



# **AGENDA FOR ORDINARY COUNCIL MEETING**

## **27 November 2018**

**NOTICE IS HEREBY GIVEN** pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council will be held at Burren Junction **on 27 November 2018** commencing at **10:00am** to discuss the items listed in the Agenda.

Paul Mann  
**ACTING GENERAL MANAGER**

## CONFLICT OF INTERESTS

**What is a “Conflict of Interests”** – A conflict of interests can be two types:

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

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

### **Remoteness**

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

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

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

### **Relatives, Partners**

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

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

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

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

### **No Interest in the Matter**

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

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

### **Disclosure and participation in meetings**

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

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

**Non-Pecuniary Interest** – Must be disclosed in meetings.

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

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

### **Disclosure to be Recorded (S453 Act)**

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

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## Local Government Act 1993

### Chapter 3 section 8A

### GUIDING PRINCIPLES FOR COUNCILS

#### **(1) Exercise of Functions Generally**

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

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

#### **(2) Decision-making**

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

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

#### **(3) Community participation**

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

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## **1. OPENING OF MEETING**

Time: \_\_\_\_\_ am

## **2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

I would like to acknowledge the traditional owners of the lands within the Walgett Shire and I would also like to acknowledge the Aboriginal and Torres Strait Islander people who now reside within this Shire.

## **3. LEAVE OF ABSENCE**

## **4. WELCOME TO VISITORS**

## **5. PUBLIC FORUM PRESENTATIONS**

### **5.1 GREG RUMMERY AND PAUL DUNCAN**

A presentation from Greg Rummery & Paul Duncan, who would like to speak to Council about the inaugural meeting of the Walgett Namoi River Water Users Group to be held at the Walgett Sporting Club 10am Tuesday 20th November. They would also like to speak in support of raising the height of the existing weir application & the benefits for the whole community of Walgett.

## 6. DECLARATION OF PECUNIARY/NON-PECUNIARY INTERESTS

*Councillors and senior staff are reminded of their obligation to declare their interest in any matters listed before them.*

*In considering your interest you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.*

*Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.*

*Councillors must state their reasons in declaring any type of interest.*

| Councillor | Item No. | Pecuniary/Non-Pecuniary | Reason |
|------------|----------|-------------------------|--------|
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## 7. CONFIRMATION OF MINUTES/MATTERS ARISING

### 7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD – 30 October 2018

| Minutes of Ordinary Council Meeting – 30 October 2018                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That the minutes of the Ordinary Council meeting held 30 October 2018 having been circulated be confirmed as a true and accurate record of that meeting.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachment**

Minutes of Meeting held



## **MINUTES FOR ORDINARY COUNCIL MEETING**

**30 October 2018**

Paul Mann  
**ACTING GENERAL MANAGER**

**MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT  
THE WALGETT SHIRE COUNCIL ON TUESDAY 30 OCTOBER 2018 AT 10:02AM**

**PRESENT**

Cllr Manuel Martinez (Mayor)  
 Cllr Ian Woodcock (Deputy Mayor)  
 Cllr Jane Keir  
 Cllr Bill Murray  
 Cllr Michael Taylor  
 Cllr Tanya Cameron  
 Cllr Kelly Smith  
 Cllr Robert Turnbull  
 Paul Mann (Acting General Manager)  
 Michael Urquhart (Chief Financial Officer)  
 Jessica McDonald (Director Environmental Services)  
 Raymond Graham (Acting Director Engineering/Technical Services)  
 Bronte Kerr (Minute Secretary)

**Leave of Absence**

**Leave of Absence**

**Resolved:**

That the leave of absence received from Cllr Walford is accepted and leave of absence granted.

**Moved:** Cllr Turnbull  
**Seconded:** Cllr Cameron  
**CARRIED**

**Public Presentations:**

- Rod Crowfoot – Managing Director of the Macquarie Home Stay provided Council with background information regarding the purpose and aim of the organisation along with the future plans of the centre.
- Pauline Kearl addressed Council of behalf of Tony Cummings, the owner of Glengarry Hilton and Sheeppark Pubs regarding declaring a small section of Glengarry as a village.
- Col Hundy addressed Council regarding the above topic also and discussed the potential benefits of declaring a small section of Glengarry as a village including monetary benefits to Walgett Shire Council through the collection of rates and the increase in Tourism which would flow on and benefit surrounding townships. (Refer to report 15.1.6 of the agenda).

**Declaration of Pecuniary/Non Pecuniary Interests**

| Staff/<br>Councillor | Item No.         | Pecuniary/<br>Non-Pecuniary | Reason                |
|----------------------|------------------|-----------------------------|-----------------------|
| Cllr Martinez        | 15.4.5 (Part 4)  | Pecuniary                   | Business related item |
| Cllr Turnbull        | 15.4.5 (Part 4)  | Pecuniary                   | Family Relations      |
| Cllr Murray          | 15.4.1<br>15.4.2 | Pecuniary                   | Property owner        |

**Minutes of Ordinary Council Meeting – 25 September 2018**

**Resolved:**

That the minutes of the Ordinary Council meeting held 25 September 2018, having been circulated be confirmed as a true and accurate record of that meeting.

**Moved:** Cllr Keir  
**Seconded:** Cllr Cameron  
**CARRIED**

**Minutes of Ordinary Council Meeting – 30 October 2018**

**Resolved:**

That the minutes of the Extra Ordinary Council meeting held 16 October 2018 having been circulated be confirmed as a true and accurate record of that meeting.

**Moved:** Cllr Turnbull  
**Seconded:** Cllr Woodcock

**Mayoral Report**

**Resolved:**

That Council receive and note the Mayoral report and in particular  
 - Visit of Deputy Premier and announcement of funding for fishway  
 - Attendance at LG NSW Annual conference  
 - Joint Organisation issues  
 - Interviews for Director Engineering/Technical Services.

**Moved:** Cllr Keir  
**Seconded:** Cllr Cameron  
**CARRIED**

**Move into Closed Session at 11:00am**

**Resolved:**

That the public be excluded from the meeting pursuant to Sections 10A (2) (a) (c) & (d) of the Local Government Act 1993 on the basis that the items deal with:  
 (a) Personnel matters concerning particular individuals (other than Councillors)  
 (c) That information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting business (or proposed to conduct business)  
 (d) That the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Moved:** Cllr Keir  
**Seconded:** Cllr Cameron  
**CARRIED**

*Council staff left the meeting room at 11:00am.*

| Senior Staff - Contracts                                                                                                                                                                                                                                                      |                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>Resolved:</b>                                                                                                                                                                                                                                                              |                    |
| 1. That subject to discussion with the appointed General Manager, the Acting General Manager be authorised to negotiate an extension of the Senior Staff Contract due to terminate in January 2019.                                                                           |                    |
| <b>Moved:</b>                                                                                                                                                                                                                                                                 | <b>Clr Smith</b>   |
| <b>Seconded:</b>                                                                                                                                                                                                                                                              | <b>Clr Murray</b>  |
| <b>CARRIED</b>                                                                                                                                                                                                                                                                |                    |
| 2. That, subject to discussions at the meeting and suitable arrangements being made with the new General Manager and consultation with the Mayor, the Acting General Manager take steps to appoint a Director Engineering / Technical Services under a senior staff contract. |                    |
| <b>Moved:</b>                                                                                                                                                                                                                                                                 | <b>Clr Cameron</b> |
| <b>Seconded:</b>                                                                                                                                                                                                                                                              | <b>Clr Murray</b>  |
| <b>CARRIED</b>                                                                                                                                                                                                                                                                |                    |

*Council staff returned to the meeting room at 11:15am.*

| Cumborah Bore – Update                                                                                                                                                 |                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b>Resolved:</b>                                                                                                                                                       |                     |
| 1. That Council delegate authority to the General Manager to purchase Lot 20 DP 822007 in line with the report to enable the development of the Cumborah Bore project. |                     |
| 2. That Council resolve to classify Lot 20 DP 822007 as operational land.                                                                                              |                     |
| <b>Moved:</b>                                                                                                                                                          | <b>Clr Turnbull</b> |
| <b>Seconded:</b>                                                                                                                                                       | <b>Clr Murray</b>   |
| <b>CARRIED</b>                                                                                                                                                         |                     |

*The Acting General Manager advised Council that Safework NSW would be visiting Walgett on 19 November to investigate the Workplace Health and Safety matter at Cryon (21 June 2018).*

| Return to Open Session               |                    |
|--------------------------------------|--------------------|
| <b>Resolved:</b>                     |                    |
| That Council return to open session. |                    |
| <b>Moved:</b>                        | <b>Clr Cameron</b> |
| <b>Seconded:</b>                     | <b>Clr Smith</b>   |
| <b>CARRIED</b>                       |                    |

| Adoption of Closed Session Reports                                     |                   |
|------------------------------------------------------------------------|-------------------|
| <b>Resolved:</b>                                                       |                   |
| That Council adopt the recommendation of the Closed Committee Reports. |                   |
| <b>Moved:</b>                                                          | <b>Clr Keir</b>   |
| <b>Seconded:</b>                                                       | <b>Clr Taylor</b> |
| <b>CARRIED</b>                                                         |                   |

| Local Area Traffic Committee Minutes – 4 <sup>th</sup> October 2018                                                                                                                                     |                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b>Resolved:</b>                                                                                                                                                                                        |                     |
| That the minutes of the LATC meeting held on 4 <sup>th</sup> October 2018 having been circulated be received and noted and the recommendations contained therein are adopted as resolutions of Council. |                     |
| <b>Moved:</b>                                                                                                                                                                                           | <b>Clr Smith</b>    |
| <b>Seconded:</b>                                                                                                                                                                                        | <b>Clr Turnbull</b> |
| <b>CARRIED</b>                                                                                                                                                                                          |                     |

*At this stage the meeting considered report 15.2.3 Annual Financial Statements 2017/2018.*

| Annual Financial Statements 2017/2018 |                                                                                                                                                                                                                                                                                                               |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Resolved:</b>                      |                                                                                                                                                                                                                                                                                                               |
| 1.                                    | The Draft Annual Financial Reports for 2017/2018 be referred to Council's Auditor.                                                                                                                                                                                                                            |
| 2.                                    | The Mayor, another Councillor, the General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements.                                                                                                                                                                      |
| 3.                                    | On receipt of the Audit Report, a copy be forwarded to the Office of Local Government and any other relevant statutory body.                                                                                                                                                                                  |
| 4.                                    | Council delegate to the General Manager the authority to set the date at which the Auditor's report and the Financial Statements be presented to the public, additionally be reviewed/adopted by Council formally as required, subject to Section 418 of the Local Government Act 1993 and it's requirements. |
| <b>Moved:</b>                         | <b>Clr Smith</b>                                                                                                                                                                                                                                                                                              |
| <b>Seconded:</b>                      | <b>Clr Taylor</b>                                                                                                                                                                                                                                                                                             |
| <b>CARRIED</b>                        |                                                                                                                                                                                                                                                                                                               |

| Council's Decision Action Report                                       |                     |
|------------------------------------------------------------------------|---------------------|
| <b>Resolved:</b>                                                       |                     |
| That the Resolution Register as at October 2018 be received and noted. |                     |
| <b>Moved:</b>                                                          | <b>Clr Turnbull</b> |
| <b>Seconded:</b>                                                       | <b>Clr Cameron</b>  |

**Circulars Received From the NSW Office of Local Government**

**Resolved:**

That the information contained in the following Departmental circulars published 26/9/18, 27/9/18, 03/10/18, 08/10/18 and 11/10/2018 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:** Cllr Keir  
**Seconded:** Cllr Turnbull  
**CARRIED**

**Important Dates for Councillors - Upcoming Meetings and Events**

**Resolved:**

That Council receive and note the list of upcoming meetings and events.

**Moved:** Cllr Turnbull  
**Seconded:** Cllr Smith  
**CARRIED**

**Australian Opal Centre (AOC) Funding Request**

**Resolved:**

1. That Council confirm its commitment of \$50,000 per year for three years in line with the MoU between the AOC and Walgett Shire Council (Council Resolution of 25 August 2015).
2. That Council note the report and reference to requirements of the Local Government Act 1993.
3. That subject to further advice in relation to the Joint Organisation Tourism and Cultural Fund allocation (\$5m) Council contribute to the AOC Stage 1 project the \$1.5m available to Walgett Shire Council subject to the AOC receiving a firm commitment from other funding sources for the balance of the project funds.
4. That Council confirm its intention to make available a further \$350,000 from its Economic Development budget as the project progresses (3-4 years) again subject to the AOC receiving a firm commitment from other funding sources for the balance of the project funds. (provision of these additional funds would be in accordance with the Local Government Act 1993 as detailed in the report).
5. That Council initiate discussions with the AOC to explore options for a formal partnership between the AOC and Walgett Shire Council. Further, that as current applications for funding progress, the AOC be requested to keep Council informed.
6. That Council acknowledge there would be a need to allocate funds to improve current and/or provide additional tourism infrastructure across the shire to take advantage of increased tourism as the AOC project comes on line.

**Moved:** Cllr Cameron  
**Seconded:** Cllr Taylor  
**CARRIED**

| Extension Drought Communities Programme – Proposed Projects                                                                                                                                                                                                                                                                                                                        |                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b>Resolved:</b>                                                                                                                                                                                                                                                                                                                                                                   |                     |
| That Council consider and, if appropriate, endorse projects to be applied for under the Extension of the Drought Communities Programme or seek nomination of projects from the community for consideration at the November meeting.                                                                                                                                                |                     |
| Council endorse the following projects (in no particular order):                                                                                                                                                                                                                                                                                                                   |                     |
| <ul style="list-style-type: none"> <li>• Fencing of the Burren Junction landfill - \$80,000</li> <li>• Extension of the Town Beautification Projects: Walgett - Wee Waa Street and Lightning Ridge – Opal Street - \$350,000 for each project</li> <li>• Replacement of the boat ramp at Collarenebri - \$150,000</li> <li>• Drainage improvements at Rowena - \$60,000</li> </ul> |                     |
| <b>Moved:</b>                                                                                                                                                                                                                                                                                                                                                                      | <b>Clr Smith</b>    |
| <b>Seconded:</b>                                                                                                                                                                                                                                                                                                                                                                   | <b>Clr Woodcock</b> |
| <b>CARRIED</b>                                                                                                                                                                                                                                                                                                                                                                     |                     |

| Glengarry Sheepyard Opal Fields – Letters from Col Hundy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b>Resolved:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                     |
| <ol style="list-style-type: none"> <li>1. That Council note this report and presentations made on this matter in the Public Forum</li> <li>2. That a further report be presented to Council exploring all aspects of the requests and research required.</li> <li>3. That Council make representation to the Member for Barwon to have Department of industry – Mining re-establish the requirement that all mining leases be renewed in person at Lightning Ridge ie: remove the option to renew on line</li> <li>4. That Council investigate the possibility of acting as agent for Dol mining in the collection of annual fees.</li> </ol> |                     |
| <b>Moved:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Clr Turnbull</b> |
| <b>Seconded:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Clr Smith</b>    |
| <b>CARRIED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |

| Closedown of Administration over Festive Season 2018/2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Resolved:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |
| <ol style="list-style-type: none"> <li>1. That Council operations close for a period of 2 weeks from Monday 24<sup>th</sup> December 2018 to Friday 4<sup>th</sup> January 2019 inclusive and the General Manager and Directors make satisfactory arrangements for the maintenance of essential services and provision of emergency call out services.</li> <li>2. The closedown period be effectively notified to residents along with details of essential service and emergency call out arrangements.</li> <li>3. Note the shutdown period for all Outdoor Staff commences on Friday 21<sup>st</sup> December to Friday 4<sup>th</sup> January 2019.</li> </ol> |                   |
| <b>Moved:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Clr Keir</b>   |
| <b>Seconded:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Clr Taylor</b> |
| <b>CARRIED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |

**Resolved:**

That the Matters Generally for Brief Mention or Information Only from the General Manager regarding the following topics: Orana Water Utilities, Walgett and Lightning Ridge Landfill and Stronger Country Communities Fund – Round 2 – Successful applications.

*The Acting general Manager advised Council that the Contractor had agreed to extend the contract to 30 June 2019.*

Moved: Cllr Cameron

Seconded: Cllr Keir

CARRIED

**Cash and Investment Report as at 30 September 2018**

**Resolved:**

That the Investment report as at 30 September 2018 be received and noted.

Moved: Cllr Taylor

Seconded: Cllr Smith

CARRIED

**Monthly Outstanding Rates Report**

**Resolved:**

The September 2018 outstanding rates report be received and noted.

