



WALGETT SHIRE COUNCIL

AGENDA

20 MARCH 2007

*Stephen McLean
General Manager*



12 March 2007

Administrator
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

NOTICE IS HEREBY GIVEN that the Ordinary Meeting of Walgett Shire Council will be held in the Lightning Ridge Bowling Club Auditorium on **Tuesday, 20 March 2007, commencing at 10.00am.**

AGENDA

10.00 am Citizenship Ceremony

PUBLIC FORUM PRESENTATIONS

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

WELCOME TO VISITORS

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

CONFIRMATION OF MINUTES OF THE COUNCIL MEETING HELD 20 FEBRUARY 2007

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9. COMMITTEE OF THE WHOLE AGENDA

CONFIRMATION OF MINUTES – 20 FEBRUARY 2007

The Draft Minutes of the Council Meeting held on 20 February 2007 were distributed to Council's Administrator.

SECRETARY RESERVE TRUST, MANAGEMENT COMMITTEE REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 1

Subject: Acceptance of Reserve Trust Minutes

Author: Kaye Stone – Secretary of the Reserve Trust

File No: 280/01/00/00

Summary:

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

Comments (including issues and background):

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

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

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

Relevant Reference Documents:

- Reserve Trust Minutes

Stakeholders:

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

Financial Implications:

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

Recommendations:

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

ADMINISTRATOR'S REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No:

Subject:

Author:

File No:

No reports submitted to Council.

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 2

Subject: Motor Vehicle Policy

Author: Stephen McLean – General Manager

File No: 023/09/01/06 and 305/05/00/00

Summary:

At the December 2006 meeting of Council it was resolved that a reviewed Motor Vehicle Policy be put to Council for its February 2007 meeting. The production of a new policy was delayed and it is now presented as attached.

Comments (including issues and background):

The Walgett Shire Council Motor Vehicle Policy has been amended a number of times since it was last adopted in its entirety at the June 2002 meeting. These amendments have had varied affects of changing purchase and changeover points, vehicle specifications use entitlements and contribution rates. It was felt that the policy needed to be rewritten to incorporate these changes and to ensure the position of Council as a vehicle provider and the employee as user.

The proposed policy has been formatted using annexures for operational sections and the descriptors of vehicle categories and contribution rates so that these can be easily amended or replaced by Council in the future.

This report also proposes that any previous policies of Council relating to the provision, use, purchase and replacement of Council motor vehicles be rescinded and replaced by the attached document titled "Motor Vehicle Policy".

Relevant Reference Documents:

- Vehicle lease agreement policy (CM 24/06/02)
- Motor vehicle leaseback rates (CM 21/11/06)
- Motor vehicle leaseback rates (CM 19/12/06)
- Purchase of motor vehicles (CM 17/02/05)

Stakeholders:

- Walgett Shire Council and employees

Financial Implications:

This report does not have any financial consequence; it only seeks to clarify Council's position.

The contribution rates have not been adjusted as a review concluded that Council's current rates are at the higher end of contributions relative to comparable Councils.

It should be noted that the provision of private use is an important element in effective recruitment and retention for Council as an employer of key staff.

Recommendations:

- 1. That Council rescind all previous policies and resolutions relating to the provision of Council motor vehicles including those listed below:-**
 - **Vehicle lease agreement policy (CM 24/06/02)**
 - **Motor vehicle leaseback rates (CM 21/11/06)**
 - **Motor vehicle leaseback rates (CM 19/12/06)**
 - **Purchase of motor vehicles (CM 17/02/05)**
- 2. That Council adopt the entire document "Motor Vehicle Policy" including Annexure's A, B and C as attached.**
- 3. That the "Motor Vehicle Policy" be reviewed in March 2009.**

MOTOR VEHICLE POLICY

OBJECTIVE:

The objective of this Policy is to provide a framework for the provision of motor vehicles to meet the operational requirements of the organisation.

POLICY STATEMENT:

Vehicle selection, private use arrangements, and the Motor Vehicle Policy ('the policy') as amended from time to time is based upon the operational needs of the organisation and cost benefit to the Council.

Where vehicles are subject to a private use arrangement, they are not provided to a specification designed to meet the private use requirement of the employee, however, employee's can request optional equipment to be fitted to the vehicle at their own expense. (Refer to Employee Funded Options —Section G)

The provision of a vehicle is to be considered a benefit and a privilege, and Walgett Shire Council reserves the right to rescind its decision to provide a vehicle, vary the type of vehicle to be provided, vary the contribution rates, and vary the Motor Vehicle Policy at any time, to ensure the interest of Council is being met.

A. Delegation of Authority

The General Manager, under Delegated Authority, is to purchase and changeover Council's vehicles as provided for annually in the adopted budget and in accordance with this policy document.

B. Administration of Vehicle Policy

The Manager of Engineering and the Support Services Coordinator are to be accountable to the General Manager for the overall management of the Motor Vehicle Policy.

C. Review of Policy

The Policy will be reviewed every two (2) years or at such other time as is necessary, by the Support Services Coordinator and any recommendations will be submitted by the Manager of Engineering to the General Manager.

D. Vehicle Categories

Vehicle selection shall be based upon suitability for the operational needs of Council, inclusive of the most beneficial whole of life costing in an effort to promote efficiency within fleet operations.

E. Vehicle Maintenance

1. Council's Fleet Workshop shall be responsible for ensuring that all vehicle's are serviced and maintained.
2. All vehicles are to be serviced according to manufacturers specifications, and it is the responsibility of the employee to ensure vehicles are booked in with the workshop no less than one (1) week prior to service falling due;
3. All vehicle defects are to be reported to the Workshop via the formal '*Plant Daily Inspection Fault Report*', and verbally by telephone or radio. *Plant Daily Inspection books* will be distributed at the time of vehicle issue, with additional books being available from the Support Services Coordinator.
4. Council shall pay all registration, and insurance costs. All vehicles remain the property of the Council.

F. Vehicle Replacement

1. Vehicles shall be replaced at a time considered appropriate by the General Manager in consultation with the Support Services Coordinator to provide the optimum benefit to Council. Participants in the Motor Vehicle Private Use lease scheme need to be aware that vehicle replacement is not based on any set criteria in relation to time or kilometres travelled.
2. All vehicle changeovers are to be completed by the Support Services Coordinator, using the '*Vehicle Issue & Return Form*' (Annexure B). The Support Services Coordinator will subsequently issue vehicles to the relevant employee.
3. All vehicles returned to Support Services Coordinator for disposal will be assessed and prepared to a condition that is considered to attain the best financial outcome for Council.
4. No vehicle colour preference will be given to employees. Colours, other than WHITE, shall be selected at the discretion of the General Manager.
5. Where a position is vacated which at the time has a vehicle provided, the Relevant Department Manager shall review the need for such vehicle and is to ensure in consultation with the Support Services Coordinator, that any vehicle provided is in accordance with the policy if it is decided to continue with the provision of a vehicle.

G. Employee Funded Optional Equipment

1. The following is fitted to Council vehicles as standard equipment:

Sedans and Wagons

Air Conditioning
Floor Mats
Headlight Covers
Bonnet Protector
Mud flaps
Cruise Control
*Bull bar
*Driving Lights

Utilities and 4WD's

Air Conditioning
Tow bar
Seat Covers
Floor Mats
Headlight Covers
Bonnet Protector
*Bull bar
*Driving Lights

(* To be approved by General Manager)

(* To be approved by General Manager)

2. Selected optional extras may be fitted to vehicles leased under type **A** and type **B** (Refer to Vehicle Leases – Section L), initially at the employee's own expense where such item is not standard specification, and subject always to approval from the General Manager.
3. Employee funded options may (where practical) be transferred or replaced at time of vehicle changeover at Council's expense. Council will not reimburse employees for the purchase of optional extras. All equipment transfers are to be completed by persons approved by the Support Services Coordinator.
4. Roof Racks may not be fitted or used on Council vehicles unless approved by the Support Services Coordinator. Approved type racks will be fitted to type **A** and type **B** leased vehicles at full cost to the employee. Any damage caused to a vehicle by use of non-approved roof racks will be payable by the employee at the full cost of the repair.
5. Where an employee ceases for any reason to participate in the Lease Back Scheme, no cash allowance will be made for employee funded options under any circumstances.
6. Employee funded options may be paid via payroll deductions over a period agreed by the General Manager.
7. Property damage to third parties caused by employee owned boats, trailers, and caravans etc, whilst being towed by Council vehicles, will be covered by Council's Motor Vehicle Insurance. However, damage to the trailer, caravan or boat itself is not covered. An employee involved in an accident whilst towing an unregistered trailer or caravan etc. may be liable for any unrecoverable costs associated with the accident.

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H. Vehicle Usage

The following rules shall apply to the vehicle usage:

1. The employee assigned to a Council vehicle shall be responsible for ensuring proper and adequate care, usage and maintenance of vehicle as explained when the vehicle has been issued, including garaging/off street parking where practicable, regular cleaning both internal/external and ensuring regular checks (as per the manufacturers handbook) of running items including:
 - . Fuel Level
 - . Engine oil level
 - . Engine coolant level
 - . Transmission oil level (Automatic only)
 - . Brake fluid level
 - . Tyres including spare tyre
 - . Lights
 - . Windscreen washers/wipers
 - . General roadworthiness of vehicle
2. All vehicles are to be maintained as per Section E of this policy, and at all times in accordance with the manufacturer's handbook. All vehicles are to be polished at least once every year, all cleaning and regular checks of the vehicle vehicles subjected to Type **A**, **B**, and **C** Leases shall take place on the employee's time.
3. Cleanliness and general care of vehicles will be monitored by the Support Services Coordinator at regular intervals and any breach shall be brought to the attention of the General Manager. Any further action will be at the discretion of the General Manager. Animals (i.e. pet dogs/cats) are not to be allowed to come into direct contact with the vehicles passenger compartment and must be transported in accordance with RTA guidelines.
4. Type **A B and C** lease vehicle use shall be limited to the employee and their Spouse or Defacto Spouse. Immediate family members or other licensed drivers may drive the vehicle only if specifically approved by the General Manager.
5. Type **D, E**, and **F** vehicle usage allows employees to pick up and drop off members of their work gang, if the Supervisor for the employee has given their prior approval.
6. Type **D, E** and **F** vehicle usage shall be limited to the participating employee only.
7. No person other than those specified above shall be permitted to drive the vehicle, except in an emergency. The full insurance excess is payable by unauthorised persons involved in an accident.
8. Any warning lights (eg flashing or rotating lights whether operational or not) If Practical, shall be removed before the participating employee's spouse or other authorized driver operates the vehicle.

8. Vehicles are to be brought onto the job every working day except for lease type **A** and **B** participants when on leave, and shall be available for official use as required by any employee of Council when not required for official use by the participating employee. Use of Council vehicles is restricted to Private Use and Council Use only. Under no circumstances shall Council vehicles be used for other purposes eg. for personal commercial gain.
9. All employees who are required to drive Council vehicles must hold a current drivers licence issued by, or approved by, the New South Wales (NSW) Roads and Traffic Authority (RTA) (outside of employee probationary period). Staff who require a licence to carry out their work and who have their licence cancelled either fully or partially, shall immediately notify their supervisor. Failure to notify will be considered a serious misdemeanour, which may result in suspension or termination of services. Upon notification of licence cancellation or suspension, the employee's employment status will be reviewed and any rights to the use of a Council vehicle shall be terminated.
10. Smoking is not permitted in or on any Council vehicles or equipment.
11. The vehicle may not compete in any car rally or competition, or be used for commercial purposes or otherwise contrary to the terms of Council's motor vehicle insurance policy.
12. The employee or other authorized driver must not willfully or recklessly misuse or mistreat the motor vehicle.
13. The employee must not do anything that might result in any insurance on or relating to the vehicle becoming void or which might increase the premium on any policy. If any insurance excess charge or other charge increases are incurred as a result of the use to which the vehicle is put by the employee, the employee may be required to pay the additional amount.
14. An employee convicted of drink driving in association with an accident will be liable for all costs associated with the repair of such vehicle/vehicles.
15. All employees involved in motor vehicles accidents shall complete an '*Insurance claim form*' (regardless of extent of the damage), all accident's and incident's are also to be recorded using an '*Accident / Incident Report Form*'.
16. All accidents shall be investigated by the Support Services Coordinator to assist with accident prevention strategies.
17. Vehicles leased under type **A** and type **B** leases are not required to display Council's insignia. All other commercial vehicles are to display Council's insignia.
18. Private use of Council vehicles shall be limited to passenger, station wagon, light commercial and four wheel drive vehicles. No leases of any type will be offered for plant or other vehicles.

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19. Type **A, B and C** private use will be restricted to periods of leave (i.e. maternity, sick, annual, long service, workers compensation etc) that are less than 9 weeks duration. Employees who have extended leave applications approved by the General Manager will have lease back payments suspended when the leased vehicle is not available for private use. In cases of exceptional personal hardship the General Manager may approve an extension in excess of nine weeks, and this will be reassessed on a week by week basis. If an employee is absent from work on unpaid leave for one week or longer, the vehicle must be left in the car pool for the period of absence.
20. Any traffic infringement (including parking fines), or other costs arising as a consequence of traffic offences, will be the responsibility of the normal driver of the vehicle by default when the vehicle has not been allocated to another Council employee via the car pool. Any legal action resulting from a traffic offence will result in a review of the employee's entitlement to private or commuter use of a Council vehicle and may result in suspension or withdrawal of the entitlement. All costs associated with any such legal action will be the responsibility of the employee.

I. Fuel

All Council vehicles shall be fuelled using a fuel card system, regardless of whether or not the fuel is used privately or for Council purposes. Each vehicle will be issued with a fuel card specific to that particular vehicle, and upon vehicle replacement a new fuel card shall be issued and the old card cancelled and destroyed. Each employee will be required to give an accurate odometer reading when refuelling.

Any person found abusing the fuel card system will be subject to disciplinary procedures and may be removed from any vehicle scheme privileges by the General Manager.

J. Pool Vehicles

Vehicles can be booked for short term use, from the vehicle pool, subject to vehicle availability. Where the pool vehicle(s) is unavailable or unsuitable, all other vehicles should be considered for use as potential pool vehicles for short term (intra day) use.

K. Roadside Service

NRMA membership or equivalent roadside service will be provided for all vehicles under type **A** and **B** leases.

L. Vehicle Leases

Staff to be admitted to the scheme by invitation only and subject to the General Manager's approval.

Short term Type **A**, **B** and **C** Leases (eg. Annual leave periods) will not be offered.

The changing of a category of a lease type **A**, **B** or **C** by an employee is at the General Managers discretion and may only be changed once in every twelve months.

1. **Full Private Use Lease Type A** – Full unrestricted business and private use (excluding private commercial use) of a Council supplied motor vehicle, 24 hours per day, 7 days per week within Australia, including all petrol and maintenance costs, and as per the terms and conditions as set out in this policy.
2. **Restricted Private Use Lease Type B** – Private use of a Council supplied motor vehicle restricted to a limit of 10,000 kilometres per year, and as per the terms and conditions as set out in this policy. All fuel purchased outside a 400 kilometre radius of Walgett for private use shall be reimbursed to the council by the lessee.
3. **Commuter Use Lease Type C** – Private use restricted to travel within a five (5) kilometre radius of the relevant towns shire depot.
4. **Take Home Use Agreement Type D** –The employee is given use of a motor vehicle, which is provided for the position that the employee holds, for the purpose of travelling from the employee's home to Council's work place, vice versa. The motor vehicle will not be used for any other purpose, and shall be available at all times for Council use (including weekends and RDO's). Private usage of such vehicles is strictly prohibited for any purposes other than approved journeys to and from home/work not exceeding a 20 kilometre radius of the applicable Walgett Shire Council works depot and for On Call Duty Officers as described below.
5. **Take Home Use Agreement Type D1** –The employee is given use of a motor vehicle, which is provided for the position that the employee holds, for the purpose of travelling from the employee's home to Council's work place, vice versa. The motor vehicle will not be used for any other purpose, and shall be available at all times for Council use (including weekends and RDO's). Private usage of such vehicles is strictly prohibited for any purposes other than approved journeys to and from home/work exceeding a 20 kilometre radius of the applicable Walgett Shire Council Works Depot and for On Call Duty Officers as described below. A Type **D1** lease shall incur a charge as set out in the Contribution Rates (Annexure A).

6. **On Call Take Home Use Agreement Type E** -The employee is given use of a Council supplied motor vehicle for the purpose of travelling from the employees home to Council's work place, visa versa, whilst on call. The motor vehicle will not be used for any other purpose, and shall be available at all times for Council use (including weekends and RDO's). Private usage of such vehicles is strictly prohibited for any purposes other than approved journeys to and from home/work and for On Call Duty Officers as described below.
7. **Short Term Take Home Use Agreement Type F** – A vehicle will be assigned on a short term basis not exceeding two (2) weeks, to an employee who is required to have take home use of a motor vehicle, at the specific request of his or her overseer eg short term traffic control, On Call Duty Officers etc.
8. **On Call Duty Officers** - To maximise the number of employees available to act as the Duty Officer, and therefore minimise the number of times an employee is required to be an On Call Duty Officer, limited private use of a vehicle will be provided to those not on a type **A** or **B** lease agreement as follows:
 - Only employees or authorised personnel are to accompany the Duty Officer to a call out in a Council provided vehicle.
 - When an employee is using a council Vehicle whilst a Duty Officer they shall be clothed appropriately (ie PPE) so that if the situation requires they can attend any call out situation immediately.
 - Private use is limited to commuter travel to and from the workplace and for use during meal breaks.
 - The vehicle is to be driven only by a Council employee.
9. Lease types **C**, **D**, **E** and **F** private use terms may be amended for periods not exceed seven (7) days by written authorization of the General Manager.
10. **Termination of Agreements** - Council shall retain the right to terminate such agreement by giving the employee written notice as specified in this policy. The grounds for termination shall be as deemed reasonable by Council at the time, eg economics, unsatisfactory employee service, corporate restructure, abuse of car scheme privileges etc. Employees may terminate the agreement upon fourteen (14) days notice in writing. Employees are not obliged to enter into a lease agreement.

M. Contribution Rates

Refer to Contribution rates (Annexure A)

The relevant fees will be collected fortnightly via payroll deduction in accordance with Council's pay periods. Fees will be adjusted automatically at the commencement of each financial year, in accordance with the rates set by Council in its annual budget.

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N. Termination of Employment

1. Employees who resign or are being dismissed from Council are required to obtain a Vehicle Clearance from the Support Services Coordinator.
2. Any outstanding charges arising from the use of a Council vehicle by the employee at the date of termination shall remain payable by the employee.
3. Any use entitlements of the employee shall end at the date of termination of employment.

Annexure "A"**Contribution Rates**

The General Managers vehicle lease back is included in the employment contract and is not included in the following table

The following rates per week shall apply for each vehicle category and level of use

VEHICLE	TYPE A	TYPE B	TYPE C	TYPE D	TYPE D1	
	Pre Tax	Post Tax	Pre Tax		Post Tax	
Australian manufactured Mid range specification 6 cylinder sedan, utility or station wagon equivalent. 4 cylinder turbo diesel four wheel drive wagon	\$95	\$0	\$10	\$0	Not Available	
Australian manufactured base model specification 6 cylinder sedan, utility or station wagon equivalent	\$75	\$0	\$10	\$0	\$30	
4 cylinder turbo diesel sedan, hatchback or station wagon	\$60	\$0	\$10	\$0	\$30	
Commercial or other operationally specific vehicle	\$0	\$30	Not available	\$0	\$30	

Note: Type E and F vehicle usage does not incur a fee.

