



WALGETT SHIRE COUNCIL

AGENDA

20 November 2007

*Stephen McLean
General Manager*



20 November

Administrator
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 Burren Junction RSL Club **commencing at 10.00am.**

AGENDA

PUBLIC FORUM PRESENTATIONS

(limited to five minute presentations, and must relate to items listed within the Business Paper, with two speakers, speaking for the item and two speakers, speaking against the item to be considered)

WELCOME TO VISITORS

(recognising the original Aboriginal caretakers of the lands covered by the Shire)

CONFIRMATION OF MINUTES OF THE COUNCIL MEETING HELD 16 October 2007.

1. SECRETARY – RESERVE TRUST MANAGEMENT’S REPORT

- | | | |
|---|-------------------------------------|-----|
| 1 | Acceptance of Reserve Trust Minutes | 4-5 |
|---|-------------------------------------|-----|

2. ADMINISTRATOR’S REPORT

- | | | |
|-----|--|-----|
| 2. | Change of Meeting Dates – December Council Meeting | 6-7 |
| 2a. | Position of General Manager | |

3. GENERAL MANAGER’S REPORT

- | | | |
|---|--|------|
| 3 | Hudson Pear – Final Report for 2006 – 2007 | 8-19 |
| 4 | Terms of Reference and Operational Procedures
Namoi Local Government Group | 20 |
| 5 | Payment of Expenses and Provision of facilities for Councillors
Policy extension of submissions | 21 |

SHIRE OF WALGETT – AGENDA

3. GENERAL MANAGER'S REPORT continued

6	Rural Fire Service Equipment Write Off	22-23
7	101 Fox Street, Walgett – Sale at Auction	24-27
8	Condom Vending Machines	28-39
9	Land Sale – Corner of Fox & Euroka Street	40-41
10	Increase in Allowances	42-43

4. MANAGER CORPORATE SERVICES REPORT

11	Acquisition of Land – Lightning Ridge	44-45
12	Juvenile Justice Community Service Order Scheme	46-55
13	Strategic Regional Project	56-58
14	2006/2007 Audited Financial Reports & Auditors Report	59-60
15	Aboriginal Community Development and Reconciliation Plan	61-72
16	Reviewed Code of Meeting Practice – Adoption	73-114
17	Protected Disclosures Policy	115-132
18	Walgett Shire Council Subsidy Policy & Procedures	133-140
19	Volunteer Policy	141-150
20	Walgett Shire Tourism Summary	151-164
21	Danthonia Designs – Signage	165-169
22	NSW Public Libraries Day of Action	170-172
23	OH&S Building Inspection of Ella Nagy, Lightning Ridge	173-176
24	Request for Financial Assistance – Potch Queen Fundraiser	177-178
25	Request for Financial Assistance – Walgett Community College	179-180
26	Monthly Management Report to 31 October 2007	181-187
27	Investment Report – 31 October 2007	188-189
28	Report on Rates – 31 October 2007	190
29	Review of Occupational Health & Safety Constitution	191-200

5. MANAGER OF PLANNING AND REGULATION'S REPORT

30	Rural Addressing Grant	201-202
31	Rural Addressing – Consultation regarding Road Names	203-207
32	Community Animal Welfare Scheme Project	208-211
33	Development & Complying Development Certificate Application	212-214
34	Development Application 2007046, Walgett Shire Council	215-229
35	Development Application 2007047, Walgett Shire Council	230-235
36	Development Application 2007049, Walgett Shire Council	236-240

6. MANAGER OF ENGINEERING'S REPORT

37	Burren Junction Cemetery – Water Supply	241-244
	38 Street Lighting – Lightning Ridge	245-246
39	Community Water Grants – Round Three	247-248
40	Replacement of Playground Equipment	249-255
41	Collarenebri – Pool Manager's Residence	256-257
42	Burren Junction Bore Baths	258-259

7. COMMITTEE MINUTES

43	Consultative Committee Minutes	260-263
----	--------------------------------	---------

8. REPRESENTATIVE REPORTS

44	Mungindi – Menindee Advisory Council	264-265
----	--------------------------------------	---------

9. CLOSED COUNCIL MEETING

Tabled as a separate Agenda

SECRETARY RESERVE TRUST, MANAGEMENT COMMITTEE REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 1

Subject: Acceptance of Reserve Trust Minutes

Author: Kaye Stone – Secretary of the Reserve Trust

File No: 280/01/00/00

Summary:

This report recommends that Council accepts all the recommendations of the reserve trust meetings held 20 November 2007.

Comments (including issues and background):

Council as the appointed reserve trust manager has certain responsibilities in its role as manager they include;

- Develop and implement Plans of Management in accordance with the *Local Government Act 1993* and *Crown Lands Act 1989*
- Making regulatory decisions eg; use of the reserve, hours of entry, fees and charges etc
- Adopting Codes of Conduct
- Financial record keeping
- Counter-signing of development application and grants
- Holding Reserve Trust meetings as required

Reserve Trust Management Meetings are held prior to the Council meeting on the 3rd Tuesday of the Month. Members of the public are welcome to attend and can obtain an agenda on the relevant reserve by contacting Council.

Relevant Reference Documents:

- Reserve Trust Minutes

Stakeholders:

- Walgett Shire Council
- Reserve Trust Management Committees
- Department of Natural Resources
- Department of Lands

Financial Implications:

There may be costs associated with resolutions of the Reserve Trust meetings. These will be stated in the relevant Reserve Trust Minutes.

Recommendations:

- 1. That Council endorse the resolutions of the Reserve Trust meetings held 20 November 2007.**
- 2. That Council takes action to implement the resolutions of the Reserve Trusts.**

ADMINISTRATOR'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 2

Subject: Change of Meeting Dates - December Council Meeting

Author: Vic Smith - Administrator

File No: 013/069/01/44

Summary:

This report gives notice that the December 2007 Council meeting is to held on Tuesday 11 December 2007 at 10.00am at Walgett Shire Council Chambers, 77 Fox Street Walgett.

Comments (including issues and background):

The following Council meeting dates to be held from July 2007 to June 2008 were adopted 19 June 2007.

Month	Day	Date	Location
July 2007	Tuesday	17 th	Lightning Ridge
August 2007	Tuesday	21 st	Collarenebri
September 2007	Tuesday	18 th	Walgett
October 2007	Tuesday	16 th	Carinda
November 2007	Tuesday	20 th	Burren Junction
December 2007	Tuesday	18 th	Walgett
January 2008	No Meeting		
February 2008	Tuesday	19 th	Walgett
March 2008	Tuesday	18 th	Lightning Ridge
April 2008	Tuesday	15 th	Collarenebri
May 2008	Tuesday	20 th	Rowena
June 2008	Tuesday	17 th	Walgett

The December meeting advertised to be held on 18 December 2007 will be readvertised and held on Tuesday 11 December 2007 at 10.00am at Walgett Shire Council Chambers, 77 Fox Street, Walgett .

Relevant Reference Documents:

Minute 129/07 from Council Meeting held 19 June 2007.

Stakeholders:

Walgett Shire Council

Financial Implications:

Nil

Recommendations:

- 1. That Council's scheduled meeting date for December 2007 be amended to Tuesday 11 December 2007 at 10.00am at Walgett Shire Council Chambers, 77 Fox Street, Walgett.**
- 2. That the date change to the December 2007 Council Meeting be advertised in The Spectator, The Ridge News and Councils webpage.**

ADMINISTRATORS REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 2a

Subject: Position of General Manger

Author: Vic Smith - Administrator

File No: 022/09/02/78

Summary:

Following the withdrawal of Mr Stephen McLean's application requesting renewal of his employment contract as Council's General Manager. Walgett Shire Council commenced the recruitment process to appoint a new General Manager.

Council sought a number of respected recruitment agencies to act on Council's behalf in coordinating the recruitment process. Strategic Consulting Solutions Pty Ltd was engaged on 24th September 2007. Close interaction between Walgett Shire Council's administrator Mr Vic Smith and Strategic Consulting Solutions Pty Ltd Director, Mr Bob Howe have taken place during the recruitment process.

Walgett Shire Council advertised the General Manager's vacancy in a number of areas including:

- Sydney Morning Herald
- The Courier Mail
- The Ridge News
- The Spectator
- The Australian Local Government Job Directory
- MyCareer website
- Council Jobs Online
- Walgett Shire Council's webpage

Following the closing of applications for the position of General Manager Twenty applications were received.

The applications were short listed and interviewed by Walgett Shire Council's Administrator (Mr Vic Smith), Strategic Consulting Solutions Pty Ltd Director, Mr Bob Howe and an independent panel member (Lorraine Cullinan) Deputy General Manager for the City of Botany Bay.

The successful candidate was Mr Raymond Kent who is available to commence as Walgett Shire Council's General Manager on Monday 10th December 2007.

SHIRE OF WALGETT – AGENDA

Mr Raymond Kent holds a Bachelor of Economics and a Master of Town & Country Planning, Sydney University and has Local Government experience and understands the unique nature of the Western area. Referee reports were completed on Mr Raymond Kent and returned very satisfactory remarks.

Mr Raymond Kent should be offered the position of General Manager for Walgett Shire Council following the completion of a satisfactory pre employment medical.

Relevant Reference Documents:

- Strategic Consulting Solutions Pty Ltd recruitment report

Stakeholders:

- Walgett Shire Council
- Mr Raymond Kent

Financial Implications:

The General Manager contract drafted in compliance with the Department of Local Government includes a remuneration package of \$150,000.00.

Recommendation:

Council offer Mr Raymond Kent the position of General Manager for Walgett Shire Council as per the General Manager's standard contract with a remuneration package of \$150,000.00 subject to Council receiving a satisfactory pre employment medical.

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 3

Subject: Hudson Pear – Final Report for 2006-2007

Author: Castlereagh-Macquarie County Council

File No: 140/01/01/00

Summary:

Report provided to Walgett Shire Council prepared by Castlereagh Macquarie County Council regarding Hudson Pear – Final report for 2006-2007

Comments (including issues and background):

Council contributed \$40,000 to the Hudson Pear Control Program. The following report provided by the Castlereagh Macquarie County Council provides an overview of the expenditure occurred and the activities taken as part of the Hudson Pear Program

Relevant Reference Documents:

Report from Macquarie County Council

Stakeholders:

Walgett Shire Council
Macquarie County Council

Financial Implications:

Nil

Recommendation:

That Council receive and note the Hudson Pear Final report for 2006-2007

Castlereagh-Macquarie County Council

3 Buckley Drive
PO Box 227
COONAMBLE NSW 2829



Telephone: (02) 6822 2377
Fax: (02) 6822 1013
cas6081@bigpond.net.au

3rd October 2007

File No: 26

Mr Steve McLean
General Manager
Walgett Shire Council
PO Box 31
Walgett NSW 2832

Dear Steve

Please find enclosed the following report: Hudson Pear - A Final Report Prepared by Castlereagh Macquarie County Council to the Walgett Shire Council for 2006-2007.

Yours faithfully

Ian Kelly
General Manager
Enc.

**Walgett Shire
Council**
REC'D

04 OCT 2007

FILE: 140/01/01/00.

LETTER No: 8300.

REFER: MPL

COPY: SJM pw. JG.

TO BE INCLUDED IN BUSINESS
PAPER AS A REPORT MW.

CASTLEREAGH MACQUARIE COUNTY COUNCIL



HUDSON PEAR CONTROL PLAN 2006-2007

**Project Timetable:
1st July 2006 to 30th June 2007**

**1st Quarter
From 1st July 2006 to 30th September 2006**

**3 Buckley Drive
(PO Box 227)
COONAMBLE NSW 2829**

**Telephone: (02) 6822 2377
Fax: (02) 6822 1013
cas6081@bigpond.net.au**

CASTLEREAGH MACQUARIE COUNTY COUNCIL



HUDSON PEAR CONTROL PLAN 2006-2007

**Project Timetable:
1st July 2006 to 30th June 2007**

**2nd Quarter
From 1st October 2006 to 31st December 2006**

**3 Buckley Drive
(PO Box 227)
COONAMBLE NSW 2829**

**Telephone: (02) 6822 2377
Fax: (02) 6822 1013
cas6081@bigpond.net.au**

CASTLEREAGH MACQUARIE COUNTY COUNCIL



HUDSON PEAR CONTROL PLAN 2006-2007

**Project Timetable:
1st July 2006 to 30th June 2007**

**3rd Quarter
From 1st January 2007 to 31st March 2007**

**3 Buckley Drive
(PO Box 227)
COONAMBLE NSW 2829**

**Telephone: (02) 6822 2377
Fax: (02) 6822 1013
cas6081@bigpond.net.au**

CASTLEREAGH MACQUARIE COUNTY COUNCIL



HUDSON PEAR CONTROL PLAN 2006-2007

**Project Timetable:
1st July 2006 to 30th June 2007**

**4th Quarter
From 1st April 2007 to 30th June 2007**

**3 Buckley Drive
(PO Box 227)
COONAMBLE NSW 2829**

**Telephone: (02) 6822 2377
Fax: (02) 6822 1013
cas6081@bigpond.net.au**

CASTLEREAGH MACQUARIE COUNTY COUNCIL
Hudson Pear Control Plan 2006 - 2007
Final Report to the Western Catchment Management Authority, Walgett Shire Council,
Castlereagh Macquarie County Council and Department of Primary Industry

BACKGROUND

Hudson Pear was first recorded within the Castlereagh Macquarie County Council area some 30 years ago in the Lightning Ridge area. It is believed the original infestation came from a garden plant. It quickly became acclimatised and rapidly began to spread.

At the present time Hudson Pear is growing on the lighter soil types, but it is suited to most soil types within the county area.

Private properties, county controlled land and state government land located in the Walgett shire around the towns and villages of Lightning Ridge, Glengarry, Grawin, Sheepyards and Cumborah have both scattered and heavy infestations of Hudson Pear. During 2006-2007 a well planned control program, developed by staff from Castlereagh Macquarie County Council and Western Catchment Management Authority, has been necessary because past control work done by landholders, Miners Association and Castlereagh Macquarie County Council has not been able to reduce the heavy infestations and the number of scattered infestations is increasing.

Local landholders, both graziers and miners, need to make sure that Hudson Pear is contained and that isolated infestations are fully controlled or Hudson Pear will render their land unmanageable. Stock, humans and vehicles are unable to move through heavy infestations.

Currently, the weed is impacting on approximately 60,000 ha of land and it is critical that Hudson Pear is not allowed to spread into the Murray Darling River Systems, which would result in massive repercussions. Scattered infestations have already been found along the floodplains, as well as along the banks of the Barwon River which feeds the Murray and Darling Rivers.

Hudson Pear aggressively invades most soil types and renders the land unviable. If left uncontrolled it will reduce land values in affected areas.

The County has developed, in conjunction with landholders, two management plans for 2006-2007. These management plans have been submitted to the Western Catchment Management Authority.

CASTLEREAGH MACQUARIE COUNTY COUNCIL
Hudson Pear Control Plan 2006 - 2007
Final Report to the Western Catchment Management Authority, Walgett Shire Council,
Castlereagh Macquarie County Council and Department of Primary Industry

During 2006-2007 the following funding has been allocated, with work already progressing well to control Hudson Pear throughout the County area.

Castlereagh Macquarie County Council	\$ 40,000
Walgett Shire Council	\$ 40,000
Department of Primary Industries	\$100,000

The major benefit for funding the control of Hudson Pear is to protect all land from invasion of Hudson Pear. Already the work carried out has stopped the potential spread, which would seriously reduce pastoral productivity.

CASTLEREAGH MACQUARIE COUNTY COUNCIL
Hudson Pear Control Plan 2006 - 2007
Final Report to the Western Catchment Management Authority, Walgett Shire Council,
Castlereagh Macquarie County Council and Department of Primary Industry

HUDSON PEAR CONTROL PLAN 2006-2007
(Project Timetable: 1st July 2006 to 30th June 2007)

1ST QUARTER

From 1st July 2006 to 30th September 2006

Seasonal Conditions

Seasonal conditions have deteriorated throughout the infested area, with hot, dry and dusty conditions being experienced.

Milestone	Activity to be Undertaken	Outcomes Achieved by CMCC
1. Core infestation sprayed.	1. Spray core infestation as per map.	1. Number of properties inspected: 27 2. Area inspected: 32,780 ha 3. Area infested: 1,567 ha 4. Area treated (approx): 671 ha 5. Map infestation: record infestation on Council computer using Tracker GPS areas. 6. Spray equipment on loan to landholders: 400 litre Hardi spray unit 5 5 litre hand-held sprayers 7 7. Newspaper articles 2 8. Labour \$47,833.94 Travelling \$10,259.20 Accommodation \$ 3,815.47 Herbicide <u>\$12,274.16</u> Total costs \$74,182.77

CASTLEREAGH MACQUARIE COUNTY COUNCIL
Hudson Pear Control Plan 2006 - 2007
Final Report to the Western Catchment Management Authority, Walgett Shire Council,
Castlereagh Macquarie County Council and Department of Primary Industry

HUDSON PEAR CONTROL PLAN 2006-2007
(Project Timetable: 1st July 2006 to 30th June 2007)

2ND QUARTER

From 1st October 2006 to 31st December 2006

Seasonal Conditions

Seasonal conditions have deteriorated throughout the infested area, with hot, dry and dusty conditions being experienced.

Milestone	Activity to be Undertaken	Outcomes Achieved by CMCC
1. Core infestation sprayed.	1. Spray core infestation as per map.	1. Number of properties inspected: 23 2. Area inspected: 22,213 ha 3. Area infested: 607 ha 4. Area treated (approx): 607 ha 5. Map infestation: record infestation on Council computer using Tracker GPS areas. 6. Spray equipment on loan to landholders: 400 litre Hardi spray unit 5 5 litre hand-held sprayers 7 7. Distribute 1,500 awareness pamphlets to landholders. 8. Labour \$31,849.14 Travelling \$ 4,848.64 Accommodation \$ 1,773.63 Herbicide <u>\$20,236.59</u> Total costs <u>\$58,708.00</u>

CASTLEREAGH MACQUARIE COUNTY COUNCIL
Hudson Pear Control Plan 2006 - 2007
 Final Report to the Western Catchment Management Authority, Walgett Shire Council,
 Castlereagh Macquarie County Council and Department of Primary Industry

HUDSON PEAR CONTROL PLAN 2006-2007
 (Project Timetable: 1st July 2006 to 30th June 2007)

3RD QUARTER

From 1st January 2007 to 31st March 2007

Seasonal Conditions

Seasonal conditions have deteriorated throughout the infested area, with hot, dry and dusty conditions being experienced.

Milestone	Activity to be Undertaken	Outcomes Achieved by CMCC
1. Core infestation sprayed.	1. Spray core infestation as per map.	1. Number of properties inspected: 21 2. Area inspected: 32,375 ha 3. Area infested: 2,428 ha 4. Area treated (approx): 2,428 ha 5. Map infestation: record infestation on Council computer using Tracker GPS areas. 6. Spray equipment on loan to landholders: 400 litre Hardi spray unit 5 5 litre hand-held sprayers 7 7. Distribute posters throughout area. 8. Labour \$15,211.18 Travelling \$ 73.60 Accommodation \$ 80.00 Herbicide \$ 3,282.32 Total costs \$18,647.10

CASTLEREAGH MACQUARIE COUNTY COUNCIL
Hudson Pear Control Plan 2006 - 2007
Final Report to the Western Catchment Management Authority, Walgett Shire Council,
Castlereagh Macquarie County Council and Department of Primary Industry

HUDSON PEAR CONTROL PLAN 2006-2007
(Project Timetable: 1st July 2006 to 30th June 2007)

4TH QUARTER

From 1st April 2007 to 30th June 2007

Seasonal Conditions

Seasonal conditions have deteriorated throughout the infested area, with hot, dry and dusty conditions being experienced.

Milestone	Activity to be Undertaken	Outcomes Achieved by CMCC
1. Core infestation sprayed.	1. Spray core infestation as per map.	1. Number of properties inspected: 27 2. Area inspected: 39,218 ha 3. Area infested: 8,118 ha 4. Area treated (approx): 8,118 ha 5. Map infestation: record infestation on Council computer using Tracker GPS areas. 6. Spray equipment on loan to landholders: 400 litre Hardi spray unit 7 5 litre hand-held sprayers 7 7. Distribute posters throughout area. 8. Labour \$37,756.61 Travelling \$ 792.96 Accommodation \$ 534.20 Herbicide <u>\$18,892.48</u> Total Cost \$57,976.75 Total Costs 12 months \$209,514.67

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 4

Subject: Terms of Reference and Operational Procedures
Namoi Local Government Group

Author: Stephen McLean – General Manager

File No: 235/01/27/00

Summary:

Walgett Shire Council, being partly in the Namoi River Catchment is a member of the Namoi Local Government Group (NLGG). At the last meeting of this group a document setting out the Terms of Reference and operational procedures was adopted.

Comments (including issues and background):

The Namoi Local Government Group satisfies: -

- a) the requirements for a 'Regional CMA/LG Forum' as described in the NRM Partnership Agreement between the Minister for Climate Change, Environment and Water, Director General Department of Water and Energy, President Local Government Association, President Shires Association and Secretary General LGSA; and
- b) and forms part of the state-wide MOU between the CMA's and Local Governments.

Relevant Reference Documents:

- Namoi Local Government Group - Terms of Reference and Operational Procedures document
- MOU between Catchment Management Authorities and Local Governments.

Stakeholders:

- Member Bodies of the Namoi Local Government Group

Financial Implications:

Nil

Recommendation:

That Council endorse the Terms of Reference and Operational Procedures document as adopted by the Namoi Local Government Group

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 5

Subject: Payment of Expenses and Provision of Facilities for Councillors Policy extension of submissions

Author: General Manager - Stephen McLean

File No: 130/04/01/27

Summary:

Council has advertised its policy for the Payment of Expenses and Provision of Facilities for Councillors and the closing date for submissions needs to be extended.

Comments (including issues and background):

This policy is being advertised and the 28 days required for submissions needs the closing date to be extended until November 23 and not November 14 as originally advised. The reporting guidelines from the Department of Local Government requires the adoption of this policy by November 30, as this cannot be achieved representatives from the Department have been advised.

Relevant Reference Documents:

Payment of Expenses and Provision of Facilities for Councillors policy
Department of Local Government Circular

Stakeholders:

Walgett Shire Council
Department of Local Government

Financial Implications:

Nil.

Recommendations:

That Council note the extension of public submissions until 4.30pm, 23 November for the "Payment of Expenses and Provision of Facilities for Councillors" policy and submissions be considered and the policy and any amendments are presented to the December meeting of Council for adoption.

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 6

Subject: Rural Fire Service Equipment Write-off

Author: General Manager - Stephen McLean

File No: 305/11/00/00

Summary:

Council has received a request from the NSW Rural Fire Service to write-off small equipment and tankers now considered unsuitable for service.

Comments (including issues and background):

At a recent Captain's meeting it was agreed that the RFS approach Council to write-off small miscellaneous equipment and 1300 litre tanker trailers that are now illegal for road registered use and that these items be handed to the property owner on which the equipment has been stored.

A check has been completed with Council's finance department and the equipment suggested for write has been fully depreciated and has a \$0.00 value to Council.

Accordingly the RFS now seeks Council agreement to approach the Commissioner, NSW RFS to write-off these items.

Relevant Reference Documents:

Correspondence from NSW RFS - Coonamble

Stakeholders:

Walgett Shire Council
NSW Rural Fire Service

Financial Implications:

Nil. As all items are fully depreciated

Recommendations:

That Council advise the RFS that it agrees the approach to the Commissioner, NSW Rural Fire Service to write-off of 1300 litre tanker trailers and associated small equipment.

SHIRE OF WALGETT – AGENDA

All communications to be addressed to:

North West Zone / Bogan District
NSW Rural Fire Service
PO Box 370
COONAMBLE NSW 2829

North West Zone / Bogan District
NSW Rural Fire Service
3 Buckley Dr
COONAMBLE NSW 2829

Telephone: (02) 6822 4422
e-mail: mark.ryan@rfs.nsw.gov.au

Facsimile: (02) 6822 4203
**Walgett Shire
Council**



REC'D

19 OCT 2007

Mr. Stephen McLean
General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

FILE: 305/11/00/00 Your Ref:

Our Ref: OPS:01

LETTER No: 8773

REFER: SJM ps. J-G.

17 October, 2007

Dear Sir,

WRITE OFF OF OLDER RFS EQUIPMENT

At the Captains Meeting held on today's date, there was a recommendation that all small miscellaneous equipment and the 1300 tanker trailers that are now illegal to tow on a public road be written off and become the property of the landowner.

The Rural Fire Service supports this position fully, and I also assume that these assets would be at \$0 value on councils register due to their age.

We seek council's approval to approach the Commissioner, NSW Rural Fire Service to write off:

- All tanks
- All pumps
- All tanker trailers that are not 650L in specification.

Due to the fact that I am vacating this position in two days time, your response to Elan Palmer, Acting Zone Manager at the above address would be appreciated.

I look forward to your response on this matter.

Kind Regards,


Mark Ryan
Zone Manager

◆ Rural Fire Service Advisory Council

◆ Bush Fire Co-ordinating Committee

Visit our webpage at www.nwt.conxion.com.au

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 7

Subject: 101 Fox Street, Walgett – Sale at Auction

Author: Stephen McLean – General Manager

File No: 005/02/09/00

Summary:

This report requests permission for Council's seal to be applied to the contract for and transfer documents for Lot 81, DP 713774, 101 Fox Street, Walgett. Further it recommends that a rescission motion be adopted with regard to the relocation of the northern boundary fence.

Comments (including issues and background):

101 Fox Street was put to public auction on Saturday 27 October. Bidding was slow but a result was gained without the need for a vendor's bid to be placed.

The contract for sale was read aloud by the auctioneer to all those present and this included a disclosure that there is an ongoing boundary dispute with the purported owner of Lot 8A. A copy of the disclosure is included as an attachment to this report.

Council had previously resolved at its 20 February 2007.

32/07 – 101 Fox Street Walgett

RESOLUTION: -

It was resolved on the Motion of the Administrator that:-

1. Council demolish the building at 101 Fox Street, (Lot 81, DP 713774) Walgett and the site be sold as vacant land after it has been reclassified as operational land.
2. Council relocate the northern boundary fence to the lot boundary.

Carried.

Council then at its October meeting rescinded resolution 1, it is now necessary in light of the disclosure given at the time of auction for Council to rescind resolution 2 as it does not represent the terms of the sale of the property.

Relevant Reference Documents:

- Auction Sale Contract disclosures
- Report to 20 February Council meeting

Stakeholders:

- Walgett Shire Council

Financial Implications:

There is no cost to Council in the rescission motion or in the application of the seal.

RECISION MOTION

That Resolution 32/07 101 Fox Street Walgett, Part 2 (as reprinted below) resolved at the Council Meeting held on 20 February 2007 be rescinded.

32/07 – 101 Fox Street Walgett

RESOLUTION: -

It was resolved on the Motion of the Administrator that:-

2. Council relocate the northern boundary fence to the lot boundary.

Recommendation:

That The General Manager and Administrator apply the seal of Council to the Contract for Sale and transfer papers for Council Lot 81, DP 713774, 101 Fox Street, Walgett

SPECIAL CONDITIONS

BETWEEN: WALGETT SHIRE COUNCIL

("Vendor")

AND:

("Purchaser")

PROPERTY: 101 FOX STREET, WALGETT

LOT 81 DEPOSITED PLAN 713774

30. Without in any manner negating, limiting, or restricting any right or remedy which would have been available to a party at law or in equity had this clause not been included herein, should a party (or if more than one person or entity comprises a party, any of them) prior to completion: die; or become mentally ill; or being a company go into liquidation; or have a petition for winding up presented; or enter into any scheme or arrangement with its creditors under the Corporations Law; or should any liquidator receiver or official manager be appointed in respect of the party being a company, then either party may by notice in writing to the other party rescind this Contract whereupon the provisions of Clause 19 shall apply.
31. Subject to any other express provision in this Contract or necessarily implied by law, the Purchaser acknowledges that he purchases the property in its present state and condition and repair in all respects relying on his own inspection, knowledge and enquiry and not on any representations or warranties made by or on behalf of the Vendor, and the Purchaser shall not be entitled to make any objection, requisitions or claim for compensation in respect thereof.
32. If, through no fault of the Vendor, the Purchaser does not complete this Contract on or before the completion date then, and without prejudice to all other remedies of the Vendor, the Purchaser shall pay to the Vendor on completion an amount of interest calculated on the balance of the Purchase money payable hereunder at the rate of ten percent (10%) per annum in respect of the period commencing on the day following the date set for completion and ending on actual completion. The Purchaser will not be entitled to require the Vendor to complete this Contract unless such interest is paid to the Vendor on completion and it is an essential part of this Contract that such interest be paid.
33. The parties agree that a notice to complete which provides for completion at least fourteen (14) clear days after service of this notice (with time being of the essence) is reasonable.
34. The Purchaser warrants to the Vendor that except for the Vendor's agent named in this Contract (if any) the Purchaser was not introduced to the property by any agent nor was any agent the effective cause of the sale. In the event that the Purchaser is in breach of this warranty the Purchaser will indemnify and keep indemnified the Vendor against any claim for commission by any agent arising out of the sale. This special condition will not merge on completion.

35. The parties agree that for the purposes of Clause 5.1, the only requisitions the Vendor is required to answer are those set out in the form of the attached requisitions and the Purchaser accepts the answers to those requisitions provided thereto. The Purchaser shall not be entitled to make any other requisition, objection or claim for compensation in respect of the property or the title.
36. The Vendor shall not be called upon to pay for or contribute towards the cost of construction, repair or maintenance of any fencing and the Purchaser shall take the property with the existing fencing in its condition as at the date of completion notwithstanding that it may be in disrepair or may not be on the correct boundary.
37. The area of the property stated in this Contract is taken from the records of the Department of Lands and the Purchaser shall be deemed to have satisfied himself that such area is correct. No requisition, objection or claim for compensation shall be made in relation to this matter.
38. The Vendor does not hold a survey report for the property and shall be under no obligation to furnish such a certificate prior to completion. It shall be the Purchaser's responsibility to satisfy himself as to the correct position of the boundaries of the property and the Purchaser shall make no objection, requisition or claim for compensation nor delay completion of there are any encroachments by or upon the property.
39. The parties agree that completion of this Contract is not conditional upon the issue of a building or other certificate. In particular, if there is a swimming pool on the property the Vendor does not warrant that it complies with the Swimming Pools Act or the Regulations there under.

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 8

Subject: Condom Vending Machines

Author: General Manager - Stephen McLean

File No: 135/06/05/00

Summary:

Council has received a request from the Walgett Aboriginal Medical Service (WAMS) to install condom vending machines at two Walgett public toilet blocks.

Comments (including issues and background):

WAMS successfully lobbied for funding to manufacture prototype coin-free Condom vending machines and install these machines throughout Walgett CBD. Funding was provided by The Office of Aboriginal and Torres Straight Islander Health. To date 18 of the 20 machines have been installed throughout Walgett with the support of local businesses and retailers in assisting WAMS in achieving the goal of reducing the prevalence of sexually transmitted infection's in the community and ensuring our people are aware of how to be safe and lead healthy lives. The final two machines locations are dependant on approval from council for installation in the local public toilets. A letter from WAMS is attached detailing the project.

The locations suggested for the installation are at the public toilets in Gray Park and Alex Trevallion Park.

The request for the installation of these units is seen as a beneficial for the Shire citizens and should be supported by Council.

Relevant Reference Documents:

Correspondence from Walgett Aboriginal Medical Service.

Stakeholders:

Walgett Shire Council
Walgett Aboriginal Medical Service

Financial Implications:

Nil. The machines will be installed and maintained by staff of WAMS.

Recommendations:

- 1. That Council support the Walgett Aboriginal Medical Service in its endeavours and allow the installation of condom vending machines in the public toilets at Gray Park and Alex Trevallion Park Walgett.**
- 2. Further consultation be held with the Walgett Aboriginal Medical Service on how Council can further support and assist with the installation of condom vending machines with the Shire.**



Walgett Aboriginal Medical Service Co-operative Ltd

A.B.N. 780 1499 0451. 37 Pitt St (P.O Box 396), Walgett NSW 2832

Phone: (02) 6828 1611, 6828 1798 Fax: (02) 68281201 Email: walgettams@bigpond.com

COPYRIGHT TO WALGETT ABORIGINAL MEDICAL SERVICE CO-OP. LTD

CONDOM VENDING MACHINE PROPOSAL

1.

Background of Walgett Aboriginal Medical Service (WAMS).

WAMS have been operating since 1986. They receive the bulk of their grant funding from both state and federal health departments. They also have small programs operating with monies from other government and non-government agencies. WAMS services visit smaller outlying communities, while some of their staff travel four hours one-way to deliver a service.

WAMS see approximately 40% non-Aboriginal people across all their services. WAMS believe that its programs are available for all community members and is proud of the positive response to its services. Statistical data has identified that the rivers towns have some of the worst health statistics in NSW and the inability of the community members to access specialist services increases the health risk to these community members.

Walgett is located on the edge of the outback in North Western NSW. The Walgett Shire covers an area of 22 000 sq kilometres. Walgett Township is the Administrative center with a population of approximately 2600 people, of which 60% are Aboriginal.

The communities in north-western NSW have a high unemployment rate and limited access to health care and promotion. Geographical isolation combined with the low socio-economic status and sometimes restricted access to education, make the Walgett Community a priority of implementation of the above mentioned strategies for reduction in transmission and morbidity associated with STI's and BBI's.

2.
WAMS Proposal.

This submission for condom vending machines was initiated by the requirements under the OATSIH driven *Service Development Reporting Framework*, which states WAMS Sexual Health Program is to include the distribution of condoms and other risk reduction tools, (such as fit kits and DAMS), in combination with educational programs to the community. This proposal has further been developed in response to key strategies identified in the NSW Health Department's Sexually Transmissible Infections Strategy 2006-2009, and the Australian Government Department of Health and Ageing; National Aboriginal and Torres Strait Islander Sexual Health and Blood Borne Virus Strategy 2005-2008. Specifically these strategies recognise that, prevention and health promotion campaigns to reduce transmission are as important as the diagnosis, treatment and management of STIs. Further both strategies note that, *"promoting condoms to those who are sexually active remains a key strategy and that priority populations for this Strategy include Aboriginal people"*.

Rates of diagnosis of Chlamydia, Gonorrhoea, and Syphilis have risen between 1999 and 2003 in the Aboriginal and Torres Strait Islander people. The rate of diagnosis of Chlamydia in the Non-Aboriginal/Non-Torres Strait Islander population has doubled during this time; however this is still well below that of Aboriginal and Torres Strait Islander people. Gonorrhoea has prevalence in Aboriginal and Torres Strait Islander people of 40 times that of the total population! (National Notifiable Diseases Surveillance Data Base)

Even more concerning is that prior to 2002 the rate of diagnosis of new HIV infection differed little between Aboriginal and Torres Strait Islander people and the total population, with a generalised long term decline. Since 2002 there has been an indication that diagnosis of HIV infection has begun to increase and that it is slightly higher in Aboriginal and Torres Strait Islander People. Furthermore, the rate of AIDS diagnosis has increased in Aboriginal and Torres Strait Islander People over the past 5 years, whilst that in the general population has declined. (National Aboriginal and Torres Strait Islander Sexual Health and Blood Borne Virus Strategy 2005-2008)

3.

Current Sexual Health Service Provision.

Locally

WAMS provides an array of services and programs that link together in order to consolidate the services provided to the local community and surrounding shire. The Sexual Health Coordinator at WAMS conducts confidential screening clinics at WAMS, Collarenebri, Brewarrina and surrounding centers and provides education on self awareness, puberty, contraception and safer sex practices to various community groups. The Sexual Health Program links closely with others provided by WAMS including Drug & Alcohol, Family Health, Public Health, WAMS Antenatal Program and Mental Health.

The Sexual Health Nurse Coordinator works closely with the WAMS General Practitioner and visiting medical officers to provide Women's Health Care to the above mentioned communities, including Cervical Screening Clinics. Contact tracing and support are a priority of the Sexual Health Program and The Sexual Health Nurse Coordinator liaises with WAMS medical staff and other local general practitioners in order to consolidate this service for the benefit of the community.

WAMS provides condoms and other safe sex practice tools locally at no cost to individuals who require access to this information and service. Condoms are distributed during WAMS business hours via outreach clinics, promotional activities and directly to clients who access WAMS. However cultural barriers such as shame, fear and concern over "other people knowing your business" may impact on an individual feeling comfortable enough to access condoms via these avenues.

Walgett Health Service also provides condoms out of hours via their Emergency Department, as well as emergency contraception and safe injection packs (*fit- packs*). The local hospital is located at the southern end of town which is sometimes inaccessible for people who do not have access to a vehicle.

There is no public transport system in the community, with the distance between the northern and southern end of the main street being approximately two kilometres. Walgett's main hotels, parks and some recreational facilities are located centrally or in the northern end of the town, thus access to condoms and other safe sex tools out of hours is restricted for some people.

Of the three main hotels/clubs in Walgett, only one, the RSL, has a condom vending machine located in the main public bar toilets. This machine is out

of order and has not been supplied with condoms for the past year. The Manager, Walgett RSL, reported that the service, when functional was poorly accessed by patrons. The cost of accessing condoms from this machine was \$2.00 per condom. The low socio-economic status of the community, and

the opportunity at this site to purchase alcohol and participate in gambling may have been factors in the machine's failure. The ability to access alcohol is a high risk behaviour associated with unsafe sexual practice and therefore these establishments must be considered a priority target location for this submission.

SHIRE OF WALGETT – AGENDA

There are service stations at the northern and southern end of the town, neither of which has condom vending machines installed. It is worth noting that Walgett is located on a busy thoroughfare for transporting goods between NSW and QLD, thus there is a high proportion of long distance truck drivers who access the shire.

There are two villages located near the Walgett Township. Gingie Village

is ten kilometres north-west from town and Namoi village is three kilometres north from town. Some residents do not have access to regular transport and therefore their ability to choose safe sex practices are limited by lack of resources.

Beyond Walgett

Lightning Ridge is located 75 kilometres from Walgett. There is currently a Sexual Health Nurse who will soon be providing screening clinics from the Community Health Center. Condoms are distributed to the community at Lightning Ridge via the Hospital and Sexual Health Nurse. Personnel working in these facilities were unaware of the status of condom vending machines in the town.

The main medical referral and shopping centre for the Walgett Community

is Dubbo City just over three hours drive away (single destination only). Dubbo provides an extensive sexual health service under the Greater Western Area Health Service, from the Community Center.

There are also Visiting Specialists who manage clients with hepatitis and complications from STI's. A diagnosis of HIV infection would require referral

to Sydney (eight hours by road from Walgett – single destination only), for initial treatment and development of a management plan for that client. There are currently no Specialists in Sexual Health/ HIV Medicine who visit the Walgett Shire.

4.

Planning for a Sexually Healthy Community.

In order to continue to build on current sexual health strategies and improve access to and consolidate resources within the Walgett Shire. WAMS, in combination with Walgett Health Service is proposing to install coinless, (*no charge to individual*), condom vending machines at strategic locations throughout the Walgett Township. Walgett Health Service have been extremely supportive of this proposal and agree that this strategy combined with effective promotion (once machines are installed), will increase the consistent use of condoms with casual and new sexual partners, thus promoting behavioural change that reduces the risk of STI transmission.

Goals of the WAMS Sexual Health Program and the Condom Machine Proposal:

Short Term:

- Regular Screening Clinic's – continue to promote awareness and develop rapport with the Walgett Community to promote confidential access to testing and treatment of STI's/BBI's.
- Health Promotional Activities - within Walgett Township and at community event's (such as the Walgett Show, community events, school programs, WAMS Open Day's etc), which will involve working closely with the WAMS Public Health Worker to deliver education not only on sexual health, but a holistic approach to healthy living, responsible parenting, and self-esteem, empowerment, and relationship choices. *This is particularly important for young people outside the school environment who do not have access to the same level of education and promotion, and who are therefore at increased risk of STI's/BBI's.*
- Coordinating with the WAMS Midwifery team who deliver education sessions within the school environment. Issues such as puberty, changing bodies, and self awareness are key factors in changing attitudes towards healthier choices and freedom of self expression for young people.
- Coordinating with other programs such as the WAMS Drug and Alcohol Worker to provide resources to the Walgett Community that reduce high risk behaviours (i.e. WAMS currently implementing best practice workshop for distribution of fit kits and ease of access for safe disposal once used).
- Installation of coinless condom vending machine's at strategic locations within Walgett Township – provision of a resource geographically close to the town centre where individuals can access condoms. This will increase access and availability at locations that are patronised by the general adult public, and where other risk behaviours may otherwise encourage unsafe sexual practices.
- Increase consistent use of condoms with casual and new-sex partners.

Long Term:

- Through this proposal WAMS long term goal is to sustain targeted health promotion and intervention at settings where high risk groups and behaviours occur.
- Most importantly this strategy aims to, in combination with health promotion and education, provide a resource to the Walgett Community that *empowers individuals* to choose responsible options for safer sex practices.
- Implement health promotion programs at the local level that may include building personal skills.
- Improve social acceptability of condoms via educational campaigns; and increasing access to safer sex practice tools.

SHIRE OF WALGETT – AGENDA

- Develop and sustain sexual health promotion and responses to clinical care on a local level between WAMS and Walgett Health Service.
- Provide culturally sensitive, confidential services for treatment and testing of STI's/BBI's thus promoting freedom from shame, guilt, stigmas and social isolation.
- Sustain consistent use of condoms with casual and new sex partners.

5.

Planning for Resources to be Sexually Healthy.

WAMS is an Aboriginal Community Controlled Health Service, therefore the support and opinions of the Walgett Aboriginal Community is vital to the success of this proposal.

Consultation between WAMS and business owners/managers of locations for condom vending machines has occurred over several weeks. All Owners and/or Managers are in support of the project. Machines will be located in main public arenas within male and female toilets and various public outlets as listed below.

Strategic Locations:

Walgett RSL Club	4 machines
Walgett Sport & Recreational Club	4 machines
Oasis Hotel	2 machines
Nolan's on the Barwon Motel	1 machine
Gateway Bottle Shop (outside access point Fox Street)	1 machine
BP Service Station	2 machines
Woodhams Service Station	2 machines
Walgett Health Service Emergency Department (outside access point Fox Street)	1 machine
WAMS (outside access point Pitt Street)	1 machine
Namoi Village (outside access point at Community Hall once completed)	1 machine
Gingie Village - (access point to be determined in consultation with community groups)	1 machine

TOTAL required – 20 Machines

Initial enquiries were made to the NSW Health Department Sexual Health Unit on recommended manufacturers, direction and possible sponsor's for the proposal. NSW Health Head Office stated they were unable to provide any financial or promotional support and to consult the Chief Executive Officer, WAMS for advice.

Walgett Health Service, in support of this joint proposal directed an enquiry to Ms Cathy Dyer; Director of Business and Remote Service, GWAHS, Broken Hill. Ms Dyer has stated that a proportion of funding will be provided under the Business and Remote Services by GWAHS and requested an electronic copy of this submission.

ACON has been contacted to request sponsorship for the proposal and ACON CEO, Ms Stevie Clayton has requested a written copy of this submission for consideration.

OATSIH has been contacted, and the Regional Coordinator, Ms Janine Fullin, has agreed to consider this submission for the possibility of 'one-off funding' through the expansion and enhancement scheme. Ms Fullin has requested an electronic copy of this submission.

WAMS Ltd will contribute to the funding costs incurred with this proposal.

Vending Robotics has advised they do not transport goods. WAMS Ltd will incur cost of transport. TAMEX Transport has been recommended by Walgett local freight company, 'Mitchell's Freight'. Tamex have provided a quote for transporting machines from Brisbane QLD to Walgett NSW – see Budget.

Vending Robotics have advised that local installation of machines will prove most cost effective, requiring only secure fixation to wall/platform. WAMS will arrange installation of machines at venues.

6. Recommendations

Priority for Proposal:

1. Secure sponsorship/funding from Government and Non-Government Health sources.
2. Begin promoting the coinless condom vending machines within the Walgett Community once funding secured. This will be achieved by a combination of activities including education for individuals accessing the Sexual Health Program, other Programs and the WAMS clinic, flyers, presentation's to community groups and Business Boards, web site, messages on hold services, advertisements and newsletters.
3. Confirm proposal with manufacturer and set date for completion and transport of machines.
4. Inform businesses and community groups on target completion and instalment dates.
5. Advise Redfern Aboriginal Medical Service on target completion and instalment dates. Order sufficient supply of condoms.
6. Conduct education and training to WAMS Program Team on maintenance, stocking machines, and statistical monitoring to ensure smooth operation in the absence of Sexual Health Coordinator.
7. Incorporate machine locations, access and instructions for use into all sexual health education programs and workshops.