Moved: Cllr Smith

Seconded: Cllr Taylor

CARRIED

**Pecuniary Interest Returns**

**Resolved:**

That the Chief financial Officers report be received and noted.

Moved: Cllr Turnbull

Seconded: Cllr Keir

CARRIED

**Resolved:**

That the Matters Generally for Brief Mention or Information Only from the Chief Financial Officer in the following areas; Property Matters, Finance & Administration and Community Services be received and noted.

**Moved:** Cllr Smith

**Seconded:** Cllr Keir

**CARRIED**

*The meeting adjourned for lunch at 12.30pm*

*The meeting resumed at 1.02pm with all those previously present again.*

**Local Heritage Fund 2018/2019 - Applications**

**Resolved:**

That Walgett Shire Council resolve to:

1. Allocate funding to the amount of \$3,500 to Brian & Kate Gibbons for 'Moongulla' Outbuildings, Collarenebri upon successful completion of the approved works.
  2. Allocate funding to the amount of \$5,500 to Neil Fletcher for the Tattersalls Hotel, Collarenebri upon successful completion of the approved works.
  3. Allocate funding to the amount of \$6,500 to Jill Friend for The Pink House, Walgett, upon successful completion of the approved works.
- From the 2018/2019 Local Heritage Fund.

**Moved:** Cllr Murray

**Seconded:** Cllr Keir

**CARRIED**

Cllr Taylor requested his vote against be noted.

**Proposed Chiller - Walgett**

Council was advised that, as the proposed development is permissible within the zone in accordance with Walgett's Local Environmental Plan 2013 (LEP) and, unless there are significant issues which cannot be resolved as part of the development or the developer cannot or is not willing to comply, the development must be approved in accordance with the LEP and the Environmental Planning & Assessment Act 2018.

*Cllr Keir noted her objection to the development.*

*Cllr Murray left the meeting room at 1.29pm*

**Transfer of road ownership Woodlands Road**

**Resolved:**

That Council advise the Department of Industry – Lands & Water that it has no objection to Woodlands Road being transferred to Walgett Shire Council ownership as a public road.

**Moved:** Cllr Keir

**Seconded:** Cllr Taylor

**CARRIED**

**Formalisation of Road Reserve – Woodlands Road**

**Resolved:**

That Council commence the proposal to acquire, through agreement, the section of Woodlands Road that runs through Lot 50 DP 752271.

**Moved:** Cllr Cameron

**Seconded:** Cllr Smith

**CARRIED**

*Cllr Murray returned to the meeting room at 1.32pm.*

**Announcement Heavy Vehicle Safety & Productivity Program**

**Resolved:**

1. That Council receives and That Council note the successful funding through the HVSP program for Gundabloui Road and Come by Chance Road.
2. That Council prepare Tenders for the delivery of the Gundabloui Road project.

**Moved:** Cllr Smith

**Seconded:** Cllr Taylor

**CARRIED**

**Successful Grant application – Collarenebri Pre-treatment and Sludge Handling Scoping Study**

**Resolved:**

1. That Council note the funding approval for the Collarenebri Pre-treatment and sludge handling scoping study.
2. Allocate \$25,000 from the Collarenebri Water fund budget to match the funding received under the Safe and Secure Water Program

**Moved:** Cllr Turnbull

**Seconded:** Cllr Keir

**CARRIED**

*Cllr Martinez and Cllr Turnbull declared a pecuniary interest in item 4 (Fox Street footpath works) of the Council Report (15.4.5) and left the meeting room at 1.47pm and Cllr Woodcock chaired the meeting.*

**Matters Generally For Brief Mention or Information Only – Engineering/ Technical Services**

**Resolved:**

That Council receives and note the Matters Generally for Brief Mention or Information only presented by the Acting Director Engineering/ Technical Services.

**Moved:** Cllr Keir

**Seconded:** Cllr Murray

**CARRIED**

Clr Martinez returned to the meeting room at 1.48pm and resumed the position of chairing the meeting.

Clr Turnbull returned to the meeting room at 1:52pm.  
The DES left the meeting at 1.53pm and did not return

**Questions for Next Meeting**

**Clr Taylor**

Q1: Can Council investigate the footpath parking for Lightning Ridge buses for the school – needs attention?

Q2: Can Council line mark the streets of Lightning Ridge?

Q3: Can Council seal Sunflash Street in Lightning Ridge as it's the main gateway to the Castle?

Q4: Can Council form an RV Friendly area opposite the Stanley feature.

Q5: Can Council investigate the water connection to Sonya's Bed and Breakfast?

**Clr Smith**

Q1: Can Council clean out of the smaller drainage pipes in Collarenebri?

**Clr Woodcock**

Q1: Can Council install new water mains for Lightning Ridge

Q2: Can Council conduct a study of the water that goes outside of the town of Lightning Ridge?

**Clr Cameron**

Q1: Can Council invite Chris Shaw the Acting Principle of Walgett Community College to address Council at its next meeting in November 2018 regarding the progress at the School. Preferably and if appropriate in closed session of Council.

**Clr Keir**

Advised Council of the formation of the Walgett / Namoi Water Users Group and requested a representative from Council attend its inaugural meeting.

**Close of Meeting**

The meeting closed at 2.33pm.  
To be confirmed at the next meeting of Council.

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Mayor

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General Manager

## 8. MAYORAL MINUTES

The mayoral report will be tabled at the meeting.

| Mayoral Report                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That Council receive and note the Mayoral report.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |



## **AGENDA FOR CLOSED COUNCIL MEETING**

**27 November 2018**

**NOTICE IS HEREBY GIVEN** pursuant to clause 7 of Council's Code of Meeting Practice that the Closed Council Meeting of Walgett Shire Council will be held at Burren Junction **on 27 November 2018** to discuss the items listed in the Agenda.

Paul Mann  
**ACTING GENERAL MANAGER**

## Agenda

### 9. MOVE INTO CLOSED SESSION

#### MOVE INTO CLOSED SESSION

**Time:** .....

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

(a) Personnel matters concerning particular individuals (other than Councillors)

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

(d) That the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Moved:**

**Seconded:**

### 10. CONFIDENTIAL REPORTS/CLOSED COUNCIL MEETING

#### 10.1 DIRECTOR ENGINEERINGTECHNICAL SERVICES

##### 10.1.1 WALGETT LEVEE UPDTAE

### 11. Return to Open Session

### 12. Adoption of Closed Session Reports

## 10.1 DIRECTOR OF ENGINEERING/TECHNICAL SERVICES

### 10.1.1 WALGETT LEVEE UPDATE

## 11. RETURN TO OPEN SESSION

| Return to open session                                                                                                 | Time: ..... |
|------------------------------------------------------------------------------------------------------------------------|-------------|
| <p><b>Recommendation:</b></p> <p>That Council return to open session.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |             |

## 12. ADOPTION OF CLOSED SESSION REPORTS

| Adoption of closed session reports                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That Council adopt the recommendations of the Closed Committee Reports.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

### **13. REPORTS OF COMMITTEES/DELEGATES – Nil**

## 14. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

### Motion with Notice for WSC Meeting Burren Junction Tuesday 27<sup>th</sup> November 2018

Councillor Jane Keir has submitted the following Notice of Motion:

That we write to Minister Niall Blair, Minister for Primary Industries & Regional Water & Minister John Barilaro, Deputy Premier & Minister for Regional NSW to ask for their consideration in a variation to the Walgett Weir Project.

The raising of our weir at Walgett has been in progress for many years & now with the inclusion of the fish way it appears that the water level will be well below the allocated height of the original plan of 1.1 metres.

In light of Walgett's current drastic position with very little raw water left in the existing weir pool to water parks & gardens in the town we request that the Government consider raising the level of the weir to 2 metres.

This would give the town & all members of the community long term water viability especially in light of the current drought situation in the Walgett Shire.

Submitted for Council's determination.

### **Walgett Weir – Notice of Motion – Staff Comments**

It should be noted that the purpose for the funding for the Weir raising project is to ensure Water Security for the Raw Water Supply for the Walgett township. As such the funding bodies awarded the grant funding to Walgett Shire under this context, which is supported in the business case submitted and the investigations undertaken into the feasibility of the raising.

During the development phase of the Walgett Weir raising proposal several investigations were undertaken by NSW Public Works to satisfy the owners of the Weir (WaterNSW) that the weir raising was feasible and to determine the most cost effective method with least impact while still meeting the water security requirements for the Safe and Secure Water Program funding criteria.

In August 2014 Public Works provided the Walgett Weir 11A – Raising Concept & Fishway Feasibility Report. In Summary the report states “

*“The need for a raising substantially in excess of 1.0m does not appear justified from a water supply security perspective, particularly considering the potential to implement restrictions at storage levels higher than those applied to the existing weir”*

Under normal demand (5.7ML/day) the current weir has a forecast capacity of 95 days. By raising the weir 1.0 metres this is increased to 183 days, this can be extended out to approx. 238 days under water restrictions.

The report summarises the raising of the weir achieving the following criteria

- Sufficient inundation to facilitate the removal of Weir 10 (to satisfy NSW Fisheries in the reduction of Fish passage obstructions)
- No weirpool channel breakouts resulting in overland flows
- Security of town water supply to meet demands during the future severe prolonged drought

The report also look at the sustainable water supply in particular during drought periods and periods of Low to No Flow ie <0.1ML/ day, and very low flow <1.1ML/day. The longest continual drought durations identified in the 41 years of gauge monitoring is 157 days (near zero flow) and 167 days (very low flow). The 1.0m weir height extension allows an amount of buffer storage that meets this need.

A further report by Public Works undertaken in October 2015 deals with the structural adequacy of the weir especially in relation to potential seepage and risks of failure. The report methodology is based on the weir construction and geotechnical investigations undertaken. This report identifies that the weir raising to a height of 1.0 metres is just within the factors of safety for the current weir design, however for any further height addition more costly construction would be required.

### **Summary**

To go beyond the 1.0m weir raising height as per the current funding agreements the following impacts would need to be considered

1. A new Inundation modelling would be required for the river of any new proposed river heights to inform the environmental study footprint as well as design requirements.
2. Redesign which would need to consider the structural improvements required for the weir as well as the new structure itself
3. New Environmental approvals which would need to consider the potential increase breakouts into billabongs and old river channels during normal flows. This has not been considered in any environmental approvals sought or given to date.

To revisit would require potentially a minimum two (2) years work possibly longer dependant upon the impacts realised as part of the investigation process. At the completion of this work the environmental impacts which would then need to be reviewed by various organisations as well as the subsequent approvals required from bodies where impacts of the increased inundation may have affects.

An increase in construction costs for both the Weir and fishway which would then require new funding arrangements to be sought with no guarantees

Extensions of time for the expenditure for the current funding would need to be sought with no guarantees that the new scope would meet the approval of the funding bodies due to changes in the outcomes.

### **Recommendation**

That Council continue the Walgett Weir Project at the 1.0metre raising level

## 15. REPORTS FROM OFFICERS

### 15.1 ACTING GENERAL MANGER

#### 15.1.1 COUNCIL'S DECISION ACTION REPORT

|                           |                                          |
|---------------------------|------------------------------------------|
| <b>REPORTING SECTION:</b> | <b>Executive</b>                         |
| <b>AUTHOR:</b>            | <b>Paul Mann- Acting General Manager</b> |
| <b>FILE NUMBER:</b>       | <b>18/260</b>                            |

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**Summary:**

This schedule summarises the current position of action taken in respect of matters considered at the previous meetings of Council when the outcomes have not been finalised.

**Background:**

Attached is the Resolution Register which summaries outstanding action in respect of all resolutions which required action and are still outstanding. The exception is for the last meeting where items that have been completed are included. Councillors are reminded that any queries should be raised with the General Manager prior to the meeting.

**Current Position:**

Details of actions taken/being taken are flagged for each motion. Overtime the register has grown in size because, whilst resolutions are always actioned after the meeting, it is not always possible to resolve issues quickly especially if other government agencies are involved or our own in-house resources are stretched. And we have to prioritise work commitments.

In these circumstances the register becomes the simple tool of keeping track of matters awaiting attention.

Again, Councillors are reminded that any queries should be raised with the General Manager prior to the meeting as this would streamline the meeting process and also resolve minor issues more expediently.

**Relevant Reference Documents/Policies:**

Resolution Register

**Governance issues:**

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

**Environmental issues:**

Nil

**Stakeholders:**

Council and Manex Team

**Alternative Solutions/Options:**

Nil

**Conclusion:**

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

| Council's Decision Action Report                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That the Resolution Register as at October 2018 be received and noted.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachment:**

Resolution Register

| <b>Date</b> | <b>Ref</b> | <b>Resolution</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Dpt</b> | <b>Updates</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Status</b> |
|-------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 28.04.17    | 3/2017/22  | That Council considers realigning the 35km section of Ridge Road from Shermans Way and Burrumbaa Road intersection to Angeldool Road intersection - Option 4 (Realignment across Big Warrambool).<br>That Council consult with affected landholders with regards to Option 4.<br>This option includes a bridge across Big Warrambool and land acquisition. Social, environmental impacts should be assessed before this option is implemented. In addition, geotechnical, hydrologic studies must be conducted for this option. Topographical survey and designs must also be completed prior to implementation. | DETS       | 9.8.17 Surveyor engaged<br>22.8.17 Report to Council to resolve for compulsory acquisition.<br>5.9.17 GM and DETS held talks with Brian Lees, Al Lees and Norman Lees of Tipperary and Ringwood regarding alignment next to their property. They will sketch their preferred alignment and send to Council.<br>21.11.17 DETS held talks with Peter Scoles. He has indicated no objection.<br>7.12.17 Consulting held with Brian, Sue and Nathan Lees of Tipperary. Three options selected. DETS to cost options and hold further consultation with Lees's.<br>12.04.18 DETS meets Lees's and all agree on Option 2.<br>16.08.18 Additional survey ongoing |               |
| 28.04.17    | 3/2017/25  | That Council using the "Open Tendering" method call Tenders for the restoration of the Colless Grandstand at the Walgett Showground.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | CFO        | 27.6.17 In Progress – Request for Engineers Report<br>13.12.17 Engineers report required<br>5.2.18 waiting on information from structural engineer<br>18.4.18 Engineer inspected facility, costing and report underway<br>21.8.18 Costing for refurbishment underway                                                                                                                                                                                                                                                                                                                                                                                      |               |
| 23.5.17     | 4/2017/34  | Lightning Ridge Bore Baths<br>1. Council receive the CFO report<br>2. Council make provision of \$100,000 in the 2017/18 budget for renewal of the Lightning Ridge Bore Bath between Nov 17 and April 18<br>3. Recommendations of the structural assessment be implemented<br>4. The General Manager arrange for a design and cost of the bore bath renewal and submit this to Council for consideration                                                                                                                                                                                                         | CFO        | 27.6.17 Quotation for design & construction to be called in coming months. Work to be carried out during November 17 to March 18<br>18.9.17 CFO in discussions with firm for engineers design<br>18.10.17 CFO Issued purchase order for design of new tank<br>22.11.17 Draft plan Received -RFQ to be issued<br>13.12.17 Waiting on new specifications & plan<br>18.4.18 Project postponed until November 2018.<br>18.4.18 RFQ to be issued and contractor engaged prior to October 2018                                                                                                                                                                  |               |
| 26.09.17    | 9/2017/25  | That Council resolve to acquire Mr.and Mrs Raymond Pike's land within which the current Council-maintained section of O'Neils Road runs, then surrender the Council-Controlled section of corridor to Mr And Mrs Raymond Pike.                                                                                                                                                                                                                                                                                                                                                                                   | DETS       | 8.9.17 DETS hold talks with Mr Raymond Pike and his wife. They verbally agreed to the swap.<br>5.11.17 Quotes received for cadastral survey<br>30.03.18 Cadastral survey completed                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |
| 26.09.17    | 9/2017/26  | 1.That Council resolves to authorise acquisition by compulsory process, of the Walgett Levee corridor through Lot 7024 DP1021106, Lot 7012 DP1021112, Lot 7301 DP1155276, Lot 7013 DP1030416, Lot 7300 DP1155957, Lot 702 DP1051575, Lot 7001 DP1051908, Lot 3 DP1123824, Lot 703 DP1056310, Lot 7031 DP1055946 and Lot 7009 DP1055947.<br>2. That Council resolves to make an application to the Minister to approve the compulsory acquisition process.                                                                                                                                                        | DETS       | 5.11.17 Quote received for cadastral survey<br>10.1.18 Quote accepted<br>16.08.18 Survey ongoing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |
| 26.09.17    | 9/2017/27  | 1. That Council engage a consultant for the investigation of the alternatives to improve pre-treatment and prepare a concept design & business case for funding for the Collarenebri Water Supply.<br>2. That Council proceeds with the compulsory acquisition of additional land for the construction of recommended pre-treatment.<br>3. Lodge an expression of interest (EOI) for the safe and secure water programme.                                                                                                                                                                                        | DETS       | 8.10.17 Council lodges EOI under SSWP<br>9.1.18 Council invited for detailed application<br>26/02/2018 Detailed application submitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |
| 28.11.17    | 11/2017/3  | 1.That Council receive and note this report and<br>a. Investigate & proceed with land acquisition process for land required for installing the Wind Indicator for Runway 10.<br>And/or<br>b. Allocate additional funding in the budget for constructing an AWIB & ongoing commitment to the budget for operation & maintenance.<br>c. Commence using Runway 28 straight in approach once windsock and safety case approved by CASA.                                                                                                                                                                              | DETS       | Safety case lodged with CASA<br>28/02/2018 Crownlands license received.<br>30.03.18 IWI installed<br>16.08.18 CASA coming in September 2018 to assess the runway extension<br>Still waiting on CASA Approval                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |
| 19.12.17    | 12/2017/24 | Walgett CBD Car Park – From the GM report – action proposed of drafting a memorandum of understanding be endorsed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | GM         | MOU being drafted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |
| 19.12.17    | 12/2017/25 | Collarenebri Sportsgrounds amenities building – the Council endorse the actions of the CFO in advising Murdi Paaki Regional Rugby League Council that the Council accept the new amenities building asset for the Collarenebri Sports Ground as per concept proposal and the Council shall accept liability for ongoing future maintenance                                                                                                                                                                                                                                                                       | CFO        | 5.2.18 Proposal in the planning phase                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |
| 8.02.18     | 1/2018/2   | That Council:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | GM/<br>CFO | 19.03.18 ongoing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |

WALGETT SHIRE COUNCIL AGENDA – 30 October 2018 – ORDINARY COUNCIL MEETING

|          |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |          |                                                                                                                                               |  |
|----------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------|--|
|          |            | <p>1. Defer any Special Rate Variation Application to IPART to fund the upgrade of the strategic rural road network until such time as there is majority support for such a proposal.</p> <p>2. Continue to work with the community to achieve a greater level of understanding of the cost and level of services and facilities it provides.</p> <p>3. Lobby relevant state agencies to address an adequate level of maintenance of the road infrastructure network on the opal fields</p> <p>4. Concentrate on providing a consistently high quality water supply to all towns within the Shire.</p> <p>5. Arrange for an independent community satisfaction survey to be undertaken within the next six months.</p> <p>6. Investigate the re-establishment of precinct committees.</p> <p>7. Lobby the State Government to open Opal Prospecting Area (OPA) 4.</p> |          |                                                                                                                                               |  |
| 13.02.18 | 2/2018/33  | <p>1. That Council rejects the request for water connection to the property on Lot 100 DP 1076808 since it is located in a non-urban residential zone, and current relevant policy does not permit such connections.</p> <p>2. The Director of Environmental Services to provide a report to the March Council meeting in relation to the illegal water connections in each town after researching previous reports presented to Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                         | DETS/DES | 15.02.18 Applicant advised of resolution<br>7.06.2018 – GIS Continuing to map illegal water connections to be provided to DETS in due course. |  |
| 27.03.18 | 3/2018/25  | <p>1. That Council receives and notes the report.</p> <p>2. Council make approaches to Resource and Energy Department through the Member for Barwon to identify possible voids from former mining operations under key streets in the Lightning Ridge Township.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | DETS     |                                                                                                                                               |  |
| 01.05.18 | 5/2018/28  | It would be appropriate for Council to enter into negotiations with the DoL as the agency responsible for Western Land Leases/Crown Land to undertake maintenance of the private roads on which the "car door tours" operate or alternatively take the necessary steps to dedicate them as public roads.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | GM       | Works still needed                                                                                                                            |  |
| 01.05.18 | 5/2018/29  | That Council commence a dialog in relation to the dedication of "backbone" tracks on the opal fields as public roads by DoL under the care and control of Walgett Shire Council with funding sourced by Department of Resources and Energy through mineral claims/licences be made available to Walgett Shire Council for routine maintenance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | GM       |                                                                                                                                               |  |
| 26.06.18 | 10/2018/22 | That Council finances the fencing project from a transfer from the Lightning Ridge toilet upgrade reserve in 18/19, and the \$20,000 be placed into the Len Cram park fence reserve at the 30th June 2018.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | GM       |                                                                                                                                               |  |
| 26.06.18 | 10/2018/30 | <p>That Council (a) Conduct a broad community consultation meeting with local community and showground user groups to determine if users would like the grandstand replaced, and if community support is for a new grandstand Councils proceeds with (b) (c) and (d),</p> <p>(b) Council call for quotations to demolish the existing Colless grandstand</p> <p>(c) Council acquire quotations for the construction of 3 X 5 Tier X 6 m wide prefabricated grandstand system to be erected on the site of the old Colless grandstand.</p> <p>(d) The new structure be called the "Colless Grandstand".</p>                                                                                                                                                                                                                                                            | CFO      | 21.8.18 A second community meeting to be arranged for late September 2018                                                                     |  |
| 28.8.18  | 13/2018/18 | Not provide permanent seating to the Collarenebri Main Street (Wilson Street) and immediate CBD area and to continue investigations into alternate locations within the town, close to the CBD where new seating can be installed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | DES      |                                                                                                                                               |  |
| 25.9.18  | 14/2018/17 | That Council note the current investigations in relation to the Lightning ridge water supply and unmetered services and a workshop to discuss the issues involved be held in the near future                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | GM       | Workshop to be arranged                                                                                                                       |  |
| 25.9.18  | 14/2018/34 | That in light of concerns regarding the future of the waste management in the Shire and subject to the contractor agreeing, the current contract be extended and a future report be submitted to an early meeting to allow Council to determine the future management options for both landfills; Walgett and Lightning Ridge.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | DES      | At the of this report, awaiting confirmation from contractor                                                                                  |  |
| 30.10.18 |            | <p>That Council consider and, if appropriate, endorse projects to be applied for under the Extension of the Drought Communities Programme or seek nomination of projects from the community for consideration at the November meeting.</p> <p>Council endorse the following projects (in no particular order):</p> <ul style="list-style-type: none"> <li>Fencing of the Burren Junction landfill - \$80,000</li> <li>Extension of the Town Beautification Projects: Walgett - Wee Waa Street and Lightning Ridge – Opal Street - \$350,000 for each project</li> <li>Replacement of the boat ramp at Collarenebri - \$150,000</li> <li>Drainage improvements at Rowena - \$60,000</li> </ul>                                                                                                                                                                         | GM       |                                                                                                                                               |  |
| 30.10.18 |            | 1. That Council note this report and presentations made on this matter in the Public Forum                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | GM       |                                                                                                                                               |  |

WALGETT SHIRE COUNCIL AGENDA – 30 October 2018 – ORDINARY COUNCIL MEETING

|          |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |    |  |  |
|----------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--|--|
|          |  | <p>2. That a further report be presented to Council exploring all aspects of the requests and research required.</p> <p>3. That Council make representation to the Member for Barwon to have Department of industry – Mining re-establish the requirement that all mining leases be renewed in person at Lightning Ridge ie: remove the option to renew on line</p> <p>4. That Council investigate the possibility of acting as agent for DoI mining in the collection of annual fees.</p> |    |  |  |
| 30.10.18 |  | <p>1. That Council note the funding approval for the Collarenebri Pre-treatment and sludge handling scoping study.</p> <p>2. Allocate \$25,000 from the Collarenebri Water fund budget to match the funding received under the Safe and Secure Water Program</p>                                                                                                                                                                                                                           | GM |  |  |

## 15.1.2 CIRCULARS RECEIVED FROM THE NSW OFFICE OF LOCAL GOVERNMENT

**REPORTING SECTION:** Executive  
**AUTHOR:** Paul Mann – General Manager  
**FILE NUMBER:** 18/260

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### Summary:

Copies of circular received from the Local Government Office Department of Premier and Cabinet are attached for Councillors information. Circulars are emailed to Councillors when published from LGNSW.

### Background:

The General Manager has flagged the following circulars as requiring the particular attention of Councillors:

16 Nov 2018

- 18-35 *The new Model Code of Meeting Practice for Local Councils*

24 Oct 2018

- 18-34 *Reminder of 1 December 2018 deadline for councils to finalise a refund sharing agreement to share in Container Deposit Scheme (CDS) kerbside revenue*

22 Oct 2018

- 18-33 *OLG Financial Reporting Workshops 2018-19*

### Governance Issues:

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

### Stakeholders:

Councillors and Walgett Shire Council staff

### Financial Implications:

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

### Conclusion:

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

### Circulars Received From the NSW Office of Local Government

#### Recommendation:

That the information contained in the following Departmental circulars published 16/11/18, 24/10/18 & 22/10/18 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:**

**Seconded:**

### Attachments:

Circulars



Office of  
Local Government

## Circular to Councils

|                             |                                                                                                       |
|-----------------------------|-------------------------------------------------------------------------------------------------------|
| <b>Circular Details</b>     | Circular No 18-35 / 16 November 2018 / A627298                                                        |
| <b>Previous Circular</b>    | 17-40 Consultation on the draft Model Code of Meeting Practice for Local Councils in NSW              |
| <b>Who should read this</b> | Councillors / General Managers / Governance staff                                                     |
| <b>Contact</b>              | Council Governance Team – (02) 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> |
| <b>Action required</b>      | Information                                                                                           |

### The new Model Code of Meeting Practice for Local Councils

#### What's new or changing?

- The new *Model Code of Meeting Practice for Local Councils in NSW* (the Model Meeting Code) has been finalised and will soon be prescribed by the *Local Government (General) Regulation 2005*.
- The Minister for Local Government has released the soon to be prescribed Model Meeting Code for the information of councils and joint organisations. A copy of the Model Meeting Code is available on the Office of Local Government's (OLG) website at [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au).

#### What this will mean for your council

- The Model Meeting Code has been released so that councils and joint organisations can familiarise themselves with it ahead of its prescription.
- OLG will provide more detailed guidance when the new Model Meeting Code is prescribed.

#### Key points

- Once the Model Meeting Code is prescribed, transitional arrangements will apply to its adoption by councils. Detailed guidance will be provided on this once the Model Meeting Code is prescribed. As a general rule however, councils should endeavour to adopt a code of meeting practice based on the Model Meeting Code within six months of its prescription.
- Irrespective of whether councils have adopted a code of meeting practice based on the Model Meeting Code, all councils (but not joint organisations) will be required to webcast meetings of the council and committees of which all members are councillors within 12 months of its prescription. The webcasting requirement may be met simply by posting an audio or video recording of the meeting on the council's website.
- Before adopting a new code of meeting practice, councils will still be required to exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code. This requirement does not apply to joint organisations.
- Councils and joint organisations will be advised by a further circular when the Model Meeting Code is prescribed.



Office of  
Local Government

## Circular to Councils

|                             |                                                                                           |
|-----------------------------|-------------------------------------------------------------------------------------------|
| <b>Circular Details</b>     | Circular No 18-34 / 24 October 2018 / A621859                                             |
| <b>Previous Circular</b>    | Circular No. 18-09                                                                        |
| <b>Who should read this</b> | General Managers / Waste Management Coordinators / Directors Corporate                    |
| <b>Contact</b>              | Policy Team / (02) 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> |
| <b>Action required</b>      | Information / Council to Implement                                                        |

### Reminder of 1 December 2018 deadline for councils to finalise a refund sharing agreement to share in Container Deposit Scheme (CDS) kerbside revenue

#### What's new or changing

- Councils must notify the NSW Environment Protection Authority (EPA) that they have reached a refund sharing agreement with their Material Recovery Facility (MRF) operator **before 1 December 2018** to enable the MRF to continue to claim refunds for eligible containers and to enable councils to receive a share of CDS revenue from their kerbside recycling stream.
- The EPA has made available a notification form for this purpose.

#### What this will mean for your council

- If an agreement is not reached by 1 December 2018, councils will not be able to access a potentially significant revenue stream until such an agreement is in place.
- Over \$50 million has already been paid to MRFs, a share of which could be used to fund improved waste services or environmental initiatives to benefit local communities.

#### OLG Support for Councils

- An independent report commissioned by OLG found that refund sharing is likely to be a significant long-term revenue stream for councils.
- Negotiating tools were also developed to assist councils in negotiations with MRFs. The scenario tool can be used to assess various refund sharing arrangements using different assumptions, in order to guide the development of a negotiating position with their MRF. The reconciliation tool allows councils to predict their refund amount either quarterly or annually.
- The report and tools, along with a video presentation explaining them, are located on the OLG website at: [www.olg.nsw.gov.au/container-deposit-scheme](http://www.olg.nsw.gov.au/container-deposit-scheme).

#### Key points

- Clause 18 of the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017* sets out the various circumstances in which a MRF operator is eligible to claim processing refunds.

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 44 913 630 046

Office of  
Local Government

## Circular to Councils

|                             |                                                                                           |
|-----------------------------|-------------------------------------------------------------------------------------------|
| <b>Circular Details</b>     | Circular No 18-33 / 22 October 2018 / A621432                                             |
| <b>Previous Circular</b>    | Circular No 18-04 /                                                                       |
| <b>Who should read this</b> | General Managers / Council finance staff                                                  |
| <b>Contact</b>              | Policy Team / 02 4428 4100 / <a href="mailto:code@olg.nsw.gov.au">code@olg.nsw.gov.au</a> |
| <b>Action required</b>      | Information / Response to OLG                                                             |

## OLG Financial Reporting Workshops 2018-19

## What's new or changing

- The Office of Local Government (OLG) is conducting a series of workshops commencing November 2018 and concluding May 2019 on impending Accounting Standards and the auditing of financial statements.
- A range of council revenue and lease contracts will be reviewed to enable councils to gain an understanding of the issues to consider in determining the impact of the new standards.
- Details of the dates and locations for the information sessions are shown in Attachment A.

## What this will mean for your council

- The workshops will provide an opportunity for council staff involved in accounting and financial reporting to learn about the new Accounting Standards and be better prepared for their release.
- All council staff involved in accounting practice and financial reporting are encouraged to attend.

## Key points

- The information sessions will be held at 17 locations across NSW commencing November 2018 and concluding May 2019. Sessions are designed for council finance staff playing a role in accounting and financial reporting functions.
- The sessions will include:
  - delving into the detail of the new accounting standards on
    - AASB 15 Revenue from Contracts with Customers
    - AASB 1058 Income of Not-for-Profit entities
    - AASB 16 Leases.
  - review of a range of council revenue and lease contracts to enable councils to gain an understanding of the issues to consider in determining the impact of the new standards
  - discussion on accounting issues, policies and guidance.

Office of Local Government  
 5 O'Keefe Avenue NOWRA NSW 2541  
 Locked Bag 3015 NOWRA NSW 2541  
 T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
 E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 44 913 630 046

### 15.1.3 IMPORTANT DATES FOR COUNCILLORS - UPCOMING MEETINGS AND EVENTS

**REPORTING SECTION:** Executive  
**AUTHOR:** Paul Mann– Acting General Manager  
**FILE NUMBER:** 18/260

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**Summary:**

A list of upcoming meetings and events is provided for Councillors to make notes of to avoid any clashes of commitments.

**Discussion (including issues and background):**

This report allows Councillors and senior management staff to plan their activities and spread their work load having regard to upcoming commitments. It also avoids situations where some Councillors missed meetings or are not aware of when they have been scheduled. In addition, outside organisations have been requested to send meeting notice and minutes direct to Council's various representatives. Where notification is received meeting dates will be listed on the strategic tasks, events and meetings calendar and the representative(s) names flagged.

**Current Position:**

Councillors are requested to raise any queries prior to the meetings listed.

**Governance issues:**

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

**Environmental issues:**

Not applicable

**Stakeholders:**

Councillors and Walgett Shire Council staff

**Alternative Solutions/Options:**

Not applicable

**Conclusion:**

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

| Important Dates for Councillors - Upcoming Meetings and Events                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That Council receive and note the list of upcoming meetings and events.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**IMPORTANT DATES - Upcoming Meetings and Events**

| DATE             | MEETING/FUNCTION | LOCATION                 | NOTES                              |
|------------------|------------------|--------------------------|------------------------------------|
| 6 December 2018  | LATC Meeting     | Walgett Council Chambers | Mayor, Deputy Mayor and Cllr Smith |
| 18 December 2018 | Council Meeting  | Walgett Council Chambers |                                    |

**15.1.4 SEATING IN COLLARENEBRI MAIN STREET**

**REPORTING SECTION:** Executive  
**AUTHOR:** Paul Mann – Acting General Manager  
**FILE NUMBER:** 18/260

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Over the past year Council has been considering the installation of seating in Wilson St Collarenebri and after looking at the possibility of developing a policy on seating for all towns resolved at its August Meeting not to progress this matter or install seating in Wilson St (after receiving a number of objections to the proposal).