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Annexure "B"

Vehicle Issue & Return Form

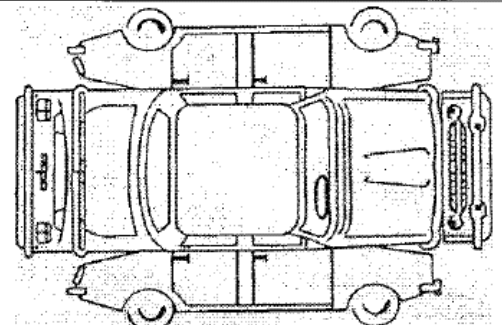
Department: _____

Additional Vehicle ☐ No ☐ Yes (go to Section Two)

Section One

Item to be replaced: _____ Plant No: _____

Existing damage: ☐ No ☐ Yes (please show on

	Description
---	---

Section Two

Vehicle type: ☐ Sedan ☐ Wagon ☐ Utility
☐ 2wd ☐ 4wd

Engine type: ☐ Petrol ☐ Diesel ☐ Turbo (diesel only)

Transmission: ☐ Manual ☐ Automatic

Configuration (utilities): ☐ Canopy ☐ Tonneau ☐ Table Top ☐ Tipper

Communications: VHF UHF Mobile Phone

Call sign: _____ Number: _____

Standard Options	Passenger	Commercial
<input type="checkbox"/> Towbar	<input type="checkbox"/> Cruise Control	<input type="checkbox"/> Ute Liner
<input type="checkbox"/> Floor Mats	<input type="checkbox"/> First aid kit	<input type="checkbox"/> First Aid Kit
<input type="checkbox"/> Headlight Covers	<input type="checkbox"/> Insect Screen	<input type="checkbox"/> Insect Screen
<input type="checkbox"/> Bonnet Protector	<input type="checkbox"/> Beacon	<input type="checkbox"/> Beacon
<input type="checkbox"/> Seat Covers		
<input type="checkbox"/> Fire extinguisher		

Other: (please list) _____

Attach to memo for approval by the General Manager

Signed: On delivery: _____ Date _____

On return: _____ Date _____

Date of Adoption:
 Review Date:

Annexure "C"



WALGETT SHIRE COUNCIL VEHICLE LEASE AGREEMENT

EMPLOYEE NAME	
EMPLOYEE NUMBER	
POSITION	

I agree to abide by the terms and conditions for use of a Council provided motor vehicle, as set out in the Walgett Shire Council Motor Vehicle Policy as amended from time to time.

The lease type offered and accepted by me is _____ and I agree to the lease contribution rate (Annexure "A") applicable being deducted from my salary on a fortnightly basis.

I accept that the vehicle issued to me at this time is:-

PLANT NUMBER	
VEHICLE MAKE	
VEHICLE MODEL	
BODY TYPE	

and is in as new condition or as stated on Annexure "B".

This agreement is amendable by the Vehicle Issue and Return Form (Annexure "B").

The nominated address for overnight garaging of the motor vehicle supplied is:

--

Signed by Employee:

Signed by Department Manager:

Signed by General Manager:

Date:

To be placed on the employee's personal file and a copy provided to Support Services Coordinator

Date of Adoption:
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GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 3

Subject: Plans of Management for Community Land

Author: Stephen McLean – General Manager

File No: 005/06/01/81

Summary:

Council holds a number of parcels of freehold land which require a plan of management. This report identifies the land involved and recommends that Council take action to prepare plans of management.

Comments (including issues and background):

Section 35 of the Local Government Act 1993 requires that community land be used and managed in accordance with the plan of management applying to the land. At present Council does not have any plans of management for the twelve lots that it owns which are classified as “community” land under the Act.

Chapter 6, part 2 of the Local Government Act 1993 prescribes a process of public consultation and other requirements associated with the development of plans of management.

Relevant Reference Documents:

- Chapter 6, Part 2 of the Local Government Act 1993.
- Practice Note No 1 – Public Land Management, published May 2000 by the Department of Local Government.
- File 005-06-01-81 – Council property – planning.

Stakeholders:

- The community and Walgett Shire Council

Financial Implications:

No significant expenditure is expected. Some cost will be incurred in public advertising.

Recommendations:

- 1. That Walgett Shire Council resolve to prepare plans of management for the freehold land owned by Council that is classified as community land , as listed in the table below.**

ITEM No.	ADDRESS	PROPERTY			DESCRIPTION
		LOT	SECTION	DP	
1	Houlahan St., Burren Junction	31		15645	Cambray Park
2	Houlahan St., Burren Junction	32		15645	Cambray Park
4	Waterloo St, Burren Junction	1	2	758199	Swimming Pool
5	Waterloo St, Burren Junction	10	2	758199	Park
18	Colin St, Carinda	9	14	758227	Hall
87	Pandora St, Lightning Ridge	10		846336	Stormwater drainage channel
183	Shaw St., Rowena	7	2	758889	Park, with old tractor monument
200	Fox St., Walgett	45		253643	Old Council Chambers
212	Pitt St., Walgett	15	1	759036	Youth centre/hall
238	Fox St., Walgett	11		718739	Stormwater drainage channel
256	Vaughan Place, Walgett	61		826629	Nature Strip & airport buffer
258	Howard's Way, Walgett	10		851116	Nature Strip & airport buffer

- 2. That upon adoption of a relevant plan of management, occupation of community land shall only be allowed in accordance with the adopted plan of management**

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 4

Subject: Sister City Proposal – Gosford City Council

Author: Stephen McLean – General Manager

File No: 008/04/03/00

Summary:

This report seeks Council's support to advance discussions with Gosford City Council to formalise an agreement for a Sister City type of relationship.

Comments (including issues and background):

Informal discussions have been held between Council's General Manager and Gosford City Council's Indigenous Liaison Officer, Mr Keith Hall following a visit by school children attending the Ricky Walford Football Shield in 2006.

Following this visit, an approach has been made by Gosford City Council to form a Rural / Metropolitan partnership agreement.

On 1 March 2007, Mr Keith Hall, Indigenous Liaison Officer and Mr Terry Thirlwell, Director Community Services and Organisation Development with Gosford City Council visited Walgett Shire Council to discuss Sister City relationships and the benefits to both communities from information sharing, skills and cultural exchanges.

It is felt that Walgett Shire would benefit from this type of partnership as it will give Council staff access to the skills and resources of a much larger Council. Gosford City Council is well aligned with Walgett as it uses the same Authority accounting software and MapInfo Geographical Information System software.

Gosford City Council also has the staff numbers to allow specialisation in area's such as Policy, Planning and Human Resources. Access to these specialists would be available via telephone, electronic media and site visits where considered appropriate.

The Minister for Local Government is encouraging City Councils to seek Sister City Relationships within Australia to encourage skill transfer, sharing of resources and achieving, in some instances, economies of scale with the operational cost reduction that comes from this.

Relevant Reference Documents:

- Gosford City Council Mayoral Minute - 27 February 2007

Stakeholders:

- Walgett Shire Council
- Gosford City Council

Financial Implications:

This report does not have any financial impact.

Recommendations:

1. That Council continue to negotiate with Gosford City Council to formalise a Rural / Metropolitan agreement.
2. That a further report be presented to Council when the agreement has been finalised for formal acceptance.

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 5

Subject: Attraction and Retention of Doctors

Author: Stephen McLean – General Manager

File No: 255/03/01/00

Summary:

Council has received a letter from Hay Shire Council requesting support in seeking additional incentives to be provided to attract doctors to practice in the more remote communities.

Comments (including issues and background):

Hay like Walgett Shire is designated as classification seven under the Rural, Remote and Metropolitan (RRMA) classification and would also benefit from the introduction of additional incentives as proposed by Hay Shire Council. The proposed incentives are not specified by Hay Shire other than to request that the Australian Government offer some form of differential incentives to encourage doctors to practice in more remote communities and that these incentives be designated to the RRMA classifications six and seven.

As any additional incentives to encourage the practice of doctors in Walgett Shire would be of assistance it is recommended that Council write to the Minister for Health and Ageing in support of Hay Shire Council request

Relevant Reference Documents:

- Correspondence from Hay Shire Council

Stakeholders:

- Walgett Shire Council and communities

Recommendation:

That Council write to the Minister for Health and Ageing in support of the establishment of differential incentives to encourage Doctors to practice medicine in Rural, Remote and Metropolitan Areas classifications Six and Seven.

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 6

Subject: Council Housing Review

Author: Stephen McLean – General Manager

File No: 255/03/01/00

Summary:

This report recommends that Council review its current residential housing stocks and develops a plan for disposal, improvements, replacement and construction of new dwellings.

Comments (including issues and background):

The housing stock currently held by Council ranges from one-bedroom weatherboard flats to brick and tile freestanding houses. Some of the older housing is in need of major maintenance with replacement of kitchens and bathrooms necessary. One dwelling was destroyed by fire and is set to be demolished and tenders called for building of a replacement structure.

Suitable rental accommodation in Walgett Shire is currently in short supply and this has been a barrier to Council in attracting and retaining employees with professional qualifications and skills.

With the recent reclassification of some Council held land as operational, there is an opportunity for Council to consider the possible disposal of older housing and construction of new buildings.

A more thorough review of the housing needs to be undertaken considering such matters as current housing, projected needs for housing and what styles of accommodation are needed, for example flats, townhouses, freestanding homes, and what land Council now has available to it, to undertake a renewal program.

It is envisaged that loan funds would be required in order to undertake a replacement program and the value of providing accommodation and any perceived benefits as an employer, needs to be weighed against the capital costs.

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire Council

Recommendations:

That a detailed report be provided to Council that considers the current and future staff housing needs of the Council.

GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 7

Subject: Council Representation on Committee's

Author: Stephen McLean – General Manager

File No: 145/02/00/00

Summary:

A review of the committees on which Council has representation has been reviewed.

This report lists the committees on which Council has representation and recommends a representative to each of the Committees.

Comments (including issues and background):

Council has been represented on a number of committees by a combination of staff and community members since last reviewed in October 2004.

Council has received some resignations from community members recently and it is now timely to review Council's representation on the relevant committees.

Some community representatives have been replaced by staff members who may be better positioned to promote the policies and position of Council to those bodies.

Relevant Reference Documents:

- List of Committees and nominated Representatives

Stakeholders:

- Walgett Shire Council
- Community representatives named on this list

Recommendation:

That the representation of Council on the committees as listed be approved.

COMMITTEE	REPRESENTATIVE
Australian Airport Association	General Manager or Designate
Barwon Darling Alliance	General Manager and Mr David Lane
Camps on Claims Working Group	Manager Planning and Regulation
Castlereagh Macquarie County Council	Mr Robert Greenaway
Floodplain Management Committee	Manager Projects
Local Emergency Management Committee	General Manager or Designate
Lightning Ridge Mining Board	Manager Planning and Regulation
Lightning Ridge Tourist Association	Tourism Development Officer
Namoi Local Government Group	General Manager or Designate
Namoi Peel Catchment Customer Service Committee	Works Engineer
Netwaste	Manager Engineering Services
Northern Regional Library Representatives	Manager Corporate Services
Outback Arts Incorporated	Economic Development Officer
Outback Regional Tourism Organisation	Tourism Development Officer
Saleyards Advisory Committee	Manager Engineering Services
Shires Association "C" Division	Administrator / General Manager
Shires Association of New South Wales	Administrator
Shires Association Western Division	Administrator / General Manager
Traffic Committee	Manager Engineering Services
Walgett & District Tourism Association	Tourism Development Officer
Walgett Community College Board	Administrator
Walgett Shire Reconciliation Committee	Laurence Walford Danielle Osborne
Weight of Loads Committee	Manager Engineering Services

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007
Item No: 8

Subject: Report on Rates and Charges – 28 February 2007

Author: Katie Hook – Rates Clerk

File No: 180/09/00/00

REPORT ON RATES AND CHARGES - 28 February 2007

	Feb-07	Feb-06
Arrears as at 30 June	1,618,773.48	1,395,484.94
Adjusted Levy	6,154,784.31	5,511,103.76
Interest	60,803.76	49,731.54
Payments	(4,759,961.37)	(4,070,699.93)
Adjustments	(31,156.66)	(94,077.97)
Discount	(59,322.19)	(53,661.41)
Legal Fees	27,952.99	1,192.02
Total Outstanding	\$ <u>3,011,874.32</u>	<u>2,739,072.95</u>

COMPARISON WITH 2006/2007

	Feb-07	Feb-06
Current	1,987,539.69	1,551,711.07
Arrears	649,751.35	827,811.01
Interest	302,957.38	298,834.09
Legals	71,625.90	60,716.78
Total Outstanding	\$ <u>3,011,874.32</u>	<u>2,739,072.95</u>

Total YTD Collected

	Feb-07	Feb-06
Collected YTD % of Arrears and Levy	62%	61%
Collected YTD % of Levy	79%	77%

Recommendation:
That the Report on Rates and Charges as at 28 February 2007 be received.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 9

Subject: Investment Report as at 28 February 2007

Author: Amy Taylor – Customer Service Officer Finance

File No: 180/02/01/00

Summary:

This report summarises the investments of Walgett Shire Council for the month of February 2007.

Comments (including issues and background):

The Investment summary as at 28 February 2007 is as follows:

SHIRE OF WALGETT – AGENDA

INVESTMENTS - CONSOLIDATED

Council investments have been made in accordance with the Local Government Act 1993 No 30, the regulations and council's investment policy

<u>Investment Institution</u>	<u>Type of Investment</u>	<u>Term (days)</u>	<u>Rate %</u>	<u>Ref</u>	<u>Reset Date</u>	<u>Maturity Date</u>		
IMB Ltd	Term Deposit	363	5.91	372/06		06-Mar-07	\$	500,000.00
ACCU (FIIG Securities)	Term Deposit	200	6.53	408/07		06-Mar-07	\$	500,000.00
Bankwest	Term Deposit	203	6.40	410/07		13-Mar-07	\$	500,000.00
Bankwest	Term Deposit	203	6.43	411/07		20-Mar-07	\$	300,000.00
Suncorp	Term Deposit	203	6.38	412/07		27-Mar-07	\$	500,000.00
National	Term Deposit	202	6.19	413/07		03-Apr-07	\$	500,000.00
Citibank	Term Deposit	209	6.37	414/07		10-Apr-07	\$	500,000.00
IMB Ltd	Term Deposit	203	6.36	417/07		17-Apr-07	\$	300,000.00
Savings & Loans Credit Union	Term Deposit	195	6.43	418/07		24-Apr-07	\$	500,000.00
Local Govt Financial Services	Term Deposit	196	6.45	419/07		01-May-07	\$	500,000.00
Westpac	Term Deposit	188	6.14	420/07		08-May-07	\$	500,000.00
Bank of Qld	Term Deposit	147	6.51	421/07		15-May-07	\$	500,000.00
CBA	Term Deposit	87	7.50	422/07		16-Mar-07	\$	500,000.00
Royal Bank Canada	Term Deposit	88	7.70	423/07		16-Mar-07	\$	500,000.00
National	Term Deposit	90	6.21	424/07		02-Apr-07	\$	300,000.00
Savings & Loans Credit Union	Term Deposit	131	6.61	425/07		22-May-07	\$	250,000.00
Bankwest	Term Deposit	126	6.63	426/07		29-May-07	\$	300,000.00
Bank of Qld	Term Deposit	126	6.47	427/07		05-Jun-07	\$	250,000.00
Citibank	Term Deposit	133	6.45	428/07		19-Jun-07	\$	500,000.00
Cimminvest (FIIG Securities)	Term Deposit	182	6.40	429/07		14-Aug-07	\$	500,000.00
Citibank	Term Deposit	126	6.43	430/07		26-Jun-07	\$	300,000.00
Savings & Loans Credit Union (FIIG Securities)	Term Deposit	126	6.51	431/07		03-Jul-07	\$	500,000.00
								<u>\$ 9,500,000.00</u>

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 10

Subject: Monthly Management Report to 28 February 2007

Author: Emma Darcy – Acting Manager Corporate Services

File No: 145/04/27/00

Summary:

This report is prepared to report on the operational performance against adopted estimates for the period ending 28 February 2007.

Comments (including issues and background):

The report analyses the financial performance of Council for the period ending 28 February 2007 comparing actual expenditure and revenue against the budget. The Council's position at this time is within budgetary expectations with a surplus of \$2,405,375 compared to a budgeted \$147,916.

General Budgetary Position

This review analyses the financial performance of the Council for the period ending 28 February 2007, comparing actual expenditure and revenue against the budget. Council's budgetary position for the period ending 28 February 2007 is financially sound. The Budgeted surplus was \$147,916 and at the end of February the surplus based on actual's was \$2,405,375.

The results for the period are summarised as follows:

SHIRE OF WALGETT – AGENDA

	Original Budget	Revised Budget	Actual Expenditure	% of Budget	
<u>Corporate Services</u>					
Income					
River Towns	131,000	131,000	-	14,154	-11%
Corporate Services	26,000	26,000		14,465	56%
Human Resources	-	-		7,134	
Tourism	20,000	20,000		17,228	86%
Agencies	41,500	41,500		37,057	89%
Finance	18,000	244,000		412,708	169%
Rates General	3,868,381	3,868,381		3,862,392	100%
Untied Grants	2,274,000	2,308,763		1,707,552	74%
Capital utilisation	457,000	527,000		394,275	75%
Revenue	9,500	9,500		37,555	395%
Indirect Labour Costs	-	-		29,862	
Total Income	6,845,381	7,176,144		6,506,074	
Expenditure					
Members & Civic	346,000	256,500		154,094	60%
Executive	367,329	367,329		174,243	47%
River Towns	131,000	131,000		9,501	7%
Corporate Services	437,300	462,300		291,133	63%
Human Resources	303,565	303,565		233,800	77%
Tourism	306,098	306,098		217,698	71%
Executive Services	266,500	266,500		174,438	65%
Agencies	163,000	163,000		110,075	68%
Risk Management	353,122	353,122		325,175	92%
Finance	280,503	243,503		124,822	51%
Bank Charges	8,000	8,000		4,016	50%
Capital Utilisation	17,480	17,480		10,155	58%
Information technology	273,143	327,143		226,840	69%
Creditors	50,000	50,000		29,704	59%
Revenue	256,361	291,361		277,872	95%
Payroll	59,578	59,578		36,779	62%
Indirect Labour Costs	-	-	-	314,927.00	
Total Expenditure	3,618,979	3,606,479		2,085,418	
Operating Result	3,226,402	3,569,665		4,420,656	

SHIRE OF WALGETT – AGENDA

Community Services

Income

Community Services	45,500	45,500	-	0%
Youth Services	39,500	39,500	4,856	12%
Vacation Care	18,600	18,600	215	1%
Family Day Care	106,000	106,000	40,986	39%
Library Services	42,500	42,500	1,478	3%
Total Income	252,100	252,100	47,535	

Expenditure

Community Services	117,637	152,637	104,606	69%
Youth Services	173,228	173,228	80,052	46%
Vacation Care	27,960	27,960	26,727	96%
Family Day Care	106,000	106,000	67,427	64%
Library Services	194,617	194,617	198,710	102%
Total Expenditure	619,442	654,442	477,522	
Operating Result	- 367,342	- 402,342	- 429,987	

Planning & Regulation

Income

Planning/Building	56,700	56,700	47,971	85%
Environmental Health	850	850	2,080	245%
Animal Control/Regulatory	3,300	3,300	2,471	75%
Rural Addressing	118,000	-	-	
Total Income	178,850	60,850	52,522	