Thank you for considering this submission. WAMS Ltd and the Walgett Health Service believe this proposal for coinless condom vending machines within the Walgett Community will contribute to a reduction in risk behaviour that impacts on the transmission of STI's/BBI's. It will also encourage self empowerment through education, so that individuals may have control of consensual sexual and reproductive attitudes

SHIRE OF WALGETT – AGENDA

and behaviour in accordance with cultural values, kinship practices and individual ethics.

Georgiana N Butt, RN
georgiana.butt@walgettams.com.au
Sexual Health Coordinator
(02)6828 1611 ext 289

Christine Corby, OAM
walgettams@bigpond.com
Chief Executive Officer
(02)6828 2972

BUDGET

Condom Vending Machines

Negotiation between WAMS and Brisbane based “Vending Robotics” condom vending manufacturers has resulted in agreement to design and manufacture twenty (20) prototype condom vending machines for the proposal.

Machines will have capacity to hold up to one hundred (100) condoms at stocker’s discretion and will operate on a turnstile with no financial exchange required.

Machines will have dimensions as follows:

- Width – 360 mm
- Depth – 145mm
- Height – 750mm
- Weight empty – 8.5kg

Condom Stock:

WAMS receive condom supply from Redfern Aboriginal Medical Service.

The WAMS Sexual Health Coordinator will be responsible for monitoring the machines and stocking as required.

Distribution of condoms and access by the community will be recorded statistically. Reports will be generated at six and twelve months following installation for distribution to sponsors, health services, and funding bodies.

- Vending Robotics has quoted manufacturing cost per machine at \$A1000.00
- 10% GST to be added per machine.
- Total cost for twenty (20) machines including GST - \$A20.00 –
- \$A200.00.
- Transport of machines from Brisbane to Walgett.
 - TAMEX Transport Tamworth Regional Office – quote for transporting 20 machines weighing 8.5kg approximately \$A200.00
- Installation will be attended locally and free of charge.

Promoting the machines will be done locally through WAMS Sexual Health Program, including the design, publishing and distribution of flyers and newsletters.



Walgett Aboriginal Medical Service Co-operative Ltd

A.B.N. 780 1499 0451. 37 Pitt St (P.O Box 396), Walgett NSW 2832

Phone: (02) 6828 1611, 6828 1798 Fax: (02) 68281201 Email: walgettams@bigpond.com

COPYRIGHT TO WALGETT ABORIGINAL MEDICAL SERVICE CO-OP. LTD

Mr. Stephen McLean
General Manager
Walgett Shire Council
77 Fox Street
Walgett NSW 2832

28SEP2007

Georgiana N Butt
WAMS Sexual Health RN
Walgett Aboriginal Medical Service
37 Pitt Street
Walgett NSW 832

Dear Stephen,

Thank you for the support you have given to Walgett Aboriginal Medical Services', (WAMS), project to install Condom Vending Machines throughout Walgett CDB in order to increase access to condoms and promote safer sexual practice.

WAMS are pleased to forward you a copy of the successful submission to OATSIH for funding to manufacture the prototype machines to be tabled at the next Walgett Shire Council meeting in October. The machines are completed and installatin throughout the CBD is now taking place with the support of business owners and the local community including the RSL, Sporting Club, Oasis Hotel, Woodhams and BP Service Stations, Nolan's on the Bar and Gateway Hotel.

As stated at our meeting on 21SEP2007, WAMS are eager to install a machine in the public toilets at Gray Park, Alex Trevelyan Park and possibly at the Walgett Showground public toilets. Young persons may then access condoms free of charge in a discrete location thus are able to exercise choice over their behavior and choose safer sexual practices where otherwise high risk activities may take place.

Your continued support will aid WAMS goal of reducing the prevalence of STI's on our community and ensure our people are aware of how to be safe and lead healthy lives.

Sincerely

Georgiana N Butt

georgiana.butt@walgettams.com.au

Sexual Health Coordinator
Walgett AMS
PO Box 396
Walgett NSW 2832

(02)6828 1611 ext 289
(02)6828 1201 *Fax*
0428 254 339

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 9

Subject: Land Sale - Corner Fox & Euroka Street

Author: Kaye Stone – Assets Officer

File No: 145/09/00/00

Summary:

This report recommends that the Council issue of a commercial lease to the operators of Walgett Tyre, Machinery and Bearing Service for a further 4 months, owing to the expiry of the current lease.

Comments (including issues and background):

On the 17 July 2007 Council resolved the following;

3. *That Council issue a lease to the Walgett Tyre, Machinery and Bearing Service for a period of 4 months for the amount of \$1.00 (plus GST) allowing lawful occupation of the seven Lots shown above whilst the sale of the land is being complete.*

Council has successfully consolidated the 7 Lots into 1 Lot with an easement to cater for sewerage, the plans were sent to Booth Brown Samuel and Olney on the 14 November 2007 for lodgement with the LPI. This will allow the exchange of Contracts of Sale to take place.

Relevant Reference Documents:

- Council Report dated 3 February 1997
- Council Report dated 28 April 1997
- Council Report dated 16 December 2002
- Council Report dated 8 March 2004
- Council Report dated 5 April 2004
- Council Report dated 20 February 2007
- Council Report dated 17 July 2007
- Letter from Walgett Tyre, Machinery and Bearing Service
- Correspondence from Booth, Brown, Samuel and Olney
- Proposed Lease

Stakeholders:

- Walgett Shire Council
- Walgett Tyre, Machinery and Bearing Service

Financial Implications:

Income will be derived from the sale of the land there will also be solicitor's costs.

Recommendations:

1. That Council issue a lease to the Walgett Tyre, Machinery and Bearing Service for a further period of 4 months for the amount of \$1.00 (plus GST) allowing lawful occupation of the seven Lots described below whilst the sale of the land is being complete.

Lot A	DP161095
Lot B	DP161095
Lot C	DP161095
Lot 1	DP323840
Lot 27	DP612034
Lot 28	DP612034
Lot A	DP395921

2. Authorise the General Manager and Administrator to affix the Common Seal and sign the Walgett Tyre, Machinery and Bearing Service commercial lease.

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 10

Subject: Increase in Allowances

Author: General Manager - Stephen McLean

File No: 145/01/10/00

Summary:

At the October meeting, Council agreed to adopt a 3.2% increase in the wages paid to staff for the next 12 months, beginning 1 November 2007. This percentage is now requested to be paid on allowances paid to staff under the Notional Agreement Preserving State Awards (NAPSA).

Comments (including issues and background):

A NAPSA is the State Award with some changes that allow the Award to conform to the new Legislation. These changes essentially deal with references to the NSW Industrial Relations Commission and Unions. The Local Government and Shires Association have revised the Local Government (State) Award to develop a conforming NAPSA.

At the October meeting Council adopted the following resolution:

- 1. That Council consider implementation of all the amendments included in the “in principle” Local Government (State) Award 2007 once ratified, for adoption as a NAPSA.**

After further research it has now been established that the Award 2007 is not able to be amended for use as a NAPSA. Therefore Council must adopt a percentage increase based on the NAPSA for allowances paid to staff. It is recommended that the same increase of 3.2% be applied to the allowances.

Relevant Reference Documents:

Local Government (State) Award 2004
Local Government (State) Award 2007 in principle agreement.
Workplace Relations Amendment (Work Choices) Act 2005
Notional Agreement Preserving State Awards
Australian Fair Pay Commission minimum wage decisions

Stakeholders:

Walgett Shire Council and Staff
Local Government Unions

Financial Implications:

Allowance rise of 3.2% of which 2.5% has been allowed for in the 2007/2008 Management plan.

Recommendations:

- 1. That Council adopts an increase of 3.2% for all allowances payable to staff under the NAPSA adopted at the October meeting.**
- 2. That the increase be payable on all NAPSA identified allowances from the first pay period on or after 1 November 2007.**
- 3. That the rise is inclusive of the decisions of the Australian Fair Pay Commission.**

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 11

Subject: Acquisition of Land Lightning Ridge

Author: Emma Darcy –Manager Corporate Services

File No: 021/01/02/00

Summary:

This report recommends that Council resolve to allocate funds to enable Council to acquire 26 ha. of crown land described as Lot 1794 DP 767406

Comments (including issues and background):

In March 2006 the following resolution was adopted:

51c/06 – Acquisition of Land Lightning Ridge

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. The Council proceed to acquire 26 ha of land described as part Lot 11794 DP 767406 for subdivision, Town of Lightning Ridge, by compulsory acquisition under the Land Acquisition (Just Terms Compensation Act 1991).
2. Authority is granted for an application to be made for the approval of the Minister for Local Government pursuant to the Section 187 (2) of the Local Government Act.
3. Authority is granted for an application to be made for the approval of the Governor to be obtained under Section 19 of the Land Acquisition (Just Terms Compensation) Act 1991 to be gazettal of an acquisition notice.
4. The land is acquired for residential subdivision purposes.
5. The Council confirm that all minerals are to be excluded from the compulsory acquisition.
6. The land when acquired is classified as operational land.

Carried.

SHIRE OF WALGETT – AGENDA

Council has recently received a valuation to purchase this land estimated at a cost of \$28,000 which includes fees to acquire the land.

These costs were not included in the Management Plan 2007/2008 – 2011/2012.

Relevant Reference Documents:

Council Minute 51c/06
Management Plan 2007/2008 – 2011/2012

Stakeholders:

Walgett Shire Council

Financial Implications:

The acquisition of the land will be capitalised. \$28,000 will be required to be allocated to Expenditure – Properties Capital Projects – Land Acquisition and Expenditure – Properties Capital Projects – Transfer from Reserves will have to be increased to \$2,380,833. Due to the Economic Development position still being vacant, the funds can be utilised from this area. The overall profit will be increased to \$4,109,329.

Recommendations:

That Council adopt the following recommendations to enable Council to acquire part of Lot 1794 DP 767406:

- 1. That Council increase Expenditure – Properties Capital Projects – Land Acquisition by \$28,000 to \$28,000.**
- 2. That Council increase Expenditure – Properties Capital Projects – Transfer from Reserves by \$28,000 to \$2,380,833.**
- 3. That Council reduce Expenditure – Economic Development - Salaries and Wages by \$28,000 to \$43,134.**

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 12

Subject: Juvenile Justice Community Service Order Scheme

Author: Emma Darcy –Manager Corporate Services

File No: 136/06/03/00

Summary:

This report recommends that Council participate in the Children's Community Service Order Scheme provided that Juvenile Justice provides a supervisor to co-ordinate all community service work with Council providing all tools and materials to carry out the work.

Comments (including issues and background):

A meeting was held on Thursday 25 October between Aboriginal Program Support Officer (Department of Juvenile Justice), Walgett and Collarenebri Community Working Party Facilitator and Manager Corporate Services (Walgett Shire Council).

The Department of Juvenile Justice has requested that Council consider accepting young people ordered by the courts to undertake community service to perform that work at the Council.

This community service order scheme has been operating since 1987. The benefits of the scheme to the rehabilitation of young offenders and their contribution to the community are highly valued by the NSW Department of Juvenile Justice.

Community Service orders work providers are provided indemnity benefits equivalent to those available to workers under the Workers Compensation Act through Juvenile Justice coverage with the Treasury Managed Fund. Council is obligated to provide a safe and well maintained workplace.

The lack of human resources and Council's inability to provide a Council staff worker to supervise these young people was discussed at length and it was suggested that Juvenile Justice would provide a supervisor that could supervise a group of young people to collectively perform work as a group. A graffiti removal program was discussed. This type of initiative would enable the team to monitor and remove graffiti in particular areas of Walgett on a regular basis in conjunction with assisting with the beautification of the surrounding area.

Relevant Reference Documents:

Childrens Community Service Order Scheme - Information

Stakeholders:

Walgett Shire Council
NSW Department of Juvenile Justice

Financial Implications:

Minimal costs to supply tools and materials for a scheme.

Recommendations:

1. That Council endorse the participation of Walgett Shire Council in the Children's Community Service Order Scheme provided that a supervisor is provided by NSW Department of Juvenile Justice.
2. That Council provides the tools and materials for the Children's Community Order Scheme.
3. That participants in the Children's Community Service Order Scheme work as part of a Graffiti Removal Program targeting the removal and monitoring of graffiti in Walgett.

CHILDRENS COMMUNITY SERVICE ORDER SCHEME - INFORMATION

Thank you for your interest in participating in the Children's Community Service Order Scheme. It is hoped that the assistance provided to you by persons performing community service work will be useful to your organisation. This information package outlines the legislative rights and obligations of all parties involved in the scheme.

1. What is a Community Service Order?

A Children's Community Service Order is an order of the court directing a young person to perform unpaid work for the community for a specified number of hours.

The Children Community service Order scheme is regulated by the Children's (Community Service Orders) Act 1987 and the Children (Community Service Orders) Regulation 2000.

2. What are the young persons obligations to comply with a Community Service Order?

Young persons participating in the scheme are given an information handout setting out their rights and obligations and are requested and are requested to sign a declaration acknowledging these responsibilities. A copy of this information and responsibilities are attached. If a young offender breaches their Community Service Order they will be brought back before a Court by the Department of Juvenile Justice.

A YOUNG PERSON WHO HAS RECEIVED A COMMUNITY SERVICE ORDER MUST:

2.1.1 Perform the number of hours specified in the Order

At such times and at such places directed by their assigned Juvenile Justice Officer or Counsellor.

2.1.2 Attendance

Details of the hours, dates and times when the person performing community services work must attend, appear on their attendance record and work instruction. There should be no change in dates and times by the person unless previously approved by the assigned Juvenile Justice Officer or Counsellor. Should changes need to occur they will be discussed with your organisation.

2.1.3 Inability to attend community service work

Should for any reason, the person performing community service work is unable to keep a work appointment they are obligated to immediately notify their assigned Juvenile Justice Officer or Counsellor the supervisor at the organisation. The reason given for non-attendance should be noted on the persons attendance record. Few reasons are considered acceptable for failing to attend work except ill health. Non attendance for ill health must be supported by a medical certificate.

2.1.4 **Weather or other conditions cancelling work**

Should weather prevent work being performed, or work to be called off during the day, the attendance record should be noted accordingly. If at the outset of the day, it might seem reasonable to assume that extreme weather would prevent work going ahead the person subject to the Order, wherever possible, is required to contact the placement supervisor to clarify the situation and accept the decision given by the placement supervisor.

2.1.5 **Maximum Hours of Work**

Those persons performing community service must not be directed to perform no more than eight (8) hours of community service work in any one day except with the agreement of the young offender and their assigned Juvenile Justice Officer or Counsellor.

2.1.6 **Lunch and Tea Breaks**

The young person may be given such tea breaks (at a rate of no more than 5 minutes for each hour for which they have been engaged in performing community service work) as the offender's assigned Juvenile Justice Officer/Counsellor or placement supervisor think fit.

Young person who have performed community service work continuously (or interrupted only by tea breaks) for 4 hours, are entitled to a meal break of 1 hour.

2.1.7 **Perform that work in a satisfactory manner**

Young persons subject to Community Service Orders are expected to work at a satisfactory standard.

2.1.8 **Not to be under the influence of alcohol or drugs**

Young persons should not report for work or perform work under the influence of alcohol or drugs. Should the placement supervisor have reason to believe that such circumstances prevail, the offender should be requested to leave the work site and the assigned Juvenile Justice Officer or Counsellor notified. Should for any reason, the placement supervisor consider that the interests of the organisation are at risk by the continued placement of the person subject to a Community Service Order, these concerns should be discussed with the assigned Juvenile Justice Officer or Counsellor their Manager.

2.1.9 **Comply with reasonable directions**

Whilst performing community service work young persons are required to comply with any reasonable direction of their assigned Juvenile Justice Officer/Counsellor or placement supervisor.

If the young person is directed to do anything that they are incapable of doing, the young person must, as soon as practicable, advise their assigned Juvenile Justice Officer/Counsellor or placement supervisor of that fact.

An assigned Juvenile Justice Officer /Counsellor or placement supervisor may, if satisfied that the young person is incapable of doing something that they have been directed to do, excuse the young person from having to comply with the direction even though the direction may have been given by some other assigned Juvenile Justice Officer /Counsellor or supervisor.

Before excusing the young person from having to comply with a direction, or as a condition of excusing the young person, the assigned Juvenile Justice Officer /Counsellor or supervisor may require the young person to provide a medical certificate stating that they are incapable of doing the thing concerned.

2.1.10 **Comply with standards**

The young person is required to comply with such standards of dress, cleanliness and conduct as directed by their assigned Juvenile Justice Officer/Counsellor in consultation with the placement supervisor.

2.1.11 **Keep equipment etc in good order.**

The young persons is required to keep any clothing and equipment that may be issued to them in connection with the performance of community service work, in good order and condition.

2.1.12 **Not damage or deface property**

The young person must not damage or deface any property that is on or forms part of a work site otherwise than in accordance with the directions of the assigned Juvenile Justice Officer/Counsellor or placement supervisor.

3.0 **What are an agencies obligations toward young people on Community Service Orders?**

3.1 **Provide Placement Supervisors**

Agencies must provide placement supervisors to supervise the Young person and be the contact point between an organisation and the assigned Juvenile Justice Officer/Counsellor. Agencies should advise the assigned Juvenile Justice Officer/Counsellor.

Agencies should advise the assigned Juvenile Justice Officer /Counsellor of any issues that need to be resolved in respect of and placements.

The placement supervisor is responsible for:

- allocating particular tasks to the young person
- working with, guiding and advising the young person while at work having particular regard to occupational health and safety requirements
- maintaining a record of the young persons attendance at work
- liaising with the assigned Juvenile Justice Officer /Counsellor regarding any emergent problems related to the young persons work or attitude.
- Participate in a review of the Community Service Order placement.

3.2 **Direct Performance of work not usually performed for fee**

Agencies should only direct young persons to perform work not usually performed for fee or reward on a regular basis. This does not include work in government departments or offices.

3.3 **Take into consideration an offender's capacity to perform certain work**

In giving any direction to the young person the assigned Juvenile Justice Officer/Counsellor and the placement supervisor should provide work that is within the young persons capabilities. Agencies should:

- (a) take into consideration any health issues identified on the Declaration/Medical Consent . Additionally agencies should appraise the person's capacities and interests, having regard to their physical, psychological, behavioural, intellectual and cultural characteristics; and
- (b) avoid any conflict with the young person's religious beliefs (if any) and the times (if any) at which the young person usually works or attends a school or other educational institution.

3.4 **Maintain Attendance Records**

Agencies are responsible for maintaining records of attendance times and dates of young persons under their supervision.

Attendance records provide the department with a record of a young persons compliance with the work instruction and of hours that have been worked off the court order. They will be regularly inspected by departmental staff. They should be kept confidential and in a safe place by the agency but readily accessible to assigned Juvenile Justice Officers/Counsellor.

Accuracy needs to be maintained in recording and certifying starting and finishing times. The hours awarded the person subject to the order should truly reflect those times during which she or he attended on duty at your organisation. They should be filled in on the day the offender actually works. No additional incentives or hours are counted aside from hours actually spent on duty.

The following periods of time are to be taken to form part of the time spent by an offender in performing community service work:

- (a) time spent by the young person while actually engaged in performing community service work;
- (b) time spent by the young person travelling between the offender's work site (to be determined by the assigned Juvenile Justice Officer/Counsellor);
- (c) time spent by the young person in having a meal break or tea break
- (d) time spent by the young person at the worksite in accordance with a direction given by the assigned Juvenile Justice Officer /Counsellor or placement supervisor (other than as referred to in paragraphs (a) and (c) above;
- (e) time that elapses between the young persons early release from community service work on any day and the time when the young person would (but for early release) otherwise have been released.

It should be noted that the assigned Juvenile Justice Officer/Counsellor may determine the whole or any part of the time spent by the young person at a work site is to be deducted from any calculation of the time spent by them performing community service work if, while at the site, the young person:

- (a) was under the influence of drugs or alcohol; or
- (b) conducted himself or herself in an offensive manner

Attendance records not only provide a record of hours that have been worked but may need to be used as evidence in court. Ultimately they will be filed on this department's records. Accuracy is therefore stressed. Any alteration needing to be made on the attendance record should be

initialled by the agency placement supervisor and the person performing community service work to avoid any possible disputes,

A copy of a pro-forma attendance record to be completed is attached to.

3.5 **Comply with occupational health and safety requirements**

Agencies must comply with relevant occupational health and safety standards.

4.0 **Occupational Health and Safety**

It is the responsibility of the agency to have OHS systems in accordance with the OHS Act, 2000 and OHS Regulations, 2001.

The OHS systems will include ensuring that:

- The tasks performed are within the capabilities of the person to undertake them;
- The risk of any potential hazards are assessed and minimised and this is communicated prior to commencement of work;
- Any information, instruction and training required is provided prior to any work being undertaken;
- Tools and equipment provided are to be in a safe working condition;
- Safety equipment such as protective boots, glasses, hearing protections etc are provided if appropriate; and
- Adequate supervision for the assigned task is available throughout the time the duties are being undertaken.

If your organisation is unsure of the safety of the proposed work arrangements then your concerns should be discussed with the assigned Juvenile Justice Officer/Counsellor. In particular, if the appropriate safety equipment is not available please notify the assigned Juvenile Justice Officer/Counsellor prior to work proceeding.

Departmental staff are required to visit the workplace on a regular basis. If the work undertaken is not adequately supervised or safe procedures are not being followed the community service workers will be withdrawn from the workplace.

4.1 **Accidents**

In the event of an accident involving, in any way, a person subject to a Community Service Order the placement supervisor should:

- Administer appropriate medical attention
- Notify the assigned Juvenile Justice Officer/Counsellor or the relevant Juvenile Justice Office/Counsellor as soon as practicable after first aid has been administered.
- Ensure that the accident/injury is fully investigated and the details of the accident, persons involved and witnesses are recorded, preferably with photographs
- Where necessary the Work Cover Authority is to be informed about serious or dangerous incidents

In the event that a claim is made against your agency as a result of the actions of persons performing community service work, you are required to notify the assigned Juvenile Justice Officer/Counsellor, or the relevant Juvenile Justice Office as soon as practicable

5.0 What are the Department of Juvenile Justice's obligations towards young persons on Community Service Orders and to placement agencies?

5.1 Assessment

The assigned Juvenile Justice Officer/Counsellor is responsible for assessing the young persons for Community Service Orders at the request of the court. Legislation prohibits the making of a Children's Community Service Order without this assessment.

5.2 Meet juvenile subject of Community Service Order

Once a Children's Community Service Order is made, the assigned Juvenile Justice Officer/Counsellor arranges to meet the young person and invite the parent, guardian or significant other to attend where possible.

5.3 Explain Effect of Community Service Order

The assigned Juvenile Justice Officer/Counsellor is required to explain the conditions of the order and the consequences of non-compliance to the young person.

5.4 Procure placement with Agency and assist Agency in supervision

Once the assigned Juvenile Justice Officer/Counsellor has procured a placement agency prepared to accept a young person to conduct their Community Service Order, the assigned Juvenile Justice Officer/Counsellor will maintain regular contact with the agency and the offender to ensure the order is completed satisfactorily.

The assigned Juvenile Justice Officer/Counsellor will assist the agency to arrange hours of work that does not conflict with the juvenile's employment, education or religious beliefs. The assigned Juvenile Justice Officer/Counsellor should help set up an agreement between the agency and the young person as to the conditions of placement, taking into consideration the person's physical, psychological, behavioural, intellectual and cultural characteristics.

The assigned Juvenile Justice Officer/Counsellor should accompany the young person to the first meeting at the selected placement. The agency should be given a copy of the completed Declaration/Medical Consent Form for each placement.

The Officer is responsible for amending placement arrangements where employment or education circumstances change for the young person or the placement is exhausted and will maintain records of progress of the order. Department of Juvenile Justice Regional Managers should review the progress of the young person on Community Service Orders monthly.

Regular reviews as to viability of the organisation's continued participation in the Community Service Order scheme will be undertaken by assigned Juvenile Justice Officers/Counsellor.

PLEASE DO NOT HESITATE TO DISCUSS ANY MATTERS WHICH MAY REMAIN UNCLEAR TO YOU WITH AN ASSIGNED JUVENILE JUSTICE OFFICER /COUNSELLOR OR THEIR MANAGER.

The contacts for your agency are:

Juvenile Justice Office:

Phone: 0268 810 730

Assigned Juvenile Justice Officer/Counsellor:

Manager:

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 13

Subject: Strategic Regional Project

Author: Emma Darcy –Manager Corporate Services

File No: 195/04/00/00

Summary:

This report recommends that Council rescind the resolution to make application to the Minister for Local Government for borrowings of up to \$1,800,000.00 in the 2007/2008 Financial Year in order to assist in completing sealing of RR329 and RR333.

Comments (including issues and background):

The following was resolved by Council on 19 June 2007:

144/07 –Strategic Regional Programme

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council make application to the Minister for Local Government for borrowings not exceeding \$1,800,000.00 for the purpose of Strategic Regional Projects on RR329 and RR333.
--

Carried

This resolution was the result of an announcement by The Hon Jim Lloyd MP, Minister for Local Government, Territories and Roads that Walgett Shire Council secured funding for RR329 and RR333 under the Strategic Regional Program. Each project involves a total budget of \$4 million and the funding was provided at \$2.8 million each.

In order to ensure that Council had the funds available to complete the projects it was expected that approximately \$1.8 million would be required to finance the projects.

The Budgeted Cashflow has recently been updated to indicate that the additional funds will not be required for the 2007/2008 financial year. The need to borrow additional funds will be investigated during the compilation of the Management Plan 2008/2009 – 2012/2013.

SHIRE OF WALGETT – AGENDA

CASHFLOW ANALYSIS

Reconciling Item	2008	2009	2010	2011	2012
Net Profit as per Budget	4,083,749.85	(2,080,467.97)	(1,618,451.21)	(2,316,384.78)	(2,584,754.82)
Add: Depreciation	2,614,778.16	8,017,313.99	7,661,022.32	7,424,369.82	7,517,562.32
Add: Interest on Loans	19,690.33	12,208.40	9,083.12	82,378.32	80,179.38
Add: Interest on Loans	103,606.90	101,314.26	98,528.27	170,243.99	166,590.08
Add: Interest on Leases	2,161.03	0.00	0.00	0.00	0.00
Less: Capital Projects	12,109,977.91	14,320,997.50	9,465,799.50	6,060,839.50	6,044,263.50
Less: Loan repayments	167,882.22	96,162.12	31,043.04	189,614.43	188,793.68
Less: Loan repayments	139,853.76	139,853.76	139,853.76	223,834.50	223,834.50
Less: Lease Payments	78,839.32	0.00	0.00	0.00	0.00
New Loan - Council Housing	1,500,000.00	0.00	0.00	0.00	0.00
Infrastructure Loan	0.00	0.00	0.00	0.00	1,500,000.00
Net Cash Flow	(4,172,566.94)	(8,506,644.70)	(3,486,513.80)	(1,113,681.07)	222,685.29
Cash at beginning of the period	17,349,000.00	13,176,433.06	4,669,788.36	1,183,274.56	69,593.48
Cash at the end of the reporting Period	13,176,433.06	4,669,788.36	1,183,274.56	69,593.48	292,278.77
Being Funded from Water Fund:	794,846.50	436,957.50	1,215,752.50	(93,387.50)	573,692.50
Being Funded from Sewer Fund:	140,302.00	23,780.00	128,412.00	130,790.00	732,424.00
Restricted Cash					
Council Housing	451,263.00	0.00	0.00	0.00	0.00
Dwellings Programmed Maintenance	80,000.00	0.00	0.00	0.00	0.00
HACC Centre	427,161.00	0.00	0.00	0.00	0.00
Aerodrome	25,000.00	196,500.00	0.00	0.00	0.00
Shire Roads - Unsealed	141,447.00	0.00	0.00	0.00	0.00
Walgett Shire Stormwater Management	15,000.00	50,000.00	169,179.00	0.00	0.00
Public Halls	0.00	0.00	0.00	0.00	0.00
Staff Training	15,460.00	0.00	0.00	0.00	0.00
New Staff Housing - Gilbert/Arthur Sts	(750,000.00)	750,000.00	0.00	0.00	0.00
Walgett Levee	330,000.00	1,500,000.00	1,500,000.00	1,500,000.00	1,500,000.00
CWA Building	50,000.00	0.00	0.00	0.00	0.00
Strategic Regional Program	910,000.00	3,710,000.00	980,000.00	0.00	0.00
Regional Roads Block Grant	447,465.00	0.00	0.00	0.00	0.00
Plant Replacement	280,000.00	300,000.00	0.00	0.00	0.00
Local Environment Plan	58,538.00				
C/F Road Funding	90,061.00	0.00	0.00	0.00	0.00
C/F Youth Funding	33,811.00	0.00	0.00	0.00	0.00
Balance from Unrestricted Cash	632,212.44	1,539,407.20	(506,829.70)	(423,721.43)	(3,028,801.79)
Net Cash Flow	4,172,566.94	8,506,644.70	3,486,513.80	1,113,681.07	(222,685.29)
Water Fund Expected Balance	1,963,851.63	1,552,825.98	599,833.04	927,544.13	393,492.18
Sewer Fund Expected Balance	1,024,189.22	1,000,218.53	900,289.55	826,242.31	424,759.00

SHIRE OF WALGETT – AGENDA

Relevant Reference Documents:

Management Plan 2007/2008 – 2011/2012

Stakeholders:

Walgett Shire Council

Financial Implications:

\$1,800,000 in borrowings and repayments of approximately \$270,000 per annum for ten years will not be required.

Recommendation:

That Council resolve to rescind Council Resolution 144/07 – Strategic Regional Programme.

144/07 –Strategic Regional Programme

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council make application to the Minister for Local Government for borrowings not exceeding \$1,800,000.00 for the purpose of Strategic Regional Projects on RR329 and RR333.

Carried

**MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING
20 NOVEMBER 2007**

Item No: 14

Subject: 2006/2007 Audited Financial Reports and Auditors Report

Author: Emma Darcy – Manager Corporate Services

File No: 180/01/01/00

Summary:

That Council formally receives the Audited Financial Reports together with the Auditor's Reports for the period 1 July 2006 to 30 June 2007.

Comments (including issues and background):

Council's Audit to 30 June 2007 has been completed, and in accordance with the Local Government Act 1993, Section 418 (1) (b) public notice was given of the date so fixed for the presentation of the audited financial reports, together with the auditor's report and that under Section 420 of the Local Government Act 1993 any person may make written submissions to Council with respect to these reports.

Copies of Council's Audited Financial Reports and Auditor's Report are tabled.

<i>Financial Report Summary</i>	2007 (\$'000)	2006 (\$'000)
<i>Income Statement</i>		
Total revenues from Ordinary Activities	25,294	19,847
Total Expenses from Ordinary Activities	18,724	18,177
Surplus/(Deficit) from Ordinary Activities	6,570	1,670
<i>Balance Sheet</i>		
Total Current Assets	20,187	15,246
Total Current Liabilities	3,106	3,526
Total Non Current Assets	72,063	61,247
Total Current Liabilities	340	509
Total Equity	88,804	72,458
<i>Other Financial Information</i>		
Unrestricted Current Ratio	3.59:1	3.99:1
Debt Service Ratio	0.02:1	0.04:1
Rate Coverage Ratio	23.53%	26.68%
Rates and Annual Charges Outstanding Percentage	10.57%	15.94%

SHIRE OF WALGETT – AGENDA

Relevant Reference Documents:

- Local Government Act (1993)
- Financial Reports and Auditors Report to 30 June 2007

Stakeholders:

- Department of Local Government
- Spencer Steer, Chartered Accountants
- Walgett Shire Council

Recommendation:

That Council formally receives the Audited Financial Reports together with the Auditor's Reports for the period 1 July 2006 to 30 June 2007.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 15

Subject: Aboriginal Community Development and Reconciliation Plan

Author: Vic Beale – Aboriginal Liaison Officer

File No: 100/33/01/00

Summary:

This report recommends that Council receive and note the draft Walgett Shire Council Aboriginal Community Development and Reconciliation Plan 2007 – 2010 and place on public exhibition for a period of twenty eight days.

Comments (including issues and background):

To ensure a high quality of service and responsiveness to the needs of the Aboriginal community within Walgett Shire, Walgett Shire Council is required to develop and implement an Aboriginal Employment Strategy.

However, Walgett Shire Council has developed an Aboriginal Community Development and Reconciliation Plan to further commit to providing support and assistance to the Aboriginal communities within Walgett Shire.

The Aboriginal Community Development and Reconciliation Plan addresses issues relating to cultural awareness and promotes Aboriginal reconciliation throughout the Shire.

This plan will be placed on public display for 28 days ending 11 January 2008 and written submissions and any recommendations will be considered so that the final Plan can be presented at the February Meeting of Council for adoption.

Stakeholders

- Walgett Shire Council
- Walgett Shire Community

Relevant Reference Documents:

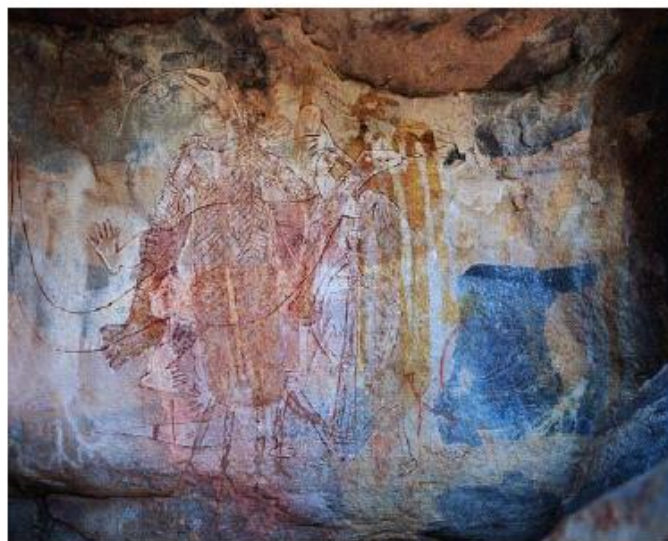
Aboriginal Reconciliation Plan

Recommendations:

- 1. That Council receive and note the draft copy of the Aboriginal Community Development and Reconciliation Plan.**
- 2. That the Walgett Shire Council Aboriginal Community Development and Reconciliation Plan be placed on public display for a period no less than 28 days ending 4.30pm on 11 January 2008.**
- 3. That the plan and any submission be considered at the 2008 February Council Meeting.**



Walgett Shire Council



Aboriginal Community Development and Reconciliation Plan

2007 – 2010

Introduction

Walgett Shire Council respectfully acknowledges the Aboriginal people of the Shire.

Council is committed to providing a high quality of service and responsiveness to the needs of the Aboriginal community within Walgett Shire to address issues relating to cultural awareness and promote reconciliation throughout the Walgett Shire Council.

The Walgett Shire Council will do this by,

- Forming partnerships with agencies such as Community Facilitators, Interagency groups and Aboriginal Elders in order to provide support to the Aboriginal community.
- Consulting with the Aboriginal communities, Community working Parties and Aboriginal organisations within the shire to identify areas in which council can assist in the development of partnerships and programs to support the reconciliation process.
- Employment of an Aboriginal Community Liaison Office to liaise with the Aboriginal communities of the shire and consult with members of the communities regarding council matters.
- Formalising a Memorandum of Understanding with the local Aboriginal Land Council and/or local Aboriginal community.

School to Work Traineeships

Walgett Shire Council has implemented a School to Work Traineeship Program in partnership with the Walgett Community College's High School. There are currently four (4) students training in various roles within the council, these areas include; Youth Development, Customer Service, Library Assistant, and Mechanics at the Walgett Shire Council Depot.

The aim of this initiative is to provide young people with responsibility and an exciting venture outside the school environment yet within the school curriculum and give students access to formal training which assists in future job applications and provide a larger pool of skilled people within the Shire.

This program was developed to raise the level of commitment and employment opportunities for both Aboriginal and non indigenous communities throughout Walgett Shire Council. The current participants are Aboriginal students.

This initiative will be implemented in Lightning Ridge and Collarenebri communities in 2008.

Recommendation 1:

That Council implement a School to Work Program in Walgett, Lightning Ridge and Collarenebri in accordance with the *School to Work Program* adopted 19 June 2007.

Aboriginal Liaison Officer

Walgett Shire Council have a number of Aboriginal community members employed in the field across the shire and have recently employed an Aboriginal Community Liaison Officer to assist in raising the level of involvement of the Aboriginal communities across the shire on all council matters.

Recommendation 2:

That Council continue to support the employment of an Aboriginal Liaison Officer (ALO) to assist in raising the level of involvement of Aboriginal communities across the Shire on all council matters.

Recommendation 3:

That the ALO actively participate and attend scheduled meetings of Walgett, Lightning Ridge and Collarenebri Interagency Meetings, Working Party Meetings and all organized local meetings addressing Aboriginal issues.

Traditional Custodians

Council recognizes Aboriginal people as the Traditional Custodians of the Land and ensures that there is respect for Aboriginal culture. It is essential that protocols used are in consultation with the local Aboriginal community to ensure local protocols are adhered to.

Welcome to Country

The Traditional Custodians of the Land, usually a senior representative of the local Aboriginal community, should undertake the "Welcome to Country" Ceremony. However, this is dependent upon the location of the event and the practice of the community. Steps should be taken to ensure that the appropriate Aboriginal representative is invited to undertake the Ceremony. It is very important that the Aboriginal representative has been involved in and is comfortable with the arrangements.

Acknowledgement of Country

An "Acknowledgement of Country" is a way that all people can show respect for Aboriginal culture and heritage and the ongoing relationship the Traditional Custodians have with the Land.

At the beginning of a meeting or function, a Chair or Speaker begins by Acknowledging that the meeting is taking place in the Country of the Traditional Custodians. Where the name of the Traditional Custodians is known, it is specifically used. Where it is not known, a general Acknowledgement is given.

Recommendation 4:

That Council recognize Aboriginal people as the Traditional Custodians of the Land and that there is consultation with the local Aboriginal people to ensure that local protocols are adhered to.

Flying the Aboriginal Flag

Walgett Shire Council is committed to flying of the Aboriginal Flag on a daily basis. A significant mark of respect for the Aboriginal communities throughout the shire, the flag is also flown at half mast whenever the council is notified of the death of an Aboriginal community member.

Recommendation 5:

That Council raise the Aboriginal flag alongside other flags at the entrance to Council Chambers located at 77 Fox Street, Walgett.

Naidoc Week Celebrations

Naidoc Week is celebrated throughout the Walgett Shire Council each year during the weeks of 8th July – 15th July, to coincide with the National Naidoc Week Celebrations.

Naidoc Week is a celebration of Aboriginal Culture and Heritage throughout the Shire and Walgett Shire Council are committed and fully support the Naidoc Week celebrations, which has been evident through their active involvement and participation in the past.

Walgett Shire Council will continue to support and be actively involved in the Naidoc Week celebrations through out the shire.

The 2007 Naidoc Week Celebrations are a coordinated approach, involving the local schools and many Aboriginal organisations.

Recommendation 6:

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.

Seniors Week

Council recognizes that certain services are required for older persons (including Aboriginal older people) within the Shire. These services, whilst not directly provided by Council, are provided by other agencies and Council supports initiatives to meet the demand for facilities and services in aged care including housing, personal care, transport and recreational needs.

Recommendation 7:

That Council in partnership with other agencies organise a morning tea for the seniors of the community to bring community Aboriginal Elders and senior members of the communities together.

Anti Graffiti Program

Walgett Shire Council is committed to controlling the damage or defacing of property by means of chalk, paint, felt tip markers or other material. The Department of Juvenile Justice have suggested that Council could through Community Service Orders coordinate an Anti Graffiti Program. This program could give young offenders the best possible opportunity to choose a positive alternative to offending whilst assisting Council with removing graffiti on a regular basis.

Recommendation 8:

That Council implement a Graffiti Removal Program in partnership with Juvenile Justice that will assist with the removal of graffiti within the communities of the Shire.

Youth Development programs

The Youth Development Program within Council offers opportunity to all young people within Walgett Shire striving to achieve positive outcomes for the benefit of all youth. The youth of the Walgett Shire Council now have access to youth related activities on a regular basis, and through these activities provide a foundation for the promotion of health, and being proactive within the Aboriginal community.

Recommendation 9:

Provide quality programs to engage and maintain attendance of both Aboriginal and non Aboriginal Youth at Council's Youth Centre's.

Recommendation 10:

Provide financial and ancillary support to Mobile PCYC located at Walgett to ensure that the service is secured for the Shire and surrounding areas.

Recommendation 11:

Conduct an annual Cricket NSW Indigenous Cricket Camp to assist in the development of junior indigenous and non indigenous cricket.

Walgett Shire Council Open Day

In order for Walgett Shire Council to promote their services an open day inviting the general public to visit the shire council office and to speak with staff would allow the public and indigenous community to view what is involved in the every day operations of a Shire Council.

Recommendation 12:

That Council endorse a Walgett Shire Council Open Day inviting the public to visit the Administrative Office to be held September 2008.

Street Signage

Council produced signs that have been placed in the main street of Walgett depicting various animals and the Aboriginal Name for each animal. Council will endeavor 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.

Recommendation 13:

That Council consider the upgrade and implementation of Shire wide signage depicting Aboriginal heritage and culture in the Management Plan 2008/2009 – 2013/2014.

Harmony Day

Harmony day is celebrated on an annual basis. This is a time when all of the communities of the shire are invited to participate, and come together in harmony to raise awareness of intercultural activities.

Recommendation 14:

That Council supports the involvement of Aboriginal Liaison Officer and Youth Development Officer in Harmony Day Activities and costs are reflected in the Annual Management Plan.

National Sorry Day

National Sorry Day provides the opportunity for all Australians to be involved in activities to acknowledge the impact of the policies of forcible removal of Australia's indigenous populations and, then, to celebrate the beginning of a new understanding. It offers every community the chance to shape a ceremony which, by the frankness of its acknowledgement of past wrongs towards the 'stolen generations', and by the sincerity of its commitment to overcome racism, unites the community. Such a ceremony cannot be prescribed. It must come from the hearts of local people, Indigenous and non-Indigenous.

Representatives of government, police forces, churches and other agencies could be given the chance to speak about their agency's role in the removal policies, and express regret in whatever terms they choose. The Indigenous community would have the chance to respond.

A ceremony could be accompanied by displays, cultural presentations, theatrical and other events developed together by the local Indigenous and non-Indigenous communities, which bring the history to life, expressing the pain but also the resilience of those who were removed

Recommendation 15:

That Council hosts a range of activities to commemorate National Sorry Day.

National Reconciliation Week

National Reconciliation Week offers people across Australia the opportunity to focus on reconciliation, to hear about the culture and history of Australia's Indigenous people, and to explore new and better ways of meeting challenges in our communities.

National Reconciliation Week is a time for us to renew our commitment to reconciliation and to think about how we can help turn around the continuing disadvantage experienced by Aboriginal and Torres Strait Islander Australians.

Recommendation 16:

That Council participate in National Reconciliation Week by hosting a range of activities focused on youth and the wider community.

Cultural Awareness Training

Council is committed to providing all council staff with cultural awareness training throughout the year, as part of the induction process staff members are required to attend cultural awareness training.

Council staff are currently in the process of liaising with the Aboriginal Education Consultative Group to redevelop a cultural awareness package for all government staff including police, teachers and nursing staff.

Recommendation 17:

That Council provides Cultural Awareness training to all Council staff on an annual basis as part of its induction processes.

Australia Day Celebrations

Walgett Shire Council is committed to supporting Australia Day, and participates in the activities of the day within as many communities as possible.

This is a day when communities within the council have the opportunity to celebrate their identity as being Australians and provide the opportunity for community members to come together.

Recommendation 18:

That Council promote Australia Day within the Aboriginal community and promote nomination opportunity for Aboriginal people.

Memorandum of Understanding

It is important for Council to develop a Memorandum of Understanding (MoU) with the local Aboriginal community to enable Council to effectively deliver services to the Aboriginal community and comply with the Department of Local Government Best Practice Guidelines.

Recommendation 19:

That Council formalise a Memorandum of Understanding with the local Aboriginal Community.

Aboriginal Art Strategy

Council recognizes the cultural significance of Aboriginal art and local artists within the Shire. It is important to promote this art work both within and outside Walgett Shire.

Recommendation 20:

That Council seek to identify local Aboriginal artists to display and sell their art work at Visitor Information centre's located at Walgett, Lightning Ridge and Collarenebri to assist in the overall promotion of the local area.

Recommendation 21:

That Council investigate and implement an Indigenous and Non-Indigenous Art Prize that includes displaying Art Work at Gosford City Cultural Centre.

Significant Aboriginal Sites

Aboriginal culture has a special place in the Shire with significant historical and cultural sites dotted across the entire region. Some of these sites include Norman Tracker Walford Walkway, Collarenebri Sacred Aboriginal Cemetery, Indigenous Carved Trees at Collarenebri, Goondie Aboriginal Keeping Place, Lightning Ridge Bush Tucker Garden and Two rivers Meeting Site. The growing interest, awareness and desire to experience, Aboriginal culture, art and lifestyle particularly by international visitors provides significant exciting opportunities for Aboriginal people to further develop viable and sustainable tourism ventures and to be more actively involved in the mainstream tourism industry.