As I understand it the original request came from Mrs Polsoni who considered seating necessary to assist a number of older and disabled residents of Collarenebri access the main street with seating placed to allow rest stops. After being advised of Council's August decision Mrs Polsoni contacted the Human Rights Commission requesting it investigate the matter on grounds that the decision was discriminating against the above residents. The request was supported by four or five letters.

After receiving Council's response to its initial request for information the Human Rights Commission has been in touch to ask Council to reconsider and, if possible, reach a compromise which would be acceptable to both Council and Mrs Polsoni. In doing so Council would need to consider the input from local businesses and those in the community wanting the seating.

| 13/2018/19 Collarenebri Main Street (Wilson Street) Seating                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Resolved:</b></p> <p>Not provide permanent seating to the Collarenebri Main Street (Wilson Street) and immediate CBD area and to continue investigations into alternate locations within the town, close to the CBD where new seating can be installed.</p> <p><b>Moved:</b> Cllr Keir<br/> <b>Seconded:</b> Cllr Martinez</p> |

Attached to this report is a plan of the area with suggested locations for seating which could be a starting point for discussions with Mrs Polsoni to determine if it would meet her requests but also reflect the views of the business houses. In addition Council has received a significant grant to upgrade the parks at the end of the main street and additional seating could be installed here.



In my discussions with the Human Rights Commission, the Investigator/Conciliator outlined the relevant sections of the Commonwealth *Disability Discrimination Act 1992* and the process of termination of these complaints if the matters are not able to be resolved (giving the complainants the option of going to court). From discussion with the HR Commission both Council and the complainant Council can access legal advice if it wishes in relation to the complaints.

Council purchased seating for the area in late 2017 and I understand from Mrs Polsoni's correspondence that locations had been determined but the installation did not proceed.

Council may like to revisit the matter and explore alternate sites within the main street area (those highlighted on the attached plan or alternates) for discussion with Mrs Polsoni and the other complainants and the business houses that have lodged submissions.

**Conclusion:**

Council may wish to consider the possible locations noted on the attached plan (or alternatives) and authorise the Mayor or nominee and Acting General Manager (or nominee) to meet with Mrs Polsoni and representatives of the business houses to discuss the matter with a view to reaching a compromise.

| Seating in Collarenebri Main Street                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>Submitted for Council consideration &amp; determination</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**15.1.5 MACQUARIE HOMESTAY – POSSIBLE SPONSORSHIP**

**REPORTING SECTION:** Executive  
**AUTHOR:** Paul Mann – Acting General Manager  
**FILE NUMBER:** 18/260

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To consider the option of sponsoring a room in the new Macquarie Homestay facility under construction in Dubbo to provide affordable, short-term accommodation for regional patients who require treatment at Dubbo Base Hospital.

In line with a Mayoral Minute presented to the September Meeting the Managing Director Macquarie Home Stay, Mr Rod Crowfoot, was invited to address Council at its October Meeting.

Mr Crowfoot subsequently provided extensive detail of the project from its inception to the imminent opening of stage 1 (14 units) and sponsorship opportunities (copy provided to Councillors at the September Meeting) including sponsorship of a room – complete fit out - which entitles a sponsor to recognition in a number of forms – room named, inclusion on sponsor board, on web page, wall of honour and recognition on an appropriate plaque/sign.

Macquarie Home Stay are now embarking on securing funding for the second and future stages to provide a total of 56 rooms with all facilities and associated office, utility and common rooms.

Mr Crowfoot, in his presentation, detailed how the facility would operate and its importance to the region which provides around 50% of patients attending Dubbo Base Hospital including maternity.

If Council was to consider sponsoring the facility – eg providing a fully furnished room, at a cost of \$33,000 – funding could be provided from projected surplus in 2018'19 (eg. Distribution of funds from OROC – some \$27k) or funds held in reserve. Alternatively Council may wish to make a contribution in the 2019'20 budget / management plan.

A further copy of the sponsorship prospectus will be circulated separately.

| <b>Extension Drought Communities Programme – Proposed Projects</b>                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>Submitted for Council consideration and determination if it is to financially support the project.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

### 15.1.6 PUBLIC LIBRARY FUNDING

**REPORTING SECTION:** Executive  
**AUTHOR:** Paul Mann – Acting General Manager  
**FILE NUMBER:** 18/260

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I am calling on Councillors to support the NSW Public Libraries Association and Local Government NSW in their advocacy to State Government for additional funds for Public Libraries.

Whilst Council receives funds from State Government, these have gradually declined. In 2015/16, State funding for Public Libraries covered only 7.5% of the total costs of operating the 368 libraries across NSW. The level of State Government funding for NSW public libraries has reached crisis point. This is an historic issue that has been ignored by successive NSW governments. The key issues are that:

- NSW public libraries receive the lowest per-capita funding from their State Government compared to all other states in Australia
- NSW councils are currently paying 92.5% of the costs to operate public libraries, up from 77% in 1980
- In 2015-16, NSW State Government funding for public libraries was only \$26.5M compared to a contribution of \$341.1M from Local Government. NSW councils are paying 12 times more than the State Government to provide library services to their communities.
- The total funding available through the NSW Public Library Funding Strategy is not indexed to population growth or consumer price index (CPI), thereby contributing to the ongoing attrition of State Government funding.
- The 2018-2019 State Budget delivered a 5% cut to current funding and cut access to all infrastructure funding for metropolitan areas
- Physical and virtual visitation, library borrowing and participation in library programs continue to increase year on year.
- Libraries play a major part in supporting the achievement of government literacy targets.
- Libraries provide collections, programs and spaces for marginalised groups including older people, refugee and multicultural communities, and people who are digitally disadvantaged.

In 2011, the NSW State Government made a pre-election commitment to comprehensively review the level and allocation of funding for NSW public libraries. The Library Council of NSW worked with the NSW Public Libraries Association and the State Library of NSW to develop an evidence-based submission.

The resulting submission *Reforming Public Library Funding*, recommending a fairer, simpler and more transparent method for the distribution of funds, was presented to the State Government in October 2012. Despite the undertaking of the State Government to comprehensively review funding for its public libraries, the recommendations of *Reforming Public Library Funding* were ignored and the funding model was neither reviewed nor improved.

In 2016, the then Minister for the Arts, the Hon. Troy Grant, undertook to review the matter of State Government funding for NSW libraries at the conclusion of the Fit For the Future program. It can be reasonably assumed that Fit For the Future has concluded, yet there has been no review of library funding nor any mention of libraries in the Government's pre-election

undertakings. At the 2016 LGNSW Conference, the Premier Mike Baird committed to reviewing library funding.

The NSW Public Libraries Association has joined forces with Local Government NSW to establish a library funding advocacy initiative in the lead up to the 2019 NSW State election. The *Renew Our Libraries* strategy will be rolled out over the next 8 months to persuade the Government that its network of 368 public libraries has reached a funding flashpoint that, without significantly increased and sustainable funding, is at risk of imminent service reduction. The success of this approach relies heavily on the support of NSW councils, their libraries and their communities.

It should be noted that the following motion (submitted by the Blue Mountains City Council) was unanimously endorsed at the Local Government NSW 2017 Conference:

*That Local Government NSW works with the NSW Public Libraries Association (NSWPLA) to develop a strategic partnership to:*

- a) increase public awareness of the multiple roles that Local Government Public Libraries play in supporting the educational, social, cultural and economic outcomes in local communities*
- b) advocate, in the lead up to the March 2019 State election, for improved State Government funding for Local Government Public Libraries in NSW to enable public libraries to meet the growing needs of our local communities.*

(Note: This motion covers the following motion set out in small font)

*Wagga Wagga City Council - Funding for public libraries - That Local Government NSW and member councils lobby the NSW Government to increase annual percentage of funding for public libraries*

As previously noted, this is not a party-political issue as every government since 1980 shares the blame for the current funding situation. Nevertheless, it is worth noting that the NSW Opposition released its Library Funding Policy on 26 March 2018 with an undertaking to increase overall funding to all suburban and regional NSW public libraries by \$50 million in the first term of government. This is a very significant pledge insofar as it is the first policy from any political party in recent history that undertakes to provide a significant and specified increase in state funding for public libraries.

NSW public libraries are governed by the Library Act 1939, a legislative instrument that was initially introduced to ensure the provision and ongoing sustainability of libraries through State Government and Local Government collaboration, and providing up to 50% of the funding required to establish and operate libraries. Since then local government has increasingly carried the funding burden with the situation deteriorating significantly since the 1980s. As a result, there are examples of attrition in library staffing, opening hours, collections, services and programs in a number of councils across the state.

Disappointingly, the 2018-19 NSW state budget delivered a 5% cut to current library funding and cut access to all infrastructure funding for metropolitan areas. The State Government has completely ignored the recommendation of its own expert panel, the Library Council of NSW which, in consultation with the State Library of NSW and the NSW Public Libraries Consultative Committee, recommended an increase in public library funding to \$30M in 2018-19. The public library grant funding component, which has been a budget inclusion for many years, has been scrapped entirely. This component financed a competitive grant project which has part-funded countless library infrastructure and service projects over many years.

On 24 August 2018 the NSW government announced a \$60 million funding commitment for NSW public libraries. This is as an important first step in the right direction and has thanked councils and supporters for their efforts so far. Further clarification is needed and further work is required to fix the long-term funding model for NSW public libraries. It is critical that any commitment of extra funding be recurrent, to ensure our public libraries can continue to grow and provide those valued services with certainty well into the future.

The NSW public library network is at serious risk. Neither this Council nor the broader NSW Local Government sector can continue with the high degree of uncertainty about the level of ongoing State Government funding for public libraries.

I am recommending that we support urgent action from the NSW local government sector and NSW Public Libraries Association / Local Government NSW, to reverse the ongoing deterioration of state funding for public libraries to ensure that local councils will not be forced to continue meeting the funding shortfall.

### **Public Library Funding**

#### **Recommendation:**

1. That Council endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, Renew Our Libraries.
2. That Council note the announcement by the NSW Government on 24 August 2018 of its intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23.
3. That Council support the ongoing Renew Our Libraries initiative to secure the pledged funding, clarify the funding components and liaise with the government regarding the funding model.
4. That Council support Renew Our Libraries to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
5. That Council make representation to the local State Member(s), Kevin Humphries, in relation to the need for ongoing additional funding from the NSW State Government for the provision of public library services.
6. That Council write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of ongoing and indexed increases in state funding for NSW public libraries, supported by a sustainable future funding model.
7. That Council take a leading role in activating the campaign locally.
8. That Council endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
9. That Council formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

**Moved:**

**Seconded:**

### 15.1.7 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION FROM CHIEF FINANCIAL OFFICER

**REPORTING SECTION:** Executive  
**AUTHOR:** Paul Mann – Acting General Manager  
**FILE NUMBER:** 18/260

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#### Senior Staff Positions

To advise Council on appointment of Director Engineering / Technical Services and renewal of Employment Contract for Chief Financial Officer.

#### Director Engineering / Technical Service

As reported to the October meeting of Council applications for this position closed on the 8 October and it was agreed that interviews be conducted by the new General Manager and Acting general Manager with Mr Christian Morris from LG NSW Management Solutions. Although three applicants were identified for interview unfortunately two withdrew.

Following interview and review of references it was agreed that, subject to negotiations on the term and package arrangements, the position be offered to Mr Raju Ranjit. It is hoped that arrangements can be confirmed by Council's meeting day.

#### Chief Financial Officer

In accordance with Council's resolution and following extensive discussion with the new General Manager and Mayor on the renewal / extension of Mr Urquhart's contract he has been offered and accepted a further three year term on the same basis as the current arrangement. This will provide Council with stability in the Corporate Services / Finance Department.

#### Projects

During my time with Council and with the assistance of Ray Graham as Acting Director Engineering and Technical Services and Malcolm Jones the following projects have been progressed:

- **Lightning Ridge Water** – cooling tower and chlorination – now only waiting on approval from Water NSW and then issue of Section 60 with specification being prepared by PW Advisory to go to tender immediately the approval is issued.
- **Cumborah Bore** – the current position with this project was outlined at the workshop on 20 November – land currently being purchased for bore site, PW Advisory finalizing tender specification with view to going to tender by early December. Council will be considering aspects such as chlorination and reticulation within the village and the request to pipe water to farms after the bore is complete and costs known.

- **Walgett Weir project** – at the time of preparing this report it is hoped the ownership of the fishway will be clarified by the end of November and the formal agreement between Water NSW & Council ready for signature. With these two aspects completed PW Advisory will be in a position to go to tender in February / March next year.
- **Cemetery** – funding approved under rounds 1 and 2 of Stronger Communities Program (Total \$599,600) with combined project being reworked to include accessing treated water from the sewer treatment works for turf – approval currently being formalized - and the Dharriwaa Elders Group engaged in planning the gathering space and pathways. Electricity to the site will be progressing although the turf has been put on hold pending the approval for the use of the STW water. The possibility of utilizing the treated water in other areas is also being explored – again approval for any such use will be required from the relevant authority.
- **Truckwash** – waiting on final approvals to complete construction and installation.
- **Roads Projects** – the two Fixing Country Roads projects (Come by Chance and Gundabloui Roads were commenced by the previous Director and Council has subsequently received matching grants under the HVP&S program – the Come by Chance Road will be completed by Council and the Gundabloui Road by contract. The Bugilbone Road project is well underway.
- **Grants under various programs** – as reported to Council confirmation has been received for a number of grants under the SCC Fund and the various projects have been allocated to the appropriate area of responsibility and work commenced to progress – total grant \$1.56m.

Applications are now been prepared for funding under the Federal Government's drought assistance grant (\$1m) as agreed at the October meeting. Staff have been requested to prepare applications in line with the allocation for the particular projects approved by Council. It is expected formal approval of the nominated projects will be received early in the new year.

#### **Crown Lands Management Act 2016 (CLMA)**

- All Councils have been allocated funding to assist in preparing plans of management for the Crown Reserves transferred to LG under the above Act. Council allocation is \$100,000.
- Council will now need to properly identify the Reserves and ensure they are classified as community land under the LG Act 1993 unless they have an operational usage as at 1/07/18. Plans of management then need to be prepared by 30 June 2021 and the CFO will work with neighbouring Councils

to progress this work possibly on a joint arrangement. The agreement has been signed and returned to the OLG.

|                                                                                       |
|---------------------------------------------------------------------------------------|
| <b>Matters Generally for Brief Mention or Information Only – From General Manager</b> |
|---------------------------------------------------------------------------------------|

**Recommendation:**

That the Matters Generally for Brief Mention or Information Only from the General Manager be received and noted.

**Moved:**

**Seconded:**

## 15.2 CHIEF FINANCIAL OFFICER

### 15.2.1 CASH ON HAND AND INVESTMENT AS AT 31 OCTOBER 2018

**REPORTING SECTION:** Corporate Services  
**AUTHOR:** Hafiz Malik - Graduate Accountant  
**FILE NUMBER:** 09/1460

---

**Summary:**

This report provides a summary and analysis of Council's cash and investments for the period ending 31<sup>st</sup> October 2018.

**Background:**

The investment portfolio consists of on-call bank accounts, fixed rate interest bearing deposits and variable rate interest bearing deposits. The portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Council's investment portfolio is not subject to share market volatility.

Comparisons are regularly made between existing investments with available products that are not part of Council's portfolio, but that meet Council's policy guidelines.

All investments at 31<sup>st</sup> October 2018 are compliant with the Relevant Reference Documents/Policies listed later in this report.

**Current Position:**

Council at 31<sup>st</sup> October 2018 held a total of \$33,506,855.92 in on-call and interest bearing deposits with financial institutions within Australia. All investments were held with approved deposit taking institutions with a short term rating A-2(A2)/BBB or higher. Council does not have any exposure to unrated institutions.

At the close of the reporting period Council had earned \$364,961.03 in interest including interest accrued to 31<sup>st</sup> October 2018. This result is in excess of the current budget of \$239,692 for the first four months of the financial year and validates Council's current investing strategy.

Council's investments had an average interest rate of 2.81% per annum and a weighted average interest rate of 2.79%, both of which are higher than the 3 and 6 months BBSW rates of 1.9100% and 2.0700% respectively as at 31<sup>st</sup> October 2018.