Expenditure

Pesticide Pit Remediation	10,000	10,000	-	0%
Environmental Health	5,500	5,500	3,568	65%
Noxious Plants	122,810	122,810	72,931	59%
Animal Control/Regulatory	109,300	109,300	63,992	59%
Manager Planning & Regulation	616,500	527,000	308,177	58%
Total Expenditure	864,110	774,610	448,668	
Operating Result	- 685,260	- 713,760	- 396,146	

SHIRE OF WALGETT – AGENDA

Emergency Services

Income

Fire Services	46,000	46,000	76,199	166%
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Expenditure

Fire Services	148,005	148,005	116,329	79%
SES	65,400	65,400	15,955	24%
Total Expenditure	213,405	213,405	132,284	
Operating Result	- 167,405	- 167,405	- 56,085	

Engineering Administration

Income

Manager Engineering	68,000	68,000	60,967	90%
Public Halls	14,084	14,084	8,411	60%
Plant Operations	1,913,000	1,913,000	1,330,270	70%
Council Properties	327,000	327,000	57,564	18%
Council Reserves	27,050	27,050	16,714	62%
Total Income	2,349,134	2,349,134	1,473,926	

Expenditure

Manager Engineering	466,667	466,667	377,497	81%
Private Works	26,000	26,000	35,175	135%
Plant Running Expenses	859,000	919,000	640,283	70%
Properties Maintenance	745,000	765,000	470,158	61%
Motor Vehicles/Plant/Equipment	541,000	541,000	270,500	50%
Total Expenditure	2,637,667	2,717,667	1,793,613	
Operating Result	- 288,533	- 368,533	- 319,687	

Roads & Bridges

Revenue

Roads & Bridges	5,895,813	5,914,259	4,457,505	75%
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Expenditure

Urban Roads	500,000	500,000	484,450	97%
Rural Roads	1,818,813	1,818,813	1,294,039	71%
Regional Roads	1,524,000	1,524,000	788,670	52%
Gravel Pit Restoration	-	50,000	47,577	95%
State Highways	1,500,000	1,500,000	2,277,856	152%
Total Expenditure	5,342,813	5,392,813	4,892,592	
Operating Result	553,000	521,446	- 435,087	

SHIRE OF WALGETT – AGENDA

Recreation & Community Assets

Revenue

Natural Disaster Mitigation program	100,000	100,000	-	0%
Aerodromes	18,000	18,000	159,616	887%
Cemeteries	22,000	22,000	25,461	116%
Total Income	140,000	140,000	185,077	

Expenditure

Recreation & Community Assets	1,952,000	2,027,000	1,326,885	65%
Depots Operations	247,404	247,404	166,961	67%
Capital Projects	-	-	-	
Total Expenditure	2,199,404	2,274,404	1,493,846	

Operating Result	- 2,059,404	- 2,134,404	- 1,308,769	
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Domestic Waste Management

Revenue

DWM	751,687	751,687	725,729	97%
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Expenditure

DWM	693,950	693,950	483,536	70%
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Operating Result	57,737	57,737	242,193	
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Water Supplies

Revenue

Walgett Water	503,962	503,962	596,350	118%
Lightning Ridge Water	441,920	441,920	436,687	99%
Collarenebri Water	156,100	156,100	159,054	102%
Rowena Water	3,840	3,840	-	0%
Carinda Water	13,706	13,706	-	0%
Total Income	1,119,528	1,119,528	1,192,091	

Expenditure

Walgett Water	597,553	563,053	379,120	67%
Walgett Water Capital Projects	25,000	25,000	-	0%
Lightning Ridge Water	335,190	335,190	182,515	54%
Lightning Ridge Water Capital Projects	3,000	3,000	-	0%
Collarenebri Water	246,031	246,031	137,271	56%
Collarenebri Water Capital Projects	500	500	-	0%
Rowena Water	-	17,050	11,601	68%
Carinda Water	-	23,950	11,708	49%
Cumborah Water	-	27,800	204	1%
Village Water	33,800	-	-	
Village Water Capital Projects	500	-	-	
Total Expenditure	1,241,574	1,241,574	722,419	

Operating Result	- 122,046	- 122,046	469,672	
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SHIRE OF WALGETT – AGENDA

Sewerage Supplies

Revenue

Walgett Sewer	257,639	257,639	262,962	102%
Lightning Ridge Sewer	246,039	246,039	228,439	93%
Collarenebri Sewer	72,772	72,772	74,137	102%
Total Income	<u>576,450</u>	<u>576,450</u>	<u>565,538</u>	

Expenditure

Walgett Sewer	383,555	384,055	202,021	53%
Walgett Sewer Capital Projects	500	-	-	
Lightning Ridge Sewer	220,337	222,337	124,008	56%
Lightning Ridge Sewer Capital Projects	2,000	-	-	
Collarenebri Sewer	62,000	62,500	20,894	33%
Collarenebri Sewer Capital Projects	500	-	-	
Total Expenditure	<u>668,892</u>	<u>668,892</u>	<u>346,923</u>	
Operating Result	<u>- 92,442</u>	<u>- 92,442</u>	<u>218,615</u>	

Net Result

Total Income	18,154,943	18,386,152	15,282,196
Total Expenditure	18,100,236	18,238,236	12,876,821
Net Result	<u>\$ 54,707</u>	<u>\$ 147,916</u>	<u>\$ 2,405,375</u>

Relevant Reference Documents:

- Management Review Report - 28 February 2007
- Walgett Shire Council Management Plan 2006-07

Stakeholders:

- Walgett Shire Council

Financial Implications:

Overall, the results of the monthly review indicate that the financial position of Council is satisfactory and continues to operate within budgetary constraints.

Recommendations:

That Council note the Management Report for the period ending 28 February 2007.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 11

Subject: Department of Community Services – Service Agreement 2006/2007

Author: Emma Darcy – Manager Corporate Services

File No: 003/01/01/05

Summary:

This report recommends that Council approves the Administrator and General Manager to sign, under seal, a service agreement with the Minister for Community Services, for and on behalf of the State of New South Wales, acting through the Department of Community Services and Walgett Shire Council for renewable funding grants for 2006/2007, provided for Community Development, Youth Services and Children's Services.

Comments (including issues and background):

The State, acting through Department of Community Services, enters into Agreements to support the provision of social and community services,

This service agreement relates to renewable funding for the following projects:-

COMMUNITY DEVELOPMENT OFFICER	\$35,876.00
YOUTH DEVELOPMENT OFFICER	\$42,154.00
VACATION CARE (Collarenebri, Grawin, Lightning Ridge)	<u>\$13,902.00</u>
TOTAL	\$91,932.00

Relevant Reference Documents:

- Department of Community Services – Service Agreement 2006/2007

Stakeholders:

- Walgett Shire Council
- Department of Community Services
- Walgett Shire Community

Financial Implications:

In order to continue to provide services to the community it is imperative that Council takes every opportunity to avail itself of funds on offer and where possible seek additional assistance.

Recommendation:

That Council approves the Administrator and General Manager to sign, under seal, a service agreement with the Minister for Community Services for renewable funding grants for 2006/2007 as follows:-

COMMUNITY DEVELOPMENT OFFICER	\$35,876.00
YOUTH DEVELOPMENT OFFICER	\$42,154.00
VACATION CARE (Collarenebri, Grawin, Lightning Ridge)	<u>\$13,902.00</u>
TOTAL	<u>\$91,932.00</u>

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 12

Subject: Re-Categorisation of Land – Assessment 5705

Author: Katie Hook – Rates Clerk

File No: Ass 5705

Summary:

This report recommends that Council does not approve a request to alter a mining claim from a rateable category of Mining to Non Urban Residential.

Comments (including issues and background):

Walgett Shire Council has received correspondence from the rateable person in relation to Assessment 5705 requesting a change of category under which this property is rated.

The rateable person believes that the category of “Mining” does not accurately reflect the use of the land due to the fact that the land has not been used for mining but is purely residential.

The rateable person is therefore requesting a change of category from “Mining” to “Non Urban Residential”.

The Local Government Act 1993 section 525 states:

- (1) *A rateable person (or the person’s agent) may apply to the council at any time:*
 - a) *for a review of a declaration that the person’s rateable land is within a particular category for the purposes of section 514, or*
 - b) *to have the person’s rateable land declared to be within a particular category for the purposes of that section.*
- (2) *An application must be in the approved form, must include a description of the land concerned and must nominate the category the applicant considers the land should be within.*
- (3) *Council must declare the land to be within the category nominated in the application unless it has reasonable grounds for believing that the land is not within that category.*

SHIRE OF WALGETT – AGENDA

- (4) *If the council has reasonable grounds for believing that the land is not within the nominated category, it may notify the applicant of any further information it requires in order to be satisfied that the land is within that category. After considering any such information, the council must declare the category for the land.*
- (5) *The council must notify the applicant of its decision. The council must include the reason for its decision if it declare that the land is not within the category nominated in the application.*
- (6) *If the council has not notified the applicant of its decision within 40 days after the application is made to it, the council is taken, at the end of 40-day period, to have declared the land to be within its existing category.*

There are four categories into which land can be declared for rateable purposes.

These are:

- 1 Farmland
- 2 Residential
- 3 Mining
- 4 Business

The land in question (Assessment 5705 – Mineral Claim MC53297R) is a mineral claim with residential status.

As Assessment 5705 is a mineral claim and this land and other mineral claims within the Walgett Shire area have been categorised as “Mining” Council would not be able to re categorise the land.

Relevant Reference Documents:

- Local Government Act 1993 – Section 525, paragraphs 1 – 6.
- Local Government Act 1993 – Section 514.
- Letter of request from rateable person – Assessment 5705

Stakeholders:

- Walgett Shire Council
- Rateable person for assessment 5705

Financial Implications:

Ordinary Rates for the 2006/2007 rating year:-

Mining -	6.129c in the \$ with minimum rate of \$143.00
Non Urban Residential –	0.925c in the \$ with minimum rate of \$140.00

Recommendation:

That Council declines the request from Assessment 5705 to alter the category for rateable land on Mineral Claim 53297R from Mining to Non Urban Residential, on the basis that a mineral claim granted under the *Mining Act 1992* is a land title granted for the purpose of mining.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 13

Subject: CTC @ Lightning Ridge – Update of Financial Crisis

Author: Emma Darcy – Manager Corporate Services

File No: 180/08/00/00

Summary:

At the February 2007 Council meeting it was resolved to defer a decision on whether Council is committed to continue with financial support for the CTC @ Lightning Ridge.

This report recommends to further defer any recommendation for support.

Comments (including issues and background):

At the Council meeting held on 20 February 2007 it was resolved:

1. *That Council recognise that CTC @ Lightning Ridge cannot retain its present status as a stand alone centre.*
2. *That Council defer a decision on committing to financial support for the CTC @ Lightning Ridge to the March meeting to allow further investigation into options that may be available for information technology service provision in Lightning Ridge.*
3. *That Council liaise with Office of Rural Affairs to endeavour to seek options for funding.*

Following this meeting, Council staff met with Fran Shonberg, Manager, Office of Rural Affairs. The Office of Rural Affairs and the CTC Association support CTC Centres to identify and access funding to deliver the services and activities that the community decide they need and provide access to existing programs offered by the Association.

The Department of Rural Affairs were investigating options to ensure that the Centre becomes self sustainable. Some of the options discussed were:

- Relocating the Centre within an existing community service centre.
- Assessing existing services provided by the Centre and identifying service gaps in the community.
- Providing services offered in a CTC Centre as revenue generating that may be a feasible option for the CTC @ Lightning Ridge
- Identifying grants that are available for the CTC Centre to apply for.

SHIRE OF WALGETT – AGENDA

Ms Shonberg met with the Manager of the CTC@ Lightning Ridge to discuss the above options. Her meeting was followed with a meeting between Council, members of CTC@ Lightning Ridge, Facilitator River Towns Lightning Ridge and members of various community organisations in Lightning Ridge.

At the time of writing this report the committee had not made any formal decisions on the direction of the CTC @ Lightning Ridge. Council will require them to identify services, programs and the role the centre has within the community before Council is in a position to recommend any type of support.

Relevant Reference Documents:

- Letter dated Feb 07 received from CTC @ Lightning Ridge.
- Walgett Shire Council Minutes Meeting 20 February 2007.

Stakeholders:

- Walgett Shire Council
- CTC @ Lightning Ridge
- Lightning Ridge Residents and Tourists

Financial Implications:

Nil

Recommendation:

That Council formally notify Committee of CTC @ Lightning Ridge in writing that Walgett Shire Council is not in a position to offer support to the Centre until they can identify services, programs and the role of the centre within the community.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 14

Subject: Rates Review – Effective Date for Corrections to Assessments

Author: Emma Darcy – Manager Corporate Services

File No: 180/09/00/00

Summary:

An ongoing rates review has been conducted by Ingle and Associates. During this review a number of assessments have been identified as being incorrectly rated and it is necessary to establish an effective date to correct the classification.

Comments (including issues and background):

A rates review is currently being conducted by Ingle and Associates. During this review a number of properties have been identified as being incorrectly rated.

In some instances where assessments have been identified as being incorrectly rated errors have been detected such as:

1. Two houses are on one property. Only one house has been rated.
2. Properties have been incorrectly classified as non rateable.

In order to adjust the relevant assessments an effective date for correct classification is required. There are two options available to Council:

1. Back date assessments from effective date of the assessment.
2. Correctly rate the relevant assessments effective from 8 February 2007. Errors were identified up to 8 February 2007.

Relevant Reference Documents:

- Various Assessments

Stakeholders:

- Walgett Shire Council
- Various Walgett Shire Ratepayers

Financial Implications:

Additional rates revenue of \$16,331.95 will be raised for the period from 8 February 2007 to 30 June 2007.

Recommendation:

That the effective date for correct classification of assessments identified as being erroneous be adjusted effective from 8 February 2007 as listed below:

Assessment Number	Levy Outstanding	Assessment Number	Levy Outstanding	Assessment Number	Levy Outstanding
11	372.45	3068	372.45	3321	67.64
160	372.45	3070	372.45	3392	67.64
167	372.45	3074	513.49	3518	67.64
521	372.45	3075	513.49	3534	67.64
522	372.45	3099	513.49	3576	67.64
548	619.70	3100	513.49	3658	67.64
1033	394.39	3107	161.86	3784	67.64
1044	394.39	3116	535.43	3901	67.64
1095	407.32	3121	394.39	4002	67.64
1692	346.99	3126	394.39	4036	67.64
2479	29.65	3128	394.39	4351	83.66
3054	372.45	3137	125.24	4948	120.34
3055	372.45	3150	488.03	5346	66.47
3056	372.45	3154	346.99	5354	372.45
3059	372.45	3172	66.47	5372	372.45
3060	372.45	3177	136.99	5610	66.47
3063	372.45	3198	66.47	5619	372.45
3064	372.45	3199	66.47	5620	372.45
3066	372.45	3200	66.47	5667	372.45
3067	372.45	3201	66.47		
Sub Total	7,347.44	Sub Total	6,108.92	Sub Total	2,875.59
				Total	16,331.95

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 15

Subject: Sale of Land for Unpaid Rates

Author: Heidi Webb – Customer Service Officer Finance

File No: 025/05/01/77

Summary:

This report seeks Council's approval for land detailed below to be submitted for sale by Public Auction on Saturday, 10 November 2007, commencing at 10.00 am in the Walgett Shire Council Chambers:-

- Lot 5 Sec 13 DP 758227- Oliver Street Carinda
- Lots 34 and 35 DP 238593- Narran Street Collarenebri
- Lot 2 DP 839372- Neilly Street Walgett
- Lot B DP 323205- 42 Peel Street Walgett
- Lot 4 DP 236733- 95 Dewhurst St Walgett

Comments (including issues and background):

Council resolved at its meeting held on Tuesday, 20 February 2007 to accept the abovementioned parcels of land and that they be sold at public auction scheduled to be held on Saturday, 5 May 2007.

Under Section 715 (1) of the *Local Government Act 1993* before selling land under this Division, the Council must:-

- (a) fix a convenient time (being no more than six months and not less than three months from the publication in a newspaper of the advertisement referred to in paragraph (b)) and a convenient place for the sale, and
- (b) give notice of the proposed sale by means of advertisement published in the Gazette and in at least one newspaper.

Council resolved to accept the land for sale and advertise in accordance with the *Local Government Act*, however this does not meet the specified time frame and comply with Section 715 of the *Local Government Act 1993*.

Therefore the abovementioned properties will not be submitted for sale by public auction on Saturday, 5 May 2007, however a separate auction will be scheduled.

As part of the intensive debt recovery process currently being undertaken by Council it is anticipated that there will be additional properties to those listed in this report that will be eligible to be accepted for sale by public auction.

Relevant Reference Documents:

- Section 713, Local Government Act 1993
- Section 716, Local Government Act 1993
- Section 715, Local Government Act 1993
- Property/ Assessment file 913 / 497 / 512 / 126 / 5352

Stakeholders:

- Walgett Shire Council

Financial Implications:

Sale of land for overdue rates effectively reduces the amount of rates and charges outstanding to Council, with any remaining balance of sale proceeds being returned to the owner.

RECISION MOTION

That Resolution 07/07 *Sale of Land for Unpaid Rates* (as reprinted below) resolved at the Council Meeting held on 20 February 2007 be rescinded due to the inadequate timeframe for the public sale.

07/07 – Sale of Land for Unpaid Rates

RESOLUTION: -

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

1. The following parcels of land be accepted for sale by public auction:
 - (a) Lot 5 Sec 13 DP 758227- Oliver Street Carinda
 - (b) Lots 34 and 35 DP 238593 – Narran Street Collarenebri
 - (c) Lot 2 DP 839372 – Neilly Street Walgett
 - (d) Lot B DP 323205 – 42 Peel Street Walgett
 - (e) Lot 4 DP 236733 – 95 Dewhurst Street Walgett
2. The land detailed be submitted for sale at public auction on Saturday, 5 May 2007 at 10.00am in the Council Chambers, 77 Fox Street Walgett 2832.
3. The proposed sale be published in the Government gazette and in a local newspaper.
4. That each person ascertained as having an interest in the land be notified of Council's intention to sell the land under Section 713 of the Local Government Act, 1993.
5. That the auction sale be conducted by a licensed auctioneer and should any lot be unsold at auction then any unsold lots be listed for sale by private treaty.
6. That the reserve price for each lot be set at the valuation determined by a Registered Valuer.

Carried.

Recommendations:

1. That this recommendation replace Resolution 07/07 *Sale of Land for Unpaid Rates* resolved at the Council Meeting held on 20 February 2007.
2. That the following parcels of land be accepted for sale by public auction:
 - (a) Lot 5 Sec 13 DP 758227- Oliver Street Carinda
 - (b) Lots 34 and 35 DP 238593 – Narran Street Collarenebri
 - (c) Lot 2 DP 839372 – Neilly Street Walgett
 - (d) Lot B DP 323205 – 42 Peel Street Walgett
 - (e) Lot 4 DP 236733 – 95 Dewhurst Street Walgett
3. The land detailed be submitted for sale at public auction on Saturday, 10 November 2007 at 10.00am in the Walgett Shire Council Chambers, 77 Fox Street Walgett 2832.
4. The proposed sale be published in the Government gazette and in a local newspaper in accordance with Section 715, (1a) and (1b) of the *Local Government Act 1993*.
5. That each person ascertained as having an interest in the land be notified of Council's intention to sell the land under Section 715 paragraphs (1c) and (1d) of the *Local Government Act, 1993*.
6. That the auction sale be conducted by a licensed auctioneer and should any lot be unsold at auction then the unsold lot/s be listed for sale by private treaty in accordance with Section 716 paragraphs (1) and (2) of the *Local Government Act 1993*.
7. That the reserve price for each lot be set at the valuation determined by a Registered Valuer.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 16

Subject: Walgett Shire Tourism Logo

Author: Emma Darcy – Manager Corporate Services

File No: 120/03/01/00

Summary:

This report provides an update regarding a proposed Walgett Shire Tourism Logo as resolved at Council Meeting held 15 December 2005.