Recommendation 22:

That Council recognises significant Aboriginal sites through its Walgett Shire Tourism Destination Strategy and promotes these sites in all promotional material.

Aboriginal Employment Strategy

Council is committed to maintaining and/or improving the representation of Aboriginal staff members within Council's workforce. Currently, Council maintains a high level of Indigenous employees but with minimal numbers recorded for the indoor staff. In order to quantify and assess Council's Human Resource Employment Action in relation to Aboriginal employment, Council must develop and implement an Aboriginal Employment Strategy. It is anticipated that this strategy will be presented to Council at February 2008 Council meeting.

Recommendation 23:

That Council endorse the development and implementation of an Aboriginal Employment Strategy to be presented to Council in February 2008.

Walgett Shire Council Plans

All Walgett Shire Council planning documents must consider whether Aboriginal cultural development is incorporated into all plans where relevant. These plans may include Management Plan and State of Environment Plan.

Recommendation 24:

That Council consider Aboriginal cultural development into all Council Plans where relevant.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 16

Subject: Reviewed Code of Meeting Practice – Adoption

Author: Emma Darcy – Manager Corporate Services

File No: 145/02/04/00

Summary:

The Code of Meeting Practice for Council was adopted at the October 2007 Council meeting. This document was forwarded to the Department of Local Government for review and there were further recommended changes to the document that were also recommendations from the Walgett Shire Council Public Inquiry.

Comments (including issues and background):

The draft Code of Meeting Practice was forwarded to the Department of Local Government as part of a compilation of evidence to substantiate that Council has now finalised all recommendations from the Public Inquiry in 2004.

Three changes were suggested with the following changes (in bold and italics) recommended:

16. Minutes

16. (1) The Council must ensure that full and accurate minutes are kept of proceedings of a meeting of the Council. S375 (1)
- (2) ***The name of Councillors present and Councillors absent must be recorded in the minutes. This includes the absence of a Councillor for any part of the meeting.***
- (3) The General Manager must ensure that the following matters are recorded in the Council's minutes:
 - (a) details of each motion moved at a Council meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment is passed or lost. R254 (a-c)
- (4) The minutes must, when they have been confirmed at a subsequent meeting of the Council, be signed by the person presiding at the subsequent meeting. S375 (2)
- (5) Every entry in the minutes of the business transacted at a meeting of the Council and purporting to be signed by the person presiding at a subsequent meeting of the Council is, until the contrary is proved, evidence:

- (a) that the business as recorded in the minutes was transacted at the meeting, and
- (b) that the meeting was duly convened and held. S703

31. Voting at Council Meetings

31. (1) Each Councillor is entitled to one vote.

(2) However, the Chairperson presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote. S370 (1)-(2)

(3) A Councillor who is present at a meeting of a Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion. R251 (1)

NOTE: Failure to vote by any Councillor (including the Chairperson) is regarded as a vote against the motion or amendment. This subclause does not apply to a Councillor who does not vote because he or she has a pecuniary interest in the subject matter of the motion.

(4) *The voting outcome on all matters is to be recorded in the minutes. The minutes must record when a resolution has been carried unanimously. In all other cases names must be recorded in relation to how a Councillor has voted.*

NOTE: *Section 31 (4) provides Council with a more robust record of the decisions of the council. It is in no way intended to alter the requirements of the Regulation (R251) but only to support them in being a matter of regular meeting practice..*

(5) If a Councillor who has voted against a motion put at a Council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.

(6) The decision of the Chairperson as to the result of a vote is final, unless:

(a) In the cases where the vote is declared on voices, a Councillor requests a show of hands

(b) the decision is immediately challenged and not fewer than 2 Councillors rise and demand a division.

(7) When a division on a motion is demanded, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the Council's minutes. R251(2)-(4)

(8) Voting at a Council Meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices or by show of hands). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot. R251(5)

NOTE: Part 11 of this Regulation provides that a Council is to resolve whether an election by the Councillors for Mayor or Deputy Mayor is to be by preferential ballot, ordinary ballot or open voting (clause 394 and clause 3 of Schedule 7).

SHIRE OF WALGETT – AGENDA

Clause 3 of Schedule 7 also makes it clear that *ballot* has its normal meaning of secret ballot.

45. Functions of Committees

45. The Council must specify the functions, *terms of reference and membership of* each of its Committees when the Committee is established, but may from time to time amend those functions. R261

Relevant Reference Documents:

Local Government Act 1993
Local Government (General) Regulation 2005
Department of Local Government, Practice Note 16 (Meetings practice note)
Walgett Shire Council Code of Meeting Practice

Stakeholders:

Walgett Shire Council
NSW Department of Local Government

Financial Implications:

Nil

Recommendations:

That Council adopt the Code of Meeting Practice, inclusive of the amendments listed:

16. Minutes

- (2) *The name of Councillors present and Councillors absent must be recorded in the minutes. This includes the absence of a Councillor for any part of the meeting.*

31. Voting at Council Meetings

- (4) *The voting outcome on all matters is to be recorded in the minutes. The minutes must record when a resolution has been carried unanimously. In all other cases names must be recorded in relation to how a Councillor has voted.*

NOTE: *Section 31 (4) provides Council with a more robust record of the decisions of the council. It is in no way intended to alter the requirements of the Regulation (R251) but only to support them in being a matter of regular meeting practice..*

45. Functions of Committees

45. The Council must specify the functions, *terms of reference and membership of* each of its Committees when the Committee is established, but may from time to time amend those functions



WALGETT SHIRE COUNCIL

CODE OF MEETING PRACTICE

This page is left intentionally blank

TABLE OF CONTENTS

TABLE OF CONTENTS	80
PART 1 - PRELIMINARY	82
1. Citation and Aim	82
2. Definitions	82
3. Act and Regulation	83
PART 2 - CONVENING OF AND ATTENDANCE AT COUNCIL MEETINGS	84
5. Frequency of Meetings of the Council	84
6. Extraordinary Meetings	84
7. Notice of Meetings	84
8. Quorum	85
9. What Happens When a Quorum is not Present	85
10. Minister to convene meetings in certain cases	85
11. Presence at Council Meetings	85
12. Attendance of General Manager at Meetings	86
PART 3 - PROCEDURE FOR THE CONDUCT OF COUNCIL MEETINGS	87
13. Chairperson of Council Meetings	87
14. Chairperson to have Precedence	87
15. Chairperson's Duty with Respect to Motions	88
16. Minutes	75
17. Order of Business	88
18. Agendas and Business Papers for Council Meetings	89
19. Giving Notice of Business	89
20. Agenda for Extraordinary Meeting	91
21. Mayoral Minutes	91
22. Report of a Departmental Representative to be tabled at Council Meeting	91
23. Notice of Motion - Absence of Mover	91
24. Motions to be Seconded	92
25. How Subsequent Amendments or Motions may be Moved	92
26. Motions of Dissent	92
27. Petitions and Correspondence may be presented to the Council	92
28. Mode of Address	93
29. Questions may be put to Councillors and Council Employees	93
30. Limitation as to Number of Speeches	93
31. Voting at Council Meetings	76
32. Representations by members of the public - closure of part of meeting	95
33. Resolutions passed at closed meetings to be made public	95
34. Decisions of the Council	95
35. Rescinding or Altering Resolutions	95
36. Public Forum Presentations	96
37. Limit for Meetings	96
38. Adjournment	96
PART 4 - KEEPING ORDER AT MEETINGS	97
39. Questions of Order	97
40. Acts of Disorder	97
41. How Disorder at a Meeting may be dealt with	98
42. Power to remove persons from meeting after expulsion	98
PART 5 - COUNCIL COMMITTEES	99
43. Committee of the Whole	99
44. Council May Establish Committees	99
45. Functions of Committees	77
46. Notice of Committee Meetings to be Given	99
47. Committee Members other than Councillors	100
48. Non-Members entitled to attend Committee Meetings	100
49. Representations by members of the public - closure of part of meeting	100
50. Procedure in Committees	100
51. Committees to keep Minutes	101
52. Chairperson and Deputy Chairperson of Committees	101
53. Absence from Committee Meetings	102
54. Reports of Committees	102
55. Disorder in Committee Meetings	102
56. Committee may expel certain persons from its Meetings	103

SHIRE OF WALGETT – AGENDA

PART 6 - PECUNIARY INTEREST	104
57. Pecuniary Interest	104
59. What interests do not have to be disclosed?	104
60. Disclosure and Participation in Meetings	106
61. Disclosures to be Recorded	107
63. Disclosure by Adviser	107
PART 7 - OPEN MEETINGS	108
64. Public Notice of Meetings	108
65. Who is entitled to attend Meetings?	108
66. Which parts of a meeting can be closed to the public?	109
67. Further Limitations Relating to Closure of Parts of Meetings to Public	110
68. Notice of likelihood of closure not required in urgent cases	111
69. Grounds for closing part of meeting to be specified	111
70. Public Access to Correspondence and Reports	111
71. Address by Public - Council and Committee Meetings	112
PART 8 - MISCELLANEOUS	113
72. Disclosure and misuse of information – prescribed circumstances	113
73. Inspection of the Minutes of the Council or a Committee	113
74. Access to Records	113
75. Tape recording of Meeting of the Council or a Committee prohibited without permission	113
76. Council Seal	114
77. Certain Circumstances do not Invalidate Council Decisions	114
78. Amendment of Code	115
ADOPTED STANDING ORDERS – ATTACHMENT ‘A’	116

SHIRE OF WALGETT – AGENDA

PART 1 - PRELIMINARY

1. Citation and Aim

1. This Code may be cited as the Walgett Shire Council Code of Meeting Practice.

The aim of this Code is to achieve:

- a. Council and Committee meetings which are orderly, efficient and earn the respect of the Community.
- b. Council and Committee meetings, which display open government and allow access and participation by the community.
- c. Standards which promote and contribute to the democratic process.

2. Definitions

2. (1) In this Code:

Amendment, in relation to an original motion, means a motion moving an amendment to that motion. R231

Chairperson:

- (a) in relation to a meeting of the Council - means the person presiding at the meeting as provided by section 369 of the Act (see clause 12 of this Code), and
- (b) in relation to a meeting of a Committee of a Council - means the person presiding at the meeting as provided by section 267 (see clause 52 of this Code); R231

Committee, in relation to a Council, means a Committee established under Clause 260 of the Regulation or the Council when it has resolved itself into a Committee of the Whole. (see clause 43 of this Code) R231

Councillor, includes a member of the governing body of a County Council. R231

Record, means a document (including any written or printed material) or object (including a sound recording, coded storage device, magnetic tape or disc, microfilm, photograph, film, map, plan or model or a painting or other pictorial or graphic work) that is or has been made or received in the course of official duties by a Councillor or an employee of the Council and, in particular, includes the Minutes of Meetings of the Council or of a Committee of the Council;

Relative, in relation to a person, means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse;
- (b) the spouse or the de facto partner of the person or of a person referred to in paragraph (a). LGA Act Dictionary

SHIRE OF WALGETT – AGENDA

the Act means the Local Government Act 1993;

the Code means the Walgett Shire Council Code of Meeting Practice; and

the Regulation means the Local Government (General) Regulation 2005.

- (2) Expressions used in this Code, which are defined in the dictionary at the end of the Act, have the meanings set out in the dictionary.

3. Act and Regulation

3. (1) This Code is made pursuant to Section 360(2) of the Act, which states:

A Council may adopt a Code of Meeting Practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.

- (2) It incorporates relevant provisions of the Regulation and the Act.

- (3) In the event of any inconsistency between the Code and the Act or the Regulation, the Act or the Regulation (as the case may be) prevails to the extent of the inconsistency.

4. (1) Notes in the text of this Code are explanatory notes and do not form part of this Code. They are provided to assist understanding or to indicate supplementary or explanatory information.

- (2) Legislative references are shown in the following manner:

S369 - Section 369 Local Government Act 1993

R231- Clause 231 Local Government (General) Regulation 2005

- (3) The omission of any such reference generally indicates that the item is a non-statutory or discretionary provision.

PART 2 - CONVENING OF AND ATTENDANCE AT COUNCIL MEETINGS

5. Frequency of Meetings of the Council

5. (1) The Council is required to meet at least 10 times each year, each time in a different month. S365
- (2) The Council shall, by resolution, set the time, date and place of Ordinary Meetings of the Council.

6. Extraordinary Meetings

6. (1) The General Manager may call an Extraordinary Meeting of the Council for any specific purpose following consultation with the Mayor
- (2) If the Mayor receives a request in writing signed by at least 2 Councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable but in any event within 14 days after receipt of the request. S366

7. Notice of Meetings

a. Notice to Councillors

7. (1) The General Manager of a Council must send to each Councillor, at least 3 days before each meeting of the Council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.
- (2) Notice of less than 3 days may be given of an extraordinary meeting called in an emergency.
- (3) A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a Councillor in electronic form but only if all Councillors have facilities to access the notice, agenda and business papers in that form. S367 (1) - (3)

b. Notice to the Public

A Council must give notice to the public of the times and places of its meetings and meetings of those of its Committees of which all the members are Councillors

- (4) This clause prescribes the manner in which the requirements outlined in section 9 (1) of the Act are to be complied with, which states:
- (5) A notice of a meeting of a Council or of a Committee must be published in a newspaper circulating in the area before the meeting takes place.
- (6) The notice must specify the time and place of the meeting.
- (7) Notice of more than one meeting may be given in the same notice.
- (8) This clause does not apply to an extraordinary meeting of a Council or Committee.

R232

8. Quorum

8. The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office for the time being and are not suspended from office. S368

9. What Happens When a Quorum is not Present

9. (1) A Meeting of the Council must be adjourned if a Quorum is not present:
- a) within half an hour after the time designated for the holding of the meeting; or
 - b) at any time during the meeting.
- (2) In either case, the meeting must be adjourned to a time, date and place fixed:
- a) by the Chairperson, or
 - b) in his or her absence - by the majority of the Councillors present, or
 - c) failing that, by the General Manager.
- (3) The General Manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a Quorum) at or arising during a Meeting of the Council, together with the names of the Councillors present. R233

10. Minister to convene meetings in certain cases

10. (1) Whenever an area is constituted or reconstituted, the Minister is required:
- (a) to convene the first meeting of the Council of the area, and
 - (b) to nominate the business to be transacted at the meeting, and
 - (c) to give the Councillors notice of the meeting.
- (2) If there is no quorum at that meeting, the Minister may convene meetings in the same manner until a quorum is present.
- (3) The Council must transact the business nominated by the Minister for a meeting convened under this clause. R234

11. Presence at Council Meetings

11. A Councillor cannot participate in a meeting of the Council unless personally present at the meeting. R235

NOTE: To be present a Councillor must be within the room in which the meeting is being held.

12. Attendance of General Manager at Meetings

12. (1) The General Manager is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a Committee of the Council of which all the members are Councillors.
 - (2) The General Manager is entitled to attend a meeting of any other Committee of the Council and may, if a member of the Committee, exercise a vote.
 - (3) However, the General Manager may be excluded from a meeting of the Council or a Committee while the Council or Committee deals with a matter relating to the standard of performance of the General Manager or the terms of the employment of the General Manager.
- S376 (1)-(3)

PART 3 - PROCEDURE FOR THE CONDUCT OF COUNCIL MEETINGS

13. Chairperson of Council Meetings

13. (1) The Mayor or, at the request of or in the absence of the Mayor, the Deputy Mayor presides at Meetings of the Council.

(2) If the Mayor and the Deputy Mayor are absent, a Councillor elected to chair the meeting by the Councillors present presides at a Meeting of the Council.

S369 (1)-(2)

(3) If no chairperson is present at a meeting of a Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting. R236

NOTE: Section 369 (2) of the Act provides for a Councillor to be elected to chair a meeting of a Council when the Mayor and Deputy Mayor are absent.

(4) The election must be conducted:

(a) by the General Manager or, in his or her absence, an employee of the Council designated by the General Manager to conduct the election, or

(b) if neither of them is present at the meeting or there is no General Manager or designated employee - by the person who called the meeting or a person acting on his or her behalf.

(5) If, at an election of a chairperson, 2 or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

(6) For the purposes of subclause (5), the person conducting the election must:

(a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and

(b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

(7) The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson. R236

14. Chairperson to have Precedence

14. When the Chairperson rises (or speaks) during a meeting of the Council:

(a) any Councillor then speaking or seeking to speak must, if standing, immediately resume his or her seat; and

(b) every Councillor present must be silent to enable the Chairperson to be heard without interruption. R237

SHIRE OF WALGETT – AGENDA

NOTE: It has been traditional for the Chairperson of this Council not to stand when speaking. Whilst the Clause of the Regulation states "rises", the practical effect of this is that when the Chairperson speaks, then precedence is taken over all other Councillors. The Chairperson will "stand" only when it is necessary to assert his or her authority or to take control.

15. Chairperson's Duty with Respect to Motions

15. (1) It is the duty of the Chairperson at a Meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.
- (2) The Chairperson must rule out of order any motion that is unlawful or the implementation of, which would be unlawful.
- (3) Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been rejected. R238 (1)-(3)

16. Minutes

16. (1) The Council must ensure that full and accurate minutes are kept of proceedings of a meeting of the Council. S375 (1)
- (2) The name of Councillors present and Councillors absent must be recorded in the minutes. This includes the absence of a Councillor for any part of the meeting.
- (3) The General Manager must ensure that the following matters are recorded in the Council's minutes:
 - (a) details of each motion moved at a Council meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment is passed or lost. R254 (a-c)
- (4) The minutes must, when they have been confirmed at a subsequent meeting of the Council, be signed by the person presiding at the subsequent meeting. S375 (2)
- (5) Every entry in the minutes of the business transacted at a meeting of the Council and purporting to be signed by the person presiding at a subsequent meeting of the Council is, until the contrary is proved, evidence:
 - (a) that the business as recorded in the minutes was transacted at the meeting, and
 - (b) that the meeting was duly convened and held. S703

17. Order of Business

17. (1) At a meeting of a Council (other than an extraordinary meeting), the General order of business is (except as provided by this Regulation) as fixed by the Council's code

SHIRE OF WALGETT – AGENDA

of meeting practice or (if the Council does not have a code of meeting practice or its code of meeting practice does not fix the General order of business) as fixed by resolution of the Council.

NOTE: The adopted standing orders could be varied by resolution passed at any previous meeting. **See attachment A Page 42**

- (2) The order of business fixed under subclause (1) may be altered if a motion to that effect is carried. Such a motion can be moved without notice.
- (3) Despite Clause 250, of the regulations only the mover of a motion referred to in subclause (2) may speak to the motion before it is put. R239

18. Agendas and Business Papers for Council Meetings

18. (1) The General Manager must ensure that the agenda for a Meeting of the Council states:
 - (a) all matters to be dealt with arising out of the proceedings of former Meetings of the Council; and
 - (b) if the Mayor (or the Deputy Mayor if acting for the Mayor) is the Chairperson - any matter or topic that the chairperson proposes, at the time when the Agenda is prepared, to put to the meeting and
 - (c) subject to subclause (2) any business of which due notice has been given.
- (2) The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business would be) unlawful. The General Manager must report (without giving details of the item of business) any such exclusion to the next meeting of the Council.
- (3) The General Manager must cause the Agenda for a Meeting of the Council or a Committee of the Council to be prepared as soon as practicable before the meeting.
- (4) The General Manager must ensure that the details of any item of business to which section 9 (2A) of the Act applies are included in a business paper for the meeting concerned.
- (5) Nothing in this clause limits the powers of the Chairperson under Clause 243.

19. Giving Notice of Business

19. (1) The Council must not transact business at a Meeting of the Council:
 - (a) unless a Councillor has given notice of the business in writing by 5.00pm on the fourth working day immediately preceding the meeting; and

NOTE: A working day is a day that is not a Saturday, Sunday or Public Holiday.

SHIRE OF WALGETT – AGENDA

- (b) unless notice of business has been sent to the Councillors at least 3 days before the meeting of the Council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting. In the event of an Extraordinary Meeting called in an emergency, notice of less than 3 days may be given R241(1)
 - (c) The times specified in (a) may be varied with notice by the General Manager when a Public Holiday falls within the meeting cycle.
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
 - (a) is already before, or directly relates to a matter that is already before, the Council; or
 - (b) is the election of a Chairperson to preside at the meeting as provided by Clause 236 (1) of the Regulation ;or
 - (c) is a matter or topic put to the meeting by the Chairperson in accordance with Clause 243 of the Regulation; or
 - (d) is a motion for the adoption of recommendations of a Committee of the Council. R241 (2)
- (3) Despite subclause (1), business may be transacted at a Meeting of the Council even though due notice of the business has not been given to Councillors. However this can only happen if:
 - (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.

Such a motion can be moved without notice. R241

(3)
- (4) Despite clause 250, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put. R241 (4)

SHIRE OF WALGETT – AGENDA

20. Agenda for Extraordinary Meeting

20. (1) The General Manager must ensure that the agenda for an Extraordinary Meeting of the Council deals only with the matters stated in the notice of the meeting.
- (2) Despite subclause (1), business may be transacted at an Extraordinary Meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.
- Such a motion can be moved without notice but only after the business notified in the Agenda for the meeting has been disposed of.
- (3) Despite Clause 250, of the regulation only the mover of a motion referred to in subclause (2) can speak to the motion before it is put. R242 (1) - (3)

21. Mayoral Minutes

21. (1) If the Mayor is the Chairperson at a Meeting of the Council, the Chairperson is, by minute signed by the Chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the Council or of which the Council has official knowledge.
- (2) Such a minute, when put to the meeting, takes precedence over all business on the Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move the adoption of the minute without the motion being seconded.
- (3) A recommendation made in a minute of the Chairperson (being the Mayor) or in a report made by a Council employee is, so far as adopted by the Council, a resolution of the Council. R243 (1)-(3)

22. Report of a Departmental Representative to be tabled at Council Meeting

22. When a report of a Departmental Representative has been presented to a meeting of the Council in accordance with section 433 of the Act, the Council must ensure that the report:
- (a) is laid on the table at that meeting; and
 - (b) is subsequently available for the information of Councillors and members of the public at all reasonable times. R244

23. Notice of Motion - Absence of Mover

23. In the absence of a Councillor who has placed a notice of motion on the Agenda for a Meeting of the Council:

SHIRE OF WALGETT – AGENDA

- (a) any other Councillor may move the motion at the meeting; or
- (b) the Chairperson may defer the motion until the next meeting of the Council at which the motion can be considered. R245

24. Motions to be Seconded

- 24. (1) A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to Clauses 243(2) and 250(5). R246

25. How Subsequent Amendments or Motions may be Moved

- 25. (1) If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before the Council at any one time. R247

26. Motions of Dissent

- 26. (1) A Councillor can, without notice, move to dissent from the ruling of the chairperson on a point of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- (2) If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- (3) Despite Clause 250, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply R248 (1-3)

27. Petitions and Correspondence may be presented to the Council

- 27. (1) A Councillor may present a petition and/or correspondence to the Council.
- (2) The Chairperson will only permit discussion on the petition or correspondence if the subject matter is already on the agenda for that meeting or is a matter, which can be dealt with under Clause 19(3).
- (3) Any correspondence or other documentations proposed to be tabled by a member of the public must be presented to the Chairperson who is to be responsible for deciding whether the matter is to be distributed at the meeting or resubmitted to a future meeting.

SHIRE OF WALGETT – AGENDA

28. Mode of Address

28. Councillors shall at all times address other Councillors by their official designation, as Mayor or Councillor.

29. Questions may be put to Councillors and Council Employees

29. (1) A Councillor:

- (a) may, through the Chairperson, put a question to another Councillor; and
 - (b) may, through (the Chairperson and) the General Manager, put a question to a Council employee.
- (2) However, a Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.
- (3) The Councillor must put every such question directly, succinctly, and without argument.
- (4) The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or Council employee under this clause. R249 (1)-(4)

30. Limitation as to Number of Speeches

30. (1) A Councillor who, during a debate at a meeting of a Council, moves an original motion has the right of general reply to all observations that are made by another Councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment.
- (2) A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- (3) A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than 5 minutes at any one time. However, the chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than 5 minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- (4) Despite subclauses (1) and (2), a Councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - (b) if at least 2 Councillors have spoken in favour of the motion or amendment and at least 2 Councillors have spoken against it.

SHIRE OF WALGETT – AGENDA

- (5) The chairperson must immediately put to the vote, without debate, a motion moved under subclause (4). A seconder is not required for such a motion.
- (6) If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under subclause (1).
- (7) If a motion that the original motion or an amendment be now put is rejected, the chairperson must allow the debate on the original motion or the amendment to be resumed. R250 (1)-(7)

31. Voting at Council Meetings

- 31. (1) Each Councillor is entitled to one vote.
- (2) However, the Chairperson presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote. S370 (1)-(2)
- (3) A Councillor who is present at a meeting of a Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion. R251 (1)

NOTE: Failure to vote by any Councillor (including the Chairperson) is regarded as a vote against the motion or amendment. This subclause does not apply to a Councillor who does not vote because he or she has a pecuniary interest in the subject matter of the motion.

- (4) The voting outcome on all matters is to be recorded in the minutes. The minutes must record when a resolution has been carried unanimously. In all other cases names must be recorded in relation to how a Councillor has voted.

NOTE: Section 31 (4) provides Council with a more robust record of the decisions of the council. It is in no way intended to alter the requirements of the Regulation (R251) but only to support them in being a matter of regular meeting practice..

- (5) If a Councillor who has voted against a motion put at a Council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.
- (6) The decision of the Chairperson as to the result of a vote is final, unless:
 - (a) In the cases where the vote is declared on voices, a Councillor requests a show of hands
 - (b) the decision is immediately challenged and not fewer than 2 Councillors rise and demand a division.
- (7) When a division on a motion is demanded, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the Council's minutes. R251(2)-(4)

- (8) Voting at a Council Meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices or by show of hands). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot. R251(5)

NOTE: Part 11 of this Regulation provides that a Council is to resolve whether an election by the Councillors for Mayor or Deputy Mayor is to be by preferential ballot, ordinary ballot or open voting (clause 394 and clause 3 of Schedule 7). Clause 3 of Schedule 7 also makes it clear that **ballot** has its normal meaning of secret ballot.

32. Representations by members of the public - closure of part of meeting

32. (1) A representation at a Council meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.
- (2) That period is as fixed by resolution of the Council. Different periods can be fixed to the different types of matters to be discussed or received and discussed at closed parts of the meeting. R252 (1)-(2)

33. Resolutions passed at closed meetings to be made public

33. If a Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended. R253

34. Decisions of the Council

34. A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council. S371

35. Rescinding or Altering Resolutions

35. (1) A resolution passed by a Council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 of the Act and, Clause 19(1)(a) of the Council's Code of Meeting Practice. S372
- (1)
- (2) If a notice of motion to rescind a resolution is given:
- (a) at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with; or

SHIRE OF WALGETT – AGENDA

- (b) at any time after the close of the meeting at which the resolution is carried, no further action to carry the resolution into effect is to be taken after receipt of the notice of motion until that motion of rescission has been dealt with.
- (3) If a motion has been negatived by a Council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with the Council's Code of Meeting Practice. S372 (3)
- (4) A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been negatived by the Council, must be signed by 3 Councillors if less than 3 months has elapsed since the resolution was passed, or the motion was negatived, as the case may be.
- (5) If a motion to alter or rescind a resolution has been negatived, or if a motion which has the same effect as a previously negatived motion, is negatived, no similar motion may be brought forward within 3 months. This subsection may not be evaded by substituting a motion differently worded, but in principle the same. S372 (5)
- (6) A motion to which this section applies may be moved on the report of a Committee of the Council and any such report must be recorded in the minutes of the meeting of the Council. S372 (6)
- (7) The provisions of this section concerning negatived motions do not apply to motions of adjournment. S372 (7)

36. Public Forum Presentations

- 36. (1) Members of the public may speak at Public Forum Presentations, prior to the Council meeting on any subject, not limited to agenda items.
- (2) Requests to speak should be in writing, addressed to the General Manager and considered by the Mayor.
- (3) Guidelines relating to an address by a member of the public together with expected behaviour are as expressed for a Councillor by this code.

37. Limit for Meetings

37. Council may by resolution set time limits for Council meetings and Committees

38. Adjournment

38. Council may by resolution adjourn a meeting for the conduct of an official function such as a naturalisation ceremony or civic reception.

PART 4 - KEEPING ORDER AT MEETINGS

39. Questions of Order

39. (1) The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.
- (2) A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- (3) The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.
- (4) The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed. R255 (1)-(4)

NOTE: This clause also applies to Committees. See Clause 55.

40. Acts of Disorder

40. (1) A Councillor commits an act of disorder if the Councillor, at a meeting of a Council or a Committee of a Council:
- (a) contravenes the Act or any Regulation in force under the Act, or
- (b) assaults or threatens to assault another Councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or Committee, or addresses or attempts to address the Council or Committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other Councillor, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or Committee into contempt. R256(1)(a)-(e)
- (2) The chairperson may require a Councillor:
- (a) to apologise without reservation for an act of disorder referred to in subclause (1) (a) or (b), or
- (b) to withdraw a motion or an amendment referred to in subclause (1) (c) and, where appropriate, to apologise without reservation, or

SHIRE OF WALGETT – AGENDA

- (c) to retract and apologise without reservation for an act of disorder referred to in subclause (1) (d) or (e).
- (3) A Councillor may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a Council for having failed to comply with a requirement under subclause (2). The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned. R256 (2)-(3)

41. How Disorder at a Meeting may be dealt with

- 41. (1) If disorder occurs at a meeting of a Council, the chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the chair. The Council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.
- (2) A member of the public may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a Council for engaging in or having engaged in disorderly conduct at the meeting. R257 (1)-(2)

NOTE: The basic rationale for the need for “order” to be preserved is to give all persons entitled a reasonable opportunity of participating in the discussion and voting on matters before the meeting. It is the role of the chairperson to take care that the proceedings are conducted in a proper manner. Councillors are required by the Code of Meeting Practice to comply with rulings from the chair unless a motion of dissent is passed by Council.

42. Power to remove persons from meeting after expulsion

- 42. If a Councillor or a member of the public fails to leave the place where a meeting of a Council is being held:
 - (a) immediately after the Council has passed a resolution expelling the Councillor or member from the meeting, or
 - (b) where the Council has authorised the person presiding at the meeting to exercise the power of expulsion—immediately after being directed by the person presiding to leave the meeting,

A police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member from that place and, if necessary, restrain the Councillor or member from re-entering that place. R258

PART 5 - COUNCIL COMMITTEES

43. Committee of the Whole

43. (1) The Council may resolve itself into a Committee to consider any matter before the Council. S373
- (2) All the provisions of this Code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in Committee of the Whole, except the provisions:
- (a) limiting the number and duration of speeches; and R259 (1)
- (b) requiring Councillors to stand when speaking.
- (3) The General Manager or, in the absence of the General Manager, an employee of the Council designated by the General Manager is responsible for reporting to the Council proceedings in Committee of the Whole. It is not necessary to report the proceedings in full but any recommendations of the Committee must be reported. R259 (2)
- (4) The Council must ensure that a report of the proceedings (including any recommendations of the Committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed. R259 (3)

44. Council May Establish Committees

44. (1) A Council may, by resolution, establish such Committees, as it considers necessary.
- (2) A Committee is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.
- (3) The quorum for a meeting of such a Committee is to be:
- (a) such number of members as the Council decides; or
- (b) if the Council has not decided a number - a majority of the members of the Committee. R260 (1)-(3)

45. Functions of Committees

45. The Council must specify the functions, terms of reference and membership of each of its Committees when the Committee is established, but may from time to time amend those functions. R261

46. Notice of Committee Meetings to be Given

46. (1) The General Manager of the Council must send to each Councillor, at least 3 days before each Meeting of the Committee, a notice specifying:

SHIRE OF WALGETT – AGENDA

- (a) the time and place at which and the date on which the meeting is to be held; and
 - (b) the business proposed to be transacted at the meeting.
- (2) However, notice of less than 3 days may be given of a Committee meeting called in an emergency. R262 (1)-(2)

47. Committee Members other than Councillors

47. Reference to Councillors in this part is deemed to include members of a Committee who are not Councillors.

NOTE: The code will apply to Committees of which all the members are Councillors as well as Committees which include members other than Councillors.

48. Non-Members entitled to attend Committee Meetings

48. (1) A Councillor who is not a member of a Committee of a Council is entitled to attend, and to speak at, a meeting of the Committee.
- (2) However, the Councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting. R263 (1)-(2)

49. Representations by members of the public - closure of part of meeting

49. (1) A representation at a Committee meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.
- (2) That period is as fixed by resolution of the Council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings. R252 (1)-(2)

50. Procedure in Committees

50. (1) Subject to subclause (3), each Committee of a Council may regulate its own procedure.

SHIRE OF WALGETT – AGENDA

- (2) Without limiting subclause (1), a Committee of a Council may decide that, whenever the voting on a motion put to a meeting of the Committee is equal, the chairperson of the Committee is to have a casting vote as well as an original vote.
- (3) Voting at a Committee Meeting is to be by open means (such as on the voices or by show of hands). R265 (1)-(3)

51. Committees to keep Minutes

- 51. (1) Each Committee of a Council must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a Committee must ensure that the following matters are recorded in the Committee's minutes:
 - (a) details of each motion moved at a meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment is passed or lost.
- (2) As soon as the minutes of an earlier meeting of a Committee of the Council have been confirmed at a later meeting of the Committee, the person presiding at the later meeting must sign the minutes of the earlier meeting. R266 (1)-(2)

52. Chairperson and Deputy Chairperson of Committees

- 52. (1) The Chairperson of each Committee of the Council, must be:
 - (a) the Mayor; or
 - (b) if the Mayor does not wish to be the Chairperson of a Committee - a member of the Committee elected by the Council; or
 - (c) if the Council does not elect such a member - a member of the Committee elected by the Committee.
- (2) The Council may elect a member of a Committee of the Council as deputy Chairperson of the Committee. If the Council does not elect a Deputy Chairperson of such a Committee, the Committee may elect a Deputy Chairperson.
- (3) If neither the chairperson nor the deputy chairperson of a Committee of a Council is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the Committee to be acting chairperson of the Committee.
- (4) The chairperson is to preside at a meeting of a Committee of a Council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting. R267 (1)-(4)

SHIRE OF WALGETT – AGENDA

53. Absence from Committee Meetings

53. (1) A member (other than the Mayor) ceases to be a member of a Committee if the member:
- (a) has been absent from 3 consecutive meetings of the Committee without having given reasons acceptable to the Committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the Committee held during the immediately preceding year without having given to the Committee acceptable reasons for the member's absences.
- (2) Subclause (1) does not apply in respect of a Committee that consists of all of the members of the Council. R268 (1)-(2)

NOTE: The expression “*year*” means the period beginning 1 July and ending the following 30 June. See the Dictionary to the Act.

54. Reports of Committees

54. (1) If in a report of a Committee of the Council distinct recommendations are made, the decision of the Council may be made separately on each recommendation. R269 (1)
- (2) The recommendations of a Committee of the Council are, so far as adopted by the Council, resolutions of the Council. R269 (2)
- (3) If a Committee of a Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the chairperson must:
- (a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and
 - (b) report the resolution or recommendation to the next meeting of the Council. R269 (3)

55. Disorder in Committee Meetings

55. The provisions of the Act and of this Regulation relating to the maintenance of order in Council meetings apply to meetings of Committees of the Council in the same way as they apply to meetings of the Council. R270

SHIRE OF WALGETT – AGENDA

56. Committee may expel certain persons from its Meetings

56. (1) If a meeting or part of a meeting of a Committee of a Council is closed to the public in accordance with section 10A of the Act, any person who is not a Councillor may be expelled from the meeting as provided by section 10 (2) (a) or (b) of the Act.
R271(1)

NOTE: See Clause 47 - for members other than Councillors.

- (2) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council, Committee or person presiding, may by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.
R271 (2)

PART 6 - PECUNIARY INTEREST

See also Code of Conduct in relation to Conflict of Interest and Pecuniary Interest.

57. Pecuniary Interest

57. (1) For the purposes of this Part, a "pecuniary interest" is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain.
- (2) A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of the Act. S442 (1)-(2)
58. (1) For the purposes of this Part, a person has a pecuniary interest in a matter if the pecuniary interest is the interest of:
- (a) the person; or
 - (b) the person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
 - (c) a company or other body which the person, or a nominee, partner or employer of the person, is a member.
- (2) (Repealed).
- (3) However, a person is not taken to have a pecuniary interest in a matter as referred to in subsection 1(b) or (c):
- (a) if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body; or
 - (b) just because the person is a member of, or employed by, a Council or a statutory body or is employed by the Crown; or
 - (c) just because the person is a member of, or a delegate of a Council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

59. What interests do not have to be disclosed?

59. The following interests do not have to be disclosed for the purposes of this Chapter:

- (a) an interest as an elector,
- (b) an interest as a ratepayer or person liable to pay a charge,

SHIRE OF WALGETT – AGENDA

- (c) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part,
- (d) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the Council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part,
- (e) an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not),
- (f) an interest of a member of a Council Committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the Committee member has been appointed to represent the organisation or group on the Committee,
- (g) an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - (i) land in which the person or a person, company or body referred to in section 443 (1) (b) or (c) has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise), or
 - (ii) Land adjoining, adjacent to or in proximity to land referred to in subparagraph (i),

If the person or the person, company or body referred to in section 443 (1) (b) or (c) would by reason of the proprietary interest have a pecuniary interest in the proposal,

- (h) an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,
- (i) an interest of a person arising from the proposed making by the Council of an agreement between the Council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the Committee) of the association or is a partner of the partnership,
- (j) an interest of a person arising from the making by the Council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the Council in respect of similar matters with other residents of the area:

SHIRE OF WALGETT – AGENDA

- (i) The performance by the Council at the expense of the relative of any work or service in connection with roads or sanitation,
- (ii) Security for damage to footpaths or roads,
- (iii) Any other service to be rendered, or act to be done, by the Council by or under any Act conferring functions on the Council or by or under any contract,
- (k) an interest relating to the payment of fees to Councillors (including the Mayor and Deputy Mayor),
- (l) an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Mayor and Deputy Mayor) in accordance with a policy under Section 252,
- (m) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor,
- (n) an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,
- (o) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or member of a Council Committee,
- (p) an interest arising from appointment of a Councillor to a body as representative or delegate of the Council, whether or not a fee or other recompense is payable to the representative or delegate.

S448

60. Disclosure and Participation in Meetings

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

S451 (1)-(2)

NOTE: A General notice of disclosure made pursuant to Section 454 of the Act fulfils the requirement of clause 60 (1) unless and until the notice is withdrawn. (See Clause 62)

SHIRE OF WALGETT – AGENDA

- (3) A person who, at the request or with the consent of the Council or a Council Committee, gives advice on any matter at any meeting of the Council or Committee must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. S456(1)

NOTE: The word “person” used in clause 60 means a Councillor or a member of a Council Committee – See S451 (1)

- (4) The person is not required to disclose the person’s interest as an adviser.
- (5) A person does not breach section 451 or 456 if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

61. Disclosures to be Recorded

61. A disclosure made at a Meeting of the Council or Council Committee must be recorded in the minutes of the meeting. S453

62. General Disclosures

62. A General notice given to the General Manager in writing by a Councillor or a member of a Council Committee to the effect that the Councillor or member, or the Councillor's or member's spouse, de facto partner or relative, is:

- (a) a member, or in the employment, of a specified company or other body; or
- (b) a partner, or in the employment, of a specified person,

is, unless, and until the notice is withdrawn, sufficient disclosure of the Councillor's or member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the Council or Council Committee after the date of the notice.

63. Disclosure by Adviser

63. (1) A person who, at the request or with the consent of the Council or a Council Committee, gives advice on any matter at any meeting of the Council or Committee must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given.
- (2) The person is not required to disclose the person’s interest as an adviser. S456 (1)-(2)

PART 7 - OPEN MEETINGS

64. Public Notice of Meetings

64. (1) The Council must give notice to the public of the times, dates and places of its meetings and meetings of those of its Committees of which all the members are Councillors.
- (2) The Council and each such Committee must have available for the public at its offices and at each meeting copies (for inspection and taking away by persons) of the Agenda and the associated business papers (such as correspondence and reports) for the meeting.
- (2A) In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public:
- (a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and
 - (b) the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.
- (3) The copies are to be available to the public as nearly as possible to the time they are available to Councillors.
- (4) The copies are to be available free of charge.
- (5) A notice given under this section or a copy of an agenda or a business paper made available under this section may in addition be given or made available in electronic form. S9 (1)-(5)

NOTE: Public notice of the meetings is to be given by display of notices in accordance with council policy.

65. Who is entitled to attend Meetings?

65. (1) Except as provided by this Part:
- (a) everyone is entitled to attend a meeting of the Council and those of its Committee of which all the members are Councillors, and
 - (b) a Council must ensure that all meetings of the Council and of such Committee are open to the public.
- (2) However, a person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or of such a Committee if expelled from the meeting:
- (a) by a resolution of the meeting, or

SHIRE OF WALGETT – AGENDA

- (b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.
- (3) A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by, the regulations. S10 (1)-(3)

66. Which parts of a meeting can be closed to the public?

- 66. (1) A Council, or a Committee of the Council of which all the members are Councillors, may close to the public so much of its meeting herein after referred to as a “Closed (Public Excluded) Meeting”, as comprises:
 - (a) the discussion of any matters listed in subclause (2), or
 - (b) the receipt or discussion of any of the information so listed, or new issues raised by Councillors which relate to matters and information listed in subclause (2).
- (2) The matters and information are the following:
 - (a) personnel matters concerning particular individuals (other than Councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of the law,
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
 - (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (3) A Council, or a Committee of the Council of which all the members are Councillors, may also close to the public so much of its meetings as comprises a motion to close another part of the meeting to the public.
- (4) A Council, or a Committee of a Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed. S10A(1)-(4)

67. Further Limitations Relating to Closure of Parts of Meetings to Public

67. (1) A meeting is not to remain closed during the discussion of anything referred to in section 10A(2):
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret unless the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
- (2) A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A(2)(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the Council or Committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.
- (3) If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3)), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2)).
- (4) For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - i. cause embarrassment to the Council or Committee concerned, or to Councillors or to employees of the Council, or
 - ii. cause a loss of confidence in the Council or Committee.

NOTE: Subsection (4) is in similar terms to section 59A (Public interest) of the Freedom of Information Act 1989.

- (5) In deciding whether a part of a meeting is to be closed to the public, the Council or Committee concerned must have regard to any relevant guidelines issued by the Director-General. S10B (1)-(5)

68. Notice of likelihood of closure not required in urgent cases

68. Part of a meeting of a Council, or of a Committee of the Council of which all the members are Councillors, may be closed to the public while the Council or Committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:

(a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A (2), and

(b) the Council or Committee, after considering any representations made under section 10A (4), resolves that further discussion of the matter:

(i) should not be deferred (because of the urgency of the matter), and

(ii) should take place in a part of the meeting that is closed to the public.

S10C

69. Grounds for closing part of meeting to be specified

69. (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.

(2) The grounds must specify the following:

(a) the relevant position of the section 10A(2),

(b) the matter that is to be discussed during the closed part of the meeting,

(c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

S10D (1)-(2)

S10D (1)-(2)

70. Public Access to Correspondence and Reports

70. (1) The Council and a Committee of which all the members are Councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

(2) This clause does not apply if the correspondence or reports:

(a) relate to a matter that was received or discussed; or

SHIRE OF WALGETT – AGENDA

- (b) were laid on the table at, or submitted to, the meeting, when the meeting was closed to the public.
- (3) This section does not apply if the Council or Committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in section 10A(2), are to be treated as confidential. S11
(1)-(3)

71. Address by Public - Council and Committee Meetings

71. Residents, ratepayers, applicants, consultants or other persons may apply to address Council or a Committee in relation to any matter which is listed for consideration on a Council or Committee Agenda, or any matter which may be included under clause 19(3). A person will be permitted to address the meeting of the Council or Committee, if the Council or Committee so resolves. Council or the Committee may limit the number of speakers, which are to be heard.

Members of the public will not be permitted to address Council on matters, which are submitted in the form of Notices of Motion to rescind or alter unless Council so resolves due to extenuating circumstances.

The Guidelines which apply are:

1. A time limit of five (5) minutes per speaker or such shorter period as resolved by Council.
2. Must relate to items listed within the business paper.
3. A limit of two speakers, speaking for the item and two speakers, speaking against the item being considered.
4. Debate will not be permitted.
5. A speaker cannot speak more than once on the subject, without the consent of Council.
6. A speaker cannot address Council if they have previously addressed a Committee of Council or a Council Meeting on the same subject, without the consent of Council.
7. Allegations against any resident, staff member or councillor are inappropriate and will not be allowed. Any allegation or complaint must be in writing, addressed to the General Manager and shall be dealt under Councils Code of Conduct.