The Reserve Bank of Australia (RBA) has kept the cash rate unchanged at 1.5%.

| Overall Portfolio Maturity as at 31st October 2018 |                              |                              |                               |                           |
|----------------------------------------------------|------------------------------|------------------------------|-------------------------------|---------------------------|
| <i><b>Maturity Periods</b></i>                     | <i><b>Policy Minimum</b></i> | <i><b>Policy Maximum</b></i> | <i><b>% of Money held</b></i> | <i><b>Amount held</b></i> |
| Portfolio % < 1 year                               | 40%                          | 100%                         | 67.17%                        | \$ 22,506,855.92          |
| Portfolio % > 1 year, < 3 years                    | 0%                           | 60%                          | 23.88%                        | \$ 8,000,000.00           |
| Portfolio % > 3 year, < 5 years                    | 0%                           | 40%                          | 8.95%                         | \$ 3,000,000.00           |
| Portfolio % > 5 years                              | 0%                           | 10%                          | 0.00%                         | \$ -                      |
|                                                    |                              |                              | 100%                          | \$ 33,506,855.92          |

**Relevant Reference Documents/Policies:**

Local Government Act (NSW), 1993  
 Local Government (General) Regulation 2005  
 Ministerial Investment Order 5<sup>th</sup> January 2016  
 Investment Policy (Revised and adopted in May 2016)

| Attachment One<br>Cash and Investments Holdings as at 31st October 2018 |                                         |                             |                       |                    |                                  |                                                |
|-------------------------------------------------------------------------|-----------------------------------------|-----------------------------|-----------------------|--------------------|----------------------------------|------------------------------------------------|
| Investment                                                              | Investment<br>Final<br>Maturity<br>Date | Current<br>Interest<br>Rate | Interest<br>Frequency | Coupon<br>Maturity | Amount<br>Invested<br>Value (\$) | Accrued<br>Interest to<br>End of<br>Month (\$) |
| <u>On-Call Accounts</u>                                                 |                                         |                             |                       |                    |                                  |                                                |
| Commonwealth Bank                                                       | On Call                                 | 0.90%                       | Monthly               | EOM                | 1,233,319                        | Pd Monthly                                     |
| Commonwealth Bank                                                       | On Call                                 | 1.00%                       | Monthly               | EOM                | 773,537                          | Pd Monthly                                     |
| <b>Total On-Call Accounts</b>                                           |                                         |                             |                       |                    | <b>2,006,856</b>                 |                                                |
| <u>Term Deposits</u>                                                    |                                         |                             |                       |                    |                                  |                                                |
| Bendigo and Adelaide Bank                                               | 10/07/2019                              | 3.10%                       | Maturity              | 10/07/2019         | 500,000                          | \$4,798.63                                     |
| Newcastle Permanent Building Society                                    | 21/08/2019                              | 3.00%                       | Maturity              | 17/11/2018         | 500,000                          | \$3,123.29                                     |
| Newcastle Permanent Building Society                                    | 12/12/2018                              | 2.50%                       | Maturity              | 12/12/2018         | 500,000                          | \$2,636.98                                     |
| ING                                                                     | 14/09/2021                              | 3.12%                       | Maturity              | 16/09/2019         | 500,000                          | \$17,608.77                                    |
| Bank of Queensland                                                      | 20/03/2020                              | 3.30%                       | Maturity              | 16/11/2018         | 1,000,000                        | \$31,553.42                                    |
| ME Bank                                                                 | 11/05/2022                              | 3.47%                       | Maturity              | 10/05/2019         | 1,000,000                        | \$51,241.92                                    |
| Westpac                                                                 | 1/11/2018                               | 2.90%                       | Maturity              | 1/11/2018          | 1,000,000                        | \$10,487.67                                    |
| National Australia Bank                                                 | 16/01/2019                              | 2.62%                       | Maturity              | 16/01/2019         | 1,000,000                        | \$4,019.73                                     |
| Westpac                                                                 | 19/12/2018                              | 2.90%                       | Maturity              | 19/12/2018         | 1,000,000                        | \$5,561.64                                     |
| Bank of Queensland                                                      | 6/03/2019                               | 2.80%                       | Maturity              | 6/03/2019          | 1,000,000                        | \$9,128.77                                     |
| Westpac                                                                 | 13/02/2019                              | 2.65%                       | Maturity              | 13/02/2019         | 1,000,000                        | \$1,016.44                                     |
| Bank of Queensland                                                      | 20/10/2020                              | 3.15%                       | Maturity              | 11/10/2019         | 1,000,000                        | \$1,726.03                                     |
| Westpac                                                                 | 28/11/2018                              | 2.95%                       | Maturity              | 28/11/2018         | 1,000,000                        | \$8,486.31                                     |
| Westpac                                                                 | 20/02/2019                              | 2.65%                       | Maturity              | 20/02/2019         | 1,000,000                        | \$508.22                                       |
| Westpac                                                                 | 7/11/2018                               | 3.00%                       | Maturity              | 7/11/2018          | 1,000,000                        | \$10,520.55                                    |
| Westpac                                                                 | 14/11/2018                              | 3.00%                       | Maturity              | 14/11/2018         | 1,000,000                        | \$10,520.55                                    |
| Bank of Queensland                                                      | 7/07/2021                               | 3.15%                       | Maturity              | 2/07/2019          | 1,000,000                        | \$10,442.47                                    |
| Bank of Queensland                                                      | 6/07/2022                               | 3.50%                       | Maturity              | 2/07/2019          | 1,000,000                        | \$11,602.74                                    |
| Bankwest                                                                | 30/01/2019                              | 2.65%                       | Maturity              | 30/01/2019         | 1,000,000                        | \$1,524.66                                     |
| Bankwest                                                                | 9/01/2019                               | 2.80%                       | Maturity              | 9/01/2019          | 1,000,000                        | \$9,282.19                                     |
| AMP                                                                     | 6/02/2019                               | 2.85%                       | Maturity              | 6/02/2019          | 1,000,000                        | \$9,291.78                                     |
| Westpac                                                                 | 21/11/2018                              | 2.95%                       | Maturity              | 21/11/2018         | 1,000,000                        | \$9,052.06                                     |
| Westpac                                                                 | 5/12/2018                               | 2.62%                       | Maturity              | 5/12/2018          | 1,000,000                        | \$6,532.05                                     |
| AMP                                                                     | 27/02/2019                              | 2.80%                       | Maturity              | 27/02/2019         | 1,000,000                        | \$4,832.88                                     |
| AMP                                                                     | 18/09/2019                              | 2.80%                       | Maturity              | 18/09/2019         | 1,000,000                        | \$3,758.90                                     |
| AMP                                                                     | 20/03/2019                              | 2.80%                       | Maturity              | 20/03/2019         | 1,000,000                        | \$3,221.92                                     |
| National Australia Bank                                                 | 23/01/2019                              | 2.70%                       | Maturity              | 23/01/2019         | 1,000,000                        | \$2,589.04                                     |
| National Australia Bank                                                 | 13/03/2019                              | 2.70%                       | Maturity              | 13/03/2019         | 1,000,000                        | \$0.00                                         |
| <b>Total Term Deposits</b>                                              |                                         |                             |                       |                    | <b>26,000,000</b>                | <b>\$245,069.58</b>                            |
| <u>Variable Rate Deposits</u>                                           |                                         |                             |                       |                    |                                  |                                                |
| IMB                                                                     | 29/07/2020                              | 2.67%                       | Quarterly             | 24/01/2019         | 500,000                          | \$256.03                                       |
| IMB                                                                     | 18/02/2021                              | 2.76%                       | Quarterly             | 14/11/2018         | 500,000                          | \$2,949.04                                     |
| Commonwealth Bank                                                       | 20/04/2021                              | 3.16%                       | Quarterly             | 21/01/2019         | 500,000                          | \$432.88                                       |
| Commonwealth Bank                                                       | 23/08/2021                              | 3.05%                       | Quarterly             | 24/11/2018         | 500,000                          | \$2,845.01                                     |
| Commonwealth Bank                                                       | 31/08/2021                              | 3.01%                       | Quarterly             | 28/11/2018         | 500,000                          | \$2,634.52                                     |
| National Australia Bank                                                 | 4/11/2019                               | 2.86%                       | Quarterly             | 5/11/2018          | 1,000,000                        | \$6,970.28                                     |
| Westpac                                                                 | 16/11/2021                              | 3.16%                       | Quarterly             | 16/11/2018         | 1,000,000                        | \$6,569.32                                     |
| Newcastle Permanent Building Society                                    | 2/09/2020                               | 2.71%                       | Quarterly             | 30/11/2018         | 1,000,000                        | \$4,603.28                                     |
| <b>Total Floating Rate Deposits</b>                                     |                                         |                             |                       |                    | <b>5,500,000</b>                 | <b>\$27,260.36</b>                             |
| <b>Total Cash and Investments</b>                                       |                                         |                             |                       |                    | <b>33,506,856</b>                | <b>\$272,329.94</b>                            |

**Governance issues:**

Nil

**Environmental issues:**

Nil

**Stakeholders:**

Walgett Shire Council  
Residents of Walgett Shire Council  
Financial Institutions

| Percentage invested in each institution as at 31st October 2018 |                                 |                               |                           |
|-----------------------------------------------------------------|---------------------------------|-------------------------------|---------------------------|
| <u><i>Institution Name</i></u>                                  | <u><i>Institution Codes</i></u> | <u><i>% of Money held</i></u> | <u><i>Amount Held</i></u> |
| AMP                                                             | AMP                             | 11.94%                        | \$4,000,000.00            |
| Bank of Queensland                                              | BOQ                             | 14.92%                        | \$5,000,000.00            |
| Bendigo and Adelaide Bank                                       | BAB                             | 1.49%                         | \$500,000.00              |
| Commonwealth Bank                                               | CBA                             | 10.47%                        | \$3,506,855.92            |
| IMB                                                             | IMB                             | 2.98%                         | \$1,000,000.00            |
| ING                                                             | ING                             | 1.49%                         | \$500,000.00              |
| Members Equity Bank                                             | ME                              | 2.98%                         | \$1,000,000.00            |
| National Australia Bank                                         | NAB                             | 11.94%                        | \$4,000,000.00            |
| Newcastle Permanent Building Society                            | NPBS                            | 5.97%                         | \$2,000,000.00            |
| Bank West                                                       | BW                              | 5.97%                         | \$2,000,000.00            |
| Westpac                                                         | W                               | 29.84%                        | \$10,000,000.00           |
|                                                                 |                                 | 100%                          | \$33,506,855.92           |

| Percentage invested in each institution as at 31st August 2018 |                                 |                               |                           |
|----------------------------------------------------------------|---------------------------------|-------------------------------|---------------------------|
| <u><i>Institution Name</i></u>                                 | <u><i>Institution Codes</i></u> | <u><i>% of Money held</i></u> | <u><i>Amount Held</i></u> |
| AMP                                                            | AMP                             | 5.86%                         | \$2,000,000.00            |
| Bank of Queensland                                             | BOQ                             | 14.64%                        | \$5,000,000.00            |
| Bendigo and Adelaide Bank                                      | BAB                             | 1.46%                         | \$500,000.00              |
| Commonwealth Bank                                              | CBA                             | 15.08%                        | \$5,149,281.00            |
| Defence Bank                                                   | DB                              | 2.93%                         | \$1,000,000.00            |
| Heritage Bank                                                  | HB                              | 2.93%                         | \$1,000,000.00            |
| IMB                                                            | IMB                             | 2.93%                         | \$1,000,000.00            |
| ING                                                            | ING                             | 1.46%                         | \$500,000.00              |
| Members Equity Bank                                            | ME                              | 2.93%                         | \$1,000,000.00            |
| National Australia Bank                                        | NAB                             | 5.86%                         | \$2,000,000.00            |
| Newcastle Permanent Building Society                           | NPBS                            | 5.86%                         | \$2,000,000.00            |
| Bank Australia                                                 | BA                              | 2.93%                         | \$1,000,000.00            |
| Bank West                                                      | BW                              | 5.86%                         | \$2,000,000.00            |
| Westpac                                                        | W                               | 29.28%                        | \$10,000,000.00           |

100%

**\$34,149,281.00****Financial Implications:**

As per report

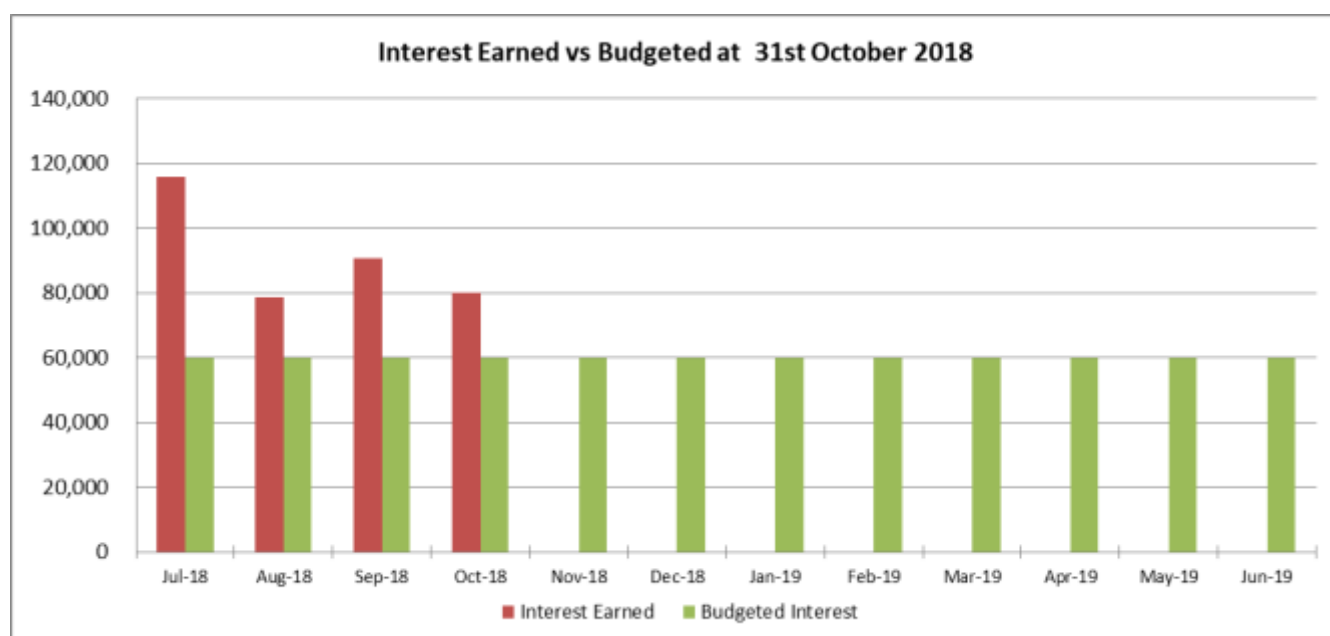
**Alternative Solutions/Options:**

Nil

**Conclusion:**

As at 31<sup>st</sup> October 2018 Walgett Shire Council's total available cash and invested funds totalled \$33,506,855.92, an increase of \$918,536.54 from 30<sup>th</sup> September 2018. This increase in the total portfolio can be largely attributed to the receipt of over \$2m from RMS.

Council's portfolio return for the month is above original estimates, largely due to the improved investment strategy allowing for longer term investments and variation in investment products.

**General Fund Bank Account Reconciliation as at 31st October 2018**

| <b>Walgett Shire Working Account</b> |                   |
|--------------------------------------|-------------------|
| <b>Bank account Closing Balance</b>  | 1,233,319         |
| <b>Less Unpresented Withdrawals</b>  | (298,430.99)      |
| <b>Plus Unpresented Deposits</b>     | 5,751.28          |
|                                      | <b>940,639.29</b> |
| <b>General Ledger Balance (2018)</b> | 3,675,403.21      |
| <b>General Ledger Balance (2019)</b> | (2,734,763.92)    |
|                                      | <b>940,639.29</b> |

**Certification – Responsible Accounting Officer**

1. I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005*, the *Investment Order (of the Minister) 5<sup>th</sup> January 2016* and Council's Investments Policy.
2. I hereby certify that Council's cash book and ledger have been reconciled to the bank statement as at 31<sup>st</sup> October 2018.