Comments (including issues and background):

Council resolved at its meeting held on 15 December 2005 to engage the services of High End Design for the development of a tourism brand for the Walgett Shire.

Walgett Shire Council had been investigating the possibility of producing a tourism brand for Walgett Shire and it was anticipated that High End Design would develop four concepts to assist the community to identify a suitable logo to be used for Tourism related matters.

As Council has recently redirected its focus to addressing other tourism matters including, the aesthetic appearance throughout our Shire and identifying other projects that require implementation, there has been no further work carried out on the proposed Walgett Shire Tourism Logo project.

Relevant Reference Documents:

- Council Resolution 334/05 from Council's Meeting held 15 December 2005

Stakeholders:

- Walgett Shire Council
- Walgett Shire Community

Financial Implications:

Following Council's Resolution 334/05, the cost of High End Design's initial work in developing logo proposals was \$3256.00 and allowed for in Council's Budget.

Recommendation:

That Council note the development of a tourism brand for the Walgett Shire has been suspended to allow an increased focus on the aesthetic appearance throughout the Shire.

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 17

Subject: Window Bar Replacement

Author: John Nolan – Economic Development Officer

File No: 140/01/04/00

Summary:

This report provides information in relation to an expression of interest to replace window bars on two properties within the Walgett Shire Central Business District (CBD).

Comments (including issues and background):

In August 2006 Council sought expressions of interest for window bar replacement from business owners in the Walgett CBD. Two submissions were received with both owners willing to explore the options available to remove existing bars and replace them with more attractive options such as shutters or protective mesh.

A meeting with all business owners will be held within the next six (6) weeks to determine a suitable bar replacement program with the interested parties to identify an aesthetically appealing product that will enhance the appearance of the main street.

Council will be seeking grant funding to support this program. A meeting has been scheduled with the Department of State and Regional Development to discuss a Bar Replacement Program and funding available.

Further funding will be explored through National Community Crime Prevention Programme and all other development programmes.

This program will be explored as a Shire wide project.

Relevant Reference Documents:

- Expressions of interest received from Major Look and Walgett Newsagency

Stakeholders:

- Walgett Shire Council
- Major Look
- Walgett Newsagency

Financial Implications:

Nil at this stage. Grant funding availability to be determined following a meeting with the Department of State and Regional Development and National Community Crime Prevention Programme.

Recommendations:

That Council:-

- 1. Note that a Window Bar Replacement Program including seeking funding for the Walgett Shire is currently being investigated.**
- 2. Consider a commitment of \$35,000 towards the Main Street Program for 2007/2008.**

MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 18

Subject: Walgett Shire Community Services Report

Author: Gai Richardson – Community Liaison Officer

File No: 003/05/01/00

Summary:

This report includes a summary of activities for the past three (3) months for Council's Community Service Sector.

Comments (including issues and background):

LIBRARIES

Council is currently paying an annual contribution for library services provided by Northern Regional Library. Northern Regional Library is managed by Moree Plains Shire Council and a committee of member Council representatives. Walgett Shire Council meets all Walgett Shire staff, building maintenance and other relevant costs.

A draft Northern Regional Library Agreement was forwarded to Walgett Shire Council and was referred to Council's legal representatives, Booth Brown Samuels and Olney, with concerns expressed about Council's ability to withdraw from the Agreement, Council receiving its fair share of services during the course of the Agreement and the capacity under the Agreement to take action to ensure the delivery of that level of services.

Walgett Shire Council is currently reviewing its library service provision and is undertaking extensive investigation of the level of services received from Northern Regional Library compared to total contribution. Only one book exchange has occurred since October, 2006. New furniture and other equipment have been received for both Walgett and Lightning Ridge Libraries.

Lightning Ridge continues to be the second largest library service in the Northern Regional Library Area. Activities and displays there have included Waste to Art, Chinese New Year, and Story Time for young children.

Walgett Library has the Waste to Art Display planned for late March 2007. A Book Club was launched on 2 March 2007 with 14 members participating and will continue to meet once per month. 'Literature and Lollies' were promoted in February and March. The Walgett library is currently being operated by casual staff as the library officer has been seconded to work in the Council offices until April.

SHIRE OF WALGETT – AGENDA

Walgett Library staff arranged for books to be exchanged with the two deposit stations in February. Positive feed back has been received from the communities where the deposit stations have been established in Burren Junction and Carinda.

YOUTH

Youth Centres

Three youth centres operating in Collarenebri, Lightning Ridge and Walgett are offering structured programs and activities for school aged children.

The three centres appear to be adequately staffed at the time of this report with two new casual employees at Walgett and one new casual employee in Lightning Ridge.

All centres have received computer tables and chairs and are waiting on computers to be installed at each site. Basic computer activities will then be included in the planned activities.

Lightning Ridge Centre suffered a break and enter with extensive vandalism and was subsequently closed for 2 weeks in December, 2006. Barriekneal Housing Corporation were then approached by the Youth Development Officer for support and have agreed to provide two air conditioners, yard maintenance, painting of the interior and a general clean up of the facility.

Council is still waiting on notification of a successful outcome from a submission to the Department of Transport and Regional Services to upgrade the Walgett Youth Centre.

Collarenebri Youth Centre is operating smoothly in the Collarenebri Town Hall.

Events/Activities:

Calendar Launch –A 2007 calendar was produced which promoted a ‘Happy Families are Best’ message and campaigning against domestic and family violence. The calendar featured paintings for each month created by the children at the Walgett Youth Centre. It was launched at the Youth Centre Christmas Party which was attended by youth centre staff, other service providers, about 70 children, and Santa Claus who provided a small gift for each child. The calendar has been well distributed throughout the community. This project was made possible with support from Walgett Barwon Cottage.

Harmony Day – Over 260 children from across the Shire participated in Youth Harmony Day promoting anti racism at the Walgett Olympic Memorial Pool. Support and funding for this very successful day was sourced from government departments and service providers and the day included Aboriginal dance presentations and workshops, a disco, PCYC and Sport and Recreation activities, face painting, food and drinks.

PCYC – Council continue to support PCYC when their activities are held in Walgett. A ‘Sun Smart Day’ held in February at the Walgett Olympic Memorial Pool in conjunction with the Walgett Aboriginal Medical Service and PCYC was well attended by children in the community.

SHIRE OF WALGETT – AGENDA

It has been noted at Interagency meetings that youth related crime statistics have recently fallen in Walgett, especially during the time when PCYC activities are conducted.

Department of Sport and Recreation activities- Council youth workers also work with the Sport and Recreation Officer providing sporting activities and training for youth.

Kids Earth Fund – Council supported this initiative at the Carinda Primary School. Paintings done by children in selected rural and remote primary schools in New South Wales and Peru featuring threatened species from each area were made into wall hangings and presentations were then made at the schools in both countries by Kids Earth Fund representatives.

Murdi Paaki Youth Activities – Children from Collarenebri Vacation Care joined with Murdi Paaki staff for planned activities over the Christmas holidays. These days were well attended by children in Collarenebri

Vacation Care – Activities occurred at Collarenebri and Lightning Ridge Youth Centres over the Christmas holidays. Grawin Vacation Care does not operate in the January holidays due to most children being away and the excessive heat. Walgett Vacation Care is conducted by the Walgett Aboriginal Medical Service at the Walgett Youth Centre.

Drug and Alcohol Awareness Week – Activities are planned for Lightning Ridge, including a Youth Summit with children from Walgett and Collarenebri attending from which it is planned that a Youth Council will be formed offering the youth of the Shire a voice in matters concerning them.

Youth Week – Activities, including Blue Light Dance parties, fishing, yabbing competitions, are planned for the three Youth Centres. Gardens are planned at the Walgett and Lightning Ridge Youth Centres with planting activities to be conducted during Youth Week.

Triple OOO Days will commence at all youth centres, with Emergency Service Providers in each town agreeing to visit the Youth Centres.

Raw Dance (an interactive Dance Company) will perform in Collarenebri, Lightning Ridge and Walgett. This is made possible with support from the relevant schools and the Walgett/Collarenebri Community Facilitator.

Painting Programs and Murals – The Ella Nagy sign on the Lightning Ridge Youth Centre is to be painted by the Lightning Ridge Youth Centre children.

Murals are to be painted on the dwarf retaining wall outside the Walgett Information Centre and the Council Chambers by the Walgett Youth Centre Children

Youth Off the Streets – Negotiations are still occurring between Council and representatives from Youth off the Streets regarding their proposal to establish service provision in Walgett for youth.

FAMILY DAY CARE

The FDC Co-ordinator is actively seeking new carers to expand the service. An alternative type of care is also now able to be offered, with the carer providing care in the child's home, similar to a nanny system. The home does not then need to meet the Standards as set by the Department of Community Services for Carer's homes. Interest has been shown for this type of care as it is often very expensive and difficult for some potential Carers, who live in older homes, to bring their homes up to meet the Standards. Carers going into the child's home works very well in other rural and remote locations in Western N.S.W. A new worker at Collarenebri was interviewed this month, the home assessed and will be commencing in the near future.

A mentor, arranged by the N.S.W. Family Day Care Organisation has recently visited to offer guidance with Administration, Quality Assurance, Marketing and Promotion with very positive results. Accreditation is due in July 2007.

Playgroup activities occur weekly and is open to all families with children aged 0-12 years who live in the Shire. Activities planned for Easter include a gathering of families involved with Easter Egg Hunts and Easter Hat Parade.

CRIME PREVENTION COMMITTEE

Meetings are ongoing with relevant community members to update the Crime Prevention Plan.

M.A.D. (Music, Art and Drama) Project

Funding was received by the Walgett Crime Prevention Committee from the Crime Prevention Division of the Attorney General's Department for this project which was to focus on the prevention of Drug and Alcohol abuse and working with the youth in Walgett. The final launch of this project occurred on 21st December at the Walgett Olympic Memorial Pool. The committee have since received a draft DVD and CD of the presentation with a request for comments. It was noted that KEZANG had made copyright over the production. The funding body had previously advised that all resources produced belong to the Crime Prevention Committee and therefore the Walgett community.

Relevant Reference Documents:

Nil

Stakeholders:

- Walgett Shire Council
- Walgett Shire residents

Financial Implications:

Nil

Recommendation:

That Council receive and note the Community Liaison Officer's Report

MANAGER PLANNING AND REGULATIONS REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 19

Subject: Development and Complying Development Certificate Applications

Author: Matthew Goodwin - Manager Planning and Regulation

File No: 315/01/00/00

Summary:

This report provides a summary of the Development and Complying Development Certificate applications recently dealt with by the Manager Planning and Regulation and General Manager under delegated authority.

Comments (including issues and background):

The following tables provides details of Development Applications (DA) and Complying Development Certificate (CDC) applications dealt with under delegated authority by the Manager Planning and Regulation and General Manager during February 2007.

D.A.	DEVELOPMENT	LAND (lot/sec/DP)	ZONING	LOCATION	DECISION	DATE
Nil						

C.D.C.	DEVELOPMENT	LAND (lot/sec/DP)	ZONING	LOCATION	DECISION	DATE
2007007	Construct new dwelling	6/16/758262	2. Village	Collarenebri	Approved	27-Feb-2007
2007008	Construct new dwelling	4/16/758262	2. Village	Collarenebri	Approved	27-Feb-2007

Relevant Reference Documents:

- Respective Development Application and Complying Development Certificate files.

Stakeholders:

- Public and applicants

Financial Implications:

Nil

Recommendation:

That Walgett Shire Council resolve to note the Development and Complying Development Certificate applications dealt with under delegated authority by the Manager Planning and Regulation and General Manager during February 2007.

MANAGER PLANNING AND REGULATIONS REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 20

Subject: Walgett Local Environmental Plan 2006 – Classification of Public Land

Author: Matthew Goodwin - Manager Planning and Regulation

File No: 315/01/02/00 and 005/02/09/00

Summary:

On 16 February 2007 the “Walgett Local Environmental Plan 2006—Classification and Reclassification of Public Land” was gazetted. This report recommends that Council now take action to dispose of certain lots and address administrative issues associated with other lots.

Comments (including issues and background):

At a Council meeting held on 22 June 2006 Walgett Shire Council resolved to adopt the draft “Walgett Local Environmental Plan 2006 – Classification of Public Land” (LEP). After referring the plan to the Department of Planning, it was reviewed and amended slightly by the Parliamentary Counsel. The most notable amendment was that any lots not being reclassified were deleted. The Parliamentary Counsel’s office deemed that it was unnecessary to list these lots and the affect of the gazetted LEP does not differ significantly from that of the draft plan adopted by Council.

On 16 February 2007 the “Walgett Local Environmental Plan 2006—Classification and Reclassification of Public Land” (LEP) was gazetted. The most significant effect of the LEP was to reclassify 256 lots of freehold land owned by Walgett Shire Council from “community” land to “operational” land under the Local Government Act 1993. In the form that the LEP was written, it also had the effect of extinguishing any easements, reserves, covenants and restrictions over the respective lots.

As part of the LEP development process the public was informed of the proposed uses for the lots that were being reclassified. Public exhibition of the draft LEP occurred from 20 February to 20 March 2006, while a public hearing was held on 24 April 2006.

The recommended resolution has been separated into sections based on what action is appropriate for the respective lots, as follows:

1. **Public sale** – Lots listed in this section are surplus to Council’s foreseeable operational needs, or were established by Council with the intent that they would be sold.
2. **Private sale** – Lots listed in this section were previously the subject of written offers from Council to sell the land to various parties. These offers were made at a time when the land was actually classified as community land under the Local Government Act 1993 and it would have been a breach of that Act to proceed with any sale prior to the land being reclassified as operational.

3. **Surrender to the Crown** – Lots listed in this section are located on rural land outside existing urban zones. They have negligible value, and are unlikely to be required for any public or private development in the foreseeable future. In addition they are too small and/or isolated from viable rural properties to be of value as agricultural land.
4. **Consolidation and hold** – All lots listed in this section are located near the intersection of the Castlereagh highway and Bill O'Brien Way at Lightning Ridge. They were created by Walgett Shire Council as the result of subdivision in the 1990s.

In the current context it would be difficult to justify the sale of these un-serviced lots within a non-urban zone. If they were sold it would:

- Create a satellite residential area for Lightning Ridge, which is undesirable from a planning perspective.
 - Stimulate an expectation from purchasers that Council should supply services such as roads, water, sewer and rubbish collection. Supplying such services without significant cross subsidies from Lightning Ridge urban residents would be impractical and not economically viable.
5. **Address outstanding matters** – The lots listed in the table require action to address a range of issues that can be summarised as follows:
 - Convert to park (Ref 228 (lot 35, DP 226373)) – Under the LEP it had been proposed that this lot be sold and a park be maintained on another lot (lot 31 DP 226373) in the Gilbert St area. More recently Lot 31 has been identified as being better suited to development for staff accommodation, and hence lot 35 should now be retained as a park.
 - Convert to road (Ref 180, 209, 221 & 224) – These lots are predominantly or wholly located over land that is used and maintained as a public road corridor. From an administrative perspective it would be more appropriate to convert them to public roads instead of keeping them as individual lots.
 - Resolve ownership (Ref 220) – This lot is used as a public car park but it is jointly owned by Walgett Shire Council and a number of private individuals. Action needs to be taken to get the land into Council ownership.
 - Resolve boundary infringement (Ref 85, 187 and 257) – Fences and/or structures infringe upon Council owned land. Action needs to be taken to resolve the infringements in an appropriate manner prior to making any further decisions regarding the respective lots.
 - Demolish building and move fence (Ref 235) – This lot was the subject of a resolution at the Council meeting held on 20 February 2007 to demolish the building located on the lot and move the northern most fence to the boundary.

There are also sixty three (63) additional lots reclassified as operational land under the LEP which require no further action at this time. This land will be retained for operational requirements such as pump stations, depots, doctor housing, staff housing, effluent ponds, airports, etc. These lots are not considered any further in this report.

Relevant Reference Documents:

- File 315-01-02-00 (LEP) and 005-02-09-00 (Council owned land disposal).
- Walgett Local Environmental Plan 2006—Classification and Reclassification of Public Land, as published in the NSW Government Gazette on 16 February 2007.

Stakeholders:

The community and Walgett Shire Council.

Financial Implications:

Income will be derived from the sale of land, but it is difficult to make a projection on the likely amount. Some non-budgeted expenditure will be incurred via the actions required to address outstanding matters, but this should be substantially less than the income derived from land sales.

Recommendations:

That Walgett Shire Council resolve to:

1. Publicly sell the land listed in the table below by:

- a) Auction or tender, after advertising the sale within the Walgett Spectator, Lightning Ridge News and Black Opal Advocate.**
- b) Setting the reserve price at the Valuer General's valuation for each lot.**
- c) That no lot be sold for less than the reserve price through the auction or tender process.**
- d) Authorise the Administrator and General Manager to sign and affix the Council seal to relevant documentation associated the sale of the respective lots.**

REF	ADDRESS	LOCATION	IDO ZONING	USE OCT 2005	LOT	SEC	DP
6	Balaclava St	Burren Junction	2. Village	Vacant land	2	4	758199
7	Balaclava St	Burren Junction	2. Village	Vacant land	3	4	758199
16	Warren St	Carinda	2. Village	Vacant land	1	1	758227
17	Warren St	Carinda	2. Village	Vacant land	2	1	758227
19	Colin St	Carinda	2. Village	Vacant land	3	17	758227
20	Warren St	Carinda	2. Village	Vacant land	4	2	758227
37	Albert St	Collarenebri	2. Village	Vacant land	16	9	758262
42	Colless St	Come By Chance	1. Non-urban (b)	Park (abandoned)	1		203150
78	Fantasia St	Lightning	1. Non-	Vacant land	40		837866

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	LOCATION	IDO ZONING	USE OCT 2005	LOT	SEC	DP
		Ridge	urban (a)				
79	Fantasia St	Lightning Ridge	1.Non-urban (a)	Vacant land	42		837866
80	Fantasia St	Lightning Ridge	1.Non-urban (a)	Vacant land	44		837866
81	Fantasia & Halley's Comet St	Lightning Ridge	1.Non-urban (a)	Vacant land	48		837866
82	Halley's Comet St	Lightning Ridge	1.Non-urban (a)	Vacant land	49		837866
83	Fantasia St	Lightning Ridge	1.Non-urban (a)	Vacant land	58		837866
84	Fantasia St	Lightning Ridge	1.Non-urban (a)	Vacant land	71		837866
88	Pandora St	Lightning Ridge	1.Non-urban (a)	Vacant land	2		846336
89	Pandora St	Lightning Ridge	1.Non-urban (a)	Vacant land	3		846336
90	Pandora St	Lightning Ridge	1.Non-urban (a)	Vacant land	4		846336
95	Pandora St	Lightning Ridge	1.Non-urban (a)	Vacant land	9		846336
100	Pandora St	Lightning Ridge	2.Village	Vacant land	951		872184
101	Pandora St	Lightning Ridge	2.Village	Vacant land	952		872184
102	Pandora St	Lightning Ridge	2.Village	Vacant land	953		872184
103	Pandora St	Lightning Ridge	2.Village	Vacant land	954		872184
184	Fox St	Walgett	2.Village	Occupied by Walgett Machinery	A		161095
185	Euroka St	Walgett	2.Village	Occupied by Walgett Machinery	B		161095
186	Euroka St	Walgett	2.Village	Occupied by Walgett Machinery	C		161095
190	Keepit St	Walgett	2.Village	Vacant land	22		231218
191	Keepit St	Walgett	2.Village	Vacant land	22		233003
192	Dundas St	Walgett	2.Village	RSL car park	37		236258
197	Euroka St	Walgett	2.Village	Park (derelict swing)	33		253488
204	Cnr Fox & Euroka St	Walgett	2.Village	Occupied by Walgett Machinery	1		323840
205	Fox St	Walgett	2.Village	Occupied by Walgett Machinery	A		395921
210	Euroka St	Walgett	2.Village	Occupied by Walgett Machinery	27		612034