The provisions of Clause 40(1)(a), (b), (d), (e) and 2(a) and (c) of this Code apply to Members of the Public addressing Council or a Committee.

PART 8 - MISCELLANEOUS

72. Disclosure and misuse of information – prescribed circumstances

72. (1) For the purposes of section 664 (1B) (c) of the Act, any disclosure made with the intention of enabling the Minister or the Director-General to properly exercise the functions conferred or imposed on them by or under the Act is a prescribed circumstance. R412

73. Inspection of the Minutes of the Council or a Committee

73. (1) An inspection of the minutes of a Council or Committee of a Council is to be carried out under the supervision of the General Manager or an employee of the Council designated by the General Manager to supervise inspections of those minutes.
- (2) The General Manager must ensure that the minutes of the Council and any minutes of a Committee of the Council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them. R272 (1)-(2)

NOTE: Section 12 of the Act confers a right (restricted in the case of closed parts of meetings) to inspect the minutes of a Council or Committee of a Council.

74. Access to Records

74. Councillors now have access to Council records under sections 12 and 12A of the Local Government Act and under the Freedom of Information Act 1989.

75. Tape recording of Meeting of the Council or a Committee prohibited without permission

75. (1) A person may use a tape recorder to record the proceedings of a meeting of a Council or a Committee of a Council only with the authority of the Council or Committee.
- (2) A person may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a Council or a Committee of a Council for using or having used a tape recorder in contravention of this clause.
- (3) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.

SHIRE OF WALGETT – AGENDA

- (4) In this clause, **tape recorder** includes a video camera and any electronic device capable of recording speech, whether a magnetic tape is used to record or not.

76. Council Seal

76. (1) The Seal of a Council must be kept by the Mayor or the General Manager, as the Council determines.
- (2) The Seal of a Council may be affixed to a document only in the presence of:
- (a) the Mayor and the General Manager; or
 - (b) at least one (1) Councillor (other than the Mayor) and the General Manager; or
 - (c) the Mayor and at least one (1) other Councillor; or
 - (d) at least 2 Councillors other than the Mayor.
- (3) The affixing of a Council Seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause 2) attest by their signatures that the seal was affixed in their presence.
- (4) The Seal of a Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the seal be so affixed.
- (5) For the purpose of subclause (4), a document in the nature of a reference or certificate of service for an employee of the Council does not relate to the business of the Council.
- R400 (1)-(5)

77. Certain Circumstances do not Invalidate Council Decisions

77. Proceedings at a meeting of the Council or a Council Committee are not invalidated because of:
- (a) a vacancy in a civic office; or
 - (b) a failure to give notice of the Meeting to any Councillor or a Committee Member;
or
 - (c) any defect in the election or appointment of a Councillor or a Committee Member;
or
 - (d) a failure of a Councillor or a Committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or Committee meeting in accordance with Section 451, or
 - (e) a failure to comply with this Code.
- S374 (a)-(e)

SHIRE OF WALGETT – AGENDA

78. Amendment of Code

78. (1) This Code may be amended only in accordance with the provisions of Chapter 12 Part 2 Division 1 of the Act. S363
- (2) In the event of any legislative change, the code is to be revised to incorporate those changes without further public exhibition.

NOTE: The date of amendments or revision are shown on the foot of the cover and on the footer of each page.

ADOPTED STANDING ORDERS – ATTACHMENT ‘A’

Clause 16 (1)

AGENDA

- 1. Opening of Meeting**
- 2. Attendance/Apologies**
- 3. Public Forum Presentations**
- 4. Welcome to Visitors**
- 5. Disclosure of Interests**
- 6. Confirmation of Minutes**
- 7. Reserve Trust Management Report(s)**
- 8. Mayoral Minutes**
- 9. Notices of Motion**
- 10. Council Officer Reports**
- 11. Committee Minutes**
- 12. Representative Reports**
- 13. Closed Council Meeting Reports – Confidential Matters**
- 14. Close of Meeting**

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 17

Subject: Protected Disclosures Policy

Author: Bronwyn Newton – Coordinator Human Resources

File No: 004/12/03/00

Summary:

This report recommends that Council adopt the Draft Protected Disclosures Policy and review the policy in November 2009.

Comments (including issues and background):

Walgett Shire Council is committed to the aims and objectives of the Protected Disclosures Act. It recognises the value and importance of contributions of staff to enhance administrative and management practices and strongly supports disclosures being made by staff, the administrator or councillors which disclose corrupt conduct, maladministration, or serious and substantial waste of public money.

The Protected Disclosure Act 1994 – Internal Reporting Policy does not meet the guidelines of the Department of Local Government and needs to be replaced.

The draft Protected Disclosures Policy was noted by the Consultative Committee on 7 November 2007 and it is recommended that this policy now be adopted by Council.

Relevant Reference Documents:

Draft Walgett Shire Council Protected Disclosures Policy

Stakeholders:

- Walgett Shire Council
- Walgett Shire Community
- New South Wales Department of Local Government

Financial Implications:

Nil

Recommendations:

- 1. That Council repeal its “Protected Disclosures Act 1994 – Internal Reporting Policy”.**
- 2. That Council adopt the Walgett Shire Council Protected Disclosures Policy 2007.**
- 3. That the Walgett Shire Council Protected Disclosures Policy be reviewed in November 2009.**



WALGETT SHIRE COUNCIL PROTECTED DISCLOSURES POLICY

**WALGETT SHIRE COUNCIL
PROTECTED DISCLOSURES POLICY**

Policy Number:

Responsibility: Manager Corporate Services

Endorsed: Consultative Committee: 7 November 2007

Adoption Date:

Review Date: November 2008

Contents

1.0	Support for people who make disclosures	4
2.0	Purpose of the policy.....	4
3.0	Object of the Act.....	4
4.0	Definitions	5
4.1	Corrupt conduct.....	5
4.2	Maladministration	5
4.3	Serious and substantial waste.....	6
5.0	What disclosures are protected under the Act?	7
5.1	What disclosures are protected?.....	7
5.2	What disclosures are not protected?.....	7
6.0	Reporting under the internal reporting system	8
7.0	Roles and responsibilities	8
7.1	Staff.....	8
7.2	Nominated Disclosure Officers.....	9
7.3	Disclosure Co-ordinator.....	9
7.4	General Manager	10
7.5	The Mayor/Administrator	11
8.0	Alternative avenues for disclosures	11
9.0	Rights of a person who is the subject of a disclosure	12
10.0	Protection available under the Act	13
10.1	Protection against reprisals	13
10.2	Protection against actions	13
10.3	Confidentiality.....	14
10.4	Freedom of Information exemption	14
11.0	Notification of action taken or proposed.....	14
12.0	Review	15

1.0 Support for people who make disclosures

The **Walgett Shire Council** does not tolerate corrupt conduct, maladministration or serious and substantial waste of public money.

The **Walgett Shire Council** is committed to the aims and objectives of the *Protected Disclosures Act*. It recognises the value and importance of contributions of staff to enhance administrative and management practices and strongly supports disclosures being made by staff or councillors which disclose corrupt conduct, maladministration, or serious and substantial waste of public money.

The **Walgett Shire Council** will take all reasonable steps to provide protection to staff who make such disclosures from any detrimental action in reprisal for the making of the disclosure.

2.0 Purpose of the policy

To be protected by the Act, a disclosure must be made by a member of staff or councillor to:

- an investigating authority
- the General Manager
- to another nominated officer of the Walgett Shire Council in accordance with the Internal Reporting System established under this Policy for the purposes of the Protected Disclosures Act.

This Policy establishes an internal reporting system for the reporting of disclosures of corrupt conduct, maladministration or serious and substantial waste of public money by **Walgett Shire Council** or its staff, administrator and councillors. The system enables such internal disclosures to be made to the Disclosure Co-ordinator, a Nominated Disclosure Officer, or the Mayor/Administrator, as an alternative to the General Manager.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to continue to raise appropriate matters at any time with their supervisors, but as an alternative have the option of making a protected disclosures in accordance with this policy.

3.0 Object of the Act

The *Protected Disclosures Act* commenced operation on 1 March 1995. The purpose of the Act is to ensure that public officials who wish to make disclosures under the legislation receive protection from reprisals, and that the matters raised in the disclosures are properly investigated.

The Act aims to encourage and facilitate the disclosure - in the public interest - of corrupt conduct, maladministration and serious and substantial waste in the public sector.

This is achieved by:

- enhancing and augmenting established procedures for making disclosures concerning such matters;
- protecting persons from reprisals that might otherwise be inflicted on them because of these disclosures; and
- providing for those disclosures to be properly investigated and dealt with

4.0 Definitions

Three key concepts in the internal reporting system are '*corrupt conduct*', '*maladministration*' and '*serious and substantial waste of public money*'. Definitions of these concepts are outlined below.

4.1 Corrupt conduct

'*Corrupt conduct*' is defined in the *Independent Commission Against Corruption Act* (s.8 and 9). The definition used in the Act is intentionally quite broad - corrupt conduct is defined to include the dishonest or partial exercise of official functions by a public official. Conduct of a person who is not a public official, when it adversely affects the impartial or honest exercise of official functions by a public official, also comes within the definition.

Corrupt conduct can take many forms, i.e. taking or offering bribes, public officials dishonestly using influence, blackmail, fraud, election bribery and illegal gambling are some examples.

4.2 Maladministration

'*Maladministration*' is defined in the *Protected Disclosures Act* as conduct that involves action or inaction of a **serious nature** that is:

The conduct covered by these terms includes:

- **contrary to law**, for example:
 - a decisions or actions contrary to law
 - a decisions or actions *ultra vires* (i.e. the decision-maker had no power to make the decision or to do the act)
 - a decisions or actions contrary to lawful and reasonable orders from persons or body's with authority to make or give such orders
 - a breach of natural justice/procedural fairness
 - improperly exercising of a delegated power (e.g. decisions or actions not authorised by delegation or acting under the direction of another)
 - unauthorised disclosure of confidential information
 - decisions or actions induced or affected by fraud
- **unreasonable**, for example:
 - a decisions or actions inconsistent with adopted guidelines or policies or with a decision or action which involves similar facts or circumstances not justified by any evidence, or so unreasonable that no reasonable person could so decide or act (i.e. irrational)
 - an arbitrary, partial, unfair or inequitable decisions or actions
 - a policy that is applied inflexibly without regard to the merits of individual cases
 - a decision or actions that does not take into account all relevant considerations or that takes into account irrelevant considerations.
 - serious delay in making decisions or taking action
 - failure to give notice of rights
 - giving wrong, inaccurate or misleading advice leading to detriment
 - failure to apply the law

SHIRE OF WALGETT – AGENDA

- failure to rectify identified mistakes, errors, oversights or improprieties
- a decisions or actions based on incorrect or misinterpreted information
- failure to properly investigate
 - **unjust**, for example:
 - a decisions or actions not justified by any evidence, so unreasonable that no reasonable person could so decide or act
 - a partial, unfair, inequitable or unconscionable decisions or actions
 - **Oppressive**, for example:
 - a unconscionable decisions or actions
 - where the means used not reasonably proportional to ends to be achieved
 - an abuse of power, intimidation or harassment
 - **improperly discriminatory**, for example
 - the inconsistent application of laws, policies or practices when there is no reasonable, justifiable or appropriate reason to do so.
 - applying a distinction not authorised by law, or failure to make a distinction which is authorised or required by law
 - **based wholly or partly on improper motives**, for example:
 - decisions or actions for a purpose other than that for which the power was conferred (i.e. in order to achieve a particular outcome)
 - conflicts of interest
 - bad faith or dishonesty
 - seeking or accepting gifts or benefits in connection with performance of official duties
 - misuse of public property, official services or facilities.

4.3 Serious and substantial waste

The term '*serious and substantial waste*' is not defined in the *Protected Disclosures Act*. The Auditor-General provides the following working definition:

Serious and substantial waste refers to the uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which results in a loss/wastage of public funds/resources.

in addressing any complaint of serious and substantial waste regard will be had, to the nature and materiality of the waste.

The following delineation of the definition of serious and substantial waste may be of assistance to public officials and/or public authorities.

Types:

Absolute Serious and substantial waste might be regarded in absolute terms where the waste is regarded as significant, for example \$200,000.

Systemic The waste indicates a pattern which results from a system weakness within public authorities.

SHIRE OF WALGETT – AGENDA

Material The serious and substantial waste is/was material in terms of the public authority's expenditure or a particular item of expenditure or is/was material to such an extent so as to effect a public authority's capacity to perform its primary functions.

Material By Nature Not Amount

The serious and substantial waste may not be material in financial terms but may be significant by nature. That is it may be improper or inappropriate. [alternatively, this type of waste may constitute 'mal-administration' as defined in the Protected Disclosures Act]

Waste can take many forms, for example:

- misappropriation or misuse of public property;
- the purchase of unnecessary or inadequate goods and services;
- too many personnel being employed in a particular area, incurring costs which might otherwise have been avoided;
- personnel being remunerated for skills that they do not have, but are required to have under the terms or conditions of their employment;
- programs not achieving their objectives and therefore the costs being clearly ineffective and inefficient.

Waste can result from such things as:

- the absence of appropriate safeguards to prevent the theft or misuse of public property;
- purchasing procedures and practices which fail to ensure that goods and services are necessary and adequate and appropriate justification; and
- purchasing practices where the lowest price is not obtained for comparable goods or services.

5.0 What disclosures are protected under the Act?

5.1 What disclosures are protected?

Disclosures are protected under the Act if they:

(a) are made:

- in accordance with this Internal Reporting Policy; or
- to the General Manager; or
- to one of the investigating authorities nominated in the Act; and

(b) show or tend to show corrupt conduct, maladministration, or serious and substantial waste of public money by the **Walgett Shire Council** or any of its staff, and

(c) are made voluntarily,

5.2 What disclosures are not protected?

A disclosure is not protected under the Act if it is made by a public official in the exercise of a duty imposed by or under an Act.

Protection is also not available for disclosures which

- are made frivolously or vexatiously;
- primarily question the merits of government policy; or
- are made solely or substantially with the motive of avoiding dismissal or other disciplinary action.

It is an offence to wilfully make a false or misleading statement when making a disclosure

6.0 Reporting under the internal reporting system

The persons or positions to whom internal disclosures can be made in accordance with this policy are:

- ❖ the Disclosure Co-ordinator, Coordinator Human Resources, Walgett Shire Council, Ph 02 6828 6105
- ❖ a Nominated Disclosure officer, Finance Officer, Walgett Shire Council, Ph 02 6828 6107
- ❖ the General Manager, Walgett Shire Council, Ph 02 6828 6116
- ❖ the Mayor/Administrator (if the disclosure concerns or involves the General Manager or a councillor).

Where persons contemplating making a disclosure are concerned about publicly approaching the Disclosure Co-ordinator or a Nominated Disclosure Officer or Mayor/Administrator (or the General Manager), they can ring the relevant official and request a meeting in a discreet location away from the workplace.

Notes:

(1) A council officer who wishes to make a protected disclosure which involves a councillor may do so to the Mayor/Administrator, the General Manager, or an investigating authority (i.e. the Independent Commission Against Corruption (ICAC), NSW Ombudsman).

(2) A councillor who wishes to make a protected disclosure which involves another councillor may do so to the Mayor/Administrator, the General Manager, or an investigating authority (i.e. the Independent Commission Against Corruption (ICAC), NSW Ombudsman).

(3) If the Mayor/Administrator wishes to make a protected disclosure he or she may do so to the General Manager or an investigating authority (i.e. the Independent Commission against Corruption (ICAC) or NSW Ombudsman).

(4) The Department of Local Government is not an investigating authority under the Act, however, the Independent Commission against corruption (ICAC), the NSW Ombudsman or a council may refer a protected disclosure to the Department for investigation, and in such a circumstance any protection conferred under the Act is maintained.

7.0 Roles and responsibilities

This Internal Reporting Policy places responsibilities upon people at all levels within the **Walgett Shire Council**.

7.1 Staff

Staff are encouraged to report known or suspected incidences of corrupt conduct, maladministration or serious and substantial waste in accordance with this Policy.

All staff of **Walgett Shire Council** have an important role to play in supporting those who have made legitimate disclosures. They must abstain from any activity that is or could be perceived to be victimisation or harassment of persons who make disclosures. Further, they should protect/maintain the confidentiality of persons they know or suspect to have made disclosures.

7.2 Nominated Disclosure Officers

Nominated Disclosure Officers are responsible for receiving, forwarding and or acting upon disclosures in accordance with the Policy. Nominated Disclosure Officers will:

- (a) clearly explain to persons making disclosures what will happen in relation to the information received;
- (b) When requested, make arrangements to ensure that disclosures can be made privately and discreetly (if necessary away from the workplace);
- (c) reduce to writing and date any disclosures received orally (and have the person making the disclosure sign the document);
- (d) deal with disclosures impartially;
- (e) forward disclosures to the Disclosure Co-ordinator or General Manager for assessment;
- (f) take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential; and
- (g) support persons who make disclosures and protect them from victimisation, harassment or any other form of reprisal.

7.3 Disclosure Co-ordinator

The Disclosure Co-ordinator has a pivotal position in the internal reporting system and acts as a clearing house for disclosures. The Disclosure Co-ordinator will:

- (a) provide an alternative internal reporting channel to Nominated Disclosure Officers and to the General Manager;
- (b) impartially assess each disclosure to determine:
 - (ii) whether the disclosure appears to be a protected disclosure within the meaning of the Act; and
 - (ii) the appropriate action to be taken in relation to the disclosure, for example:
 - no action/decline;
 - the appropriate person to take responsibility for dealing with the disclosure;
 - preliminary or informal investigation;
 - formal investigation;
 - prosecution or disciplinary action;
 - referral to an investigating authority for investigation or other appropriate action; or
 - referral to the police (if a criminal matter) or the Independent Commission against corruption (ICAC) (if the matter concerns corrupt conduct).
- (c) consult with the General Manager;
- (d) be responsible for carrying out or co-ordinating any internal investigation arising out of a disclosure, subject to the direction of the General Manager in carrying out his/her functions;

- (e) report to the General Manager on the findings of any investigation and recommended remedial action;
- (f) take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and persons the subject of the disclosures, are kept confidential;
- (g) support persons who make disclosures and actively protect them from victimisation, harassment or any other form of reprisal; and
- (h) report actual or suspected corrupt conduct to the General Manager in a timely manner to enable that officer to comply with the *Independent Commission against corruption (ICAC) Act*.

7.4 General Manager

Disclosures may be made direct to the General Manager, rather than by way of the internal Reporting System established under this Policy. The General Manager will:

- (a) impartially assess each disclosure to determine:
 - (i) whether the disclosure appears to be a protected disclosure within the meaning of the Act;
 - (ii) the appropriate action to be taken in relation to the disclosure, for example:
 - no action/decline;
 - the appropriate person to take responsibility for dealing with the disclosure;
 - preliminary or informal investigation;
 - a formal investigation;
 - prosecution or disciplinary action;
 - referral to an investigating authority for investigation or other appropriate action; or
 - referral to the police (if a criminal matter) or the Independent Commission against corruption (ICAC) (if the matter concerns corrupt conduct);
- (b) receive reports from the Disclosure Co-ordinator on the findings of any investigation and any recommendations for remedial action, and determine what action should be taken;
- (c) take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential;
- (d) have primary responsibility for protecting staff who make disclosures, or provide information to any internal or external investigation of a disclosure, from victimisation, harassment or any other form of reprisal;
- (e) be responsible for implementing organisational reform identified as necessary following investigation of a disclosure; and
- (f) report criminal offences to the Police and actual or suspected corrupt conduct to independent commission against corruption (ICAC) (under s.1 1 of the Independent Commission Against Corruption Act).

7.5 The Mayor/Administrator

The Mayor/Administrator may receive internal disclosures from any member of staff of the council or any councillor concerning the General Manager or a councillor. The Mayor/Administrator will:

- (a) impartially assess each disclosure made to him/her about the General Manager or a councillor to determine:
 - (i) whether the disclosure appears to be a protected disclosure within the meaning of the Act;

Note: In making this assessment the Mayor/Administrator may seek guidance from: the Disclosure Co-ordinator or General Manager (if appropriate); an investigating authority (i.e. the Independent commission against corruption (ICAC), or NSW Ombudsman); or the Department of Local Government.

- (ii) the appropriate course of action to be taken in relation to the disclosure (in consultation with the General Manager, if appropriate), for example:
 - no action/decline;
 - the appropriate person to take responsibility for dealing with the disclosure;
 - preliminary or informal investigation;
 - formal investigation;
 - prosecution or disciplinary action;
 - referral to an investigating authority for investigation or other appropriate action; or
 - referral to the police (if a criminal matter) or the Independent commission against corruption (ICAC) (if the matter concerns corrupt conduct);
- (b) refer disclosures to the General Manager for appropriate action if they concern the council's administration, within the day to day responsibilities of the General Manager;
- (c) protect/maintain the confidentiality of:
 - (i) the identity of persons who make disclosures (unless any of the criteria in s.22 of the Act apply); and
 - (ii) the identity of persons the subject of the disclosures (unless disclosure is required to enable the allegations to be investigated or otherwise appropriately dealt with).

8.0 Alternative avenues for disclosures

Alternative avenues available to staff for making a protected disclosure under the Act (**other than** by means of the internal reporting system established under this Policy for the purpose of the Act), are as follows:

- to the General Manager; or
- to one of the investigating authorities under the Act (i.e. the Independent commission against corruption (ICAC) and NSW Ombudsman)

Notes.

- (1) While the Act includes the Auditor General as an external investigating authority, the Auditor General's jurisdiction related to State Government authorities and not to local councils.
- (2) The Department of Local Government is not an investigating authority under the Act, however, the Independent commission against corruption (ICAC), the ombudsman or a council may refer a protected disclosure to the Department for investigation, and in such a circumstance any protection conferred under the Act is maintained.

Disclosures made to a journalist or a Member of Parliament will **only** be protected if **certain conditions** are met:

- (1) the person making the disclosure to a journalist or Member of Parliament must have already made substantially the same disclosure through the internal reporting system or to the General Manager or an investigating authority in accordance with the Act;
- (2) the public official must have reasonable grounds for believing that the disclosure is substantially true and the disclosure must be substantially true; and
- (3) the investigating authority, public authority or officer to whom the matter was originally referred has:
 - (a) decided not to investigate the matter; or
 - (b) decided to investigate the matter but not completed the investigation within six months of the original disclosure; or
 - (c) investigated the matter but not recommended any action in respect of the matter; or
 - (d) failed to notify the person making the disclosure, within six months of the disclosure, of whether the matter is to be investigated.

9.0 Rights of a person who is the subject of a disclosure

The rights of any person who is the subject of a disclosure will also be protected. In this regard:

- (1) the confidentiality of the identity of persons the subject of disclosures will be protected/ maintained (where this is possible and reasonable);
- (2) disclosures will be assessed and acted on impartially, fairly and reasonably;
- (3) responsible officers who receive disclosures in accordance with this Policy are obliged to:
 - protect/maintain the confidentiality of the identity of persons the subject of the disclosures;
 - assess disclosures impartially; and
 - act fairly to persons the subject of disclosures;
- (4) disclosures will be investigated as discreetly as possible, with a strong emphasis on maintaining confidentiality both as to the identity of persons making protected disclosures and the persons the subject of disclosures.
- (5) where investigations or other enquiries do not substantiate disclosures, the fact the investigation/enquiry has been carried out, the results of the investigation/enquiry, and the identity of persons the subject of the disclosures will be kept confidential, unless the persons the subject of the disclosures request otherwise;
- (6) the persons the subject of disclosures (whether protected disclosures under the Act or otherwise) who are investigated by or on behalf of a Council, have the right to before any decision/determination/report/memorandum/letter or the like is made or finalised, to
 - (a) be informed as to the substance of the allegations;
 - (b) be informed as to the substance of any adverse comment that may be included in a report/memorandum/letter or the like arising out of any such investigation; and
 - (c) be given a reasonable opportunity to put their case (either orally or in writing) to the persons carrying out the investigation for or on behalf of the Council,

- (7) where the allegations in a disclosure have been investigated by or on behalf of an authority, and the person the subject of the allegations is aware of the substance of the allegations, the substance of any adverse comment, or the fact of the investigation, he or she should be formally advised as to the outcome of the investigation, regardless of the outcome; and
- (8) where the allegations contained in a disclosure are clearly wrong or unsubstantiated, the person the subject of the disclosure is entitled to the support of the authority and its senior management (the nature of the support that would be reasonable and appropriate would depend on the circumstances of the case, but could include a public statement of support or a letter setting out the authority's views that the allegations were either clearly wrong or unsubstantiated).

10.0 Protection available under the Act

10.1 Protection against reprisals

The Act provides protection by imposing penalties on a person who takes '*detrimental action*' against another person substantially in reprisal for a protected disclosure. Penalties can be imposed by means of fines and imprisonment. '*Detrimental action*' means action causing comprising or involving any of the following:

- injury, damage or loss;
- intimidation or harassment;
- discrimination, disadvantage or adverse treatment in relation to employment;
- dismissal from, or prejudice in, employment; or
- disciplinary proceeding.

Any member of staff or councillor who believes that '*detrimental action*' is being taken against them substantially in reprisal for the making of an internal disclosure to the General Manager or in accordance with this Policy should immediately bring the allegations to the attention of the General Manager or Mayor/Administrator (as appropriate).

If a member of staff or councillor who made an **internal disclosure** feels that such reprisals are not being effectively dealt with, they should contact the Independent Commission Against Corruption (ICAC) or the Investigations and Review Branch of the Department of Local Government.

If an external disclosure was made to an investigating authority, that body will either deal with the allegation or provide advice and guidance to the person concerned.

10.2 Protection against actions

The Act provides that a person is not subject to any liability for making a protected disclosure and no action, claim or demand may be taken or made of or against the person for making the disclosure. This provision has effect despite any duty of secrecy or confidentiality or any other restriction on disclosure by a public official.

A person who has made a protected disclosure has a defence of absolute privilege in proceedings for defamation.

A person who has made a protected disclosure is taken not to have committed any offence against an Act which imposes a duty to maintain confidentiality with respect to any information disclosed.

10.3 Confidentiality

The Act requires investigating authorities, public authorities and public officials to whom protected disclosures are made or referred, not to disclose information that might identify or tend to identify the person who made the disclosures. The exceptions to the confidentiality requirement are where:

- the person consents in writing to the disclosure of that information; or
- it is essential, having regard to the principles of natural justice that the identifying information be disclosed to a person whom the information provided by the disclosure may concern; or
- disclosure is otherwise in the public interest.

Decisions about natural justice, effective investigation and public interest will be made by the Mayor/Administrator, General Manager or Disclosure Coordinator/Officer. In all cases the person who made the disclosure will be consulted before such a decision is made.

Note: If guidance is needed in relation to the requirements of natural justice, effective investigation and public interest, this may be sought from an investigating authority or the Department of Local Government.

10.4 Freedom of Information exemption

Under the *Freedom of Information Act*, a document is exempt from release if it contains matter the disclosure of which would disclose matters relating to a protected disclosure within the meaning of the Act.

11.0 Notification of action taken or proposed

A person who makes a protected disclosure must be notified, within six months of the disclosure being made, of the action taken or proposed to be taken in respect of the disclosure.

If a disclosure is made in accordance with this Policy, the Disclosure Co-ordinator is responsible for the six month notification to the person who made the disclosure, unless this responsibility has been retained by or allocated to another officer by the General Manager.

If a disclosure is made to the Mayor/Administrator under this Policy, the Mayor/Administrator is responsible for such notification to the person who made the disclosure, unless he or she directs the General Manager, Disclosure Co-ordinator or another nominated officer to assume this responsibility

The notification provided to the person who made the disclosure should contain sufficient information to demonstrate that adequate and appropriate action was taken, or is proposed to be taken, in respect of the disclosure. **This should include a statement of the reasons for the decision made on or action taken in response to the disclosure.**

The notification should include sufficient information to enable the person who made the disclosure to make an assessment as to whether the circumstances listed in section 19(3)(a)- (c) of the Act (relating to disclosures to members of Parliament and journalists) apply, i.e. whether:

- (1) a decision was made not to investigate the matter; or
- (2) a decision was made to investigate the matter, but the investigation was not completed within six months of the original decision being made; or
- (3) a decision was made to investigate the matter, but the investigation has not been completed within six months of the original decision being made; or

- (4) the matter was investigated but no recommendation was made for the taking of any action in respect of the matter.

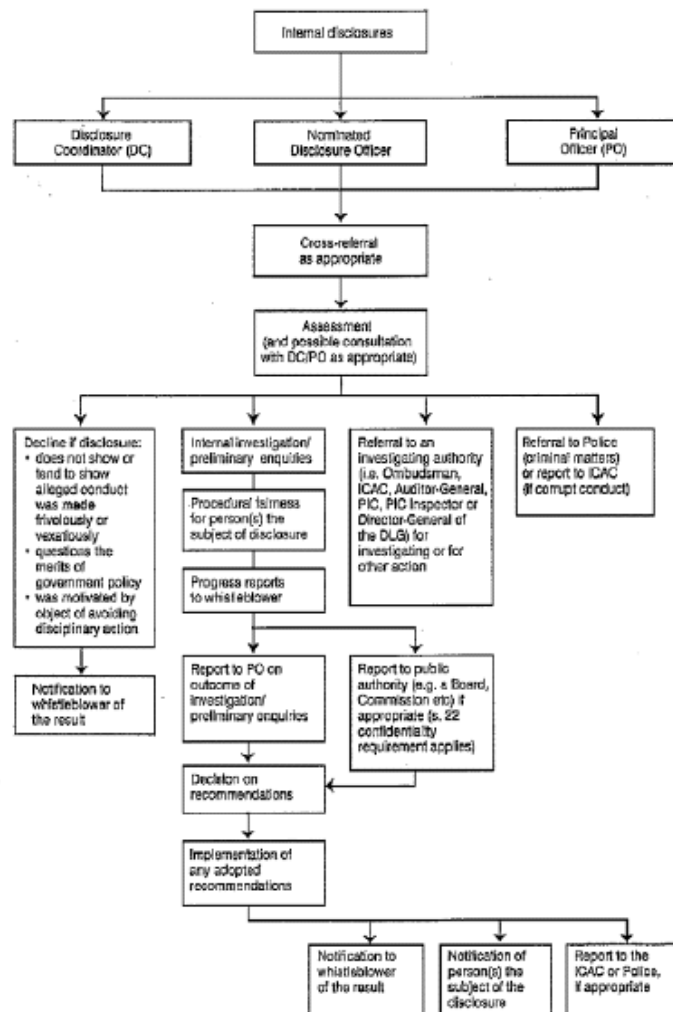
Without such information it would be difficult for the person to be able to properly assess whether it is appropriate or warranted to make a disclosure to an MP or journalist.

12.0 Review

This Policy shall be reviewed annually to ensure that it meets the object of the legislation, and facilitates the making of disclosures under the Act.

Annexure 1: Model Internal Reporting Policy for State Government Agencies

Figure 1: The Internal Reporting System



MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 18

Subject: Walgett Shire Council Staff Subsidy Policy and Procedures

Author: Myrene Lovegrove - Accountant

File No: 004/12/01/62

Summary:

This report recommends that Council remove Policy 1D.3 Conditions of Employment, sections 4.Electricity, 9.Telephone Incentive and 10. Telephones in Residences. It is recommended that Council adopt the attached draft Walgett Shire Council Staff Subsidy Policy and Procedures

Comments (including issues and background):

The following policies were adopted on 24 November 1997:

ELECTRICITY

“That Council reimburse the connection fee and 20% of costs of household electricity to employees who have filled positions which require advertisements in the Sydney Morning Herald or Australian Local Government Job Directory.”

The subsidy is to apply to designated positions within Council’s staffing structures from time to time, subject to the incumbent attaining the maximum salary level pertaining to the position as identified by Council’s salary system.”

NOTE: *The designated positions referred to in the above are as follows:*

Finance Manager, Assistant Finance Manager, EDP Manager, Community Development Officer, Environmental Health/Building Officer, Projects Officer (Engineering).

C.M. 24.11.1997

TELEPHONE INCENTIVE

“That Council make the following reimbursements to those employees identified below:

- (a) Those employees appointed to positions advertised in the Australian Local Government Job Directory and/or Sydney Morning Herald be reimbursed 25% of the cost of phone calls only.*

SHIRE OF WALGETT – AGENDA

- (b) *Those employees appointed to the positions of General Manager and Chief Executives of Council's functions be reimbursed 75% of the cost of phone calls, and the Deputy Chief Executive of Technical Services be reimbursed 50% of the cost of telephone calls. Council to pay the cost of rentals and installation of telephones attached to these positions.*
- (a) *That Council not reimburse the cost of overseas telephone calls, with the exception of the General Manager and Chief Executives who may be required to make such calls.*

The subsidy is to apply to designated positions within Council's staffing structures, from time to time, subject to the incumbent attaining the maximum salary level pertaining to the position as identified by Council's salary system."

NOTE: *The designated positions referred to in the above are as follows:*

Finance Manager, Assistant Finance Manager, EDP Manager, Community Development Officer, Environmental Health and Building Officer, Projects Officer (Engineering).

CM 24.11.1997

TELEPHONES IN RESIDENCES

"That Council contribute to the cost of telephone calls, rentals and installation where Council requires the employee to have a telephone connected for work purposes, such contribution to be made on the following basis:

- a) Council to pay all installation and rental costs*
- b) Council to deduct an amount equivalent to twenty (20) local calls per week with the balance of the calls to be charged to the employee."*

CM 24.11.1997

As part of Council's on-going review of policies and procedures a review of subsidies and incentives paid to Council's staff was undertaken. Council's policies relating to staff subsidies and incentives requires updating to provide consistency in application and fairness to all eligible staff. Many of the policies refer to position descriptions that are inconsistent with Council's current staff structure.

Currently 9 staff members receive a 40% electricity subsidy included in their letter offering employment. There is consistency in the offers however fairness would be better served with a policy to be applied consistently to all eligible staff members.

With the increased utilisation of new technologies to enhance Council in the performance of tasks, from time to time policies need to be reviewed. Currently all Council staff who need to be contacted after hours have been issued with mobile telephones to improve response time to after hours issues. The use of mobile telephones has removed the need for staff to use their home telephone for Council

SHIRE OF WALGETT – AGENDA

business. There is no need for home telephone cost subsidies to continue to be included in employment offers or to remain within Council's policies and procedures.

Currently 10 staff members receive telephone subsidies ranging from 25% of local calls to 50% of all calls, all rental and installation costs. As these benefits form part of each employee's conditions of employment, the changes relating to subsidies could only be implemented in consultation with each individual employee to form part of their employment conditions. In the event that the employee did not consent to the revised Conditions of Employment, their initial conditions of employment would continue.

The revised policy will relate to all relevant employees employed after the date of adoption of this Revised Policy.

Relevant Reference Documents:

Policy Staff Conditions of Employment
Walgett Shire Council Staff Subsidy Policy and Procedures

Stakeholders:

Walgett Shire Council Staff

Financial Implications:

Potential future cost savings can not be accurately quantified.

Recommendations:

1. That Council resolve to remove Policy D Human Resources 1D.3 – Conditions of Employment as stated below effective from 20 November 2007:

ELECTRICITY

“That Council reimburse the connection fee and 20% of costs of household electricity to employees who have filled positions which require advertisements in the Sydney Morning Herald or Australian Local Government Job Directory.”

The subsidy is to apply to designated positions within Council's staffing structures from time to time, subject to the incumbent attaining the maximum salary level pertaining to the position as identified by Council's salary system.”

NOTE: The designated positions referred to in the above are as follows:

Finance Manager, Assistant Finance Manager, EDP Manager, Community Development Officer, Environmental Health/Building Officer, Projects Officer (Engineering).

C.M. 24.11.1997

TELEPHONE INCENTIVE

“That Council make the following reimbursements to those employees identified below:

- (a) Those employees appointed to positions advertised in the Australian Local Government Job Directory and/or Sydney Morning Herald be reimbursed 25% of the cost of phone calls only.***
- (b) Those employees appointed to the positions of General Manager and Chief Executives of Council’s functions be reimbursed 75% of the cost of phone calls, and the Deputy Chief Executive of Technical Services be reimbursed 50% of the cost of telephone calls. Council to pay the cost of rentals and installation of telephones attached to these positions.***
- (a) That Council not reimburse the cost of overseas telephone calls, with the exception of the General Manager and Chief Executives who may be required to make such calls.***

The subsidy is to apply to designated positions within Council’s staffing structures, from time to time, subject to the incumbent attaining the maximum salary level pertaining to the position as identified by Council’s salary system.”

NOTE: The designated positions referred to in the above are as follows:

Finance Manager, Assistant Finance Manager, EDP Manager, Community Development Officer, Environmental Health and Building Officer, Projects Officer (Engineering).

CM 24.11.1997

TELEPHONES IN RESIDENCES

“That Council contribute to the cost of telephone calls, rentals and installation where Council requires the employee to have a telephone connected for work purposes, such contribution to be made on the following basis:

- c) Council to pay all installation and rental costs***
- d) Council to deduct an amount equivalent to twenty (20) local calls per week with the balance of the calls to be charged to the employee.”***

CM 24.11.1997

- 2. That Council resolve to allow the existing Conditions of Employment relating to Electricity, Telephone Incentive and Telephones in Residences to apply to existing staff members who commenced their employment prior to 20 November 2007.**
- 3. Employees who commenced their employment prior to 20 November 2007 may elect to review their conditions of employment in relation to Electricity, Telephone Incentive and Telephones in Residences and apply Walgett Shire Council Staff Subsidy Policy and Procedures as adopted 20 November 2007 as agreed upon by the General Manager and the relevant employee.**
- 4. That Council adopt Walgett Shire Council Staff Subsidy Policy and Procedures as attached.**
- 5. That Council resolve to review Walgett Shire Council Staff Subsidy Policy and Procedures in December 2008.**



WALGETT SHIRE COUNCIL

STAFF SUBSIDY

POLICY AND PROCEDURES



WALGETT SHIRE COUNCIL STAFF SUBSIDY POLICY AND PROCEDURES

Policy Number:

Responsibility: Manager Corporate Services

Adoption Date:

Review Date: November 2008

POLICY STATEMENT

The Walgett Shire Council Staff Subsidy Policy and Procedures are intended to provide guidance to all eligible Walgett Shire Council Staff and to ensure sound governance and appropriate control of Council's expenditure.

POLICY AND PROCEDURES

1. Subsidy

40% of the total electricity bill for primary residence within Walgett Shire.

2. Eligibility

This policy will apply to all new staff members employed after the date of adoption of this policy and to all new staff members employed after the date of each subsequent review of the policy. This policy can not be applied retrospectively.

Staff occupying the following positions will be eligible for the electricity subsidy:

- Manager Corporate Services
- Manager Engineering
- Manager Planning and Regulations
- Accountant
- Engineer – Works
- Projects Engineer
- Health and Building Surveyor

3. Delegation of Authority

The General Manager will be responsible for authorising payment of subsidies for the following positions:

- Manager Corporate Services
- Manager Engineering
- Manager Planning and Regulations

The Manager Corporate Services will be responsible for authorising payment of subsidies for the following position:

- Accountant

The Manager Engineering will be responsible for authorising payment of subsidies for the following positions:

- Engineer – Works
- Projects Engineer

The Manager Planning and Regulations will be responsible for authorising payment of subsidies for the following position:

- Health and Building Surveyor

A purchase order is to be created to validate authorisation.

4. Procedures

- A copy of the full electricity tax invoice is to be submitted with a memo requesting the 40% subsidy.
- Tax invoices must be submitted within 3 months of due date to be considered suitable for subsidy.
- Once a purchase order is raised by the appropriate supervisor the claim will be forwarded to the creditor's clerk to be included in the next practical creditor payment batch.
- It is the responsibility of the employee requesting the subsidy to supply the creditor's clerk with bank account details to enable payment.
- Any change of bank account details are to be promptly supplied to the creditor's clerk and at least 7 working days prior to next claim being payable.
- Walgett Shire Council accepts no responsibility for incorrectly supplied details.
- A copy of this policy is to be supplied to all eligible staff members at time of engagement.

5. Review

- This policy is to be reviewed in December 2008

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 19

Subject: Volunteer Policy

Author: Emma Darcy –Manager Corporate Services

File No: 004/12/01/62

Summary:

This report recommends that Council adopt the Draft Volunteer Policy and review the policy in November 2009.

Comments (including issues and background):

Walgett Shire Council is committed to ensure that volunteering remains beneficial and recognises the important contribution volunteers make to achieving Council and community goals.

As part of Local Government Promoting Better Practice Reform it is necessary for Council to adopt a Volunteer Policy to define the relationship between Council, staff and volunteers and to provide a safe and healthy workplace for volunteers.

The draft Volunteer Policy was endorsed by the Consultative Committee on 3 October 2007 and it is recommended that this policy now be adopted by Council.

Relevant Reference Documents:

Draft Walgett Shire Council Volunteer Policy

Stakeholders:

Walgett Shire Council
Walgett Shire Council Volunteers

Financial Implications:

Nil

Recommendations:

- 1. That Council adopt the Walgett Shire Council Volunteer Policy.**
- 2. That the Walgett Shire Council Volunteer Policy be reviewed no later than November 2009.**



WALGETT SHIRE COUNCIL VOLUNTEER POLICY



WALGETT SHIRE COUNCIL VOLUNTEER POLICY

Policy Number:

Responsibility: Manager Corporate Services

Endorsed: Consultative Committee: 3 October 2007

Adoption Date:

Review Date: November 2008

POLICY STATEMENT

Walgett Shire Council is committed to ensuring that volunteering remains mutually beneficial and recognises the important contribution volunteers make to achieving Council and community goals. The objective of this policy is to ensure that the relationship between Council, staff and volunteers is defined, and to provide a safe and healthy workplace for volunteers.

POLICY AND PROCEDURES

APPLICABILITY

The Volunteer Policy applies to all volunteer workers undertaking duties for and on behalf of Walgett Shire Council. Volunteers include the following:

- Committees of Council set up under Section 355 of the local Government Act (1993)
- Any individual who applies to volunteer with Council
- All individuals and organisations undertaking work on Council property, but not under the direction of Council. Some examples may include Service Clubs, Environmental groups or Sport and Recreation groups.

WORKPLACE ACCIDENT INSURANCE

Walgett Shire Council will cover all volunteers who are not part of an incorporated body and/or part of an organisation that has its own insurance. Council will cover against injury suffered as a result of the voluntary activities undertaken that have been approved by Council.

CONDITIONS OF EMPLOYMENT

Voluntary workers:

- Will not be used to replace the routine or specialist tasks usually undertaken by paid employees
- May be deployed only on ancillary duties
- May work for a maximum of 15 hours per week in a voluntary capacity
- May not work for longer than 6 weeks at any one time
- Will not be used to perform duties of paid employees, even in the event of staff illness or absence
- Will sign on and off in an attendance register at the work site
- Will be required to wear appropriate clothing, footwear and personal protective equipment at all times. The Occupational Health and Safety Coordinator will determine what Personal Protective Equipment (PPE) requirements are appropriate on a project by project basis.
- Will promptly report all incidents, accidents, illnesses and any risk to health, safety and environmental risks.
- Will undertake a Working with Children Check (if applicable).
- Will follow directions of a nominated supervisor.
- Will ensure any expenditure has prior approval of Council and advised by appropriate supervisor
- Will participate in any required training or induction programs.

FUTURE PAID EMPLOYMENT

Engagement and service as a volunteer worker with Walgett Shire Council will not be construed as providing any access to, or right for consideration for future paid employment with Walgett Shire Council.

OBLIGATIONS OF VOLUNTEERS

Volunteers are responsible, and will be held accountable, for:

- a Following instructions of the appointed supervisor.
- b Complying with the Volunteer Policy.
- c Taking reasonable care for the health and safety of themselves and others.
- d Maintaining the same standards of confidentiality, courtesy, organisational discipline and compliance with Council policies and procedures as is required by paid employees.
- e Promptly reporting all incidents, accidents, illnesses, risks to health and safety and environment risks.
- f Working in a constructive and co-operative way with Council staff
- g Raising issues concerning the project they are involved in with the appointed supervisor
- h Complying with Council workplace policies including OH&S and anti-discrimination

OCCUPATIONAL HEALTH AND SAFETY TRAINING

Volunteer workers must participate in an induction program prior to the commencement of any project. This induction familiarises them with workplace health and safety requirements and Council workplace policies. Volunteer workers must also participate in induction and training on any Council machinery or equipment prior to use to ensure that activities are undertaken in a safe manner.

OUT OF POCKET EXPENSES

Volunteer workers are entitled to claim for out of pocket expenses that have prior approval of Council Departmental Managers.