Michael J Urquhart

**Chief Financial Officer – Responsible Accounting Officer**

|                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Cash and Investment Report as at 31<sup>st</sup> October 2018</b>                                                                                         |
| <b>Recommendation:</b><br><br>That the Investment report as at 31 <sup>st</sup> October 2018 be received and noted.<br><br><b>Moved:</b><br><b>Seconded:</b> |

## 15.2.2 MONTHLY OUTSTANDING RATES REPORT

**REPORTING SECTION:** Corporate Services  
**AUTHOR:** Kevin Dunshea – Rates Clerk  
**FILE NUMBER:** 12/183

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### **Summary:**

Council's debt recovery policy is aimed at having outstanding rates and annual charges debts recovered in a timely manner to support Council in its objectives by providing sufficient funding to enable the continued provision of services to the local government area. The aim of this process is achieve a recovery of rates and annual charges levied in any given financial year of greater than 90%.

In 2013 financial year the Consolidated Rates Arrears percentage was reported as 13.09%. This improved in 2014 to 9.33% and again in 2015 to 9.32%, however, in 2016 the unrecovered balance increased to 11.63%, a consequence of reduced debt recovery, due to vacancies in the rating area. The audited result of 10.37% for 2016/17 was a good outcome, with a big improvement again in 2017/18 with an unaudited result of 9.48%.

### **Background:**

Council is obliged to report on a number of Key Performance Indicators (KPIs) as part of their statutory reporting regime. One of these KPIs is the Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage. The purpose of this KPI is "to assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts."

All NSW councils are categorised into Groups. Walgett Shire Council is classified as a Group 10 Council. Each KPI is benchmarked and the benchmarks vary between Council groups. Group 10 Council's should achieve a KPI of less than 10% for the Rates, Annual Charges, interest & Extra Charges Outstanding Percentage by the end of each financial year.

### **Current Position:**

Collection of the current years levy and arrears as at 31<sup>st</sup> October 2018 is 43.01% which is 2.67% less than the previous year's collection of 45.68%. Collections this financial year have slowed with an increasing number of ratepayers choosing to make longer term payment plans, no doubt a result of the prolonged drought conditions. Staff continue with the recovery process and communicate regularly with ratepayers not making payment or alternative arrangements. Recovery has picked up slightly in October 18 with a slight reduction of the year on year results.

### **Relevant Reference Documents/Policies:**

Outstanding Rates Report.

### **Governance issues:**

Council is obliged to act in the community's best interest and to ensure adequate service provision is upheld through measures of sustaining, maintaining and improving long term financial sustainability. A key area is to show the ongoing effective management of outstanding rates and annual charges recovery by reducing the outstanding rates percentage to an acceptable benchmarked value each year.

### **Environmental issues:**

Nil

**Stakeholders:**

Walgett Shire Council community  
Walgett Shire Ratepayers  
Walgett Shire Council

**Financial Implications:**

The recovery of rates and charges is a key performance indicator that is analysed by external bodies such as Treasury Corp in conjunction with the Local Government Review Panel. Efforts to improve and lower the levels of outstanding rates and charges will strengthen Walgett Shire Council's long term financial position.

**Alternative Solutions/Options:**

There are no alternative solutions or options.

**Conclusion:**

The report recommends that Council note the outstanding rates and annual charges percentage and ongoing commitment to sustain, maintain and improve this key performance indicator.

Council revenue staff in conjunction with debt collection agencies, continue with the debt recovery program.

| Monthly Outstanding Rates Report                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation</b></p> <p>The October 2018 outstanding rates report be received and noted.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachments:**

Monthly Report - Outstanding Rates Report

**Monthly Report - Outstanding Rates & Annual Charges as at 31 October 2018****Report on Rates and Annual Charges - 31 October 2018**

|                                                         | <b>5 November 2018</b> | <b>31 October 2018</b> | <b>31 October 2017</b> |
|---------------------------------------------------------|------------------------|------------------------|------------------------|
| Arrears from previous year                              | 832,246.36             | 832,246.36             | 729,437.40             |
| Adjustment                                              |                        |                        |                        |
| Sub Total                                               | 832,246.36             | 832,246.36             | 729,437.40             |
| <b>Current Year Activity</b>                            |                        |                        |                        |
| Legal fees (Including write off's)                      | 30,486.80              | 23,349.00              | 21,741.60              |
| Adjusted Levy                                           | 9,358,908.49           | 9,358,908.49           | 9,160,611.93           |
| Interest (Including write off's)                        | 18,035.68              | 18,005.99              | 16,384.98              |
| Adjustments (Including Write Off's)                     | (761.81)               | (761.81)               | (13,117.94)            |
| Sub Total                                               | 9,406,669.16           | 9,399,501.67           | 9,185,620.57           |
| <b>Total Arrears and Adjusted Levy</b>                  | <b>10,238,915.52</b>   | <b>10,231,748.03</b>   | <b>9,915,057.97</b>    |
| Payments                                                | (4,244,724.23)         | (4,204,255.80)         | (4,350,346.30)         |
| Pensioner Concessions - Govt                            | (98,133.68)            | (97,899.94)            | (98,177.31)            |
| Pensioner Concessions - Council                         | (80,295.76)            | (80,104.50)            | (80,330.90)            |
| Discount                                                | 0.00                   | 0.00                   | 15.81                  |
| Special Rebate Council                                  | (18,357.50)            | (18,357.50)            | 0.00                   |
| Sub Total                                               | (4,441,511.17)         | (4,400,617.74)         | (4,528,838.70)         |
| <b>Total Remaining Levy</b>                             | <b>\$5,797,404.35</b>  | <b>\$5,831,130.29</b>  | <b>\$5,386,219.27</b>  |
| Current                                                 | 5,068,350.50           | 5,105,880.95           | 4,630,427.63           |
| Arrears                                                 | 474,101.95             | 478,105.18             | 493,328.98             |
| Interest b/f from previous years                        | 68,985.70              | 66,901.51              | 71,713.48              |
| Current year interest                                   | 14,745.69              | 14,810.54              | 15,526.47              |
| Legals                                                  | 171,220.51             | 165,432.11             | 175,222.71             |
| <b>Total Remaining Levy</b>                             | <b>\$5,797,404.35</b>  | <b>\$5,831,130.29</b>  | <b>\$5,386,219.27</b>  |
| Variance                                                | \$0.00                 | \$0.00                 | -\$0.00                |
| <b>Total YTD Collected</b>                              |                        |                        |                        |
| Collected YTD % of Levy, Arrears, Interest & Legal Fees | 43.38%                 | 43.01%                 | 45.68%                 |
| Collected YTD % of Levy                                 | 45.12%                 | 44.73%                 | 47.36%                 |

### 15.2.3 GOVERNMENT INFORMATION PUBLIC ACCESS ACT (GIPA) – ANNUAL REPORT 17/18

REPORTING SECTION: Corporate Services

**AUTHOR:** Michael Urquhart – Chief Financial Officer

FILE NUMBER: xx/xx

**Summary:**

This report is provided to Council for adoption of its annual GIPA return.

**Background:**

On the 1<sup>st</sup> July 2010 the Government Information (Public Access) Act 2009 (GIPA Act) came into effect.

**Current Position:**

Council is required to prepare an annual report in accordance with the requirements of section 125 of the GIPA Act and clause 7 of the GIPA Regulation. The annual report is also required to include statistical information on formal access applications in the form required by Schedule 2 of the GIPA Regulation.

Upon adoption of the attached annual report Council shall forward a Web link to the Information Commissioner.

**Governance issues:**

GIPA Act

GIPA Regulation

**Environmental issues:**

NIL.

**Stakeholders:**

Walgett Shire Council

Office of Information Commissioner

**Financial Implications:**

NIL

**Alternative Solutions/Options:**

NIL

**Conclusion:**

Council adopt the attached Annual Report.

#### **Government Information Public Access Act – Annual report**

**Recommendation:**

- That the Chief financial Officers report be received
- Council adopt the attached GIPA Annual Report for 2017/2018.
- The Information Commissioner be sent a link to Council's 2017/2018 Annual Report.

**Moved:**

**Seconded:**

**Attachments:** GIPA Annual Report

## 15.2.4 PUBLIC INTEREST DISCLOSURE – ANNUAL REPORT

REPORTING SECTION: Corporate Services

AUTHOR: Michael Urquhart – Chief Financial Officer

FILE NUMBER: 12/182

### Summary:

This report provides Council with information for the adoption of the 2017/18 Annual Public Interest Disclosure report.

### Background:

In March 2011 amendments were made to the Public Interest Act 1994 and Council is required to report annually on its obligations under the PID Act. This report must be in accordance with the requirements of section 31 of the PID Act and clause 4 of the Public Interest Regulation.

### Current Position:

Commentary on PID obligations

***Walgett Shire Council has an internal reporting policy that was adopted on the 15<sup>th</sup> July 2010.***

What actions the head of the public authority has taken to ensure his or her staff awareness responsibilities under section 6E(1)(b) of the PID Act have been met.

- ***The Internal reporting Policy was available on Council's website.***
- ***PID newsletter issued to Council staff.***
- ***Copy of the Internal Reporting Policy provided to new staff at time of induction.***

Statistical information on PIDs (clause 4(a)-(c)-PID Regulations)

|                                                   | Made by public officials performing their day to day functions | Under a statutory or other legal obligation | All other PIDs |
|---------------------------------------------------|----------------------------------------------------------------|---------------------------------------------|----------------|
| Number of public officials who made PIDs directly | 0                                                              | 0                                           | 0              |
| Number of PIDs received                           | 0                                                              | 0                                           | 0              |
| Of PIDs received, number primarily about:         |                                                                |                                             |                |
| Corrupt conduct                                   | 0                                                              | 0                                           | 0              |
| Maladministration                                 | 0                                                              | 0                                           | 0              |
| Serious and substantial waste                     | 0                                                              | 0                                           | 0              |
| Government information contravention              | 0                                                              | 0                                           | 0              |
| Local government pecuniary interest contravention | 0                                                              | 0                                           | 0              |
| Number of PIDs finalised                          | 0                                                              |                                             |                |

**Governance issues:**

Public Interest Disclosures Act and Regulation

**Environmental issues:**

NIL.

**Stakeholders:**

Walgett Shire Council

**Financial Implications:**

NIL

**Alternative Solutions/Options:**

NIL

**Conclusion:**

The 2017/18 Public Interest Disclosures Annual Report as detailed above is tabled for adoption.

| PID Annual Report                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <ul style="list-style-type: none"><li>• That the Chief financial Officers report be received.</li><li>• Council adopt the 2017/18 Public Interest Disclosures Annual Report.</li></ul> <p><b>Moved:</b><br/><b>Seconded:</b></p> |

**Attachments:** NIL

### 15.2.5 FIRST QUARTER OPERATIONAL PLAN 17/18

REPORTING SECTION: Corporate Services

AUTHOR: Michael Urquhart – Chief Financial Officer

FILE NUMBER: xx/xx

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**Summary:**

This report provides Council with the status of the First Quarter Operational Plan Targets for 2017/2018.

**Background:**

Section 405 of the Local Government Act 1993 requires Council to adopt an Operational Plan. This report comments on the status of the Operational Plan as at 30<sup>th</sup> September 2018 and the extent to which the performance targets have been achieved.

**Current Position:**

The First Quarter Operational Plan Status Report is attached for Council's information.

At this time a majority of the performance targets are generally incomplete while a number of projects that are on-going or in progress are expected to be completed at the 30<sup>th</sup> June 2018.

**Governance issues:**

NIL

**Environmental issues:**

NIL

**Stakeholders:**

Walgett Shire Council  
Walgett Shire Community

**Financial Implications:**

NIL to report

**Alternative Solutions/Options:**

NIL

**Conclusion:**

Council should note the progress made during the first quarter of the Operational Plan 2017/2018.

| FIRST QUARTER OPERATIONAL PLAN                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <ul style="list-style-type: none"><li>• That the Chief Financial Officers report be received.</li><li>• That Council accept the progress made on the 2017/2018 Operational Plan as at 30<sup>th</sup> September 2018.</li></ul> <p><b>Moved:</b><br/><b>Seconded:</b></p> |



**Attachments:**

First Quarter Operational Plan Status Report

## 15.2.6 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION FROM CHIEF FINANCIAL OFFICER

REPORTING SECTION: Corporate  
AUTHOR: Michael Urquhart – Chief Financial Officer  
FILE NUMBER: 00/00/00

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### 1. Property Matters

- The CFO has already updated Councillors, Senior Management and the Jockey Club President on the closure of the **Collarenebri Showground grandstand**. A further report shall be tabled when more information is to hand.
- The CFO is suggesting that another public meeting be called regarding the future of the **Colless grandstand**. A majority of Councillors did not attend the previous meeting due to a breakdown in communications and the meeting was poorly attended by members of the public. The CFO has requested an official quotation from a Walgett based construction company.
- **Walgett PCYC** The transfer of land process is progressing
- The consultant has provided Council with a report on the condition of the **Lightning Ridge bore bath** and the amenities building which has been reported to Council. A surveyor is now complete and the scope of works can be advertised.
- Refurbishment of the bathroom facilities at the **Administration Centre** has been put on hold. A Request for Quotation will be issued early December 18 for the works.
- Work has commenced on the painting of the **Walgett Swimming Pool** amenities. Painting of the kiosk/entry will commence after the 18/19 season.
- Painting of the **Walgett big pool**. The contractor shall return at the end of the 18/19 season to paint the big pool, repair leaks in the expansion joints and replace tiles around the gutters.
- **Burren Junction Hall** grant application approved. Contracts are to be signed w/c 17<sup>th</sup> September 2018. Work to commence on the 16<sup>th</sup> November 18.
- **Burren Junction Bore Bath** camping charges. Signs for the bore bath are underway and the EFTPOS machine has been received. All will be in readiness for the 19/20 winter season. The 355 Committee has continued to collect donations from the honesty box for the 17/18 season. Pool is now closed.
- Purchase Order issued for the Burren Junction toilet facility. Purchase order issued. Delivery scheduled for the 10<sup>th</sup> December 18.
- Painting/refurbishment and air conditioning of the **Collarenebri Town Hall**. It is recommended this project be also funded from the "Drought Communities program". A scope of works is also under development. Completion date depends on approval of grant application. *Project withdrawn due to changes in priority of possible program projects.*
- **Len Cram Park** disabled toilet. Complete. Landscaping of park with path and gardens to commence when the playground equipment project is finalised.

- Grant application submitted for two (2) sheds for the **Collarenebri Showground**. Grant approved. Council received seven (7) quotations. Purchase order issued.
- The **Lightning Ridge depot** has a number of Workplace Health and Safety issues and this will be the subject of a further report to Council. Council's WH & S Officer is currently investigating a number areas that require upgrade. Discussions to be held with Director Engineering to assess scope of works and completion date.
- Council has received a quotation for the Collarenebri Golf Club replacement as this is an insurance matter, A Request for Quotation to be issued November 18.
- Quotations are being sought for the upgrade of toilet facilities at Burren Junction Bore Baths, Carinda Pool, Walgett Showground and new kitchen and dining facilities for the Collarenebri Showground with funding from the 'Drought Communities fund'. *Project withdrawn due to changes in priority of possible program projects.*

## **2. Finance & Administration**

- Water standpipe testing continuing with Info Services Co-ordinator to prepare for training of staff and issue of information brochure. Underway.
- FBT Policy to be developed. Underway.
- 17/18 Financials Complete.
- 17/18 Annual report underway.
- Email sent to OLG regarding special rates for water access by ratepayers outside reticulation system. No response as yet.
- 1<sup>st</sup> July 18 implementation of new capital works suspense ledgers with asset sub-accounts for assets system integration.
- Development of WH & S Strategy.
- Council to look at Statewide Airport management system.
- CFO presentation to community forums to include Council initiative for placing defibrillators in shire villages and towns.
- School to work program underway and in place.
- 

### **Matters Generally for Brief Mention or Information Only – From Chief Financial Officer**

#### **Recommendation:**

That the Matters Generally for Brief Mention or Information Only from the Chief Financial Officer in the following areas; Property Matters, Finance & Administration and Community Services be received and noted.

#### **Moved:**

#### **Seconded:**

## 15.3 ENVIRONMENTAL SERVICES

### 15.3.1 DEVELOPMENT APPLICATION, RESIDENTIAL DUAL OCCUPANCY – 55 NAMOI STREET, WALGETT

**REPORTING SECTION:** Environmental Services  
**AUTHOR:** Glenn Petersen, Town Planner  
**FILE NUMBER:** DA2018/022

---

**Summary:**

A Development Application has been lodged for a residential dual occupancy at 55 Namoi Street, Walgett. It is recommended that Council resolve to approve the application.

**Background:**

Walgett Shire Council has received a Development Application from Victor Mello on behalf of the NSW Teacher Housing Authority for a residential dual occupancy at Lot 1 DP 513882 in Walgett. The site currently contains a dual occupancy and the proposal is to upgrade the existing housing stock for teacher accommodation.