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	LOCATION	IDO ZONING	USE OCT 2005	LOT	SEC	DP
211	Cedar St	Walgett	2.Village	Occupied by Walgett Machinery	28		612034
213	Neilly/Warrena St	Walgett	2.Village	Vacant land	2	10	759036
214	Neilly/Warrena St	Walgett	2.Village	Vacant land	3	10	759036
217	Keepit/Warrena St	Walgett	2.Village	Vacant land	39		847451
218	Keepit/Warrena St	Walgett	2.Village	Vacant land	40		847451
219	Cnr Keepit & Duff St	Walgett	2.Village	Vacant land	44		847451
229	Cnr Myall & Cedar St	Walgett	2.Village	Vacant land	21		587336
236	Cnr Fox & Ritchie St	Walgett	2.Village	Vacant land	82		713774
237	Hope St	Walgett	2.Village	Vacant land	10		718739
247	Cnr Myall & Cedar St	Walgett	2. Village	Vacant land	10	23	759036
248	Cnr Arthur & Myall St	Walgett	2.Village	Vacant land	11	23	759036
249	Arthur/Cedar St	Walgett	2. Village	Vacant land	12	23	759036
250	Arthur/Cedar St	Walgett	2. Village	Vacant land	13	23	759036
251	Arthur/Cedar St	Walgett	2. Village	Vacant land	14	23	759036
259	Hope St	Walgett	2.Village	Vacant land	151		882747
260	Peel St	Walgett	2.Village	Vacant land	152		882747
261	Peel St	Walgett	2.Village	Vacant land	153		882747
262	Peel St	Walgett	2.Village	Vacant land	154		882747
263	Peel St	Walgett	2.Village	Vacant land	155		882747
264	Peel St	Walgett	2.Village	Vacant land	156		882747
265	Peel St	Walgett	2.Village	Vacant land	157		882747
266	Peel St	Walgett	2.Village	Vacant land	158		882747
267	Peel St	Walgett	2.Village	Vacant land	159		882747
268	Peel St	Walgett	2.Village	Vacant land	160		882747
269	Peel St	Walgett	2.Village	Vacant land	161		882747
270	Cnr Peel & Hope St	Walgett	2.Village	Vacant land	163		882747

2. Honour written offers previously made by Council to privately sell the land listed in the table below by:

- a) Setting the sale price at the amount previously specified or agreed to in writing by the Council. In any case where a price has not yet been set, then the sale price be set at the Valuer General's valuation for each lot.**
- b) Advising the respective purchasers that the sale offer is only valid for three months.**
- c) Authorise the Administrator and General Manager to sign and affix the Council seal to relevant documentation associated the sale of the respective lots.**

REF	ADDRESS	LOCATION	IDO ZONING	USE OCT 2005	LOT	SEC	DP
43	Wilkie St	Cumborah	2. Village	Vacant land	3		45034
86	Pandora St	Lightning Ridge	1.Non-urban (a)	Lease & option to Serbian Orthodox Church	1		846336
91	Pandora St	Lightning Ridge	1.Non-urban (a)	Vacant land	5		846336
92	Pandora St	Lightning Ridge	1.Non-urban (a)	Vacant land	6		846336
93	Pandora St	Lightning Ridge	1.Non-urban (a)	Vacant land	7		846336
94	Pandora St	Lightning Ridge	1.Non-urban (a)	Vacant land	8		846336

3. Surrender the land listed in the table below to the Crown by:

- a) Writing to the Department of Lands and stating that Council wants to surrender the land to the Crown because there is no significant public or private development expected to occur on the land in the foreseeable future.**
- (b) Authorise the Administrator and General Manager to sign and affix the Council seal to relevant documentation associated the sale of the respective lots.**

REF	ADDRESS	LOCATION	IDO ZONING	USE OCT 2005	LOT	SEC	DP
8	Walgett - Warren Rd	Carinda	1.Non-urban (a) & (b)	Vacant land	PT2	A	5007
9	Walgett - Warren Rd	Carinda	1.Non-urban (b)	Pump station and/or river gauges	3	A	5007
10	Walgett - Warren Rd	Carinda	1.Non-urban (b)	Vacant land	4	A	5007
11	Walgett - Warren Rd	Carinda	1.Non-urban (b)	Vacant land	6	A	5007

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	LOCATION	IDO ZONING	USE OCT 2005	LOT	SEC	DP
12	Walgett - Warren Rd	Carinda	1.Non-urban (b)	Vacant land	7	A	5007
13	Walgett - Warren Rd	Carinda	1.Non-urban (b)	Vacant land	1		535488
23	Walgett - Warren Rd	Carinda	1.Non-urban (b)	Vacant land	1		973356
44	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	1	1	758454
45	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	2	1	758454
46	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	3	1	758454
47	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	4	1	758454
48	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	5	1	758454
49	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	1	13	758454
50	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	2	13	758454
51	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	3	13	758454
52	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	4	13	758454
53	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	1	2	758454
54	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	2	2	758454
55	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	5	2	758454
56	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	1	3	758454
57	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	2	3	758454
58	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	4	3	758454
59	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	5	3	758454
60	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	1	4	758454
61	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	2	4	758454
62	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	4	4	758454
63	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	5	4	758454
64	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	1	5	758454

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	LOCATION	IDO ZONING	USE OCT 2005	LOT	SEC	DP
65	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	2	5	758454
66	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	3	5	758454
67	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	4	5	758454
68	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	5	5	758454
69	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	1	6	758454
70	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	2	6	758454
71	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	3	6	758454
72	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	4	6	758454
73	Walgett - Pilliga Rd	Goangra	1.Non-urban (b)	Vacant land	5	6	758454
181	Railway Ave	Pokataroo	1.Non-urban (b)	Park/playground in state of disrepair	2	4	758849
240	Euroka/Cedar St	Walgett	1. Non-urban (b)	Vacant land	1	21	759036
241	Arthur St	Walgett	1. Non-urban (a) & (b)	Vacant land	10	21	759036
242	Euroka/Cedar St	Walgett	1. Non-urban (b)	Vacant land	1	22	759036
243	Euroka/Cedar St	Walgett	1. Non-urban (b)	Vacant land	2	22	759036
244	Euroka/Cedar St	Walgett	1. Non-urban (b)	Vacant land	3	22	759036
245	Euroka/Cedar St	Walgett	1. Non-urban (b)	Stormwater drainage channel	4	22	759036
246	Euroka/Cedar St	Walgett	1. Non-urban (b)	Stormwater drainage channel	5	22	759036

4. That Council take action to consolidate and hold the lots listed in the table below by:

- a) Preparing a Development Application to consolidate the land.**
- b) If the Development Application is approved, then the land will be held by Council pending it being required for some more suitable public purpose or private development.**
- c) Authorise the Administrator and General Manager to sign and affix the Council seal to relevant documentation associated the sale of the respective lots.**

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	AREA	IDO ZONING	USE OCT 2005	LOT	SEC	DP
104	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	1		838673
105	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	10		838673
106	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	11		838673
107	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	12		838673
108	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	13		838673
109	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	14		838673
110	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	15		838673
111	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	16		838673
112	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	17		838673
113	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	18		838673
114	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	19		838673
115	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	2		838673
116	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	20		838673
117	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	21		838673
118	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	22		838673
119	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	23		838673
120	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	24		838673
121	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	25		838673
122	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	26		838673
123	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	27		838673
124	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	28		838673
125	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	29		838673
126	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	3		838673

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	AREA	IDO ZONING	USE OCT 2005	LOT	SEC	DP
127	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	30		838673
128	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	31		838673
129	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	32		838673
130	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	33		838673
131	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	34		838673
132	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	35		838673
133	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	36		838673
134	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	37		838673
135	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	38		838673
136	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	39		838673
137	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	4		838673
138	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Vacant land	40		838673
139	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Vacant land	41		838673
140	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Vacant land	42		838673
141	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Vacant land	43		838673
142	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Vacant land	44		838673
143	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Vacant land	45		838673
144	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	46		838673
145	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	47		838673
146	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	48		838673
147	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	49		838673
148	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	5		838673
149	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	50		838673
150	Castlereagh	Lightning	1.Non-urban (a)	Vacant land	51		838673

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	AREA	IDO ZONING	USE OCT 2005	LOT	SEC	DP
	Highway	Ridge					
151	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	52		838673
152	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	53		838673
153	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	54		838673
154	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	55		838673
155	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	56		838673
156	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	57		838673
157	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	58		838673
158	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	59		838673
159	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	6		838673
160	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	60		838673
161	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	61		838673
162	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	62		838673
163	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	63		838673
164	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	64		838673
165	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	65		838673
166	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	66		838673
167	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	67		838673
168	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	68		838673
169	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	69		838673
170	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Vacant land	7		838673
171	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	70		838673
172	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	71		838673
173	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	72		838673

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	AREA	IDO ZONING	USE OCT 2005	LOT	SEC	DP
174	Castlereagh Highway	Lightning Ridge	1.Non-urban (a)	Vacant land	73		838673
175	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Buffer zone for rural subdivision	74		838673
176	Castlereagh Highway	Lightning Ridge	1.Non-urban (a) & (b)	Buffer zone for rural subdivision	75		838673
178	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	8		838673
179	Castlereagh Highway	Lightning Ridge	1.Non-urban (b)	Vacant land	9		838673

5. That action be taken as detailed in the “action required” section for the respective lots listed in the table below.

REF	ADDRESS	AREA	IDO ZONING	ACTION REQUIRED	USE OCT 2005	LOT	SEC	DP
85	Fantasia St	Lightning Ridge	1.Non-urban (a)	Resolve boundary infringement	Vacant land, infringed upon by fence, etc.	74		845063
180	Collarendabri Rd	Pokataroo	1.Non-urban (b)	Convert to road	Public road	22	1	758849
187	Keepit St	Walgett	2.Village	Resolve boundary infringement	Infringed upon by Motel buildings?	1		200391
209	Wee Waa St	Walgett	2.Village	Convert to road	Public road	39		610725
220	Neilly St	Walgett	2.Village	Resolve ownership	Public Car Park	105		878481
221	Neilly St	Walgett	2.Village	Convert to road	Public road	1		906299
224	Castlereagh Hwy	Walgett fringe	1.Non-urban (b)	Convert to road	Vacant land	16		752271
228	Albert/Gilbert St	Walgett	2.Village	Classify as “community” land under the Local Government Act 1993 and maintain as a park.	Park	35		226373
235	Fox St	Walgett	2.Village	Demolish building, move fence to boundary, sell vacant land (See Council minutes 20 Feb 2007)	The hub building	81		713774

SHIRE OF WALGETT – AGENDA

REF	ADDRESS	AREA	IDO ZONING	ACTION REQUIRED	USE OCT 2005	LOT	SEC	DP
257	O'Neill Court	Walgett	1. Non- urban (a)	Resolve boundary infringement	Part airport, infringed upon by a fence, etc.	62		826629

MANAGER PLANNING AND REGULATIONS REPORT TO COUNCIL MEETING 20 MARCH 2007

Item No: 21

Subject: Development Application 2007005 – Jeanette Perkins

Author: Janet Babic – Town Planner

File No: DA 2007005

Summary:

A Development Application has been lodged to subdivide Lot 147 DP 70291 into two lots. It is recommended that the Development Application be approved.

Comments (including issues and background):

Development Application 207005 has been lodged by Jeanette Perkins to subdivide Lot 147 in DP 70291. The land is located about 4km east of Walgett, on the Pilliga Road.

The proposed subdivision would occur in the following context:

1. The existing lot is about 94.94 hectares in area.
2. The land is currently used for agricultural purposes and no change of use has been proposed.
3. It is proposed to create two lots, one of about 73.85 hectares and one of about 24.76 hectares.
4. Access to the smaller lot will be possible via a Crown road and adjoining lots onto the Pilliga Road. The larger lot has direct access to the Pilliga Road.

Diagrams of the existing and proposed lots are included below.

20 March 2007

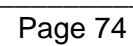


Figure – Existing Lot (boundary shown by a thick line).

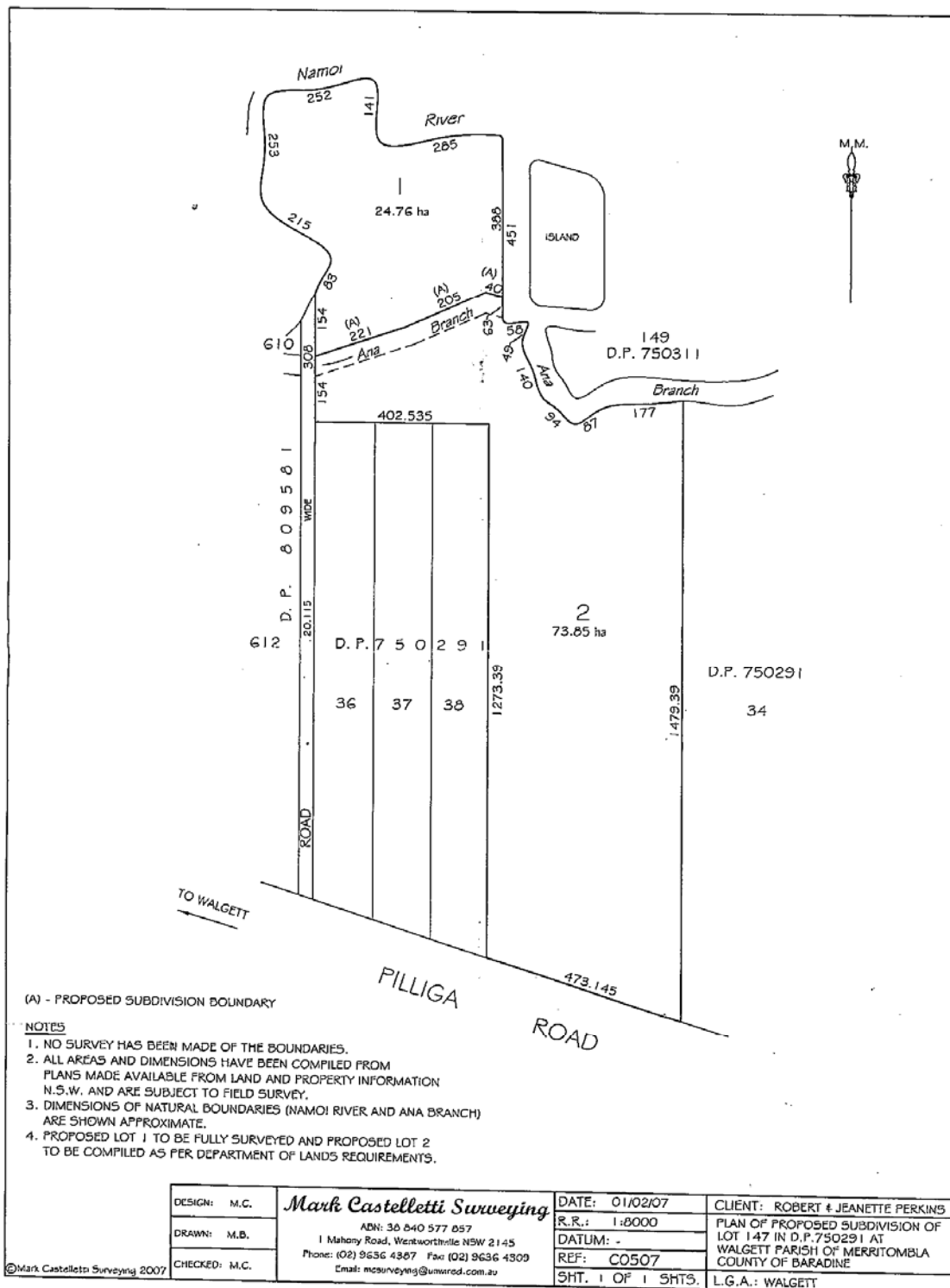


Figure – Proposed lots (numbered 1 and 2).

Statutory matters for consideration:

79C (1)(a)(i) Provisions of any environmental planning instrument.

The most relevant environmental planning instrument is the Interim Development Order No. 1 – Shire Of Walgett 1968 (IDO) and State Environmental Planning Policy No. 1 - Development Standards. (SEPP 1).

Under the IDO the land is located within "Non-urban 1(a)" and "Non-urban 1(b)" zones. Development consent is required to permit the subdivision. However Clause 11 of the I.D.O. restricts the circumstances in which land can be subdivided. Sub-clause 4 (c) requires *"the frontage of such allotments to a main road is not less than 200 metres"*. The proposed 24.76 hectare lot will not have frontage to a main road. In this context the proposed subdivision does not meet the development standards imposed by the IDO.

A written objection to the imposition of the 200m road frontage development standard has been submitted with the Development Application (see submission below). Under Clause 7 of SEPP 1, *"Where the consent authority is satisfied that the objection is well founded and is also of the opinion that granting of consent to that development application is consistent with the aims of this Policy as set out in clause 3, it may, with the concurrence of the Director, grant consent to that development application notwithstanding the development standard the subject of the objection referred to in clause 6"*. Council has delegation from the Director of the Dept of Planning, to assume the concurrence of the Director under the circumstances as detailed under point 12 of Dept of Planning Circular B1.

There is no proposal to change the existing use of the land.

The 24.76 hectare lot will have a frontage of 154 metres to a Crown road which leads to a public road (Pilliga Road) and access via an adjoining lot. The applicant has stated in their application documentation that the 24.76 hectare lot will be sold to an adjoining landholder.

Given that the 24.76 hectare lot will have access by way of a Crown road leading to a public road (Pilliga Road) and via an adjoining lot, and no change of use is proposed, in this particular case it would be appropriate to permit a deviation from the '200 metre frontage to a main road' development standard imposed by the IDO.

79C (1)(a)(ii) Provisions of any draft environmental planning instrument that is or has been placed on public exhibition.

Not applicable.

79C (1)(a)(iii) Any development control plan.

Not applicable.

79C(1)(a)(iiia) Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

Not applicable.

79C(1)(a)(iv) The regulations.

Section 92 and 92A of the Environmental Planning and Assessment Regulation 2000 prescribe additional matters for consideration (see comments below).

79C (1)(b) Likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Current land use on surrounding lots is predominantly agriculture. The proposed lots will continue to be used for agricultural purposes, so it is not expected that the proposal will have a significant impact on the natural or built environments. It is also expected that the proposal will have minor economic or social impacts.

79C (1)(c) Suitability of the site for the development.

PUBLIC ROAD ACCESS: The existing lot has access to the Pilliga Road, however the new 24.76 hectare lot will not have direct frontage to a main road. Access to the smaller lot will be possible via a crown road and adjoining lots.

No change in land use has been proposed, therefore there should also be no significant increase in vehicle movements to and from the site.

In this context there is adequate public road access for the proposed ongoing agricultural land use.

FLOODING: The land is located on a flood plain, but there will be no change in risk as no change in land use has been proposed.

OVERALL: There are no known environmental or other factors that make the site unsuitable for the proposed subdivision.

79C (1)(d) Submissions made in accordance with the Act or the regulations.