ATTENDANCE

Walgett Shire Council will keep attendance records for volunteer workers. A volunteer register will be provided for the project. Volunteer workers are obliged to advise their manager/supervisor if they are unable to attend work.

TERMINATION

Volunteers must advise the Supervisor as soon as possible if they intend on suspending or ceasing as a volunteer. Walgett Shire Council may terminate an activity or the services of a volunteer worker at any time without notice.

APPLICATION AND APPROVAL

1. Individuals and organisations that offer voluntary assistance to Council must complete the appropriate application form and lodge it with Council.
2. Individuals and organisations who undertake work not organised by Council on property owned or managed by Council must complete the appropriate application form and lodge it with Council.
3. Assessment of projects will be undertaken by Council and will include financial viability, Asset Management approval and Safety and Environment aspects.
4. Council will assess the suitability of an individual and/or organisation for a specific project.
5. Volunteer is informed of approval and details forward to the relevant supervisor
6. Prior to commencement of any voluntary work all volunteers are to complete the following:-
 - Walgett Shire Council's 'Volunteer Conditions of Engagement'
 - Working with Children's 'Prohibited Employment Declaration' available from <http://www.kids.nsw.gov.au/check/resources.html/>
 -
- Note:** At no time should a person, whether another volunteer or Council officer, be with an unsupervised person under the age of 18 unless the volunteer or Council officer has given Council a prohibited employment declaration, which has been filed with the Coordinator Human Resources.
7. Additional probity forms may need to be completed for example 'A Working With Children Check' consent form.
8. Site Specific Risk Assessment is to be undertaken by the Occupational Health & Safety Coordinator.
9. The relevant Supervisor will advise scope of works to be undertaken by volunteers and ensure that any plant and equipment used is safe and inspected regularly. They will be required to provide the training necessary for safe operating procedures.
10. Managers are to ensure that Supervisors have appropriate training to:
 - Manage Volunteers on site
 - Induct Volunteers on site
 - Consult with Volunteers on Safe Work Methods
 - Ensure appropriate Personal Protective Equipment is Worn
 - Establish First Aid Procedures
 - Establish Emergency Response Plans
 - Complete standard forms and attendance records
 - Provide knowledge of Councils Policy and Procedures

Refer to *Appendix 1 - Volunteer Checklist*

11. Working hours will be agreed to for the purpose of communication and contact and in the event that there is any claim made by or against a volunteer. Volunteers must advise the Supervisor when they cannot commit to the agreed hours on any occasion.
12. The Supervisor is responsible for keeping logbooks of works, attendance register and tool box meetings.

SHIRE OF WALGETT – AGENDA

13. The Supervisor is responsible for reporting all incidents, accidents, injuries and illness to the Occupational Health & Safety Coordinator.
14. Walgett Shire Council may terminate an activity or the services of a volunteer worker at any time without notice.
15. Volunteers are expected to maintain the same standards of confidentiality, courtesy and organisational discipline as Council's paid employees.
16. Volunteers are expected to work in a constructive and co-operative way with Council staff.
17. Volunteers must comply with all Council workplace policies including, Anti discrimination, no smoking and no harassment.
18. Council staff will provide guidance, which may be intermittent, depending on the nature of the activity.
19. In the event that a volunteer has an issue concerning the project they are involved in, the volunteer is required to raise the matter with the supervisor, for referral to the Manger if the matter remains unresolved.
20. Appropriate recognition will be given to all volunteers who assist with Council activities.
21. Volunteering is not to be a process for recruiting new employees as it is a breach of the Equal Employment Opportunity Act.

I have read and understand the Volunteer Policy:-

Name: _____

Signature: _____

Date: _____

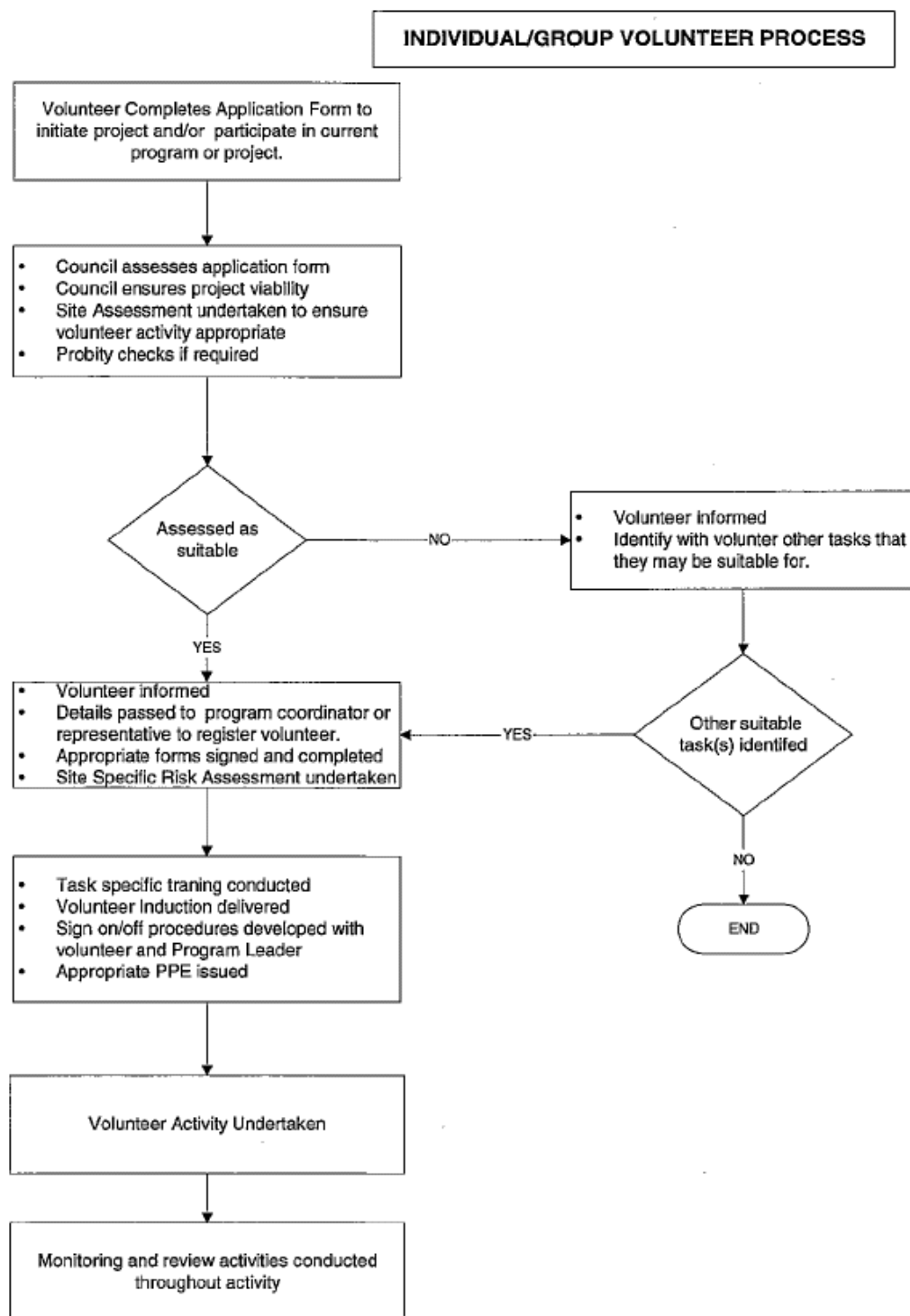
VARIATION

Walgett Shire Council reserves the right to review, vary or revoke this Policy.

Appendix 1
VOLUNTEER CHECK LIST

To be completed by Manager or Supervisor

Volunteer Name:		
Area/s of Participation:		
Manager:		
Supervisor:		
This record states that the volunteer person whose name appears on this sheet has been instructed on or completed the following: Note: 1 to 7 is mandatory and 8 to 11 is optional depending on work undertaken.		
	Yes	N/A
1. Volunteer Registration	<input type="checkbox"/>	
2. Read conditions of engagement	<input type="checkbox"/>	
3. Explanation of Code of Conduct Policy	<input type="checkbox"/>	
4. Explanation of Bullying and Harassment Policy	<input type="checkbox"/>	
5. Explanation of Grievance Procedure	<input type="checkbox"/>	
6. Explanation of Child Protection Policy	<input type="checkbox"/>	
7. Reporting of Incidents/Hazards	<input type="checkbox"/>	
8. Site Inspection	<input type="checkbox"/>	<input type="checkbox"/>
9. Use of Personal protective Equipment	<input type="checkbox"/>	<input type="checkbox"/>
10. Procedure for avoiding Needle stick injuries	<input type="checkbox"/>	<input type="checkbox"/>
11. Working with Children Prohibited Employment Declaration	<input type="checkbox"/>	<input type="checkbox"/>
Additional Safe Operation Procedures and Training Courses (If applicable please provide details)		
Signature Manager or Supervisor:		
Signature of Volunteer:		
Date Completed:		



Walgett Shire Council Volunteer Application for Registration Form

Thank you for applying to volunteer with Walgett Shire Council.

Please ensure that you read and understand 'Volunteer Policy' before completing this form to register your application.

Are you an organisation/group or individual wanting to offer volunteer services to Council?

If yes please complete Section 1 and 2 this application form to register as a volunteer.

Are you an organisation/group or individual wanting to initiate and complete a stand-alone or new project on Council property?

If yes please complete appropriate areas in Section 1 and 3 of this application.

Please Note:

- All applications must be approved before commencing work.
- Some areas of participation may require an interview prior to approval. Applicant will be advised.

Section 1

Name or Contact Person:
If a Project Group or Committee Please provide details:
Position: (if Applicable):
Email:
Contact Phone No:
Address:
Date of Birth:
Emergency or Secondary Contact Name:
Contact Phone No:

Section 2

Please select the desired area/s of participation:
Circle appropriate area.

Bushcare Services (Please advise)	Tourist Information Centre Pools/Bore Baths	Libraries Maintenance Services	Children Special event
Youth Services (Please advise)	Parks, Reserves	Cultural Projects	Other -

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 20

Subject: Walgett Shire Tourism Summary

Author: Alana Douglas – Tourism Development Officer

File No: 245/02/01/00

Summary:

This report provides a summary of activities that have been carried out since the adoption of the Walgett Shire Tourism Destination Strategy in February 2007.

Comments (including issues and background):

The Walgett Shire Tourism Destination Strategy was adopted in February 2007. The attached report addresses the action plan from the Tourism Destination Strategy. The attached summary includes a section which addresses the focus of the action plan.

The action plan is attached.

Relevant Reference Documents:

Walgett Shire Tourism Strategy

Walgett Shire Council Management Plan 2007/2008 – 2011/2012

Stakeholders:

Walgett Shire Council

Various Tourism Bodies

Financial Implications:

Nil

Recommendation:

That Council receive and note the achievements of the Walgett Shire Tourism Destination Strategy.

Tourism Industry Development			
<i>Strategy</i>	<i>Action</i>	<i>Focus</i>	<i>Implementation</i>
Facilitate the Development of New Tourism Product	Conduct research into expected tourism growth	ORTO DSS Research, ABS, Visitor Statistics	Research is constantly being collected on the tourism industry. Recent research from Outback Regional Tourism Organisation shows the current situation of Walgett Shire as: 80,000 visitors per annum on average. 413,000 visitor nights per annum on average. Walgett Shire receives 19% of visitors to the Outback NSW area. Average number of nights stays is 5.1. Walgett Shire receives 3,350 international visitors per annum. The number of day trips is 50,000.
	Explore opportunities for new tourism product	Product Audit - New businesses could include Car Hire, Beauty Therapy in conjunction with Artesian Bore Baths	Future Priority
	Identification of Feasibility Study Funds	Grantslink, Community Builders, DSRD	Future Priority
	Identification of Development Grants	Grantslink, Community Builders	Grant opportunities are always being investigated and distributed to operators and committees. A Sport and Recreation grant has been applied for Come By Chance Race Club, Public Amenities - (the decision has not yet been announced) a second grant is also being investigated through Orana Area Consultative Committee to build a new and permanent arena for Campdraft activities at the Walgett Showground.

SHIRE OF WALGETT – AGENDA

	Identify and facilitate development of tourism products and packages that address needs of special interest niche market opportunities	Special Niche Markets Including - Aboriginal Culture, Bird watching, Fossicking, Bore Baths.	Future Priority - once the marketing strategy has been developed these niche markets can be further concentrated on.
		Work with the NSW National Parks and wildlife to identify and develop nature based activities in the Narran Lakes and Macquarie Marches.	Future Priority
	Provide greater access to a wider variety and range of Aboriginal stories and products, told, offered and managed by Aboriginal People	Communication with the Aboriginal Community, Identification of Sacred Aboriginal Sites and the sale of Aboriginal Artwork	The Dharriwaa Elders group have been contacted to provide local indigenous information including Dreamtime Stories to be used to provide information to travellers and others doing research. Any information provided will initially be shown in the Walgett Visitor Information Centre. It is envisaged that local stories from all over Walgett Shire will be incorporated into a booklet together with information on significant sites and where to see and or purchase Aboriginal Art and Craft.

SHIRE OF WALGETT – AGENDA

Strategy	Action	Focus	Implementation
Enhance Existing Tourism Product	Provide Training and Support to tourism related businesses in the Shire	Customer Service Workshops	Three workshops have run in Walgett Shire in the last six months these include: Go West; Making Business Work which included modules on; Customer Service, Making IT work for you, Promoting your business, Planning for your business. The second was a Tourism Workshop specifically designed for Walgett Shire Tourism presented by Outback Regional Tourism Organisation, the third was a Book Easy Online Tourism Seminar, which provided local operators with a demonstration of the online booking engine and how it can improve bookings in our area. Other information that has been provided to all local operators from workshops in the area include: Packaging & Bundling & E-Marketing.
	Promote Walgett Shire Business Awards to encourage recognition within the Shire	Generate a healthy competition within the community to be recognised and thanked for their contribution to the Shire	The 2007 Walgett Shire Business Awards were again heavily promoted through, word of mouth, print and radio advertising. More prizes were allocated to this years awards with a greater number of categories to cater for every business within the Walgett Shire. There was also greater opportunity to go to the next round of the awards process to compete against the Orana region. Walgett Shire took out three awards at the 2007 Orana Regional Awards including: Best New Business: Chambers of the Black Hand, Best Home Based Business: Lorne Station and Outstanding Tourism Attraction: The Black Queen.
	Encourage consistent accommodation standards across the Walgett Shire	Local Accommodation Accreditation Program	Future Priority - In conjunction with the Management Plan

SHIRE OF WALGETT – AGENDA

	Facilitate the rejuvenation of Walgett Shire Streetscapes	Removal of bars on windows with alternative safety option Colourful designs and gardens sculptures	The project to remove the bars was taken on by Walgett Shire Council's Economic Development Officer. A project to plant native trees along town entrances is being developed in conjunction with Clean Up Australia Day & local business operators, a formal report on this project will be put to Council at the December meeting.
	Beautify and develop aesthetic value of existing attractions	Enhance Bore Baths with themed experience, colours and facilities. Establish a 'billabong' theme at Alex Trevallion Park	The Burren Junction Bore Baths have had major aesthetic enhancements in the last year, some of which is not yet complete. More funding is needed to develop projects like a camp kitchen and other aesthetic improvements. The next ATDP program is being looked at to help achieve these projects.
Develop Better Public Access	Provide better service infrastructure at remote Historical Sites and Attractions	Toilet Facilities, BBQ, Shelter, Interpretive information, Road quality, OH&S, access (steps) into Bore Bath	Future Priority - In conjunction with the Management Plan
	Work with the Local Tourist Associations and Visitor Information Centre officers to ensure opening hours are matched with visitor needs	Access to 24 hour accommodation information e.g. hotline 1800	Currently the Walgett Shire Council Website is our 24 hour information outlet to visitors as is the information board located outside the Walgett Information Centre. Other information boards will be placed at major parks or visitor spots throughout the Shire by March 2008.
	Work with transport operators to maximise the affordable access to and within Walgett Shire	Work with REX and Countylink. Look to investors for a car hire business or the possibility of a one way car drop off service	Outback Opal Tours currently operate Car Hire from Lightning Ridge, they are investigating the option of expanding with the possibility of pick up/drop offs from other towns within the Walgett Shire.

SHIRE OF WALGETT – AGENDA

Visitor Information Services			
Strategy	Action	Focus	Implementation
Provision of updated and detailed visitor information	Update visitor information on a regular basis	Redesign the Walgett Shire Website upload all themed tourist routes and subregional brochures Update sections of key tourism guides and publications	The Walgett Shire Website has been completely redesigned, Council is now using Local E to host the website. It is constantly being updated with new information, events, accommodation and news. The website also links visitors to other websites including Outback Regional Tourism Organisation, The Great Inland Way and Tourism NSW. The Community Directory is extremely interactive and it is envisaged, that operators will have more interaction and ownership of the Council website and will be a first stop for Visitors.
	Maintain system to respond efficiently and effectively to visitor information requests	1800 number, Computer Template to record all names and addresses (this may also be used for direct marketing)	A database has been set up to record all names and addresses of people that make enquiries through the Walgett Visitor Information Centre, this information will be used for direct marketing purposes. It is envisaged that this database can be incorporated at both Lightning Ridge and Collarenebri Visitor Information Centres for a whole Shire approach.
		Murray Media will also contribute to effective distribution	Murray Media continues to be an effective distribution tool
Information Distribution System	Increase number of accredited visitor information centres in the Shire	Level 3 Visitor Information Centre at Collarenebri	The level 3 Visitor Information Centre at Collarenebri is up and running, signage for the centre was completed in October 2007. Brochure stands for Collarenebri VIC have been ordered and should arrive in the coming weeks.

SHIRE OF WALGETT – AGENDA

	All tourism businesses in the Shire to have access to tourism material and visitor information	All shire maps and accommodation listings to be distributed to tourism businesses in the shire especially those without access to a Visitor Information Centre, Tourism Businesses to have access to Tourism Logo and promotional material for marketing and promotional purposes	Several brochure stands have been ordered to be placed in the three petrol stations in Walgett where they can display all tourism material from the Shire and other related information. This is effective as petrol stations are often the first point of call for visitors to new towns even before visitor information centres, they also offer an alternative information provider if the Visitor Information Centre is closed. It is anticipated that brochure stands will be provided to all petrol stations in the area to ensure visitors always have access to information.
	Attend trade shows of target markets	Sydney, Melbourne, Adelaide & Brisbane Caravan and Camping Shows	This year Walgett Shire Council attended 6 trade shows they include: The Sydney, Melbourne, Brisbane & Adelaide Caravanning & Camping Trade Shows, The 2007 Retirement and Lifestyle Expo and the Ultimate Outdoors Adventure Expo.

SHIRE OF WALGETT – AGENDA

Marketing and Promotion			
Strategy	Action	Focus	Implementation
Build on existing markets and develop new target markets	Develop a marketing strategy	Includes Media, Public Relations, Branding and Style manual	Walgett Shire Council is currently liaising with several consultants regarding developing a marketing strategy for Walgett Shire. This is essential for the growth of tourism in Walgett Shire and will ensure marketing dollars are spent in the right places and are targeting the market with the greatest potential to visit Walgett Shire
	Implement specific marketing campaigns	Target the Caravan & Camping Market, the Victorian and Newcastle Markets, Work with specialist magazines such as the Caravanner, Caravanning Australia and The Wanderer	Advertising alternatively with "The Caravanner" and "Caravanning Australia" has helped to reach the focus markets. Walgett Shire has also recently advertised with the Overlander magazine, Qantas and Countrylink magazines which reach the drive, fly and train travel markets.
	Foster the development of the shoulder season product and extend the tourist season	Develop an effective campaign promoting the regions tourism attractions, events and specific benefits of visiting in the summer or off peak period	Future Priority
	Establish cooperative marketing with events that promote the Walgett Shire and the NSW Outback	Actively package and promote hallmark events and festivals that are capable of generating tourist activity and which lift the profile of the region within and beyond the state (6-7 Hallmark events to be nominated)	New cooperative marketing that is being developed is for the Easter weekend in 2008. There are four major Rodeos that will take place from Thursday 20th March until Sunday 23rd March. These events incorporate four towns in our region including Walgett, Lightning Ridge, Brewarrina and Gilgandra. This cooperative has greater pull potential; often the long drives to our region influence peoples decisions to visit; with four major events all within a 1-2 hour radius this greatly enhances their potential to travel. This cooperative will greatly influence each associations marketing budget.

SHIRE OF WALGETT – AGENDA

	Develop cooperative marketing with Regional Tourist Organisations, Touring Routes and Accommodation networks	Outback Regional Tourist Organisation, Outback Beds, Great Inland Way, Kamilaroi Highway, Orana Area Consultative Committee	The Kamilaroi Highway Committee have provided Walgett Shire with an effective marketing partnership. The committee has enabled Walgett Shire to attend the 2007 Retirement & Lifestyle Expo and the 2007 Ultimate Outdoors Adventure Expo. These expos have provided excellent marketing & promotional opportunities to various target markets that Walgett Shire may otherwise not have access to. Outback Regional Tourism Organisation has become extremely beneficial in the last six months with the organisation assisting with the development of the Outback Holiday Planner that was distributed all over Australia in visitor centres and airports again reaching further than is possible for Walgett Shire to do alone.
--	--	---	---

SHIRE OF WALGETT – AGENDA

Strategy	Action	Focus	Implementation
Improve the range and quality of information and promotional material available	Use research gained from RTO's to identify potential new markets	ORTO DSS research, Tourism NSW, Tourism Australia	Whilst we have a large number of caravanners, research shows the caravan market is quite stagnant and even declining, it is also a very low yield market. It would be in Walgett Shires best interest to focus on other higher yield markets including the day trip market of which Walgett Shire receives 50,000 per annum. The marketing strategy will also help to define new target markets and exactly how we can target them.
		Australian Bureau of Statistics	
	Work with interstate tourism staff to improve product knowledge of regional tourism assets	Motoring organisations, NRMA, The Campervan and Motor home Club of Australia, AVIC, ORTO.	The tourism department have been working closely with the Kamilaroi Highway, Outback Regional Tourism Organization, Tourism NSW and Tourism Australia. A recent promotion objective was to get every tourism operator to register on the Walgett Shire Council website, Get Connected, and the State Data Tourism Warehouse websites.
		Provide comprehensive briefings on tourism products and touring routes, coinciding where possible with consumer and trade shows	Future Priority
	Update all tourism Brochures with in the Shire	New Information and high resolution photos	The Lightning Ridge, Walgett & District Tourism Brochure has recently been updated and is currently being reprinted.

SHIRE OF WALGETT – AGENDA

	Produce niche specific brochures and or contact information	Update bird watching brochure, develop and promote the fossicking pit at Lightning Ridge VIC and establish fishing opportunities in the Walgett Shire	Fishing and Bird watching have been the two main focuses of niche marketing with specific brochures: Several public access fishing spots have been detected in Walgett and Collarenebri, these will be pinpointed onto a mud map for tourists to access in the visitor information centres, information detailing species, licensing and regulation will also be included in the brochure. It is anticipated this will be completed by the end of November. Warwick Scofield (owner of the Bluey Motel) has collected all the relevant information for a bird watching brochure, it is now a matter of gaining access to this information to print and distribute these brochures in the Walgett, Lightning Ridge and Collarenebri Visitor Centres. It is anticipated this project will be completed in December 2007.
	Create display material for trade shows	Quality of display	Future Priority - Once the welcome signs have been finalised with logos and slogans, display material will be developed using this to ensure a consistent message is presented.
	Develop a media kit for Walgett Shire	Sent out to all media outlets to produce a positive image	Future Priority
	Update image library with high resolution photos	Ensure greater quality images for reproduction	New images have been received of the area from Outback Regional Tourism Organisation, The Photographic Competition at the Walgett Show and increasingly local operators are supplying the Tourism department with high quality images for use in promotion and marketing. The Tourism Development Officer will be attending a Photography course on the 29th November to ensure greater quality images are produced.
	Assist Local events with Marketing and promotion	Reduce cost of printing at the VIC to assist in cooperative marketing	Future Project - to be completed in conjunction with budget

SHIRE OF WALGETT – AGENDA

Tourism Signage			
Strategy	Action	Focus	Implementation
Implement effective tourism signposting to and within the Shire	Facilitate a signage audit around the entire shire	Ensure all boundary signage and street signage taken into account	A signage audit was completed in May 2007
	Develop and implement Tourism Signage Strategy	Budget for creation and development of signage	The Walgett Shire Tourism Signage Strategy was adopted in August 2007. Priority 1: Welcome Signs to all major town entrances to be completed by December 2007. Priority 2: Visitor Information Centre Signage to be completed by October 2007. Priority 3: Information Boards at major parks in each major town to be completed by March 2008. Priority 4: Bore Bath direction & interpretive signage to be completed by April 2008.
	Install new entry signs to Walgett Shire	Incorporate tourism logo	A sign system of Welcome Signage has been designed by Danthonia Designs, a uniform design with unique logos & town slogans will be produced within the next two months.
	Facilitate increased reinforcement of Direction, Interpretive and attraction signage	Bore Bath signage, interpretive signage on farming land to inform visitors of what crops are grown in the area	The Kamilaroi Highway have provided its members with a limited budget to produce directional signage, Country Mile Signs are currently producing the directional signage for Burren Junction & Lightning Ridge Bore Baths. The Western Catchment Management Authority have provided Walgett Shire with a three panel interpretive sign that will be placed at Lightning Ridge Bore Bath with a focus on water quality & tourism related information. A second sign will be developed using the same concept to be placed at Burren Junction Bore Bath.

SHIRE OF WALGETT – AGENDA

	Investigate opportunities to generate links between signage and marketing collateral	Use of logo throughout, promotion of events interchanging signage	Welcome signs will begin Walgett Shires branding, once these designs are finalised they will be used to promote Walgett Shire, they will be used in all promotion and all businesses will have access to templates.
	Develop a signage strategy for interpreting natural and heritage attractions in the landscape	Aboriginal, Pioneering History identified and land marked	Future Priority

SHIRE OF WALGETT – AGENDA

Tourism Industry Communication			
<i>Strategy</i>	<i>Action</i>	<i>Focus</i>	<i>Implementation</i>
Develop and maintain relationships with relevant local, regional, state and federal bodies	Maintain relationships and support of key local bodies	Walgett Tourist Association, Lightning Ridge Tourist Association Walgett Shire Precinct Committees, Best Employment	Attendance at monthly meetings with tourist associations.
	Continue memberships with RTOS and Touring Routes	Outback Regional Tourism Organisation, Great Inland Way Committee, Kamilaroi Highway Committee, Outback Beds Network	Attend meetings in person & via teleconferences. Updates via email and monthly newsletters ensure all opportunities are received and information is delivered.
	Improve and develop partnerships with other destinations that share the same customers	The Outback Region including surrounding Shires such as Coonamble, Gilgandra, Narrabri and Brewarrina	Future Priority
	Establish a symbiotic relationship with the local Indigenous bodies	Establish communication with local aboriginal groups Dharriwaa Elders, Yawalaraay Elders, CDEP, Aboriginal Lands Council	Constant email contact. Requires more communication, attend monthly meetings.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 21

Subject: Danthonia Designs - Signage

Author: Emma Darcy –Manager Corporate Services

File No: 245/02/01/00

Summary:

This report recommends that Council contract Danthonia Designs to fabricate signs to be erected at the entrance to towns within the Shire.

Comments (including issues and background):

The signage audit was adopted at the Council meeting held 21 August 2007. Priority 1 was the erection of Welcome signs to all town entrances to be completed by December 2007.

Following investigation into marketing and design companies who provide signage, it was decided that Danthonia Design Products provided the specific needs of Walgett Shire. The company have revitalised the ancient tradition of handcrafted dimensional signs where they specialise in producing hand sculptured, carved, painted and gilded signs with contemporary materials. They presently have signs erected in Parkes Shire Council and Upper Hunter Shire Council and the specific style has been identified as appropriate for Walgett Shire.

Danthonia have presented preliminary designs to Council for discussion. A site visit occurred on Monday 5 November where two consultants presented draft designs for comment.

The designs have been forwarded to community organisations and local operators for comment. To date all responses have been very positive with approval for the signs to be erected.

An amount of \$35,000 has been allocated to Shire signage in 2007/2008. The estimated cost of the signage is \$96,840. This includes eight (8) larger signs measuring 2120 mm x 1355mm for Walgett, Lightning Ridge, Collarenebri and Burren Junction being a total of 8 signs. The smaller villages of Pokataroo, Carinda, Cryon, Rowena, Cumborah and Come By Chance will have smaller signs installed measuring 1855mm x 1186mm.

The additional funding of \$61,840 could be reallocated from additional Interest Income, Executive Services - Consultancy Fees and restricted Cash carried forward from 2006/2007.

SHIRE OF WALGETT – AGENDA

Relevant Reference Documents:

Various documents from Danthonia Designs
Signage Audit adopted 21 August 2007

Stakeholders:

Walgett Shire Council
Danthonia Designs

Financial Implications:

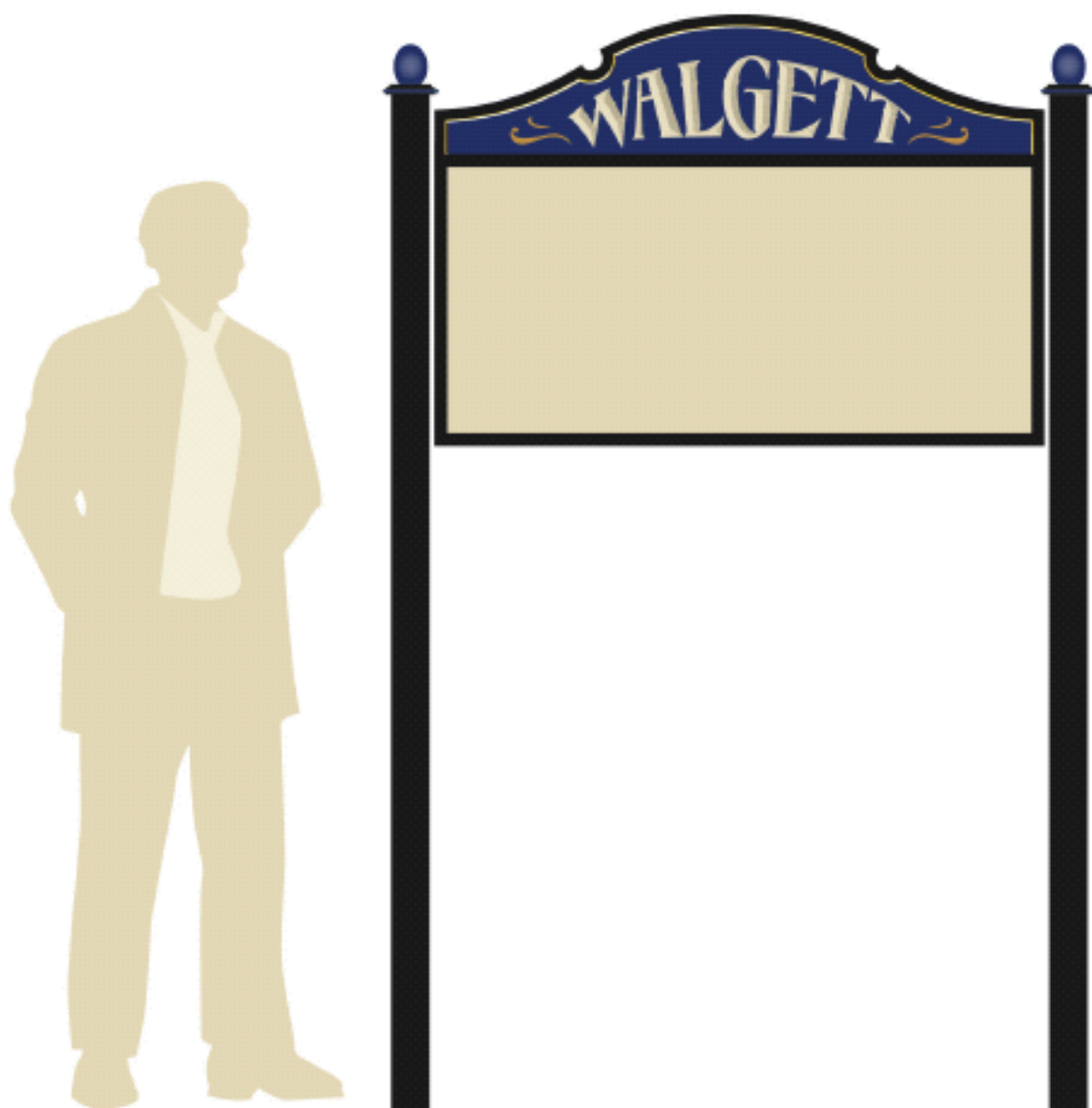
The total cost of \$96,840 plus GST will be covered from the following:

Signage Budget - \$35,000
Increased Interest Income by \$51,840 transferred to Tourism & Marketing - Signage
Reduce Executive Services - Consultancy Fees by \$10,000
Increase Tourism & Marketing – Signage by \$61,840

There is a total of \$15,000 in Restricted Cash 2006/2007 for Economic Development that would partly cover the increase in cash expenditure.

Recommendations:

- 1. That Council accept the proposal Quote Number 1165 from Danthonia Designs for \$96,840 (excluding GST) for the fabrication of Shire signs.**
- 2. That Council agree to the following Budgetary changes:**
 - Increase Tourism & Marketing – Signage by \$61,840 to \$96,840**
 - Reduce Executive Services – Consultancy Fees by \$10,000 to \$20,000**
 - Increase Revenues – Capital Utilisation by \$51,840 to \$451,840**



Danthonia | ph 1800 552 700
DESIGNS | fax 1800 448 700
www.danthonia.com.au



Danthonia
DESIGNS | ph 1800 552 700
fax 1800 448 700
www.danthonia.com.au



Danthonia
DESIGNS | ph 1800 552 700
fax 1800 448 700
www.danthonia.com.au

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 22

Subject: NSW Public Libraries Day of Action

Author: Emma Darcy –Manager Corporate Services

File No: 130/01/00/00

Summary:

This report recommends that Council endorse the participation of Walgett Shire Libraries in a statewide “Day of Action” to protest against the ongoing reduction in State Government funding to Local Government public libraries.

Comments (including issues and background):

There has been a serious and ongoing proportional reduction in State Government funding for public libraries over the past 25 years. In 1980, the State Government contributed 23.6% of the total operating costs of public libraries. The State contribution dwindled to 7.8% in 2004-05 with further reductions in years since then, including a massive cut of \$1,023,000 (4.16%) in 2006-07. NSW has the lowest State Government per capita contribution to public libraries of all States and Territories in Australia.

A widespread publicity campaign during recent months involving many NSW Councils, Regional Organisation of Councils, Public Libraries NSW Country (PLC), Public Libraries NSW Metropolitan (PLM), and the Local Government and Shires Associations (LGSA) has highlighted the public library funding crisis in regional, state and national media forums, however this needs to be following up with a coordinated and targeted action strategy.

The half-yearly meeting of the NSW Regional Library Managers Group held on 5 October 2007 resolved to seek the support of the PLC Executive and country councils across the state to initiate a day of action on Thursday 29 November 2007. The PLC Executive has given its endorsement to the strategy, and a report similar to this one is being presented to council’s by library managers across the state. PLC has extended an invitation to PLM to participate in this lobbying strategy.

The strategy revolved around a ‘Day of Action’ on 29 November 2007 (when both houses of parliament are sitting) and includes the following components:

- The inclusion of symbolic gestures of protest in libraries on that day. A list of suggested protest actions will be circulated to libraries by the end of October.
- Attendance of Councillors, Council officers, library staff and members of the public at a rally at Parliament House. It should be noted that this rally has been timed to coincide with a special meeting of PLC to be held in Sydney on the same day for the membership to discuss alternative future membership models (as resolved at the 20 July 2007 Annual general Meeting of the Association).
- Use of the slogan “Libraries: Too Valuable To Lose”

SHIRE OF WALGETT – AGENDA

- A statewide petition in all public libraries is proposed in order to capture the growing discontent of library users. If the majority of the 363 library service points across the state participate, it is anticipated that a sizeable petition will be available to hand to Premier Iemma on 29 November.
- Extensive publicity to library borrowers and media outlets about the reason for the closure of libraries and other aspects of the campaign.

This level of action is deemed necessary to attract the attention of the State Government to the unacceptable level of State financial contribution to public libraries in NSW. The funding situation threatens to deteriorate further though the current NSW Public Library Funding Review to which Minister Sartor has appointed consultant Dr Tom Parry to undertake. This review has proceeded despite advice established as the result of significant research and collaboration just two years ago in 2005, provides a sustainable and scalable model for future allocation of funds. It is also worthy of note that the State Opposition pledged to double the current level of State funding to Public libraries (currently around \$24m) during the 4 year term of government as part of its platform for the 2007 election.

It is clear that NSW Councils need to take a strong lobbying position on this issue. The matter of public library funding is currently a “hot topic” amongst libraries, Councils and associated peak bodies. It is an ideal time to let the State Government know how Councils feel about this issue.

Public Libraries New South Wales have requested that Councillors and library staff attend the protest to be held on 29 November. However, due to administration and the shortage of library staff available to attend on that day it is recommended that Council support the Day of Action recommendations but without staff attending the protest.

Relevant Reference Documents:

Letter from Public Libraries New South Wales – Country dated 17 October 2007

Stakeholders:

Walgett Shire Council
Walgett Shire Council Libraries

Financial Implications:

Nil

Recommendations:

That Council endorse the participation of Walgett and Lightning Ridge Libraries in a statewide ‘Day of Action’ to protest against the ongoing reduction in State Government funding to Local Government public libraries by:

- a. The inclusion of symbolic protest activities in the libraries on 29 November 2007, without staff in attendance in Sydney.**
- b. The campaign slogan ‘Libraries: Too Valuable to Lose’**
- c. The placement of a petition in the Walgett and Lightning Ridge libraries for library users to sign in relation to the low level of State Government funding for public libraries.**
- d. The provision of information flyers to library users and media release to media outlets to raise awareness about the funding campaign and associated actions.**

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 23

Subject: OH&S Building inspection of Ella Nagy Hall, Lightning Ridge, being used as Lightning Ridge Youth centre.

Author: OH&S Coordinator, David Callander

File No: 145/04/11/01

Summary:

This report outlines an Occupational Health and Safety inspection that was carried out on the Ella Nagy Hall in Lightning Ridge that is currently being used by Walgett Shire Council as a youth centre. The inspection was carried out on 30th October 2007 and includes actions and recommendations designed to bring the facility to a level of compliance as is required under the Occupational Health and Safety Act 2001 and is inline with Walgett Shire Councils ideals of risk management.

Comments (including issues and background):

An inspection of the hall was conducted at the request of the Council's Assets Officer and this was conducted by the OH&S Coordinator assisted by the Youth Development Officer.

A number of issues have arisen as a result of the inspection, a couple requiring immediate attention. These were

- The first aid kit located in the kitchen was depleted of nearly all supplies and required immediate restocking.
- There are three fire extinguishers in the building. All were found to be faulty in that they were not fully charged and further inspection revealed that none of them had been serviced in the past twelve months, with one missing an inspection tag.

Actions taken

The Youth Development Officer removed the First Aid Kit for restocking.

The Assets Officer has made arrangements for the fire extinguishers to be replaced.

Further issues:

- Front access (main door). There is no handrail provided and although there is a ramp for wheel chair access, the angle of the ramp is such that a chair bound person would not be able to negotiate the angle. AS1428 requires that the angle of wheelchair ramps be constructed with a maximum of 1:14 gradient. The width of the doorway also appears to be too small to allow wheelchair access.
- Back door (to play area). No handrail on steps. There is a ramp which again is impracticable due to the angle, there is no landing at the top of the ramp and the door opens outwards, making it impossible for disabled access with any degree of safety.

SHIRE OF WALGETT – AGENDA

- An external access door to the kitchen doesn't comply with BCA standards (see photos).
- There are doors on all sides of the building and it was found that none of them are lockable without some form of assistance. Two doors are currently being locked by jamming pool cues into them.

Recommendations/actions.

- Entrance ramp at front of building be replaced with one of the correct gradient.
- Entrance ramp at back of building be removed and a compliant ramp with landing be installed.
- All doors need to be rehung.

Issue:

- There are fire exit signs over all the doors, even though none of the doors comply as fire doors. The exit signs need to be hard wired into the building and have battery backup. There is no fire blanket in the kitchen. The doors to be fire exits should be fitted with panic bars. Doors that are not fire exits need to have the signage removed.
- The three fire extinguishers (as mentioned earlier) were all undercharged and had not been tested since 2006. None of the extinguishers were fixed to a wall or under appropriate signage.
- There is no evacuation plan evident for the building.

Recommendations/actions

- A consultant (Firetalk for example) should perform an inspection and recommend/install appropriate fire exit signage and extinguishers.

Issue:

- All electrical equipment needs to be tested and tagged.
- There is an exposed power board on the outside of the building.
- There is an electrical floodlight hanging out of a back window.
- There is adequate natural lighting during daylight hours if all doors are opened. There are a number of fluorescent lights throughout the facility but as they all appeared to be broken, it was difficult to determine if they worked.

Recommendations/actions

An electrician should be engaged to do a complete check of all electrical circuitry.

Issue: General building maintenance

- There is adequate natural ventilation although in summer the heat would be unbearable due to the condition of the ceiling and the ineffectiveness of the small ceiling fans. In winter the building would be cold.
- The flooring throughout is timber and a number of nails were noticed to be raised and required hammering back into place.
- The toilet facilities are located in a separate building which due to brick construction, presented as clean and acceptable with only the basic amenities.

SHIRE OF WALGETT – AGENDA

- The kitchen appliances were clean and in good order and the general appearance of the kitchen area was neat and tidy, however there was evidence of vermin in a couple of the cupboards.
- There is a tree growing inside the buildings external cladding, exiting below the kitchen window and continuing up into the guttering.
- The windows were louvre style. These had broken and missing glass. A couple were covered with plastic.
- A children's play gym is located at the far end of the yard. This does not comply with AS 4685 - 2004, playground equipment standards.
- There are a number of bench seats located throughout the grounds. These are constructed of steel and have no shade or sun protection. A person sitting on these in the middle of summer would sustain a nasty burn.
- The sewerage system (septic tanks) are raised above ground level and present a large trip hazard. Storm water also collects in the hollows around the system which could also present a hazard.

Recommendations/actions

- Consider installing air conditioning
- Consider a floor covering for the kitchen area eg. Lino
- General maintenance to main hall floor
- Pest control be implemented to eliminate vermin
- The tree growing through the building wall needs to be removed
- All broken windows be repaired
- Upgrade safety to children's play gym
- Provide shelters/shade over outdoor seating
- Landscaping around septic tanks

Relevant Reference Documents:

Photos of the facility

OHS Act 2001

Building Code of Australia

AS 4685 – 2004 Playground Equipment

Inspection report by Health and Building Surveyor dated 25 Sept 07

Stakeholders:

Walgett Shire Council

Barrikneal Housing & Community Pty Ltd

Department of Lands

Financial Implications:

Quotes for specific maintenance to be obtained.

Recommendations:

- 1. That Council receive and note the report on OH&S inspection of Ella Nagy Hall.**
- 2. That Council having considered the recommendations and actions required to bring Ella Nagy Hall into line with Building Code of Australia and OH&S compliance negotiations continue with Barrikneal Housing & Community Pty Ltd as to how the issues can be resolved. .**

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 24

Subject: Request for Financial Assistance – Potch Queen Fundraiser

Author: Emma Darcy –Manager Corporate Services

File No: 180/08/00/00

Summary:

The Potch Queen Fundraiser committee have requested a donation from the various business owners in support of their annual fundraiser.

Comments (including issues and background):

The Lightning Ridge Pre-School's annual fund raiser is the Potch Queen. This event raises funds to assist with the operations of the community based Pre School.

The committee are seeking donations from local businesses of approximately \$50. The event will be held prior to this report being presented to Council but it is recommended that Council make a donation of \$500.00.

Relevant Reference Documents:

Letter from Lightning Ridge Pre School dated 10 October 2007

Stakeholders:

Walgett Shire Council
Lightning Ridge Pre School
Potch Queen Committee

Financial Implications:

An amount of \$500.00 to be paid from Members & Civic - Section 356 Donations.

Recommendation:

That Council pay \$500 from Members & Civic - Section 356 Donation to Lightning Ridge Pre School to assist with the costs associated with their annual fund raising activities.

LIGHTNING RIDGE PRESCHOOL



Providing the Stepping Stones
for a Smooth Transition to School

10 October 2007

The annual Potch Queen will be held on **Saturday 17 November 2007** at the **Lightning Ridge Bowling Club beer garden**. The theme is **006.9** and after the show we dance all through the night to 3am. The atmosphere will be intense and the night will be grand.