**Current position:**

**The development has one non-compliance issue in relation to the Walgett DCP 2016. This is:**

**ASSESSMENT – KEY ISSUES**

**1. Density**

Council's DCP stipulates 500m<sup>2</sup> per dwelling for residential dual occupancies. The proposed site only allows for 411m<sup>2</sup> per dwelling.

Development applications with similar dwelling density have been previously approved by council (DA2017/026 & DA2017/027). At the time, the assessment report noted that neighbouring council's allowed for density as high as 300m<sup>2</sup> per dwelling (Bogan and Bourke) while other councils have no density requirements (Warren and Coonamble).

The recent introduction of the Low Rise Medium Density Housing Code on the 6th of July 2018, also allows for residential dual occupancies on lots 700m<sup>2</sup> or larger via a complying development certificate.

The development is also replacing an existing building used for teacher housing and will have a similar footprint. The applicant has stated that the development is intended to offer better living conditions to local teachers and is compliant with all the objectives of the zone.

With these factors in mind, it is considered reasonable to approve the application.

A development assessment report has been prepared and is included as **Attachment A**.

**Relevant reference documents/policies:**

- Application documents for DA2018/022.
- Environmental Planning & Assessment Act 1979.
- Environmental Planning & Assessment Regulation 2000.
- Walgett Development Control Plan 2016.
- Walgett Local Environmental Plan 2013.
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

**Governance issues:**

Guiding principles for councils: - Section 8a of the Local Government Act 1993 establishes guiding principles for councils, which includes:

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

Conflicts of interest: - Part 2 of the Local Government Act 1993 includes requirements for Councillors and staff to disclose pecuniary and non-pecuniary interests in matters being considered by the Council.

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

**Environmental issues:**

See the attached Development Application assessment report.

**Stakeholders:**

Walgett Shire Council, community, NSW Teacher Housing, NSW Department of Education and neighbours.

Financial Implications:

Nil.

Alternative solutions/options:

Refuse the application: This is not recommended as the development overall is considered to enhance the streetscape and the development is in accordance with the objectives of the zoning of Walgett's LEP 2013.

**Conclusion:**

It is appropriate to approve the application subject to conditions of consent as shown below.

|                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Resolution of Development Application 2018/019                                                                                                                                                                     |
| <p><b>Recommendation:</b></p> <p>That Council resolves to approve Development Application 2018/02 for a residential dual occupancy at Lot 1 DP 513882 in Walgett.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachments:**

A – Development Assessment Report – DA2018/022

## Attachment A – Development Application assessment report

• DEVELOPMENT APPLICATION ASSESSMENT REPORT  
APPLICATION DETAILS

|                          |                                                                                 |                      |            |
|--------------------------|---------------------------------------------------------------------------------|----------------------|------------|
| Application number       | DA2018/022                                                                      | Lodgement date       | 23.10.2018 |
| Application is for       | Residential dual occupancy                                                      | Value of development | \$864,363  |
| Land address             | 55 Namoi Street, Walgett                                                        | Lot/sec/DP           | 1/-/513882 |
| Applicant name           | Victor Mello for Public Works Advisory, behalf of Teacher Housing Authority NSW | Ass                  | 4713       |
| Owner name               | Teacher Housing Authority                                                       |                      |            |
| Land zoning              | R1 General Residential                                                          |                      |            |
| Current use /development | Residential dual occupancy dwelling                                             |                      |            |
| Assessment report author | Glenn Petersen                                                                  |                      |            |
| Statutory days           | Deemed refusal after 40 days (Cl. 113 EPAR2000)                                 |                      |            |

## PROPOSAL

- Two new units with a flexible adjoining bedroom, single storey residential building.

## SUBJECT SITE AND LOCALITY

An inspection of the site and surrounding area was undertaken on 22/10/2018.

The site has a total area of approximately 822sq metres and currently contains a dual occupancy dwelling with attached garages.

The site is situated on a corner lot in a residential area with residential development adjacent to the site and School across the road to the West.

## DEVELOPMENT APPLICATION AND SITE HISTORY

Previous consents:

DA1982/006, Dwelling, Approved, 11.02.1982.

CDC2018/004, Demolition of residence, Approved, 10.09.2018

Previous use/development:

Dual occupancy dwelling.

Previous enforcement action:

None known.

## REFERRALS

| REFERRALS/NOTICE       | ADVICE / RESPONSE / CONDITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Engineering (internal) | <p>A. Main concern is with the protection of the existing sewer line at the rear of the proposed development. The developer must locate the existing sewer line and identify its type and diameter. If the existing line is indeed under the building, as the plans indicate, then to protect this line I would ask</p> <ol style="list-style-type: none"> <li>1. The sewer line be sleeved (encased) in a larger diameter PVC pipe.</li> <li>2. The building be pierced over the sewer line to eliminate loading on the pipe</li> <li>3. The developer complete Council's indemnity clause</li> </ol> <p>B. There may be an issue with a single stormwater discharge line – to reduce peak loads on the stormwater system</p> <ol style="list-style-type: none"> <li>a. perhaps use two discharge points</li> <li>b. perhaps provide more rainwater storage capacity</li> </ol> <p>Advice incorporated into proposed conditions 7. And 15.</p> |

## SECTION 4.15 EVALUATION

Consideration of the matters prescribed by section 4.15 are summarised below.

Where the development does not comply with any of the development controls, the non-compliance is discussed in detail in the "Assessment – Key Issues" section of the report.

4.15(1)(a)(i) the provisions of any environmental planning instrument

|                                                                                 | Applicable Clauses                                                                                                                                                             | Compliance                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State Environmental Planning Policies (SEPPs)                                   |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                     |
| State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 | Clause 6 Buildings to which Policy applies                                                                                                                                     | Yes. Basix certificate provided. Certificate number – 954954S_02 & 955014S_02                                                                                                                                                                                                                                                                                       |
| Regional Environmental Planning Policies (deemed SEPPs)                         |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                     |
| Nil                                                                             | Nil                                                                                                                                                                            | N/A                                                                                                                                                                                                                                                                                                                                                                 |
| Local Environmental Plans (LEPs)                                                |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                     |
| Walgett Local Environmental Plan 2013                                           | Part 2 Permitted or prohibited development and the land use table for R1 General Residential.                                                                                  | The proposed land use requires development consent.                                                                                                                                                                                                                                                                                                                 |
|                                                                                 | Clause 2.3 (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone. | The proposed development is functionally an existing lawful use, provides variety to the housing needs of the community, is compatible with the general residential character of the area, and is unlikely to adversely affect the amenity of development within the zone. In that context it is compliant with the objectives for the R1 General Residential Zone. |

|  | Applicable Clauses        | Compliance                                      |
|--|---------------------------|-------------------------------------------------|
|  | Clause 6.2 Flood planning | N/A. Site is located inside Walgett Levee bank. |

4.15(1)(a)(ii) the provisions of any draft environmental planning instrument

|                                                     | Applicable Clauses | Compliance |
|-----------------------------------------------------|--------------------|------------|
| Draft State Environmental Planning Policies (SEPPs) | Nil                | N/A        |
| Draft Local Environmental Plans (LEPs)              | Nil                | N/A        |

4.15(1)(a)(iii) any development control plan

|                                         | Applicable Clauses                      | Compliance                                                                                                                                                                                      |
|-----------------------------------------|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.Walgett Development Control Plan 2016 | 4.5.1 Building Setbacks                 | Yes. Greater than 1.3m from side/rear boundary. Road setbacks 6m. Side boundary wall <10m.                                                                                                      |
|                                         | 4.5.2 Density                           | No. See Key issues.                                                                                                                                                                             |
|                                         | 4.5.3 Design                            | Not alternate street frontages. Strict compliance with this condition is unreasonable due to the width of the lot. The proposed design is considered to take this site constraint into account. |
|                                         | 4.5.4 Building height                   | Yes. Ridge less than 10m with ceiling height less than 7.2m.                                                                                                                                    |
|                                         | 4.5.5 Utility Infrastructure Protection | No. See key issues.                                                                                                                                                                             |
|                                         | 4.3.5 Site Coverage                     | Yes. Site coverage less than 60%                                                                                                                                                                |
|                                         | 4.5.7 Solar Access                      | N/A. Not two storey development.                                                                                                                                                                |
|                                         | 4.5.8 Privacy                           | N/A. No additions or alterations with ground floor above 0.7m.                                                                                                                                  |
|                                         | 4.5.9 Parking                           | Yes. There is provision for four parking spaces. Visitor parking available on street.                                                                                                           |
|                                         | 4.5.10 Access                           | All weather access proposed. Parking/manoeuvring areas hardstand.                                                                                                                               |
|                                         | 4.5.11 Landscaping                      | Yes. Proposed landscaping adequate.                                                                                                                                                             |

|  | Applicable Clauses                        | Compliance                                                                                                                                                                                                                                                                        |
|--|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | 4.5.12 Private Open Space                 | Proposed area compliant with minimum area of 60m <sup>2</sup> . No compliant with minimum dimension of 6m. Strict compliance with this guideline is considered unnecessary as it does not impact on neighbouring properties and would cause non-compliance with other guidelines. |
|  | 4.5.13 Fencing                            | Fencing appears compliant. Unclear if side boundary fence is compliant within building setback. Addressed through proposed condition 11. Fencing                                                                                                                                  |
|  | 4.5.14 Outbuildings and detached garages. | N/A. No such buildings proposed.                                                                                                                                                                                                                                                  |
|  | 4.5.15 Pools                              | N/A No pool proposed.                                                                                                                                                                                                                                                             |
|  | 4.5.16 Water tanks                        | Yes. In rear yard and <3.2m.                                                                                                                                                                                                                                                      |
|  | 4.5.17 Car Ports                          | N/A no carport proposed.                                                                                                                                                                                                                                                          |
|  | 4.5.18 Facilities                         | Yes. Proposed clotheslines appear compliant.                                                                                                                                                                                                                                      |
|  | 4.5.19 Utilities and Services             | Existing services appear adequate for the scale of development                                                                                                                                                                                                                    |
|  | 6.1 Environmental Effects                 | N/A Residential development considered not to have significant environmental impacts.                                                                                                                                                                                             |
|  | 6.2 Soil and Erosion Control              | N/A. Site appears level with no significant gradient.                                                                                                                                                                                                                             |
|  | 6.3 Vegetation                            | N/A No significant trees to be removed                                                                                                                                                                                                                                            |
|  | 6.4 Waste Management                      | Yes. Current waste management serviced by Council's waste collection service appears adequate with no increase proposed through development.                                                                                                                                      |
|  | 6.5 Noise                                 | N/A No significant noise issues expected.                                                                                                                                                                                                                                         |
|  | 6.6 Geology                               | N/A Alterations not significantly impacted by slope or soil type.                                                                                                                                                                                                                 |

|  | Applicable Clauses                  | Compliance                                                                                                                                        |
|--|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
|  | 6.7 Stormwater                      | Yes. Stormwater proposed to be piped to Arthur Street and is considered compliant.                                                                |
|  | 6.8 Common effluent drainage system | Applicant has indicated that a septic tank and pump out system will be installed. Compliance addressed by proposed condition 25. Water and Sewer. |

4.15(1)(a)(iv) any matters prescribed by the regulations

Any matters prescribed by the Environmental Planning and Assessment Regulation 2000.

| Applicable Clauses                                                        | Compliance                                                         |
|---------------------------------------------------------------------------|--------------------------------------------------------------------|
| 92(1)(b) Demolition                                                       | N/A – No demolition proposed.                                      |
| 93 Fire safety and other considerations                                   | N/A – No change of building use for an existing building proposed. |
| 94 Consent authority may require buildings to be upgraded                 | N/A – No alterations or additions proposed.                        |
| 94A Fire safety and other considerations applying to temporary structures | N/A – No temporary structure proposed.                             |
| 95 Deferred commencement consent                                          | N/A – Not proposed or required.                                    |
| 97A Fulfilment of BASIX commitments                                       | BASIX certificate 954954S_02 & 955014S_02 supplied.                |

4.15(1)(b) the likely impacts of that development

|                        | Impact | Comment                                                                                                                                                                                                                                                                                                    |
|------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Social                 | Yes    | New dwelling proposed to meet the need of housing for teachers. New dwelling will be more attractive to potential teachers for the community which are difficult to attract.                                                                                                                               |
| Economical             | Yes    | This development will have an economic multiplier effect. The funds used to carry out the works are likely to be used to purchase upgrading equipment and employ services and trades to undertake the work. This will have a positive economic impact on the Walgett community and the wider Shire region. |
| Siting & Configuration | Yes    | Minimal impacts on neighboring properties and appropriate for the development.                                                                                                                                                                                                                             |
| Setbacks               | Yes    | Proposed development complies with DCP requirements. Appropriate for the development.                                                                                                                                                                                                                      |
| Privacy                | No     | No apparent impacts on privacy from additions.                                                                                                                                                                                                                                                             |
| Overshadowing          | No     | Dwelling will not overshadow any neighboring development.                                                                                                                                                                                                                                                  |
| Solar Access           | No.    | Appropriate solar access.                                                                                                                                                                                                                                                                                  |

|                              | Impact | Comment                                                                                                                                                                       |
|------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Visual                       | Yes    | New building not considered to have significant adverse impact.                                                                                                               |
| Significant Views            | No     | Level area without apparent significant views.                                                                                                                                |
| Amenity                      | No.    | No adverse impact on amenity is identified.                                                                                                                                   |
| Water                        | Yes.   | Landscaped area may increase water demand.<br>Considered appropriate for development                                                                                          |
| Air                          | No     | No works proposed that will affect air issues.                                                                                                                                |
| Noise                        | Yes    | An increase in noise during construction is anticipated.<br>No ongoing issues anticipated.                                                                                    |
| Land Degradation             | No     | No land degradation is anticipated from the additions.                                                                                                                        |
| Tree Loss                    | No     | No trees proposed to be removed or impacted.                                                                                                                                  |
| Flora                        | No     | No perceived impacts to flora.                                                                                                                                                |
| Fauna                        | No     | No perceived impacts to fauna.                                                                                                                                                |
| Natural & Built Environments | Yes    | Additional landscaping will add to the natural environment.<br><br>The built environment will be impacted visually. Impacts are appropriate for the development and locality. |

## 4.15(1)(c) the suitability of the site for the development

|                                                       | Summary of site suitability issues                                                            |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Does the development fit into the locality            | Yes. The proposed works are considered appropriate for the locality.                          |
| Are the site attributes conducive for the development | No significant attributes are known which would make the site unsuitable for the development. |

## 4.15(1)(d) any submissions made in accordance with this Act or the Regulations

Proposal is only local development therefore there is no formal opportunity for submissions under the Act or Regulations.

## 4.15(1)(e) the public interest

|                                              | Summary of any detrimental impacts |
|----------------------------------------------|------------------------------------|
| Federal, state or local government interests | None known or expected.            |
| Community interests                          | None known or expected.            |

## PUBLIC PARTICIPATION

Development was notified to neighbouring properties due to previous concerns with other teacher housing development. Letters were sent to 6 Neighbours and The Walgett Working Party.

No submissions have been received in relation to the development proposal.

## ASSESSMENT – KEY ISSUES

### 1. Density

Council's DCP stipulates 500m<sup>2</sup> per dwelling for residential dual occupancies. The proposed site only allows for 411m<sup>2</sup>.

Development applications with similar dwelling density have been previously approved by council (DA2017/026 & DA2017/027). At the time, the assessment report noted that neighbouring council's allowed for density as high as 300m<sup>2</sup> per dwelling (Bogan and Bourke) while other councils have no density requirements (Warren and Coonamble).

The recent introduction of the *Low Rise Medium Density Housing Code* on the 6<sup>th</sup> of July 2018, also allows for residential dual occupancies on lots 700m<sup>2</sup> or larger via a complying development certificate.

The development is also replacing an existing building used for teacher housing and will have the same footprint. The applicant has stated that the development is intended to offer better living conditions to local teachers and is compliant with all the objectives of the zone.

With these factors in mind, it is considered reasonable to approve the application.

### 2. Utility Infrastructure Protection

Council's DCP stipulates that structures and buildings are not permitted to encroach on the zone of influence of council's infrastructure, in this case, a sewer line. However, it also allows for modifications to mains if the nature of the site and/or development requires it.

Advice received from engineering is to allow for encasement of the sewer main. Conditions for encasements are addressed under proposed condition "7. Sewer Line".

The allowance for modification of the sewer line deems the application compliant with the relevant clause.

### Conclusion

No significant adverse impacts are known or expected on the natural, social or economic environment as a result of the proposed development. In that context it would be appropriate to approve the Development Application subject to the attached recommended conditions of development consent.