Not applicable. Under the Environmental Planning and Assessment Act 1979 the proposal is local development with no opportunity for submissions under the act or regulations (as opposed to designated or advertised development).

79C (1)(e) The public interest.

Adjoining landowners were notified of the Development Application and no objections were received.

Given that the proposed development is permissible with development consent, and the SEPP1 objection appears valid, approval of the Development Application appears to be in the public interest.

The following matters must also be considered by Council in accordance with Sections 92 and 92A of the Environmental Planning and Assessment Regulation 2000 when making a decision on any Development Application.

92 (1) (a) Coastal areas.

Not Applicable.

92 (1) (b) Demolition.

Not Applicable, no demolition work is proposed at this time.

92A Preliminary planning.

Not applicable.

Relevant Reference Documents:

- Development Application file 2007005
- Environmental Planning and Assessment Act 1979.
- State Environmental Planning Policy No. 1 – Planning Standards
- Interim Development Order No. 1 – Shire of Walgett 1968.

Stakeholders:

- Mr R.A. & Mrs J. H. Perkins, (the owners of the land).

Recommendation:

That Walgett Shire Council approve Development Application 2007005 to subdivide Lot 147 in DP 750291 subject to the following conditions of consent:

PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT

As no 'work' is to be undertaken, there are no prescribed conditions of development consent under the Environmental Planning and Assessment Regulation 2000.

SPECIAL CONDITIONS SET BY COUNCIL

GENERAL

Gen 010.

It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.

Reason: To avoid breaching the requirements of any covenant.

SUBDIVISION

Sub 010.

That two lots are created by the subdivision of Lot 147 in DP 750291, one of about 24.76 hectares and the other about 73.85 hectares.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council

Sub 020.

A surveyor's plan must be submitted to Walgett Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.

Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Walgett Shire Council.

APPROVED PLANS

Pln 010.

The development shall be implemented in accordance with:

(a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,

(b) the details set out on the plans approved and stamped by authorised officers of Council,

except as amended by the conditions of this development consent.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 22

Subject: Collarenebri Footpath Project

Author: Alan Nelson – Manager Engineering

File No: 028/05/15/93

Summary:

This report recommends that the continuation of the Collarenebri footpath project be deferred to early 2007/08, on account of insufficient funds being available to allow the project to be completed in the current financial year.

Comments (including issues and background):

In 2005/06 Council embarked on a project, in partnership with Murdi Paaki Regional Enterprise Corporation, Collarenebri CDEP and BEST Employment, to reconstruct the footpaths in the Collarenebri CBD. Pavers were purchased in sufficient quantity to reconstruct footpaths on both sides of Wilson Street from Herbert Street to Walgett Street.

Progress on the job was slower than originally anticipated and, at the conclusion of the six month programme, only the western side footpath had been completed. The residents of Collarenebri were very pleased with the end result. In late 2006, Murdi Paaki Regional Enterprise Corporation expressed an interest in re-commencing the project to complete work on the eastern footpath. A report was presented to Council in October 2006 suggesting that this project be recommenced in April 2007 subject to the availability of funds.

Council has two footpath votes, one being routine footpath maintenance and the other being footpath reconstruction. This second vote is the one which was used for the western side footpath reconstruction referred to in this report. In isolation, these votes could fund a recommencement of this project, however this is not recommended as Council is already committed to working with BEST Employment to reconstruct the footpath at the corner of Fox and Wee Waa Streets, Walgett. This commitment will exhaust most, if not all, discretionary funds for footpath works in 2006/07.

Whilst the pavers are already available in Collarenebri and paid for, Council's costs to reconstruct the eastern footpath in Collarenebri would include plant hire, the costs associated with a full time supervisor and the wages of project participants for one day per week. These costs are estimated to be in the order of \$50,000. It is suggested that this project be deferred to early 2007/08 and that funds be considered in the 2007/08 budget to allow the project to continue to completion.

Relevant Reference Documents:

- Council File No 028/05/15/93 (not attached)
- Council resolution No 288/06 – October 2006

Stakeholders:

- Walgett Shire Council
- Murdi Paaki Regional Enterprise Corporation
- Collarenebri CDEP
- BEST Employment

Financial Implications:

The estimated cost to complete this project is \$50,000. This report recommends that provision for this expenditure be considered in the context of the 2007/08 budget.

Recommendation:

That completion of the Eastern side of the Collarenebri CBD Footpath Reconstruction Project be deferred to 2007/08, subject to the 2007/08 budget being able to accommodate the project.

Attachment – Collarenebri Footpath Project

288/06 – Collarenebri Footpath Project

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council consider a recommencement of the Collarenebri Footpath Project in April 2007, subject to the availability of funds, and that a report be brought forward to Council's March 2007 meeting on this matter.

Carried.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 23

Subject: Burren Junction Bore Baths

Author: Alan Nelson – Manager Engineering

File No: 004/04/05/02

Summary:

This report recommends the rescission of Resolution No 42/07 and the implementation of a staged re-development of the Burren Junction Bore Baths.

Comments (including issues and background):

At its February meeting, Council resolved to accept a tender from Kinsley and Associates, in an amount of \$349,705 (exclusive of GST) for the reconstruction of the bore baths at Burren Junction. At the same meeting, Council also resolved to seek, as a matter of urgency, financial contributions from both the State and Commonwealth Governments towards the overall cost of the project which was far in excess of what Council had budgeted.

In mid January 2007, Council's Administrator and Manager Engineering met with the Minister for Natural Resources in an effort to identify a way forward for the project. As an outcome of this meeting, the Minister asked the Department of Natural Resources to look for sources of state funding which could be deployed to assist Council with the cost of the project. The Department's apparent response to the Minister was that there were no identified funds available.

Whilst there has been no written response from the State Government, nor the Commonwealth either at this stage, the prospect of gaining a financial commitment to the project from either level of government in the short term appears remote.

It would be financially risky for Council to push ahead with this project in its present form, given the knowledge that the cost will exceed Council's budget by several hundred thousand dollars. It is also considered unreasonable to allow the project to stall, particularly given the fact that Burren Junction business is claiming the temporary closure of the facility is hurting the village.

Council has funds of approximately \$225,000 that can be expended on this project and it is suggested that these funds be used to complete a Stage One of the project. Stage One would comprise reducing the pool surface area and depth, with the installation of a central island. Artesian water would flow freely into this smaller pool at a reduced rate and then flow into an evaporation basin constructed on adjoining land which Council would need to acquire.

SHIRE OF WALGETT – AGENDA

To pursue a staged approach to this project will not see the facility reopened by Easter 2007, however it will reopen much earlier than would be the case if the project were delayed until the funding situation was satisfactorily resolved to allow the project to extend to completion.

Stage Two could be implemented when funding from external sources becomes available. Stage Two would see the provision of a heat exchanger to supply supplementary heat, with the waste water from the heat exchanger being piped to the adjoining Burren and Drildool Bore Water Trust Districts. Also involved in Stage Two would be seating within the pool and perimeter fencing.

To allow this approach, Council would need to rescind its resolution 42/07. Some compensation to Kinsley and Associates would need to be negotiated, however any expense would not be entirely wasted as the involvement of Kinsley and Associates in Stage Two works may still eventuate. In any case, some of the work undertaken by Kinsley and Associates will be able to be utilised by Council, irrespective of how Stage Two is implemented.

Council has made application to the Department of Natural Resources to have the bore licence transferred from the Burren Bore Water Trust to Council. It is understood that there are no impediments to this being carried through.

Relevant Reference Documents:

- Tender – Kinsley and Associates (not attached)
- Council Resolution No 42/07 – February 2007
- Council File No 005/03/02/00 (not attached)

Stakeholders:

- Walgett Shire Council
- NSW Government
- Commonwealth Government
- Department of Natural Resources
- Burren Bore Water Trust
- Drildool Bore Water Trust
- Users of Burren Junction Bore Baths
- Burren Junction Community

Financial Implications:

It is anticipated that Stage One works, as described in this report, can be undertaken within the budget that Council has available for this project. Stage Two works would not proceed until the funding situation was clarified to Council's satisfaction.

RECISION MOTION

That Resolution 42/07 *Burren Junction Bore Baths, Part 1* (as reprinted below) resolved at the Council Meeting held on 20 February 2007 be rescinded.

42/07 – Burren Junction Bore Baths

RESOLUTION:

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

- 1. *Council accept the tender of Kinsley and Associates, in an amount of \$384,675.00 (including GST) for the design and construction of redeveloped bore baths at Burren Junction.***
- 2. The General Manager be authorised to negotiate minor changes in the scope and design of the works, subject to any changes not increasing the total cost to Council.**
- 3. Urgent political representations to both State and Commonwealth Governments be made, through relevant Government Ministers, in an effort to achieve one third contributions from each to the total cost of the project.**

Carried.

Recommendation:

That Council pursue a staged development of the Burren Junction Bore Baths with Stage One works being undertaken as quickly as possible in the current financial year.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 24

Subject: Road Maintenance – Carinda Area

Author: Alan Nelson – Manager Engineering

File No: 175/07/06/00

Summary:

This report recommends that Council takes no action to create a formal road reserve to enable the road leading to the property “Cedar Park” to be maintained by Council.

Comments (including issues and background):

A request has been received from a resident, who lives just outside Carinda village, that Council undertakes maintenance of the road leading to their property. The legal status of the land, upon which this road is located, is currently being investigated with the Department of Lands. At the time of writing this report, a response from the Department of Lands has not been received. However this road is not located within a road reserve. It would appear that the land upon which this road has been constructed is either a crown reserve or vacant crown land. Either way, Council staff do not have authority to expend public funds on this road.

The resident advises that they have, in the past and at their own expense, engaged a contractor to reform the road to improve its serviceability. Several years ago, after this reforming had taken place, Council placed a culvert across the road to allow water from section of the Carinda village to drain to the north-west towards Marthaguy Creek.

If Council wished to assist this resident and assume maintenance responsibility for the road, it would be necessary for Council to establish a road reserve in the first instance. This is not recommended on the basis that the road would only serve one person. As well, it could easily be argued that Council has insufficient funds at its disposal to adequately maintain its present roads network, without taking steps to expand it, albeit very slightly.

Relevant Reference Documents:

- Council File No 175/07/06/00 (not attached)
- Letter from Ms C Hatton (not attached)

Stakeholders:

- Walgett Shire Council
- Ms C Hatton

Financial Implications:

The estimated cost to establish a road reserve to facilitate future maintenance by Council is estimated to be \$5,000. If Council elected to proceed in this direction quotes to undertake the necessary survey would need to be obtained.

Recommendation:

That Council takes no action to establish a road reserve along the formed access leading to the property “Cedar Park”, located just outside the Carinda village and that the property owner be advised accordingly.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 25

Subject: Cumborah Water Supply

Author: Alan Nelson – Manager Engineering

File No: 255/05/09/00

Summary:

This report recommends that Council rescinds Resolution No 348/05 and provides a letter of support to the Cumborah community, in the event that this community seeks funding through the Community Water Grants programme for the provision of rainwater tanks throughout the village in lieu of a Stage Two reticulation network from the artesian bore.

Comments (including issues and background):

An artesian bore was sunk in Cumborah several years ago as Stage One of a two stage project to provide a reticulated water supply within the village area. At this stage, the bore is in service and feeds a standpipe in Cumborah Street. Stage Two comprises the development of a reticulation network throughout the village area and is currently listed for subsidy with the State Government.

In December 2005 Council passed Resolution No 348/05 which is attached.

The Country Towns Water Supply and Sewerage Programme is significantly underfunded, accordingly the prospects for subsidy for Stage Two works in Cumborah, in the foreseeable future, are remote. Given the likely cost of Stage Two, the cost to the Cumborah ratepayer, even with a 50% subsidy, will be considerable. Without subsidy, Stage Two would be completely unaffordable, unless it was heavily cross subsidised by other water schemes within Walgett Shire. The fairness of significant cross subsidy from the other water supply schemes is questionable.

A resident of Cumborah has suggested that the quality of water from the artesian bore has been declining since the bore was first taken into service. This perception is not reflected in water test results, however it is acknowledged that the quality of water is not high and certainly lies outside Australian Drinking Water Guidelines. It has been suggested that, rather than pursue a Stage Two reticulation network, Council looks at subsidising residents to install rainwater tanks.

The installation of rainwater tanks is not something that would attract a subsidy from the State Government's Country Towns Water Supply and Sewerage Programme and, even if it did, the prospects for short term funding would be remote. However, if the Cumborah community were to pursue a Community Water Grant from the Commonwealth at the next funding round for this programme, the prospects for success are considered to be greater and worth pursuing.

SHIRE OF WALGETT – AGENDA

It is suggested that, in the event that the Cumborah community pursues this funding option for the provision of rainwater tanks throughout the village, that Council supports such an application. No financial support from Council for such an application is envisaged at this stage.

Relevant Reference Documents:

- Council File No 255/05/09/00 (not attached)
- Resolution No 348/05 – December 2005

Stakeholders:

- Residents of Cumborah
- Walgett Shire Council
- NSW Government
- Commonwealth Government

Financial Implications:

Not Applicable

RECISION MOTION

That Resolution 348/05 *Cumborah Water Supply* (as reprinted below) resolved at the Council Meeting held on 15 December 2005 be rescinded.

348/05– Cumborah Water Supply – Stage Two

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council proceed with the conceptual design for Stage 2 of the Cumborah Water Supply project and that a further report be submitted to Council with preliminary costings when this design is complete.

Carried.

Recommendation:

That Council provide the Cumborah community with a letter of support, in the event that they make application for a Community Water Grant from the Commonwealth Government, for the provision of rainwater tanks at Cumborah village residences, in lieu of Stage Two water supply reticulation works.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 26

Subject: Australian Water Fund – Community Water Grants

Author: Alan Nelson – Manager Engineering

File No: 195/04/00/00

Summary:

This report recommends that, when applications are invited for the third funding round of the Community Water Grants Programme, Council seeks funding for the following projects :

Installation of water meters in Walgett Shire
Automatic watering system – Gray Park and Number One Oval (Walgett)
Automatic watering system - Opal Street Park (Lightning Ridge)

Comments (including issues and background):

The Community Water Grants Programme forms part of the Australian Water Fund and offers grants to help local community organisations save, recycle or improve the health of their local water resources. Two funding rounds of this programme have already been held and a third is anticipated in the first half of 2007.

Round One was capped at \$50,000 maximum grant and Walgett Shire submitted two applications, both of which were successful in obtaining a \$50,000 grant. These projects were Burren Junction Bore Baths and Spider Brown Oval in Lightning Ridge. Round Two saw the \$50,000 cap relaxed and a few projects were funded in excess of \$50,000 but the majority were under this figure. Council, in view of gaining two projects in Round One, did not submit any projects in Round Two.

Narrabri Shire received a substantial (\$227,273) grant towards the cost of installing domestic water meters in Narrabri under Round Two and, in the likely event that the Country Towns Water Supply and Sewerage Programme will not be in a position to subsidise the installation of water meters in Walgett Shire in 2007/08, an application for Round Three funding of water meter installation is considered worthwhile.

Other projects for which Round Three funding could be sought include installation of automatic watering systems at Number One Oval and Gray Park in Walgett and the park in Opal Street, Lightning Ridge. At each of these sites, Council has attracted criticism for manual watering which is inefficient and leads to water wastage. In an environment where Council is urging others to conserve water, the watering practices at these three sites can lead to what the community perceives at times to be a double standard. Automatic systems could allow for more efficient night watering.

Relevant Reference Documents:

- Community Water Grants Website – www.communitywatergrants.gov.au

Stakeholders:

- Walgett Shire Council
- Commonwealth Government

Financial Implications:

Whilst the Community Water Grants programme does not require a matching contribution, there is clear evidence that projects which involve a significant local contribution, in cash or in kind, are favoured. In any case, the likely cost of water meter installation will greatly exceed the funds that could be provided from the Community Water Grants programme. The 2007/08 budget should be constructed to provide a 50% contribution to the cost of the three automatic watering system projects referred to. To make application, without a local contribution would not be considered worthwhile. There are no prospects that Round Three projects will require funding in the current financial year.

Recommendations:

That Council make application for the following projects under Funding Round Three of the Community Water Grants Programme when it is announced later this year :

- 1. Supply and Installation of Domestic Water Meters in Walgett Shire**
- 2. Installation of an Automatic Watering System at Number One Oval, Walgett**
- 3. Installation of an Automatic Watering System at Gray Park, Walgett**
- 4. Installation of an Automatic Watering System at Opal Street Park, Lightning Ridge**

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 27

Subject: Old Council Chambers

Author: Alan Nelson – Manager Engineering

File No: 330/01/00/00

Summary:

This report suggests that Council not accept a quote to provide screens over the windows at the front and side of the Old Council Chambers, despite recent attacks on the building by vandals. This work should be afforded a high priority in 2007/08 subject to the availability of funds.

Comments (including issues and background):

The Old Council Chambers in Fox Street has been a frequent target of vandals in recent times. Very light mesh has previously been placed over the rectangular windows at the front and side of the building, however these have not been resistant to attack resulting in several broken windows. The Walgett and District Historical Society, which occupies the building, is very concerned at the amount of vandalism and has justifiable concerns regarding the security of their collection.

A quote for a resistant film, similar to what the RTA has found to be very satisfactory in a number of their agency buildings, has been obtained in an amount of \$5,380 (exclusive of GST). An alternate quote, for very attractive meshed frames which could be installed over the windows, has been provided in an amount of \$7,500 (again exclusive of GST). The supplier has indicated that, because the window glass is quite thin, the performance of the film is likely to be inadequate and resistance to broken windows in the event of vandal attack is unlikely. However, it will be necessary to carefully select and attach the frames for screens, to avoid damaging the heritage appearance of the building.

The present budget does not provide the funds to accept either of these quotes, however the higher quote is preferred for the reasons outlined above. The work is considered to be of high priority and should be seriously considered for implementation in early 2007/08.

Relevant Reference Documents:

- Quote for Window Protection (not attached)

Stakeholders:

- Walgett Shire Council
- Walgett and District Historical Society

Financial Implications:

There are no funds in the current budget to facilitate this work proceeding in 2006/07, however the requirement for the work is considered to be such that it should be afforded a high priority for completion in 2007/08.

Recommendations:

1. That the quote from Sunscreen Pty Ltd, in an amount of \$7,500 (excluding GST) not be accepted for the supply and application of meshed screens to rectangular windows at the front and side of the Old Council Chambers at the present time.
2. That this work be afforded a high priority for consideration in the 2007/08 budget.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 28

Subject: Collarenebri – Mungindi Road

Author: Alan Nelson – Manager Engineering

File No: 028/05/15/93

Summary:

This report has been written in response to a recommendation from the Collarenebri Precinct Committee to reconstruct and seal a particular section of the Collarenebri to Mungindi Road. The report recommends that Council advise the Precinct Committee that, on this occasion, it is unable to accommodate their request.

Comments (including issues and background):

This report has been prepared in response to a request from the Collarenebri Precinct Committee that Council seal that section of the Collarenebri to Mungindi Road between Gundablouie Bridge and the property “Tchuringa”, a distance of approximately five (5) kilometres.

The Collarenebri Precinct Committee considers that this section of the Collarenebri to Mungindi Road (Regional Road No 457) should be given priority for reconstruction and sealing on the basis that trees at the sides of the road tend to prevent dust from vehicles blowing away from road, thus creating hazardous travelling conditions. The original strategy, contained in the Five Year Road Plan, was to seal short lengths such as this, to create passing opportunities for those travelling behind slower vehicles, the drivers of which would be unaware that someone is following behind. In this context, the suggestion of the Precinct Committee has merit.