The Potch Queen Committee are committed to creating the best night of the year for our community however we would like to ask for your support as it is also the Lightning Ridge Preschool's main fundraiser. The community was concerned that the Potch Queen Ball may burn with the Diggers but we said 'NO', let it live last year at the beer garden and the wild wild west night was a wild, untamed paramount night.

In these times of hardship in the local community we understand that many people have moved away and that business is hard, the drought is still here, fuels no cheaper, and that opal is still hard to find, BUT our children still need to be educated.

We are asking every business owner to donate around \$50. Ticket sales help support the Preschool, and your donation will help us provide excellent prize money for the very entertaining and daring Potch Queen winners and guarantee a fantastic night had by all.

Please fill in and return the below donation slip as soon as possible. We look forward to hearing from you and hope you can assist us in holding this popular Ridge event. Thank you for your support for your local community based Preschool. We hope to see you at the 2007 Potch Queen.

DM

Dayle Murray
Potch Queen Organiser



POTCH QUEEN DONATION

Return to 'Potch Queen Fundraiser', P.O. Box 312, Lightning Ridge 2834.
Thank you!!

Name: _____

Address: _____

Potch Queen Donation: \$ _____

Walgett Shire
Council

RECD

16 OCT 2007

FILE: 180/08/0000

LETTER NO: 4595

REFER: FJD

COPY:

Lightning Ridge Preschool
2 Pandora Street
P.O. Box 312
Lightning Ridge NSW 2834

Phone: 02 6829 0326
Fax: 02 6829 0326
Email: admin@lridgepreschool.nsw.edu.au

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 25

Subject: Request for Financial Assistance – Walgett Community College

Author: Emma Darcy –Manager Corporate Services

File No: 180/08/00/00

Summary:

Walgett Community College Education Board have requested a cash donation and three truckloads of soil to establish a bush tucker/vegetable garden at the Primary School.

Comments (including issues and background):

Walgett Community College Education Board have requested financial assistance of up to \$500.00 and three truckloads of soil towards the establishment of a bush tucker/vegetable garden at the primary school. This site has been prepared by volunteers and a “special” class at the school.

Relevant Reference Documents:

Letter from Walgett Community College dated 14 November 2007

Stakeholders:

Walgett Shire Council
Walgett Community College

Financial Implications:

An amount of \$200.00 and three truck loads of soil valued at approximately \$100.00 to be paid from Members & Civic - Section 356 Donations.

Recommendation:

That Council pay \$200 and three truckloads of soil valued at approximately \$100.00 from Members & Civic - Section 356 Donation to Walgett Community College to assist with the costs associated with their bush tucker/vegetable garden.



College Principal: Mr Peter Partridge

Mr Stephen McLean
General Manager
Walgett Shire Council

Dear Stephen,

I am writing on behalf of the Walgett Community College Education Board to request your consideration to assist the Primary site in the development of a bush tucker/vegetable garden. This site is being prepared by community volunteers and a "special" class at the school. There were limited funds available from a grant and these will now be consumed in site preparation due to over a meter of sawdust being discovered and requiring removal and backfilling.

The Board requests access to approximately three truckloads of quality soil. It also requests a small cash donation up to \$500 to put towards the establishment costs.

Your support of this project would be greatly appreciated by the College Board and parents of the Primary school.

Yours sincerely,

(by e-mail)

Peter Partridge
14/11/07

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 26

Subject: Monthly Management Report to 31st October 2007

Author: Myrene Lovegrove - Accountant

File No: 180/08/00/00

Summary:

This report is prepared to report on the operational performance against adopted estimates for the period ending 31st October 2007

Comments (including issues and background):

The report analyses the financial performance of Council for the period ending 31st October 2007 comparing actual expenditure and revenue against the revised budget. The Council's position at this time is within budgetary expectations with a surplus of \$2,644,148 compared to a revised budgeted \$4,042,170.

General Budgetary Position

This review analyses the financial performance of the Council for the period ending 31st October 2007, comparing actual expenditure and revenue against the budget. Council's budgetary position for the period ending October 2007 is financially sound. The revised budgeted surplus was \$4,042,170 and at the end of October 2007 the surplus based on actual's was \$2,644,148.

SHIRE OF WALGETT – AGENDA

The results for the period are summarised as follows:

	Original Budget	Revised Budget	Actuals	% of Revised Budget
<u>Corporate Services</u>				
Income				
River Towns	10,000	10,000	-	0.00%
Corporate Services	2,000	2,000	-	0.00%
Human Resources	9,500	9,500	7,273	76.56%
Tourism	17,000	17,000	7,919	46.58%
Agencies	55,000	55,000	15,213	27.66%
Economic Development	70,000	70,000	-	0.00%
Finance	48,000	48,000	32,922	68.59%
Rates General	3,866,453	3,866,453	3,854,491	99.69%
Untied Grants	2,390,219	2,460,675	606,614	24.65%
Capital utilisation	407,465	407,465	284,556	69.84%
Revenue	10,920	10,920	11,980	109.71%
Total Income	6,886,557	6,957,013	4,820,968	69.30%
Expenditure				
Members & Civic	526,286	526,286	266,491	50.64%
Executive	309,137	334,137	127,353	38.11%
River Towns	15,460	15,460	4,365	28.23%
Corporate Services	624,733	624,733	269,859	43.20%
Human Resources	450,738	450,738	135,607	30.09%
Tourism	331,556	331,557	176,689	53.29%
Executive Services	247,868	247,868	81,383	32.83%
Agencies	163,000	163,000	53,703	32.95%
Economic Development	206,553	193,134	6,354	3.29%
Risk Management	350,725	402,725	381,029	94.61%
Finance	272,821	272,821	97,442	35.72%
Capital Utilisation	7,289	7,289	940	12.90%
Information technology	339,428	339,428	100,605	29.64%
Creditors	48,863	48,863	17,686	36.20%
Revenue	283,551	283,551	194,338	68.54%
Payroll	53,238	53,238	18,775	35.27%
Indirect Labour Costs			- 190,850	
Total Expenditure	4,231,246	4,294,828	1,741,769	40.56%
Operating Result	2,655,311	2,662,185	3,079,199	115.66%
<u>Community Services</u>				
Income				
Community Services	44,190	44,190	19,142	43.32%
Youth Services	41,085	41,085	43,306	105.41%
Vacation Care	16,320	16,320	7,482	45.85%
Family Day Care	106,852	106,852	26,720	25.01%
Library Services	44,500	44,500	432	0.97%
Total Income	252,947	252,947	97,082	38.38%
Expenditure				
Community Services	239,957	239,957	79,704	33.22%
Youth Services	125,980	125,980	37,349	29.65%
Vacation Care	16,854	51,854	20,103	38.77%
After School Care	69,495	97,495	31,962	32.78%
Family Day Care	115,952	115,952	29,442	25.39%
Library Services	225,980	225,980	21,534	9.53%
Total Expenditure	794,218	857,218	220,094	25.68%
Operating Result	- 541,271	- 604,271	- 123,012	20.36%

SHIRE OF WALGETT – AGENDA

Planning & Regulation

Income

Planning/Building	120,950	120,950	40,646	33.61%
Environmental Health	2,100	2,100	73	3.48%
Animal Control/Regulatory	3,200	3,200	1,137	35.53%
Total Income	126,250	126,250	41,856	33.15%

Expenditure

Pesticide Pit Remediation	10,000	10,000	-	0.00%
Environmental Health	4,700	4,700	751	15.98%
Noxious Plants	75,000	75,000	75,411	100.55%
Animal Control/Regulatory	134,526	134,526	47,356	35.20%
Manager Planning & Regulation	692,630	692,630	194,073	28.02%
Total Expenditure	916,856	916,856	317,591	34.64%

Operating Result	- 790,606	- 790,606	- 275,735	
------------------	-----------	-----------	-----------	--

Emergency Services

Income

Fire Services	61,157	61,157	-	0.00%
---------------	--------	--------	---	-------

Expenditure

Fire Services	142,618	174,618	44,358	25.40%
SES	65,400	65,400	6,890	10.54%
Total Expenditure	208,018	240,018	51,248	21.35%

Operating Result	- 146,861	- 178,861	- 51,248	
------------------	-----------	-----------	----------	--

Engineering Administration

Income

Manager Engineering	73,000	73,000	6,776	9.28%
Public Halls	34,936	34,936	4,205	12.04%
Plant Operations	1,945,121	1,945,121	1,071,259	55.07%
Council Properties	380,625	380,625	77,554	20.38%
Council Reserves	33,400	33,400	27,940	83.65%
Total Income	2,467,082	2,467,082	1,187,734	48.14%

Expenditure

Manager Engineering	1,052,280	1,052,280	305,915	29.07%
Private Works	29,400	29,400	16,560	56.33%
Plant Running Expenses	1,049,161	1,049,161	568,239	54.16%
Properties Maintenance	775,000	790,000	346,953	43.92%
Motor Vehicles/Plant/Equipment	370,000	370,000	92,500	25.00%
Internal Charges	- 499,501	- 499,501		

Total Expenditure	2,776,340	2,791,340	1,330,167	47.65%
-------------------	-----------	-----------	-----------	--------

Operating Result	- 309,258	- 324,258	- 142,433	
------------------	-----------	-----------	-----------	--

SHIRE OF WALGETT – AGENDA

Roads & Bridges

Revenue

Roads & Bridges	13,710,000	8,177,545	1,538,881	18.82%
-----------------	------------	-----------	-----------	--------

Expenditure

Urban Roads	802,520	802,520	340,326	42.41%
Rural Roads	1,400,208	1,400,208	757,210	54.08%
Regional Roads	1,237,383	1,237,383	552,742	44.67%
Gravel Pit Restoration	50,000	50,000	-	0.00%
State Highways		1,278,385	685,366	53.61%
Internal Charges	- 642,600	- 642,600		
Total Expenditure	2,847,511	4,125,896	2,335,644	56.61%
Operating Result	10,862,489	4,051,649	- 796,763	

Recreation & Community Assets

Revenue

Natural Disaster Mitigation program	330,000	330,000	-	0.00%
Aerodromes	20,000	20,000	4,420	22.10%
Cemeteries	21,000	21,000	9,155	43.60%
Total Income	371,000	371,000	13,575	

Expenditure

Recreation & Community Assets	1,489,955	1,489,955	620,463	41.64%
Depots Operations	239,617	239,617	134,752	56.24%
Total Expenditure	1,729,572	1,729,572	755,215	43.66%
Operating Result	- 1,358,572	- 1,358,572	- 741,640	

Domestic Waste Management

Revenue

DWM	845,064	845,064	731,225	86.53%
-----	---------	---------	---------	--------

Expenditure

DWM	713,600	713,600	252,975	35.45%
Operating Result	131,464	131,464	478,250	

Water Supplies

Revenue

Walgett Water	760,000	760,000	545,394	71.76%
Lightning Ridge Water	466,763	466,763	451,737	96.78%
Collarenebri Water	225,843	225,843	172,449	76.36%
Rowena Water	5,504	5,504	5,504	100.00%
Carinda Water	15,785	15,786	15,785	99.99%
Cumborah Water	311	312	311	99.68%
Total Income	1,474,206	1,474,208	1,191,180	80.80%

Expenditure

Walgett Water	503,291	503,291	188,694	37.49%
Lightning Ridge Water	249,458	249,458	78,545	31.49%
Collarenebri Water	246,013	246,013	81,072	32.95%
Rowena Water	21,681	21,681	8,454	38.99%
Carinda Water	30,610	30,610	8,006	26.15%
Village Water	16,000	16,000	1,896	11.85%
Total Expenditure	1,067,053	1,067,053	366,667	34.36%
Operating Result	407,153	407,155	824,513	

SHIRE OF WALGETT – AGENDA

Sewerage Supplies

Revenue

Walgett Sewer	287,086	287,086	282,590	98.43%
Lightning Ridge Sewer	245,759	245,759	234,959	95.61%
Collarenebri Sewer	80,587	80,587	78,003	96.79%
Total Income	<u>613,432</u>	<u>613,432</u>	<u>595,552</u>	97.09%

Expenditure

Walgett Sewer	322,182	322,182	122,712	38.09%
Lightning Ridge Sewer	195,678	195,678	62,130	31.75%
Collarenebri Sewer	49,287	49,287	17,693	35.90%
Total Expenditure	<u>567,147</u>	<u>567,147</u>	<u>202,535</u>	35.71%
Operating Result	<u>46,285</u>	<u>46,285</u>	<u>393,017</u>	

Net Result

Total Income	26,807,695	21,345,698	10,218,053	47.87%
Total Expenditure	15,851,561	17,303,528	7,573,905	43.77%
Net Result	<u>\$ 10,956,134</u>	<u>\$ 4,042,170</u>	<u>\$ 2,644,148</u>	24.13%

Corporate Services

- The position of Economic Development Officer is still vacant and being readvertised.
- All general rates have been levied for 2007/2008.
- The Pensioner Rate Subsidy has been lodged with the Department of Local Government but the funds are yet to be received.
- The first instalment of the Federal Assistance Grant has been received. The second instalment is expected to be received in mid November 2007.
- Interest received is above original budget and is an on going trend.
- The Walgett Shire Council Business Awards received additional external sponsorship and income from ticket sales.
- Finance received a property insurance refund of \$14,857.
- The first instalment of \$106,510 has been paid to Lightning Ridge Pool.
- The first instalment has been paid to Lightning Ridge Visitor Information Centre. This also included the additional \$35,000 for operational costs.
- All insurance costs have been paid for 2007/2008.
- The on going debt recovery has seen an increase in rates write off, legal fees income and expenses.
- LGSA subscription has been paid.
- \$50,000 section 356 donation has been paid to the CWA for building new meeting rooms.

Community Services

- Expenditure was within budgetary constraints.
- DOTAR grant of \$18,750 was received for refurbishment of the youth centre.
- The Library Special Purpose Grant has been lodged, funds yet to be received
- The annual Northern Regional Library contribution payable to Moree Plains Shire Council has not been paid yet.

SHIRE OF WALGETT – AGENDA

Planning and Regulations

- Operating within budgetary constraints.
- The noxious weed contribution to Castlereagh Macquarie County Council has been paid.

Public Order and Safety

- Operating within budgetary constraints.

Engineering Administration

- All Council rates have been levied on Council owned property.
- The Best Employment paving private works have been completed.
- Internal plant is being well utilized, reflective in higher income and expenses.
- \$10,000 was received from the Department of Lands to re-timber the floor of the Collarenebri Show Ground.
- The emergency exit lighting has been upgraded at the Carinda Hall.

Roads and Bridges

- Work has commenced on RR333 utilizing the Strategic Regional Program funding received last June.
- The first instalment of the road funding block grant has been received. The second instalment is expected in November, 2007.
- Crack resealing works have been undertaken on RR333, RR426, RR402 and RR437.

Recreation & Community Assets

- The natural disaster mitigation grant has not been received.
- Walgett Shire Council contribution to the Lightning Ridge pool maintenance has been paid.
- The Walgett Levee bank has received extensive planned maintenance.
- The bull ring at the Walgett Saleyards has been completed.

Domestic Waste Management

- The full amount of Domestic Waste charges has been raised.
- Operations are within budgetary constraints

Water Services

- The full amount of rates revenue has been raised this period.
- Operations are within budgetary constraints

Sewer Services

- The full amount of rates revenue has been raised this period.
- Operations are within budgetary constraints

SHIRE OF WALGETT – AGENDA

Relevant Reference Documents:

Management Review 31st October 2007.
Walgett Shire Council Management Plan 2007-08

Stakeholders:

Walgett Shire Council

Financial Implications:

Overall, the results of the monthly review indicate that the financial position of Council is satisfactory and continues to operate within budgetary constraints.

Recommendation:

That Council note the Management Report for the period ending 31st October 2007.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 27

Subject: Investment Report as at 31 October 2007

Author: Amy Taylor – Customer Service Officer Finance

File No: 180/02/01/00

Summary:

This report summarises the investments of Walgett Shire Council for the month of October 2007.

Comments (including issues and background):

The Investment summary as at 31 October 2007 is as follows:

SHIRE OF WALGETT – AGENDA

INVESTMENTS - CONSOLIDATED

Council investments have been made in accordance with the Local Government Act 1993 No 30, the regulations and council's investment policy

<u>Investment Institution</u>	<u>Type of Investment</u>	<u>Term (days)</u>	<u>Rate %</u>	<u>Ref</u>	<u>Reset Date</u>	<u>Maturity Date</u>	
Bank of Qld	Term Deposit	168	6.50	447/07		20-Nov-07	\$ 250,000.00
Bankwest	Term Deposit	172	6.68	448/07		27-Nov-07	\$ 300,000.00
Citibank	Term Deposit	168	6.60	451/07		04-Dec-07	\$ 500,000.00
Citibank	Term Deposit	168	6.60	452/07		11-Dec-07	\$ 300,000.00
Savings & Loans Credit Union (FIIG Securities)	Term Deposit	168	6.70	453/08		18-Dec-07	\$ 500,000.00
IMB Ltd	Term Deposit	182	6.68	454/08		08-Jan-08	\$ 500,000.00
ACCU (FIIG Securities)	Term Deposit	182	6.76	455/08		15-Jan-08	\$ 500,000.00
Bankwest	Term Deposit	182	6.65	456/08		22-Jan-08	\$ 500,000.00
Comminvest (FIIG Securities)	Term Deposit	168	6.65	457/08		29-Jan-08	\$ 500,000.00
Bankwest	Term Deposit	168	6.91	458/08		05-Feb-08	\$ 300,000.00
Suncorp	Term Deposit	168	6.88	459/08		12-Feb-08	\$ 500,000.00
National Australia Bank	Term Deposit	168	6.75	460/08		19-Feb-08	\$ 300,000.00
National Australia Bank	Term Deposit	168	6.82	461/08		26-Feb-08	\$ 500,000.00
CBA	Term Deposit	91	7.50	462/08	19-Dec-07	16-Dec-10	\$ 500,000.00
Royal Bank Canada	Term Deposit	91	7.70	463/08	19-Dec-07	16-Mar-11	\$ 500,000.00
Citibank	Term Deposit	168	7.01	464/08		04-Mar-08	\$ 500,000.00
Savings & Loans Credit Union	Term Deposit	150	7.09	465/08		22-Feb-08	\$ 250,000.00
Newcastle Permanent Building Society	Term Deposit	161	7.10	466/08		11-Mar-08	\$ 500,000.00
Westpac	Term Deposit	166	6.85	467/08		18-Mar-08	\$ 500,000.00
National Australia Bank	Term Deposit	175	6.68	468/08		25-Mar-08	\$ 500,000.00
Suncorp	Term Deposit	182	6.96	469/08		01-Apr-08	\$ 500,000.00
Bank of Qld	Term Deposit	189	7.07	470/08		08-Apr-08	\$ 500,000.00
Local Govt Financial Services	Term Deposit	196	7.02	471/08		15-Apr-08	\$ 500,000.00
IMB Ltd	Term Deposit	203	7.11	472/08		22-Apr-08	\$ 500,000.00
Newcastle Permanent Building Society	Term Deposit	210	7.16	473/08		29-Apr-08	\$ 500,000.00
Westpac	Term Deposit	215	6.95	474/08		06-May-08	\$ 500,000.00
Suncorp	Term Deposit	224	6.99	475/08		13-May-08	\$ 500,000.00
Local Govt Financial Services	Term Deposit	231	7.05	476/08		20-May-08	\$ 500,000.00
Newcastle Permanent Building Society	Term Deposit	238	7.20	477/08		27-May-08	\$ 500,000.00
Bankwest	Term Deposit	237	7.19	478/08		03-Jun-08	\$ 300,000.00
Grange Securities - Zircon Finance Limited	Floating Rate CDO	92	8.15		20-Dec-07	20-Sep-14	\$ 500,000.00
Grange Securities - Elders Rural Bank	Floating Rate Sub Debt	92	7.51		06-Dec-07	06-Mar-17	\$ 500,000.00
Grange Securities - Adelaide Bank	Floating Rate Note	92	7.24		28-Dec-07	28-Mar-12	\$ 500,000.00
Grange Securities - MAS6-7	Term Deposit	92	8.85		20-Dec-07	20-Jun-15	\$ 250,000.00
Grange Securities - Helium	Floating Rate CDO	92	8.17		24-Dec-07	23-Jun-14	\$ 200,000.00
Grange Securities- Magnolia	Term Deposit	92	8.35		20-Dec-07	20-Mar-09	\$ 50,000.00
							\$ 15,500,000.00

Recommendation:

1. That the Investment Report as at 31 October be received

**MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING
20 NOVEMBER 2007**
Item No: 28

Subject: Report on Rates and Charges – 31 October 2007

Author: Katie Hook – Rates Clerk

File No: 180/09/00/00

REPORT ON RATES AND CHARGES - 31 October 2007			
		Oct-07	Oct-06
Arrears as at 30 June		1,454,181.05	1,618,773.48
Adjusted Levy		6,335,583.18	6,154,677.48
Interest		30,678.66	31,792.12
Payments		(3,410,616.63)	(3,047,139.90)
Adjustments		(195,831.57)	(29,208.39)
Discount		(57,584.51)	(59,249.98)
Legal Fees		62,363.83	18,281.90
Total Outstanding	\$	<u>4,218,774.01</u>	<u>4,687,926.71</u>
COMPARISON WITH 2006/2007			
		Oct-07	Oct-06
Current		3,349,905.29	3,416,263.31
Arrears		579,814.33	898,215.30
Interest b/f from previous years		201,967.71	276,143.13
Current year interest		26,050.84	31,937.99
Legals		61,035.84	65,366.98
Total Outstanding	\$	<u>4,218,774.01</u>	<u>4,687,926.71</u>
Total YTD Collected			
		Oct-07	Oct-06
Collected YTD % of Arrears and Levy		47%	39%
Collected YTD % of Levy		58%	50%

Recommendation:
That the Report on Rates as at 31 October 2007 be received.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 NOVEMBER 2007
--

Item No: 29

Subject: Review of Occupational Health & Safety Constitution

Author: OH&S Coordinator, David Callander

File No: 145/04/11/00

Summary:

The Walgett Shire Council Occupational Health & Safety Committee undertook a review of the Walgett Shire Council Occupational Health & Safety Committee Constitution and has made changes to update the document.

Comments (including issues and background):

The current Walgett Shire Council Occupational Health & Safety Committee Constitution was adopted by Council in June 2004. A review of this constitution was conducted by the Occupational Health & Safety Committee and changes have been recommended to bring the document in line with current best practices in industry.

Relevant Reference Documents:

Walgett Shire Council Occupational Health & Safety

Constitution endorsed by OHS Committee: 14 April 2004.

Walgett Shire Council Occupational Health & Safety Constitution adopted by Council : 28 June 2004, General Managers report, 4 .6.

Stakeholders:

WSC OH&S Committee

Walgett Shire Council

Financial Implications:

Nil

Recommendations:

That Council adopt the attached Walgett Shire Council Occupational Health & Safety Committee Constitution as tabled.



WALGETT SHIRE COUNCIL
OCCUPATIONAL HEALTH AND SAFETY COMMITTEE
CONSTITUTION



WALGETT SHIRE COUNCIL
OCCUPATIONAL HEALTH AND SAFETY COMMITTEE CONSTITUTION

Policy Number:

Responsibility: General Manager

Adoption Date: 28 June 2004 (last adopted)

Review Date: 20 Nov 2007

1. NAME

The name of the Committee will be known as:

WALGETT SHIRE COUNCIL OCCUPATIONAL HEALTH AND SAFETY COMMITTEE

2. AIMS

- 1) The purpose of the Occupational Health and Safety Committee is to enable management and employees to work as a team to maintain a safe and healthy working environment.
- 2) To provide a forum that will allow frank and open discussion on all issues relating to the protection of all persons including employees, contractors or visitors and members of the public, at the place of work.
- 3) In addition, all other employees and associate employees of Walgett Shire Council and who come under the provisions of the NSW Occupational Health and Safety Act 2000 and related legislation will be able to refer matters to the Committee for advice and/or assistance.
- 4) To assist in matters of compliance with the Occupational Health and Safety Act 2000 and related legislation.

3. SCOPE

The Committee will concern itself with all Occupational Health and Safety matters that have been formally referred to an appropriate person and which have not been satisfactorily resolved.

Review of all injuries or ill health and reported near misses (which had the potential to cause injury, ill-health or damage) so as to assist the employer in the production, updating and monitoring of the Occupational Health and Safety policies, procedures and associated programs.

The examination of all places of work in relation to work design, operating procedures, emergency evacuations, work place inspections, rehabilitation, technological change and the provision of suitable and approved items of personal protective clothing and safety equipment.

SHIRE OF WALGETT – AGENDA

4. DECISION-MAKING PROCEDURES

- (i) Powers and limitations of the decision maker.

There will be equal voting rights when considering procedural matters or on making recommendations to management. There will be no casting vote when determining motions. Define options in certain circumstances

- (ii) A quorum will be 50% of membership, plus one. Further more it will consist of one appointed member.

5. DISPUTE PROCEDURES

a) External Disputes

If a dispute exists between the Committee's recommendation and management not accepting the recommendation, the Chairperson will convene a meeting of the Committee as soon as practicable and the Committee will consider only the matter/s in dispute and the appropriate course of action:-

- (i) If it is an Occupational Health and Safety matter, whether to immediately call in an inspector from WorkCover or whether to re-negotiate with management on the matter and inform them that if an acceptable solution cannot be found that the Committee will call in a WorkCover inspector to arbitrate.
- (ii) If the matter concerns establishment, procedures for election, composition and size, training or any procedural matter, then the same procedure as above would apply with the exception that the Committee would appeal to the Occupational Health and Safety and Rehabilitation Council of NSW for arbitration on the matter.

b) Internal Disputes

- (i) **Procedural Matters** – If the Committee cannot reach consensus on issues before them, they will put that issue/s to a vote. Alternatively, the Chairperson may nominate to meet again within seven (7) working days. If voting fails to solve the dispute the Chairperson may appeal to the Occupational Health, Safety and Rehabilitation Council for determination of the matter.
- (ii) **Occupational Health and Safety Matters** – If the Committee is in dispute on any matter that relates to Occupational Health and Safety then the Chairperson shall take the matter up with the General Manager for determination but if the matter is unresolved he or she may contact WorkCover and ask for an inspector to advise and/or arbitrate on the matter.

6. MEMBERSHIP

The Committee membership will consist of a minimum of three (3) and a maximum of five (5) employee representatives to be elected from the entire staff, and two (2) management representatives, (one being, the Manager Engineering).

The Return to Work Coordinator, or equivalent, will be represented in ex officio capacity.

Elections for employee representatives are to be held every 2 years.

7. ELECTION AND APPOINTMENT

Management will facilitate the conduct of elections. Elections shall be held in accordance with Clause 25 of the Occupational Health and Safety Regulations 2001.

8. APPOINTMENT OF EMPLOYER'S REPRESENTATIVES

Employer representatives are appointed to the Committee for the same term as employee representatives. The General Manager has the right to determine who the management representatives will be. Management will appoint decision makers to the Committee with regard to the make-up of the workforce.

The roles of the employer's representative will include:-

- advising Council of Safety Policy and programs
- assisting the Safety Committee in its direction
- delegation / authority to commit resources

9. TRAINING OF COMMITTEE MEMBERS

All members will participate in an appropriate, accredited Occupational Health and Safety Consultative Committee Training Course, conducted by an accredited trainer.

The training of Committee Members will take place as soon as possible after their election or appointment to the Committee.

10. COMMITTEE MEMBERS NON-ATTENDANCE AT MEETINGS

All Committee Members are expected to attend all Committee Meetings.

In the event that no management representative is able to attend a meeting, the Chairperson must be notified to allow for a reschedule of a meeting day.

Where a representative fails to attend three successive meetings, that person's membership of the Committee will be terminated forthwith.

Where the member is an employee representative and the resignation results in employee representation being less than the minimum, (as per Clause 6) an election to fill the vacancy will be held as soon as possible.

11. MEETINGS

The meetings should be held quarterly. The Chairperson shall give notification of meetings one week in advance together with a copy of the proposed agenda and previous minutes.

All decisions at Committee Meetings should be arrived at by general consensus. If the Committee fails to reach consensus on any issue, then the matter should be voted upon.

The Chairperson of the Committee may call a meeting at any time.

SHIRE OF WALGETT – AGENDA

Agenda Items

All agenda items are to be submitted to the Chairperson ten days before a scheduled meeting. Members submitting items must ensure the content is given in such detail so as to assist all members in understanding the problem raised, such that meaningful discussion to determine a solution can take place.

The Chairperson shall distribute the agenda to committee members no later than five days before the meeting.

A committee member will be nominated to fulfil the role of minute taker.

Minutes

Minutes of Committee Meetings, whether or not those meetings are regarded as ordinary or extraordinary, will be kept.

It is the responsibility of the Minute Taker to record the Minutes. Minutes will contain the following information:-

1. Description of Meeting (ie whether committee, sub-committee, ordinary meeting etc), place, time and date on which it was held.
2. A list of those present.
3. Apologies for absences.
4. Notification of Approval of Minutes from the previous meeting.
5. Whether there was any business arising from the minutes.
6. Notation of reports or correspondence.
7. Items of General Business.
8. Time meeting closed and date, venue for next meeting.
9. Movers and seconders for each motion.
10. Names of person/persons nominated to action item.
11. Results of any vote including records of motions of dissent.

Within ten working days of each meeting the Minute Taker will provide the following copies of minutes:-

- (a) A copy of the Minutes are to be provided to Committee Members
- (b) A copy of the Minutes are to be provided to Council's Depots and Offices
- (c) A copy of the Minutes are to be provided to the General Manager for signing and endorsement of recommendations.
- (d) A copy of the minutes are to be provided to Council's Records Department.

12. CHAIRPERSON

The Chairperson will be an employee representative voted for by and from all employee representatives.

There shall be a deputy chairperson similarly elected to fill the position in the absence of the Chairperson.

In the event that the Chairperson and Deputy Chairperson are absent, a Committee Member shall be nominated from the floor to convene the meeting.

13. SUPPORT SERVICES PROVIDED FOR COMMITTEE

A suitable meeting place will be made available for the purposes of holding Committee Meetings.

14. EMPLOYEES' REPRESENTATIVES

Work as Committee Members

An employee's representative on an Occupational Health and Safety Committee will be deemed to be engaged in their normal duties whilst exercising that person's functions as a member of the Committee.

This provision will also apply to a member of an Occupational Health and Safety Committee attending any training course associated with that person's position on the Committee and agreed with the Employer (refer to Section 9 of this Constitution – "Training of Committee Members").

Employee's representatives on an Occupational Health and Safety Committee whilst engaged in their function as a Committee Member or whilst attending any training associated with their position on the OCCUPATIONAL HEALTH AND SAFETY Committee, shall be paid the appropriate rate.

15. INFORMATION / ADVICE FOR THE COMMITTEE

Council's Return To Work Coordinator, or equivalent, shall arrange to provide details of all injuries or hazardous situations that occurred since the previous meeting and information on proposed changes to the working environment, new plant or substances, job methods or procedures, that may affect the safety or health of employees.

16. ACCIDENT INVESTIGATIONS

The role of the Committee regarding accident investigations shall be that of a monitoring body, the purpose of which will be to ensure the purposes of the investigation as stated in Council's Occupational Health and Safety Policy and Procedural Statement are achieved.

- (i) That management carry out an investigation and comprehensive analysis of the results of all accidents.
- (ii) That there is an appropriate recording system of all accidents.

17. COMMUNICATION WITH EMPLOYEES

Joint, routine or special inspections will be done by management/employee representatives in accordance with the relevant legislation.

A comprehensive inspection programme will be drawn up to cover all locations and incorporating times and dates as agreed to by management to enable all workplaces to be inspected at least annually.

Unless decided otherwise at a meeting of the Committee, the Supervisor for the section being inspected will be invited to accompany the inspection team.

All unsafe acts and/or unsafe condition found whilst carrying out an inspection will be immediately reported to the Supervisor for that area.

The inspecting team along with any explanations and/or comments from the Supervisor should note any action or proposed action to rectify the problems identified, and these should be discussed at the next meeting of the Committee.

Failure by the immediate Supervisor to rectify any unsafe act and/or unsafe conditions should be referred to the next person in the chain of command. At all times the Committee must follow the chain of command.

SHIRE OF WALGETT – AGENDA

If after following this procedure the matter is still not rectified, then the Committee would follow the steps laid down in Clause 5 (Disputes Procedures) of this Constitution.

Employee representatives will be allocated to carry out delegated tasks.

Employee representatives will be allowed time to discuss Occupational Health and Safety matters with staff members as requested and time allocated will be as agreed to by the employer.

18. NON-MEMBERS ATTENDANCE TO COMMITTEE MEETINGS

Persons other than Committee Members maybe invited to attend meetings by the Chairperson.

19. PROCEDURE FOR CHANGING THE CONSTITUTION

The procedure for any constitutional changes will be as follows:-

- 1) Any proposed changes are to be in the hands of the Chairperson at least ten (10) days prior to any meeting so that notice may be given to all Committee Members at least five (5) days in advance of any meeting.
- 2) Any constitutional changes will require a majority vote by three quarters of the current membership.

Management Request for Change to Constitution

Where management requests change to the Constitution such proposals will be directed via Management representatives.



WALGETT SHIRE COUNCIL

OCCUPATIONAL HEALTH AND SAFETY POLICY AND PROCEDURAL STATEMENT

Walgett Shire Council is committed to providing and maintaining the best possible standard of Occupational Health and Safety for everyone working at Walgett Shire Council, including employees, contractors and visitors.

In realising its commitment, the Walgett Shire Council will comply with all relevant Occupational Health and Safety legislation.

It is recognised that the best way to manage Occupational Health and Safety is through management and Walgett Shire Council management and staff working together to identify and solve Occupational Health and Safety problems. Walgett Shire Council is committed to regular consultation with staff, and where necessary with contractors and suppliers of equipment and services, to make sure Occupational Health and Safety is being effectively managed.

Management

Senior management within the Walgett Shire Council acknowledge that there is a primary legal responsibility given to all those in management and supervisory positions for the health and safety of the people who work under their direction. Senior management will make sure that Occupational Health and Safety responsibilities are appropriately defined and delegated and that managers and supervisors receive necessary training and resources to carry out their Occupational Health and Safety responsibilities.

All managers and supervisors have a duty to provide and maintain, as far as is practicable, a working environment that is safe and without risk to health.

To carry out this responsibility managers and supervisors must:

- ensure the Walgett Shire Council Occupational Health and Safety policy and procedures are effectively implemented,
- ensure Occupational Health and Safety duties are identified and assigned to appropriate employees,
- ensure that regular discussion on Occupational Health and Safety between management and staff takes place,
- ensure that all procedures that relate to Occupational Health and Safety, such as purchasing, training, hazard management, first aid, emergency action and evacuation, are regularly revised and continue to meet Walgett Shire Council's Occupational Health and Safety needs and responsibilities,
- provide necessary information, training and appropriate supervision to all Walgett Shire Council's employees to enable them to understand and follow safe working procedures,

SHIRE OF WALGETT – AGENDA

- investigate and report on all Occupational Health and Safety incidents and accidents so that weaknesses in Walgett Shire Council's Occupational Health and Safety system can be identified and corrected,
- keep up to date with developments in Occupational Health and Safety legislation and standards which impact on their work area,
- ensure that all contractors engaged to carry out work for the Walgett Shire Council understand the safety standards expected of them and meet these standards in the way they carry out their work,
- ensure that suppliers of equipment and services understand the safety standards expected of them and that the equipment meets appropriate standards and legislative requirements,
- monitor current Occupational Health and Safety performance and try to achieve a steadily improving standard of Occupational Health and Safety performance.

Employees

Staff of Walgett Shire Council have a legal responsibility to actively contribute towards maintaining a health and safe workplace.

To do this staff must:

- Work safely at all times to protect their own health and safety, and the health and safety of everyone with whom they work, and the health and safety of any other person who is at the worksite.
- Report to their supervisor any hazards, incidents or accidents they encounter in their working day.
- Cooperate with all safety programs and specify safe systems of work being implemented.
- Participate in Occupational Health and Safety consultation and training initiatives, and use personal protective equipment and clothing that is specified for their work and supplied by the Walgett Shire Council.

This Occupational Health and Safety policy will be regularly reviewed to take account of changes in how we do our work and changes in the legal requirements for Occupational Health and Safety.

Management of Walgett Shire Council seeks the cooperation of all employees in realising our Occupational Health and Safety objectives and in creating a healthy and safe working environment.

MANAGER PLANNING AND REGULATION'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 30

Subject: Rural Addressing Grant

Author: Matthew Goodwin – Manager Planning and Regulation

File No: 100/03/01/00

Summary:

It is recommended that Walgett Shire Council accept the offer of a grant from the Natural Disaster Mitigation Program (NDMP) to offset some of the costs that it will incur in undertaking rural addressing work.

Background:

In a letter dated 19/7/2007 from the Federal Minister for Local Government, Jim Lloyd, Walgett Shire Council was notified that it was being offered a grant of \$20,000 from the Natural Disaster Mitigation Programme for rural addressing and geocoding. The grant is only available for work to be completed in the current financial year.

Documents have been submitted indicating that Council intends to undertake the rural addressing project in the following phases:

1. Validate baseline data (including ensuring that rural roads are named in a manner that complies with Australian Standards).
2. Determine direction of road numbering.
3. Allocate rural addresses.
4. Community education and implementation of signage.
5. Council data upgrade
6. Implement policy and procedural systems to maintain rural addressing data.
7. Make GIS data and maps publicly available.

The rural addressing project will result in the following outputs:

- A Geocoded rural address system with numbered posts, placed with uniformity to assist in the locating of desired destinations.
- A Geographic Information System (GIS) data base containing all geocodes and designated addressing numbers for all rural property access points in their precise location.
- Publicly available GIS data and maps.

Relevant Reference Documents:

- Walgett Shire Council file 100-03-01-00 – Rural addressing.

Stakeholders:

Walgett Shire Council, community
Federal Minister for Local Government

Financial Implications:

None known.

Recommendations:

Walgett Shire Council resolve to:

- 1. Accept the offer of a grant of \$20,000.00 from the Natural Disaster Mitigation Program (NDMP) for the 2007-2008 financial year to offset some of the costs that it will incur in undertaking rural addressing work.**
- 2. Authorise the General Manager and Administrator to execute the NDMP grant acceptance document, under Council's seal.**

MANAGER PLANNING AND REGULATION'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 31

Subject: Rural Addressing – consultation regarding road names

Author: Matthew Goodwin, Manager Planning and Regulation

File No: 100/03/01/00

Summary:

The naming of a number of rural roads in the Shire does not comply with the principles contained within Australian Standards. It is recommended that Walgett Shire Council consult with the community regarding the inconsistencies and seek public feedback on a proposal to change the names of certain roads so that they comply with Australian Standards, thereby facilitating the completion of a rural addressing project.

Background:

Over the last decade or so the vast majority of Councils in New South Wales have taken action to ensure that rural addresses within their area are identified and recorded in accordance with Australian Standard 4819:2003 Geographic Information – Rural and urban addressing (and the predecessors of that standard). Walgett Shire Council is one of the few councils that has not completed this work.

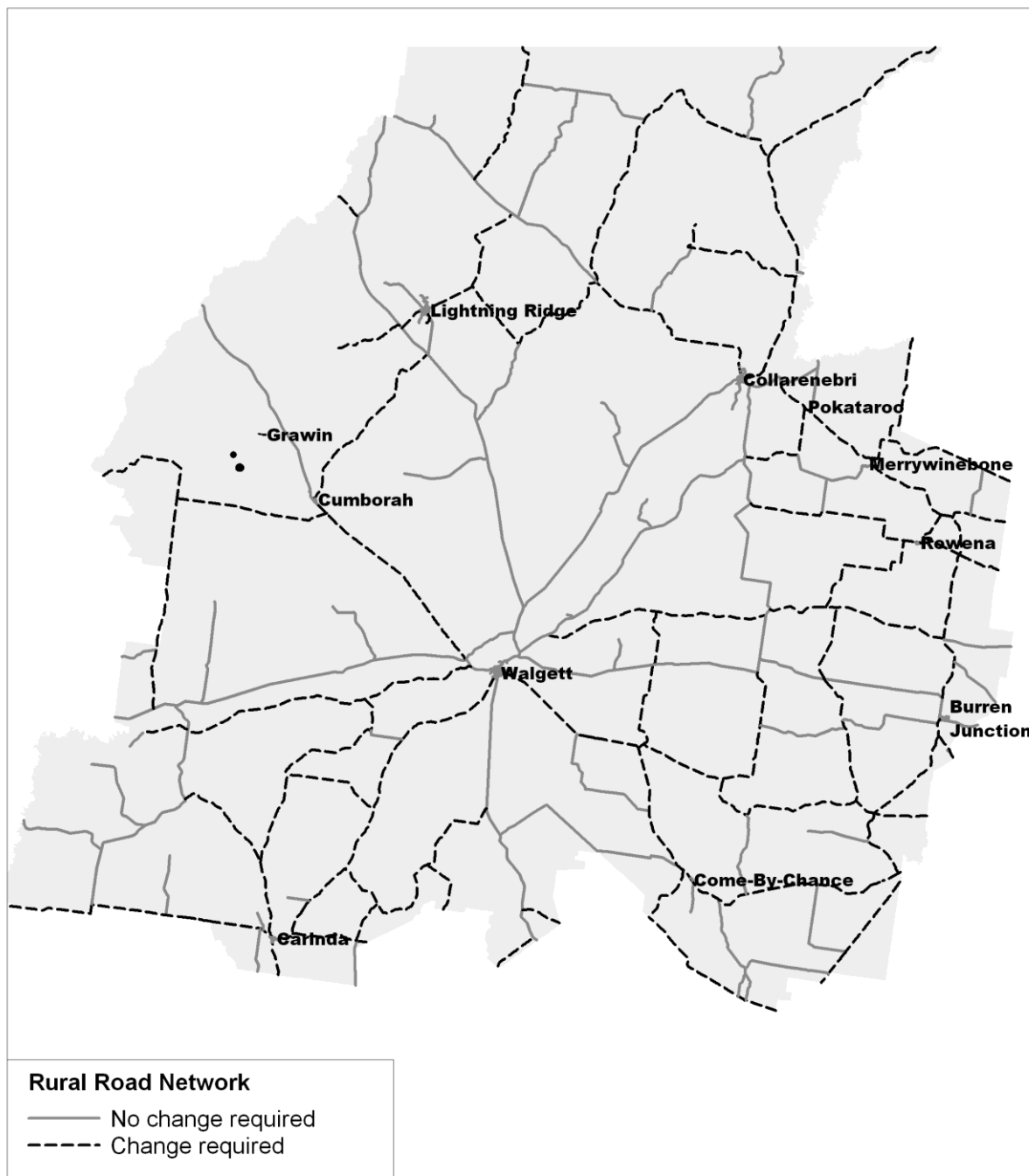
The benefits of implementing a rural addressing system that complies with the Australian Standard include:

- Facilitating faster responses by emergency services.
- Facilitating more efficient service delivery by Australia Post, Telstra, Country Energy, etc.
- Minimising the risks that arise if no action is taken.

Earlier this year Council employed a Geographic Information Systems (GIS) Coordinator. That position has been assigned the task of overseeing the rural addressing project.

The centrelines of all public roads within the Shire have been surveyed with a differential GPS (Global Positioning System) and geocoding has been completed on a tentative basis. Preliminary assessments have shown that a number of public roads presently have names that are not consistent with the principles contained within Australian Standard 4819:2003 Geographic Information – Rural and urban addressing. The relevant roads are shown in the figure below.

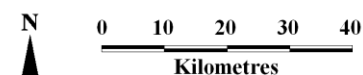
Rural Addressing - Road Names Requiring Review



Prepared by Planning and Regulation section, Walgett Shire Council.

DISCLAIMER - The publisher and/or contributors to this publication accept no responsibility for any injury, loss or damage arising from its use or errors or omissions therein. While all care is taken to ensure a high degree of accuracy, users are invited to notify any map discrepancies and should use this map with due care.

Map based on MGA94, November 2007



Scale: 1:1,000,000



Proposed changes:

There are a range of reasons why a road name change may be required, and these are summarised in general terms within Table 1 below. Roads that will be affected by the proposed name changes are listed in Table 2, along with the respective reason/s why.

Table 1 – Reasons for proposed changes.

ISSUE	CODE	REASON
Origin destination	OD	Certain roads currently have an origin – destination name. This method of naming does not comply with the Australian Standard because such names are prone to reversal and confusion (especially in the absence of local knowledge).
Division	DV	Some roads have a distinct offset in datum points at some point along their length. This can result in confusion about road continuity and names. It is proposed that Council will rename each section of the relevant roads to reduce the potential for confusion. Where possible, Council will retain the current road name with the most appropriate section of road.
Amalgamated	AM	There are a number of roads that currently have separate names, but on the ground they are effectively a single through road. A single unique name for a “merged” road is required to comply with the Australian Standard. It is proposed to rename these roads with the most appropriate single name for the entire length of the road.
Adjoining shire	AS	Adjoining Shires have already established names for a number of roads which pass through the Walgett Shire boundary. It is important to maintain name continuity with a view to minimising the potential for confusion.
Name change	NC	A number of regional roads that pass through the Shire are currently only known by a number or an informal local alternative name.