## RECOMMENDATION

### Approval

X \_\_\_\_\_ Town Planner    Date \_\_\_\_\_

## INTERNAL REFERRALS

Summary of responses from Council staff referrals, where applicable.

### SENIOR HEALTH AND BUILDING SURVEYOR

Comments

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Recommendation

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Signature

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Date

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Director OF ENGINEERING/TECHNICAL SERVICES

Comments

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Recommendation

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Signature

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Date

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Director ENVIRONMENTAL SERVICES

Comments

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Recommendation

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Signature

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Date

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## APPROVAL / REFERRAL

This application was referred to Walgett Shire Council due to non-compliance with the *Walgett Shire Development Control Plan 2016* and approved/refused on the

\_\_\_\_\_.

X \_\_\_\_\_ Acting General Manager

Date \_\_\_\_\_

## ATTACHMENT – RECOMMENDED DEVELOPMENT CONSENT CONDITIONS

### CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council as the consent authority.

### CONDITIONS THAT ARE ONGOING REQUIREMENTS

#### GENERAL

#### 1. Development in Accordance with Plans

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.

#### 2. Occupation of Building

Occupancy of the building is not to take place until the Principal Certifying Authority (PCA) has carried out a final inspection and an Occupation Certificate issued. All required trade certifications are to be available to the PCA before the final inspection will be carried out.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.

#### 3. Plans on Site

A copy of all stamped approved plans, specifications and documents must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

Reason: To ensure development is undertaken in accordance with the determination of Council.

#### 4. Compliance with Basix

The commitments listed in any relevant BASIX Certificate for this development must be fulfilled in accordance with the BASIX Certificate Report, Development Consent and the approved plans and specifications.

Reason: To ensure the development is safe and appropriate for occupation.

#### 5. Environmental Management

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, odour or any other pollution discharge.

Reason: To prevent pollution from detrimentally affecting the public or environment.

**6. External lighting**

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.

**7. Access**

Any new concrete driveway within the public road corridor is to be constructed in accordance with Walgett Shire Council specifications:

- WSC 271 Minor Concrete Works (revision 1).
- Standard Drawings – Domestic Driveways – S271-001 and S271-003 (revision 0)

Reason: To provide appropriate access to the site and facilitate maintenance of Council's water and sewer/effluent mains.

**8. Developer costs**

The developer is to meet the cost of and be responsible for the construction of vehicular entrances and exits in accordance with Council's requirements.

Reason: To provide appropriate access to the site and ensure costs are not transferred to the public.

**9. Water meter**

Provision shall be made for a water meter upstand within the confines of the property to be accessible to Council staff at all times.

Reason: To provide access for periodic water meter reading by Council staff.

**10. Gates**

All boundary gates must not swing over Council property or public roads.

Reason: Gates which swing over public land may interfere with pedestrian and vehicle traffic.

**11. Fencing**

1500mm high loop top style fencing, or similarly open style fencing, to be used in front of building line.

Reason: To allow for safe sight lines for traffic and pedestrians.

**12. Surface water**

The land surrounding the completed building is to have a drainage system so that:-

- (a) It is graded to divert surface water clear of existing and proposed structures and adjoining premises, or;
- (b) It is to be collected and drained via a gravity system to a Council stormwater line, or;
- (c) Disposed of in a manner, which will not create any additional nuisance to adjoining properties.

Reason: To minimise the potential for detrimental impacts to buildings or neighbouring properties.

**13. Rainwater tanks**

Any rainwater tank must be installed so that it is:-

- (a) Not interconnected in any way with Council's water supply without a backflow prevention device.
- (b) If it is connected with Council's water supply, then it must have a backflow prevention device that is compliant with AS 3500 National Plumbing and Drainage Code - Compendium
- (c) The overflow is to be connected to the stormwater system

Reason: To prevent structural damage to buildings and protect public health.

**CONDITIONS THAT MUST BE COMPLIED PRIOR TO CONSTRUCTION**

**14. Construction Certificate Requirements**

No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works.

Reason: To ensure work is undertaken in accordance with this consent & relevant construction standards.

**15. Sewer/Effluent Line**

The developer must locate the existing sewer line and identify its type and diameter. If the existing sewer line is indeed under the building as the plans indicate, then:

- (a) The sewer line must be sleeved/encased in a larger diameter PVC pipe,
- (b) The building utilise piers over the sewer line to eliminate loading on the pipe
- (c) The developer complete Council's indemnity clause.

A plan detailing the above is to be submitted to council and approved by the Director of Engineering prior to construction.

Reason: To protect public infrastructure.

**16. Sediment and Erosion Control**

Run-off and erosion controls must be implemented before construction, and maintained to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- (a) divert uncontaminated run-off around cleared or disturbed areas,
- (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) prevent tracking of sediment by vehicles onto roads,
- (d) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

Reason: To prevent pollution from detrimentally affecting the public or environment.

**CONDITIONS THAT MUST BE COMPLIED WITH DURING CONSTRUCTION**

**17. Sitting/Set out**

The owner of the property is to ensure that any building is constructed:

- (a) to meet the setback requirements of the approved plans,
- (b) to be located within the confines of the lot, and;
- (c) so that it does not interfere with any easements or covenants upon the land.

Reason: To avoid any buildings being erected in a location where it would be inappropriate.

**18. Construction Noise**

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:-

|                          |                                               |
|--------------------------|-----------------------------------------------|
| Monday to Saturday       | 7.00 AM to 5.00 PM                            |
| Sunday & public Holidays | No construction activities are to take place. |

Reason: To ensure that public amenity is not unduly affected by noise.

**19. Temporary Sanitary Service**

The builder shall provide a temporary sanitary service to the building site before building operations are commenced.

Reason: To provide effective sanitation of the site during building construction.

**20. Site Management**

All construction materials, sheds, skip bins, spoil, temporary water closets etc., shall be kept wholly within the property and not placed on public land or in a position that may result in materials/debris being washed onto the roadway or into the stormwater drainage system.

Reason: To preserve the amenity of the locality and protect stormwater systems.

**21. Public Infrastructure**

During construction, works are to be carried out so as not to cause damage to nearby public infrastructure, services and utilities, including Council's kerb and gutter, footpaths, water mains, sewer mains and roadways. All damage arising from demolition is to be rectified by the developer to the satisfaction of Walgett Shire Council's Director of Engineering.

Reason: To ensure that public infrastructure is maintained.

**22. Heritage or Archaeological Relics**

If, during the course of any activities conducted under this consent, the Applicant becomes aware of any heritage or archaeological sites not previously identified, all work likely to affect the site shall cease immediately. The Applicant shall then consult with relevant authorities and decide on an appropriate course of action prior to recommencement of work. The relevant authorities may include NSW Environment, Climate Change & Water and the relevant local Aboriginal community. Any necessary permits or consents shall be obtained and complied with prior to recommencement of work.

Reason: To avoid unnecessary impacts on heritage and archaeological items and ensure compliance with relevant regulatory requirements.

**CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

**23. Stormwater**

All stormwater is to be directed by appropriately sized guttering, down piping and drainage in accordance with Part 3.1.2 of the Building Code of Australia – Volume 2, clear of any building and to the stormwater drainage system in Arthur Street, Walgett.

Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.

**24. Stormwater Outlets**

Where the proposed 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 to protect public infrastructure.

## **25. Water and Sewer/effluent**

The premises is to be connected to Walgett Shire Council's reticulated water and effluent system by lodging an 'Activity Application' for water and/or sewerage work (and relevant fee) with Council. All works must be completed prior to occupation.

Reason: To ensure the premise has access to water and can dispose of effluent in a safe manner.

Note: A septic tank system incorporating a pump out tank will be required for the Activity Application. A maximum discharge rate of 0.3 Litres/per second will be allowed into the effluent line.

## **26. Street Numbering**

A street number must be displayed on each dwelling/premises in a position clearly visible from the street, using numbers having a height of not less than 80 mm. Council has allocated the following street numbers for the proposed lots:

- 55 Namoi Street.

Reason: To enable each dwelling/premise to be identified by a location based address.

## **27. Fire Safety**

The building or home must be equipped with working smoke alarms that are located, on or near the ceiling in between each part of the dwelling containing bedrooms and the remainder of the dwelling including where bedrooms are served by a hallway, in that hallway and any other storey not containing bedrooms. Where there is more than one alarm be interconnected and be connected to the consumer mains power where consumer power is supplied to the building.

Reason: To ensure the fire protection and structural capacity of the building is appropriate for the building's proposed use.

NOTES – EPA act 1979

### **CONSTRUCTION CERTIFICATE & PRINCIPLE CERTIFYING AUTHORITY**

Section 6.6 of the Environmental Planning and Assessment Act 1979 provides that:

(1) A development consent does not authorise building work until a certifier has been appointed as the principal certifier for the work by (or with the approval of) the person having the benefit of the development consent or other person authorised by the regulations.

(2) The following requirements apply before the commencement of building work in accordance with a development consent:

(a) the principal certifier has, no later than 2 days before the building work commences, notified the consent authority and the council (if the council is not the consent authority) of his or her appointment as the principal certifier,

(b) the principal certifier has, no later than 2 days before the building work commences, notified the person having the benefit of the development consent of any inspections that are required to be carried out in respect of the building work,

## LICENCED CONTRACTOR APPOINTMENT

Sub-section 6.6(2) of the Environmental Planning and Assessment Act 1979 provides that:

- (c) the person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case,
- (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
  - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
  - (ii) notified the principal certifier of the appointment, and
  - (iii) unless that person is the principal contractor, notified the principal contractor of any inspections that are required to be carried out in respect of the building work,

## NOTIFICATION OF COMMENCEMENT OF BUILDING WORKS

Sub-section 6.6(2) of the Environmental Planning and Assessment Act 1979 provides that:

- (e) the person having the benefit of the development consent has given at least 2 days' notice to the council, and the principal certifier if not the council, of the person's intention to commence the erection of the building,

NOTES – EPAR regulation 2000

## BUILDING CODE OF AUSTRALIA

Sub-clause 98(1)(a) & (b) of the Environmental Planning and Assessment Regulation 2000 makes the following mandatory condition of development consent.

(1) For the purposes of section 4.17 (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.

## ERECTION OF SIGNS

Clause 98A of the Environmental Planning and Assessment Regulation 2000 imposes a mandatory condition of development consent for development that involves any building work, subdivision work or demolition work, as follows:

- (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.

(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.

(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.

(5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 6.28 of the Act, to comply with the technical provisions of the State's building laws.

(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).

#### ADVISORY NOTES – General

#### PLUMBING, STORMWATER AND SEWER DRAINAGE WORKS

Section 68 of the Local Government Act 1993 requires that any plumbing, stormwater or sewer drainage works require prior approval from Council via an Activity Application.

#### COVENANTS

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.

#### FLOOD

The applicant/owner is advised that the site is located on a flood plain, hence may be subject to periodic inundation by floodwater to an unknown depth and velocity. You are advised to obtain your own expert advice regarding the risks associated with periodic inundation by floodwater.

#### DIAL BEFORE YOU DIG

Underground infrastructure may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures.

END.

### 15.3.2 MATTERS FOR BRIEF MENTION, ENVIRONMENTAL SERVICES

**REPORTING SECTION:** Environmental Services  
**AUTHOR:** Jessica McDonald, Director Environmental Services  
**FILE NUMBER:** 10/434

This report provides notes on items for brief mention, or information only, on more significant matters recently arising in the Planning & Regulatory Services Division.

- **NetWaste Funding Success – Landfill Concept and Landfilling, Robert Bailey and Bob Amaral**

In October 2018 Walgett Council teamed up with Coonamble, Cobar, Brewarrina and Bourke Shire's to bring industry professional consultants Robert Bailey and Bob Amaral to our shires to provide practical landfilling advice. Council has been provided with high quality reports outlining a number of improved landfilling options for Council's consideration. NetWaste, on October 2018, impressed with Council's initiative to organise such works, awarded a total of \$11,550 towards the overall project cost, which is 50%.

- **Grant Application made for Rubbish Clean Up – Lightning Ridge**

In November 2018 Council, as part of a group application, applied to the NSW EPA for funds under the Illegal Dumping RID Grants Scheme for monies to clean up illegally dumped rubbish near the rear of the Lightning Ridge Cemetery. It is expected Council will hear back regarding the results of the application around December 2018.

#### **Matters Generally for Brief Mention or Information only from Director of Environmental Services**

**Recommendation:**

That Walgett Shire Council resolve to:

- Receive and note the report by the Director of Environmental Services on matters for brief mention, or information only.

**Moved:**

**Seconded:**

## 15.4 DIRECTOR ENGINEERING/TECHNICAL SERVICES

### 15.4.1 COUNCIL STORAGE SITE – CLEANUP NOTICE

**REPORTING SECTION:** Engineering Services

**AUTHOR:** Ray Graham – Acting Director Engineering/Technical Services

**FILE NUMBER:** 10/600-06

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**Summary:**

This report is update Council on a Clean-up order that Council has received from the Environment Protection Authority (EPA) regarding the Council storage site in Bates St, Walgett.

**Background:**

On 19 November 2018, Council was formally notified that the EPA has issued a clean-up notice for the site in Bates St, being the Council storage site. This order was issued under Section 91 of the Protection of the Environment Operations Act 1997 (POEO Act), where the EPA can issue a notice to clean up a site where pollution has or is likely to occur.

**Current Position:**

The EPA notice outlines the nature of the hazard posed at this site being as follows:

1. The placement of more than 2,500 tonnes of waste material onto land including demolition waste, that has caused degradation of the land and potential harm to human health
2. Contaminated soils involving an oily residue spill on land covering at least 12m<sup>2</sup> that has caused degradation of the land and potential harm to human health.
3. Contaminated soils involving the runoff from a number of stockpile's of concrete slurry washout material that has caused degradation of the land and potential harm to human health

The EPA is directing Council to undertake clean-up operations as the controller of this site

The cleanup that Council has been directed is as follows:

1. Cease causing or permitting waste to be transported or stored at the premises
2. Secure the premises by repairing the fence and gate to the site by 23 November 2018
3. Remove and dispose of all waste from the premises including the demolition waste by 30 November
4. Remove all concrete waste from the site by 30 November
5. Dispose or crush all concrete removed from the site by 22 February 2019
6. Remove and dispose of the oily contaminated soils and remediate the area by 21 December
7. Transport the waste to a facility that can legally accept the waste, in this case all the waste will be transported to the Walgett Landfill with the exception of the oily drums and liquid waste

As a result of this order and the tight timeframes required, Council has engaged its Waste Contractor to undertake the removal works. Investigations are currently being undertaken regarding the crushing works.

**Relevant Reference Documents/Policies:**

Local Government Act 1993

Protection of the Environment Operations Act 1997

**Environmental issues:**

Potential Breach of POEO Act and potential pollution incident

**Stakeholders:**

Walgett Shire Council

Environmental Protection Authority

**Financial Implications:**

Due to the tight timeframes, indicative costs are still being collated.

| <b>Council Storage Site – Cleanup Notice</b>                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That Council Storage Site – Cleanup Notice report be received and noted.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION FROM DIRECTOR OF  
ENGINEERING/TECHNICAL SERVICES

To be tabled at the meeting.

## 16. RESPONSES TO QUESTIONS FROM THE LAST MEETING

### Clr Taylor

*Q1: Can Council investigate the footpath parking for Lightning Ridge buses for the school – needs attention?*

*Q2: Can Council line mark the streets of Lightning Ridge?*

*Q3: Can Council seal Sunflash Street in Lightning Ridge as it's the main gateway to the Castle?*

*Q4: Can Council form an RV Friendly area opposite the Stanley feature.*

*Q5: Can Council investigate the water connection to Sonya's Bed and Breakfast?*

### Clr Smith

*Q1: Can Council clean out of the smaller drainage pipes in Collarenebri?*

### Clr Woodcock

*Q1: Can Council install new water mains for Lightning Ridge*

*Q2: Can Council conduct a study of the water that goes outside of the town of Lightning Ridge?*

### Clr Cameron

*Q1: Can Council invite Chris Shaw the Acting Principle of Walgett Community College to address Council at its next meeting in November 2018 regarding the progress at the School. Preferably and if appropriate in closed session of Council.*

### Clr Keir

*Advised Council of the formation of the Walgett / Namoi Water Users Group and requested a representative from Council attend its inaugural meeting.*

## 17. QUESTIONS FOR THE NEXT MEETING

*Please complete the form: Questions for the Next Meeting and return the forms to the Executive Assistant.*

## 18. CLOSE OF MEETING

Time: .....