However, with the advice that this road has attracted significant Strategic Regional Programme funding, the construction priorities have needed to be amended. The allocation from the Strategic Regional Programme is best expended on a continuous road length, in a south westerly direction from the Queensland border. The funding agreement with the Commonwealth provides for this and, whilst it may be able to be amended, it is not suggested that this be pursued. The available funds will not extend to the road length identified by the Collarenebri Precinct Committee. In the circumstances, it is suggested that the Collarenebri Precinct Committee be advised that Council is unable to accommodate their request on this occasion.

Relevant Reference Documents:

- Collarenebri Precinct Committee Minutes – 14 November 2006 (not attached)
- Funding agreement with Department of Transport and Regional Services (not attached)

Stakeholders:

- Walgett Shire Council
- Collarenebri Precinct Committee
- Department of Transport and Regional Services

Financial Implications:

Not Applicable. Funds are available to construct a continuous length of the Collarenebri to Mungindi Road from the Queensland Border and, if the programme to upgrade the road could be varied, to accommodate the section requested by the Collarenebri Precinct Committee, it would need to be done at the expense of another section of the same road.

Recommendation:

That Council advise the Collarenebri Precinct Committee that, on this occasion, it is unable to accommodate their request and seal that section of the Collarenebri to Mungindi Road between Gundablouie Bridge and “Tchuringa”.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 29

Subject: Walgett Water Supply

Author: Alan Nelson – Manager Engineering

File No: 195/02/00/00

Summary:

This report relates to a matter previously presented to Council, however the Council's Common Seal is required to be affixed to the funding agreement.

Comments (including issues and background):

The availability of a dollar for dollar grant to undertake specified capital works associated with the Walgett Water Supply, to improve the security of this supply, was reported to Council's February 2007 meeting.

At the time this report was presented, Council was unaware that the acceptance of the funding offer required the Common Seal of Council to be affixed to the signed acceptance form. A resolution of Council is required in this instance.

Relevant Reference Documents:

- Letter from Minister for Water Utilities (not attached)
- Funding Agreement (not attached)
- Council File No 195/02/00/00 (not attached)

Stakeholders:

- Walgett Shire Council
- NSW Government
- Department of Energy, Utilities and Sustainability

Financial Implications:

The acceptance of this grant will require a matching contribution from Council.

Recommendation:

That the Common Seal of Council be affixed to a funding acceptance with the Department of Energy, Utilities and Sustainability for the payment of up to \$330,000 for drought emergency works associated with the Walgett Town Water Supply and that the Administrator and General Manager be authorised to sign and complete this document.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 30

Subject: Draft Policy – Naming of Places

Author: Alan Nelson – Manager Engineering

File No: 145/09/00/00

Summary:

This report recommends the rescission of Resolution No 25/04, passed by Council at its August 2004 meeting, on the basis that the development of a policy relating to the naming of places is unnecessary.

Comments (including issues and background):

A draft policy was prepared by Council staff and submitted to the August 2004 meeting of Council, in response to a number of situations where members of the public had approached Council seeking the naming, or renaming, of geographical features and landmarks within the Walgett Shire. A copy of this draft policy, together with Council's Resolution No 25/04, is attached.

All proposals relating to the naming of geographic features need to be referred to the Geographical Names Board of NSW who ultimately decide on these matters. Consequently, any policy of Council must be consistent with the naming guidelines adopted by the Board. Accordingly, it is seen as unnecessary that Council determines a policy in relation to this subject as it is bound by these naming guidelines. Council does not necessarily need to advertise a naming proposal, seeking public comment, as the Geographical Names Board does this as a matter of course. Nevertheless, there will be situations where advertising by Council is desirable before contact is made with the Geographical Names Board, however it is not seen as necessary that this be dictated by Council policy.

Relevant Reference Documents:

- Draft Policy – Naming of Places
- Resolution No 25/04
- Naming Guidelines – Geographical Names Board of NSW (not attached)

Stakeholders:

- Walgett Shire Council
- Geographical Names Board of NSW

Financial Implications:

Not Applicable

Recommendation:

That Council rescind Resolution No 25/04, passed at its August 2004 meeting and that all naming proposals be dealt with in accordance with naming guidelines adopted by the Geographical Names Board of NSW.

Attachment - Draft Policy – Naming of Places

SHIRE OF WALGETT - AGENDA

Walgett Shire Council
Naming of Places.

AIM:

To ensure the procedure for the naming of places and locations within Walgett Shire is in accordance with the Geographical Names Act 1966 [hereinafter referred to as the ‘‘Act’’], whilst actively sourcing community suggestions and opinion.

Objective:

To ensure the active harvest of community suggestions and opinions prior to submitting recommendations to the Geographical Names Board [its heirs and successors] for places and locations within Walgett Shire.

Policy Statement:

Council will actively seek community suggestions and opinions prior to making recommendations to the Geographical Names Board [its heirs and successors].

Responsibilities:

We are committed to meeting our statutory obligations under ‘‘the Act’’ which includes the gathering & consideration of community suggestions and opinions prior to recommendation[s] to the Geographical Names Board [its heirs and successors].

Practices and Procedures:

1. Council prior to considering the naming of any place or location within the Walgett Shire, will 30> days prior to meeting advertise in the local press and by whatever other means Council considers appropriate seeking community suggestions and opinions.
2. Council will accept suggestions and opinions till the close of council business, the trading day prior to Council meeting.
3. On day of receipt, opinions & suggestions will, be entered by Council’s Customer Service staff into the Concerns / Complaints database.
4. At close of council business the trading day prior to council meeting Customer Service staff will deliver to the General Manager a copy of all community suggestions and opinions.
5. All community suggestions and opinions shall be presented to Council prior to Council a decision being taken to recommend any place or location name.

SHIRE OF WALGETT – AGENDA

SHIRE OF WALGETT - AGENDA

6. The adopted Council recommendation to name any place or location shall be reported to the community using the same means as Council utilised in Step 1 above.
7. Council will as soon as practicable after adoption, submit its recommendation to name any place or location to the Geographical Names Board [its heirs and successors].

Responsible Personnel

General Manager:

Has responsibility to ensure adherence to this policy and any related Acts of parliament[s] or Regulations.

Managers

Are to ensure they are familiar with this policy and take appropriate action to ensure adherence thereto.

Customer Service Staff:

Shall ensure the collation of community responses utilising Council's [Concerns Complaints] database and procedures & at close of council business the trading day prior to council meeting will deliver to the General Manager a copy of all community suggestions and opinions.

Drafted by:

Barry Shields
Manager Executive Services

Walgett Shire

20 July 2004

5.11 NAMING OF PLACES

FILE: 145/09/00

25/04

RESOLUTION:

It was resolved on the motion of the Administrator that Council defer the proposed Policy titled “*Naming of Places*” and that community consultation be carried out to ascertain the views of the community.

Carried.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 31

Subject: Request to Purchase Land

Author: Alan Nelson – Manager Engineering

File No: 005/03/02/00

Summary:

Council has received a request to purchase a relatively small portion of Lot 31, DP 226373. This report recommends that Council agree to the sale at the purchaser's expense.

Comments (including issues and background):

In November 2006 Council resolved "That Council retain Lot 31 DP 226373 once classified as operational land for potential use as a site for new staff accommodation". This land has now been classified as operational land and Council is now able to consider its options for this land.

An adjoining landholder has written to Council asking if he can purchase a two metre wide strip of this land adjoining his common boundary to facilitate continued access to the rear of his property. He has indicated a willingness to meet costs associated with this land transfer, including survey and subdivision costs. To transfer this small amount of land will not compromise Council's opportunity to construct staff accommodation on the balance of the land.

A proposal, to construct staff accommodation on the balance of Lot 31 DP 226373, with proposed layout, cost and means of financing, will be presented to a future meeting of Council for consideration as a 2007/08 budget item.

Relevant Reference Documents:

- Resolution No 317/06 – November 2006
- Layout Plan (showing land to be transferred)

Stakeholders:

- Walgett Shire Council
- Mr G Richards

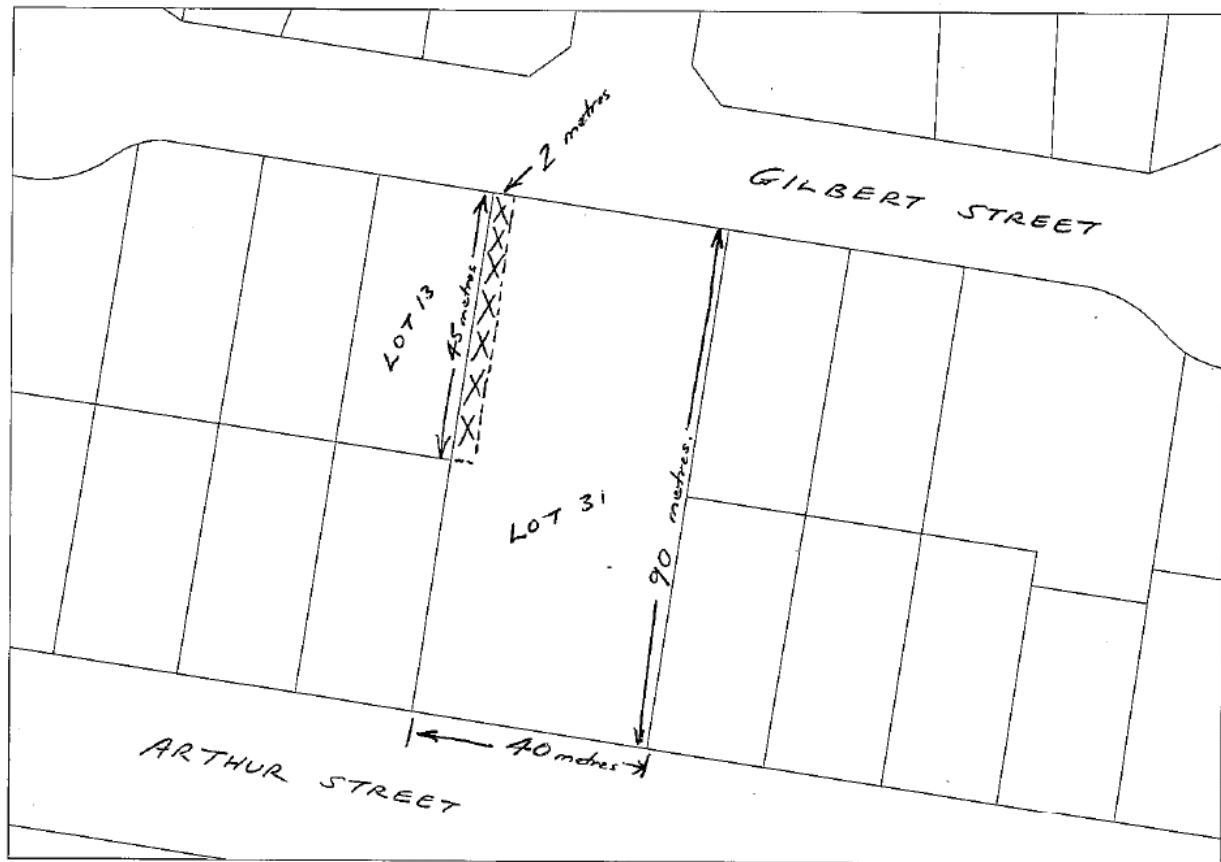
Financial Implications:

Nil – all costs will be met by Mr G Richards

Recommendations:

- 1. That Council agree to sell a two metre wide strip of land from Lot 31, DP 226373 to adjoining land owner of Lot 13, Mr G Richards in the following circumstances:-**
 - (a) The land is offered at the current Valuer General price for Lot 31, DP226373 (which is \$7 per square metre).**
 - (b) Mr Richards obtains development consent for the subdivision.**
 - (c) All costs associated with the sale and transfer of the land are borne by Mr Richards, including Development Application fees, surveying expenses and legal fees.**
- 2. That a proposal to construct staff accommodation on the balance of Lot 31, DP 226373 be presented to a future meeting of Council for consideration as a 2007/2008 budget item.**

Attachment - Staff Accommodation



Hatched area (approx 90 square metres) subject to transfer from Lot 31 to Lot 13.

SHIRE OF WALGETT - MINUTES

317/06 – Parks & Sporting Grounds

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. After the reclassification of the land to "operational" via the impending gazettal of a land reclassification Local Environmental Plan that Council consider disposal of land know locally as Eloura Park (Lot 33, DP. 253488) as a single housing block and that the proceeds of this sale be reinvested in parks facilities in Walgett.
2. That Council retain Lot 31 DP 226373 once classified as operational land for potential use as a site for new staff accommodation.

Carried.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 32

Subject: Proposed Replacement Lightning Ridge Landfill Site

Author: Ian Taylor – Projects Engineer

File No: 185/02/06/01

Summary:

Council resolved on 17 August 2006 to carry out detailed environmental investigation on two proposed sites for a future landfill at Lightning Ridge. This report recommends that Council proceed to acquire Part Lot 103 DP 1066289 Lightning Ridge for the purposes of developing the replacement Lightning Ridge landfill and subject to its successful acquisition proceed to prepare a Development Application for a landfill to be constructed on the site.

Comments (including issues and background):

Council has deliberated since before 1997 with respect to how and where the existing landfill at Lightning Ridge would be replaced. The existing landfill now has less than five years of life remaining, possibly as little as two years.

Any new landfill for Lightning Ridge may require the completion of an Environmental Impact Statement (EIS) in the form prescribed by the Environmental Planning and Assessment Regulation 2000 (NSW) before Development Consent can be granted.

Guidelines issued by the NSW Department of Environment and Conservation provide a range of specific environmental considerations in respect to the design, construction, and management of landfills. Key environmental issues that are considered relevant to this project include the following:

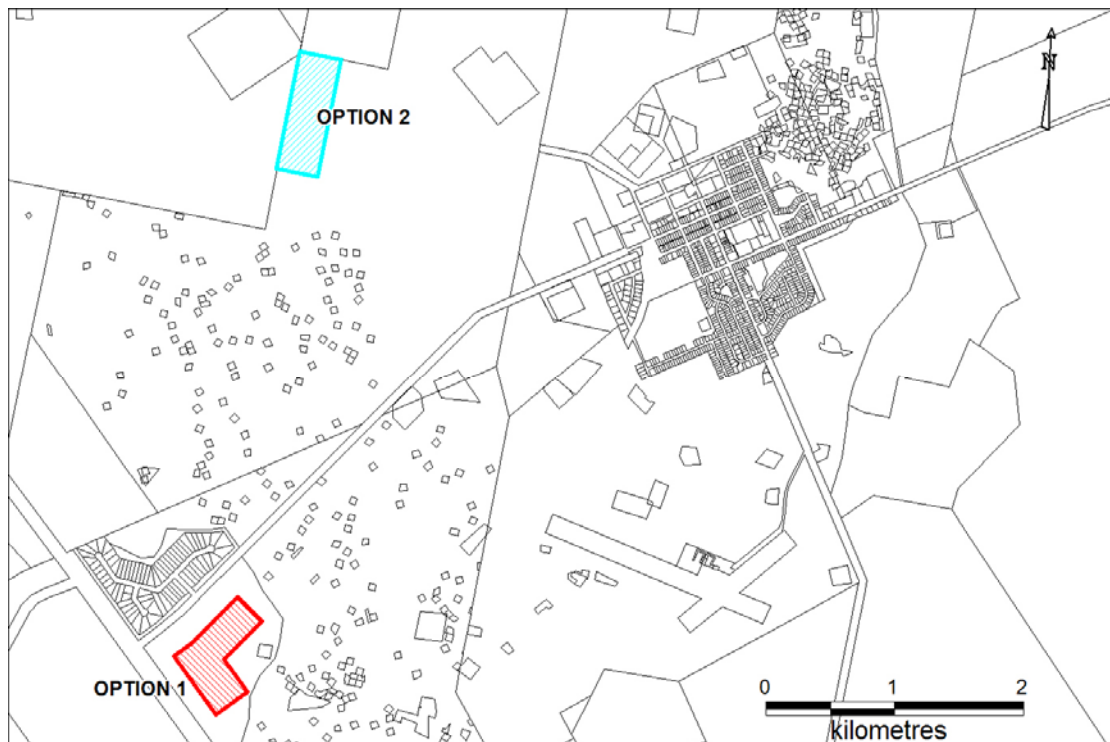
- Proximity to a residential zone or dwelling not associated with the development (250 metres is an initial benchmark minimum separation distance to satisfactorily mitigate the potential impacts of noise, visual impact, air pollution, vermin, and traffic);
- Transmission of contaminants from the site via permeable subsurface layers (this is generally mitigated with a constructed clay liner);
- Proximity to an environmentally sensitive area (100 metres is an initial benchmark minimum separation distance to satisfactorily mitigate potential impacts); and
- Subject to washout from 1:100 year flood events.

There is also a risk that the resolution of potential cultural heritage and archaeological impacts may significantly delay the project.

A further consideration is the delay and cost of acquiring a site to which Council does not already have freehold title and the resolution of potential Native Title issues.

The proposed landfill would be contained within a fully “man-proof” fenced site. Landfill operations would be supervised at all times when the site is open for business and would be required to maintain compliance with a Landfill Management Plan.

Council has undertaken a comprehensive geotechnical investigation for its two short listed sites. One of these reports would form part of an EIS should Council proceed with either option. The relative positions of these sites to the Lightning Ridge Township are as shown in the following figure:



Following are the key differences between the sites:

Option 1:

- This site is located on Lot 76 DP 838673
- Council has freehold Title to the land and could proceed immediately to prepare a Development Application.
- The site is not subject to 1:100 year flood events, but would require management of surface water flows as part of the development.
- Council Officers estimate that there is a lesser chance that the site contains significant archaeological artefacts.
- A natural wetland area has been identified to the south-west of the site however it is considered that a buffer of at least 100 metres can be maintained to this area and the impacts of the diversion of surface and subsurface water flows can be minimised. Additional monitoring may be required at this site.
- The site has been selected to maintain a minimum 250m buffer zone between it and adjacent “dwellings”. Encroachment by “dwellings” within this buffer is limited by the fact that it is primarily in freehold ownership by Council and the site is bounded on two sides by public roads.
- Whilst this site has better resources for constructing earthworks and drainage systems, it is likely that the quantity of clay materials suitable for constructing landfill liner and capping may be insufficient.
- Option 1 has been assessed as likely to have a higher construction cost.

Option 2:

- This site is located on Lot 103 DP 1066289 (formerly Lot 2 DP 849709)
- This land is vested in the Crown and Council would be prudent to proceed to acquire the site prior to submitting a Development Application.
- The site is believed to be at least partially impacted by a 1:100 year flood event and would require measures to prevent washout of waste materials.
- The site has been selected to achieve a minimum 250m buffer to existing “dwellings” however “dwellings” could potentially encroach upon this area as it is under Crown ownership.
- The quantity of clay materials suitable for constructing landfill liner and capping on this site will be more than sufficient however the available materials would be less suitable for pavement works.
- Option 2 has been assessed as likely to have the lesser construction cost, however this will be off-set by the acquisition costs associated with this site.

Council Officers had reviewed a number of possible sites to establish a shortlist of feasible sites. Public consultation through advertisements in the local media was undertaken in July 2006 and was considered in formulating Council Resolution 223/06. Feed-back during the public consultation period was mainly received via the Lightning Ridge Precinct Committee, which identified Option 2 as their first choice, and Option 1 as their second preference.

It may therefore be concluded that on balance Option 2 is slightly preferred over Option 1.