Table 2 – Roads affected by proposed changes.

Existing		Proposed		Reason code
Suffix	Name	Suffix	Name	
SR 01	Pokataroo - Franxton Rd	SR 01	Franxton Rd	OD
SR 04	Rowena - Ibon Rd	SR 123	Ibon Rd	OD & AM
SR 05	Cryon – Collarenebri Rd	SR 05	Cryon Rd	OD
SR 06	Pian Creek Rd	SR 121	Pian Creek Rd	DV
SR 06	Pian Creek Rd	SR 122	Old Burren Rd	DV
SR 08	Bugilbone – Rowena Rd	SR 125	Glen Edan Rd	OD & DV
SR 08	Bugilbone – Rowena Rd	SR 124	Bugilbone Rd	OD & DV
SR 09	Rowena Lane	SR123	Ibon Rd	AM
SR 10	Cameron Lane	SR128	Eurimbla Lane	AM & AS
SR 11	Eurimbla Lane	SR 128	Eurimbla Lane	AM & AS
SR 12	Bulyeroi – Millie	SR 12	Millie Rd	OD & AS
SR 14	Merrywinebone – Moomin Rd	SR 14	Baroona Rd	OD & AS
SR 20	Goangra - Beanbri Rd	SR 117	Beanbri Rd	OD & DV
SR 20	Goangra - Beanbri Rd	SR 116	Goangra Rd	OD & DV
SR 22	Goangra - Yarraldool	SR 118	Yarraldool Rd	OD & AM
SR 23	Yarraldool - Cryn Rd	SR 118	Yarraldool Rd	OD & AM
SR 24	Bugilbone - Bucklebone Rd	SR 24	Bucklebone Rd	OD
SR 28	Coonamble - Come-By-Chance Rd	SR 28	Come-By-Chance Rd	OD & AS
SR 29	Hollywood Boundry Rd	SR 119	Hollywood Rd	AM & AS
SR 31	Gilwarney - Gungalman Rd	SR 31	Gungalman Rd	OD
SR 32	Gilwarney - Coonamble Rd	SR 32	Gilwarney Rd	OD
SR 33	Carinda - Coonamble Rd	SR 33	To be determined	OD & AS
SR 35	Carinda - Bogewong Rd	SR 114	Bogewong Rd	OD & AM
SR 36	Bogewong - Castlereagh Rd	SR 114	Bogewong Rd	OD & AM
SR 37	Aberfoyle Rd	SR 115	Aberfoyle Rd	AM
SR 39	Wanourie Creek Rd	SR 115	Aberfoyle Rd	AM
SR 43	Bush's Rd	SR 112	Brewon Rd	AM
SR 44	Cumborah - Narran Lake Rd	SR 110	Kurrajong Rd	DV
SR 44	Cumborah - Narran Lake Rd	SR 111	Narran Lake Rd	DV & AS
SR 49	Gundabloui - Boora Rd	SR 127	Boora Rd	AM
SR 50	Boora Rd	SR 127	Boora Rd	AM
SR 53	Upper Narran Rd	SR 53	Koomalah	AS
SR 54	Boorama - Narran Lake Rd	SR 111	Narran Lake Rd	AM & AS
SR 55	Lightning Ridge Rd	SR 55	Burranbaa	NC
SR 59	Moomin Boundry Rd	SR 59	Moomin Rd	AS
SR 62	Binghi Bridge - Carinda Rd	SR 113	Binghi Rd	DV
SR 63	Yarraldool Pit Rd	SR 120	Oneils Rd	AM
SR 65	Oneils Rd	SR 120	Oneils Rd	AM
SR 70	Franciscos Rd	SR 70	Lone Pine Rd	NC
SR 72	Drilldool Rd	SR 72	Middle Route Rd	AS
SR 74	Warrington West Rd	SR 74	Loch Lomond Rd	NC
SR 75	Warrington East Rd	SR 75	Gidgenbilla Rd	AS
SR 77	Nugal Rd	SR 77	Nedgara Rd	AS
SR 78	Purtles Rd	SR 126	Purtles Rd	AM
SR 80	Brantwood Boundry	SR 119	Hollywood Rd	AM & AS
SR 83	Burren Junction Aerodrome Rd	SR 83	Drilldool Rd	AS
SR 84	Lightning Ridge Aerodrome Rd	SR 84	Fred Reece Way	NC
SR 93	Greylands Rd	SR 126	Purtles Rd	AM
SR 97	Walgett - Brewon Rd	SR 112	Brewon Rd	AM
SR 103	Burren - Pilliga	SR 103	Nunkeri Rd	OD
RR 202	Carinda - Quambone Rd	RR 202	Marthaguy Rd	AS

SHIRE OF WALGETT – AGENDA

Existing		Proposed		Reason code
Suffix	Name	Suffix	Name	
RR 329	Collarenebri - Burren Junction Rd	RR 329	Meritaroo Rd	NC
RR 333	Walgett - Warren Via Carinda	RR 333		AS
RR 383	Pilliga - Coonamble Rd	RR 383	Pilliga Rd	AS
RR 402	Kamilaroi Hwy - Cumborah Rd	RR 402	Gingie Rd	NC
RR 402	Castlereagh Hwy - Cumborah Rd	RR402	Llanillo Rd	NC
RR 426	Castlereagh Hwy - Lightning Ridge	RR 426	Bill Obrien Way	NC
RR 426	Lightning Ridge Bore Baths Rd	RR 426	Shermans Way	NC
RR 426	Lightning Ridge - Collarenebri Rd	RR 426	Ridge Road	NC
RR 437	Castlereagh Hwy - Goodooga Rd	RR 437	Bangate Rd	AS
RR 457	Collarenebri - Mungindi Rd	RR 457	Gundabloui	NC
RR 7516	Carinda - Brewarrina Rd	RR 7516	Billybingbone Rd	AS
RR 7716	Walgett - Pilliga Rd	RR 7716		NC

Relevant Reference Documents:

- Walgett Shire Council file 100-03-01-00 – Rural addressing.

Stakeholders:

Walgett Shire Council, community, emergency service providers, utility suppliers, etc.

Financial Implications:

Advertising costs will be funded from the existing budget.

Recommendations:

Council resolve to:

1. Consult with the community about proposed rural road name changes required to ensure compliance with Australian Standard 4819:2003 Geographic Information – Rural and urban addressing, via advertisements:
 - (a) On Walgett Shire Council's internet site.
 - (b) In the Walgett Spectator.
 - (c) In the Lightning Ridge News.
 - (d) In any other context deemed appropriate by the General Manager.
2. As part of the consultation process make an information paper available to the public which details the proposed rural road name changes and the reasons for them.
3. Undertake the consultation process, and make the information paper available, for a period of not less than 28 days
4. Consider any submissions received from the public prior to taking any action on the proposed rural road name changes.

MANAGER PLANNING AND REGULATION'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 32

Subject: Community Animal Welfare Scheme Project

Author: Matthew Goodwin, Manager Planning and Regulation

File No: 105/02/01/00

Summary:

Walgett Shire Council supported the recent Community Animal Welfare Scheme (CAWS) project that was managed by the Royal Society for the Prevention of Cruelty to Animals (RSPCA). This report recommends that Council note the activities undertaken as part of the project.

Comments (including issues and background):

In August 2007 the RSPCA oversaw a Community Animal Welfare Scheme (CAWS) project within the Walgett Shire. Key aspects of the project included the subsidised desexing of dogs owned by people with a low income and animal welfare education sessions for school children.

The RSPCA provided the report below which gives an overview of the educational aspects of the project.

About 107 dogs were surgically desexed in Walgett and Lightning Ridge, while a similar number received a chemical based birth control implant (which should be effective for about 1 year). Each dog was also microchipped as part of the program.

Walgett Shire Council paid the RSPCA \$10,000 as a partial contribution towards the costs of the project.

CAWS Walgett 2007 Education Program

28th – 31st August 2007

Project Aim

Following a successful Walgett CAWS program in 2006, the CAWS program returned to Walgett in 2007, offering a subsidized pet desexing service for low income earners of the Walgett region, in conjunction with a school-level educational program teaching responsible pet ownership.

Project Team - Education

Dr Sophie Constable, Veterinarian, AVA PetPEP
 Andy Bostock, Council Ranger, SPOT
 Polly Jackson, RSPCA Inspector (28th and 29th August)
 Michael Makeham, RSPCA Inspector (28th and 29th August)
 Megan Duncan, Dog trainer, SPOT

At St Joseph's and Walgett PS the CAWS team presented concurrently with the PCYC van presentation, led by Darren Martin of Lake Macquarie Police.

Media and Advertising

On 30th August, The Ridge News printed two articles about the program on page two. One article focused on the desexing program, and the other on the education program. The photo was of Andy Bostock and Sophie Constable with students at Lightning Ridge Central School.

The program banner was displayed outside the veterinary surgeries in Lightning Ridge and Walgett for the duration of the program.

Education program

Date	Schools visited	Age range contacted	Number of presentations given
28 Aug	Lightning Ridge	Kinder – Grade 6 (450 kids)	9
29 Aug	Collarenebri	Kinder – Grade 6 (110 kids)	4
30 Aug	St Josephs	Kinder – Grade 5 (150 kids)	3
30 August	Youth Centre	Kinder – Grade 6 (20 kids)	0
31 Aug	Walgett Public	Kinder - Grade 2 (60 kids)	2
	Total		18

There was not enough time to cover all the schools in the region. Further classes could have been covered at the Walgett schools if the program was not run concurrently with the PCYC program, which had little thematic overlap with CAWS / SPOT presentations.

The program schedule was filled before Burren Junction, Carinda, Goodooga or Weilmoringle schools were contacted. As such, these schools were not covered during the 2007 program.

Learning goals

Kinder to Grade 2 were SPOT Session 1, which deals with dog bite prevention.

Grades 3-6 were given RSPCA inspector presentations, except at St. Josephs, where they were taught pet care (including health), what is cruelty, consequences of cruelty. Learning aids included RSPCA mild cruelty case photos. These learning aids were very useful in achieving learning goals. Recall of educational messages was assessed using oral quizzes with prizes as rewards.

The Youth Centre activities were informal games with the students, organized by PCYC.

Assessment of Educational Program

Students were well behaved, enthusiastic, and receptive to the messages being discussed. They displayed good to excellent short term recall of the educational messages taught. Teachers were also cooperative and supportive. Several teachers thanked the presenters and expressed enthusiasm about the program.

St Joseph's were particularly interested in having further SPOT presentations as some of their primary students were recently involved in an act of cruelty on a dog owned by a teacher from Walgett PS.

Future Directions

Megan Duncan and Andy Bostock are to organize SPOT sessions 2 and 3 for all schools targeted in 2007 CAWS.

If a CAWS program returns in 2008, retention of the 2007 learning goals could be assessed, and further depth could be taught in the areas of desexing, roaming, dog behaviour and training, large animal welfare, and circuses. Presenting in the week that PCYC is absent could be advantageous.

Schools not covered in the 2007 program could be targeted in 2008. These include schools at Carinda, Burren Junction, and Goodooga.

SHIRE OF WALGETT – AGENDA

Relevant Reference Documents:

- File 105-02-01-00

Stakeholders:

Public.

Financial Implications:

Nil (beyond those previously budgeted for).

Recommendation:

That Council resolve to note the activities undertaken within Walgett Shire during August 2007 as part of the Community Animal Welfare Scheme (CAWS) project managed by the Royal Society for the Prevention of Cruelty to Animals.

MANAGER PLANNING AND REGULATION'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 33

Subject: Development and Complying Development Certificate Applications

Author: Matthew Goodwin - Manager Planning and Regulation

File No: 315/01/00/00

Summary:

This report provides a summary of the Development and Complying Development Certificate applications recently dealt with under delegated authority.

Comments (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 Manager Planning and Regulation and General Manager during October 2007.

Relevant Reference Documents:

- Respective Development Application and Complying Development Certificate files.

Stakeholders:

Public and applicants.

Financial Implications:

Nil.

Recommendations:

That Council resolve to note the Development and Complying Development Certificate applications dealt with under delegated authority by the Manager Planning and Regulation and General Manager during October 2007.

SHIRE OF WALGETT – AGENDA

AUTHORITY

Determined Applications



11/06/2007	Parameters:	Date Range:Y Start Date:1/10/2007 End Date:31/10/2007 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: 53 Calendar Stop Days: 26 Adjusted Calendar Days: 27			
020/2007/00000038/001		160 Subdivision/Consolidation Arthur ST WALGETT LOT: 12 DP: 850362	Approved - Staff Delegation	15/10/2007	24/08/2007

	Stop the Clock	Total Elapsed Calendar Days: 37 Calendar Stop Days: 0 Adjusted Calendar Days: 37			
020/2007/00000044/001		160 Subdivision/Consolidation 95 Arthur ST WALGETT LOT: 3 SEC: 31 DP: 759036	Approved - Staff Delegation	17/10/2007	11/09/2007

<i>There are Multiple Parcels on this application</i>					
	Stop the Clock	Total Elapsed Calendar Days: 24 Calendar Stop Days: 0 Adjusted Calendar Days: 24			
020/2007/00000045/001		10 Class 1a -Single Dwelling/Dual Occupancy LOT: 58 DP: 705013 IP: 206291	Approved - Staff Delegation	19/10/2007	26/09/2007

	Stop the Clock	Total Elapsed Calendar Days: 15 Calendar Stop Days: 0 Adjusted Calendar Days: 15			

AUTHORITY

AUTHORITY

Determined Applications



11/06/2007	Parameters:	Date Range:Y Start Date:1/10/2007 End Date:31/10/2007 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					
020/2007/00000048/001		160 Subdivision/Consolidation Farmland LOT: 101 DP: 881077	Approved - Staff Delegation	17/10/2007	03/10/2007

There are Multiple Parcels on this application					
Officer: Ms J R Babic		Average Elapsed Calendar Days: 25.75	Total Elapsed Calendar Days: 129.00		
Number of Applications: 4		Average Calendar Stop Days: 6.50	Total Calendar Stop Days: 26.00		
		Average Adjusted Calendar Days: 25.75	Total Adjusted Calendar Days: 103.00		

Document	Applicant Name / Address	Development Type Property Address Title Owner	Determination	Determined	Received
Document Type: 24					
	Stop the Clock	Total Elapsed Calendar Days: 7 Calendar Stop Days: 0 Adjusted Calendar Days: 7			
024/2007/00000028/001		140 Class 10a - Garage/Carport/Shed/Verandah 48 Wilson ST COLLARENBRI LOT: A DP: 409708	Approved - Staff Delegation	17/10/2007	11/10/2007

	Stop the Clock	Total Elapsed Calendar Days: 7 Calendar Stop Days: 0 Adjusted Calendar Days: 7			

AUTHORITY

SHIRE OF WALGETT – AGENDA

AUTHORITY

Determined Applications



11/06/2007	Parameters:	Date Range:Y Start Date:1/10/2007 End Date:31/10/2007 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: 24 024/2007/00000029/001		140 Class 10a - Garage/Carport/Shed/Verandah Inkerman ST BORREN JUNCTION LOT: 34 DP: 753926	Approved - Staff Delegation	17/10/2007	11/10/2007
	Stop the Clock	Total Elapsed Calendar Days: 4 Calendar Stop Days: 0 Adjusted Calendar Days: 4			
024/2007/00000030/001		10 Class 1a -Single Dwelling/Dual Occupancy Walgett ST COLLARENEBRI LOT: 2 DP: 511720	Approved - Staff Delegation	19/10/2007	16/10/2007
	Stop the Clock	Total Elapsed Calendar Days: 4 Calendar Stop Days: 0 Adjusted Calendar Days: 4			
024/2007/00000031/001		10 Class 1a -Single Dwelling/Dual Occupancy 42 Walgett ST COLLARENEBRI LOT: 1 SEC: 3 DP: 511720	Approved - Staff Delegation	19/10/2007	16/10/2007
	Stop the Clock	Total Elapsed Calendar Days: 2 Calendar Stop Days: 0 Adjusted Calendar Days: 2			
024/2007/00000032/001		150 Class 10b - Fence/Antenna/Swimming Pool 35 Black Prince DR LIGHTNING RIDGE LOT: 131 DP: 45077	Approved - Staff Delegation	18/10/2007	17/10/2007

AUTHORITY

MANAGER PLANNING AND REGULATION'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 34

Subject: Development Application 2007046, Walgett Shire Council

Author: Matthew Goodwin - Manager Planning and Regulation
Janet Babic - Town Planner

File No: DA 2007046

Summary:

A Development Application has been lodged for the ongoing use of the existing Lightning Ridge multi purpose recreation centre which includes swimming pools, indoor sports centre, library, arts and crafts centre. It is recommended that the application be approved subject to appropriate development consent conditions.

Background:

Development Application 2007046 has been lodged by Mr Richard Mallouk to approve an existing multi purpose recreation centre comprising swimming pools, indoor sports centre, library and arts and crafts centre and indoor diving pool (as shown in Figure 1). The land is located between Harlequin, Gem and Pandora Streets, Lightning Ridge.

The proposal involves:

1. An existing multi purpose recreation centre development as shown in Figure1.
2. No change to existing land uses.

The land is located within Public Reserve No. 230055 for Public Baths and Public Recreation.

Previously Walgett Shire Council issued development consent 1993045 for a “multi purpose centre”. A review of Council’s development Application files failed to disclose any evidence that the land owner had given written consent for the Development Application. In that context Development Consent 1993045 appears to have been issued without the land owner’s consent and hence was invalid under the Environmental Planning and Assessment Act 1979. In these circumstances Council staff requested that a new Development Application be lodged with the land owner’s written consent (Department of Lands).

The current Development Application has been countersigned by the Program Manager, Land Administration; Andrew Bell on behalf of the Minister for Lands (dated 18 September 2007).

Development consent 2006016 was issued solely for the diving pool building with the written consent of the Department of Lands (as landowner), hence that facility is not dealt with under the current Development Application.

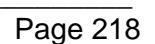


Figure 1 – Site plan of recreation Centre

Statutory matters for consideration:

79C (1)(a)(i) Provisions of any environmental planning instrument.

The only relevant environmental planning instrument is the Interim Development Order No. 1 – Shire Of Walgett 1968 (IDO). Under that order the land is located within the

“2. Village or Township” zone.

Development consent is required in accordance with the IDO Column III, (Development that may only be carried out with consent of Council)

Development other than that prohibited by column V

79C (1)(a)(ii) Provisions of any draft environmental planning instrument that is or has been placed on public exhibition.

Not applicable.

79C (1)(a)(iii) Any development control plan.

Not applicable.

79C(1)(a)(iiia) Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

Not applicable.

79C(1)(a)(iv) The Regulations.

Clause 98C of the Environmental Planning and Assessment Regulation 2000 prescribes certain standards for buildings that are used as places of public entertainment, such as the indoor sports centre.

79C (1)(b) Likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Current land uses on surrounding lots are residential to the north, east and south and community uses to the west. No change to existing land use proposed on the site.

An existing 3.66m wide easement traverses Lot 6. Advice from Council's Engineering Department (Ian Taylor) is that the easement should be retained.

Ongoing operation of the development will provide recreation and social development opportunities..

79C (1)(c) Suitability of the site for the development.

There are no apparent factors that make the site unsuitable for the proposed lot consolidation.

79C (1)(d) Submissions made in accordance with the Act or the Regulation.

Not applicable. Under the Environmental Planning and Assessment Act 1979 the proposal is local development with no opportunity for submissions under the act or Regulation (as opposed to designated or advertised development).

79C (1)(e) The public interest.

The development has been in operation for several years and appears to be accepted by the Lightning Ridge community as an important recreational venue.

No significant adverse impacts on the built and natural environment are likely given that the development already exists.

In this context the development appears to be in the public interest.

SHIRE OF WALGETT – AGENDA

The following matters must also be considered by Council in accordance with the respective clauses of the Environmental Planning and Assessment Regulation 2000 when making a decision on any Development Application.

92 (1) (b) Demolition.

Not Applicable, no demolition work is proposed.

93 Fire safety and other considerations

Clause 98 of the Environmental Planning and Assessment Regulation requires that the buildings comply with the Building Code of Australia, and is a prescribed condition of development consent.

94 Consent authority may require buildings to be upgraded

No upgrades required, only compliance with the current Building Code of Australia.

94A Fire safety and other considerations applying to temporary structures

Not applicable.

95 Deferred commencement consent

Not applicable.

97A Fulfilment of BASIX commitments

Not applicable.

Relevant Reference Documents:

- Development Application file 1993045
- Development Application file 2006016
- Development Application file 2006018
- Development Application file 2007046
- Environmental Planning and Assessment Act 1979.
- Interim Development Order No. 1 – Shire of Walgett 1968.

Stakeholders:

- Reserve Trust for Reserve 230055
- Lightning Ridge Olympic Pool Committee
- Department of Lands

Recommendation:

That Development Application 2007046 be approved subject to the following conditions of consent:

PRESCRIBED CONDITIONS

1. The Environmental Planning and Assessment Regulation 2000 prescribes the following conditions of development consent.
98. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989
2. (1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
 - (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
 - ~~(b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.~~
3. (2) This clause does not apply:
 - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - (b) to the erection of a temporary building.
4. (3) In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

98A. Erection of signs

5. (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
6. (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
7. (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
8. (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

9. (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.
10. (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

98C. Conditions applying to buildings as places of public entertainment.

(1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2), (4) and (5) and Schedule 3A are prescribed as conditions of development consent (including a development consent granted and in force before the commencement of this clause) for development involving the use of a building as a place of public entertainment.

(2) If the building is a temporary structure, Part B1 and NSW Part H102 of Volume One of the *Building Code of Australia* (as in force on the date on which the relevant development application is made) must be complied with.

Note. Under clause 98, the erection of a building that is not a temporary structure, including a building that is proposed to be used as a place of public entertainment, must comply with the requirements of the *Building Code of Australia*.

(3) Subclause (2) does not apply to the extent to which an exemption is in force under clause 187, subject to the terms of any condition or requirement referred to in clause 187 (6).

(4) If the building is a temporary structure comprising a tent or marquee, a sign must be displayed in a prominent position in the tent or marquee that specifies the following:

- (a) the maximum number of persons, as specified in the development consent, that are permitted in the tent or marquee,
- (b) the name, address and telephone number of the council of the area in which the tent or marquee is located.

(5) If the building is not a temporary structure, a sign must be displayed in a prominent position in the building that specifies the following:

- (a) the maximum number of persons, as specified in the development consent, that are permitted in any part of the building used as a place of public entertainment,
- (b) the name, address and telephone number of the council of the area in which the building is located,
- (c) the name and business telephone number of an owner or manager of the part of the building used as a place of public entertainment.

Schedule 3A Places of public entertainment

1 Dangerous entertainment

(1) Public entertainment must not involve:

- (a) the discharge of ammunition from a firearm, or
- (b) the use of any material or thing giving off a level of heat or toxicity that poses a threat of harm to patrons or members of the audience, or
- (c) the use of fireworks unless the use of the fireworks is in accordance with a licence granted under the *Explosives Act 2003*, or

- (d) the use of a sharp implement in a manner that poses a threat of harm to patrons or members of the audience, or
- (e) the screening of a nitrate film.

(2) In this clause:

fireworks does not include fireworks that are permitted to be used without a licence under the *Explosives Act 2003*.

2 Stage management

During a stage performance, there must be at least one suitably trained person in attendance in the stage area at all times for the purpose of operating, whenever necessary, any proscenium safety curtain, drencher system and smoke exhaust system.

3 Proscenium safety curtains

If a proscenium safety curtain is installed at a place of public entertainment:

- (a) there must be no obstruction to the opening or closing of the safety curtain, and
- (b) the safety curtain must be operable at all times.

4 Projection suites

- (1) Where there is a projection suite at a place of public entertainment, the requirements of NSW Part H101.17 in Volume One of the *Building Code of Australia* must be complied with.
- (2) When a film is being screened at a place of public entertainment, at least one person trained in the operation of the projectors being used and in the use of the fire fighting equipment provided in the room where the projectors are installed (the *projection room*) must be in attendance at the place of public entertainment.
- (3) If the projection room is not fitted with automatic fire suppression equipment and a smoke detection system, in accordance with the *Building Code of Australia*, the person required by subclause (2) to be in attendance must be in the projection suite in which the projection room is located during the screening of a film.
- (4) No member of the public is to be present in the projection suite during the screening of a film.

5 Marking of aisles and cross-overs

If it is intended that the audience at a performance be seated on the floor, aisles and

cross-overs are to be clearly defined on the floor.

6 Seating in rows

Seating set out in rows must comply with relevant provisions set out in:

- (a) in the case of seating in a temporary structure—NSW Part H102.10 in Volume One of the *Building Code of Australia*, and
- (b) in the case of seating set out in any other kind of building—NSW Part H101.11 in Volume One of the *Building Code of Australia*.

7 Seating in paths of travel to designated exit

The audience at a performance must not be seated, and seating must not be located, in aisles or other paths of travel to a designated exit.

8 Aisle lights to be on

Aisle lights referred to in NSW Part H101.20.3 in Volume One of the *Building Code of Australia* must be on when the public is in attendance and the main auditorium lighting is dimmed or off.

9 Locks

Any key-operated fastening fitted to an exit door or gate used by the public as a main entrance must be arranged so that, whenever the public is in attendance, the tongue or bolt is locked in the retracted position to enable the door or gate to yield to pressure from within.

10 Rope barriers

If a rope barrier is used across or at the side of an aisle:

- (a) the barrier must be secured with spring clips that become unfastened when pressure is exerted on the rope, and
- (b) the barrier must have a centre fastening only, and
- (c) the barrier must not trail on the floor when released.

11 Emergency evacuation plans

- (1) An emergency evacuation plan must be prepared, maintained and implemented for any building (other than a temporary structure) used as a place of public entertainment.
- (2) An *emergency evacuation plan* is a plan that specifies the following:
 - (a) the location of all exits, and fire protection and safety equipment, for any part of the building used as a place of public entertainment,
 - (b) the number of any fire safety officers that are to be present during performances,
 - (c) how the audience are to be evacuated from the building in the event of a fire or other emergency.
- (3) Any fire safety officers appointed to be present during performances must have appropriate training in evacuating persons from the building in the event of a fire or other emergency.

12 Council may require fire safety information

The owner or occupier of a building that is used as a place of public entertainment must, if required to do so at any time by the council of the area in which the building is located, furnish to the council a certificate from a registered testing authority (within the meaning of the *Building Code of Australia*) or other approved testing authority, as to the early fire hazard or flammability properties of the finish of a wall, ceiling or floor, or of a curtain, blind or cinematograph screen.

13 Upholstery, curtains or blinds

Any upholstery, curtains or blinds must, on installation (including replacement), comply with any relevant specifications set out in the following:

- (a) in the case of any upholstery, curtains or blinds installed in a temporary structure—NSW Part H102.7 in Volume One of the *Building Code of Australia*,
- (b) in the case of any upholstery, curtains or blinds installed in any other kind of building—Specification C1.10a and NSW Specification C1.10 in Volume One of the *Building Code of Australia*.

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

GENERAL

Gen 010.

It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.

Reason: To avoid breaching the requirements of any covenant.

Gen 020.

Any future development on the subject site or use of the subject land in a manner inconsistent with this development consent (approval) will require separate development consent to be obtained from council in writing prior to the commencement of any work.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

Gen 030.

Council is to be immediately informed in writing if arrangements for work are changed.

Reason: To enable Council to maintain an accurate record of approvals granted.

Gen 040.

Prior to commencing any building works a Construction Certificate must be obtained from Council to authorise construction.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

Gen 050

In addition to plans, elevations and sections, the application for a Construction Certificate is to include the following information:

- (a) The location of all smoke detectors/alarms together with a statement that they will be installed in accordance with AS 3786 AS1670.1 and,
- (b) Details of the proposed method of termite treatment showing that compliance will be achieved with AS 3660,
- (c) All structural details including specifications, tie-down and bracing plans and slab design details.

Reason: To ensure compliance with the Building Code of Australia.

APPROVED PLANS

PIn 010.

The development shall be implemented in accordance with:

- (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
- (b) The details set out on the plans approved and stamped by authorised officers of Council,

except as amended by the conditions of this development consent.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

CONSTRUCTION

Con 010

The applicant shall ensure that noise pollution is minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-

Weekdays 7.00 a.m. to 7.00 p.m.

Weekends & Public Holidays 8.00 a.m. to 7.00 p.m.

Reason: To ensure that public amenity is not unduly affected by noise.

Con 020.

All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.

Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.

Con 090.

All steel framing shall comply with Part B1 of the Building Code of Australia and associated standards.

Reason: To ensure compliance with the Building Code of Australia.

Con 120.

All glass installation shall comply with the requirements of Australian Standard 1288 and 2047 as applicable. The installer shall provide certification that the glazing complies with the requirements of AS 1288 and AS 2047 immediately following installation.

Reason: To ensure compliance with the Building Code of Australia.

Con 140.

All external lightning is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.

Reason: To prevent the intrusion of light onto adjoining premises.

Con 200.

The door to the fully enclosed sanitary compartment must:

- (a) Slide, or
- (b) Open outward, or
- (c) Be readily removable from the outside of the compartment.

NOTE: If lift-off hinges are used adequate space is to be provided between the top of the door and the doorway to allow the door to be removed from the hinges.

Reason: To ensure compliance with the Building Code of Australia.

Con 210.

All electrical work must be carried out by a licensed electrician in accordance with Australian Standard 3000 – SAA Wiring Rules and Australian Standard 3002.

Reason: To ensure compliance with Australian Standards.

DISABLED ACCESS

Dis 010.

SHIRE OF WALGETT – AGENDA

Disabled access and facilities are to be provided in accordance with the Building Code of Australia and Australian Standard 1428.1 Design for Access and Mobility - General requirements for access - New building work'.

Reason: To ensure compliance with the Building Code of Australia and the Disability-Discrimination Act 1992.

VENTILATION

Ven 010.

Provide an approved system of mechanical ventilation in accordance with the requirements of Part F4.5(b) of the Building Code of Australia.

Reason: To provide adequate ventilation and to ensure that there are no adverse affects on the occupants or the building.

WATER, SEWER, AND STORMWATER

Plu 010.

Before any plumbing, stormwater or sewer drainage works are commenced an Activity Application and Annexure accompanied by a diagram of proposed works and the appropriate fees is to be submitted and approval granted in accordance with the requirements of Section 68 of the Local Government Act 1993.

Reason: To ensure compliance with the Local Government Act 1993, Council's On Site Sewage Management Guidelines, Australian Standard 3500.1-4 and the Plumbing and Drainage Code of Practice.

Plu 060.

The top of the buildings overflow relief gully (ORG) shall be a minimum 150mm below the lowest sanitary fixture or the buildings finished floor level, whichever is the lowest and a minimum 75mm above the finished surrounding ground level.

Reason: To prevent ingress of surface stormwater into the sewer and ensure compliance with Australian Standard 3500.1-4 and the Plumbing and Drainage Code of Practice.

Plu 080.

All plumbing and drainage works are to be completed in accordance with Australian Standards 3500.1-4 and the Plumbing and Drainage Code of Practice.

Reason: To ensure that plumbing and drainage works are completed in a professional manner.

Plu 140.

Where building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.

- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,**
- (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted,**
- (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and**
- (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin – mortar or concrete is not to be used.**

Reason: Requirement of Council as the Road Authority.

Plu 150.

All new heated water installations shall, at the outlet of all sanitary fixtures used primarily for personal hygiene (bath, shower and hand basins) deliver heated water not exceeding -

- (a) 45° C for early childhood centres, primary and secondary schools and nursing homes or similar facilities for young, aged, sick or people with disabilities, and
- (b) 50° C in all other buildings.

Notes:

- 1. Temperature control devices require routine maintenance and performance testing. Information on maintenance can be found in AS 4032.2
- 2. It is the property owner's responsibility to ensure that the routine maintenance is carried out.

Reason: Temperature limits are required to minimise the risk of scalding.

Plu 160.

Roof water is to be disposed of:

- (a) By piping to the street gutter.

Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.

PARKING & TRAFFIC

Par 030.

Parking facilities for people with disabilities are to comply with Part D3.5 of Building Code of Australia and the requirements of Australian Standard 2890.1 – Parking Facilities – Off Street Car Parking.

Reason: To enable use of the car space by people with disabilities and to ensure compliance with the requirements of the Building Code of Australia.

PUBLIC ROADS

Rds 010.

Any damage caused to kerb, guttering crossovers and/or footpaths during building operations shall be rectified by the building developer.

Reason: To ensure that public infrastructure is maintained.

ENVIRONMENTAL MANAGEMENT

Env 050

Noise from the development (LA10) shall not exceed the background (LA90) by more than 5dB (A) at any time including any allowance for impulsiveness and tonal characteristics, when measured at the most affected residence.

Reason: To prevent the generation of a noise nuisance.

SWIMMING POOL AND SPA

Swi 060.

The filtration equipment must be effectively sound-proofed at all times. Filtration equipment when operating must not exceed 5dB(A) above background noise measured at the nearest effected residence.

Reason: To maintain the amenity of the area.

Swi 075.

SHIRE OF WALGETT – AGENDA

The swimming pool backwash water is disposed of to Council's sewer main in accordance with Australian Standard 3500 – Plumbing and Drainage.

Reason: Council requirement to control pollution and maintain public health..

OPAL MINING DISTURBANCE

Min 010.

Opal mining and prospecting operations may have been previously carried out on, or below, the land, which is the subject of this consent, or on adjoining lands. The developer should make their own enquiries to determine whether the land being developed might be adversely affected by such activities, prior to proceeding with the development.

Reason: There are no official records of the extent of opal mining workings within the Lightning Ridge area. It is in the interest of the developer to ensure that there is no evidence that the land is detrimentally affected by mining activity.

PLAYGROUND

Pla 010.

Playground equipment and layouts shall comply with '*Australian Standard 4685.1-6 2004 Playground equipment safety requirements*'.

Reason: To ensure that playground equipment is suitable for use by children.

FOOD PREMISES

Foo 010.

The fit out and operations of the food premises must comply with the requirements of:

- (a) Food Safety Standards.
- (b) Australian Standard 4674-2004 Design Construction and Fit Out of Food Premises.
- (c) The NSW Food Act 2003.

Reason: To ensure that the building conforms to the relevant performance requirements of the Building Code of Australia and Food Act 2003.

Foo 030.

Arrangements are to be put in place by the applicant for the collection, storage, and removal of garbage and unwanted building materials from site on a regular basis. All garbage is to be stored in animal proof containers screened from public view and situated so as not to cause a nuisance to the occupants of the building or neighbouring properties.

Reason: To maintain the amenity of the site and surrounds.

ENVIRONMENTAL MANAGEMENT

Env 040.

No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.

Reason: To prevent pollution from detrimentally affecting the public or environment.

Env 050

Noise from the development (LA10) shall not exceed the background (LA90) by more than 5dB (A) at any time including any allowance for impulsiveness and tonal characteristics, when measured at the most affected residence.

Reason: To prevent the generation of a noise nuisance.

INSPECTIONS

The applicant is to advise Council of the name and address of the body nominated to act as the Principal Certifying Authority, on the “Notice of Commencement Form” forty eight (48) hours prior to work commencing.

NOTE 1: Development consent is required for all building works prior to commencement. Mandatory Critical Stage Inspections required to be carried out will be listed on the relevant approval.

Inspections at the completion of stages as indicated are required to be carried out by the Principal Certifying Authority. Work must not proceed past any inspection stage until approval is given by the Certifier.

Critical Stage Inspections

- After excavation for, and prior to the placement of, any footings, and
- Prior to pouring any in-situ reinforced concrete building element, and
- Prior to covering waterproofing in any wet areas, and
- Underfloor drainage prior to pouring concrete.
- On completion of plumbing pipe installation (hot & cold water service) prior to covering.
- On completion of waterproofing of wet areas and prior to commencement of wall and floor tiling.
- Prior to covering any stormwater drainage pipe work and connection points.
- Installation of septic tanks and effluent lines prior to backfilling.
- All external sewer drainage prior to covering in trenches, clearly visible and under hydrostatic test.
- Final Inspection of Fire service installations After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Reason: *Occupation Certificates cannot be issued if the Principal Certifying Authority does not carry out the designated inspections, and to ensure compliance with the approved plans.*

NOTE 2: Council acknowledges that all of the buildings shown on the site plan dated 20/07/2007 prepared by Gleeson Surveying, except the partially constructed diving pool building have already been constructed.

FIRE SAFETY

Fir 060.

Fire Safety Equipment as per the attached Fire Safety Schedule, shall be installed and maintained on the premises and be the subject of the required annual Fire Safety Statement.

FIRE SAFETY SCHEDULE.

The following fire safety services are to be installed in the building;

- (a) Fire Hose Reels complying with the requirements of Part E1.4 of the building code of Australia and AS 1121 “Fire Hose Reels”, and AS 2441 “Fire Hose Reels Installation”.

SHIRE OF WALGETT – AGENDA

- (b) Portable Fire Extinguishers complying with the requirements of Part E1.6 of the Building Code of Australia and AS 2444 “Fire Extinguishers Selection”.**
- (c) Exit signs complying with the requirements of Part E4.5 of the Building Code of Australia and AS 2293. “Emergency Evacuation Lighting”. Such lighting to be located at each designated exit from the buildings.**
- (d) Emergency Lighting complying with the requirements of Part E4.2 of the Building Code of Australia and AS 2293.1 “Emergency Evacuation Lighting”.**
- (e) An automatic smoke detection and alarm system complying with the requirements of Specification E2.2a (Clauses 3 or 4 as applicable) of the Building Code of Australia and AS 1670.1 and AS 3786.**

On completion of the building and at least once in each period of twelve months following completion, the owner shall cause council to be furnished with Certification that each essential fire service installed in the building is capable of performing to a standard not less than they were originally required to achieve and perform to a standard not less than that determined using the corresponding Part I.1 Building Code of Australia provisions.

MANAGER PLANNING AND REGULATION'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 35

Subject: Development Application 2007047, Walgett Shire Council

Author: Janet Babic - Town Planner

File No: DA 2007047

Summary:

A Development Application has been lodged to alter the boundary between three lots located near Gem and Pandora Streets, Lightning Ridge. It is recommended that the application be approved subject to appropriate development consent conditions.

Background:

Development Application 2007047 has been lodged by Mr Richard Mallouk for a proposed subdivision to alter the boundary between three lots in Gem and Pandora Streets, Lightning Ridge (as shown in Figure 1).

The proposal involves:

1. Adjusting the boundary between Lots 5, 6 and 7, in DP 110031 (as shown in Figure 2), primarily so that the partially constructed diving pool building located on Lot 6 can comply with Specification C1.1 of the Building Code of Australia which deals with fire separation matters.
2. No change of land use has been proposed as part of the Development Application.

The land includes the following Crown Reserves;

- Lightning Ridge (R230055) Reserve for Public Baths and Public Recreation.
- Lightning Ridge community Purpose Reserve (R230083).

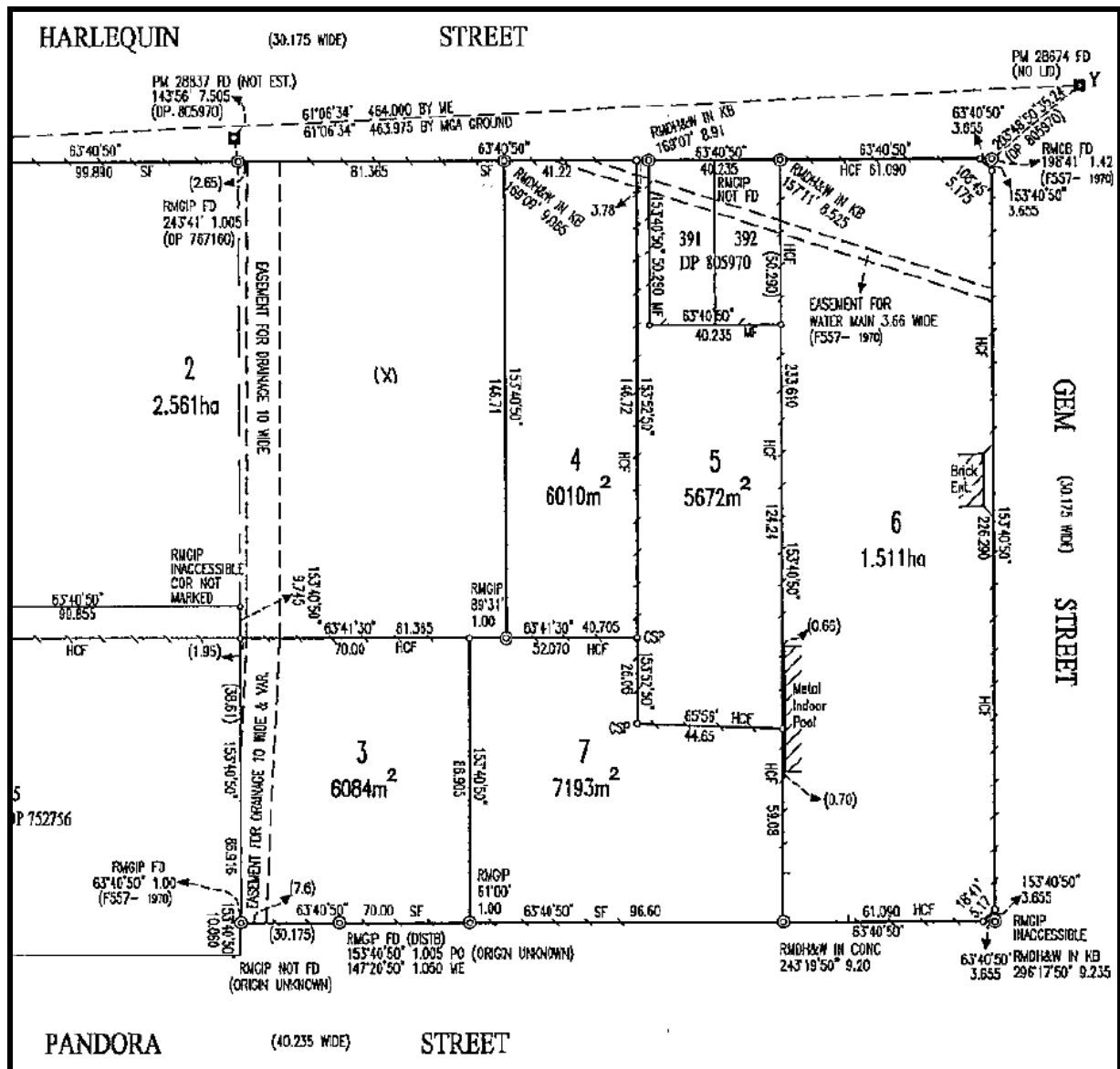


Figure 1 – Lots proposed to be subdivided (numbered 5, 6, & 7).

