Government in July 1996. Compared to the current LOP, it contains some relatively minor amendments.

Relevant Reference Documents:

- Local Government Act 1993 – particularly Chapter 7.
- Local Government (General) Regulation 2005.
- Draft Local Orders Policy Practice Note, published by the Department of Local Government, July 1996.
- Council file number 275/06/00/00.

Stakeholders:

Walgett Shire Council and the public.

Financial Implications:

Nil.

Recommendations:

That Walgett Shire Council resolve to:

1. Adopt the draft Walgett Shire Council Local Orders Policy, as publicly exhibited from 25 March to 25 May 2009.

2. Notify the public that Walgett Shire Council has adopted of the draft Walgett Shire Council Local Orders Policy via notices in the Lightning Ridge News and the Walgett Spectator.

WALGETT SHIRE COUNCIL

LOCAL ORDERS POLICY

For orders issued under the Local Government Act 1993.

PART 1 - PRELIMINARY 4
1. What is the name of this Policy? 4
2. Where does the policy apply? 4
3. What is the purpose of this Policy? 4
4. When did the Policy commence? 4
5. Have there been any amendments to the Policy? 4
6. When will the Policy be revoked? 4

PART 2 – CRITERIA COUNCIL MUST CONSIDER 5
Order No. 5 (a), (b), (c), (d) (e) and (f) – Various matters 5
Order No. 5 (h) – Water and sewerage supply systems 6
Order No. 7 – Fence land 6
Order No. 8 – Identify premises 7
Order No. 9 - Waterbody 7
Order No. 10 - Articles 8
Order No. 11 – Environmental damage 9
Order No.12 – Control surface water 9
Order No.15 – Not conduct an activity 10
Order No.16 – Cease use or evacuate premises 11
Order No.17 – Leave or not enter premises 11
Order No.18 - Animals 12
Order No. 19 – Tennis court 13
Order No. 20 - Food 13
Order No. 21 – Safety and health 14
Order No. 22 – Waste 15
Order No. 24 – Connect to sewerage system 16
Order No. 25 – Human waste 17
Order No. 27 – Public place, remove object or matter 17
Order No. 28 – Public place, prevent or repair damage 18
Order No. 29 – Public place, alter or repair work or structure 19
Order No.30 – Comply with an approval 19
Order under Section 125 of the Local Government Act 1993 20

PART 3 – OTHER MATTERS RELATING TO ORDERS 21
7. What must council consider before giving an order? 21
8. What must be done before an order is served? 21
9. Who can make representations? 21
10. How should representations be made and considered? 21
11. What does Council do after hearing representations? 21
12. Are there any exemptions to these procedures? 22
13. What information should the order contain? 22
14. How long does Council have to consider whether the proposed works meet the standards specified in an order? 22

15. Can Council recover any expenses involved in this process? 22
16. How do orders affect heritage items? 23
17. How is an order given and when does it take effect? 23
18. Does Council have the power to give an order under another act? 23
19. What happens when a person fails to comply with an order? 23
20. Is an approval necessary for work to be undertaken? 23
21. Must an occupier of land permit an owner to carry out work? 23
22. Can Council carry out the works? 24
23. What rights of appeal does a person have against an order or part of an order? 24
24. Does the appeal prevent the order from operating? 24
25. Is a building owner entitled to any compensation from Council for expenses involved in complying with an order? 24
26. Overview of legal process to issue an order 25
27. Dictionary 26

PART 1 - PRELIMINARY

1. What is the name of this Policy?

This policy ("the policy") is called the Walgett Shire Council Local Orders Policy 2006

2. Where does the policy apply?

It applies to the whole of the Walgett Shire Council local government area.

3. What is the purpose of this Policy?

The Policy aims:

- To make the Council's policies and requirements for orders readily accessible and understandable to the public.
- To ensure consistency and fairness in the manner in which the Council deals with issuing orders.
- To establish a system which can effectively resolve disputes and conflicts as they arise.

4. When did the Policy commence?

The Policy commenced on the date on which it was adopted by the Council.

NOTE: *This Policy was adopted by the Council on [DATE].*

Adoption of the Policy was publicly notified in [NEWSPAPERS AND DATES].

5. Have there been any amendments to the Policy?

The Policy incorporates the amendments as listed.

Amendment No	Date Adopted	Minute No	Date Commenced	Notified in Local Paper
Nil	Nil	Nil	Nil	Nil

6. When will the Policy be revoked?

The Policy is automatically revoked at the expiration of 12 months after the declaration of the poll for the next general election, unless the Council revokes it sooner.

NOTE: Automatic revocation of the Policy is provided for by Section 165 of the Act.

Section 163 of the Act requires that the Policy is void if it is inconsistent with the Act or the regulations. Section 164 of the Act requires that the policy cannot impose a more onerous criterion than does the Act or regulations in relation to a specified aspect of an activity.

PART 2 – CRITERIA COUNCIL MUST CONSIDER

There are various statutory criteria that Council must consider when giving an order, as imposed by the Local Government Act 1993, as well as standards derived from the Local Government (General) Regulation 2005. This policy also adopts additional criteria for consideration.

Details of the various types of orders are provided under the respective headings below, including:

a) To do what? – what types of action can be required to be taken.

b) In what circumstances? – restrictions on the particular circumstances in which an Order may be given.

c) To whom? – who must the order be issued to.

Order No. 5 (a), (b), (c), (d) (e) and (f) – Various matters

To do what?

To take such action as is necessary to bring into compliance with relevant standards, or requirements set or made or under this Act:

a) A camping ground, caravan park or manufactured home estate.

b) A moveable dwelling or manufactured home.

c) A building or a temporary structure used as a place of public entertainment.

d) A place of shared accommodation.

e) A hairdressers shop or beauty salon.

f) A mortuary.

In what circumstances?

Failure to comply with relevant standards or requirements set or made by or under this Act or under the Local Government Act 1919.

To whom?

Owner, occupier or manager.

Criteria

When determining whether a Notice of Proposed Order, or Order, is to be given the following criteria are to be taken into consideration, where relevant:

a) The provisions of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. See Clause 82 of the Local Government (General) Regulation 2005.

b) Clause 11 - "Adoption of Building Code of Australia" AND Schedule 1, Part 1 – "Management and Use of Places of Public Entertainment", in the Local Government (General) Regulation 2005.

c) Schedule 2, Part 1-"Standards for Place of Shared Accommodation" in the Local Government (General) Regulation 2005. See Clause 83 of the regulation.

d) Schedule 2, Part 2-"Standards for Hairdresser Shops" in the Local Government (General) Regulation 2005. See Clause 84 of the regulation.

e) Schedule 2, Part 3 "Standards for Beauty Salons" in the Local Government (General) Regulation 2005. See Clause 85 of the regulation.

f) Schedule 2, Part 4 "Standards for Mortuaries" in the Local Government (General) Regulation 2005. See Clause 86 of the regulation.

Order No. 5 (h) – Water and sewerage supply systems

To do what?

To take such action as is necessary to bring into compliance with relevant standards, or requirements set or made or under this Act:

a) a water meter, water supply or sewerage system on premises.

In what circumstances?

Failure to comply with relevant standards or requirements set or made by or under this Act or under the Local Government Act 1919. Also see Clause 88 of the Local Government (General) Regulation 2005.

To whom?

Owner, occupier or manager or, in the case of a water meter, water supply or sewerage system in respect of which a defect occurs in work due to faulty workmanship of, or defective material supplied by, a licensed contractor (being the holder of a licence in force under the Home Building Act 1989 authorising the holder to contract to do the work) within 12 months after the work is carried out or the material is supplied, the licensed contractor.

Criteria

When determining whether a Notice of Proposed Order, or Order, is to be given the following criteria are to be taken into consideration, where relevant:

a) Whether the circumstances have arisen within 12 months of work being undertaken on the affected part of a water supply or sewerage system by a licensed contractor.

b) Whether an order has been made, or is being considered, by the Consumer, Trader and Tenancy Tribunal under the Home Building Act 1989 against a licensed contractor.

c) Whether the circumstances are unrelated to the work of a licensed contractor.

Order No. 7 – Fence land

To Do What?

To fence land.

In What Circumstances?

Public health, safety or convenience renders it necessary or expedient to do so and there is no adequate fence between the land and public place.

To Whom?

Owner or occupier of land.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given the following criteria are to be taken into consideration:

a) Whether the condition, location or use of the land poses a threat to the health, safety and convenience of the public.

Order No. 8 – Identify premises

To Do What?

To identify premises with such numbers or other identification in such a manner as is specified in the Order.

In What Circumstances?

Premises have a frontage to or entrance from a road and there are no markings that can readily be seen and understood from the road.

To Whom?

Owner or occupier of land.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given the following criteria are to be taken into consideration:

a) Whether there is unauthorised use of, or duplication of, numbers.

b) Whether numbers are not in accordance with the street patterns.

c) Whether there is potential for confusion in the identification of premises.

d) Whether the owner/occupier had not complied with Council's request for rectification.

Order No. 9 - Waterbody

To Do What?

To fence, empty, fill in or cover up a hole or waterhole in a manner specified in the Order.

In What Circumstances?

Hole or waterhole is or may become dangerous to life.

To Whom?

Owner or occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given the following criteria are to be taken into consideration:

a) The hole or waterhole is located within an urban area and is directly accessible from a public place or another private property and/or

b) The hole or waterhole is not adequately covered or fenced to the minimum requirements of the Swimming Pools Act 1992 to prevent direct access to it from a public place or any other private property and,

c) The nature, location and depth of the hole or waterhole is considered to be dangerous to life.

Criteria Does not Include:

Any hole or water hole that falls under the definition of a swimming pool as defined in the Swimming Pools Act 1992, or one that is located outside of an urban area.

Order No. 10 - Articles

To Do What?

To remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees.

In What Circumstances?

Land is in the immediate vicinity of a public place and is used for the storage of articles or matter so as to create or be likely to create unsightly conditions.

To Whom?

Owner or occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given the following criteria are to be taken into consideration:

a) Definition of "article" or "matter" includes but is not limited to:-

I. Disused motor vehicles, caravans, trailers, boats or associated parts;

II. Disused machinery, equipment and appliances;

III. Old, used or second hand materials (including building materials);

IV. Sand, soil, rock, blue metal and any other material derived from any extraction or dredging process;

V. Any organic or vegetative material;

VI. Any industrial or commercial waste products;

VII. Any household rubbish or waste;

VIII. Any recycled or composted material;

IX. Furniture.

b) Definition of "Land in the immediate vicinity of a public place" is any land that immediately adjoins a public place.

c) The article(s) or matter must be visible from the public place.

Order No. 11 – Environmental damage

To Do What?

To do or to refrain from doing such things as are specified in the order to prevent environmental damage, to repair environmental damage or to prevent further environmental damage.

In What Circumstances?

Work carried out on land has caused or is likely to cause environmental damage, being damage to the physical environment that is caused by:

a) drainage; or

b) drainage works; or

c) obstructing a natural watercourse other than by work constructed or used under a license granted under Part 2 of the Water Act 1912,

not being environmental damage arising from premises, works or equipment the subject of an approval or licence issued under the Protection Of the Environment Operations Act 1997 or the subject of a notice or direction issued by the regulatory authority under that Act.

To Whom?

Owner or occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

Physical environmental damage must be as a result of the flow of water over any land, discharged from the following sources:

a) Drainage, being a drain or system of drains, whether artificial or natural, which are designed for the carrying of water other than sewerage and which includes a natural water course, or;

b) Drainage works, being any part of the on-site process involved in the construction of a drain or drainage system and which includes, but not limited to site excavation, materials, compiling and any associated buildings works, or;

c) Obstruction of a natural water course, being the carrying out of building works or the deposition of any material in such a position as to block or restrict the flow of water within or to redirect the flow of water away from a natural water course.

Order No.12 – Control surface water

To Do What?

To do such things as are necessary to control the flow of surface water across land.

In What Circumstances?

Other land or a building on the land or other land is being damaged or is likely to be damaged.

To Whom?

Owner or occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Erosion of land is occurring from the flow of surface water.

b) Physical damage to a building is or has occurred or there is sufficient evidence to suggest that it is likely to occur.

c) Surface water flows across the land boundary onto other land.

Situations where this Order may apply include, but are not limited to:

a) Water from defective guttering, down pipes or drainage (including underground drainage pipes).

b) Water from rooves not fitted with guttering.

c) Emptying or backwashing swimming pools.

d) Surface water that has been purposely redirected away from its natural direction of flow towards other land.

Criteria Does Not Include:

a) Stormwater runoff which is NOT redirected in any manner (i.e. natural surface flow) and follows existing natural land contours.

b) Surface water runoff occurring in periods of exceptional heavy rain.

c) Surface water flowing down existing hard surface areas such as driveways, tennis courts, concrete slab or paved areas.

d) Discharges from defective or blocked private stormwater easements.

e) Overflows from absorption pits where contours of land and lack of access prevent direct connection of a building's stormwater drainage system to Council's Stormwater Drainage System.

f) Runoff from any building or development work that is the subject of a Development Consent and has been constructed in accordance with that consent.

g) Any circumstance in which the flow of surface water across land is capable of being regulated by the Environmental Protection Authority constitutes a circumstance where an order No 12 cannot be made.

Order No.15 – Not conduct an activity

To Do What?

Not to conduct, or to cease conducting, an activity on premises (whether or not the activity is approved under this Act).

In What Circumstances?

The activity constitutes or is likely to constitute:

a) a life threatening hazard; or

b) a threat to public health or public safety

and is not regulated or controlled under any other Act by a public authority.

To Whom?

Any persons apparently engaged in promoting, conducting or carrying out the activity.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration.

a) The activity being carried out is causing or is likely to cause a life threatening hazard or a threat to public health or public safety to any person whether on private or public land.

Situations where this Order may apply include, but are not limited to:

a) Use of a defective septic tank or a septic closet on premises after the date specified (in an Order No 24 served on the owner or occupier of the premises) being the date by which the premises were required to be connected with a sewerage system.

b) Construction work on a septic tank or a septic closet on premises after the date specified (in an Order No 24 served on the owner or occupier of the premises) being the date by which the premises were required to be connected with a sewerage system

Criteria Does Not Include:

a) Any activity that is covered by any other Act or Regulation.

b) Any activity that is controlled by another authority

Order No.16 – Cease use or evacuate premises

To Do What?

To cease the use of premises or to evacuate premises.

In What Circumstances?

A person to whom Order No. 15 is given has failed to comply with the Order.

To Whom?

The person to whom Order No. 15 is given.

Criteria

No additional criteria.

Order No.17 – Leave or not enter premises

To Do What?

To leave premises or not to enter premises.

In What Circumstances?

A person to whom Order No. 15 is given has failed to comply with the Order.

To Whom?

Any person

Criteria

No additional criteria.

Order No.18 - Animals

To Do What?

Not to keep birds or animals on premises, other than of such kinds, in such numbers or in such manner as specified in the order.

In What Circumstances?

Birds or animals kept on premises are:

a) in the case of any premises (whether or not in a catchment district) of an inappropriate kind or number or are kept inappropriately;

To Whom?

Occupier of premises.

Criteria

NOTE : There are no restrictions on the number of birds and animals that can be kept in the Shire in normal circumstances. Limits and standards may be applied when:

- A legitimate problem has been identified relating to the numbers and/or types of birds or animals kept upon a particular premise.
- There is a detrimental impact on the health, amenity and safety of others.
- Voluntary rectification of the problem does not occur, hence an order is required under the provisions of Section 124 of the Local Government Act 1993 to address the problems that have arisen.

Also see Part 5 of Schedule 2, "Standards for Keeping Birds and Animals", under the Local Government (General) Regulation 2005.

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Continuing offensive noise at inappropriate times.

b) Continuing offensive odours.

c) Vermin infestation through poor cleaning.

d) Addressing nuisances, health or safety threats.

e) Actual and potential impacts on neighbours or the public.

f) The number and type of bird(s) or animal(s) being kept.

g) The conditions in which the animals are being kept.

Note: Where the keeping of birds or animals on premises is capable of being regulated by the Environment Protection Authority, Council is excluded from making Order No. 18.

Criteria Does Not include:

a) The feeding of wild or native birds and/or animals;

c) Damage caused by wild or native birds or animals;

d) The trapping of any wild or native birds or animals;

e) The control of or treatment of termites on private or public land;

Order No. 19 – Tennis court

To Do What?

To use or not to use a tennis court as specified.

In What Circumstances?

Actual or likely annoyance or threat to the safety of neighbours or users of a public place.

To Whom?

Occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Tennis courts are not to be used after sundown unless otherwise approved by Development Consent.

b) Tennis courts on private property shall not be used for commercial purposes without Development Consent being issued, i.e. for hire to non residents of the property.

Order No. 20 - Food

To Do What?

To do such things as are specified in the Order to put premises, vehicles or articles used for the manufacture, preparation, storage, sale, transportation or other handling or use of or in relation to food into a clean or sanitary condition.

In What Circumstances?

The premises, vehicle or article, is not in a clean or sanitary condition.

To Whom?

Owner or occupier of premises or owner or operator of vehicle or article.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) The premises including any fixtures, fittings, utensils and equipment has not been adequately cleaned and there is accumulations of dirt, dust, grease, oil, food matter or any other matter that could contaminate or likely contaminate any food stuffs present on the premises

b) The food handling procedures and hygiene standards of operators create such unsanitary conditions that will cause contamination or is likely to cause contamination of any food stuffs present on the premises.

c) There is "non compliance with the following standards that cause the premises to be in an unclean or unsanitary condition as described above:

I. The Australia New Zealand Food Standards Code.

II. Australian Standard 1668.2 The Use of Ventilation and Air Conditioning in Buildings – Ventilation Design for Indoor Air Contaminant Control.

d) In the case of water carting vehicles (See Clause 93 of the Local Government (General) Regulation 2005):

I. Whether a vessel used on a vehicle to cart water has an aperture that is large enough to enable easy inspection of the interior or thorough cleaning of the interior.

II. Whether the cover of any such aperture is of a kind that is able to be kept thoroughly clean.

Order No. 21 – Safety and health

To Do What?

To do or refrain from doing such things as are specified in the Order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.

In What Circumstances?

The land or premises are not in a safe or healthy condition.

To Whom?

Owner or occupier of land or premises.

Criteria

Land or premises would be considered not to be in a safe and or healthy condition if the safety or the health of the owner or occupier of the land or premises, or the community, is detrimentally affected. Criteria and actions that need to be considered include, but is not limited to:

a) The abatement of dampness in walls and ceilings in any property;

b) The repair of leaky roofs and renewal or repair of defective guttering and down piping [where it causes health & safety issues and not damage - See Order 12];

c) Provision of adequate wholesome water supply;

d) The renewal of broken window glass and sash cords to render windows capable of being opened top and bottom;

e) The removal of defective floor timbers and stair treads and replacement with sound material;

f) The renewal or repair of waste pipes; and sanitary fittings and flush pipe to water closet pans;

g) Clearing of choked sewerage service pipes;

h) Repair of defective septic tanks, pipes and absorption pits;

i) The removal of the following accumulations which are likely to afford harbourage for vermin or otherwise pose a threat to health and safety to any person:

I. disused and/or second hand building materials or household fixtures and fittings;

II. dilapidated and/or abandoned motor vehicle or ancillary parts and accessories or machinery;

III. dilapidated and/or abandoned boats, watercraft, trailers or caravans;

IV. disused and/or second hand containers, bottles, scrap metal, waste paper, rags, rubbish or other scrap materials; and

V. tree trunks, tree stumps, organic material, vegetation or firewood;

j) Provision of suitable facilities for toilet, kitchen sink, bathing and for washing of clothes hot and cold water provided.

k) Provision of suitable cooking facilities;

l) The control of animal enclosures in so far as their operational aspects in relation to environmental health is concerned.

m) The treatment of an untreated swimming pools or excavation where the condition of the water within is or is likely to be breeding mosquitoes.

n) The boarding up or fencing off of a dilapidated building to prevent unauthorised access where there is a safety issue from injury or fire.

o) Cleaning of garbage containers.

p) Potential for collapse of a structure, or part thereof, such as a wall, fence or other building.

q) Disconnection of an electric fence from its energiser or otherwise render it inoperable.

Criteria Does Not Include:

Defective retaining walls, buildings or structures that are dilapidated or appear defective if they:

a) are located on private property and

b) would not impact upon any adjoining public land if they were to collapse and

c) would not pose a threat to health and safety of persons on the adjoining public land in any way.

Where the condition of land or premises in respect of health or safety is capable of being regulated by the Environment Protection Authority, Council is excluded from making Order No. 21.

Order No. 22 – Waste

To Do What?

To store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order provided that it is not inconstant with the regulations made under the Protection Of the Environment Operations Act 1997

In What Circumstances?

Waste is present or generated on the land or premises and is not dealt with satisfactorily and is not regulated or controlled by, or subject to, a licence issued under the Protection Of the Environment Operations Act 1997.

To Whom?

Owner or occupier of land or premises, owner of or person responsible for the waste or for any receptacle or container in which the waste is contained.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Waste is being placed on the roadway for collection by Council not in the approved impervious receptacles with close-fitting lids that are provided by Council.

b) Where waste is present on land or premises and is not being properly stored, collected or removed satisfactorily from those premises.

c) Defective site absorption septic tank system.

d) Disposal of human waste on site without an approved method of waste disposal.

Order No. 24 – Connect to sewerage system

To Do What?

To connect premises with a sewerage system by a specified date.

In What Circumstances?

The premises are situated within 75 metres of a sewer of the Council.

To Whom?

Owner or occupier of premises.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) The distance from the premises to the connection point of the sewer must be not further than 75 metres and:

I. have legal access using an easement for sewerage services over any adjoining premises to the sewer connection point, or

II. has access to the sewer located within an adjoining Council road reserve and

III. connection to the sewer can only be made via a junction point established by Council.

b) Whether the existing sewage management facility is so defective to be a threat to public health and/or is or likely to have a detrimental impact on the environment.

Order No. 25 – Human waste

To Do What?

Not to use or permit the use of a human waste storage facility on premises after a specified date.

In What Circumstances?

It is necessary for the purpose of protecting public health.

To Whom?

Owner or occupier of premises

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration.

a) The human waste storage facility is so defective or poorly designed so as to permit human waste to discharge or overflow from the storage facility onto the adjacent ground or floor area and in such a manner to be a danger to the health of the public.

Criteria Does Not Include:

Where the use of human waste storage facilities is capable of being regulated by the Environment Protection Authority, Council is excluded from making an Order No. 25.

Order No. 27 – Public place, remove object or matter

To Do What?

To remove an object or matter from a public place or prevent any object or matter being deposited there.

In What Circumstances?

The object or matter:

a) Is causing or is likely to cause an obstruction or encroachment of or/on the public place and the obstruction or encroachment is not authorised by or under any Act, or

b) Is causing or is likely to cause danger, annoyance, or inconvenience to the public.

To Whom?

Person causing obstruction or encroachment or owner or occupier of land from which the object or matter is likely to emanate.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Definition of Encroachment:

b) Definition of Obstruction:

c) Definition of object or matter: Any article, item or thing which is visible and tangible and includes but is not limited to:

I. Advertising sign, advertisement generally;

II. Motor vehicles or motor vehicles parts;

III. Caravans or caravan parts;

IV. Trailers/boats or trailer/boat parts;

V. Machinery, equipment and appliances;

VI. Second hand materials including building materials;

VII. Demolition materials;

VIII. Scrap materials;

IX. Sand, soil rock, blue meatal and any other material derived from any construction or dredging process;

X. Any organic or vegetative material;

XI. Any industrial or commercial waste product;

XII. Any household fixtures, rubbish or waste;

XIII. Second hand containers, bottles , scrap metal, waste paper, rags, or rubbish;

XIV. Any recycled or composted material;

Criteria Does Not Include:

This criteria does not include the placing of articles on a public place during a designated period of a Council clean up provided these articles do not breach conditions (a) and (b) above.

Order No. 28 – Public place, prevent or repair damage

To Do What?

To take whatever steps are necessary to prevent damage to a public place and repair damage to a public place.

In What Circumstances?

There is actual or likely damage:

a) By excavation or removal or material from or adjacent to the public place; or

b) By a work or structure; or

c) By surface drainage or irrigation spray.

To Whom?

a) Person responsible for the excavation or the removal of the material.

b) Owner or person entitled to the benefit of the work or structure.

c) Owner or occupier of land from which the surface drainage flows or from which spray emanates.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Whether the activity is associated with any approval issued by Council.

b) If the activity is related to an approval issued by Council, whether the conditions of the approval being complied with.

Order No. 29 – Public place, alter or repair work or structure

To Do What?

To alter or repair a work or structure on, over or under a public place.

In What Circumstances?

It is in the public interest to do so.

To Whom?

Owner of the work or structure.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration.

a) To alter or repair structures on, over, or under the public way not in accordance with approvals or considered unsafe or dangerous.

b) Repairs required to private services within a public place such as, but not limited to, sewer services and roof water / storm water pipes not covered by lease agreements.

c) Driveway crossings which are not being maintained in a safe condition.

d) Shop awnings which are not being maintained in a safe or sightly condition.

e) Maintenance of underground pipes within a public place.

Order No.30 – Comply with an approval

To Do What?

To comply with an approval.

In What Circumstances?

The approval is not being complied with.

To Whom?

Person entitled to act on the approval or person acting otherwise than in compliance with the approval.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) An approval granted by Council has not been complied with or

b) Conditions of an approval granted by Council have not been complied with.

Order under Section 125 of the Local Government Act 1993

To Do What?

To abate a public nuisance or order a person responsible for a public nuisance to abate it.

In What Circumstances?

Where a nuisance consists of interference with the enjoyment of public rights. A nuisance is "public" if it materially affects the reasonable comfort and convenience of a sufficient class of people to constitute the public or a section of the public.

To Whom?

The person(s) responsible for causing a public nuisance.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) The source of the nuisance need not be located on, or in, a public place.

b) The impact of the nuisance must affect the general public and not a localised group.

Example 1 - Lighting from a private premises impacting upon motor vehicle drivers on a public road.

Example 2 – Any wrongful or negligent act or omission in a public road that interferes with the full, safe and convenient use by the public of their right of passage is a public nuisance.

PART 3 – OTHER MATTERS RELATING TO ORDERS

7. What must council consider before giving an order?

Council must ensure that:

- the type and circumstances of the order and the person on whom the order will be served are described in the Table to Section 124 of the Act; or
- the activity constitutes a public nuisance under Section 125 of the Act; and
- the relevant provisions of the Act, Regulations, Local Approvals Policy and any additional criteria adopted in a Local Orders Policy have been considered (LG Act s131).

8. What must be done before an order is served?

Council must issue a notice of intention to serve the order which provides the following information (Section 132):

- the name of the person for whom the order is intended;
- the terms of the proposed order;
- how long the person will have to comply with the proposed order;
- an opportunity for the person to make representations to council to explain why a proposed order should not be given or that the terms of, or period for compliance are, unreasonable;
- how, when and to whom representations can be made (LG Act s132 (3));
- right of appeal to the Land and Environment Court and time period within which an appeal may be made (LG Act s138).

9. Who can make representations?

The person on whom the proposed order is to be served (or their barrister, solicitor or agent) can make representations (LG Act s133).

10. How should representations be made and considered?

Representations can be made in writing or orally to the council, a nominated committee or council officer. Council must hear and consider any representations made regarding proposed orders (LG Act s134). Consideration must be given to the special circumstances of any residents if order No 15A is proposed to be served.

11. What does Council do after hearing representations?

The council, nominated committee or officer can proceed with the proposed order, make modifications to the order or not give the order (LG Act s135 (1)).

If modifications are made to the order as a result of the representations a further notice of intention is **not** required (LG Act s135 (2)).

12. Are there any exemptions to these procedures?

The procedures normally observed before giving orders do not apply to orders given, and expressed to be given, in an emergency and in the case of Order No 15 when the cessation of an activity is ordered because it constitutes a life threatening hazard, a threat to public health or public safety and is not regulated under any other Act or by a public authority (LG Act s129 (2)).

13. What information should the order contain?

The order should contain:

- Reasons for the order (LG Act s136 (1)) except in urgent cases when reasons must be given the next working day (LG Act s36 (3)).
- The period in which the terms of the order are to be complied with (LG Act s137 (1)).
- Notice of the right to appeal against the order of part of the order (LG Act s138 (a)).
- The time period within which an appeal can be made (s138 (b) *including both periods where it is a "particulars of work" order*).
- Any relevant provisions of the Act, Regulations and Local Approvals Policy and Local Orders Policy not complied with (Local Government (General) Regulation 2005 cl 99(a)).
- Notice that it is an offence not to comply with an order and the maximum penalty (Local Government (General) Regulation 2005 cl. 99(b)).
- Notice that if the order is not complied with council can undertake the work and recover costs (Local Government (General) Regulation 2005 cl. 99(c)).

In addition an order may specify the standard a premises is to meet, the nature of work that would meet the specified standard and the time period (not exceeding 3 months) *within which particulars of work must be submitted* (LG Act s139).

14. How long does Council have to consider whether the proposed works meet the standards specified in an order?

Council has 28 days in which to consider the proposed works and can:

(1) accept the proposed works without modification and order the completion of the works immediately;

(2) accept the proposed works with modifications;

(3) reject the proposed works

If council is still not satisfied with the proposed works, then it must within 3 months prepare a schedule of works and order the person to carry out those works (LG Act s141 (3)). An order under section 141 forms part of the order under section 124 to which it relates.

15. Can Council recover any expenses involved in this process?

Yes, Council can recover any expenses in preparing particulars of work to be completed (LG Act s141 (5)).

16. How do orders affect heritage items?

Council must first consider the impact of the order on the heritage item and must notify the Heritage Council of it's intention to serve an order if the item is listed in the Register of the National Estate or included as an order under the Heritage Act 1977 (s142 (1) (2) (3)).

17. How is an order given and when does it take effect?

A copy of the order can be served by a council officer or posted to the person to whom the order is addressed (LG Act s144). It takes effect from the time it is served or a later time if specified in the order (LG Act s144).

18. Does Council have the power to give an order under another act?

Council is able to give orders under other Acts, provided that an authority has been given. For example council may serve an order under the Environmental Planning and Assessment Act 1979, the Companion Animals Act 1998, Protection of the Environment Operations Act 1997, the Food Act 2003. The relevant provisions of the respective acts will apply in such circumstances.

19. What happens when a person fails to comply with an order?

The person is guilty of an offence under the LG Act for failure to comply with an order (LG Act s628). The maximum penalties that apply to particular orders are as follows:

a) Orders Nos 1, 3,5 and 7 to 12 - 50 penalty units for an individual and 100 penalty units for a corporation

b) Orders Nos 15,16 and 17 - 100 penalty units for an individual and 200 penalty units for a corporation

c) Orders Nos 18 to 25 and 27 to 29 – 20 penalty units.

d) Order No 30 - The same penalty as the penalty imposed for carrying out the activity the subject of the approval otherwise than in accordance with the approval.

e) Order under Section 125 – 20 penalty units.

In June 2006 one penalty unit was equal to $110 (See Section 17 of the Crimes (Sentencing Procedure) Act 1999).

20. Is an approval necessary for work to be undertaken?

No, a person who carries out work in compliance with an order does not have to make an application for approval of the work. (LG Act s138A).

21. Must an occupier of land permit an owner to carry out work?

Yes, the occupier must within 2 days of the order being served allow the owner to do the work (LG Act s148 (1) (2)). However if the occupier does not permit the owner to do work the owner is not considered guilty of an offence for failure to comply (LG Act s149 (3)).

22. Can Council carry out the works?

Yes, if a person does not comply with the terms of an order then council can carry out the works and recover the costs (LG Act s141 (5) and s678).

23. What rights of appeal does a person have against an order or part of an order?

A person may appeal to the Land and Environment Court within 28 days of the order being served (LG Act s180 and Land and Environment Court Rules 1980 s17).

24. Does the appeal prevent the order from operating?

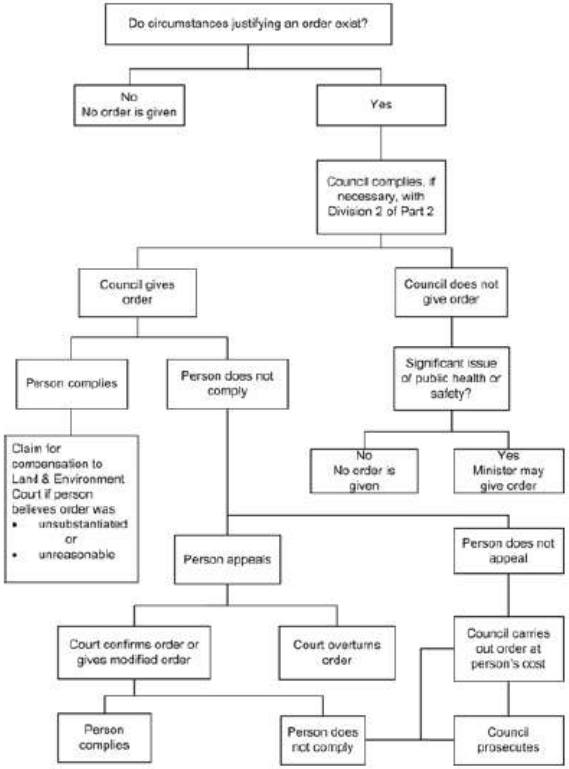
No, the order operates while the appeal is being heard in the Land and Environment Court.

25. Is a building owner entitled to any compensation from Council for expenses involved in complying with an order?

The only time a building owner is entitled to compensation is if Council orders the demolition of a building (Order No 1) or repair or make structural alterations to a building (Order No 3) that is located in a proclaimed catchment district which causes or is likely to cause the pollution of a water supply (LG Act s128).

26. Overview of legal process to issue an order

The diagram below provides an overview of the process followed when a Council is considering issuing an order, and has been copied from Part 2 of the Local Government Act 1993.



27. Dictionary

The dictionary below represents a partial extract from the dictionary of the Local Government Act 1993 and should be read in conjunction with this Local Approvals Policy.

act means the Local Government Act 1993.

council means the council of an area, and includes an administrator.

dwelling, in Division 1 of Part 8 of Chapter 15, means a building or part of a building used as a place of dwelling.

human waste means human faeces and urine.

human waste storage facility means a device for holding or disposing of human waste, including a cesspit, septic tank, septic closet, water closet, chemical closet, humus closet and combustion closet.

public road means a road which the public are entitled to use.

road includes:

a) highway, street, lane, pathway, footpath, cycleway, thoroughfare, bridge, culvert, causeway, road-ferry, ford, crossing, by-pass and trackway, whether temporary or permanent, and

b) any part of a road and any part of any thing referred to in paragraph (a), and

c) any thing forming part of a road or any thing forming part of any thing referred to in paragraph (a).

sewerage work means the construction, alteration, extension, disconnection, removal, ventilation, flushing, cleansing, maintenance, repair, renewal or clearing of any sewerage service pipes or fittings or fixtures communicating or intended to communicate, directly or indirectly, with:

a) a septic tank, an effluent or a sullage disposal system, or

b) any sewer of a council,

and includes work of sanitary plumbing and work of house drainage.

waste means:

a) effluent, being any matter or thing, whether solid or liquid or a combination of solids and liquids, which is of a kind that may be removed from a human waste storage facility, sullage pit or grease trap, or from any holding tank or other container forming part of or used in connection with a human waste storage facility, sullage pit or grease trap, or

b) trade waste, being any matter or thing, whether solid, gaseous or liquid or a combination of solids, gases and liquids (or any of them), which is of a kind that comprises refuse from any industrial, chemical, trade or business process or operation, including any building or demolition work, or

c) garbage, being all refuse other than trade waste and effluent,

and includes any other substance defined as waste for the purposes of the Protection of the Environment Operations Act 1997, and a substance is not precluded from being waste merely because it is capable of being refined or recycled.

water supply work means the construction, alteration, extension, disconnection, removal, flushing, cleansing, maintenance, repair, renewal or clearing of any pipes or fittings of any water service communicating or intended to communicate, directly or indirectly, with any water main of a council, but does not include changing a washer.

END.

22. FIRE DAMAGED HERITAGE BULDING – COLLARENEBRI

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin - Director Planning and Regulatory Services

FILE NUMBER: 235/06/26/00

Summary:

Walgett Shire Council's Heritage Advisor has prepared a report relating to a fire damaged building in Wilson St., Collarenebri that had been proposed for heritage listing. It is recommended that Council resolve to note the report and take action in accordance with his recommendations.

Discussion (including issues and background):

Recently the former bakery located on lot 3, section 4, DP 769262 in Wilson Street, Collarenebri was extensively damaged by fire. Since then the former bakery has been demolished.

Walgett Shire Council's Heritage Advisor, High Ground Consulting (Ray Christison), subsequently visited the site on 13 May 2009 and prepared a report on the various buildings located on the site (Attachment A). Within the Community Based Heritage Study report, endorsed by Council at a meeting held on 20 May 2008, Denyer's store and the old bakery shop have been recommended for listing as heritage items within a Local Environmental Plan.

The Heritage Advisor's report dated 18 May 2009 now recommends that the building known as Denyer's store no longer be considered for listing as a heritage item within an Local Environmental Plan.

Relevant Reference Documents:

Report of the Community Based Heritage Study dated April 2008.
Walgett Shire Council minutes for 20 May 2008.

Stakeholders:

Owner of land involved, Walgett Shire Council and the public.

Financial Implications:

Nil

Recommendations:

That Walgett Shire Council resolve to:

1. Note the report dated 18 May 2009 prepared by Walgett Shire Council's Heritage Advisor, Ray Christison, regarding proposed heritage buildings located on lot 3, section 4, DP 769262.

2. Adopt the recommendations contained in that report, as follows:

(a) Remove the former Denyer's Store building from the draft Heritage Schedule to allow for demolition and re-use of materials.

(b) Retain the former bakery building on the Heritage Schedule and allow the owner to undertake modifications that:

*** Retain as much as possible of the existing fabric and outline of the building.**
*** Retain the outline of the existing building and ovens.**

Attachment A – Heritage Advisor's report dated 18 May 2009

High Ground Consulting
(Hammusk Pty Ltd)
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0419 438 609
highground@swiftdsl.com.au

General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

ATT: Matthew Goodwin, Director Planning and Regulatory Services

Dear Matthew,

Fire damaged buildings – Wilson Street, Collarenebri
On 13 May 2009 I inspected two former retail premises located in Wilson Street, Collarenebri that have been listed in the draft heritage schedule for the new Walgett Shire LEP. I also discussed the owner's intentions in relation to the buildings on site following the recent destructive fire.

These premises are as follows:

- Item 107 - Denyer's Store (former), Lot 3 Sect 4, DP 769262
- Item 138 – Old Bakery and shops, Lot 3 Sect 4, DP 769262

The buildings located on Lot 3 Sect 4, DP 769262 can be described as follows;

- **Denyer's Store** (former) – This consists of two gable-roofed timber-framed retail structures placed side-by-side, constructed in Federation Carpenter Style and clad in weatherboard. At some time during their life, possibly in the 1930s, these structures have been joined by the addition of a shop front across their street facades and the construction of a passageway between the rear of both buildings. These buildings are in poor condition with numerous signs of impending structural failure evident. The owner has commenced removing flooring material from this structure.
- **Cottage** – A cottage is located immediately behind the former Denyer's Store. This may have been constructed at the same time as the retail premises. The owner of the property is currently restoring this building.
- **Old Bakery shop** – Formerly located on the street frontage to the north of Denyer's Store this building was recently destroyed by fire.
- **Old Bakery** – This building is located east of the former bakery shop. It is a simple gable-roofed structure with board and batten walls and a large brick oven at its rear. A substantial corrugated iron clad extension has been constructed on the southern side of the bakery. This building appears sound, although slightly fire damaged. The owner wishes to convert it into a residence.
- **Bakery store** – This corrugated iron clad structure is located at the rear of the block. It has been restored by the current owner.

High Ground Consulting

Heritage significance

The heritage inventory sheets identify the cultural heritage significance of this complex as follows:

- Item 107 - A rare surviving 19th century weatherboard gable-roofed shop with inter-war shop front and parapet, dating from Collarenenbri's period of growth and prosperity in the Federation years.
- Item 138 – A rare 19th century group of shops and associated bakery of timber slab and corrugated iron, dating from Collarenenbri's period of growth and prosperity in the Federation years.

Discussions with owner

The owner of the property wishes to undertake the following actions:

- **Denyer's Store** – Given the condition of these buildings the owner wishes to demolish and re-use salvageable materials in the restoration of the cottage, bakery and bakery store. He has already commenced doing so.
- **Denyer's Store cottage** – Currently being restored.
- **Bakery Shop** – clear debris from the fire affected area.
- **Bakery** – Proposed modification to convert into a residence. It is intended to clad over the existing board and batten structure. I have suggested that this be done with corrugated iron recycled from Denyer's Store. The owner wishes to demolish the former baking ovens, which are in poor condition, and re-use the bricks elsewhere.
- **Bakery store** – This building is currently being restored.

Recommendations

Given the condition of the structures on the site it is proposed that the following actions be taken:

1. Remove the former Denyer's Store building from the draft Heritage Schedule to allow for demolition and re-use of materials.
2. Retain the former bakery building on the Heritage Schedule and allow the owner to undertake modifications that:
    a. Retain as much as possible of the existing fabric and outline of the building.
    b. Retain the outline of the existing building and ovens.

Yours faithfully

Ray Christison
Heritage Advisor
Walgett Shire Council
18 May 2009

23. DEVELOPMENT AND COMPLYING DEVELOPMENT CERTIFICATE APPLICATIONS

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin – Director Planning and Regulatory Services

FILE NUMBER: 007/02/04/55

Summary:

This report provides a summary of the Development and Complying Development Certificate applications recently processed under delegated authority.

Discussion (including issues and background):

The table following this report provides details of Development Applications (DA) and Complying Development Certificate (CDC) applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during May 2009.

Document type 20 represents Development Applications, while document type 24 represents Complying Development Certificates.

Relevant Reference Documents:

Files for the respective Development and Complying Development Certificate applications.

Stakeholders:

Public and applicants.

Financial Implications:

Nil.

Recommendations:

That Walgett Shire Council resolve to:

1. note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during May 2009.

AUTHORITY

Determined Applications

civica

06/05/2009 Parameters: Date Range:Y
Start Date:1/05/2009
End Date:31/05/2009
As At Date:

Document Type: 20
Officer:ALL
Number of Days:0
Stop The Clock:Yes

Page:1

Document	Applicant Name / Address	Development Type / Property Address / Title Owner	Determination	Determined	Received
Document Type: 20					
	Stop the Clock	*Total Elapsed Calendar Days: 29* *Calendar Stop Days: 0* *Adjusted Calendar Days: 29*			
020/2009/00000007/001		144 Class 10a - Verandah 6 Albert ST WALGETT LOT: 3 DP: 221283 Mr C G Cullen	Approved - Staff Delegation	07/05/2009	09/04/2009
	Stop the Clock	*Total Elapsed Calendar Days: 30* *Calendar Stop Days: 0* *Adjusted Calendar Days: 30*			
020/2009/00000008/001		144 Class 10a - Verandah 36 Wee Waa ST WALGETT LOT: 1 DP: 202057 Mrs W V Azevedo *There are Multiple Parcels on this application*	Approved - Staff Delegation	08/05/2009	09/04/2009
	Stop the Clock	*Total Elapsed Calendar Days: 22* *Calendar Stop Days: 0* *Adjusted Calendar Days: 22*			
020/2009/00000009/001	WSC Walgett 2832	150 Class 10b - Fence/Antenna/Other	WITHDRAWN BY APPLICANT	08/05/2009	17/04/2009
	Stop the Clock	*Total Elapsed Calendar Days: 36* *Calendar Stop Days: 0* *Adjusted Calendar Days: 36*			

AUTHORITY

AUTHORITY

Determined Applications

civica

06/05/2009 Parameters: Date Range:Y Start Date:1/05/2009 End Date:31/05/2009 As At Date: Document Type: 20 Officer:ALL Number of Days:0 Stop The Clock:Yes Page:2

Document	Applicant Name / Address	Development Type / Property Address / Title Owner	Determination	Determined	Received
Document Type: 20					
020/2009/00000010/001	WSC Walgett 2832	142 Class 10a - Shed Colin ST CARINDA LOT: 1 DP: 309612 Walgett Shire Council	Approved - Staff Delegation	26/05/2009	21/04/2009
	Stop the Clock	*Total Elapsed Calendar Days: 11* *Calendar Stop Days: 0* *Adjusted Calendar Days: 11*			
020/2009/00000011/001		142 Class 10a - Shed George Sands WAY WALGETT LOT: 43 DP: 752271 Walgett Local Aboriginal Lands Council	Approved - Staff Delegation	07/05/2009	27/04/2009
	Stop the Clock	*Total Elapsed Calendar Days: 28* *Calendar Stop Days: 0* *Adjusted Calendar Days: 28*			
020/2009/00000012/001		141 Class 10a - Garage Brilliant ST LIGHTNING RIDGE LOT: 2 SEC: 6 DP: 758612 Lightning Ridge Central School *There are Multiple Parcels on this application*	Approved - Staff Delegation	26/05/2009	29/04/2009
	Stop the Clock	*Total Elapsed Calendar Days: 27* *Calendar Stop Days: 0* *Adjusted Calendar Days: 27*			
020/2009/00000013/001		143 Class 10a - Carport 11 Harlequin ST LIGHTNING RIDGE LOT: 15 SEC: 16 DP: 758612 IP: 384407 Returned Services League of Australia	Approved - Staff Delegation	26/05/2009	30/04/2009

AUTHORITY

AUTHORITY

Determined Applications

civica

06/05/2009 Parameters: Date Range:Y Start Date:1/05/2009 End Date:31/05/2009 As At Date: Document Type: 20 Officer:ALL Number of Days:0 Stop The Clock:Yes Page:3

Document	Applicant Name / Address	Development Type / Property Address / Title	Owner	Determination	Determined	Received
Document Type: 20						
	Stop the Clock	*Total Elapsed Calendar Days: 26* *Calendar Stop Days: 0* *Adjusted Calendar Days: 26*				
020/2009/00000014/001		142 Class 10a - Shed Walgett ST CUMBORAH LOT: 6 SEC: 7 DP: 758317	Ms S G Grbavac	Approved - Staff Delegation	25/05/2009	30/04/2009

Officer: Ms J R Babic
Number of Applications: 8

Average Elapsed Calendar Days: 26.13
Average Calendar Stop Days: 0.00
Average Adjusted Calendar Days: 26.13

Total Elapsed Calendar Days: 209.00
Total Calendar Stop Days: 0.00
Total Adjusted Calendar Days: 209.00

Document	Applicant Name / Address	Development Type / Property Address / Title	Owner	Determination	Determined	Received
Document Type: 24						
	Stop the Clock	*Total Elapsed Calendar Days: 2* *Calendar Stop Days: 0* *Adjusted Calendar Days: 2*				
024/2009/00000006/001		144 Class 10a - Verandah 17 Gem ST LIGHTNING RIDGE LOT: 6 SEC: 23 DP: 758612	Mr P W & Mrs G M Wright	Approved - Staff Delegation	13/05/2009	12/05/2009

Officer: Mr L J Smyth
Number of Applications: 1

Average Elapsed Calendar Days: 2.00
Average Calendar Stop Days: 0.00
Average Adjusted Calendar Days: 2.00

Total Elapsed Calendar Days: 2.00
Total Calendar Stop Days: 0.00
Total Adjusted Calendar Days: 2.00

AUTHORITY

24. LIGHTNING RIDGE DIVING POOL HEATING SYSTEM

REPORTING SECTION: Director Urban Infrastructure Services

AUTHOR: Siegfredo Coralde - Director of Urban Infrastructure Services

FILE NUMBER: 280/05/08/00

Summary

This report provides Council with final information regarding the feasibility study prepared by GHD Consultants to utilise water from existing bores in providing hot water to the Lightning Ridge diving pool for all seasons.

This report fully complements the previous Director and GHD status reports presented to Council in May 2009 meeting.

Discussion (including issues and background):

Mr Filip Czyzcewski of GHD presented a draft report to Council on the feasibility of heating the Lightning Ridge Indoor Diving and 25 metre lap Pool at May 2009 Council Ordinary meeting. The final report has been received and is attached.

The final report is generally in accord with the draft presented to Council. Out of six examined options, GHD recommended the Town Bore Heating Option*. (Full description of this recommendation is detailed under Section 7: Recommended Option Description – Town Bore Heating Option, GHD Report, page 15)*. The following points are highlighted for Council's information:

1. Council has excavated test holes along the pipeline route to determine the extent of rock which has a significant bearing on the final estimated cost. As a result the $300,000 adopted by Council in its draft 2009/2010 budget appears to be adequate. There may be some variations that become evident after the detail design has been completed and a 15% contingency has been allowed in the estimate.

2. Following a request from Council, GHD carried out a brief investigation on converting the heat from the Artesian Bore water to electricity during those periods that the heat would not be required for the Diving Pool and this proposal has been found to be not feasible as a minimum water temperature of 85 degrees C is required. The temperature of water at the bore site is 50 degrees C.

3. The projected life of the PPE pipe proposed for the project is 60+ years in the temperature range 40 C to 50C.

4. DICL (cast iron) pipe would add $150, 000 to the project cost. DICL pipe is mostly used for important pipelines such as trunk mains and rising mains as they provide greater protection against accidental damage. The pipeline for this project can, if necessary, be bypassed without affecting the integrity of the water supply system.

Relevant Documents:

Chris Edwards Report
Request for Quotation: Feasibility Study of Heating Diving Pool
Status Report: Lightning Ridge Heating Pool (Director of Urban Infrastructure Services)

Stakeholders:

Walgett Shire Council

Financial Implications:

The total estimated cost of this project is $300,000 and this is covered by 2009/10 draft budget.

Recommendations

1. That the final Feasibility Report on the proposed heating of the Lightning Ridge Diving Pool be noted.

Attachment:

GHD Final Report – Lightning Ridge Diving Pool Heating, June 2009

Walgett Shire Council

Report for Lightning Ridge Diving Pool Heating

Feasibility Study

June 2009

Contents

Executive Summary 1

1. Introduction 2
   - 1.1 Background 2
   - 1.2 Scope of Works 2

2. Heating Requirements 3
   - 2.1 Heating Objectives 3
   - 2.2 Pool Statistics 3

3. Options Description 4
   - 3.1 Direct Gas Heating 4
   - 3.2 Electrical Heat Pump Heating 4
   - 3.3 Solar Heating 4
   - 3.4 New Artesian Bore Heating 4
   - 3.5 Bath Bore Heating 5
   - 3.6 Town Bore Heating 5

4. Pool Heating Review 8
   - 4.1 Energy Requirements 8
   - 4.2 Water Temperature 8
   - 4.3 Preliminary Pool Heating Energy Assessment 8
   - 4.4 Preliminary Pool Heating Results 9

5. Costs Comparison 12
   - 5.1 Capital/Operating/Maintenance Costs 12
   - 5.2 Discussion 13
   - 5.3 Qualifications 13

6. Conclusions 14
   - 6.1 Additional Notes 14

7. Recommended Option Description – Town Bore Heating Option 15

Table Index

Table 1: Summary of Heating Costs 12
Table 2 Cost Breakdown for Town Bore Option 13

Figure Index

Figure 1: Lightening Ridge Diving Pool and Spa (Spa in left hand corner) 3
Figure 3 Daily Water Usage and Pump Run of Town Bore 7
Figure 4: Lightning Ridge Indoor Diving Pool Average Monthly Heating Requirements 9
Figure 5: Solar Indicative Heating Results 10
Figure 6: Bore Bath Indicative Heating Results 10
Figure 7: Town Bore Indicative Heating Results 11

Executive Summary

Council engaged GHD to undertake a feasibility study to confirm the suitability and cost effectiveness of heating the recently completed Lightning Ridge Indoor Diving Pool using a number of different methods including geothermal energy from artesian bores, bottled gas, electricity or solar.

Options were developed and analysed using the thermal modelling package POOLHEAT4 "Performance Evaluation of Swimming Pool Heating Systems (2005)" developed by the University of New South Wales MechLab. The results showed that solar and bath bore heating options were not able to supply the required heat to maintain a pool and spa temperatures of 28°C and 38°C respectively and are therefore not feasible for this situation. All other options were feasible and costed for capital, operating and NPV costs as shown in the table below:

Type of Heating	Capital Costs	Operating Costs	Maintenance Costs (3%)	15yrs NPV (8%)	Life Expectancy
Electric heat pump	$236,000	$73,000	$7, 000	$817,000	15yrs
Direct gas	$93,000	$142, 000	$3, 000	$1,121,000	10yrs
Solar + Heat pump	$363,000	$23, 000	$11, 000	$600,000	10yrs (Solar), 15yrs (HP)
Solar + Gas	$221,000	$41, 000	$7,000	$732,000	10yrs
Town Bore Heating	$300,000	$5,000	$5,000	$270,000	50yrs (pipeline) 15yrs (pumps)

Based on the energy review and the previous investigation into pool heating and information from equipment suppliers, GHD recommends upgrading the town bore water supply system for the heating of the Lightning Ridge diving pool complex. It represents the best NPV over 15 years at $270,000 and the lowest environmental impact due to the lowest energy usage to heat the pool.

The recommended option utilises the heat (50°C) from the town bore water supply before it is discharged into the Town Reservoir. The option would involve tapping into the current line and diverting the flow to the pool complex to extract the heat from the water via the existing heat exchangers before returning to the town supply line and into the reservoir. This would involve a 1 km pipeline loop to connect the town water to the pool plant room heat exchangers. The current standby/duty 45kW town water pumps currently run at a fixed speed of 36L/s and would be upgraded to run at a variable speed between 10L/s and 40L/s. This will increase the pumping time during winter from 5h/d to a minimum of 14h/d to maintain the required pool temperature during pool opening times. This option is estimated to cost $300,000m however this is highly dependant on the site specific constraints of trenching and restoration which may vary the overall cost from $225,000 to $375,000.

1. Introduction

1.1 Background

Council engaged GHD to undertake a feasibility study to confirm the suitability and cost effectiveness of heating the recently completed Lightning Ridge Indoor Diving Pool using a number of different methods including geothermal energy from artesian bores, bottled gas, electricity or solar.

In 2001 a feasibility study was performed on the use of geothermal energy from artesian bores. The work did not investigate whether during the low winter flowrates and low atmospheric temperatures there is enough heat in the town bore water to adequately heat the pool. This report builds on the previous study to confirming the currency and accuracy of any assumptions and provides budget life-cycle costing for all heating options.

1.2 Scope of Works

The scope of this feasibility investigation was as follows:

- Eight heating options have been considered including:
  - Electric Heat Pump Only;
  - Gas Heater Only.
  - Solar Only;
  - Solar/Electric Heat Pump;
  - Solar/Gas Heater
  - New Artesian Basin Bore Heating;
  - Bore Bath Water Heating; and
  - Town Bore Water Heating;
- Cost estimates have also been provided for:
  - Spa Gas Heater; and
  - Pool Blankets and rollers.
- Pool covers are included as a capital cost only and are recommended as an energy saving measure. All pool heating options have been assessed in terms of capital, maintenance, operational and lifecycle costs in the form of a net present value (NPV) analysis. Management, operational and environmental issues and constraints were identified for feasible options, as well as town water supply system compatibility.
- Option Development and Comparison using the thermal analysis package POOLHEAT4 "Performance Evaluation of Swimming Pool Heating Systems (2005)" developed by the University of New South Wales MechLab[1].
- The results were communicated to the council and the preferred option was developed to a conceptual level.

[1] The POOLHEAT program thermal analysis is based on procedures defined in Australian Standard AS3634 "Solar Heating Systems for Swimming Pools" and the International Standards Organisation report TR12596 "Solar heating - Swimming pool heating systems - Dimensions, design and installation guidelines". The software calculates the required average heating capacity for each month using meteorological data and calculates the rate of heat loss from evaporation, radiation and convection less the heat gained from solar irradiation for the pool.

2. Heating Requirements

2.1 Heating Objectives

The following heating objectives are:

- Heat the diving pool to 28°C for all months of the year
- Heat the Spa to 38°C for all months of the year

2.2 Pool Statistics

The following pool dimensions and assumptions were used in the report:

Pool Dimensions: Length 33m, Width 25m, Average Depth 4m, Volume 3000m^3 (as per the construction drawings):

Pool Construction: The pool is built on a gravel bed. The concrete is approximately 200mm thick, sealed and painted.

Pool Shed Dimensions: Length 55m, Width, 40m, Height 10 to 15m

Pool Shed Construction: Steel fabrication. Colorbond roof with Sarking insulation, Colorbond Walls

Pool Shed Ventilation: No fan forced heating or cooling system for the building. Only mechanical roof vents that are assumed to be closed in winter.

Spa Dimensions: Diameter 3m, Average Depth 1m, Volume 3m^3

Figure 1: Lightening Ridge Diving Pool and Spa (Spa in left hand corner)

3. Options Description

This chapter describes the options and their assumptions.

3.1 Direct Gas Heating

Direct gas heating has gas fired water heaters heating the recirculating water flow. There is adequate room in the plant room to install the gas heating system, with bottle storage outside the plant room.

It is assumed that Elgas would supply the bottled gas at a rate of 54c/L (with the energy of natural gas assumed at 25.4 MJ/L).

3.2 Electrical Heat Pump Heating

Electric heat pumps are essentially refrigerators running backwards, blowing cold air to atmosphere and providing heat to the pool water. This makes them 75% more efficient then direct electricity systems. There is adequate room in and around the plant room to install the heat pump. It is assumed that the electricity cost for this option will be 15c/kW.

3.3 Solar Heating

A solar system would be installed on the roof of the indoor pool complex building. There is adequate surface area on the north-facing roof to install all the required solar heating panels. A solar heating system is very weather dependent, with the systems failing to produce the required heat at the very time they are most required, that is in bad/cold weather. It is common for a solar system to have a backup booster gas heater or electrical heat pump. This increases the capital and operational costs of the option but guarantees a steady state pool temperature. The two sub-options of a booster gas heater or heat pump are also considered in the option evaluation.

3.4 New Artesian Bore Heating

By drilling a new borehole in close proximity to the pool complex the heat from the water can be used to heat the indoor pool and spa through heat exchangers in the plant room. This would require the drilling of a new borehole into the Artesian Basin and some pipework to deliver the water to the complex.

Drilling into the Great Artesian Bore is regulated by the NSW Water Management Act 2000 and supervised by the Great Artesian Basin Coordination Committee. It is highly unlikely that a new water extraction licence will be allowed to heat a swimming pool. A licence would be granted only if the water were to be returned into the basin (once the heat has been extracted) or that a closed loop heat exchanger were placed into the basin to extract the heat from underground.

As the drilling of a new borehole is in the order of $350,000, and the installation of a heat exchanger 1100m underground has not been done before (and is estimated to be in the order of $100,000 or more), this option is complex, uncertain and cost prohibitive. For these reasons this option has not been investigated further.

3.5 Bath Bore Heating

This option utilises the hot water in the bore baths. The old town bore at the northeast end of town supplies water at 49°C to the public bore baths. The flow from the bore is manually regulated so that the bath is kept at 42°C. As the public baths have no shelter or cover, in winter there is substantial heat loss and the bore bath regularly operates at the maximum allowed flowrate of 9L/s to maintain the desired bath temperature. The bore bath water then overflows to a smaller pool before being pumped to an effluent pond 6.7km away on the northwest end of town.

The utilisation of the water directly from the old bore is not feasible as the returning temperature will be below 35°C which is unacceptable for the operations of the baths. A more acceptable option would be to extract the water from the second bath inlet and pump it to the pool complex via Lightning Ridge Rd. The water would pass through the pool heat exchangers to extract the heat before being pumped back to the second bath outlet. As shown in Figure 2, the trench would be approximately 1.6km long with an expected water temperature of 38°C at the pool complex.

As the previous feasibility studies mentioned, it is unlikely that this option is feasible as the low flows and low temperatures may not have enough heat to satisfy the pool heating requirements. However for completion, this option is considered further to prove or disprove the feasibility of this option.

3.6 Town Bore Heating

This option utilises the hot water from the town bore. As shown in Figure 2, the town bore extracts water currently at 50°C, and pumps for approximately 7 km at 36L/s to the Town Reservoir. The option would involve tapping into the current line and diverting the flow to the pool complex to extract the heat from the water via the existing heat exchangers. This would involve a 2 km pipeline loop to connect the town water to the pool plant room heat exchangers.

In addition the current standby/duty 45kW town water pumps, run at a fixed speed of 36L/s. As the Figure 3 below indicates, the town uses approximately 0.8ML/d in winter and up to 3ML/d in summer. As this graph represents all the data from the start of the monitoring program, from anecdotal evidence, and the gaps in data, it is assumed that values below 0.5ML/d are anomalies due to telemetry commissioning issues. Running at a fixed rate of 36L/s the pumps therefore operate between 4h/d in winter and 22h/d in the peak of summer.

As the heat from the town water supply is required in winter, it is not feasible to use the current pumping times and duration to be able to maintain a constant temperature in the diving pool and spa. To be able to extract the greatest amount of heat from the town water and to keep the pool at a constant temperature during hours of operation, a slow steady flowrate is required. To achieve this, as described in the previous feasibility report, one of the town pumps is to be upgraded with a variable speed drive to be able to turn down the flowrate to 10L/s, to be able to supply water for a minimum of 14h in winter through the 2km loop and the pool heat exchangers.

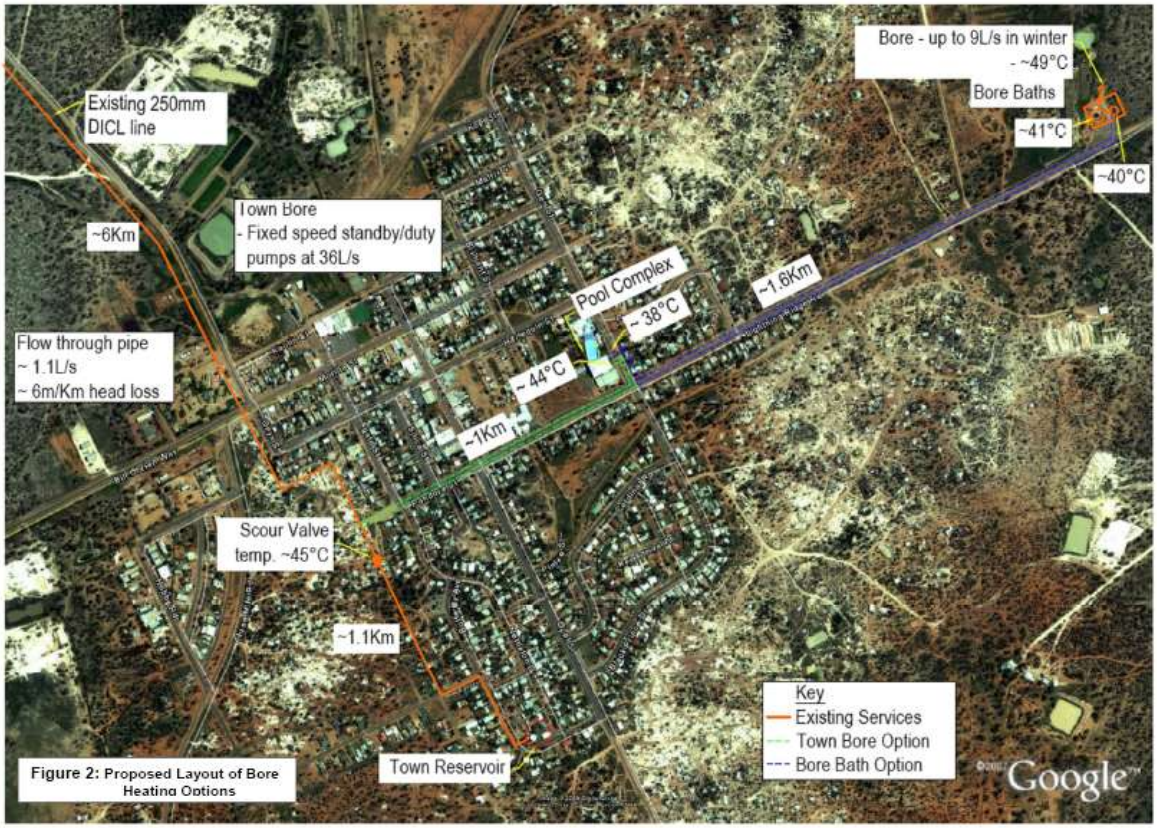

Figure 2: Proposed Layout of Bore Heating Options

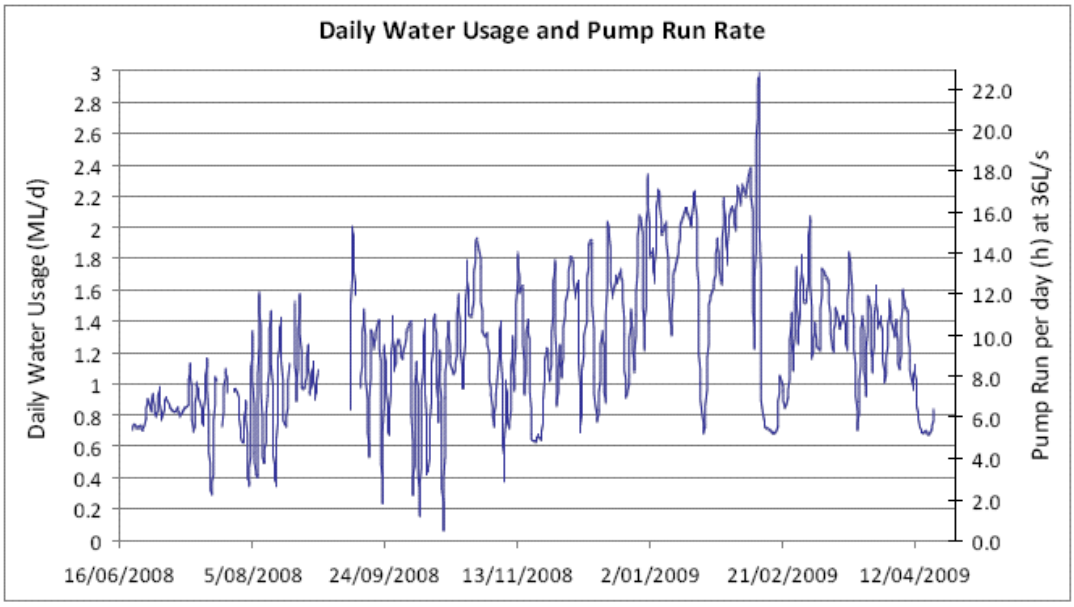

Figure 3 Daily Water Usage and Pump Run of Town Bore

4. Pool Heating Review

4.1 Energy Requirements

GHD has undertaken a review of energy requirements for electric driven heat pump only, gas heating system only, solar only and solar with auxiliary heating by either a heat pump or gas heater.

This review incorporated month by month climate data from the Meteorology Bureau including ambient temperature and prevailing winds, both of which affect heating requirements. This review was undertaken using a 28°C and 38°C design water temperature for the pool and spa respectively, with an operational timeframe of 20 hrs/day.

The energy data also includes the heat losses through the building enclosure.

4.2 Water Temperature

The selected pool water temperature has a very big influence on the capital and operating costs for a heated pool. The following temperatures are generally accepted,

24 Deg.C	Unacceptably cold for most regular patrons.
26 Deg.C	Preferred temperature for lap swimmers and FINA standard for competition.
27 Deg.C	Preferred temperature for active recreational activities.
28 Deg.C	Luxury temperatures, resorts, inactive recreation.
30+Deg.C	Medical, hydrotherapy, spa.
40+Deg.C	Dangerous, (hyperthermia) used under medical supervision only.

For the purpose of this review, design water temperatures of 28°C for the pool and 38°C for the Spa were adopted based on the design brief from the Walgett Shire Council.

4.3 Preliminary Pool Heating Energy Assessment

Heating requirements for the pool were analysed using University of New South Wales MechLab program POOLHEAT4 Performance Evaluation of Swimming Pool Heating Systems (2005).

POOLHEAT is a thermal analysis package for evaluating the temperature and energy flows in indoor and outdoor heated swimming pools. The POOLHEAT thermal analysis is based on procedures defined in Australian Standard AS3634 "Solar Heating Systems for Swimming Pools" and the International Standards Organisation report TR12596 "Solar heating - Swimming pool heating systems - Dimensions, design and installation guidelines"

The software calculates the required average heating capacity for each month using meteorological data and calculates the rate of heat loss from evaporation, radiation and convection less the heat gained from solar irradiation all multiplied by the exposed surface area of the pool.

The average monthly pool heating capacity is shown in Figure 4. The yearly energy data is also used to predict operating costs for each option.

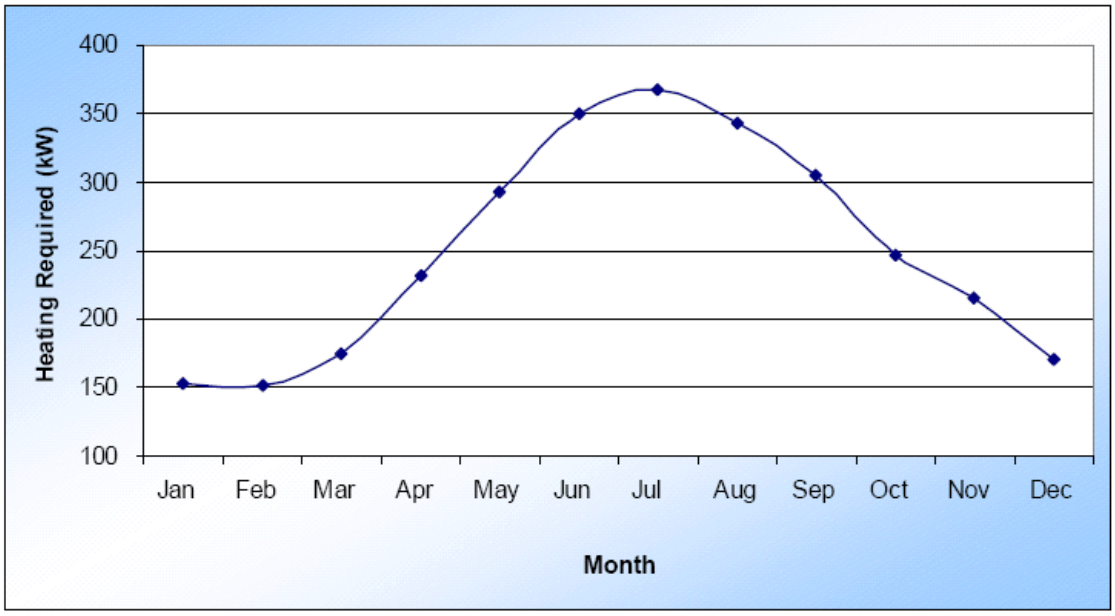

Figure 4: Lightning Ridge Indoor Diving Pool Average Monthly Heating Requirements

4.4 Preliminary Pool Heating Results

It is important to note that Bureau of Meteorology average daily winter temperatures are used to predict the amount of heat required for each day of the month, therefore more heat may be required during minimum monthly temperatures. The results also show that the Spa heating requirements are only a small fraction of the total pool heating requirements (approximately 3% of total heat requirements)

4.4.1 Gas & Heat Pump Heating

Both gas heating and a heat pump system are sized to produce the required heating load and therefore will be able to supply all the required heat throughout winter to keep the pool at 28°C and the spa at 38°C.

4.4.2 Solar

For the three moths of winter, solar heating is only able to maintain a pool temperature of 20°C to 22°C (Figure 5 below), which is inadequate for any recreational use, making it an unfeasible option on its own. This is a common problem with solar heating, and in the winter month's gas or heat pump heating usually boosts solar heating.

For lightning ridge, solar is able to supply approximately 35% of the total heating requirements in the winter months, with the rest supplied by gas or heat pump heating.

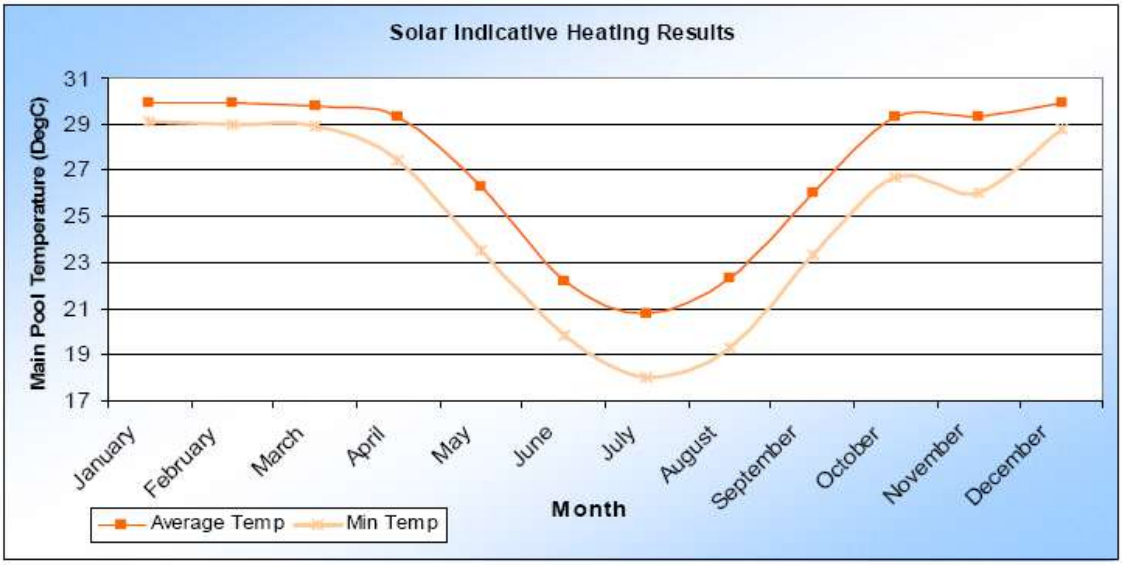

Figure 5: Solar Indicative Heating Results

4.4.3 Bore Baths

Assuming that the bore can operate at 8L/s for 22h/d during the winter months and the average temperature from the second bath in winter will be 40°C, then the following temperature profile of the pool can be expected: (Figure 6 below).

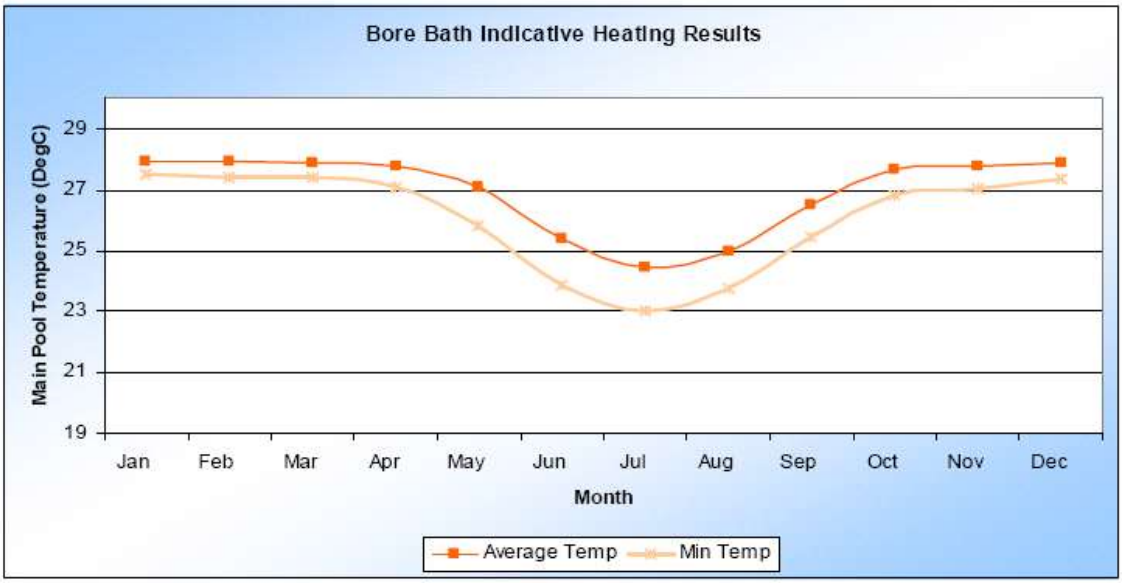

Figure 6: Bore Bath Indicative Heating Results

The results indicate that the water from the Bath bore does not have adequate heat (a factor of temperature and volume) to be able to sustain the pool temperature at the target 28°C. In the winter months, the bore baths are able to supply approximately 60% of the required heat. A booster gas heater or heat pump would need to be installed to supply the required heat in the winter months.

4.4.4 Town Bore Supply

Assuming that the town bore will supply a minimum of 0.55ML/d at 44°C (at the off-take point in Pandora St) and can operate at 11L/s for 14h/d during the winter months then the following temperature profile of the pool can be expected: (Figure 7 below).

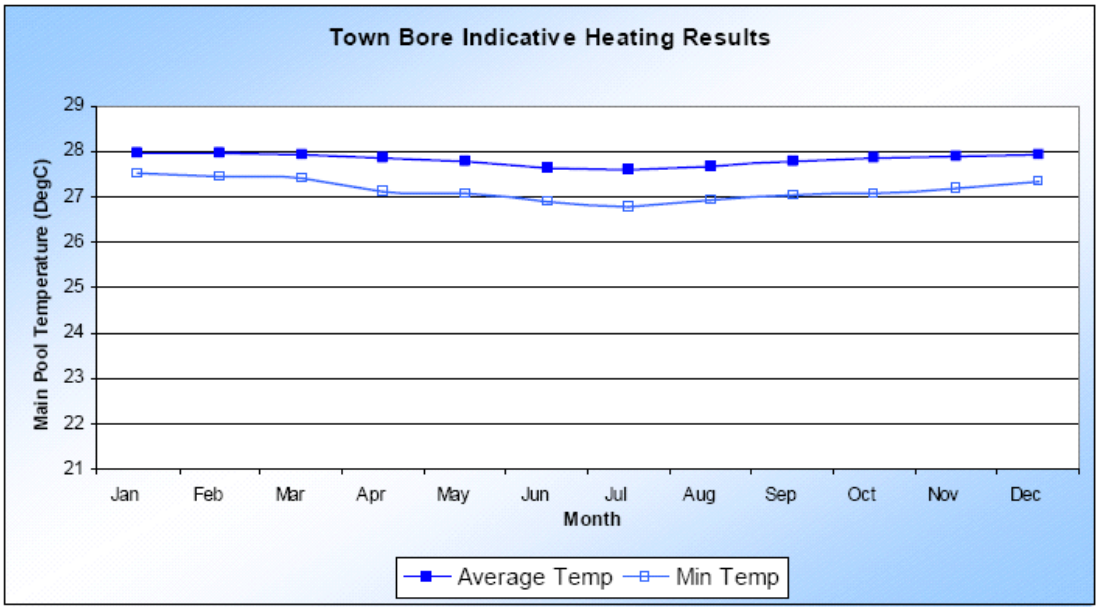

Figure 7: Town Bore Indicative Heating Results

The results indicate that the town water supply is currently adequate for heating the diving pool complex during the winter period. The minimum temperature on the graph is the temperature drop over the 10 hours when the pool is not heated, this will improve if the town pump can be turned down to pump over a longer period of time.

The above calculation assumes a daily winter flowrate of 0.55 ML/d, however the current average winter flowrate is 0.7 to 0.8 ML/d, giving the system some spare heat to deal with below average winter temperatures. However low town water flows combined with below average winter temperatures may cause the pool temperatures to drop below the target temperatures.

In addition, the artesian bores may be decreasing in temperature over time. While there is no statistical evidence to prove this claim, the 2001 feasibility report assumed town bore and bath bore temperatures of 60°C and 53°C respectively, while the current measurements show temperatures of 50°C and 49°C respectively. It is unknown whether the 2001 temperatures were accurate, however if the bore temperatures drop further a booster heating system may need to be installed in the future to compensate for the heat loss.

5. Costs Comparison

5.1 Capital/Operating/Maintenance Costs

GHD has provided a comparison of costs for various combinations of electric heat pump, gas and solar alone or with electric heat pump or gas backup.

A summary of capital, operating, maintenance, equipment life and net present value is given below in Table 1.

Table 1: Summary of Heating Costs

Type of Heating	Capital Costs	Operating Costs	Maintenance Costs (3%)	15yrs NPV (8%)	Life Expectancy
Electric heat pump	$236,000	$73,000	$7, 000	$817,000	15yrs
Direct gas	$93,000	$142, 000	$3, 000	$1,121,000	10yrs
Solar + Heat pump	$363,000	$23, 000	$11, 000	$600,000	10yrs (Solar), 15yrs (HP)
Solar + Gas	$221,000	$41, 000	$7,000	$732,000	10yrs
Town Bore Heating	$300,000	$5,000	$5,000	$270,000	50yrs (pipeline) 15yrs (pumps)

Notes on costs:

- Solar heating only and bath bore heating have not been costed as they are not feasible options.
- Electrical running costs are based on electricity cost of 15c/kWhr provided by the Client operating fo 20 hours per day;
- Gas Tariffs per Mega Joule (MJ) provided by the Client for Commercial Bottled Gas cost of 54c/L (and energy of gas of 25.4 MJ/L) operating for 20 hours per day;
- Pool design water temperature 28°C;
- Spa design water temperature 38°C;
- Building dimensions and materials as per structural drawings provided by the Client;
- Residual life value of equipment at the end of 15 years calculated as 50% of the residual life replacement value;
- Maintenance costs based on 3% capital costs per annum;
- Solar heating based on 786m^2 (95%) of south facing roof area to be covered by collectors;
- Lifetime of solar collectors based on warranty period, GHD experience indicates that standard PVC Nitrile Collectors become very high maintenance beyond this point;
- Capital and NPV costs exclude pool blankets (shown as separate item);
- Capital costs equipment and installation costs based on supplier quotes plus 20% contingency and include GST. Estimates exclude electrical upgrade cost estimates and gas supply connection cost estimates.

- A breakdown of the cost estimates for the town bore option is as shown in Table 2 below. The high variability in trenching costs is due to the level of detail of the current study. As the exact site specific factors and issues have not been identified and the quality of restoration not specified, the trenching and restoration cost can range between $50/m and $150/m. Assuming a conservative $100/m the overall project cost will be in the vicinity of $300,000.

Table 2 Cost Breakdown for Town Bore Option

Item	Budget Cost
Pipelines & Valves	$100,000
Pump and Telemetry Upgrade	$50,000
Trenching and Restoration	$50,000 - $150,000
Total Cost (Including 15% contingency & 15% Project Delivery)	$225,000 - $375,000

5.2 Discussion

The direct gas option has the lowest up-front capital costs of $93,000 however has the highest operating cost of $142,000 per annum, because of this gas heating is not viable in the long term due to operating costs.

An Electric Heat Pump system has the third highest capital cost of $236,000 and a net present value of $817,000 over 15 years. Due to the high electricity Tariff of 15c/kWhr, heat pumps are not as financially attractive over the long term compared to the other options.

Direct solar has the second lowest capital cost as well as the lowest overall operating cost and Net Present Value over 15 years, however a direct solar system will not maintain a 28°C pool design water temperature and would only contribute around 30-40% of the required heating input during the winter months (June/July/August) leading to pool temperatures of below 20°C.

The solar system requires the majority of the building's north facing roof area to be used for solar absorbers (approximately 768 m^2). The solar absorbers will also require provision of roof level access and anchor points for safe access during installation and maintenance.

From the conventional options, the solar with auxiliary heat pump option has the highest capital cost, and the lowest net present value of $600,000 making it the second most cost effective option.

While the town bore option has a relatively high capital cost investment, the low operational cost and long life expectancy make this the most attractive option.

5.3 Qualifications

The preliminary cost estimates presented in this section have been developed solely for the purpose of comparing and evaluating competing options. They are sufficiently accurate to serve this purpose. They cannot be used for budget-setting purposes as common elements between options may have been omitted and/or the works not fully scoped. A detailed design is recommended for budget setting purposes.

The energy requirements are "average input parameter" based only and are dependent on final equipment selection, electricity/gas supply costs, ambient conditions, shading, backwash frequency, patron levels, pool set point temperature, etc. The capital, operating and maintenance costs are sufficient for comparing competing options only.

6. Conclusions

Based on the energy review and information from equipment suppliers, GHD recommends upgrading the town bore water supply system for the heating of the Lightning Ridge diving pool complex. It represents the best NPV over 15 years at $270,000 and the lowest environmental impact due to the lowest energy usage to heat the pool.

The bath bore option is only feasible if a booster heat pump system is installed for the winter months (June/July/August). Due to the need for additional electrical heating and a longer pipeline for the transfer of the bath bore water, this is not a preferred option.

A gas installation would provide the lowest up front capital costs. However running costs can be significant as outlined in this review. Gas heating is not viable in the long term due to operating costs.

Solar offers the lowest capital and operating costs however would only contribute around 30-40% of the heating input required during the winter months (June/July/August) leading to unacceptably low pool temperatures of below 20°C. Approximately 768 m^2 of roof area on the Lightning Ridge diving pool building is required to be covered with solar collectors and will need alterations to allow safe access.

A heat pump/solar system represents the best net present value for a conventional heating system being $600,000 over 15 years and from an environmental perspective pure energy usage reduces by the adoption of a solar back-up. However due to the available heat from the great artesian basin, this option will cost more then two times the cost of heat transfer system using bore water and is therefore not the preferred option for the heating of the Lightning Ridge diving pool complex.

6.1 Additional Notes

It is noted that due to the lower operating temperature in the PE pipeline (from 55°C to 45°C), the pipe is expected to increase its life expectancy from 25 to 60 years. This is more then adequate for the life of this project and therefore a steel pipeline, which would add approximately $150,000 to the base cost of the project, is not warranted.

It is also noted that the artesian bores may be decreasing in temperature over time. While there is no statistical evidence to prove this claim, the 2001 feasibility report assumed town bore and bath bore temperatures of 60°C and 53°C respectively, while the current measurements show temperatures of 50°C and 49°C respectively. It is unknown whether the 2001 temperatures were accurate, however if the bore temperatures drop further a booster heating system may need to be installed in the future to compensate for the heat loss.

During the Council presentation, it was identified that in summer there is a need to cool down the town bore water as it is too hot at the customers tap. However as the bore water is below 85°C there is no viable technology that could strip the heat to produce electricity. The most viable option is therefore to design and build a simple cooling tower to reduce the temperature of the bore water in the summer months.

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Document Status

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		Name	Signature	Name	Signature	Date
A	F.Czyzewski / R.Albion	D. Willis / Tim Chapman-Mortimer		Tim Chapman-Mortimer		5/6/9

21/18446/6734 **Lightning Ridge Diving Pool Heating**
Feasibility Study

25. IMPACT OF THE CARBON POLLUTION REDUCTION SCHEME (CPRS) ON LANDFILL MANAGEMENT

REPORTING SECTION: Director Urban Infrastructure Services

AUTHOR: Siegfredo Coralde - Director of Urban Infrastructure Services

FILE NUMBER: 185/02/11/00

Summary:

On 20 May 2009, Maddocks Lawyers, a Sustainability and Climate Change Group based in Sydney conducted a briefing regarding the impact of the amended Carbon Pollution Reduction Scheme (CPRS) Bill to specified sectors and entities involved in the stationary energy, transport, fugitive emissions, agriculture land use (land use change and forestry) and wastes.

This report only explains what Council needs to understand about the impact of CPRS on future management of landfills.

Discussion (including issues and background)

Reducing carbon emission is a huge responsibility for the United Nations signatories under the Kyoto Agreement The world is emitting 40 billion tons of carbon each year and Australia alone releases 500 million tons of carbon each year. Should Australia choose to continually adopt a 'status quo' approach to carbon reduction, emissions will increase to +20% by 2020 from its 1994-96 levels. This startling scenario prompted the Government to reduce its emission levels to -5% by 2020 from the 2000 level.

Waste contributes 3% of Australian national emissions and is proportionally low when compared to combined emissions derived from the stationary energy, transport, fugitive emissions and agriculture land use. Australian waste is composed of 80% solid waste, 20% waste water and 1% solvent and clinical wastes. However, waste is one important sector and is included in the Carbon Pollution Reduction Scheme (CPRS).

The evolutional process. On July 2008, the Carbon Pollution Reduction Scheme (CPRS) Green Paper was released at the same time that Australia's first National Greenhouse and Energy Reporting Act (NGER) reporting period commenced.

On December 2008, another CPRS White Paper was released and following consultations, draft legislation was prepared on March 2009.

On 04 May 2009, the government announced some significant changes to the Carbon Pollution Reduction Scheme (CPRS) to specified sectors and entities such as stationary energy, transport, fugitive emissions, agriculture, land use (land use change and forestry) and wastes.

The Carbon and Pollution Scheme (CPRS) – an initiative. CPRS is a 'cap and trade' scheme where cap on emissions are controlled by issuing a set number of permits to an emitter. In the case of landfilling, operators and/or owners are required to acquire permit/s for each tonne of gas emitted from landfill facilities. Permits can be 'traded' freely in a controlled market where regulated price/s are imposed by the government. With a 'cap' emission control set for a particular year, the Government will penalise an emitter for non-compliance.

Landfill owners/operators can buy permit/s as much as they need and the government can run auctions for these permits. Those who have good monitoring control of their landfills can participate fully in the capping scheme.

It is important to note that buying permits is deferred at this stage until the proposed Carbon Pollution and Reduction Scheme (CPRS) commence on July 2011.

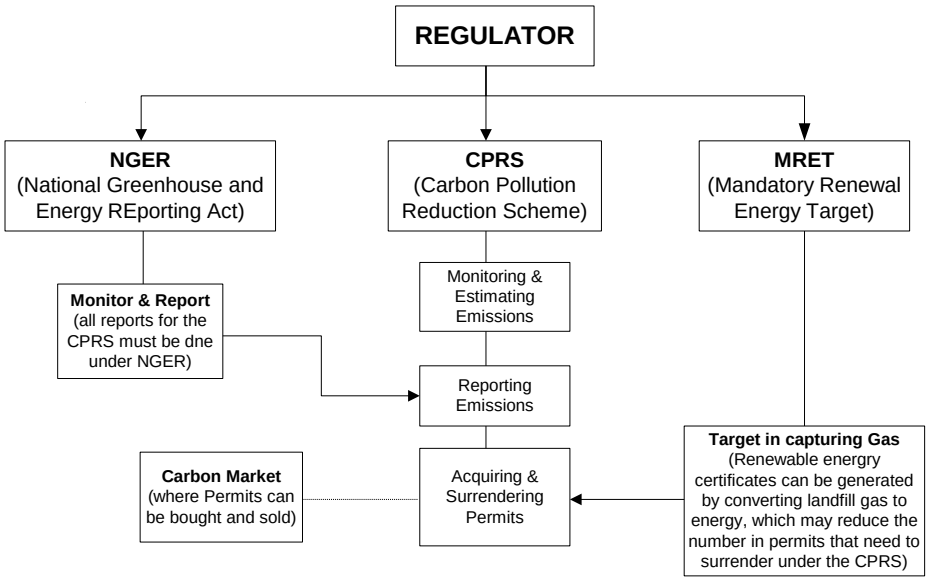
Understanding CPRS in the Waste Sector. Landfill owners/operators affected by the scheme are required to understand the implications of reporting requirements. Under CPRS, only methane emissions are covered and counted. Carbon dioxide equivalence of methane is 21 and is subject to upward revision in future. The following is a table of conversion factors Sourced from the National Greenhouse Accounts, January 2008:

WASTE TYPE	CO2-E per TONNE CONVERSION FACTOR
Municipal Solid	1.1
Commercial & Industrial	1.7
Construction & Demolition	0.3

The main obligations under the CPRS are identified below:

- monitor and estimate emissions (landfill owner compulsory obligation)
- monitor and report estimated emissions
- document and record emissions for audit purposes
- acquire and surrender permits (buying and selling permit/s for each ton used to carbon market)

A Regulator is responsible for carrying out the successful implementation of the scheme. This body is divided into three responsible areas as shown below:



CPRS requirements do not apply to already closed landfills before July 2008. However, should an emitter buy permit/s after burying waste on July 2011 and is categorised under the 'legacy' emission structure, reporting becomes mandatory subject to the legislation.

Application Methods. Three application methods available under CPRS are defined in the following:

Method 1. Uses data on the receipt of solid waste materials at the landfill and the First Order of Decay (FOD) model. Measurement parameters used includes tonnage and composition, waste organic carbon content and application of methane generation constants.

Methods 2 & 3: Provides for the determination of a facility-specific methane generation constant (k value), which is used to determine landfill gas generation at site. Representative zones are selected covering an area of at least 1 hectare, should be single and contagious area with sufficient number of gas collection wells are installed. Selected area should have an undisturbed waste for 12 months and with uniform depth of waste and moisture levels.

Method 4: Direct measurement not yet available at present

Summary

While several managing landfill arrangements are currently in place, most landfills are still owned by the local authorities and therefore may be categorised as landfill 'liable entities'. Application of test of operational control test for 'liable entities' is a question of fact and is not well covered in this report.

It is predicted that many metropolitan landfills as well as other larger regional landfills are likely to be covered by CPRS. These landfills may fit well to either one of the following thresholds:

1. General threshold of 25,000 tonnes CO2-e or more (designated large landfill facility)

2. 10,000 tonnes of CO2-e for landfill sites within a 'prescribed' distance' of 'designated large landfill facility' accepting same classification of wastes (prescribed distance is 35 to 40 kms but not yet ratified as a this stage)

Councils qualifying to any of the above threshold may be obliged to increase gate fees and is predicted to substantially increase operating costs to account for CPRS compliance requirements in the near future.

At this stage, it would appear that no Walgett Shire Council landfill is covered under CPRS monitoring requirements as clearly shown in the following table:

No.	Site Location	Total Waste Disposed (est. tonnes)
1	Walgett Landfill	6360
2	Lightning Ridge	3948
3	Collarenebri	214.5
4	Rowena	85.7
5	Carinda	42.8
6	Burren Junction	214.4
	Total	**10865.4**

However, this scenario may change when a new landfill is to be constructed in-between Walgett and Lightning Ridge or anywhere within the shire. It will be an engineered landfill with possibly the same or doubled size of combined Walgett and Lightning Ridge landfills. Should this happens, Council may perhaps exceed the threshold of 10,000 tonnes of CO2-e for landfill sites within a 'prescribed' distance' of 'designated large landfill facility'.

Reference

Annual Waste Report 2007-08
Walgett Landfill Environmental Plan (WLEMP)
National Greenhouse Accounts, January 2008
Waste Not, want Not in a CPRS world – Maddock Presentation
Carbon Pollution and Reduction Scheme (CPRS)

Financial Implications:

No direct implications to Council at this stage.

Recommendations:

1. That Council note and accepts this report.

26. LIGHTNING RIDGE TOILET BLOCK CONCEPT DESIGN

REPORTING SECTION: Director Urban Infrastructure Services

AUTHOR: Siegfredo Coralde - Director of Urban Infrastructure Services

FILE NUMBER: 005/03/02/00

Summary:

This report provides Council with information on several concept design options available for discussion before reaching a final decision. Once an option is chosen, Stage 2 which is the final preparation of design and construction will go after accordingly.

The proposed location of the toilet is shown in the attached Appendix 1.

Discussion (including issues and background):

Council sought the services of John Blackwood Architects to provide at least three concept plans in Lightning Ridge based on the following requirements:

- design to reflect the community profile as a mining and tourist town
- design to reflect the profile varieties of visitors coming to town
- design to set a 'trend' in developing the Urban Streetscape Design (CBD) of Lightning Ridge in the future
- concept design should be in an 'urban' setting but to harmonize an 'outback' type appearance
- ladies toilet: should have at least 4 toilets (3 normal and 1 for disabled) which will include a provision for a baby changing room, 3 water basins with good seating arrangements
- men toilet: should have at least 3 toilets (2 normal and 1 for disabled), a standard urinal provision, 2 water basins with good seating arrangements.
- floor area is between 70 to 85 square meters.

The attached design concept Options 1 to 3 (Appendice 2, 3 & 4) and a floor plan applicable to all concept options (Appendice 5) replicate the above requirements.

Option 1: This concept plan is 'traditional' in approach and blends with the residential houses along the Harlequin Street as well other business amenities along the Opal Street.

Option 2: This concept plan is stylish and popular to 'growing' communities. The roof feature is smart and provides an avenue for ventilation essentials.

Option 3: This concept plan is very chic and is more noticeable in larger communities. The curvature roof design appeals to all ages especially to the younger population. This is also a 'trendy' plan setting the right approach in developing a feasible Urban Streetscape Design for the Lightning Ridge CBD areas in the future.

Summary

Based on Section 1.2.0 Public Toilets (single storey, standard construction and basic finishes, male, female and handicapped areas), Rawlinson 2009, Edition 17, page 16, the estimated per square metre cost of constructing this building using Sydney's Price Index is $2,115 to $2, 280. For the purpose of estimating the probable cost of this project, $2,115 per square meter is used.

The proposed average building area (Appendice 5) for all concept options is 83.64 square meters. Using this as a barometer of estimating the total cost of the project, the following opinion of probable costs is:

Description	Building Area	Cost per meter	plus 20% indirect costs	Opinion of Probable (Estimated) Project Cost	Remarks
Option 1	83.64	$ 2,115	$ 2,538	**$ 212,278**	20% indirect costs included
Option 2	83.64	$ 2,115	$ 2,538	**$ 212,278**	20% indirect costs included
Option 3	83.64	$ 2,115	$ 2,538	$ 212,278	20% indirect costs included
		$ 50		$ 4,182	a. includes extra cover for curved roof b. no 20% indirect costs applied
				$ 216,460	

Relevant Documents:

Management Plan 2008-09

Stakeholders:

Lightning Ridge Community
Walgett Shire Council

Financial Implications:

A budget of $150,000 is allocated for this project. Should Option 3 is selected; there will be a shortfall of $66,406. However, this shortfall may be reduced if the current building floor area is to be re-configured as shown in the following:

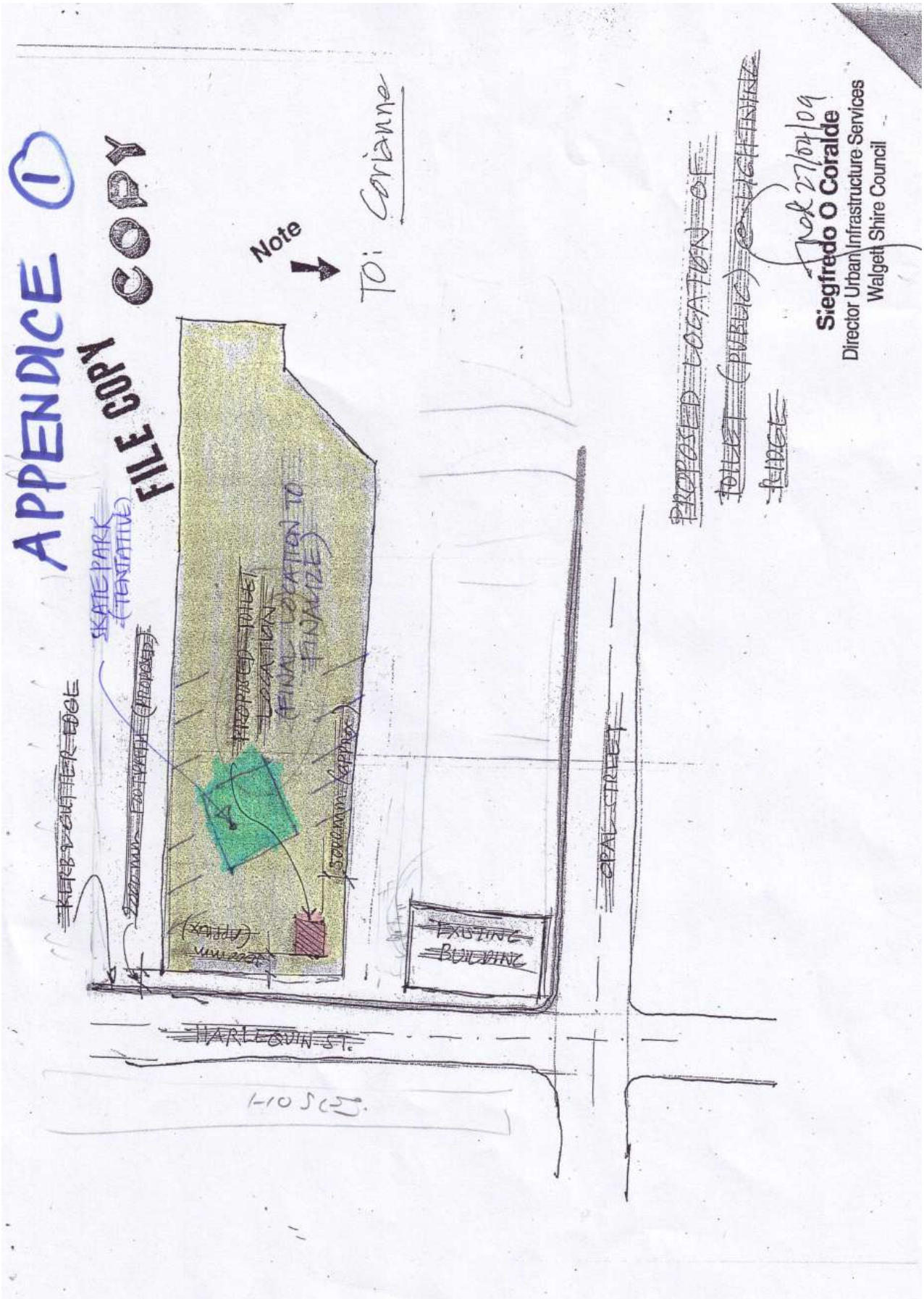
reduce one toilet (ladies) and remove and relocate the urinal (men toilet) reduce two disabled toilets into one, remove and relocate the urinal (men toilet) and reduce one toilet (ladies)

Recommendations

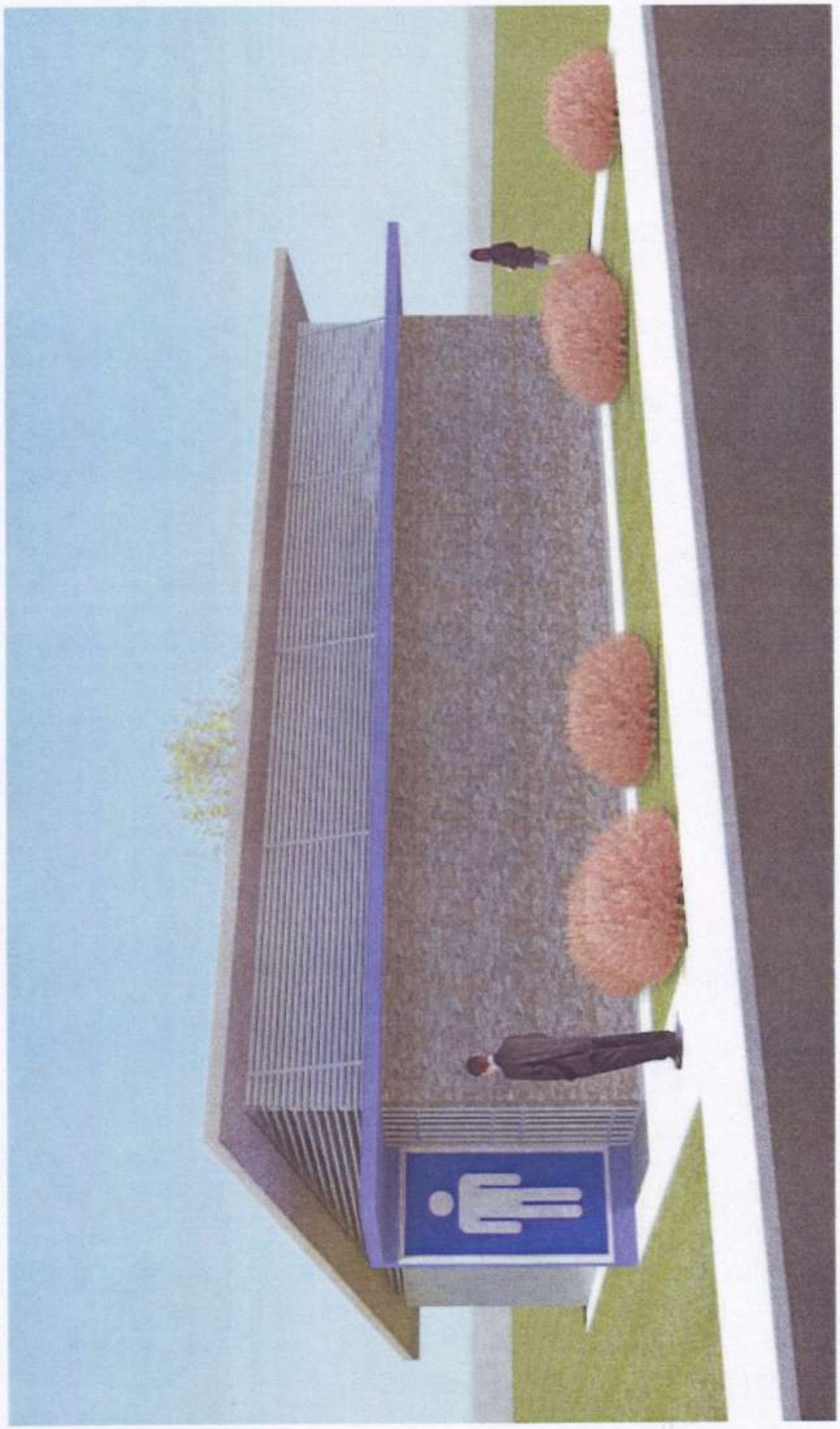
1. That Council receives this report for discussion.

Attachments:

Appendice 1: Site Location
Appendice 2: Option 1
Appendice 3: Option 2
Appendice 4: Option 3
Appendice 5: Floor Plan


APPENDICE 1
FILE COPY
Note
TO: Corianne
KERB & GUTTER EDGE
SKATE PARK (TENTATIVE)
PROPOSED FOOTPATH (Proposed)
PROPOSED TOILET LOCATION (FINAL LOCATION TO FINALIZE)
SEECTION (APPROX)
EXISTING BUILDING
OPAL CIRCUIT
HARLEQUIN ST.
PROPOSED LOCATION OF TOILET (PUBLIC) & SHELTER
FENCE
Siegfredo O Coralde
Director Urban Infrastructure Services
Walgett Shire Council
27/07/09

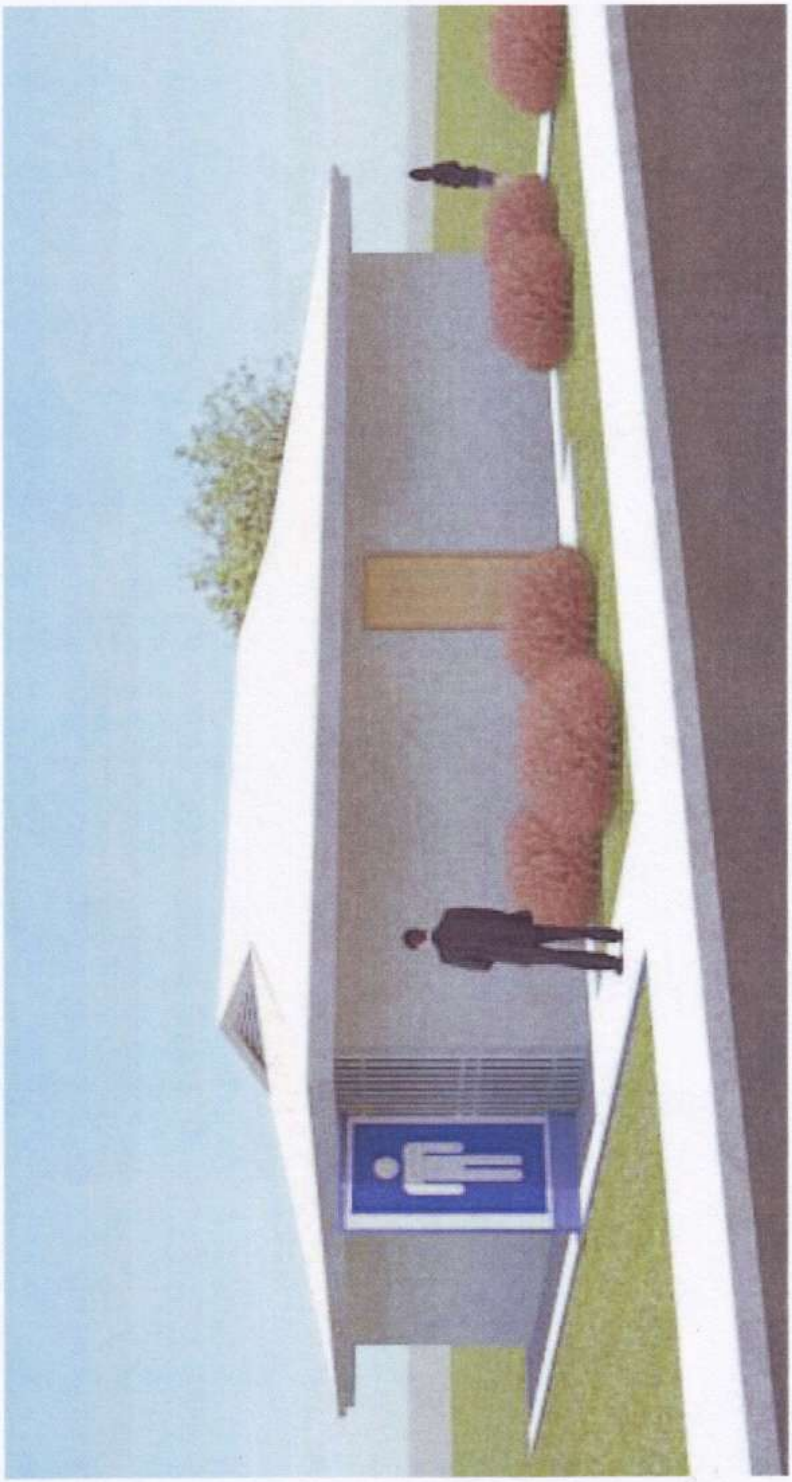
APPENDICE 2



LIGHTNING RIDGE AMENITIES BLOCK OPTION 1

JOHN BLACKWOOD ARCHITECTS

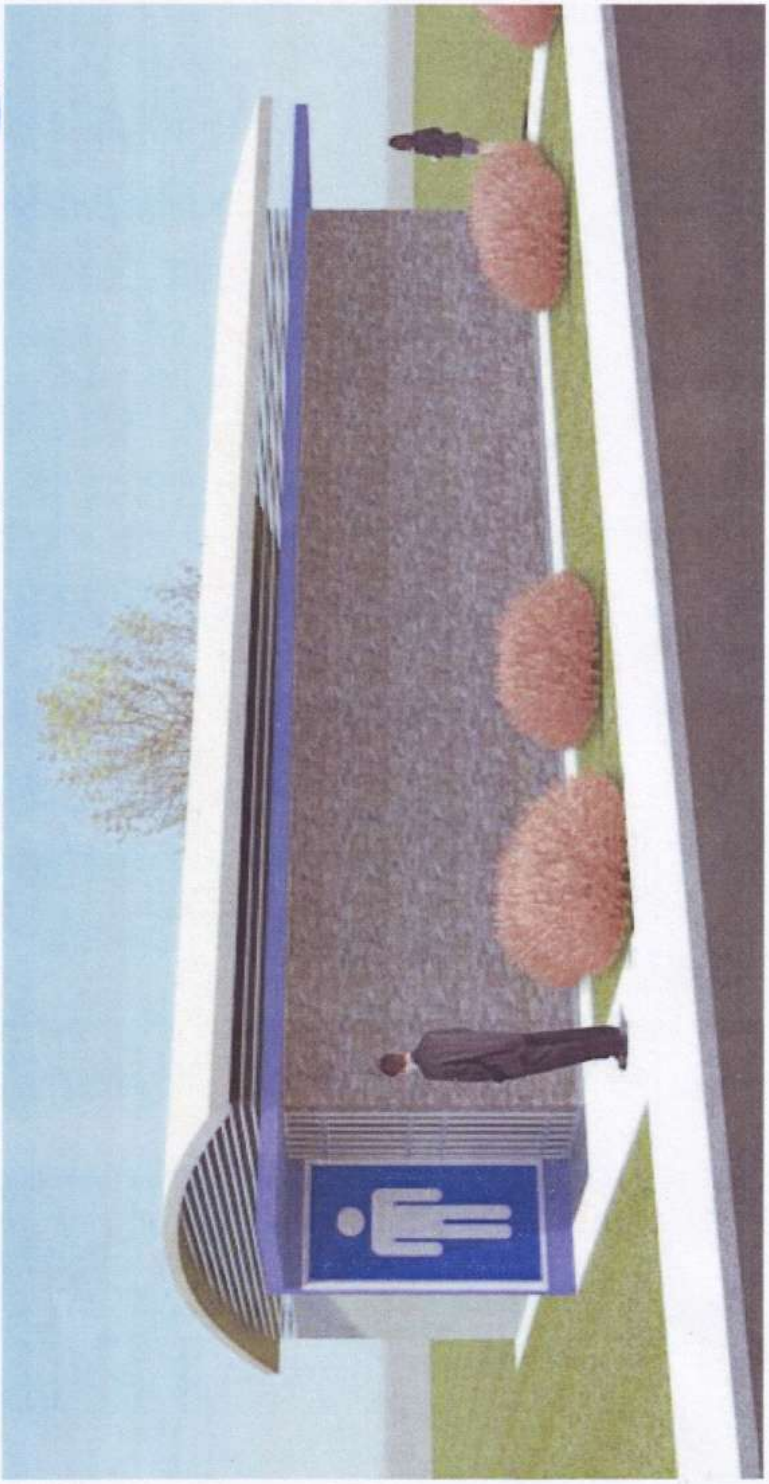
APPENDICE (3)



LIGHTNING RIDGE AMENITIES BLOCK OPTION 2

JOHN BLACKWOOD ARCHITECTS

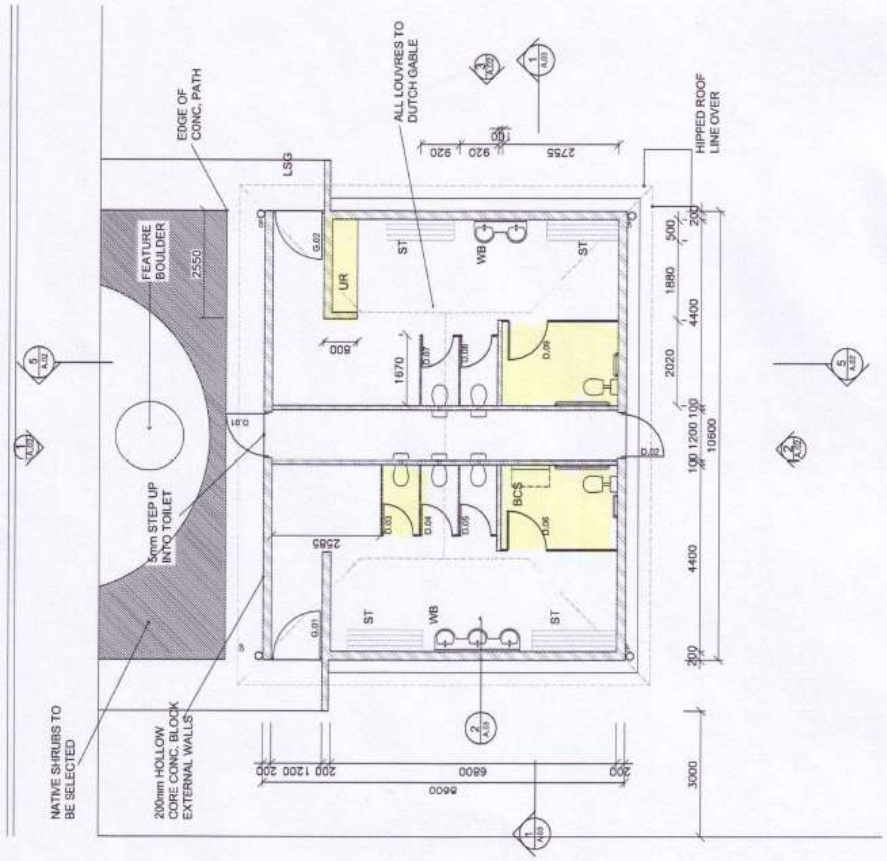
APPENDICE 4



LIGHTNING RIDGE AMENITIES BLOCK OPTION 3

JOHN BLACKWOOD ARCHITECTS

APPENDICE 5



GENERAL NOTES

LEGEND

FITTINGS

AMENDMENTS

FLOOR PLAN 1:50

LIGHTNING RIDGE

27. COUNCIL POLICY AFM - ROAD MAINTENANCE POLICY

REPORTING SECTION: Director Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 004/02/01/62

Summary:

Council resolved at its May general meeting to consider adopting a policy regarding the maintenance of roads at its next meeting. This report presents a proposed Policy AFM - Road Maintenance Policy for Council's consideration.

Discussion (including issues and background):

Council resolved at its 25 May 2009 general meeting to:

1. Only provide road maintenance services on specifically designated and named 'public roads' on opal fields in Walgett Shire;
2. The specifically designated 'public roads' shall be those named by Council in its Rural and Urban Road Addressing Maps as published from time to time and for which Council is the Road Authority; and
3. That this statement be made a Policy of Council for consideration and adoption at its next general meeting.

Refer attached draft policy AFM – Road Maintenance Policy.

Relevant Reference Documents:

AFM - Road Maintenance Policy (draft)

Stakeholders:

Walgett Shire Council

Financial Implications:

Nil.

Recommendations:

1. That Council adopts the policy AFM - Road Maintenance Policy.

AFM – ROAD MAINTENANCE POLICY

Adoption Date:

Review Date:

Responsible Officer: Director Rural Infrastructure & Support Services

POLICY STATEMENT

WSC is committed to ensuring that roads under its control are managed in a sustainable manner.

OBJECTIVES:

- Road user needs and desires are met within the limits of financial sustainability
- Public liabilities are minimised
- Whole of life cost of operating and maintaining each road is minimised
- Only specifically designated and named 'public roads' adopted by Council and published in its Rural and Urban Road Addressing Maps and for which Council is the Road Authority will be maintained by Council.

Policy Implementation Procedures, Guidelines and Documents

Transport Administration Act 1988
Roads Act 1993
Road Transport (Safety and Traffic Management) Act 1999

Related WSC Policies