Relevant Reference Documents:

- Council Resolution 223/06
- Geotechnical Investigation for a proposed Landfill Cell Located South-west of Lightning Ridge, Option 1, Coffey Geotechnics Pty Ltd, 8 February 2007
- Geotechnical Investigation for a proposed Landfill Cell Located West of Lightning Ridge, Option 2, Coffey Geotechnics Pty Ltd, 8 February 2007
- Comparison Report for a proposed Landfill Site, Options 1 and 2 at Lightning Ridge, Coffey Geotechnics Pty Ltd, 8 February 2007

Stakeholders:

- Walgett Shire Council
- Residents and businesses in Walgett Shire
- The Crown

Financial Implications:

- 1) The development of a replacement landfill at Lightning Ridge has been comprehensively assessed as of significantly better value than transporting all waste to an alternate landfill.
- 2) The proposed landfill will have a 50 year service life to allow the establishment costs to be amortised over a long period.

SHIRE OF WALGETT – AGENDA

- 3) Council has provided \$200,000 in its 2006/2007 Management Plan for the Lightning Ridge Landfill Replacement.
- 4) Council's future Waste Management charges can and should be varied to meet the expenditure associated with developing and managing replacement solid waste services.

Recommendation:

1. **That Council seek the owners consent to proceed to prepare a Development Application for a landfill to be constructed on the site (Part, Lot 103, DP1066289).**
2. **If the development application is approved, Council then proceed to subdivide and acquire the land.**

Reference:

223/06 – Lightning Ridge Waste Disposal – Selection of Preferred Option for Waste Disposal for the Town of Lightning Ridge

RESOLUTION:

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

1. Council carry out detailed environmental investigations on the sites of “Option 1” being part Lot 76 DP 838673 and “Option 2” being part Lot 2 of DP 849709, subject to the approval for such investigations on the site of “Option 2” being granted by NSW Department of Natural Resources; and
2. The Manager Engineering reports the findings of the environmental investigations to Council.

Carried.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 33

Subject: Council Public Liability

Author: Kaye Stone – Asset Officer

File No: 200/04/00/00

Summary:

This report recommends that all users of Walgett Shire Council owned and/or managed facilities provide no less than \$10 million in public liability insurance and a register be maintained to record the receipt and renewal of these documents.

Comments (including issues and background):

Walgett Shire Council currently holds a Casual Hirers Public Liability Policy with a limit of liability of \$10 million.

The casual hirers policy only provide cover to casual hirers of Council owned facilities, who hire the facility no more than ten times in any twelve month period. It excludes incorporates Bodies, Sporting Groups or Associations of any kind. It does not cover commercial or profit making activities of any kind.

Council's insurer (Jardine Lloyd Thompson) has advised that for non-casual hirers any organisation or individual using a Council owned and/or managed facility must hold a Public Liability policy of insurance with a limit of liability of not less than \$10 million.

It is also noted that it is a policy of the Department of Lands that all users of Crown Land must hold a Public Liability policy of no less than \$10 million. Other councils have similar policies.

Relevant Reference Documents:

- Council Report dated 3 February 1997
- Council Report dated 28 April 1997
- File No - 200/04/00/00

Stakeholders:

- Walgett Shire Council
- Jardine, Lloyd and Thompson
- Department of Lands – Moree
- Department of Lands – Dubbo
- Department of Natural Resources – Dubbo

Financial Implications:

Nil, however there may be considerable cost to Council if all users of Council owned and/or managed facilities do not have the minimum coverage of \$10 million in public liability.

Recommendations:

- 1. That Walgett Shire Council adopt as policy, that non-casual users of Council owned and/or managed facilities must hold a Public Liability insurance policy with a limit of liability of not less than \$10 million.**
- 2. That Walgett Shire Council adopt as policy, that casual hirers of Council owned or managed facilities do not need to provide public liability insurance, with Casual Hirers being defined as; parties who hire a facility not more than ten times in any twelve month period, this excludes Enterprises, Incorporated Bodies, Sporting Groups or Associations of any kind.**
- 3. That a public liability register be maintained by Council detailing Certificates of Currency received by Council including but not limited to; name of organisation in receipt of the public liability insurance, expiry date noted on the document, name of company issuing the public liability and follow up date for the renewal of the certificate.**

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 34

Subject: Serbian Orthodox Church – Lightning Ridge

Author: Kaye Stone – Asset Officer

File No: 180/09/19/09

Summary:

This report recommends that property Lot 1 DP846336 be transferred to the Serbian Orthodox Monastery of Saint Sava on the basis that there will be no payment for the value of the land but the transferee will pay all of the Council's cost in having the transfer prepared and registered.

Comments (including issues and background):

At the meeting of the Council held on 29 November 1993 the council dealt with a report on a proposed Serbian Orthodox Church at Lightning Ridge and passed the following Resolution; *'That land be made available under a ten year lease, for a rental of \$1.00 per year, after which time the freehold be converted into the church's name.'*

It is noted that the lease expired on the 31 December 2003 but the land transfer has not been completed due to the classification of the land being Community Land.

On the 16 February 2007 the Local Environmental Plan (LEP) 2006 – Classification and Reclassification of Public Land was gazetted.

The land (Lot 1 DP846336) was reclassified through the LEP process to operational land under the Local Government Act 1993, thereby allowing the transfer of the said land from Walgett Shire Council to the Serbian Orthodox Monastery of Saint Sava.

Council has received a request from the Mission of Saint George Lightning Ridge Serbian Orthodox Church for the erection of a BBQ area and vehicle entrance on Lot 1, DP 846336. The Church has requested that the landholders consent be given (being Council at the present time) for the development application and construction certificate application to be processed, so that construction of the BBQ area vehicle access can occur while the land transfer is taking place.

Relevant Reference Documents:

- Council Report dated 29 November 1993
- Council Report dated 28 April 1997
- Council Report dated 30 September 2002
- Letter from Waterford Ryan Solicitors
- Local Environment Plan for land classification
- File No - 180/09/19/09
- Letter from the Serbian Orthodox Church Australia

Stakeholders:

- Walgett Shire Council
- Serbian Orthodox Monastery of Saint Sava
- Lightning Ridge Community

Financial Implications:

No payment will be requested for the value of the land and the transferee will be required to pay all of the Council's cost in having the transfer prepared and registered.

Recommendations:

1. That Lot 1 DP846336, Pandora Street, Lightning Ridge be transferred to the Serbian Orthodox Monastery of Saint Sava on the basis that there will be no payment for the value of the land and that the Transferee will pay all of the Council's cost in having the transfer prepared and registered.
2. That the General Manager and Administrator be authorised to affix the seal of Council and sign the documents necessary to execute the transfer of Lot 1, DP 846336 Pandora Street, Lightning Ridge.
3. That the Serbian Orthodox Monastery of Saint Sava be advised of the Council's resolution.
4. That the Walgett Shire Council gives it's consent as the owner of Lot 1, DP 846336, Pandora Street, Lightning Ridge for the lodgement of a Development Application and Construction Certificate application for the construction of a roofed barbeque enclosure and a vehicle entrance to the site direct from Pandora Street.

SERBIAN ORTHODOX DIOCESE
OF AUSTRALIA & NEW ZEALAND



СРПСКА ПРАВОСЛАВНА ЕПАРХИЈА
АУСТРАЛИЈСКО-НОВОЗЕЛАНДСКА

MISSION OF SAINT GEORGE
LIGHTNING RIDGE

МИСИОНАРСКО ПОДРУЧЈЕ
Светог Великомученика Георгија

Postal Address: P. O. BOX 1316, LIGHTNING RIDGE NSW 2834

0268290277

Att: To the general manager.

We are writing in regards to proceed with proposed BBQ area DA
2005046 LOT 1 DP 846336 Pandora ST Lightning Ridge

We have been informed in writing that the council is in
position to transfer the property to the church. Therefore we
request your consideration to allow us to proceed the construction
of the BBQ area to be completed by July 2007 for the visit of our
Bishop IRINEJ's blessing of the building.

We would greatly appreciate your response.

Yours sincerely

President
Milan Popovic

Walgett Shire
Council
REC'D

13 MAR 2007

FILE:

180/09/2100

LETTER No:

1508

REFER:

KMS

COPY:

LJS/MPG.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 35

Subject: User Pays Standpipe Metering - Lightning Ridge

Author: Melanie O'Sullivan – Projects Officer

File No: 175/03/03/00

Summary:

In the Walgett Shire Council Management Plan 2006-2007, Council approved the expenditure of \$30,000 for the replacement of the existing unmetered water standpipe located in Harlequin St Lightning Ridge, adjacent to the caravan park with an automated User Pays Metered Water Distribution System capable of supplying both bulk and small amounts of water.

Comments (including issues and background):

The proposed metered standpipe is proposed to be constructed in Harlequin Street, approximately 110m from the location of the present point towards the intersection of Harlequin and Opal Street in front of the car park. The proposed facility will be constructed within the road verge. There will be no requirement to acquire further land for construction.

The proposed facility will include access for all natures of traffic (heavy and light) and should negate the need for a second water standpipe capable of heavy vehicle access. The existing Lightning Ridge standpipes should be closed a suitable period after the successful installation of the new standpipe to allow customers to procure the necessary access "keys".

Disruption of supply will be minimal as the new standpipe will be in a different location to the existing standpipe. Patrons can also be re-directed to the Shincracker Street standpipe until the new standpipe is commissioned.

It is unlikely that current traffic flow will be adversely affected by the installation of the new facility.

It is proposed that the installed system will operate via individual proximity "keys" which will be purchased either on a pre paid or account basis for bulk customers. Appropriate charges would be determined by council. Introduction of charges is envisaged in 2007/2008 financial year.

Administration and billing procedures are proposed to be contracted out to a suitable private company to minimise additional administrative load on council resources. There are at least two suppliers currently providing compatible services.

Relevant Reference Documents:

- Walgett Shire Council Management Plan 2006/07

Stakeholders:

- Walgett Shire Council
- Existing Lightning Ridge water supply customers
- Users of the Lightning Ridge Standpipes

Financial Implications:

\$30,000 has been allocated in the Management Plan. 2006/2007 construction and installation of appropriate facilities can be completed within this budgeted sum.

Recommendation:

Council endorse the construction and subsequent installation of an automated user pays water standpipe system in Harlequin Street, Lightning Ridge and the closure of Council's existing public standpipes.

MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 MARCH 2007
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Item No: 36

Subject: Use of Council Owned and Managed Facilities

Author: Kaye Stone – Assets Officer

File No: 145/09/03/00

Summary:

This report recommends that Council, as the appointed reserve trust manager, not issue leases (that is, a right of exclusive occupation) to any occupier of crown land.

Comments (including issues and background):

Council has had numerous requests from a number of clubs and associations across the shire requesting leases for the exclusive use of building on crown land under Council's control.

In the past Clubs and Associations have raised funds and built club houses and storage sheds crown reserve in the belief that the structure was owned by their club and/or association for their exclusive use.

Walgett Shire Council has received advice from the Council Solicitor Booth Brown, Samuel and Olney in regard to the exclusive use of structures on Council owned and managed land. Part of that advice states:

"In making the decision to lease or licence Reserved or Dedicated land, the trust manager must have regard for principles of Crown Land management found in section 11 of the Crown Land Act (which, among other things, encourages the multiple uses of Crown Land), and the purpose for which the land has been Dedicated or Reserved."

Each Crown Reserve has a gazetted purpose some of those being; public recreation, public baths, showground, hall and caravan park. It is the responsibility of Council as the appointed reserve trust manager to ensure that the reserve be used for the purpose that was intended, in the majority of cases, being public use.

Relevant Reference Documents:

- Crown Land Act 1989
- Letter from Booth, Brown, Samuel and Olney
- File No 145/09/03/00

Stakeholders:

- Walgett Shire Council
- Department of Lands – Moree
- Department of Lands – Dubbo
- Department of Natural Resources – Dubbo
- Walgett Community

Financial Implications:

Nil financial impact

Recommendation:

That Council as the appointed reserve trust manager not issue leases (that is, a right of exclusive occupation) to any occupier of crown land.



Booth Brown Samuels & Olney

S O L I C I T O R S

12 March 2007

Attention: Kaye Stone
The General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

Dear Sir

RE: PROPOSED LICENCE AGREEMENTS FOR CROWN RESERVES
Our ref: NAW:M/2259
Your ref: Kaye Stone

We refer to recent attendances including your email of 6 March 2007.

We have considered the draft Licence Agreement provided with our instructions – it is our understanding this document was prepared by the Department of Natural Resources. As you are aware, we have prepared numerous agreements of this type on behalf of other Councils for whom we act.

We confirm that a licence agreement for Crown Land for which Council is the reserve trust manager must comply with the provisions of *Crown Lands Act* 1989 (particularly sections 99-111A inclusive) and must be approved by the Minister-.

Generally speaking, the draft Agreement included with your instructions covers the types of matters that should be included in an agreement of this nature although we would prefer to use our standard precedent to ensure consistency with the agreements of this type that you have instructed us Council will need to enter into in the near future. We note that you have instructed us to proceed to prepare such an agreement in this matter.

You have also instructed us that Council is considering whether it is preferable to allow occupants of Crown Land (for which Council is the reserve trust manager pursuant to a Reservation or Dedication) the exclusive or non-exclusive right to occupy the land. You have requested our views on this issue.

50 Talbragar Street, (PO Box 20), Dubbo NSW 2830
Telephone 02 6882 1844 Facsimile 02 6882 2633 DX 4000 Dubbo Email bb@bbso.com.au
A.B.N. 19 026 492 364

Donald F B Olney B.A., LL.B. Roger L King Dip. Law (SAB) Brian M Goodall B. Ec., LL.B. Acc. Spec. (Prop.) Paul W Kerr B. Juris., LL.B. Kane B Olney Dip. Law (LPAB)
Associates: Jane L North LL.B. Acc. Spec. (Wills & Estates) Brendon T Dunstan B. Com., LL.B. Nick A Wilson B.A., M. Int. S., Dip. Law (LPAB)

Under section 102 of the Crown Lands Act, a reserve trust may sell, lease or mortgage land, or grant an easement or a licence (except a temporary licence) in respect of land, comprising the whole or any part of the reserve provided that:

- (a) *the trust has decided that it is desirable to do so on the terms and conditions specified in the decision,*
- (b) *in the case of a proposed sale, the trust has caused a notice to be published in a newspaper circulating in the locality of the land setting out the date and the terms and conditions of the trust's decision, the location of the land and other prescribed particulars,*
- (c) *the trust has (in the case of a proposed sale, not earlier than 14 days after the publication of the newspaper notice) applied to the Minister in writing for consent, giving full details of the proposal, and*
- (d) *the Minister has consented in writing to the proposal.*

In making the decision to lease or licence Reserved or Dedicated land, the trust manager must have regard to a number of factors including the principles of Crown Land management found in section 11 of the Crown Lands Act (which, among other things, encourages the multiple uses of Crown Land), and the purpose for which the land has been Dedicated or Reserved.

Commonly, the reservation or dedication of Crown Land is for public requirements – although this does not prevent the land from being sold or leased by the reserve trust manager with the consent of the Minister. The Minister determines precisely what constitutes a public purpose (by notice in the Gazette). Examples include: Public Purposes, Public Recreation, Environmental Protection, Municipal Depot, Kindergarten, or Waste Depot.


We are aware of Councils who, in their role as reserve trust manager, are unwilling to grant leases (that is, a right of *exclusive* occupation) of Crown (public) Land under their control which has otherwise been Reserved or Dedicated for Public Purposes on the basis that it may be desirable for other members of the public to use such public land at different times. To grant a lease over the land will give the lessee the right of occupation to the exclusion of other members of the public.

Ultimately, it is for Council (in its role as reserve trust manager) to determine whether it wishes to adopt a particular approach to the leasing and licensing of Crown reserves in the Walgett Shire. We note that, for example, Dubbo City Council has generally preferred to only grant non-exclusive rights of occupation over Crown reserves (most of which are sporting areas including clubhouses) for which it is reserve trust manager.

Please contact us if you have any queries or require further information.

Yours faithfully

BOOTH BROWN SAMUELS & OLNEY


NICK WILSON

COMMITTEE MINUTES TO COUNCIL MEETING 20 MARCH 2007

Item No: 37

Subject: Local Area Traffic Committee Meeting – 15 February 2007

Author: Local Area Traffic Committee

File No: 145/04/00/00

Walgett Shire Council

**MINUTES OF THE LOCAL AREA TRAFFIC COMMITTEE MEETING
HELD THURSDAY 15th FEBRUARY 2007 AT 1.00PM IN THE
WALGETT SHIRE COUNCIL CHAMBERS FILE:145/04/00/00**

PRESENT:

Alan Nelson, Chair	Manager Engineering, Walgett Shire Council
David Vant	Roads & Traffic Authority
Sharon Grierson	Roads & Traffic Authority
Mary Casey-Marshall	Local Member's Representative

1. APOLOGIES:

Peter Szaak (Police)

2. PREVIOUS MINUTES

Moved David Vant Seconded Alan Nelson that the minutes of the December 2006 meeting held in the Walgett Shire Council Administration Building be accepted as a true and accurate record of proceedings. CARRIED

3. BUSINESS ARISING FROM PREVIOUS MEETING

Sharon Grierson raised the matter of the pedestrian crossing in Arthur Street, Walgett that has previously been discussed at meetings. The RTA has surveyed the site and will design a revised arrangement to retain the crossing, reduce the length of the crossing (and hence the exposure of children to traffic) and legitimise parking arrangements which are currently illegal. Council will then submit a price and grant application to construct the revised arrangement. It is hoped this can be completed prior to June 2007.

4. INCOMING CORRESPONDENCE

All incoming correspondence has been included in the agenda items.

5. SPEED ZONE REQUEST - CARINDA

A request has been received from the Carinda community, that the 50 kilometre per hour speed zone be relocated west of Marthaguy Creek at the western approach to the village along Regional Road No 333. This matter lies outside the jurisdiction of the Traffic Committee and should be referred directly to the RTA by Council.

Moved David Vant Seconded Mary Casey-Marshall that Council make direct representations to the RTA re this matter. CARRIED

6. PEDESTRIAN CROSSING – FOX STREET, WALGETT

Alan Nelson advised that he had been contacted by the local Police, with a request that Council look at ways of combating a problem whereby children with bikes and skateboards were skylarking on the pedestrian crossing near the intersection of Fox and Warrena Streets, Walgett. It was stated that the centre median was being used as a launch pad and juveniles were at risk of being hit and injured by passing traffic. The Committee felt this was a matter outside the terms of reference for the Committee and should be returned to the Police as a matter associated with compliance with the law. A suggestion was made that the message of acting responsibly on and near the road be delivered through the local schools. However, it was stated that the offenders, in this case, were probably not regular school attendees.

Moved Mary Casey-Marshall Seconded David Vant that this matter be referred back to the Police.

CARRIED

7. LIGHTNING RIDGE BORE BATHS

Alan Nelson read a letter from a resident of Lightning Ridge, concerned that people driving dangerously were putting others at risk in the vicinity of the Lightning Ridge Bore Baths. The writer requested speed humps in the parking area and a reduced (40 kilometres per hour) along Pandora Street in the vicinity of the facility. It was felt that speed humps would not necessarily create a safer situation and the RTA would not give favourable consideration to a reduced speed limit along Pandora Street. It was again felt that this was a matter for the local Police. Alan Nelson advised that he had already forwarded the resident's concerns to the Police.

Moved Mary Casey-Marshall Seconded David Vant that this matter be again referred to the Police, indicating the complaints related to lack of compliance with the law, rather than technical traffic management issues within the scope of this Committee.

8. NEXT MEETING

To be advised.

There being no further business, the meeting closed at 1.50PM.

REPRESENTATIVE REPORTS TO COUNCIL MEETING 20 MARCH 2007
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Item No:

Subject:

Author:

File No:

No Reports Submitted