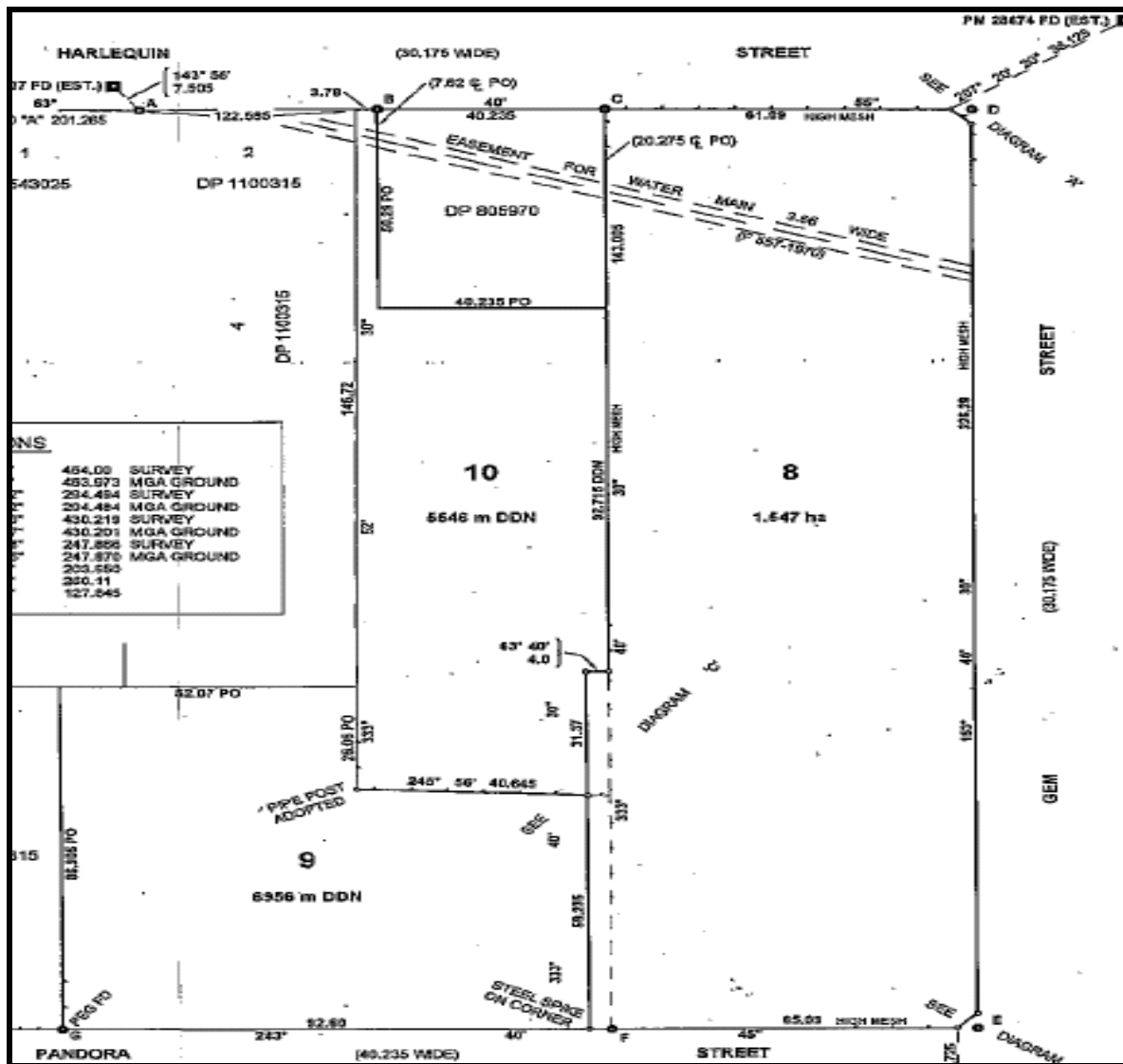


Figure 2– Lots proposed to be created (numbered 8, 9 & 10).

Statutory matters for consideration:

79C (1)(a)(i) Provisions of any environmental planning instrument.

The only relevant environmental planning instrument is the Interim Development Order No. 1 – Shire Of Walgett 1968 (IDO). Under that order the land is located within the

“2. Village or Township” zone.

Development consent is required in accordance with the IDO Column III, (Development that may only be carried out with consent of Council)

Development other than that prohibited by column V

79C (1)(a)(ii) Provisions of any draft environmental planning instrument that is or has been placed on public exhibition.

Not applicable.

79C (1)(a)(iii) Any development control plan.

No relevant Development Control Plans (DCPs).

79C(1)(a)(iiia) Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

Not applicable.

SHIRE OF WALGETT – AGENDA

79C(1)(a)(iv) **The Regulations.**

Section 92 and 92A of the Environmental Planning and Assessment Regulation 2000 prescribe additional matters for consideration (see comments below).

79C (1)(b) **Likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**

Current land uses on surrounding lots are residential to the north, east and south and community uses to the west. No change to existing land use proposed on the site.

An existing 3.66m wide easement traverses Lot 6. Advice from Council's Engineering Department (Ian Taylor) is that the easement should be retained.

In that context this report recommends that a development consent condition be imposed requiring the easement (Sub 040) to be retained.

79C (1)(c) **Suitability of the site for the development.**

There are no apparent factors that make the site unsuitable for the proposed lot consolidation.

79C (1)(d) **Submissions made in accordance with the Act or the Regulation.**

Not applicable. Under the Environmental Planning and Assessment Act 1979 the proposal is local development with no opportunity for submissions under the act or Regulation (as opposed to designated or advertised development).

79C (1)(e) **The public interest.**

It appears to be in the public interest to approve this Development Application to enable the diving pool to comply with fire safety requirements.

The following matters must also be considered by Council in accordance with Sections 92 and 92A of the Environmental Planning and Assessment Regulation 2000 when making a decision on any Development Application.

92 (1) (a) **Coastal areas.**

Not Applicable.

92 (1) (b) **Demolition.**

Not Applicable, no demolition work is proposed.

92A **Preliminary planning.**

Not applicable.

Relevant Reference Documents:

- Development Application file 1993045
- Development Application file 2006016
- Development Application file 2006018
- Development Application file 2007047
- Environmental Planning and Assessment Act 1979.
- Interim Development Order No. 1 – Shire of Walgett 1968

Stakeholders:

- Reserve Trust for Reserve 230055
- Lightning Ridge Olympic Pool Committee
- Department of Lands

Recommendation:

That Development Application 2007047 be approved subject to the following conditions of consent:

PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT

As no “work” is to be undertaken there are no prescribed conditions of development consent under the Environmental Planning and Assessment Regulation 2000.

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

APPROVED PLANS

Pln 010.

The development shall be implemented in accordance with:

- (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,**
- (b) the details set out on the plans approved and stamped by authorised officers of Council,**

except as amended by the conditions of this development consent.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

SUBDIVISION

Sub 010.

That three lots are created by the subdivision of Lots 5, 6 and 7 in DP 161095, one of about 1.547 hectares, one of about 0.6956 hectares and one of about 0.5546 hectares.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

Sub 020.

A surveyor’s plan must be submitted to Walgett Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.

Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Walgett Shire Council.

Sub 040.

An existing 3.66 metres wide easement, in favour of Council shall be retained over the area that is traversed by Council's water main.

REASON: Council's water main will be protected from inappropriate development by the easement.

Sub 060.

The subdivision certificate will not be released until development consent conditions under this section (titled "subdivision") have been complied with.

REASON: To ensure compliance with the terms of the development consent.

MANAGER PLANNING AND REGULATION'S REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 36

Subject: Development Application 2007049, Walgett Shire Council

Author: Janet Babic - Town Planner

File No: DA 2007049

Summary:

Walgett Shire Council has lodged a Development Application has been lodged to subdivide, and thereby separate, a historical survey marker from a lot used as a residence for Council staff. It is recommended that the application be approved subject to appropriate development consent conditions.

Background:

Development Application 2007049 has been lodged by Walgett Shire Council to subdivide Lots 20 and 30, DP 253488 which are owned by Council and located in Euroka St., Walgett (as shown in Figure 1). Lot 20 used for Walgett Shire Council's works depot, part of the Walgett levee bank and as vacant land. Lot 30 has a residence used by Council staff and a historic survey marker.

The Development Application proposes:

1. Amending the boundary between Lot 20 and 30 in DP 253488 so that an area of about 175.1 square metres is effectively taken from Lot 30 and added to Lot 20 (as shown in Figure 2).
2. The 175.1 square metre area includes a historic survey mark.
3. No change of land use.

The survey mark has been identified as a heritage item in the draft Walgett Shire Council Draft Community Based Heritage Study. It is also relevant to note the relevant recommendations made in the *"Report On The Public Hearing For The Proposed Reclassification Of Council Land Within Walgett Shire From Community Land To Operational Land Under The Provisions Of The Local Government"* from April 2006. They were to the effect that:

- Lots 20 and 30 re-classified as "Operational" land under the associated draft Local Environmental Plan.
- Once the draft Walgett Local environmental Plan 2006 – Classification of Public Lands is made, the rear portion of Lot 30 DP 253488, containing the Survey Marker's original location, be subdivided off and consolidated with Lot 20 DP 253488.

The Walgett Local Environmental Plan 2006 – Classification and Reclassification of Public Land was gazetted on 16 February 2006, hence both lots are now classified as "operational" for the purposes of the Local Government Act 1993.



Figure 1 – Lots proposed to be subdivided (shaded).

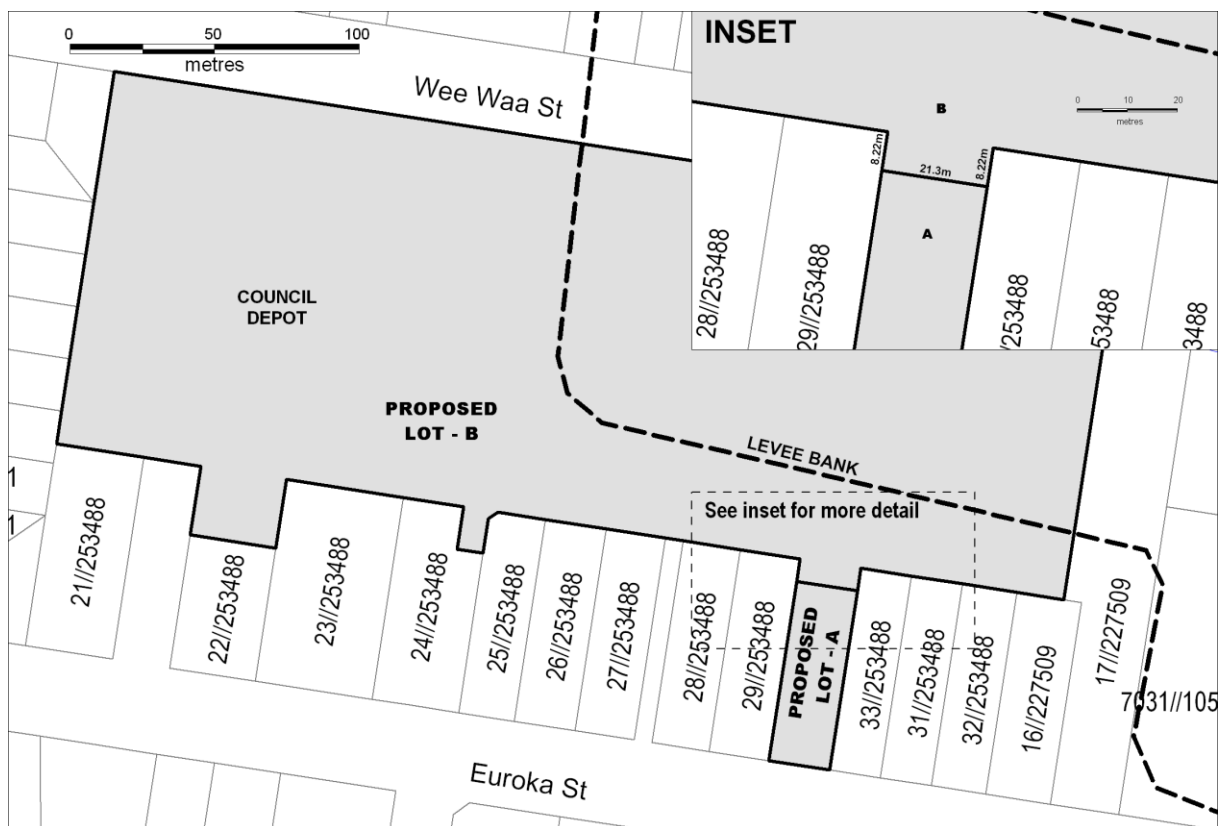


Figure 2– Lots proposed to be created (shaded).

Statutory matters for consideration:

79C (1)(a)(i) Provisions of any environmental planning instrument.

The only relevant environmental planning instrument is the Interim Development Order No. 1 – Shire Of Walgett 1968 (IDO). Under that order the land is located within the “2. Village or Township” zone.

The IDO imposes a requirement for development consent to be obtained for the proposed subdivision.

79C (1)(a)(ii) Provisions of any draft environmental planning instrument that is or has been placed on public exhibition.

Not applicable.

79C (1)(a)(iii) Any development control plan.

No relevant Development Control Plans (DCPs), however Walgett Shire Council does have a “Land Subdivision Code for Urban Areas” adopted on 2nd September 1991 which is expected to be used as a basis for any future DCP requirements addressing subdivision matters.

The proposal complies with the minimum lot size requirements for a residential lot of 1,000m². specified by that code, (the lot on which the Council staff residence is located will have an area of about 1331m²).

79C(1)(a)(iiia) Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

Not applicable.

79C(1)(a)(iv) The Regulations.

Section 92 and 92A of the Environmental Planning and Assessment Regulation 2000 prescribe additional matters for consideration (see comments below).

79C (1)(b) Likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Current land uses on surrounding lots are open space to the north and the Flood Levee Bank which surrounds the Walgett urban area, residential to the east, west and south. No change to existing land use proposed on the site.

Unlikely to be significant adverse impacts on the natural and built environments.

79C (1)(c) Suitability of the site for the development.

There are no apparent factors that make the site unsuitable for the proposed lot boundary alteration.

79C (1)(d) Submissions made in accordance with the Act or the Regulation.

Not applicable. Under the Environmental Planning and Assessment Act 1979 the proposal is local development with no opportunity for submissions under the act or Regulation (as opposed to designated or advertised development).

79C (1)(e) The public interest.

No objections were received from notified persons at the time of completing this report (8 November 2007).

SHIRE OF WALGETT – AGENDA

The following matters must also be considered by Council in accordance with Sections 92 and 92A of the Environmental Planning and Assessment Regulation 2000 when making a decision on any Development Application.

92 (1) (a) Coastal areas.

Not Applicable.

92 (1) (b) Demolition.

Not Applicable, no demolition work is proposed.

92A Preliminary planning.

Not applicable.

Relevant Reference Documents:

- Development Application file 2007049
- Environmental Planning and Assessment Act 1979.
- Interim Development Order No. 1 – Shire of Walgett 1968.
- Walgett Shire Council, Land Subdivision Code – Urban Areas
- Draft Local Environmental Plan 2006 – Classification of Public Land
- Walgett Shire Council Draft Heritage Study

Stakeholders:

- Walgett Shire Council

Recommendation:

That Development Application 2007031 be approved subject to the following conditions of consent:

PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT

As no “work” is to be undertaken there are no prescribed conditions of development consent under the Environmental Planning and Assessment Regulation 2000.

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

APPROVED PLANS

Pln 010.

The development shall be implemented in accordance with:

- (a) **All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,**
- (b) **the details set out on the plans approved and stamped by authorised officers of Council,**

except as amended by the conditions of this development consent.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

GENERAL

SHIRE OF WALGETT – AGENDA

Gen 010.

It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.

Reason: To avoid breaching the requirements of any covenant.

Gen 020.

Any future development on the subject site or use of the subject land in a manner inconsistent with this development consent (approval) will require separate development consent to be obtained from council in writing prior to the commencement of any work.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

SUBDIVISION/CONSOLIDATION

Sub 040.

That two lots are created by the subdivision of Lot 30, DP 253488, one of about 1330m² and the other about 4,710m².

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

Sub 120.

A surveyor's plan must be submitted to Walgett Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.

Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Walgett Shire Council.

Sub 130.

The subdivision certificate will not be released until development consent conditions under this section (titled "subdivision") have been complied with.

Reason: To ensure compliance with the terms of the development consent.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 37

Subject: Burren Junction Cemetery – Water Supply

Author: Alan Nelson – Manager Engineering

File No: 175/03/03/00

Summary:

This report relates to a request from Burren Precinct Committee, that Council provides a basic water supply to the Burren Junction Cemetery to assist local residents who are endeavouring to improve the appearance of the facility.

Comments (including issues and background):

An application has been received from the Burren Precinct Committee, requesting that Council give consideration to the provision of a basic water supply to the Burren Junction Cemetery. Local residents, Greg and Karina Harris have established a small area of lawn and a few trees and are currently carting water themselves to sustain their growth.

The water supply would be drawn from a pipeline owned by the Burren Bore Trust. The trust has given their written concurrence to the supply of water to the cemetery from their water supply network. Water consumption will be very small and there has been no indication that the Bore Trust would seek payment from Council for water supplied. The pipeline to the cemetery would run through a travelling stock reserve and the concurrence of the Walgett Rural Lands Protection Board has been requested. At the time of writing this report, a reply had not been received, however an objection is not anticipated.

A quote, in an amount of \$2,962 (incl GST), to connect water to the cemetery has been obtained from a local contractor. This contractor was involved in the construction of the Burren Bore Trust's water reticulation network, accordingly is considered competent to connect the water supply.

This is another example of individuals in a small community showing initiative in improving a local facility, accordingly the support sought from Council, to connect a basic water supply to the cemetery, is considered reasonable.

Relevant Reference Documents:

Request from Burren Precinct Committee
Consent of Burren Bore Trust
Quote to Connect Water Supply (not attached)

SHIRE OF WALGETT – AGENDA

Stakeholders:

Burren Precinct Committee
Burren Bore Trust
Walgett Rural Lands Protection Board
Walgett Shire Council

Financial Implications:

The current budget has funds voted for cemetery maintenance which could be used to fund this water supply connection. No significant ongoing expenses are anticipated. At this time, the cemetery vote is overspent (on a pro-rata basis), however cemetery income is also running much higher than anticipated, accordingly an acceptable year end result is forecast at present.

Recommendation:

That council proceeds with the connection of a basic water supply to Burren Junction Cemetery at a quoted cost of \$2,962 (incl GST).

004/05/03/17 RD: 4103

Burren Precinct Committee

Chairman
Brett Stevens
6796 1455

PO Box 27
Burren Junction 2386

Secretary
Berrill Ley
6796 1230

To General Manager
Walgett Shire Council

Att S. Mclean

Date 18th October 2007

Re Cemetery Water Supply

The Burren Precinct Committee has been approached regarding a water supply to the Burren Cemetery.

We have approached the Bore Trust and they are quite receptive to the idea. The main line, stock trough and tank are approx. 400m away.

We are seeking Council's view on the matter and in particular, either funding or the carrying out of the work.

Attached is the letter forwarded to the Bore Trust, which unofficially they have no objection, but we are waiting on a formal reply.

Regards



Brett Stevens

BURREN BORE TRUST

“Rossmore”
BURREN JUNCTION
NSW 2386

Burren Precinct Committee
PO Box 27
BURREN JUNCTION NSW 2386

Attn: Brett Stevens

Brett,

Thank you for your letter dated 16/10/07 informing us of Greg & Karina Harris's proposal of connecting water to the Cemetery.

As trustee we have no issue at all for an outlet to be installed to the cemetery area. After a closer inspection of the area and general layout of the cemetery and the pipelines there appears to be 2 options that could be suitable.

The 1st option is as you suggested through our verbal discussion of connecting to the Rural Lands Tank some approx 300m to the north of the cemetery. This option would obviously need approving with the Rural Lands Board as well and it would be of low pressure.

The 2nd option would be to connect to the main pipeline underground some approx 250m to the east of the cemetery. This option would only need to be approved with the Burren Bore Trust and would also supply a better pressure as the main pump station maintains all pipelines under constant pressure.

Either option would be accepted under the trust and would like to be kept informed of the progress with the Walgett Shire Council on this matter.

Regards



Roger Sendall

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 38

Subject: Street Lighting – Lightning Ridge

Author: Alan Nelson – Manager Engineering

File No: 253/03/00/00

Summary:

This report summarises a review undertaken of street lighting in Lightning Ridge. Whilst there appears to be a justifiable need to undertake some improvement work, the current budget makes no provision for this, accordingly it will need to be considered at the time the 2008/09 budget is determined.

Comments (including issues and background):

A review of street lighting in Lightning Ridge has been undertaken, as provided for in the current Management Plan. A submission from the Lightning Ridge Community Working Party, part of which sought improved street lighting in a number of urban streets in Lightning Ridge, was also considered as part of this review.

Several lights were noted to be inoperative and these have been reported to Country Energy for their attention. This should overcome some of the concerns expressed by the Community Working Party. Several streets were considered to be unreasonably dark, notably where lights are located on one side only of relatively wide streets. Improvement works are considered justifiable in Opal, Agate, Silica and Brilliant Streets. However, the current budget does not provide any funds which can be used to ameliorate this situation. Accordingly, quotes will be sought from Country Energy to improve several specified situations and these quotes can be used as the basis of a budget submission to Council for the 2008/09 financial year.

Relevant Reference Documents:

Submission from Lightning Ridge Community Working Party (not attached)

Stakeholders:

Walgett Shire Council
Country Energy
Residents of Lightning Ridge

Financial Implications:

Nil – no street lighting upgrading will be undertaken in the current budgetary period.

Recommendation:

That Council notes a review of street lighting in Lightning Ridge has been undertaken and that identified needs for improvement will be considered at the time the 2008/09 budget is determined.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 39

Subject: Community Water Grants – Round Three

Author: Alan Nelson – Manager Engineering

File No: 195/04/00/00

Summary:

This report briefs Council on projects, for which Council obtained funds under Round Three of the Community Water Grants programme. Four Council projects were funded.

Comments (including issues and background):

Council has been successful with four applications which were lodged under Round Three of the Community Water Grants programme, which itself forms part of the Commonwealth's Australian Water Fund.

Projects which were funded were as follows :

1. Gray Park, Walgett - \$16,364 towards the cost of installation of an automated watering system.
2. Number One Oval, Walgett - \$19,273 towards the cost of installation of an automated watering system.
3. Len Cram Park, Lightning Ridge - \$11,091 towards the cost of installation of an automated watering system.
4. Carinda - \$19,545 towards the cost of installation of water meters throughout the village.

In each case, the grant equates to 50% of the total estimated cost, the balance needing to be funded by Council. The 2007/08 budget provides for the watering system at Number One Oval to be fully funded by Council, accordingly savings here would meet most of Council's cost for the other two watering systems. The water fund will need to fund the local contribution towards the Carinda water meters, something which will need to be accommodated at the next budget review as at 31 December 2007.

Relevant Reference Documents:

Grant Applications to Round Three of Community Water Grants (not attached)
Community Water Grants website (print out not attached)

Stakeholders:

Walgett Shire Council
Commonwealth Government

Financial Implications:

Council will need to match each of these grants. This should be able to be achieved at the next budget review without a need to vote additional funds.

Recommendation:

That Council note that four projects have been funded under Round Three of the Community Water Grants programme.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 40

Subject: Replacement of Playground Equipment

Author: Alan Nelson – Manager Engineering

File No: 021/03/01/00

Summary:

This report recommends that \$35,000, originally budgeted for replacement of non-compliant playground equipment, be made available to assist the Lightning Ridge Early Childhood Action Group achieve their objective of providing a playground facility for pre-school children at Lions Park, Lightning Ridge.

Comments (including issues and background):

The current Management Plan provides \$80,000 for replacement of playground equipment in Council's parks in 2007/08. A further \$80,000 has been budgeted in each of the following four years, however these allocations will be subject to confirmation at the time each annual budget is finalised. These allocations have been provided, in the knowledge that playground equipment in parks throughout Walgett Shire is generally non-compliant with current standards and, as such, places Council at risk in the event of an injury and subsequent claim against Council. Accordingly, a significant amount of non-compliant equipment has already been removed, pending future replacement.

At the present time, no specific expenditure has been committed for 2007/08. An application has been received, from the Lightning Ridge Early Childhood Action Group (ECAG) and supported by other relevant organisations, seeking Council's agreement to use some of the funds provided for replacement of playground equipment for the establishment of new playground equipment in Lightning Ridge to cater for the under five age group. This group is not currently catered for within a public place in Lightning Ridge.

The cost to provide the facility being sought is in the order of \$35,000. Efforts by the ECAG to seek financial assistance towards the cost of this facility have been unsuccessful. In addition, they hold no funds which could be directed towards this project. Accordingly, Council assistance with the total cost of \$35,000 is sought.

This request is worthy of Council's consideration, notwithstanding that it is not replacing an existing non-compliant installation, for which the funds were originally budgeted. It will provide a much needed facility in Lightning Ridge, in a location where considerable community effort has been expended to produce a very pleasing result. Accordingly, it is suggested that Council fund this facility in its entirety, subject to a maximum of \$35,000 being made available. Subject to Council supporting this recommendation, a further report will need to be presented to the Reserve Trust relating to the construction of the facility.

SHIRE OF WALGETT – AGENDA

Relevant Reference Documents:

Letters of Support for Playground in Lions Park

Stakeholders:

Walgett Shire Council
Reserve Trust
Lightning Ridge Early Childhood Action Group

Financial Implications:

Funds are available in the current budget to undertake this project.

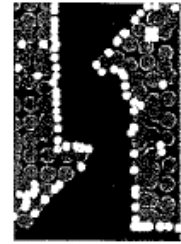
Recommendation:

- 1. That Council agree to provide up to \$35,000, from the current allocation for replacement of playground equipment, to allow for the installation of new playground equipment in Lions Park, Lightning Ridge for the use of pre-school children.**
- 2. That a report be presented to the Reserve Trust recommending the installation of playground equipment in Lions Park, Lightning Ridge for the use of pre-school children.**

Lightning Ridge and Goodooga
Community Facilitator

Po Box 796
Lightning Ridge
NSW 2834

Ph/Fax: 02 6829 1888
lrg_cf@bigpond.net.au



Mr Vic Smith
Administrator
Walgett Shire Council
NSW 2832

25.10.07

Dear Mr Smith,

I am writing on behalf of the Early Childhood Action Group (ECAG) in Lightning Ridge (a subgroup of the Lightning Ridge/Goodooga Interagency) to seek Council's support to install playground equipment that is age appropriate and safe for children aged 0-5.

The group, which has been established for more than 13 months has membership from across the service spectrum of providers who work with families and children aged 0-5.

Members of the ECAG include Mission Australia, Greater Western Area Health Service, MacKillop Rural Services, Little Diggers Child Care Centre and Preschool, Junior Gems Playgroup, Walgett AMS, Lightning Ridge Central School, Walgett Shire Family Day Care, Yawarra Meamei Women's Group, Outback Division of General Practice and Lightning Ridge Preschool.

The ECAG has been meeting regularly to provide service updates and to work on collaborative projects which have, to date, focused on multi service marketing material including a poster and brochure campaign '0-5 For Life', encouraging families to get their children access to an early childhood experience.

This sub group is the most successful in Lightning Ridge and communication across the provider network has improved significantly.

The group has now turned its attention to a collaborative project with The Improvement and Beautification Committee, Walgett Shire Council to install appropriate playground equipment in the IBC Gem Gardens in the Lions Park, Lightning Ridge.

The Lions Park has become a high traffic area for both visitors and locals during the past five years. There have been fantastic improvements made to the area by the Improvement and Beautification Committee, Walgett Shire Council, the Lightning Ridge Visitor Information Centre and Work for the Dole and it is now a lovely place for families to gather. The ECAG believes, however, that it needs new play equipment that is safe and useable for children aged 0-5.

While the group is aware that there is play equipment in the Lions Park, there are a number of constraints to use for the demographic the ECAG focuses on:

1. The play equipment is not fenced, which, in a high traffic area (the Visitor Information Centre), is dangerous for small children and toddlers
2. The play equipment is not an appropriate height for children under 5 years of age, making it unusable and dangerous for children of that age
3. The play equipment is not shaded, which renders it unusable for at least 5 months of the year in Lightning Ridge

SHIRE OF WALGETT – AGENDA

The ECAG have met with both the IBC (through Margaret Mansfield) and with Alan Nelson from Walgett Shire Council regarding appropriate equipment and location of the equipment and they feel confident that what has been decided will benefit and be utilized by the families of Lightning Ridge.

- The ECAG have approved the equipment and soft fall designs as presented by FORPARK NSW, indicating that they are an excellent option for the age group specified (0-5).
- The ECAG have approved the location of the play equipment (adjacent to the BBQ's on the edge of the IBC Gem Gardens at the western end of the Lion's Park).
- The ECAG requires that the entire play area be covered with maximum protection shade cloth to enable the equipment to be useable by families during the summer months.
- The IBC has \$2,000 to provide for fencing material and will organize, in conjunction with the ECAG, a parents' working bee to erect the fence.
- The ECAG will support the project by promoting the new equipment to their family networks to ensure the equipment is well utilized and by utilizing the new play area through their services (eg Playgroups being held at the park).

This project has been instigated by the ECAG and they are excited about the opportunity to work in partnership with both the IBC and Walgett Shire Council. Through my networks, the ECAG have been pursuing additional funding, however to date, have been unsuccessful in finding a funding pool that is appropriate in timeframe and in project style.

It is the belief of the ECAG that the provision of this equipment will be a valuable community asset that will be well utilized by families that live locally as well as those who visit Lightning Ridge.

There are limited 'free' options for families locally and very few no cost refuges from the heat in summer. The park provides shade, a lovely space for families to gather and enjoy a picnic or BBQ and with the addition of play equipment that is suitable for younger children, it will also be a place where children can 'Play Safe'.

The ECAG urges Council to consider the recommendation from staff to provide full funding for this project, which will go a long way to improving the quality of life of the families in Lightning Ridge.

I have attached a number of letters of support from the members of the Early Childhood Action Group for your consideration.

Please do not hesitate to contact me if you have any further queries.

Kind Regards,



REBEL BLACK
Community Facilitator

Lightning Ridge Neighbourhood Centre
Po Box 415 - 1/28 Morilla Street
Lightning Ridge NSW 2834
Ph: (02) 6829 0294 - Fax: (02) 6829 0847

To
The Lightning Ridge Goodooga Community Facilitator
PO Box 796
Lightning Ridge 2834

Dear Rebel

Thankyou for the opportunity to support the installation of a children's playground at the Gem gardens in Lightning Ridge.

On behalf of our clients and the Yawarra Meamei Safe House we support this addition to the Gem gardens and we know that it will be well utilized.

We hold volunteer picnic day there and Christmas parties and it is always good to have something for the children to play on whilst the adults are talking. Also with the current healthy living themes in operation children need the encouragement to start exercising early.

Yours Faithfully
Karin Thurston
Co-ordinator



NSW Outback Division Of General Practice LTD

BOURKE (HEAD OFFICE)
34 Mitchell Street
PO Box 10, NSW 2840
Phone: 02 6872 4777
Fax: 02 6872 4888

LIGHTNING RIDGE
19a Morilla Street
PO Box 935, NSW 2834
Phone: 02 6829 1800
Fax: 02 6829 1900

Email: admin@outbackdivision.org.au
Website: www.outbackdivision.org.au

ABN: 860 663 51728

Mr. Vic Smith
Administrator
Walgett Shire Council
WALGETT 2832

Dear Mr Smith

RE: Playground equipment Lightning Ridge

I write on behalf of the NSW Outback Division of General Practice in support of the request, for the provision of appropriate and safe playground equipment, proposed for the Lions Park.

The Regional Health Services Program, which is auspice by the NSW Outback Division of General Practice, supports all initiatives that promote healthy lifestyle and assists in the prevention of chronic disease.

With obesity and lack of physical activity being high risk factors of chronic disease we add our support to this most worthy community request. A safe place for families to gather and play encourages physical activity, family interaction away from the "beer garden" environment and adds to the development of a healthier community.

Yours truly,

Leigh Black RN
Program Clinician
Regional Health Services Program
NSW Outback Division of General Practice
LIGHTNING RIDGE

Serving the communities in the Shires of
Bourke, Brewarrina, Cobar and Walgett



Quality
Endorsed
Company
ISO 9001
Lic QEC 22561
SAI Global

SHIRE OF WALGETT – AGENDA

Lightning Ridge Junior Gems Playgroup
PO Box 532
LIGHTNING RIDGE NSW 2834

25 October 2007

Mr Vic Smith
Administrator
Walgett Shire Council
Fox Street
WALGETT NSW 2832

Dear Mr Smith

I am writing on behalf of Lightning Ridge Junior Gems Playgroup as a member of the ECAG in Lightning Ridge. We would like to offer our support to the installation of age appropriate play equipment at the Lions Park in Lightning Ridge.

When I personally arrived at Lightning Ridge 18 months ago I was very disappointed and amazed at the lack of play equipment and shade coverage in town. I was delighted when I saw the development of the IBC Gem Gardens and continue to use these for outings for my family (3 children under 5 years) as well as Playgroup.

The addition of a playground to this area would be a delight to the children of our playgroup who are all 0-5 years as well as their parents and carers. This would allow our group to utilise this area more often for excursions and special celebrations throughout the year not only in the cooler months. Our last excursion to the IBC Gem Gardens was early September to celebrate Spring!

As you are aware we have a unique and diverse community at Lightning Ridge. Many of our children do not have play equipment or a safe play environment at home so the addition to the IBC Gem Gardens would provide another area for exploration for all children.

We would like to strongly urge Walgett Shire Council to fully fund this terrific project. The benefit to Lightning Ridge children as well as visitors would extend from now and into the future.

Kind regards

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 41

Subject: Collarenebri – Pool Manager's Residence

Author: Alan Nelson – Manager Engineering

File No: 280/04/06/00

Summary:

This report recommends that Council reduce the rent payable for the use of the Collarenebri Pool Manager's residence from \$180 per week to \$90 per week.

Comments (including issues and background):

The rental applicable to 6 George Street, Collarenebri, in accordance with the Housing Policy adopted at Council's June 2007 meeting, is currently \$180 per week. The policy does not provide for any rental concession in this instance.

The recently appointed Pool Manager at Collarenebri, following the departure of the previous Pool Manager, has written to Council requesting that the rental charged be reconsidered as they believe it is excessive.

The rental of \$180 per week is considered to be excessive. The George Street property is a small house in average condition at best and without a garage. By comparison a Council owned property in Walgett with a double garage attached to the house and in superior condition has been assessed as having a market value of \$175 per week. A market rental of \$180 per week for the Collarenebri property seems dubious and further enquiries reveal a figure of \$120 per week would be more appropriate.

The position of Pool Manager at Collarenebri is not considered to be one that is easy to fill, accordingly a good case for concessional rental exists. A 25% concession, reducing the rent to \$90 per week is considered to be reasonable and should be acceptable to the Pool Manager. By way of comparison, the previous Pool Manager paid a rental of \$54 per week, however the gross payment to the current Pool Manager has been increased by \$6,000 above what the previous Manager received.

Relevant Reference Documents:

Collarenebri Pool Licence Agreement (not attached)
Letter of request from Pool Manager (not attached)

SHIRE OF WALGETT – AGENDA

Stakeholders:

Walgett Shire Council
Collarenebri Pool Manager

Financial Implications:

This report, if adopted, will lead to a reduction of \$4,680 in overall rental income for Council properties.

Recommendation:

That the rental charged to the Pool Manager, Collarenebri, for occupation of 6 George Street, Collarenebri be reduced from \$180 per week to \$90 per week and this be backdated to the time the current Manager first occupied the property.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 42

Subject: Burren Junction Bore Baths

Author: Alan Nelson – Manager Engineering

File No: 005/03/02/00

Summary:

This report briefs Council on the present situation with respect to the Burren Junction Bore Baths.

Comments (including issues and background):

The Burren Junction Bore Baths have been operating in their present configuration for about five months and the adjacent evaporation basin, built to receive wastewater from the baths, is now approaching full capacity. It was intended that the evaporation basin would serve the full year, however the flow through the baths has had to be substantially increased to satisfy the temperature concerns of users. Arrangements have been made with an adjoining property owner, to transfer some water from the evaporation basin into the old bore drain within his property. This action is being taken with the concurrence of the Department of Water and Energy, however a more permanent solution to the excess wastewater is being actively sought.

The baths will be closed shortly, and inflow stopped for a couple of months, to allow for fencing around the facility. Other maintenance tasks will be undertaken at this time whilst the pool is empty, including measures to improve access into and out of the pool. The combined effect of no inflow and high evaporation over this period should see water levels in the evaporation basin drop significantly. However, the original intent, that the evaporation basin should empty by the end of the summer period, is unlikely to occur.

Discussions have been held with the Department of Water and Energy, as well as the Namoi Catchment Management Authority (CMA), to discuss possible options to effectively deal with this additional flow of wastewater from the baths. There appears reason for optimism that the CMA may assist funding one of two strategies to deal with this excess water. One is the construction of a second evaporation basin to the east of the baths, the second and more favoured option is treatment of the wastewater and delivery into adjacent bore water trust schemes. This second option has already been discussed, and rejected by local landholders, however encouraging discussions have commenced with a Queensland based company (WaterFresh Group) which has developed a new treatment process. A preliminary costing for a treatment plant has been sought, however at the time of writing this report, the costing has not been received. This company is represented in New South Wales by a former State Government Minister, Sandra Nori. Ms Nori may be able to persuade the local landholders that they have nothing to fear by accepting treated water into their water

SHIRE OF WALGETT – AGENDA

supply schemes. The environmental benefits, which would be realised by treatment and delivery into the Burren Bore Trust scheme are seen as substantial.

An application was lodged several months ago, for a Commonwealth funded tourism grant to undertake site works to improve the amenity of the area surrounding the baths. The outcome of this grant application is still awaited.

Relevant Reference Documents:

Technical Information from WaterFresh Group (not attached)

Stakeholders:

Walgett Shire Council
Bore Baths Users
Namoi Catchment Management Authority

Financial Implications:

Scheduled works are fully funded from the current budget.

Recommendations:

1. That Council note the present situation with respect to the Burren Junction Bore Baths, including initiatives to deal with excess wastewater from the baths.
2. That Council note the temporary closure of the baths facility to allow fencing and other maintenance to be completed.

COMMITTEE MINUTES TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 43

Subject: Walgett Shire Consultative Committee Minutes - 3 October 2007

Author: Consultative Committee

File No: 147/04/07/00

**MINUTES OF THE MEETING
WALGETT SHIRE COUNCIL CONSULTATIVE COMMITTEE**

FILE: 145/04/07

The following are minutes of the Walgett Shire Council Consultative Committee Meeting held on Wednesday, 3rd October 2007 in the Walgett Council Chambers, commencing at 2.10pm.

1. PRESENT

Ian Taylor	Chairperson (LGEA Representative)
Janet Babic	Deputy Chairperson (Management Representative)
Bronwyn Newton	Secretary
John Radman	Committee Member
Andrew Bostock	Committee Member (United Services Union)

Observer: Terry Dray United Services Union

2.45pm Stephen McLean Management Representative

2. APOLOGIES

Roy White	Management Representative
Len Smyth	Committee Member (DEPA Representative)

3. MINUTES

The Minutes of the Consultative Committee Meeting held on Wednesday, 5th September 2007 were confirmed, with no amendments required.

4. GENERAL BUSINESS

GIS Coordinator

The Competency Criteria Document for the GIS Coordinator was submitted for endorsement by the committee. Mrs Bronwyn Newton, Coordinator Human Resources advised changes made to be the Competency Criteria Document by the Manager Planning & Regulation and the present incumbent.

Mr Terry Dray, United Services Union enquired if this position was responsible for a Budget and had this been taken into account when the position was graded through the OO-Soft system. Mrs Bronwyn Newton, Coordinator Human Resources to check evaluation document and advise at the next meeting.

RECOMMENDATION:

It was recommended that the Consultative Committee endorse the Competency Criteria Document of GIS Coordinator.

Economic Development Officer

The Position Description and Competency Criteria Document for Economic Development Officer were submitted for endorsement by the committee. Mrs Bronwyn Newton, Coordinator Human Resources advised changes made to be the Position Description and that the Competency Criteria Document is a new document.

Mrs Bronwyn Newton, Coordinator Human Resources also advised that the Manager Corporate Services has reviewed the documents.

RECOMMENDATION:

It was recommended that the Consultative Committee endorse the Position Description and the Competency Criteria Document of Economic Development Officer.

Aboriginal Liaison Officer

The Competency Criteria Document for the Aboriginal Liaison Officer was submitted for endorsement by the committee. Mrs Bronwyn Newton, Coordinator Human Resources advised this is a new document and that the Manager Corporate Services had reviewed the document.

RECOMMENDATION:

It was recommended that the Consultative Committee endorse the Competency Criteria Document of Aboriginal Liaison Officer.

Volunteer Policy

The Volunteer Policy was submitted for endorsement by the committee. Mrs Bronwyn Newton, Coordinator Human Resources advised the committee this policy is to replace the existing basic volunteer policy to ensure Council is covering legislative requirements.

The Committee was advised that a number of staff have been involved in reviewing the policy including Manager Corporate Services, Accountant, Assets Officer and the Coordinator Human Resources. The Committee was also advised that the Policy has been compared against a number of other Council's Volunteer Policies.

Mr Terry Dray, United Services Union enquired into the following wording under Conditions of Employment:-

Voluntary workers:

- Will not be used to replace the routine or specialist tasks usually undertaken by paid employees
- Will not be used to perform duties of paid employees, even in the event of staff illness or absence

Mr Terry Dray, United Services Union suggested that similar wording noted in the Local Government State Award could be used:-

“A Casual Employee shall not replace an employee of Council on a permanent basis.”

SHIRE OF WALGETT – AGENDA

Mrs Bronwyn Newton, Coordinator Human Resources advised that the wording has been used to ensure not only are Volunteers not employed to cover a paid employee when on leave or absent but to also ensure that staff do not use Volunteers to carry out their own duties when they are at work.

The following amendments to the Volunteer Policy were recommended by the committee:–

Page 1 “Applicability”

Delete – Work Experience Students

Page 5 “Application and Approval” – Point 14

Should read– *“Walgett Shire Council may terminate an activity or the services of a volunteer worker at any time without notice.”*

RECOMMENDATION:

It was recommended that the Consultative Committee endorse the Volunteer Policy with the following amendments:-

Page 1 “Applicability”

Delete – Work Experience Students

Page 5 “Application and Approval” – Point 14

Should read– *“Walgett Shire Council may terminate an activity or the services of a volunteer worker at any time without notice.”*

Note: -

Stephen McLean, Management Representative arrived at the meeting 2.45pm.

Customer Service Officer (Records)

The Position Description and Competency Criteria Document for Customer Service Officer (Records) were submitted for endorsement by the committee. Mrs Bronwyn Newton, Coordinator Human Resources advised the Position Description and the Competency Criteria Document have been changed from the OO-Soft format to Council's Standard format.

Mr Terry Dray, United Services Union enquired if this position was responsible for a Budget and had this been taken into account when the position was graded through the OO-Soft system. Mr Stephen McLean, Management Representative advised that this position is responsible for a budget and that it has been taken into account when processed through the OO-Soft System.

The following amendment to the Position Description of Customer Service Officer (Records) was recommended by the committee:–

Responsibilities Point 5 – Should read as below

“Manage Council's archiving and disposal of records in accordance with current legislative requirements.”

RECOMMENDATION:

It was recommended that the Consultative Committee endorse the Position Description of Customer Service Officer (Records) with the following amendment:-

Responsibilities Point 5 – Should read as below

“Manage Council’s archiving and disposal of records in accordance with current legislative requirements.”

It was recommended that the Consultative Committee endorse the Competency Criteria Document of Customer Service Officer (Records).

Customer Service Officer (Receptionist/Cashier)

The Competency Criteria Document for the Customer Service Officer (Receptionist/Cashier) was submitted for endorsement by the committee. Mrs Bronwyn Newton, Coordinator Human Resources advised this is a new document.

RECOMMENDATION:

It was recommended that the Consultative Committee endorse the Competency Criteria Document of Customer Service Officer (Receptionist/Cashier).

There being no further business the meeting closed at 3.05pm

Next Meeting of the Consultative Committee Meeting will be held on
7th November 2007 at 2.00pm at the Council Chambers Meeting Room.

I advise that in accordance with my delegated authority, the determinations of the Consultative Committee contained in this report are approved.

Signed: _____



Mr Stephen McLean, General Manager

Recommendation:

That Council note and receive the Consultative Committee Minutes 3 October 2007

REPRESENTATIVE REPORTS TO COUNCIL MEETING 20 NOVEMBER 2007

Item No: 44

Subject: Mungindi Menindee Advisory Council

Author: Margaret Bow – Council Representative

File No: 235/06/00/00

Summary:

Report provided by Council's representative at the Annual general Meeting of the Mungindi – Menindee Advisory Council

Relevant Reference Documents:

Report from Mrs Margaret Bow

Recommendation:

That the report of the Mungindi – Menindee Advisory Council be received and noted.

SHIRE OF WALGETT – AGENDA

Annual General Meeting of Mungindi-Menindee Advisory Council Inc.
Held at the Port of Bourke Hotel, Bourke on 11th July, 2007.

The meeting was well attend with representatives from all Shire Councils from Moree to Bourke.
Ian Cole was re-elected President . Unopposed.
Jude Costello and Bruce Jackson- Vice Presidents
Mitchell Abbo- Secretary
Ian Osborn- Treasurer
Delegates were elected to various committees.

Quorum- the constitution was amended so that not less than six persons be present representing councils in the area.

Membership subscriptions to be increased by \$50 to \$400 per Shire Council and \$300 per Water User Association . Membership is now due.

The meeting authorised treasurer Ian Osborn to be Public Officer for MMAC

Three meetings a year to be held with 1 in Bourke and 2 in Walgett.

It was resolved to write to the Minister again regarding drought assistance and the waiving of water charges for the Barwon-Darling.

Tony Hall reported that the water in the lower darling was still five miles upstream of Wilcannia and is not expected to fill the weir pool. There was a good flow in the middle section from the Namoi, Macquarie and Cox's Creek and inflows from the Castlereagh.

Quite a bit of discussion in regards to volumetric quota conditions and the annual extractions limit.

The meeting closed at 2.30 p.m. the next meeting will be held in Walgett on a date to be decided.

Margaret Bow
Walgett Shire Council Representative

**Walgett Shire
Council
REC'D**

10 OCT 2007

FILE: 135/02/01/03

LETTER No: 8473.

REFER: SJM per JmG.

COPY: