



AGENDA FOR ORDINARY COUNCIL MEETING

28th May, 2013

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council will be held in the **Walgett Council Chambers** on **28 May, 2013** commencing at 10.00am to discuss the items listed in the Agenda.

Don Ramsland
GENERAL MANAGER

CONFLICT OF INTERESTS

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

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

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

Remoteness

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

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

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

Relatives, Partners

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

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

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

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

No Interest in the Matter

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

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

Disclosure and participation in meetings

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

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

Participation in Meetings despite Pecuniary Interest (S452 Act)

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

Non-Pecuniary Interest – Must be disclosed in meetings.

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

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

Disclosure to be Recorded (S453 Act)

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

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## **AGENDA**

### **1. Opening of Meeting**

### **2. Acknowledgement of Traditional Owners**

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

### **3. Apologies**

### **4. Welcome to Visitors**

### **5. Public Forum Presentations**

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

10:00am Presentation by Col Hundy regarding Development Application  
Presentation- Castlereagh Macquarie County Council  
ORDA Orana – Regional Plan Consultation Meeting 3:00pm

### **6. Declaration of Pecuniary/Non Pecuniary Interests**

### **7. Confirmation of Minutes/Matters Arising**

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### **9. Mayoral Minutes**

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## **DIRECTOR PLANNING & REGULATORY SERVICES**

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#### **15. Close of Meeting**

## **Apologies**

## **Welcome to Visitors**

N/A

## **Declaration of Pecuniary/Non Pecuniary Interests**

## **Confirmation of Minutes/Matters Arising**

### **Minutes of Council meeting –23<sup>rd</sup> April 2013**

#### **Recommendation:**

That the minutes of the Council meeting held 23 April 2013, have been circulated be confirmed as a true and accurate record of that meeting.

#### **Moved:**

#### **Seconded:**



## **MINUTES FOR ORDINARY COUNCIL MEETING**

**23<sup>rd</sup> April, 2013**

**NOTICE IS HEREBY GIVEN** pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council was held in the **Collarenebri Bowling Club, 2013** commencing at 9:58am to discuss the items listed in the Agenda.

Don Ramsland  
**GENERAL MANAGER**

## WALGETT SHIRE COUNCIL MINUTES

### CONFLICT OF INTERESTS

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

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**Remoteness**

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- Just because the person is a member of, or is employed by, the Council
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

**Disclosure and participation in meetings**

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- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
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**Disclosure to be Recorded (S453 Act)**

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WALGETT SHIRE COUNCIL MINUTES

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT COLLARENEBRI BOWLING CLUB ON TUESDAY 23rd APRIL, 2013 AT 9:58AM

PRESENT

Clr B Murray (Mayor)
Clr D Cooper
Clr R Greenaway
Clr D Lane
Clr M Martinez
Clr M Taylor
Clr L Walford
Clr I Woodcock
Clr J Keir
Stephen Holland (Director Corporate Services)
Matthew Goodwin (Director Planning & Regulatory Services)
Raju Ranjit (Director Engineering Services)
Prafulla Bahadur K.C (Acting Director Urban & Infrastructure Services)
Yasmin Jones (Minute Secretary)

Welcome to Visitors

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

Presentation of Petitions

Presentation by Mrs Isobel Addy in relation to rating within the Walgett Shire in particular the negative impact a rate rise for the Betterment Program may have on Senior Citizens.

Presentation by Mrs Gae Coleman also expressed her concern as to the amount of rates paid by ratepayers within the Shire in particular Collarenebri township.

Declaration of Pecuniary/Non Pecuniary Interests

Clr Martinez declared a Pecuniary Interest in item 27 - Monthly Flood works report from Director Engineering Services as his family is currently operating contract plant.

Clr Keir declared a Pecuniary Interest in item 27 - Monthly Flood works report from Director Engineering Services as her family is currently operating contract plant.

WALGETT SHIRE COUNCIL MINUTES

Confirmation of Minutes

4/2013/1 Minutes of Council meeting – 26 March 2013

Resolved:

That the minutes of the Council meeting held 26 March 2013, be confirmed as a true and accurate record of that meeting subject to Cllr Taylors Question two (2) page 24 be amended to read Cllr Taylor suggested that an Australian Honours nomination be considered for a Shire resident.

Moved: Cllr Woodcock

Seconded: Cllr Keir

Carried

Mayoral Minutes

4/2013/2 Matters Generally for Brief Mention or Information only from Mayor

Resolved:

That the Matters listed by the Mayor for brief mention or information only be received and noted.

Moved: Cllr Cooper

Seconded: Cllr Walford

CARRIED

Matters Arising

Nil

Motions of which Notice has been given

Nil

Councillors Questions From Last Meeting

Cllr Walford

Cllr Walford wished to advise that he had attended the Harmony Day event in Walgett, and that this was a wonderful day.

Cllr Martinez

Question 1

Can funding for maintenance on the Castlereagh Highway between Lightning Ridge and Walgett be investigated?

Answer

The Director Engineering Service advised this matter will be discussed at the next RMCC meeting.

WALGETT SHIRE COUNCIL MINUTES

Question 2

If \$90,000 is to be spent on the Collarenebri Agency house, what is the value of the house and the cost benefits of the renovations?

Answer

The Acting Director Urban Infrastructure Services advised as of 29th October 2010 the current market value of the property was \$60,000.00. However, Council's General Manager believes that there is justification to carrying out renovations to the premises on a limited scale and will be preparing a further report for Council's consideration in this regard in conjunction with a report on the future operation of the Collarenebri Agency.

Clr Taylor

Question 1

Can the Lions Park in Lightning Ridge be inspected as a number of Stall Holders have advised the ground is uneven?

Answer

The Acting Director Urban Infrastructure Services advised work has been undertaken to rectify the issue.

Question 2

Clr Taylor suggested a nomination under the Australian Honours System be considered for a Walgett Shire resident.

Answer

The General Manager advised that the process of the nomination of a person under the Australian Honours System is a confidential process aimed at celebrating the outstanding achievements of Australians in a diverse range of fields and areas.

Clr Lane

Question 1

Can Councillors have an update regarding the water connection leading to the Lightning Ridge Aerodrome?

Answer

The Director Planning and Regulatory Services advised once investigations are finalised a report will be brought back to Council.

Question 2

Can the capacity of a second water main at the new Bore be investigated so both Bores can be utilised at once?

Answer

The Acting Director Urban Infrastructure Services advised investigations are currently being undertaken.

Question 3

Can the Hudson Pear issue within the Shire be addressed?

Answer

The General Manager has included a report regarding this issue in the April Council Meeting.

WALGETT SHIRE COUNCIL MINUTES

Question 4

Can a report be bought to Council on the cost of providing town water to the Bill O'Brien subdivision?

Answer

The General Manager to investigate and prepare a report for Council's consideration.

Question 5

Could Council investigate the possibility of leasing or selling its water supply system?

Answer

The General Manager advised that the legality of implementing such a proposal will be investigated and a report prepared for Council's consideration.

Clr Woodcock

Question 1

Can the draft Landfill and Pool contracts be bought to Council for endorsement?

Answer

The General Manager advised that a report in relation to the future operation of Council's landfill areas and swimming pools is being prepared and this will include draft contracts for Council's consideration.

Question 2

What is the update on the Collarenebri Agency House renovations?

Answer

The Acting Director Urban Infrastructure Services advised the preliminary costs estimates have been provided to the General Manager who is preparing a report on the future of the project.

Clr Greenaway

Question 1

When will work proceed on the pavers in Collarenebri- there are funds in the 2012/13 Budget?

Answer

The Acting Director of Urban Infrastructure Services advised when the new "concrete crew" commences, this project will be included in the works program. It will also form part of the main street beautification (works currently in the planning stage).

Clr Cooper

Question 1

Can the operating hours of the Walgett Bore Bath be reviewed?

Answer

The Acting Director of Urban Infrastructure Services advised the current opening hours are Monday-Friday 8:00am – 4:30pm (winter months only). These time restrictions reflect the need for the bore baths to be opened and closed during normal business hours to minimise the level of vandalism that has been recorded in the past.

WALGETT SHIRE COUNCIL MINUTES

4/2013/3 Collarenebri Pavers

Clr Woodcock enquired as to why the paver job at Collarenebri hadn't been completed and whether there are sufficient pavers.

Resolved:

That the laying of the pavers at Collarenebri be made a priority and that a report be provided to the budget workshop.

Moved: Clr Woodcock

Seconded: Clr Greenaway

Carried

Reports of Officers

4/2013/4 Walgett Shire Council Health & Safety Committee Minutes – 4/4/2013

Resolved:

That the minutes of the Walgett Shire Council Health & Safety Committee Meetings held 4 April 2013 be received and noted and Council endorse the Health and Safety Policy and Procedure Statement.

Moved: Clr Cooper

Seconded: Clr Walford

CARRIED

4/2013/5 Walgett Shire Council Audit & Risk Management Committee

Resolved:

That the minutes of the Walgett Shire Council Audit & Risk Management Committee held 13 March 2013 be received and noted, that action being taken by the General Manager in respect of various issues identified and recommendations made during the internal audit process be endorsed.

Moved: Clr Keir

Seconded: Clr Greenaway

CARRIED

WALGETT SHIRE COUNCIL MINUTES

4/2013/6 Council Decisions Action Report – March 2013

The Director Corporate Services advised Council that the actual amount paid by the Carinda Hotel was \$7,500 and that action would be taken to obtain the balance of the outstanding rates.

Resolved:

That the Resolution Register for March 2013 be received and noted.

Moved: Cllr Lane

Seconded: Cllr Taylor

CARRIED

4/2013/7 Circulars Received from the Local Government NSW

Resolved:

That the information contained in the weekly circulars numbers 12/13-14/13 from the NSW Local Government and Shires Association be received and noted.

Moved: Cllr Keir

Seconded: Cllr Greenaway

CARRIED

4/2013/8 Circular Received From The Division Of Local Government –March/April 2013

Resolved:

That the information contained in the Departmental circulars 13-09 to 13-15 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Cllr Cooper

Seconded: Cllr Woodcock

CARRIED

4/2013/9 Monthly Calendar – April to June 2013

Resolved:

That Council receive and note the regular monthly calendar for the period April 2013 to June 2013.

Moved: Cllr Cooper

Seconded: Cllr Woodcock

CARRIED

WALGETT SHIRE COUNCIL MINUTES

4/2013/10 National General Assembly

Resolved:

That the Mayor and General Manager attend the National General Assembly of Local Government in Canberra 16-19 June 2012 and expenses be paid.

Moved: Cllr Woodcock

Seconded: Cllr Keir

CARRIED

4/2013/11 Solar Energy Exchange Initiative (SEXI) - letter of "in principle" support

Resolved:

That Walgett Shire Council:

1. Support the notion of "public funding being used for public benefit"
2. Supports "in principle" the SEXI proposal and the development of a solar energy industry in Walgett Shire.
3. Call on the Federal Government, through the Australia Renewable Energy Agency (ARENA), to provide up to \$200M over five years to the SEXI Group of Councils. To allow the SEXI proposal to be built and operated.

Moved: Cllr Woodcock

Seconded: Cllr Greenaway

CARRIED

4/2013/12 Hudson Pear Control Programme - Funding

Resolved:

That the State Minister and Federal Shadow Minister for the Environment be invited to inspect the extent of the Hudson Pear outbreak in the Shire and to fund the \$350,000 required annually to treat new weed incursions and stop the weed spreading.

Moved: Cllr Lane

Seconded: Cllr Greenaway

CARRIED

WALGETT SHIRE COUNCIL MINUTES

4/2013/13 Sculptures on the Highway concept – request for support

Resolved:

That the “Sculptures on the Highway” project be included for consideration at the 2013/14 Budget Workshop and that further consideration be given regarding the level of participation which Council may have in the organisation of the project.

Moved: Cllr Woodcock

Seconded: Cllr Martinez

CARRIED

4/2013/14 Matter for Brief Mention Or Information Only

Resolved:

That the General Manager’s Report on matters for brief mention or information only be received and noted:

1. Safer Suburbs Program – Taxi Security Scheme
2. Local Government NSW (LGNSW)
3. Letter from Hon. George Souris MP regarding Regional Visitor Economy Fund
4. Hon. George Souris MP declares the 2013 NSW Tourism Awards Open
5. Letter from the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union: Addressing the National Skills Shortage in Local Government
6. Tenders for Casual Plant Hire

Moved: Cllr Woodcock

Seconded: Cllr Keir

CARRIED

4/2013/15 Youth Development and Services: January - March 2013

Resolved:

That the quarterly report for January – March 2013 on Youth Development and Services be received and noted, and that congratulations be extended to the Youth Development and Services Team in respect to the success of programs being run Shire wide.

Moved: Cllr Woodcock

Seconded: Cllr Walford

CARRIED

WALGETT SHIRE COUNCIL MINUTES

4/2013/16 Community Development Quarterly Report (January – March 2013)

Resolved:

That the quarterly report for January – March 2013 on Community Development be received and noted.

Moved: Cllr Walford

Seconded: Cllr Cooper

CARRIED

4/2013/17 Library Services quarterly report January – March 2013

Resolved:

That the quarterly report, January – March 2013 on Library services be received and noted.

Moved: Cllr Keir

Seconded: Cllr Taylor

CARRIED

4/2013/18 Cash On Hand and Investment Report as At 31 MARCH 2013

Resolved:

That the cash on hand and investment report as at 31 March 2013 be received.

Moved: Cllr Woodcock

Seconded: Cllr Cooper

CARRIED

4/2013/19 Section 356 Donations to Local Churches and Other Organisations

Resolved:

That the draft policy for donations to local churches and other organisations be adopted.

Moved: Cllr Lane

Seconded: Cllr Walford

CARRIED

WALGETT SHIRE COUNCIL MINUTES

4/2013/20 Quarterly Budget Review Statement for the Quarter ended 31 March 2013

Resolved:

1. That the Quarterly Budget Review Statement for the quarter ended 31 March be received and noted
2. That the proposed variations included within the Quarterly Budget Review Statement for the Quarter ended 31 March be adopted.

Moved: Cllr Lane

Seconded: Cllr Martinez

CARRIED

4/2013/21 Sale of Land for Unpaid Rates

Resolved:

1. That Council delegate to the General Manager authority to sell the two (2) remaining properties being Assessment 6544 for 75 Warrena Street, Walgett – Lot 41 DP 802933 and Assessment 6569 20 Peel Street, Walgett – Lot 1 Section 10 DP 759036 by private treaty in accordance with Section 716 of the *Local Government Act 1993*.
2. That the General Manager be delegated authority to complete the required legal documentation associated with the sale of the properties submitted for sale under Section 713 of the Local Government Act 1993 and to affix the Council Seal where required.
3. That agreement be sought from owners with multiple properties to transfer any surplus of funds from sale prices exceeding the outstanding rate amount, to other properties in the owner's name for which the sale price did not meet the outstanding rate amount.

Moved: Cllr Lane

Seconded: Cllr Taylor

4/2013/22 Financial Hardship- Rate Relief Policy

Resolved:

1. That the draft policy be adopted in principal and placed on Public Exhibition for 28 days.

Moved: Cllr Lane

Seconded: Cllr Cooper

CARRIED

WALGETT SHIRE COUNCIL MINUTES

4/2013/23 Matters Generally for Brief Mention or Information only from Acting Director Urban Infrastructure Services – April 2013

Resolved:

That the matters listed for brief mention or information is received and noted:

1. Consultant Engagement for Landfills
2. Letter of Award– Namoi Village Water & Sewerage Upgrade Pipe Contract

Moved: Cllr Martinez

Seconded: Cllr Cooper

CARRIED

4/2013/24 Development & Complying Development Certificate Application

Resolved:

That the report on Development and Complying Development Certificate applications dealt with by Council staff under delegated authority during February and March 2013 be noted.

Moved: Cllr Woodcock

Seconded: Cllr Martinez

CARRIED

Prafulla Bahadur K.C left the meeting at 11:55am

Prafulla Bahadur K.C returned to the meeting at 11:58am

4/2013/25 Matters Generally for Brief Mention or Information only from Director of Planning & Regulatory Services

Resolved:

1. That Council receive and note the report by the Director of Planning & Regulatory Services on matters for brief mention, or information only, regarding:
 - RSPCA CAWS program.
 - Unauthorised building works.
 - Non-urban water connections – Lightning Ridge.
 - New agreements with LPI to host additional CORS sites.
 - Draft Walgett LEP 2013.
 - Urban addressing project completion.
 - LIDAR data acquisition and Rural Residential Land Use Strategy.

Moved: Cllr Greenaway

Seconded: Cllr Taylor

CARRIED

WALGETT SHIRE COUNCIL MINUTES

4/2013/26 Monthly RMCC works Report from Director Engineering Services – April 2013

Resolved:

That Council receive and note the monthly RMCC works report for April 2013.

Moved: Cllr Cooper

Seconded: Cllr Walford

CARRIED

Cllr Keir declared a Pecuniary Interest in the following item and left the meeting at 12:10pm

Cllr Martinez declared a Pecuniary Interest in the following item and left the meeting at 12:10pm

4/2013/27 Monthly flood works Report from Director Engineering Services

Resolved:

That Council receive and note the monthly flood restoration works report for April 2013.

Moved: Cllr Taylor

Seconded: Cllr Lane

CARRIED

Cllr Keir returned to the meeting at 12:12pm

Cllr Martinez returned to the meeting at 12:12pm

4/2013/28 Rural Fire Fighting North West Zone Service Funding Budget 2013/2014

Resolved:

That Council receive the report and approve the contribution of \$144,392.51 to Rural Fire Services Fund for 2013/2014.

Moved: Cllr Keir

Seconded: Cllr Lane

CARRIED

WALGETT SHIRE COUNCIL MINUTES

Questions for the next Meeting

4/2013/29 Lightning Ridge Bore Bath Road

Clr Martinez questioned the proposed program to bitumen seal 1.5km of this road and suggested that it would be better for the causeways to be bitumen sealed and an extended length of road gravelled.

Resolved:

That the causeways on the Lightning Ridge Bore Bath Road be sealed and the gravel extended within the scope of the available budget.

Moved: Clr Martinez

Seconded: Clr Lane

CARRIED

Clr Walford left the meeting 12:13 pm

Clr Walford returned to the meeting at 12:14 pm

Clr Taylor

Question 1

Enquired as to when a tree planting program will commence in Lightning Ridge? It was noted that watering of the trees on a regular basis by staff or a watering system would be required.

Answer

Director Urban Infrastructure Services to advise.

Question 2

Could the Gem Street "shoulders" have a bitumen coating. Due to it being a high traffic area ,a dust problem is being created for residents in Gem Street opposite the Lightning Ridge Diving and Swimming Pool Complex?

Answer

The Director Engineering Services to investigate.

Question 3

Could the Lightning Ridge Visitor Information Centre toilets be up-graded and painted to make to the toilets more presentable and pleasant to visit?

Answer

The Acting Director Urban Infrastructure Services to investigate.

Question 4

Can Council consider increasing the frequency that the rubbish bins in front of the Lightning Ridge Pool Complex are emptied? Also following periods of rain, could the frequency in which the street alongside the Pool is mowed be increased?

Answer

The Director Urban Infrastructure Services to investigate.

WALGETT SHIRE COUNCIL MINUTES

Question 5

Can Council find funds to keep the connecting tourist drives between the "car door drives" in Lightning Ridge in a reasonable condition?

Answer

The Director Engineering Services to investigate.

Clr Woodcock

Question 1

Can a meter on the bore line for the Miners Association tanks be installed as they require a constant supply of water for both dams and household use?

Answer

The Director Urban Infrastructure advised that a new meter will be installed in the first week in May 2013.

Clr Keir

Question 1

Can a letter be written to the Regional Manager of Australia Post in relation to the issues being experienced at the Lightning Ridge Post Office?

Answer

The Director of Corporate Services to investigate.

Question 2

Can the Come-By-Chance rubbish tip be inspected as the fence is down and rubbish is everywhere?

Answer

The Acting Director Urban Infrastructure Services to investigate.

Question 3

Can the condition of the bitumen in Colless Street Come-By-Chance be inspected?

Answer

The Director Engineering Services to investigate.

Question 4

On SR7716 the sealed road 15km from Walgett has been patched 4 times however the gravel has still not been properly covered by tar. Can this be investigated and corrected?

Answer

Director Engineering Services to investigate.

Clr Greenaway

Question 1

There is a large crack in the southern side wall of the Old Council Chambers, when does Council anticipate to carry out repairs?

Answer

The Director Planning and Regulatory Services advised that arrangements are being put in place for the wall to be inspected by Council's Senior Health and Building Surveyor.

Question 2

When are the two flood damaged causeways on SR5 going to be scheduled for repairs?

Answer

The Director Engineering Services to investigate.

WALGETT SHIRE COUNCIL MINUTES

Clr Cooper

Question 1

Noted that he had raised this matter at the February meeting and resident's letters on the issue had not been replied to. He requested that a report be brought back to Council regarding possible funding and planned maintenance for the Bridges and side tracks on the Brewon Road. It was also suggested that Council officers meet with residents.

Answer

The Director Engineering Services advised that a funding submission had been lodged and that he would arrange to meet with residents on site.

Clr Murray

Question 1

When is maintenance scheduled for the Turnbool and Angledool Road?

Answer

Director Engineering Services to investigate.

4/2013/30 MOVE INTO CLOSED SESSION AT 12:53PM

Resolved:

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

- (c) that information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting business (or proposed to conduct business)
- (d) that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Moved: Clr Woodcock

Seconded: Clr Walford

CARRIED

4/2013/31 RFO12001- Provision of Tenders Hired Plant and Minor Works on a Casual basis (additional offers)

Resolved:

That Council accepts tenders from the following business for RFQ12001 – Troy Crane Hire.

Moved: Clr Lane

Seconded: Clr Greenaway

CARRIED

WALGETT SHIRE COUNCIL MINUTES

4/2013/37 Return To Open Session at 12:57pm

Resolved:

That Council return to open session.

Moved: Cllr Greenaway

Seconded: Cllr Lane

CARRIED

4/2013/38 Adoption of Closed Session Reports

Resolved:

That Council adopt the following recommendation of the Closed Committee:
- RFO12001- Provision of Tenders Hired Plant and Minor Works on a Casual basis
(additional offers)

Moved: Cllr Lane

Seconded: Cllr Walford

CARRIED

Close of Meeting

The meeting closed at 12:58pm

To be confirmed at the meeting of Council to be held on 28th May 2013.

Mayor

General Manager

| |
|---|
| Walgett Shire Council Consultative Committee Minutes - 18 April 2013 |
|---|

Recommendation:

That the minutes of the Walgett Shire Council Consultative Committee Meeting held on 18 April 2013 be received and noted.

Moved:

Seconded:

Attachment:

Minutes of the meeting held 18 April 2013

MINUTES OF THE SPECIAL MEETING WALGETT SHIRE COUNCIL CONSULTATIVE COMMITTEE

The following are minutes of the Walgett Shire Council Special Consultative Committee Meeting held on Thursday 18th April 2013 in the Walgett Council Chambers, meeting commencing at 2.07pm

1. PRESENT

| | |
|-----------------|--|
| Don Ramsland | Management Representative |
| Raju Ranjit | Management Representative |
| Roy White | Management Representative |
| Prafulla KC | Committee Member (LGEA Representative) – Chairperson |
| Raelene Miller | Committee Member (United Service Union) |
| Julie McKeown | Committee Member (United Services Union) |
| Tony Fuller | Committee Member (United Service Union) |
| Dallas Williams | Committee Member (United Service Union) |
| Andrew Wilson | Committee Member (DEPA Representative) |
| Bronwyn Newton | Human Resources Manager |

2. APOLOGIES

Nil

3. MINUTES

Enquiries were made on how Positions are graded via the Mercer Evaluation System. Ms Bronwyn Newton, Human Resources Manager explained all staff utilised to complete Mercer Evaluations on positions have undergone training. The Committee were shown the template utilised and were informed once completed the points were added and divided by the number on the panel completing the evaluation (normally three people -HR, Someone from the department of the position and an independent from another department). The points were then matched against the points/grading scale to determine what grade the position has been evaluated.

Mr Tony Fuller indicated that he believed some of the positions from the previous meeting were not graded correctly. Ms Bronwyn Newton, Human Resources Manager advised that the grading is linked back to the position description. Mr Fuller enquired if any staff on the job had been involved in the development of the Plant Operator (Pulverizer) position descriptions. Ms Bronwyn Newton, Human Resources Manager advised that a number of staff had been involved in the development of the Plant Operator (Pulveriser) position description including Directors, HR, OH&S and Technical Officers.

Discussions moved towards plant and equipment necessary for the Ganger- Concrete and Drainage position. Mr Fuller was requested to take this matter up with the Director Engineering Services, Mr Raju Ranjit after this meeting as it was not applicable to this Committee meeting.

The minutes of the Consultative Committee Meeting held on 21st March 2013 were confirmed and accepted:-

Moved: Andrew Wilson
Seconded: Raelene Miller

4. BUSINESS ARISING

4.1 Election of USU Staff Committee Members – welcome new members

Chairperson, Mr Prafulla KC formally welcomed new members representing the United Services Union – Mr Dallas Williams and Mr Tony Fuller to the Consultative Committee.

4.2 Consultative Committee Training

Human Resources Manager, Ms Bronwyn Newton advised that Consultative Committee training has been arranged for 23rd May 2013.

Action:

Human Resources Manager, Ms Bronwyn Newton will provide memos regarding the Consultative Committee Training being held on 23rd May 2013 to all Committee members.

4.3 Staff Inductions

The Committee was advised by Ms Bronwyn Newton, Human Resources Manager that development of the half day inductions program was ongoing.

4.4 9 Day Fortnight Agreement

The Committee were provided with a draft copy of Wellington Shire Council's 9 day Fortnight Agreement to review and to discuss the implementation of such agreement at Walgett Shire Council.

Enquiries were made why Council was looking to implement such a document. Ms Bronwyn Newton, Human Resources Manager advised that this had been a suggestion of the United Services Union to implement a formal agreement and have all staff operating on a 9 day fortnight system sign the agreement.

It was noted that the document provided would need to be updated to be consistent with Council Policies and the Local Government (State) Award 2010.

It was requested that Two (2) more 9 day fortnight agreements be sourced from surrounding local Councils for the Committee to review and compare at the next meeting.

Action:

Human Resources Manager, Ms Bronwyn Newton to source a further Two (2), 9 day Fortnight Agreements from surrounding local Councils for the Committee to review and compare at the next meeting.

4.5 Flexible Work Practices and Time in Lieu Documents

The Flexible Work Practices and Time in Lieu Documents were distributed to the Committee members for endorsement.

It was advised that the documents had been circulated a number of times on the Consultative Committee agenda and the main change for the documents was the reduction of being able to store 3 days rather than 5 days.

It was advised that the Flexible Work Practices document had never been formally endorsed and that it was initially introduced to enable staff to commence work early or finish later and to be flexible for family commitments etc.

General Manager, Mr Don Ramsland advised that he has some concerns with the current documents and notes that the system is being abused by some staff to obtain additional flex hours to take off around Public Holidays and weekends which is having a detrimental effect on Council's efficiency/productivity and placing additional pressure on staff left in the Department during periods of extended absences.

The introduction of the flex system has created issues with excess leave balances which has lead Council to having an excessively high leave liability expense. The General Manager, Mr Don Ramsland discussed the impact of Council's leave liability costs and the affect the Award percentage increase every July is having.

Ms Bronwyn Newton, Human Resources Manager advised that there were issues with staff regularly doing additional hours per day to accrue flex time without approval. The impacts of this practice increases a number of WHS issues and issues with payment to staff who on termination have an existing flex leave balance available.

Ms Julie McKeown advised that she had sought input from various employees and found no objection to the documents being revised and reduced to Three (3) days.

Mr Andrew Wilson advised that he had sought input from the DEPA members who noted that they will support the documents being reduced to Three (3) days but oppose any other changes/amendments.

RECOMMENDATION:

That the Time in Lieu and Flexible Work Practices documents be endorsed.

5. GENERAL BUSINESS

5.1 Election of Deputy Chairperson

The Committee were requested to nominate a Deputy Chairperson.

Mr Andrew Wilson nominated Mr Tony Fuller, who declined the nomination.

Mr Andrew Wilson nominated Ms Julie McKeown.

Ms Julie McKeown accepted the Deputy Chairperson role.

Moved: Dallas Williams
Seconded: Andrew Wilson

5.2 Geographic Information System (GIS) Coordinator – Position Description

The Committee was advised by Ms Bronwyn Newton, Human Resources Manager that the Position Description for GIS Coordinator had been reviewed by the current incumbent and Supervisor to update and ensure it was relevant to current organisational requirements.

The Committee were advised the GIS Coordinator Position Description had been re-evaluated via the Mercer CED Job Evaluation process and was determined to be a Grade 5 which is what the position is currently graded.

Enquiries were made if the evaluators understood the role and if they have experience. Ms Bronwyn Newton, Human Resources Manager advised that only staff Mercer CED Job evaluation trained are utilised to complete the evaluations. Normally someone within the department, Human Resources and an independent from another department are utilised if available. Unfortunately no one from the Planning & Regulatory department was available to carry out the evaluation on this particular position. However it was noted that the evaluators were trained, have experience and followed the manual to complete the evaluation.

The Committee requested the following amendment to the GIS Coordinator - Position Description:-
Point 1 – Essential Criteria to read
“Enrolled and satisfactory progress of a Degree or diploma in a GIS related field or equivalent experience”.

The Committee were requested to endorse the GIS Coordinator Position Description with the above amendment.

RECOMMENDATION:

That the Position Description for the GIS Coordinator be endorsed with the above amendment.

5.3 WSC Staff Induction Manual

The Committee were advised the WSC Staff Induction Manual was tabled for review and endorsement.

The Committee were advised that the WSC Staff Induction Manual had been updated to ensure all information is relevant. The following updates were noted:-

- Any reference to OHS was amended to WHS
- The WHS Policy extract was updated to the new adopted document
- The Staff Induction Procedures were updated
- Reference to November staff newsletters was removed
- Reference to Council's intranet was removed

The Committee agreed to the following amendments and to also include:-

- Page 9 – Sick Leave – Change “the Supervisor/Director” to “your Supervisor/Director”
- Add information on Council’s Staff Uniform & PPE
- Add the WHS flowchart
- Page 9 - Leave provisions - Add information on maximum leave accrual limits
- Page 10 - Smoke Free Workplace - Add note regarding Disciplinary Action if policy not followed

The Committee agreed to endorse the WSC Staff Induction Manual with the above amendments.

RECOMMENDATION:

That the WSC Staff Induction Manual be endorsed with the above amendments.

5.4 Training & Conferences

The Committee was advised by Ms Bronwyn Newton, Human Resources Manager that the following training was being organised and/or proposed:

Traffic Control Training – Red 7th & 8th May 2013
Workplace Behaviour Training – 21st & 22nd May 2013
Aboriginal Cultural Awareness Training
Chemcert Training – 30th April 2013
Confined Spaces Training
Rates Officer Training
Reflect
Chainsaw Training
Webpage Training
Grant Workshop
Youth Conference

5.5 Payroll/HR Assistant - Position Description

This item was adjourned until the next meeting.

9. NEXT MEETING

Next Meeting – 9th May 2013

There being no further business the meeting closed at 3.35pm

Next Meeting of the Consultative Committee Meeting will be held on
9th May 2013 at 2.00pm at the Council Chambers Meeting Room.

I advise that in accordance with my delegated authority, the recommendations of the Consultative Committee contained in this report are accepted.

Signed: _____ Mr Don Ramsland, General Manager

DRAFT

Reserve Trust Management Committee Reports

Nil

Mayoral Minutes

To be circulated at the Council Meeting

Motions of which Notice has been given

Nil

Presentation of Petitions

Nil

Councillors Questions From Last Meeting

Clr Taylor

Question 1

Enquired as to when a tree planting program will commence in Lightning Ridge, it was noted that watering of the trees on a regular basis by staff or a watering system would be required.

Answer

Director Urban Infrastructure Services advised this has been programmed for the 2013/14 financial year.

Question 2

Could the Gem Street “shoulders” have a bitumen coating. Due to it being a high traffic area, a dust problem is being created for residents in Gem Street opposite the Lightning Ridge Diving and Swimming Pool Complex.

Answer

The Director Engineering Services advised work is currently in progress.

Question 3

Could the Lightning Ridge Visitor Information Centre toilets be up-graded and painted to make to the toilets more presentable and pleasant to visit.

Answer

The Acting Director Urban Infrastructure Services advised this was discussed at the first Budget meet held with Council and will be discussed further at the second budget meeting.

Question 4

Can Council consider increasing the frequency that the rubbish bins in front of the Lightning Ridge Pool Complex are emptied. Also following periods of rain, could the frequency in which the street alongside the Pool is mowed be increased.

Answer

The Director Urban Infrastructure Services advised staff have been instructed to increase the frequency the rubbish bins outside the Lightning Ridge Pool Complex are emptied and also to increase the frequency of mowing the perimeter after periods of rain. However, care must be taken not to increase service standards beyond a reasonable level.

Question 5

Can Council find funds to keep the connecting tourist drives between the “car door drives” in Lightning Ridge in a reasonable condition.

Answer

The General Manager advised that Council’s available funding extends to grading roads within Council’s roads hierarchy only. The grading of the access roads on private lands/W.L.L are the responsibility of the owner / lessees.

Clr Woodcock**Question 1**

Can a meter on the bore line for the Miners Association tanks be installed as they require a constant supply of water for both dams and household use.

Answer

The Acting Director Urban Infrastructure advised the meter was installed on the 22 May, 2013. An agreement exists in respect of this supply line.

Clr Keir**Question 1**

Can a letter be written to the Regional Manager of Australia Post in relation to the issues being experienced at the Lightning Ridge Post Office?

Answer

The Director of Corporate Services advised the matter will be followed up with the Regional Manager of Australia Post.

Question 2

Can the Come-By-Chance rubbish tip be inspected as the fence is down and rubbish is everywhere?

Answer

The Acting Director Urban Infrastructure Services completed an inspection of the site and is seeking quotes to transfer the waste or cover the tipping face.

Question 3

Can the condition of the bitumen in Colless Street Come-By-Chance be inspected?

Answer

The Director Engineering Services inspected the site on 13 May 2013 and advised work will be undertaken by the end of May 2013.

Question 4

On SR7716 the sealed road 15km from Walgett has been patched 4 times however the gravel has still not been properly covered by tar. Can this be investigated and corrected.

Answer

The Director Engineering Services advised the site inspection was undertaken 15 May 2013 and work is currently in progress.

Clr Greenaway

Question 1

There is a large crack in the southern side wall of the Old Council Chambers, when does Council anticipate to carry out repairs.

Answer

The Director Planning and Regulatory Services advised inspections was undertaken by Council's Senior Health and Building Surveyor on 16 May 2013.

Question 2

When are the two flood damaged causeways on SR5 going to be scheduled for repairs.

Answer

The Director Engineering Services advised work is currently in progress.

Clr Cooper

Question 1

Noted that he had raised this matter at the February meeting and resident's letters on the issue had not been replied to. He requested that a report be brought back to Council regarding possible funding and planned maintenance for the Bridges and side tracks on the Brewon Road. It was also suggested that Council officers meet with residents.

Answer

The Director Engineering Services advised that a funding submission has been lodged and a meeting has been scheduled for the 20 May 2013 with Clr Cooper and residents onsite.

Clr Murray

Question 1

When is maintenance scheduled for the Turnbool and Angledool Road.

Answer

The Director Engineering Services advised a site meeting was conducted on the 24 April 2013 and work is currently in progress.

Reports of Delegates and Representatives

COUNCIL'S DECISION ACTION REPORT – April 2013

REPORTING SECTION: General Manager

AUTHOR: Don Ramsland

FILE NUMBER: 10/154

Summary:

This schedule summarises the action taken in respect of matters considered at the previous two meetings of Council.

Background:

Attached is the Resolution Register which summaries outstanding action in respect of all resolutions as well as any other matters raised at previous Meetings which required action.

Current Position:

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

Relevant Reference Documents/Policies:

Resolution Register 23 April 2013

Governance issues:

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

Environmental issues:

Nil

Stakeholders:

Council and Manex Team

Financial Implications:

Nil

Alternative Solutions/Options:

Nil

Conclusion:

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

COUNCIL DECISIONS ACTION REPORT – April 2013**Recommendation:**

That the Resolution Register for April 2013 be received and noted.

Moved:

Seconded:

Attachments:

Resolution Register- April 2013

Resolution Actions for Ordinary Meeting 19th February 2013

| | | | | | | |
|--------------------|-----------|---|--|---|--|--|
| 19th February 2013 | 1/2013/22 | <p>1. That Council resolve to sell Lot 20 Sec 41 DP 759036 to Walgett Preschool and Long Day Care Centre for the purchase of the sum of \$35,000 plus GST.</p> <p>2. That Council resolve to waive rental payments of \$28,800 under the lease agreement.</p> <p>3. That Council instruct solicitors Booth, Brown Samuels and Olney to prepare a Contract of Sale between the Walgett Preschool & Long Day Care Centre for Lot 20 Section 41 DP759036 to complete the transaction.</p> <p>Moved: Clr Woodcock
Seconded: Clr Cooper</p> | Director Urban Infrastructure Services | <p>19/03/2013 Contracts currently being drawn up by Booth, Brown Samuels and Olney.</p> <p>10/04/2013 Contracts have been drawn up and settlement scheduled.</p> <p>22/04/2013 Contract for sale documents signed by General Manager.</p> <p>22/04/2013 Contract for Sale – Lot 20 Pitt Street Walgett signed and forwarded to Booth, Brown, Samuels and Olney.</p> | Director Urban Infrastructure Services | |
| 19th February 2013 | 1/2013/43 | <p>That Council accept the tender for RFT12/011 from Brownrite Building Group Pty Ltd in the sum of \$219,380 for the extension to the Walgett Library in accordance with the plans and specifications forming part of the tender document.</p> <p>Moved: Clr Woodcock
Seconded: Clr Martinez</p> | Director Corporate Services | <p>18/03/2013 Brownrite have accepted the tender and contracts have been drawn up.</p> <p>12/04/2013 Contractors commenced works</p> | Director Engineering Services | |
| 19th February 2013 | 1/2013/45 | <p>That Council approve the renewal of lease between Walgett Shire Council as Trust Manager for the Walgett Recreation (D520033) Reserve Trust; Walgett Recreation (R69987) Reserve Trust and Walgett Baths (R82251 Reserve Trust and the Walgett and District Sporting Club Limited for a term of twenty years from 1 January 2012 to 31 December 2031 at an annual rental of \$2 and on the same terms and conditions of the former lease.</p> <p>Further that Council execute the appropriate lease documentation under the Common Seal of Council and seek the Minister's approval/concurrence to the proposed new twenty year lease.</p> <p>Moved: Clr Woodcock
Seconded: Clr Lane</p> | General Manager | <p>18/03/2013 Lease is currently in the process of being drafted and has been forwarded to the Club for signing.</p> | General Manager | |

WALGETT SHIRE COUNCIL AGENDA

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|--------------------|--------------------------------|---|---|---|---|--|
| 19th February 2013 | Questions for the next Meeting | What is the progress of the Sewer Dump Point's relocation at Lightning Ridge?
Clr Woodcock | Director of Urban Infrastructure Services | 18/03/213 Planned completion of relocation for May 2013.
15/04/2013 Installation of the Sewer Pump will be completed by 30 June 2013.
15/05/2013 New sewer dump point is in Windlass Ave next to Lions Park, as it is not practical to install near new bore. | Director of Urban Infrastructure Services | |
| 19th February 2013 | Questions for the next Meeting | Clr Greenaway advised Suzanne Murray sent a request for a Levee to be Maitland Street, Collarenebri; what is the progress of this request?
Clr Greenaway | General Manager | Legal Position being investigated letter sent to Mrs Murray. | General Manager | |
| 19th February 2013 | Questions for the next Meeting | Can a report be bought back to the March meeting regarding the short and long term plans / options for the maintenance of the Bridges on the Brewon road and details of funding that has been applied for?
Clr Cooper | Director Engineering Services | 01/03/2013 A loan has been applied for two bridges on the Brewon Road, currently awaiting outcome.
15/05/2013 Scheduled a meeting with Clr Cooper and residents on site on 22/05/2013 to discuss issues / concerns raised by residents. | Director Engineering Services | |
| 19th February 2013 | Questions for the next Meeting | Have the damaged signs at the Cryon intersection on SH29 east been addressed.
Clr Cooper | Director Engineering Services | 19/02/2013 Replacement signage is on order through Roads and Maritime Services.
22/05/2013 Received the replacement signs, and will be installed by the end of May. | Director Engineering Services | |
| 19th February 2013 | Questions for the next Meeting | When are the tenders for the Shire Swimming Pools going to be advertised?
Clr Martinez | Director of Urban Infrastructure Services | 19/03/2013 Tenders will be advertised in April / May.
15/05/2013 Progressing current tender being reviewed. | Director of Urban Infrastructure Services | |
| 19th February 2013 | Questions for the next Meeting | Can the tree watering systems in Lightning Ridge at the Library and Sherman Way in Pandora street be fixed?
Clr Lane | Director of Urban Infrastructure Services | 01/03/2013 Investigations of all watering systems in Lightning Ridge will be undertaken.
15/05/2013 Library | Director of Urban Infrastructure Services | |

WALGETT SHIRE COUNCIL AGENDA

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|--------------------|--------------------------------|---|---|--|---|--|
| | | | | watering system to be fixed by the end of May, however the trees on Sherman Way are established; trees are self-sufficient to extract water. | | |
| 19th February 2013 | Questions for the next Meeting | Has the lawn mower owned by the Lightning Ridge Pre-School which went missing been located?
Clr Walford | General Manager | Further investigations currently being conducted. | General Manager | |
| 19th February 2013 | Questions for the next Meeting | What is the progress of the proposed pedestrian crossing outside of the Lightning Ridge Pre-School?
Clr Walford | Director Engineering Services | 01/03/2013 Traffic studies are in progress. 17/05/2013 Counter was removed on the 16/05/2013, data processing is currently in progress. | Director Engineering Services | |
| 19th February 2013 | Questions for the next Meeting | Can the installation of a disabled toilet at the Lightning Ridge Bore Baths be investigated?
Clr Taylor | Director of Urban Infrastructure Services | 18/03/2013 Investigation being undertaken into costs of the project in conjunction with 2013/2014 Estimates. 15/05/2013 Discussed in Budget Meeting with Councillors and will be discussed further at the second budget meeting. | Director of Urban Infrastructure Services | |
| 19th February 2013 | Questions for the next Meeting | What is the latest situation with the Lightning Ridge Tip?
Clr Taylor | General Manager | A report is being prepared for Council's May 2013 Meeting, the life expectancy of the of Tip is being reviewed. | General Manager | |
| 19th February 2013 | Questions for the next Meeting | At the "Welcome to Lightning Ridge agitator" could Council provide a hard standing area as it is very boggy in wet conditions?
Clr Taylor | Director of Engineering | 01/03/2013 Investigation is currently in progress 15/04/2013 This will be put forth for consideration in the 21013/2014 Budget. | Director of Engineering | |

Resolution Actions for Ordinary Meeting 26 March

| | | | | | | |
|---------------|-----------|--|-----------------------------|---|-----------------------------|--|
| 26 March 2013 | 3/2013/5 | <p>1. That a licence be issued to the Lightning Ridge Golf Club Ltd for part use of Reserve (R84117) for use as a Golf course subject to the consent of the Minister.</p> <p>2. That the rent be \$150.00 + GST per annum.</p> <p>3. That the Mayor and General Manager be authorised to execute the licence agreement under the Common Seal of Council.</p> <p>Moved: Clr Martinez
Seconded: Clr Lane</p> | Director Corporate Services | <p>15/04/2013 Documentation prepared and sent to Lightning Ridge Golf Club for signature and return to Council.</p> <p>15/05/2013 Matter being followed up with Golf Course representative.</p> | Director Corporate Services | |
| 26 March 2013 | 3/2013/11 | <p>Resolved:</p> <p>1. That a fresh ten year licence with a five year renewal option at market value be negotiated with Imparja Television Pty. Ltd. with regards their existing Walgett site and a further option to purchase the land at market value also negotiated when the issues surrounding the requirements of the new LEP and power connections are resolved.</p> <p>Moved: Clr Walford
Seconded: Clr Lane</p> | General Manager | <p>Licence being prepared for signature.</p> <p>Digital Broadcasting has commenced in Walgett and Lightning Ridge.</p> | General Manager | |
| 26 March 2013 | 3/2013/15 | <p>That the Council give consideration to a provision in the 2013/2014 budget of an amount of \$20,000.00 for the purchase of 17 iPad tablets and data packages and the Council Dashboard Intranet Software.</p> <p>Moved: Clr Martinez
Seconded: Clr Lane</p> | Director Corporate Services | <p>15/04/2013 Provisions to be made in draft estimates.</p> <p>15/05/2013 Provision made in draft budget.</p> | Director Corporate Services | |
| 26 March 2013 | 3/2013/17 | <p>That the Council invite expressions of interest for the provision of external audit services for a six year period commencing 1 July 2013 on a joint basis with the councils of Coonamble, Warren, Gilgandra and Warrumbungle.</p> <p>Moved: Clr Lane
Seconded: Clr Keir</p> | Director Corporate Services | <p>15/04/2013 Matter proceeding.</p> <p>Specifications being prepared prior to advertising.</p> | Director Corporate Services | |
| 26 March 2013 | 3/2013/18 | <p>1. That the Council assume responsibility for the conduct of the Walgett Markets as per the terms of this report and that the necessary arrangements be put in place.</p> <p>Moved: Clr Keir
Seconded: Clr Walford</p> | Director Corporate Services | <p>15/04/2013 Arrangements being prepared. Risk assessment conducted,. First market under Council control in July.</p> | Director Corporate Services | |

WALGETT SHIRE COUNCIL AGENDA

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|---------------|-----------|--|---|--|---|--|
| 26 March 2013 | 3/2013/19 | <p>1. That the revised Walgett Shire Community Strategic Plan be adopted in principle and placed on public exhibition for a period of twenty eight (28) days.</p> <p>2. And further that a 2013/2014 budget workshop be held on Tuesday 7 May, 2013 (1:00pm) and a special meeting to adopt the draft 2013/2017 Delivery Program, 2013/2014 Operation Plan and budget on Tuesday 14 May 2013 (1:00pm).</p> <p>Moved: Clr Lane
Seconded: Clr Walford</p> | Director Corporate Services | 15/04/2013 Community Strategic Plan has been placed on Public Exhibition until Friday 3 rd May, 2013. Budget workshop held on 7 May 2013. Community Strategic Plan to be adopted at June Meeting as part of IP&R process. | Director Corporate Services | |
| 26 March 2013 | 3/2013/21 | <p>1. That Council endorse the recommendation to request Veolia Water Supply to run a prototype trial plant in Collarenebri.</p> <p>2. That, should the trial prove a success, retrofit of Collarenebri treatment plant be considered in conjunction with the 2013/14 Operational Plan and Budget preparations with a special report being prepared in respect of this issue including sourcing of government funding which may be available.</p> <p>Moved: Clr Greenaway
Seconded: Clr Lane</p> | Director Urban Infrastructure Services | <p>04/04/2013 Veolia has been informed about Councils resolution, Veolia is currently sourcing trial unit.</p> <p>15/05/2013 Veolia is still sourcing a trial unit.</p> | Director Urban Infrastructure Services | |
| 26 March 2013 | 3/2013/22 | <p>That Walgett Shire Council resolve to:</p> <p>1. Adopt part of Crown Reserve 230076, commonly known as the Lions Park, as its preferred site at Lightning Ridge for a declared off-leash area for dogs.</p> <p>2. Write to the Crown Lands Division of the NSW Department of Primary Industries and seek its agreement for the establishment of an off-leash area for dogs within Crown Reserve 230076, commonly known as the Lions Park, over the area delineated in Attachment B.</p> <p>3. Consider the allocation of a budget of \$3,000 for faeces receptacle and signage for an off-leash area for dogs at Lightning Ridge as part of Council's budget for 2013-2014.</p> | Director Planning and Regulatory Services | <p>1. No action required.</p> <p>2. Letter sent 4/4/2013</p> <p>3. Pending, awaiting response from Crown Lands.</p> | Director Planning and Regulatory Services | |
| 26 March 2013 | 3/2013/28 | <p>1. That the matters listed by the Director Engineering Services for brief mention or information be received and noted.</p> <p>2. That report on Pitt Street and Montkeila Street access for road train will be submitted to the April Council Meeting.</p> <p>Moved: Clr Lane
Seconded: Clr Cooper</p> | Director Engineering Services | 15/04/2013 Currently awaiting the RMS's response. | Director Engineering Services | |
| 26 March 2013 | 3/2013/30 | <p>1. That Council endorse the action of the General Manager in completing the revised agreement with IMF (Australia) to include the action against Standard and Poors (S&P) to act on behalf of Walgett Shire Council.</p> <p>2. That the successful recoupment of the Dante investment in the sum of \$494,876.90 be noted and the funds be restricted into a Reserve for Economic Development.</p> | Director Corporate Services | <p>16/04/2013 Settlement details expected to be advised shortly.</p> <p>1. 15/05/2013 still awaiting details of final settlement from Lehman Bros.</p> <p>2. Funds restricted to Economic Development Reserves.</p> | Director Corporate Services | |

WALGETT SHIRE COUNCIL AGENDA

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|---------------|---------------------------------|---|--|--|--|--|
| | | Moved: Clr Greenaway
Seconded: Clr Martinez | | | | |
| 26 March 2013 | 3/2013/31 | <p>1. That the Council note the content of the report and that the property described as Lot 2 & Lot 10 sec 13 DP 758227 (Carinda Hotel) be withdrawn from sale due to a lack of clarity over the current ownership of the property and as a result, whether required notifications have been given to all parties with an interest in the land.</p> <p>2. That Ms Jennifer Petkovic be advised that Council has deferred the sale of the property and that it will be re-listed for a further sale in the event that outstanding rates remain unpaid.</p> <p>Moved: Clr Greenaway
Seconded: Clr Taylor</p> | Director Corporate Services | 16/04/2013 Property withdrawn from sale. \$7,500 received as at report date. Further \$1,000 paid bringing total payments to \$8,500. Matter to be followed up with SR Law to determine recovery action. | Director Corporate Services | |
| 26 March 2013 | 3/2013/34 | <p>Senior staff of Walgett Shire Council meet with representatives from the Australian Opal Centre to establish a Memorandum of Understanding.</p> <p>Moved: Clr Taylor
Seconded: Clr Martinez</p> | General Manager | 15/04/2013 Meeting to be arranged. | General Manager | |
| 26 March 2013 | Questions from the last meeting | Can funding for maintenance on the Castlereagh Highway between Lightning Ridge and Walgett be investigated?
Clr Martinez | Director Engineering Services | 15/04/2013 Will be discussed at the next RMCC Meeting.
15/05/2013 Was discussed at the RMCC meeting held 8 th May 2013, RMS is currently considering. | Director Engineering Services | |
| 26 March 2013 | Questions from the last meeting | If \$90,000 is to be spent on the Collarenebri Agency House, what is the value of the House and the cost benefits of the renovations?
Clr Martinez | Director Urban Infrastructure Services | 15/04/2013 As at the 29 th October 2010 current market value of the property was \$60,000.00. However, Council's General Manager believes that there is justification to carrying out renovations to the premises on a limited scale and will be preparing a further report for Council's consideration in this regard in conjunction with a report on the future operation of the Collarenebri Agency.
15/05/2013 A report will be submitted to the June Council Meeting. | Director Urban Infrastructure Services | |
| 26 March 2013 | Questions from the last meeting | Can the capacity of a second water main at the new Bore be investigated so both Bores can be utilised at once?
Clr Lane | Director Urban Infrastructure Services | 15/04/2013 Investigations currently in progress.
15/03/2013 Discussed in Budget Meeting. | Director Urban Infrastructure Services | |

WALGETT SHIRE COUNCIL AGENDA

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|---------------|---------------------------------|---|--|--|--|--|
| 26 March 2013 | Questions from the last meeting | Can a report be bought to Council on the cost of the Bill O'brien subdivision?
Clr Lane | General Manager | 17/04/2013 The General Manager will investigate and prepare a report for Council's consideration. | General Manager | |
| 26 March 2013 | Questions from the last meeting | Could Council investigate the possibility of leasing or selling its water supply system?
Clr Lane | Director Urban Infrastructure Services | 17/04/2013 The General Manager advised that the legality of implementing such a proposal will be investigated and a report prepared for Council's consideration. | Director Urban Infrastructure Services | |
| 26 March 2013 | Questions from the last meeting | Can the draft landfill and Pool contracts be bought to Council?
Clr Woodcock | General Manager | 17/04/2013 The General Manager advised that a report in relation to the future operation of Council's Landfill and Swimming Pools is being prepared and this will include draft contracts for Council's consideration. | General Manager | |

Resolution Actions for Ordinary Meeting 23 April 2013

| | | | | | | |
|---------------|-----------|--|-----------------|---|-----------------|--|
| 23 April 2013 | 4/2013/7 | That Walgett Shire Council:
1. Support the notion of "public funding being used for public benefit"
2. Supports "in principle" the SEXI proposal and the development of a solar energy industry in Walgett Shire.
3. Call on the Federal Government, through the Australia Renewable Energy Agency (ARENA), to provide up to \$200M over five years to the SEXI Group of Councils. To allow the SEXI proposal to be built and operated.

Moved: Clr Woodcock
Seconded: Clr Greenaway | General Manager | Letter of Support being drafted. | General Manager | |
| 23 April 2013 | 4/2013/12 | That the State Minister and Federal Shadow Minister for the Environment be invited to inspect the extent of the Hudson Pear outbreak in the Shire and to fund the \$350,000 required annually to treat new weed incursions and stop the weed spreading.

Moved: Clr Lane
Seconded: Clr Greenaway | General Manager | Invitation being extended through Local Member. | General Manager | |
| 23 April 2013 | 4/2013/13 | That the "Sculptures on the Highway" project be included for consideration at the 2013/14 Budget Workshop and that further consideration be given regarding the level of participation which Council may have in the organisation of the project. | General Manager | Provision to be made in 2013/14 draft estimates | General Manager | |

WALGETT SHIRE COUNCIL AGENDA

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|---------------|-------------------------------|--|---|---|---|--|
| | | Moved: Clr Woodcock
Seconded: Clr Martinez | | | | |
| 23 April 2013 | 4/2013/21 | <p>1. That Council delegate to the General Manager authority to sell the two (2) remaining properties being Assessment 6544 for 75 Warrena Street, Walgett – Lot 41 DP 802933 and Assessment 6569 20 Peel Street, Walgett – Lot 1 Section 10 DP 759036 by private treaty in accordance with Section 716 of the Local Government Act 1993.</p> <p>2. That the General Manager be delegated authority to complete the required legal documentation associated with the sale of the properties submitted for sale under Section 713 of the Local Government Act 1993 and to affix the Council Seal where required.</p> <p>3. That agreement be sought from owners with multiple properties to transfer any surplus of funds from sale prices exceeding the outstanding rate amount, to other properties in the owner's name for which the sale price did not meet the outstanding rate amount.</p> <p>Moved: Clr Lane
 Seconded: Clr Taylor</p> | Director Corporate Services | <p>1. & 2. All properties settled 13 May with exception of 5-7 Church Street Collarenebri. Requires Documentation to be sorted.</p> <p>3. To be further considered when final costs have been allocated to each assessment.</p> | Director Corporate Services | |
| 23 April 2013 | 4/2013/22 | <p>1. That the Financial Hardship – Rate Relief draft policy be adopted in principal and placed on Public Exhibition for 28 days.</p> <p>Moved: Clr Lane
 Seconded: Clr Cooper</p> | Director Corporate Services | Policy on Public Exhibition. | Director Corporate Services | |
| 23 April 2013 | 4/2013/29 | <p>That the causeways on the Lightning Ridge Bore Bath Road be sealed and the gravel extended within the scope of the available budget.</p> <p>Moved: Clr Martinez
 Seconded: Clr Lane</p> | Director Engineering Services | 15/05/2013 In progress. | Director Engineering Services | |
| 23 April 2013 | Question for the next meeting | <p>Enquired as to when a tree planting program will commence in Lightning Ridge? It was noted that watering of the trees on a regular basis by staff or a watering system would be required.</p> <p>Clr Taylor</p> | Acting Director Urban Infrastructure Services | Programmed for the 2013/14 financial year. | Acting Director Urban Infrastructure Services | |
| 23 April 2013 | Question for the next meeting | <p>Could the Gem Street "shoulders" have a bitumen coating. Due to it being a high traffic area, a dust problem is being created for residents in Gem Street opposite the Lightning Ridge Diving and Swimming Pool Complex?</p> <p>Clr Taylor</p> | Director Engineering Services | 15/03/2013 In progress. | Director Engineering Services | |
| 23 April 2013 | Question for the next meeting | <p>Could the Lightning Ridge Visitor Information Centre toilets be up-graded and painted to make to the toilets more presentable and pleasant to visit?</p> <p>Clr Taylor</p> | Acting Director Urban Infrastructure Services | 15/05/2013 Discussed at the Budget meeting. | Acting Director Urban Infrastructure Services | |

WALGETT SHIRE COUNCIL AGENDA

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|---------------|-------------------------------|--|---|--|---|--|
| 23 April 2013 | Question for the next meeting | Can Council find funds to keep the connecting tourist drives between the "car door drives" in Lightning Ridge in a reasonable condition?
Clr Taylor | Director Engineering Services | Council can not maintain private access roads. | Director Engineering Services | |
| 23 April 2013 | Question for the next meeting | Can a letter be written to the Regional Manager of Australia Post in relation to the issues being experienced at the Lightning Ridge Post Office?
Clr Keir | Director of Corporate Services | Letter being drafted to the Regional Manager of Australia Post | Director of Corporate Services | |
| 23 April 2013 | Question for the next meeting | Can the Come-By-Chance rubbish tip be inspected as the fence is down and rubbish is everywhere?
Clr Keir | Acting Director Urban Infrastructure Services | 15/05/2013 Inspections undertaken, seeking quotes to transfer the waste. | Acting Director Urban Infrastructure Services | |
| 23 April 2013 | Question for the next meeting | Can the condition of the bitumen in Colless Street Come-By-Chance be inspected?
Clr Keir | Director Engineering Services | 15/05/2013 Has been inspected on 13/05/2013, work will be undertaken by the end of May 2013. | Director Engineering Services | |
| 23 April 2013 | Question for the next meeting | On SR7716 the sealed road 15km from Walgett has been patched 4 times however the gravel has still not been properly covered by tar. Can this be investigated and corrected?
Clr Keir | Director Engineering Services | 15/05/2013 Inspected on 13/05/2013 and work in progress. | Director Engineering Services | |
| 23 April 2013 | Question for the next meeting | There is a large crack in the southern side wall of the Old Council Chambers, when does Council anticipate to carry out repairs?
Clr Greenaway | Director Planning & Regulatory Services | Inspection undertaken 16/05/2013 by Senior Environmental Health Building Surveyor. | Director Planning & Regulatory Services | |
| 23 April 2013 | Question for the next meeting | When are the two flood damaged causeways on SR5 going to be scheduled for repairs?
Clr Greenaway | Director Engineering Services | 15/05/2013 Work in progress. | Director Engineering Services | |
| 23 April 2013 | Question for the next meeting | Noted that he had raised this matter at the February meeting and resident's letters on the issue had not been replied to. He requested that a report be brought back to Council regarding possible funding and planned maintenance for the Bridges and side tracks on the Brewon Road. It was also suggested that Council officers meet with residents.
Clr Cooper | Director Engineering Services | 15/05/2013 A meeting has been scheduled for 20/05/2013 with Clr Cooper and residents onsite | Director Engineering Services | |
| 23 April 2013 | Question for the next meeting | When is maintenance scheduled for the Turnbool and Angledool Road?
Clr Murray | Director Engineering Services | 15/05/2013 Conducted site meeting on 24/04/2013, work in progress. | Director Engineering Services | |

CIRCULARS RECEIVED FROM THE LOCAL GOVERNMENT NSW – APRIL/MAY 2013

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

Summary:

Copies of weekly circulars numbers 15 – 20 received from Local Government NSW since the April Council meeting have been distributed to Councillors.

Background:

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

Issue 15

Item 3 – New Intergovernmental Agreement for State and Local Government
Item 7 – Bush Fire Risk Mitigation and Resilience Grants Programs (31/05/2013)

Issue 16

Item 4 – Entries Open for RH Dougherty Awards (14/06/2013)
Item 17 – Sustainability Workshops for Regional Councils – Orange (12/06/2013)
Item 19 – Composition of Consultative Committees

Issue 17

Item 9 – NSW Arts Funding Programme
Item 13 – T Corp Financial Sustainability Ratings
Item 21 – Guidelines – Closure of Council and Committee Meetings

Issue 18

Item 12 – New Working With Children Check
Item 13 – NSW Swimming Pool Register
Item 15 – Local Land Services Recommendation to NSW Government
Item 16 – DLG Draft Accounting Code for Comment
Item 22 – Changes to Building Certification and Council Accredited Certifiers (21/05/2013)

Issue 19

Item 4 – Constitutional Recognition for Local Government
Item 11 – National Crime Prevention Fund
Item 13 – Sustainable Economic Growth for Regional Australia
Item 18 – Local Government Remuneration Tribunal Sets Councillors Fees

Issue 20

Item 5 – The A.R Bluett Memorial Award (13/07/2013)

Item 7 – Annual Local Government HR Metrics Benchmarking Survey

Item 10 – National Drought Program Reform

Item 12 – Australian Federal Budget 2013/14 – Local Government Impact

Current Position:

Senior Management Staff and Councillors need to peruse these circulars and raise any matters of interest with the General Manager prior to the Meeting. Staff also have the task of following up and lodging application for grant funding where funding for Council projects may be available.

Relevant Reference Documents/Policies:

Nil

Governance issues:

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

Environmental issues:

Nil

Stakeholders:

Councillors

Walgett Shire Council staff

Financial Implications:

Nil

Legal Issues:

Nil

Alternative Solutions/Options:

Not Applicable

Conclusion:

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

Circulars Received from The Local Government NSW

Recommendation:

That the information contained in the weekly circulars numbers 15 - 20 from the NSW Local Government and Shires Association be received and noted.

Moved:

Seconded:

***CIRCULARS RECEIVED FROM THE LOCAL GOVERNMENT
DEPARTMENT OF PREMIER AND CABINET – APRIL / MAY 2013***

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

Summary:

Copies of circulars received 13-16 to 13-23 from the Local Government Division Department of Premier and Cabinet are attached for Councillors information.

Background:

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

- Circular 13-16 Local Government Acts Taskforce – Public Workshops – May 2013
- Circular 13-17 NSW Treasury Corporation Report – Financial Sustainability of the New South Wales Local Government Sector
- Circular 13-18 Carbon Pricing Mechanism
- Circular 13-19 Guidelines on the closure of Council and Committee Meetings
- Circular- M13/03 Release of the Independent Local Government Review Panel *Future Directions* Report
- Circular 13-20 NSW Swimming Pool Register
- Circular 13-21 Draft code of Accounting Practice and Financial Reporting for Financial Year 2012-13
- Circular 13-22 Implementation Workshops – Swimming Pools Amendment Act 2012 and Boarding Houses Act 2012
- Circular 13-23 Model Asbestos Policy for NSW Councils – S23A Guideline

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

Current Position

Circular 13/16 – The Mayor and General Manager attended the Taskforce Workshop in Dubbo on the 15 May, 2013. A submission is currently being prepared and any Councillors wishing to have input are requested to contact the General Manager direct.

Circular 13/17 – A report in relation to Council's Financial Assessment by T-Corp is being presented to Council's May Meeting.

Circular 13/18- An allowance for Carbon Pricing impacts was made by IPART (Refer to section 3 of Councils LTFP) Council should continue to monitor where possible price increases in goods and services which may be attributable to carbon pricing. Council's landfill operations are not impacted by carbon pricing at this point in time.

WALGETT SHIRE COUNCIL AGENDA

Circular 13/19 – These guidelines are being review in conjunction with Council's Code of Meeting Practice (adopted December, 2010). If any changes are required, a report will be bought forward to Council's June Meeting.

Circular M13/03 – Copies of the Independent Local Government Review Panel's Report have been provided to all Councillors. Interested Councillors and senior management Staff attended a LGRP workshop in Brewarrina Tuesday 14 May, 2013 and a report on future directions is being prepared for Council's May, 2013 meeting.

Circular 13/20 – Action has been taken pursuant to the issues set out in the circular.

Circular 13/21- Senior management staff are seeking advice from the LGMA in relation to proposed Code.

Circular 13/22- Council staff will be attending the Dubbo Workshop on 14 June, 2013.

Circular 13/23- Council staff will be reviewing the Model Asbestos Policy prior to making a recommendation to Council.

Relevant Reference Documents:

Nil

Governance Issues:

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

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

Environmental issues:

Nil

Stakeholders:

Councillors
Walgett Shire Council staff

Financial Implications:

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

Legal Issues:

Nil

Alternative Solutions/Options:

Nil

Conclusion:

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

Circulars Received from the Division of Local Government – April/ May 2013

Recommendation:

That the information contained in the following Departmental circulars 13-16 to 13-23 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved:

Seconded:

Attachments:

Circulars 13-16 to 13-23



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 13-16
Date 16 April 2013
Doc ID. A322235

Contact Acts Review Team
4428 4100

LOCAL GOVERNMENT ACTS TASKFORCE – PUBLIC WORKSHOPS – MAY 2013

Purpose

To announce a series of workshops to be held by the Local Government Acts Taskforce during May 2013.

Issue

- The Local Government Acts Taskforce (the Taskforce) has been appointed by the Government to re-write the *Local Government Act 1993* and review the *City of Sydney Act 1988*.
- The Taskforce has recently released its Discussion Paper "A New Local Government Act for NSW". The paper is available on the [Taskforce webpage](http://www.dlg.nsw.gov.au) – (www.dlg.nsw.gov.au)
- The Discussion Paper contains various options and proposals for the principles of the new legislation.
- The Taskforce is holding workshops at a number of locations across NSW during May 2013 to discuss the options and proposals contained in the Discussion Paper.
- All interested people and stakeholders are invited to attend the workshops. Councillors and appropriate council staff are particularly encouraged to attend.
- Details of the workshops and how to register are attached and available on the [Taskforce webpage](http://www.dlg.nsw.gov.au).

Action

Councils are requested to promote and encourage attendance at the workshops to councillors, appropriate council staff and interested community members.

Steve Orr
Acting Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

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



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 13-17
Date 19 April 2013
Doc ID, A322817

Contact Performance and Compliance Team
02 4428 4100

NSW TREASURY CORPORATION REPORT – FINANCIAL SUSTAINABILITY OF THE NEW SOUTH WALES LOCAL GOVERNMENT SECTOR

Purpose


To advise councils that the Minister for Local Government, the Hon Don Page MP, and the Treasurer, the Hon Mike Baird MP, have publicly released the NSW Treasury Corporation (TCorp) report: *Financial Sustainability of the New South Wales Local Government Sector*.

Issue

- In December 2011, the Division of Local Government (DLG) appointed TCorp to assist DLG and NSW Treasury in respect of the State Government's Local Infrastructure Renewal Scheme (LIRS) initiative. The LIRS initiative seeks to address Councils' 'Infrastructure Backlog' by providing councils with an interest rate subsidy on loans to fund infrastructure projects. TCorp's role was to undertake a financial assessment for each council seeking assistance under the LIRS.
- Following the announcement by the Minister for Local Government in March 2012 of the establishment of the Independent Local Government Review Panel, the DLG expanded the scope of TCorp's work to include a financial sustainability and benchmarking assessment of all 152 NSW Councils.
- Based on the individual council assessments and at the request of the Independent Review Panel, TCorp have prepared a report into the financial sustainability of the NSW local government sector.
- The report contains a number of significant findings and recommendations.
- TCorp's report, together with its *Financial Assessment and Benchmarking Report* for each council in NSW, can be downloaded from the Division's website at www.dlg.nsw.gov.au.

Action

Councils should review TCorp's *Financial Sustainability of the NSW Local Government Sector* report and their Council's *Financial Assessment and Benchmarking Report* and ensure their councillors are briefed on their content.



Steve Orr

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A Division of the Department of Premier and Cabinet

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Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 13-18
Date 19 April 2013
Doc ID: A318434

Contact Innovation
(02) 4428 4100

CARBON PRICING MECHANISM

Purpose

To provide information to councils to assist with the transition to the carbon pricing mechanism. Information is also provided regarding councils existing obligations under the National Greenhouse Energy Reporting Scheme.

Issue

- The Commonwealth Government has introduced a carbon pricing mechanism through the *Clean Energy Act 2011* and related legislation.
- Affected councils (i.e. those with landfill facilities that emit greenhouse gases of 25,000 tonnes carbon dioxide equivalence per year) have important obligations in relation to record keeping, registration and reporting, and meeting any carbon pricing liability.
 - The attached information, provided by the Clean Energy Regulator, explains these obligations in more detail.
- Councils should be aware that the provisions of the Local Government Investment Order (section 625 of the *Local Government Act*) prevent councils from investing in carbon mechanisms for the primary purposes of engaging in trade and making a profit.
 - Councils are however able to purchase or earn Carbon Units or Australian Carbon Credit Units for the purpose of offsetting carbon emissions liability as these are not investments captured by the Ministerial Order.
- Guidance on financial reporting of carbon pricing liabilities and assets will be provided as part of the release of Local Government Code of Accounting Practice (Version 21) to be released in the coming months.
- Queries in relation to council obligations under Commonwealth legislation should be made to the Clean Energy Regulator Hotline: 1300 553 542 or email: enquiries@cleanenergyregulator.gov.au. Queries relating to obligations under the *Local Government Act 1993* should be directed to the Division of Local Government.

Action

For information and dissemination to relevant council officials.

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A Division of the Department of Premier and Cabinet

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ATTACHMENT A

Council obligations under the carbon pricing mechanism

The information provided does not represent the official views of the Clean Energy Regulator and is not intended to be legal advice. Councils should seek further professional advice if they have any concerns about their obligations.

The Clean Energy Act 2011

The Clean Energy Act (CE Act) established a carbon pricing mechanism in Australia, effective as of 1 July 2012. The carbon pricing mechanism is an emissions trading scheme that puts a price on carbon pollution to encourage a transition to a low carbon economy and use of clean energy. The CE Act establishes the framework under which the carbon pricing mechanism will operate and specifies which entities will be liable.

Requirements for reporting are provided under the *National Greenhouse and Energy Reporting Act 2007* (NGER Act). The Australian National Registry of Emissions underpinning the carbon pricing mechanism is established under the *Australian National Register of Emissions Units Act 2011* (ANREU Act).

The National Greenhouse and Energy Reporting (Measurement) Determination 2008 (NGER Determination) sets out methods for estimating emissions.

Facilities subject to the carbon pricing mechanism

Under the CE Act, a landfill facility is a "facility for the disposal of solid waste as landfill, and includes a facility that is closed for the acceptance of waste".

Landfill facilities that emit greenhouse gases (both covered and legacy emissions) of 25,000 tonnes carbon dioxide equivalence (CO₂-e) per year or more are subject to the carbon pricing mechanism. A council will be the liable entity under the mechanism if it has operational control of a landfill facility that meets or exceeds this threshold.

Covered emissions

Under the CE Act, covered emissions are only Scope 1 emissions of greenhouse gas released directly into the Australian atmosphere as a direct result of the operation of the facility (provided a method for measuring the emission has been determined). In the case of a landfill, covered emissions will include emissions from the decomposition of organic material from solid waste disposed of in the landfill after 1 July 2012. More information on scope 1 and 2 emissions is at <http://www.cleanenergyregulator.gov.au/Carbon-Pricing-Mechanism/About-the-Mechanism/What-emission-types-are-in-and-out/Pages/default.aspx>.

If a council is a controlling corporation it will also be required to report energy consumption and production as well as Scope 1 and Scope 2 greenhouse emissions under the NGER Act from:

- energy, including combustion of fossil fuels to produce stationary energy and transport purposes
- industrial processes including the consumption of synthetic gases
- fugitive emissions

- waste.

Legacy emissions

Waste deposited prior to 1 July 2012 is called legacy waste and is counted toward this threshold when determining whether a facility is liable, but will not attract a liability under the carbon pricing mechanism.

In defining their facilities, liable entities will need to ensure that activity groupings are consistent with the legislation. Supplementary Guidelines on defining facilities can be found at:

<http://www.cleanenergyregulator.gov.au/content-review-NGER/Fact-sheets-FAQs-and-guidelines/Guidelines/Documents/Defining%20facilities.pdf>.

Operational Control

In a facility that meets the threshold for the carbon pricing mechanism the 'person with operational control' is the liable entity responsible for registering, reporting, surrendering units or paying a unit shortfall charge to meet their liability under the mechanism. The 'person with operational control' of a facility can be an individual, a body corporate, a trust, a corporation, a body politic or a local governing body.

A person will have operational control of a facility if they have:

- the authority to introduce and implement any or all of the operational, environmental and health and safety policies for the facility; or
- if more than one person has the authority to introduce and implement the above policies, that person has the greatest authority to introduce and implement the operational and environmental policies for the facility; or
- been nominated as the person with operational control of the facility; or
- been declared to have operational control of the facility by the Clean Energy Regulator.

Obligations

Liable entities must meet their liability under the CE Act by acquiring and surrendering one eligible emissions unit for each tonne of CO₂-e for which they are liable or paying a unit shortfall charge.

Local councils that have operational control of facilities above 25 000 tonnes of CO₂-e will need to:

- register and report under the *National Greenhouse and Energy Reporting Act 2007*
- apply for an account in the under the *Australian National Registry of Emissions Units Act 2011* (ANREU) to enable the acquisition and surrender of units
- Satisfy emissions liability under the *Clean Energy Act 2011*.

Anyone wishing to hold, transfer or surrender emissions units under the carbon pricing mechanism must have an ANREU account. Carbon units will only be issued into ANREU accounts. Liable entities should apply for an ANREU account as early as possible to ensure they are able to acquit their liability by

the statutory deadlines. For information on applying for an ANREU account please see <http://www.cleanenergyregulator.gov.au/ANREU>.

If a council is a controlling corporation and already registered under the NGER Act, it will not need to register again as a liable entity. However, if the controlling corporation is registered but the council as the liable entity is not, the council will need to register as the liable entity under section 15A or 15AA of the NGER Act. For further information on NGER Act registration see www.cleanenergyregulator.gov.au.

Liability

A council will be a liable entity if it is deemed to be the 'person in operational control' of a landfill facility and the greenhouse gas (both covered and legacy emissions) emitted from the facility's operations exceeds the Clean Energy Act threshold of 25 000 tonnes of CO₂-e. However, importantly, a liable entity is only liable for the covered emissions.

For landfill operators, liability will not arise in relation to emissions from waste in the financial year the waste is deposited. This is because there is a time delay between when the waste is deposited and when methane from that waste is produced. All waste deposited during a financial year is assumed to produce emissions beginning in the following financial year. This means that, while a liable entity for a landfill facility is liable for emissions from waste deposited from 1 July 2012, the emissions from this waste will be taken to be emitted from 1 July 2013. Most landfills are expected to have covered emissions in 2013/14.

If composting activity is undertaken at a landfill facility and this activity forms part of the facility over which a person has operational control, emissions from that activity are taken into account in the financial year in which the composting takes place.

Reducing liability

Landfill operators can reduce emissions at a landfill facility by reducing the amount of material that is deposited into landfill by diverting material, particularly waste with a high organic content.

Another option that a council could consider is flaring, capturing and transferring methane. Flaring methane at a landfill facility can reduce landfill emissions by reducing the greenhouse potency of its emissions. Methane extracted from landfills can be used in some instances to generate electricity on-site which can be used instead of grid-based electricity. Under the Renewable Energy Target, Renewable Energy Certificates (REC) can also be generated from such activities. For more information on REC and the Renewable Energy Target please see <http://ret.cleanenergyregulator.gov.au>.

Another option for councils is to implement allowable actions through the Carbon Farming Initiative (CFI) to generate Australian Carbon Credit Units (ACCUs) or purchasing ACCUs to offset its emissions. For example, methane capture and combustion may be used to generate ACCUs through the CFI. For more information on eligible activities under the CFI please see <http://www.cleanenergyregulator.gov.au/Carbon-Farming-Initiative>.

Liabe entity public information database

Under the Clean Energy Act, the Clean Energy Regulator must keep and publish a Liable Entities Public Information Database (LEPID) on its website.

If the Clean Energy Regulator has reasonable grounds to believe that a council is a liable entity it must make an entry on the LEPID. The Clean Energy Regulator will notify the council in writing of its intention to add it to the LEPID. The council will be given an opportunity to respond if it believes that it is not, or is not likely to be a liable entity before they are published in the LEPID. If a council registers under 15AA or 15A of the NGER Act, then it will automatically be added to the LEPID.

For each liable entity identified, the LEPID will eventually contain emissions numbers, estimated total emission numbers, surrendered eligible emissions units and any unit shortfalls.

ATTACHMENT B

Council obligations under the National Greenhouse Energy Reporting scheme

The information provided does not represent the official views of the Clean Energy Regulator and is not intended to be legal advice. Councils should seek further professional advice if they have any concerns about their obligations.

Liable landfill facilities will have registration, reporting and record-keeping obligations under the *National Greenhouse and Energy Reporting Act 2008* (NGER Act).

Registration and reporting obligations

All liable entities must be registered under the NGER Act. Entities that are or are likely to be liable under the carbon pricing mechanism in a reporting year must apply to the Clean Energy Regulator to be registered if they are not already registered under the NGER Act.

Liable entities must also report to the Clean Energy Regulator the amount of emissions or potential emissions for which they liable. This information is used by the Clean Energy Regulator to calculate each entity's liability. This is based on emissions number for a financial year.

Record keeping obligations

Under sections 22B and 22C of the *National Greenhouse and Energy Reporting Act 2007* and 227 of the *Clean Energy Act 2011*, liable entities are required to keep records to support their compliance with the legislation. Entities are encouraged to record both the decision making process and the details of the calculation and data analysis methods used to estimate greenhouse gas emissions.

Recommended records include but are not limited to:

- documentary evidence relating to calculations—for example, receipts, invoices and details of payment methods
- documentation of the methods used for greenhouse gas emissions estimations
- documents justifying selection of the monitoring methods chosen, and
- records supporting business decisions and accuracy.

Records or copies of records must be kept for five years from the end of the year in which the activities took place. A failure to comply with record-keeping requirements may result in a civil penalty.

Estimating emissions

Methods for estimating emissions from landfills are outlined in Part 5.2 of the *National Greenhouse and Energy Reporting (Measurement) Determination 2008* (the Measurement Determination).

Part 5.2 only applies if the landfill was open to accept waste on or after 1 July 2012, and during a year the landfill emits more than 10 000 tonnes CO₂-e from solid waste disposal at the landfill.

A Solid Waste Calculator that applies the formulas contained in the Measurement Determination for different waste streams and types is available on the Clean Energy Regulator's website. This calculator is not only useful in estimating emissions from solid waste disposal, but can also be used to predict and analyse the benefits of pursuing mitigation strategies such as waste diversion and methane capture, transfer or flaring. This calculator is available on the NGER section of the Clean Energy Regulator website <http://www.cleanenergyregulator.gov.au/National-Greenhouse-and-Energy-Reporting/>

Provisional Emissions Numbers, Interim Emissions Numbers and Emissions Numbers

In reporting their emissions, liable entities will report one or more:

- Provisional Emissions Numbers (PENs)
- Interim Emissions Numbers (IENs); or
- Final Emissions Number (EN).

A PEN is the total covered emissions from a single facility for which a council is liable. The EN for the financial year will be the total of a liable entity's PENs.

In the first three years of the carbon pricing mechanism (the fixed price period) a liable entity may also have an Interim Emissions Number (IEN). A council with operational control of a landfill facility will have an IEN if it:

- reported under NGER in the previous financial year
- had covered emissions (PEN) of 35 000 tonnes or more in the previous financial year; or
- is reasonably expected to have covered emissions (PEN) of 35 000 tonnes or more in the current financial year.

If a council does have an IEN, it will need to make a progressive surrender based on its IEN. In broad terms an IEN will be equal to 75% of the council's estimated liability for the relevant financial year. If a liable entity has an IEN it must report this to the Clean Energy Regulator by 15 June of the relevant financial year.

First year liability

Councils will generally not be financially liable in the first year of the carbon pricing mechanism (i.e. 2012/13) even where they trigger the threshold in that year. This is because emissions take twelve months to emerge after waste is deposited into a landfill and landfill operators are not liable for emissions attributable to legacy waste (i.e. emissions from waste deposited before 1 July 2012). However, they will still need to report their liable emissions even if they are zero.

Note however, if composting operations form part of the landfill facility, the council will be liable for emissions attributable to the composting operations where the threshold has been triggered. This is because composting emissions are taken to emerge in the same year that the composting takes place.

For the financial year in which a council first becomes liable, the sections under which it will report will depend on whether or not it has an IEN. This will have a bearing on the timelines it will need to meet.

Previous report: If a council has previously reported under the NGER Act, its PEN exceeded 35,000 tonnes CO₂-e in the previous financial year, or it expects its PEN to exceed 35,000 tonnes CO₂-e in the current financial year, then it will have an Interim Emissions Number (IEN). In this case, it will need to:

- register under Section 15AA of the NGER Act by 1 May
- report an IEN under Section 22AA of the NGER Act and surrender units equivalent to 75% of its liability by 15 June
- report an EN under Section 22A of the NGER Act by 31 October
- surrender remaining units by the following 1 February.

No previous report: Councils that have either not reported before or their PEN is, or is expected to be, less than 35,000 tonnes CO₂-e will not have an IEN. In this case, following the financial year in which these councils first become liable, the councils will need to:

- register under Section 15A of the NGER Act by 31 August
- report an EN under Section 22A of the NGER Act by 31 October
- surrender units by the following 1 February.

Late registration and reporting

If a liable entity fails to register or report, misses a reporting date or fails to otherwise comply with its obligations under the NGER Act, it may be liable for penalties. Penalty provisions are set out in Part 5 of the NGER Act and include a penalty of up to 2000 penalty units for missing a statutory deadline. A civil penalty may also apply for each day after the due date that the obligation is not met. A liable entity's obligations under the NGER Act continue, even if the period has expired or the due date has passed.

Cost recovery

The Australian Government does not prescribe the price landfill operators should charge customers. The impacts of the carbon pricing mechanism on pricing decisions are a matter for liable entities to decide.

It should also be noted that carbon price liability may attach to emissions from waste deposited from 1 July 2012. This means that landfill operators who trigger the threshold in future years will be liable for emissions from waste deposited before the threshold was triggered. This may influence your pricing considerations on waste deposited now if you are likely to become a liable facility in the near future.

However, before making any claims in relation to the carbon price, councils should consider their responsibilities as outlined in the Australian Competition and Consumer Commission's "*Carbon price claims: Guide for business*" which is available from <http://www.accc.gov.au/content/index.phtml/itemId/1017091>. This guide was developed to help businesses understand their responsibilities when making claims about the impact of a carbon price.



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 13-19
Date 19 April 2013
Doc ID: A296888

Contact Council Governance Team
(02) 4428 4100

GUIDELINES ON THE CLOSURE OF COUNCIL AND COMMITTEE MEETINGS

Purpose

To inform councils of guidelines on the closure of council and committee meetings.

Issue

- Meetings are the key forum in which councils make strategic and policy decisions on behalf of their communities. As elected institutions, councils are ultimately accountable to their communities for their decisions. It is therefore important that council meetings are open and can be attended by members of the community.
- There will, however, be occasions where councils are required to consider information which by its nature is confidential and ought not to be publicly disclosed. The Act recognises that on such occasions, the public interest in protecting confidential information will outweigh the public interest in ensuring accountability through open meetings.
- The Division of Local Government has developed guidelines, including common questions and best practice examples, on how councils can appropriately weigh these competing public interests and ensure that they comply with their obligations under the Act when closing meetings to the public.
- The Division has prepared these guidelines under Section 10B(5) of the *Local Government Act 1993* (the Act) to assist councils and the public in understanding the processes involved in closing meetings.

Action

Councils should consider these guidelines, which have been prepared in accordance with section 10B(5) of the *Local Government Act 1993*, when closing meetings to the public.

Steve Orr
Acting Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

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Circular No. M13-03
Date 24 April 2013
Doc ID. A322641

Ministerial Circular

RELEASE OF THE INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL *FUTURE DIRECTIONS* REPORT

The Independent Local Government Review Panel today released its third report, *Future Directions for NSW Local Government*, setting out the options for creating stronger local government and stronger communities in NSW.

The report provides comprehensive draft options for the future of local government in NSW. It provides suggestions for improving the fiscal responsibility and financial sustainability of councils and the services and infrastructure that are critical to the sector and the State. It provides options for new structures and boundaries in local government, designed to make councils a stronger, and a more effective partner of the State.

The Panel has made a convincing case, through the research, analysis and consultation it has done to date, that 'no change, is not an option' to ensure stronger local government in NSW in the future. This was reinforced by the publication of the TCorp report on financial sustainability last week.

The Panel's report provides local government, and its representative body Local Government NSW, an opportunity to continue to help shape the future direction of councils and communities.

All councils are encouraged to read the report and contribute to the next stage of consultation, to ensure the final report provided by the Panel presents real solutions to the significant challenges facing local government in NSW.

**The Hon Don Page MP
Minister for Local Government
Minister for the North Coast**

NSW Government
Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000



Circular No. 13-20
Date 24 April 2013
Doc ID. A322037

Contact Development Team
02 4428 4100

NSW SWIMMING POOL REGISTER

Purpose

To inform councils of the commencement of the NSW Swimming Pool Register and support available to assist in implementing requirements under the *Swimming Pools Amendment Act 2012*.

Issue

- Under the *Swimming Pools Amendment Act 2012*, all pool owners are required to register their pool on the State-wide on-line Swimming Pool Register from **29 April 2013**. The Register can be found at www.swimmingpoolregister.nsw.gov.au.
- Councils have an important role to play in ensuring the effective implementation of the Act amendments, including:
 - promoting pool safety and the responsibility of pool owners to register their pool, for example through council communications and rate notices
 - assisting pool owners who do not have internet access by registering pools on the owners' behalf, for a fee of up to \$10.00 per registration
 - dealing with enquiries on the pool register and pool safety
 - developing and adopting an appropriate and affordable risk-based inspection program by **29 October 2013**.
- To assist councils with this role, a range of support is being provided including:
 - a public awareness campaign, delivered by Royal Life Saving Australia (NSW), commencing on 26 April 2013
 - factsheets on pool safety and the register (translated into 15 community languages) and an information manual. These will be sent to councils by Royal Life Saving NSW.
 - information on the Division of Local Government's website (www.dlg.nsw.gov.au). This includes:
 - frequently asked questions and answers
 - registration form template (for pool owners requiring the council to register their pool)
 - self-assessment checklists (which will also be available on the register)
 - information on pool safety and relevant standards
 - general information on the legislative changes and key dates

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WALGETT SHIRE COUNCIL AGENDA

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- further guidance and a series of regional road shows, to be provided in June, to assist councils in developing their swimming pool inspection program. Dates and registration details will be provided to councils shortly.

Action

Councils are asked to ensure that:

- relevant staff are aware of the requirements under the *Swimming Pools Amendment Act 2012* (see also *Circulars 12-40 and 13-09*)
- the Council has identified which staff member is to be the nominated Register super user, and that this staff member's details have been provided to the Division of Local Government (to pools@dlg.nsw.gov.au) to enable the council to use the register once live
- customer service staff are equipped to respond to Swimming Pool Register enquiries. This may include assisting pool owners who are unable to register their pool on-line.



Steve Orr
Acting Chief Executive, Local Government
A Division of the Department of Premier and Cabinet



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 13-21
Date 24 April 2013
Doc ID. A318622

Contact Darren Klower
(02) 4228 4178

DRAFT CODE OF ACCOUNTING PRACTICE AND FINANCIAL REPORTING FOR FINANCIAL YEAR 2012-13 (VERSION #21)

Purpose

To inform council officers of the consultation process for the proposed Code of Accounting Practice and Financial Reporting for financial year 2012-13.

Issue

- The Division of Local Government is seeking feedback from the local government sector on the draft Code.
 - The consultation will run from 24 April 2013 to 24 May 2013.
 - The Division is particularly seeking feedback on the proposed inclusion of the Institute of Public Works and Engineers Australia national financial sustainability indicators. These indicators will potentially supplement the NSW Treasury Corporation (TCorp) measures from the recently completed financial sustainability review, which will now be included in the Code.
 - A copy of the draft Code, TCorp performance measures and national sustainability indicators is available on the Divisions website at www.dlg.nsw.gov.au > Information for Councils > Accounting Code Review.
- The Division and project consultant, CaseWare Australia and New Zealand, will be holding a webinar on the draft Code 9:30am to 11:00am on 15 May 2013.
 - The purpose of the webinar is to provide an opportunity for the sector to have an active role in the development of the Code and to also allow council staff to ask questions or provide feedback.
 - Participants must register their intention to participate in the webinar using the link provided on the Divisions website.
 - Details on how webinar sessions work are available by accessing the following website: www.gotomeeting.com/fec/webinar. For those unable to attend the webinar, the session will be recorded and made available free-of-charge.
 - Questions regarding the webinar or the consultation process should be directed to the following email address: code21@dlg.nsw.gov.au.
- Following feedback from the sector, the Division will aim to provide the final version of the Code, with accompanying Guidelines, by the financial year-end.

Action

Councils are encouraged to participate in the webinar and to provide feedback by 24 May 2013 to: code21@dlg.nsw.gov.au.

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Circular No. 13-22
Date 2 May 2013
Doc ID. A321289

Contact Education
4428 4100

IMPLEMENTATION WORKSHOPS - SWIMMING POOLS AMENDMENT ACT 2012 AND BOARDING HOUSES ACT 2012

Purpose

To advise councils of the free Implementation Workshops to support council staff responsible for swimming pool and boarding house compliance under the new regulatory frameworks.

Issue

- The workshops are to be conducted jointly by the Division of Local Government, Family and Community Services (FACS) and Fair Trading NSW during June 2013.
- The Implementation Workshops will provide:
 - support and assistance to develop a local swimming pools inspection program in consultation with the community and use the new Swimming Pools Register (AM session)
 - information from FACS and Fair Trading NSW about the new State-wide Boarding House Register and the requirement for councils to inspect all boarding houses within 12 months of registration under the Boarding Houses Act 2012 (PM session).
- The Workshops will take place from 10:00am - 2:30pm (a light lunch will be provided) at the following locations:

| Date | Location |
|------------------|---------------|
| Monday 3 June | Balranald |
| Tuesday 4 June | Narrandera |
| Tuesday 4 June | Tamworth |
| Wednesday 5 June | Coffs Harbour |
| Wednesday 5 June | Queanbeyan |
| Thursday 6 June | Nowra |
| Thursday 6 June | Burwood |

| Date | Location |
|-------------------|------------|
| Friday 7 June | Randwick |
| Wednesday 12 June | Sutherland |
| Wednesday 12 June | Maitland |
| Thursday 13 June | Blacktown |
| Thursday 13 June | Bathurst |
| Friday 14 June | Willoughby |
| Friday 14 June | Dubbo |

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WALGETT SHIRE COUNCIL AGENDA

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Action

- General Managers will be emailed a login and password on Monday 6 May 2013 to enable on-line registration for staff who wish to attend.
- General Managers are asked to strongly encourage all council staff involved with swimming pool and boarding house compliance to attend one of the Implementation Workshops.



Steve Orr
Acting Chief Executive, Local Government
A Division of the Department of Premier and Cabinet



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 13-23
Date 14 May 2013
Doc ID. A322387

Contact Innovation
T: (02) 4428 4100

MODEL ASBESTOS POLICY FOR NSW COUNCILS – S23A GUIDELINE

Purpose

To inform councils of the release of the Model Asbestos Policy as a guideline under section 23A of the *Local Government Act 1993*.

Issue

- Circular [12-42](#) informed councils of resources to help them develop asbestos policies.
- The 'Model Asbestos Policy for NSW Councils' has now been released as a guideline under section 23A of the *Local Government Act 1993*. This means that councils must consider the Policy when developing, adopting and implementing asbestos policies for their local government areas.
- The Policy, and a Guide titled 'Developing Your Council's Asbestos Policy: A Guide to the Model Asbestos Policy for NSW Councils', are available on the websites of the Division at www.dlg.nsw.gov.au (Home>>Information for Councils>>Directory of Policy Advice for Councils>>Asbestos) and Local Government NSW at www.lgnsw.org.au (Home>>Key Initiatives>>Asbestos Model Policy).
- Local Government NSW is hosting a series of asbestos management training workshops across NSW to help councils adopt the Policy. Further details are available on Local Government NSW's website (see above) or by contacting Ms Amy Lovesey, Project Manager – Asbestos, on telephone no. (02) 9242 4128 or email: amy.lovesey@lgnsw.org.au.

Action

Councils are now required, by virtue of section 23A of the *Local Government Act 1993*, to consider the Model Asbestos Policy when developing, adopting and implementing an asbestos policy for their local government area.

Ross Woodward
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A Division of the Department of Premier and Cabinet

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MONTHLY CALENDAR – MAY 2013

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

Summary:

Monthly calendar of Council activities.

Discussion (including issues and background):

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

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

Current Position:

The calendar for the months of May 2013 to July 2013 is attached. Councillors are requested to raise any queries prior to the meeting.

Relevant Reference Documents/Policies:

Nil

Governance issues:

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

Environmental issues:

Not applicable

Stakeholders:

Councillors
Walgett Shire Council staff

Financial Implications:

Nil

Alternative Solutions/Options:

Not applicable

Conclusion:

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

| |
|--|
| MONTHLY CALENDAR – May to July 2013 |
| <p>Recommendation:</p> <p>That Council receive and note the regular monthly calendar for the period May 2013 to July 2013.</p> <p>Moved:</p> <p>Seconded:</p> |

Attachments:

Calendar for May 2013 to July 2013

WALGETT SHIRE COUNCIL AGENDA

May 2013

| Date of Meeting | Time | What | Who |
|------------------------|--------------------------|--|--|
| Wed 1 May | 9:00am | EDAP Lightning Ridge | Mayor |
| Thurs 2 May | 9:00am | EDAP Lightning Ridge | Mayor |
| Fri 3 May | 9:00am | EDAP Lightning Ridge | Mayor |
| Sat 4 May | | | |
| Sun 5 May | | | |
| Mon 6 May | | | |
| Tues 7 May | 3:00pm | 2013/2014 Budget Workshop | Councillors & Directors |
| Wed 8 May | | | |
| Thurs 9 May | | | |
| Fri 10 May | | | |
| Sat 11 May | | | |
| Sun 12 May | | | |
| Mon 13 May | | | |
| Tues 14 May | 9:00am
3:00pm | Macquarie Valley Weeds Association
Special Meeting – 2013/2014 Budget | General Manager
Councillors & Directors |
| Wed 15 May | 6:30pm | Lighting Ridge Tourism Association Meeting | Clr Taylor |
| Thurs 16 May | 3:00pm | Walgett HACC Meeting | Clr Keir |
| Fri 17 May | | | |
| Sat 18 May | | | |
| Sun 19 May | | | |
| Mon 20 May | | | |
| Tues 21 May | | | |
| Wed 22 May | | | |
| Thurs 23 May | | | |
| Fri 24 May | | | |
| Sat 25 May | | | |
| Sun 26 May | | | |
| Mon 27 May | | | |
| Tues 28 May | 10:00 | Council Meeting - Walgett | All Councillors & Directors |
| Wed 29 May | | | |
| Thurs 30 May | | | |
| Fri 31 May | | | |

WALGETT SHIRE COUNCIL AGENDA

June 2013

| Date of Meeting | Time | What | Who |
|----------------------|---------------------------|--|--|
| Sat 1 June | | | |
| Sun 2 June | | | |
| Mon 3 June | | | |
| Tues 4 June | | | |
| Wed 5 June | | | |
| Thurs 6 June | | | |
| Fri 7 June | | | |
| Sat 8 June | | | |
| Sun 9 June | | | |
| Mon 10 June | | Queens Birthday Holiday | |
| Tues 11 June | | | |
| Wed 12 June | | | |
| Thurs 13 June | | | |
| Fri 14 June | | | |
| Sat 15 June | | | |
| Sun 16 June | | National General Assembly- Canberra | Mayor & General Manager |
| Mon 17 June | | National General Assembly- Canberra | Mayor & General Manager |
| Tues 18 June | | National General Assembly- Canberra | Mayor & General Manager |
| Wed 19 June | 6:30pm | National General Assembly- Canberra
CMCC Meeting – Coonamble
Lighting Ridge Tourism Association Meeting | Mayor & General Manager
Clr Woodcock & Clr Greenaway
Clr Taylor |
| Thurs 20 June | 10:00am
3:00pm | Traffic Committee Meeting
Walgett HACC Meeting | Clr Martinez & Clr Keir
Clr Keir |
| Fri 21 June | | | |
| Sat 22 June | | | |
| Sun 23 June | | | |
| Mon 24 June | | | |
| Tue 25 June | 10:00am | Council Meeting - Walgett | All Councillors & Directors |
| Wed 26 June | | | |
| Thurs 27 June | | | |
| Fri 28 June | | Submission closing date for comments on Future Directions for NSW
Local Government Paper | General Manager |
| Sat 29 June | | | |

WALGETT SHIRE COUNCIL AGENDA

JULY 2013

| Date of Meeting | Time | What | Who |
|----------------------|----------------|---|--|
| Mon 1 July | 2:00pm | North West Weight of Loads Committee –Narrabri Shire Council | Clr Cooper & Clr Lane
Director Engineering Services |
| Tue 2 July | | | |
| Wed 3 July | | | |
| Thurs 4 July | | | |
| Fri 5 July | | | |
| Sat 6 July | | | |
| Sun 7 July | | | |
| Mon 8 July | | | |
| Tue 9 July | | | |
| Wed 10 July | | | |
| Thurs 11 July | | | |
| Fri 12 July | | | |
| Sat 13 July | | | |
| Sun 14 July | | | |
| Mon 15 July | | | |
| Tues 16 July | 6:30 pm | Lightning Ridge Tourism Association | Clr Taylor |
| Wed 17 July | | | |
| Thurs 18 July | 3:00 pm | Walgett HACC Meeting | Clr Keir |
| Fri 19 July | | | |
| Sat 20 July | | | |
| Sun 21 July | | | |
| Mon 22 July | | | |
| Tues 23 July | 10:00am | Council Meeting – Rowena | All Councillors & Directors |
| Wed 24 July | | | |
| Thurs 25 July | | | |
| Fri 26 July | | | |
| Sat 27 July | | | |
| Sun 28 July | | | |
| Mon 29 July | | | |
| Tues 30 July | | | |
| Wed 31 July | | | |

LOCAL GOVERNMENT ACT TASK FORCE – INVITATION FOR SUBMISSIONS

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 11/298

Summary:

To consider making a submission to the Local Government Act Taskforce in respect of proposed amendments to current legislation.

Background:

The State Government has commissioned the Local Government Act Taskforce to undertake a review of the existing local government legislation with a view to making recommendations with regards changes and improvements to that legislation. This review is running parallel to the work being undertaken by the Independent Local Government Review Panel.

Current Position:

The Local Government Act Taskforce is currently conducting workshops for elected councillors and senior staff discussing proposed amendments to the existing local government legislation.

The Mayor and General Manager attended a workshop session in Dubbo on Wednesday 15 May, 2013.

A copy of the summary of recommendations developed by the Taskforce is attached. A copy of the detailed recommendation will be tabled at the meeting.

Page 15 of the recommendations sets out the areas of the Act yet to be reviewed pending the report of the Independent Local Government Review Panel.

Relevant Reference Documents:

Local Government Act Taskforce Discussion Paper, April, 2013.

Stakeholders:

Council
Council staff
Other State Agencies

Governance issues:

None identified at this stage

Environmental issues:

None identified at this stage

Financial Implications:

Nil

Legal Issues:

Nil

Alternative Solutions/Options:

Nil

Conclusion:

Council is requested to determine whether or not a submission should be made in respect of the recommendations made so far.

| Local Government Act Taskforce – Invitation for Submissions |
|---|
| <p>Recommendation:</p> <ol style="list-style-type: none">1. That Council review the document and highlight those matters within the Taskforce's latest paper which it is felt should be supported, changed or amended2. That the General Manager prepare a submission to The Local Government Acts Taskforce and submit same prior to the closing date of 28th June 2013. <p>Moved:
Seconded:</p> |

Attachments:

Local Government Act Taskforce Recommendations Summary




Table II - Summary of Taskforce Proposals

| Topic | Proposal No | Taskforce Proposals |
|--|-------------|---|
| X
Approach and Principles for the Development of the New Act | 1.3 | <p>The Taskforce proposes:</p> <ul style="list-style-type: none"> (i) a flexible, principles based legislative framework, avoiding excessive prescription, written in plain language and in a logical form. The new Act should be confined to setting out the principles of how councils are established and operate. When further detail or explanation is required as to how these principles are to be achieved then regulations, codes and guidelines will be used where appropriate. (ii) a more consistent approach be taken to the use and naming of the regulatory and other instruments, noting that there is inconsistent use of mandatory and discretionary codes, section 23A guidelines, practice notes, discretionary guidelines and the like. |
| Purposes of the Local Government Act | 3.1.1 | <ul style="list-style-type: none"> (i) The Taskforce proposes the following draft Purposes of the Act
"The purpose of this Act is to provide <ul style="list-style-type: none"> (1) a legal framework for the NSW system of local government in accordance with section 51 of the <i>Constitution Act 1902 (NSW)</i> (2) the nature and extent of the responsibilities and powers of local government (3) a system of local government that is accountable, effective, efficient and sustainable." |
| X
Role and Principles of Local Government | 3.1.2 | <ul style="list-style-type: none"> (i) The Taskforce proposes the inclusion of a new Role of Local Government and a set of Principles for Local Government that will replace the charter in the new Act as follows:
 "Role of Local Government"
 The role of local government is to lead local communities to achieve social, economic and environmental well being through: <ul style="list-style-type: none"> i) utilising integrated strategic planning ii) working in partnership with the community, other councils, State and Commonwealth governments to achieve outcomes based on community priority as established through Integrated Planning and Reporting iii) providing and procuring effective, efficient and economic infrastructure, services and regulation iv) exercising democratic local leadership and inclusive decision-making <p>Principles of Local Government
 Principles to be observed by local government are to:</p> <ul style="list-style-type: none"> i) provide community-based representative democracy with open, unbiased and accountable government ii) engage with and respond to the needs and interests of individuals and diverse community groups iii) facilitate sustainable, responsible management, development, protection and conservation of the natural and built environment; iv) diligently address risk and long-term sustainability; v) achieve and maintain best practice public governance and administration, and to act fairly, responsibly, ethically, and in the public interest; and vi) optimise technology, and foster innovation and flexibility." |
| X
Integrated Planning and Reporting | 3.2.1 | <p>The Taskforce proposes that:</p> <ul style="list-style-type: none"> (i) IPR be elevated to form a central 'plank' of the new Act as the primary strategic tool to enable councils to fulfil their leadership role and deliver infrastructure, services and regulation based on community priorities identified by working in partnership with the community, other councils and the State Government. (ii) other provisions of the Act be drafted so as to better support IPR including accountability to the community, financial sustainability and partnership with the State and others to deliver community outcomes. (iii) where possible relevant provisions from other sections of the Act be incorporated into IPR to reduce duplication. For example, capital |

WALGETT SHIRE COUNCIL AGENDA

| Topic | Proposal No | Taskforce Proposals |
|---------------------------------------|-------------|---|
| | | <p>planning and expenditure approval provisions could be moved to the IPR resourcing strategy provisions; and community consultation processes should reflect IPR community engagement principles and need not be repeated throughout the Act.</p> <p>(iv) the IPR provisions be simplified to increase flexibility for council to deliver IPR in a way that is locally appropriate.</p> |
| Community Consultation and Engagement | 3.2.2 | <p>The Taskforce proposes the following set of principles to guide councils regarding how consultation and engagement might occur:</p> <ul style="list-style-type: none"> • commitment to ensuring fairness in the distribution of resources (equity); rights are recognised and promoted (rights); people have fairer access to the economic resources and services essential to meet their basic needs and to improve their quality of life (access); and people have better opportunities to get involved (participation) • ensuring that persons who may be affected by, or have an interest in, a decision or matter should be provided with access to relevant information concerning the purpose of the consultation and the scope of the decision(s) to be taken • ensuring that interested persons have adequate time and reasonable opportunity to present their views to the council in an appropriate manner and format • ensuring that the views presented to the council will be given due consideration • ensuring that council, in exercising its discretion as to how consultation will proceed in any particular circumstance, has regard to the reasonable expectations of the community, the nature and significance of the decision or matter, and the costs and benefits of the consultation process • arranging for special consultative procedures in particular instances. |
| Technology | 3.2.3 | <p>The Taskforce proposes that:</p> <p>(i) as a general principle the Act should support the optimal and innovative use of technology by councils to promote efficiency and enhance accessibility for the benefit of constituents.</p> <p>(ii) the Act allow each council to determine the most appropriate use of technology taking into account the principles for local government and community engagement through the IPR framework discussed above.</p> |
| Elections | 3.3.1 | <p>The Taskforce proposes:</p> <p>(i) use of postal voting at all council elections as a means of increasing efficiency and voter participation and reducing council election costs.</p> <p>(ii) the following possible improvements to electoral provisions:</p> <ul style="list-style-type: none"> • the most appropriate voting system – exhaustive preferential; optional preferential; proportional, or first past the post • the option of utilising electronic voting in the future • mechanisms for removing the need for by-elections, when a vacancy occurs either in the first year following an ordinary election or up to 18 months prior to an ordinary election • half term elections for councillors, similar to Senate elections • the ward system being abolished • improving the adequacy of and access to candidate information prior to elections • the enrolment process and maintenance of the non-residential roll, particularly in the City of Sydney |
| Meetings | 3.3.2 | <p>The Taskforce proposes:</p> <p>(i) the provisions relating to council meetings be:</p> <ul style="list-style-type: none"> • reviewed, modernised and any unnecessary prescription and red tape removed, • designed to facilitate councils utilising current and emerging technologies in the conduct of meetings and facilitating public access; and • consolidated into a generic mandatory Code of Meeting Practice that may if necessary be supplemented to meet local requirements, provided the amendments are not inconsistent with the provisions of the Act and standard Code of Meeting Practice. |

WALGETT SHIRE COUNCIL AGENDA

| Topic | Proposal No | Taskforce Proposals |
|---|-------------|--|
|  Appointment and Management of Staff | 3.3.3 | <p>The Taskforce proposes:</p> <ul style="list-style-type: none"> (i) the strategic responsibilities of the council be clearly separated from the operational responsibilities of the general manager in determining the council's structure and be aligned with IPR by: <ul style="list-style-type: none"> • the general manager being responsible for determining the organisation structure and for recruiting appropriately qualified staff necessary to fulfil each role within the structure • the council being responsible for determining those services and priorities required and to provide the resources necessary to achieve the Council's Delivery Program, and • the general manager being responsible for the employment of all staff and there be no requirement for the general manager to consult with the council in relation to appointment and dismissal of senior staff. (ii) all positions meeting the criteria as a senior staff position be treated as such, appointed under the prescribed standard contract for senior staff, identified as a senior staff position within the organisation structure, and the remuneration be reported in the council's annual report. (iii) in line with the principle of reducing prescription: <ul style="list-style-type: none"> • each council to determine how it deals with regulatory responsibilities that fall outside of the Local Government Act, rather than prescribe the appointment of a Public Officer, and • the EEO provisions be incorporated with the IPR processes and procedures (iv) the current prescription in the Act relating to the advertising of staff positions and staff appointments be transferred to regulation or to the relevant industrial award. |
| Formation and Involvement in Corporations and Other Entities | 3.3.4 | The Taskforce proposes to defer further consideration of this component of the legislation until the work of the Independent Panel is completed. |
| Code of Conduct | 3.3.6 | The Taskforce is not proposing any changes to the conduct provisions of the Act. |
| Pecuniary Interest | 3.3.7 | <p>The Taskforce proposes that:</p> <ul style="list-style-type: none"> (i) the pecuniary interest provisions be reviewed to ensure they are rewritten in plain language, easily understood and any unnecessary red tape removed. (ii) consideration be given to utilising available technology to assist with the submission and maintenance of pecuniary interest disclosures and to facilitate appropriate access to this information. |
| Delegations | 3.3.8 | The Taskforce proposes that the provisions in the Act relating to delegations be reviewed to ensure they are streamlined; written in plain language; and are reflective of the roles and responsibilities of the council and the general manager to facilitate the efficient, effective and accountable operation of local government. |
|  Financial Governance | 3.3.9 | <p>The Taskforce proposes:</p> <ul style="list-style-type: none"> (i) there be greater scope for a focus on principles and the definition of financial systems/minimum standards within a new legislative framework and for assimilation with the mechanisms of IPR in line with frameworks proposed for other parts of the legislation. (ii) there be a rebalancing of the regulatory focus of the legislative framework towards systems and risk management rather than process prescription. (iii) to await the Independent Panel work on many of the issues associated with fiscal responsibility including; rating issues; asset and financial planning; rates and charges; management of expenditure; and audit practices before recommending legislative positions on these matters. |
|  Procurement | 3.3.10 | <p>The Taskforces proposes:</p> <ul style="list-style-type: none"> (i) the adoption of a more principles-based enabling approach to procurement combined with a medium level of regulation designed to ensure support of the principles of value for money, efficiency and effectiveness, probity and equity, and effective competition. (ii) in relation to the current tendering threshold of \$150,000 rather than the legislation setting a dollar value threshold a more flexible principles- |

WALGETT SHIRE COUNCIL AGENDA

| Topic | Proposal No | Taskforce Proposals |
|--------------------------------------|---------------|---|
| | | <p>based approach be taken to councils setting the threshold based on risk assessment of the proposed procurement.</p> <p>(iii) the delegations section of the Act be reviewed to facilitate councils entering into collaborative procurement arrangements such as via ROCs and allowing councils to delegate procurement to general managers with a 'report back' mechanism.</p> <p>(iv) any regulation of council procurement support councils utilising available technologies that can assist with efficient, effective and economic procurement processes that are accessible to all relevant stakeholders and are fair, open and transparent.</p> |
| Capital Expenditure Framework | 3.3.11 | <p>The Taskforce proposes:</p> <p>(i) that a capital expenditure and monitoring framework be developed to enable the appropriate management of risk by councils. This framework should be tailored to risk levels, including significance of the project (including materiality and whole of life costs) and not based on arbitrary monetary thresholds or procurement vehicles.</p> |
| Public Private Partnerships | 3.3.12 | <p>The Taskforce proposes that PPP projects continue to be subject to regulation and aspects that could be streamlined or simplified be identified and mechanisms for ensuring PPPs be considered for inclusion in the IPR framework.</p> |
| Acquisition of Land | 3.3.13 | <p>The Taskforce proposes:</p> <p>(i) no change at this time to the acquisition of land provisions as they remain essential to council's continued service and infrastructure delivery, are generally working well and there are no strong reasons to support change.</p> <p>(ii) council plans for the acquisition of land be linked with the IPR processes, and in particular the expressed opinion of the community in the community strategic plan on the need for additional public land or the sale of public land, be included in Delivery Program provisions.</p> |
| Public Land | 3.3.14 | <p>The Taskforce proposes:</p> <p>(i) the current processes for council land management, being complex and inconsistent with the Crown Lands regime, be simplified and complementary.</p> <p>(ii) the Local Government Act:</p> <ul style="list-style-type: none"> • require councils to strategically manage council-owned public land as assets through the IPR framework • balance reasonable protections for public land use and disposal where the land is identified as having significant value or importance • end the classification regime of public land as either community or operational land and instead, require the council resolution at the time of acquiring or purchasing land to specify the proposed use or uses • provide that a proposed change in the use or disposal of public land, including consultation mechanisms, should be dealt with through the council's asset management planning and delivery program • retain the requirement for a public hearing to be held by an independent person where it is proposed to change the use or dispose of public land identified as having significant value or importance. The results should be reported to and considered by the council before a decision is made and proposals should be addressed through council's community engagement strategy • recognise the LEP zoning processes and restrictions applying to council owned public land • review the prescribed uses to which public land may be applied to accommodate other uses appropriate to the current and future needs of the community • cease the need for separate plans of management for public land to be prepared and maintained, and in lieu, utilise the asset management planning and delivery program • cease the need for a separate report to be obtained from the Department of Planning and Infrastructure where proposed leases and licences of public land are referred to the Minister for Local Government for consideration. |

WALGETT SHIRE COUNCIL AGENDA

| Topic | Proposal No | Taskforce Proposals |
|-----------------------------------|-------------|--|
| Approvals, Orders and Enforcement | 3.3.15 | <p>The Taskforce proposes:</p> <ul style="list-style-type: none"> (i) regulatory provisions be reviewed to ensure that the Act provides guidance on regulatory principles but contains flexibility and less prescription in their implementation, with statutory minimum standards or thresholds the council must meet, and councils discretionary 'on-the-ground' functions. (ii) within this framework, the prescriptive processes of approvals and orders be streamlined and, subject to risk assessment, be placed into regulations where possible, allowing the Act to focus on high priority areas and principles. (iii) certain approvals be repealed or transferred to other legislation, such as the installation of manufactured homes and the operation of caravan parks and camping grounds. Installation of domestic oil and solid fuel heating appliances should be transferred to the Environmental Planning and Assessment Act; approvals for filming activities on public land be deleted or transferred to other legislation; approvals for amusement devices be transferred to health and safety legislation; and approvals for engaging in activities on public roads be transferred to roads and transport legislation. (iv) given that maximum penalties have not increased since 1993, penalties for offences in the Act and Regulation be reviewed to ensure they are proportionate to the seriousness and nature of the offence, and act as a deterrent to re-offending. (v) to have regard to the findings and recommendations of the reports by IPART as they affect local government that are due mid-2013. <p>The Taskforce invites comments as to whether there are currently activities requiring approval that are low-risk or redundant and therefore can be removed from the legislation.</p> |
| Water Management | 3.3.16 | <p>The Taskforce will await the report and recommendations of the Independent Panel on water management so that the regulation of water by local government in NSW can be further considered. This will involve the determination of appropriate governance structures for water and sewerage delivery in those areas currently serviced by LWUs and water county councils. It will also resolve whether the constitutional and regulatory arrangements for new structures should remain in the Act or relocated into a more appropriate integrated legislative framework.</p> |
| Performance of Local Government | 3.3.18 | <p>The Taskforce will await the report and recommendations of the Independent Panel before considering any legislative provisions but invites submissions on whether the performance of local government and its constituent entities should be further monitored and reported.</p> |
| City of Sydney Act | 4.1 | <p>The Taskforce proposes that a separate Act for the City of Sydney be retained (pending the report and recommendations of the Independent Panel) noting that the Council is also subject to the provisions of the Local Government Act.</p> |

WALGETT SHIRE COUNCIL – T-CORP ASSESSMENT

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER: 11/298

Summary:

To report on Council's financial and sustainability assessment by T Corp.

Background:

As part of the work being carried out by the Independent Local Government Review Panel, all 152 NSW councils have had to undergo an assessment of their financial capacity and sustainability.

Current Position:

Each council has received a report prepared by T Corp which provides an assessment of the following key areas:

The financial capacity of each council to undertake additional borrowings

The financial performance of each council in comparison to a range of similar councils and measured against prudent bench marks.

In addition, T Corp has also prepared a Financial Sustainability Rating (FSR) and Outlook for each council. Walgett Shire has been assessed as:

FSR Moderate

Outlook Negative

In effect what this rating means is that Council has been assessed as being in a deteriorating position or at risk of being downgraded from Moderate to Weak. T Corp considers a FSR of lower than Moderate to be at a much greater risk of becoming unsustainable.

The Outlook is T Corp's current assessment of the potential movement of a Council's FSR and will change as a Council undertakes actions to reduce perceived risks, such as completing Asset Management Plans, or obtaining approval for a special rate variation to increase investment in renewal capital expenditure.

Walgett Shire is in the fortunate position of having a special rate variation application currently before IPART, has completed its Asset Management Plans, has an application for LIRS funding approved with a second application pending and embarked on a process of using loan funds to address infrastructure backlogs, particularly associated with bridge replacement and aerodrome runway stabilization and resealing.

It would appear that Council's rating has been impacted by the forecast decrease in local population over the next twenty years, along with some uncertainty with regards capital renewal

works funding towards the end of its 10 year long term financial plan. These issues are being progressively addressed with a view to firming up Council's FRS and Outlook ratings.

Relevant Reference Documents:

NSW T Corp Report for Walgett Shire

Stakeholders:

Council
Local Community
Staff

Governance issues:

Council continues to improve its Integrated Planning and Reporting documentation. It should be noted that these documents appear to be one of the key sources TCorp uses to inform its report.

Environmental issues:

Nil

Financial Implications:

At this stage, the impact of the TCorp Report on Council's ability to borrow appears to be favourable and suggests that Council has the capacity to borrow a further \$2.7M.

Full details of other factors where some concern exists are set out in the Executive Summary of the report on page 4. The majority of these issues, like the increase in the level of outstanding rates are already being addressed at a staff level.

Legal Issues:

Nil

Alternative Solutions/Options:

N/A

Conclusion:

The TCorp Report gives Council an independent assessment of Council's financial position when benchmarked against other Councils of a similar size and will be a valuable tool for monitoring operations into the future.

| Walgett Shire Council – T-Corp Assessment |
|---|
| <p>Recommendation:</p> <p>That the TCorp be received and noted.</p> <p>Moved:</p> <p>Seconded:</p> |

Attachments:

TCorp report has been distributed under separate cover.

***INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL –
RELEASE OF ADDITIONAL DISCUSSION PAPERS –
CONSIDERATION OF COUNCIL'S POSITION AND SUBMISSION
PREPARATION.***

REPORTING SECTION: General Manager
AUTHOR: Don Ramsland – General Manager
FILE NUMBER:

Summary:

To consider the additional discussion papers released by the Independent Local Government Review Panel in April, 2013, consider Council's position and commence preparation of a submission.

Background:

Councillors have been forwarded a copy recent papers released by the Independent Local Government Review Panel and in particular the "Strengthening NSW Remote Communities -The Options" Paper, which specifically deals with Western New South Wales.

Current Position:

A number of Councillors including Councillors Murray, Keir, Walford and Woodcock attended a joint meeting with our neighbouring Councils of Bourke and Brewarrina with Panel Member, Glen Inglis in Brewarrina on the 14th May 2013 at which he updated update Councillors and Staff present in relation to the work of the Panel thus far and in particular the latest paper.

Subsequent to that meeting the Mayors and General Managers of the three (3) Councils again met in Dubbo on the evening prior to the meeting with the Local Government Taskforce and OROC to further discuss the matter. It was clear that while there has been some initial support for the concept of an alliance of some form involving the three Councils and representatives of the other tiers of Government the most recent paper looks at a much wider area and one that would see the headquarters of the proposed new NSW Western Region Authority based at Broken Hill with a limited community of interest with many of the proposed member Councils. The Brewarrina meeting demonstrated a lack of support for the proposed new Regional Authority and that lack of support was also evident at the OROC meeting held on the Wednesday and it is anticipated that there will be a similar response when the Western Division Councils meet in Hillston on the 6th June 2013.

The words of the Panel in the early part of their work that "no change is not an option" still rings loud and this is something that must be considered in considering Council's position going forward.

The Mayor is unable to attend the meeting at Hillston on the 6th June 2013 but it is essential that Council be represented and it would be good to be able to go to that meeting with some clear direction from Council as to their preference.

At the meeting in Brewarrina there was an indication that perhaps the initial concept of Walgett, Brewarrina Bourke and Central Darling Shire Councils could again be considered. However, after hearing some of the issues raised by community members present at the following community meeting, there is a need to question the concept of the community of interest amongst all of those centres.

There are some synergies in relation to isolation, high indigenous population, unemployment levels and the provision of services by State and Federal Governments, but there are also some great distances involved particularly with the addition of Central Darling again coming into consideration.

The Panel will only be making representations to the Minister who will in turn refer the Panel's report, with any amendments, to Cabinet so the Panel's recommendations are at this stage far from binding.

At the meeting of OROC on Wednesday 15 May, 2013 there was a strong suggestion that perhaps the role of ROCs could be strengthened and operate more formally along similar lines as the Lower Macquarie Water Alliance although the strengthening of ROCs does not seem to have the support of the Panel primarily due to their voluntary nature and the fact that there is no legislative framework to support them.

At the meeting in Brewarrina several community representatives spoke including Phillip Parnaby of Bourke who spoke on behalf of the Bourke Business Development Committee. Members of the farming community around Walgett who attended suggested that a better option for them, if they were to join with other councils, would possibly be to go east with Moree or Narrabri.

While Councils should investigate all available options it is also important that any alliances are not made or entered into prematurely.

It is clear that all communities in Western New South Wales would like to see more productive outcomes from the resources ploughed into their towns by both State and Federal Governments. There seems also to be strong desire for the Aboriginal sections of the communities to ensure a stronger voice within any government structure.

It is understood that there is a growing community awareness of the issue of proposed amalgamations by the general public with a number of communities holding public meetings to gauge community opinion. At this stage these have tended to be in areas where amalgamation has been suggested or the conversion to the local council to a board status within a County Council model is proposed.

Council may wish to conduct a series of community forums in conjunction with the release of the draft budget for 2013/2014 and associated documents. However, with many of the models put out by the Panel still to be fully developed it would be difficult to adequately answer many of the questions likely to be raised.

The options which present at present are as follows

WALGETT SHIRE COUNCIL AGENDA

1. Stay as we are and seek to obtain additional revenue streams noting that the Panel has identified some potential for an increase in Financial Assistance Grants (this would no doubt be opposed by the larger Councils from whose allocation the increase would be sourced) and a more streamlined process for special rate variation applications. (This has to be considered in light of the small amount of additional revenue raised coupled with the ability of residents to pay and the projected population decline).
2. Enter into a strong resource sharing agreement with our surrounding Councils (Not necessarily limited to the three identified) which will provide some economies of scale and cost savings. This could be strengthened by the undertaking of a Memorandum of Understanding
3. Look at the Proposed Western Region Authority as proposed in the latest paper.
4. Look at the concept of a much small Regional Authority, say based on Walgett, Brewarrina and Bourke. This could bring to the table the State and Federal Governments and the Aboriginal Organisations. The determination of representation would be one hurdle to overcome.
5. Form a County Council with the three Councils to facilitate a better resource sharing model and also have additional bargaining power with the State and Federal Agencies and the ability to engage with the aboriginal communities on a regional basis.
6. Look to strengthen the operation of OROC to facilitate many more joint functions and with the same degree of success of the Lower Macquarie Water Utilities Alliance

In considering any of the models it has been made relatively clear that Council does not want to see the erosion of its Status as a Council (The status and functions of boards is very unclear at this stage) and would not support any model that would see the removal of the local decision and as such this would be one of the principles of the any submission.

Additionally, it also clear that Council should not support any model that would see the loss of employment numbers within Walgett Shire or the neighbouring shires of Bourke and Brewarrina, that would contribute to an increase the current level of social disadvantage that currently exists.

Relevant Reference Documents:

ILGRP discussion paper "Future Directions for Local Government – Twenty Essential Steps"
ILGRP discussion paper "Strengthening NSW Remote Communities – The Options"

Stakeholders:

Walgett Shire community, Councillors and staff

Governance issues:

Various governance issues are discussed broadly in the body of the discussion documents. However, much reliance is placed on anticipated population declines over the next twenty five

years. No consideration has been given at this stage to likely falls in property valuations and their resultant impact on Council's financial viability or the wider business community

Environmental issues:

The discussion papers focus on the future of local government in NSW and what the position is likely to be in twenty five years time based on current trends. Little comment, if any, is made on the impact the changes being identified would have on the environmental sustainability of the broader community if they went ahead.

Financial Implications:

Yet to be determined but will be impacted by any decision taken.

Legal Issues:

Discussed in the ILGR Panel's discussion documents – some proposals would need legislative change.

Alternative Solutions/Options:

Do nothing

Either all or some of the options list in the recommendation to this report

Conclusion:

Council is in a position to play a proactive role in the local government reform process going forward. To fail to take appropriate action would squander a valuable opportunity to have some direct input and/or influence into the Panel's final report and recommendations

Independent Local Government Review Panel – Release for additional Discussion Papers – consideration of Council's Position and Submission Preparation

Recommendation:

1. That Council review the options as detailed
2. The Council identifies any further options not detailed.
3. That Council eliminate any options not considered suitable.
4. Council identify a preferred option or options that they would like to further evaluate.
5. The General Manager hold a meeting with all Council staff to outline the work of the Panel and Council's position going forward.
6. That Council determine the need to hold a series of public forums to explain the work of the Panel and the proposals being considered.
7. That a full explanation of the current proposals and Council's preferred option(s) be circulated through Council's newsletter and web site.

Moved:

Seconded:

Attachments:

Nil

MATTERS FOR BRIEF MENTION OR INFORMATION ONLY REPORT

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

Summary:

To advise Council of the following matters/issues which are for brief mention or information only.

1. Media Release from Western Councils to consider Review Options

Councils in the NSW Western Division will gather facts and discuss all the options outlined in the latest Future Directions Paper put out by the NSW Independent Review into Local Government before making any rushed decisions.

The Western Division will discuss the Review options at a meeting in Hillston on Thursday, June 6. (See attached Media Release for further information)

2. Inquiry into skill shortages in NSW

The Legislative Assembly Committee on Economic Development is currently conducting an inquiry into skills shortages in NSW.

Submissions can be lodged:

- Via the committee's website at www.parliament.nsw.gov.au/economicdevelopment
- Emailed to economicdevelopment@parliament.nsw.gov.au
- Mailed to: The Chair, Committee on Economic Development, Parliament House, Macquarie Street, Sydney NSW 2000.

Further information on the committees work can be found at www.parliament.nsw.gov.au/committees

3. New Intergovernmental Agreement for State and Local Government (Local Government NSW – Weekly Issue 15 Item 3)

The new Intergovernmental Agreement (IGA) represents the fulfilment of one of the priorities that Local Government NSW (LGNSW) and the Government promised in the 2011 NSW Government elections.

The IGA between the NSW State Government and LGNSW, on behalf of NSW councils, represent a commitment of partnership between the two spheres of government to

strengthen the service offering to our local communities. The IGA will also improve the ongoing dialogue about changing legislation and programs of state and local interests.

The IGA provides for:

- Biannual meetings with the Premier of NSW, the Minister for Local Government, and Local Government NSW.
- Biannual dialogue between Local Government NSW and key NSW State agencies.
- NSW State Government to communicate significant issues or changes to Local Government.
- Addressing cost-shifting.

4. Australian Federal Budget 2013/14 – Local Government Impact (Local Government NSW – Weekly Issue 20 Item 12)

The 2013/14 Federal Budget maintains Financial Assistance Grants (FAGs), Roads to Recovery and Black Spots funding to Local Government. IT has also introduced a number of other funding initiatives for Local Government.

Initiatives targeting Local Government include:

- \$12.9 million to assist councils connect to the NBN.
- \$40 million in additional assistance to Queensland councils to re-build infrastructure following flood and cyclone events in 2011 and 2012.
- \$44.1 million in 2013-14 to municipal and essential services in Indigenous communities.
- Extending the Satellite Phone Subsidy Scheme.
- \$9.1 million over four years to create a “one-stop shop” for grants advertising and reporting.
- \$9.9 million over two years to upgrade remote community landing strips.

Financial Assistance Grants (FAGs)

FAGs to Local Government in 2013-14 have been escalated in real terms. FAGs are increased annually, based on an escalation factor determined by the Treasurer with reference to population growth and the consumer price index.

MATTER FOR BRIEF MENTION OR INFORMATION ONLY

Resolved:

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

Moved:

Seconded:

Attachments

Media Release – Western Councils to consider review options

Local Government NSW – Weekly Issue 20 Item 12 Australian Federal Budget 2013/14 – Local Government Impact



MEDIA RELEASE

May 2, 2013

Western Councils to consider Review options

Councils in the NSW Western Division will gather facts and discuss all the options outlined in the latest Future Directions Paper put out by the NSW Independent Review into Local Government before making any rushed decisions.

Division President and Mayor of Carrathool Shire, Peter Laird said the 13 member Councils were included in a variety of options in the Paper and each one will have to look carefully at these to come up with the right solution for their communities.

"The Paper quotes the "Barnett Committee" which 40 years ago, threatened, that local Government would not exist without radical change. Things have not changed radically since then and Local Government is still alive and healthy," President Laird said.

"We all need to take a measured look at the suggested changes and if there are incorrect facts and figures, assumptions made and reasons for adjustments these need to be met with the correct information and further discussion."

President Laird said the report was disappointing in the lack of suggestions about future funding arrangements to meet the backlog of infrastructure and increased services due to cost shifting from the State Government.

The Western Division will discuss the Review options at a meeting in Hillston on Thursday, June 6.

He urged people to attend the ILGR Panels Regional Meetings being held in May and June and to take advantage of the consultation period which closes on Friday 28th June.

Contact details to have your say:

| | |
|--------|--|
| Visit: | www.localgovernmentreview.nsw.gov.au |
| Email: | info@localgovernmentreview.nsw.gov.au |
| Post | Independent Local Government Review Panel,
c/-Locked Bag 3015 NOWRA NSW 2541 |

Inquiries: President Peter Laird: Mobile 0428 678 144

Executive Officer Ruth Fagan: Mobile 0429123736

Including Balranald • Bogan • Bourke • Brewarrina • Broken Hill • Carrathool • Central Darling
Cobar • Hay • Lachlan • Moree • Walgett • Wentworth **Councils of NSW**



Finance

Item 12: Australian Federal Budget 2013/14 – Local Government Impact

The 2013/14 Federal Budget maintains Financial Assistance Grants (FAGs), Roads to Recovery and Black Spots funding to Local Government. It has also introduced a number of other funding initiatives for Local Government. This item is derived from the analysis prepared by the Australian Local Government Association (ALGA).

Online information

<http://www.budget.gov.au/2013-14/index.htm>

ALGA Website:

<http://alga.asn.au/>

Ref: R01/0028-03 SMcB

Initiatives targeting Local Government include:

- \$12.9 million to assist councils to connect to the NBN.
- \$40 million in additional assistance to Queensland councils to re-build infrastructure following flood and cyclone events in 2011 and 2012.
- \$44.1 million in 2013-14 to municipal and essential services in Indigenous communities.
- Extending the Satellite Phone Subsidy Scheme.
- \$9.1 million over four years to create a 'one-stop shop' for grants advertising and reporting.
- \$9.9 million over two years to upgrade remote community landing strips.

Financial Assistance Grants (FAGs)

FAGs to Local Government in 2013-14 have been escalated in real terms. FAGs are increased annually, based on an escalation factor determined by the Treasurer with reference to population growth and the consumer price index.

- In the 2013-14 year, the Australian Government will allocate \$1.13 billion in FAGs for Local Government services to the community. This reflects the Government's decision to bring forward two quarters of the 2013-14 payment into the 2012-13 year. - This is now the fifth year in a row that payments have been shifted into the previous financial year.
- The payment will accordingly increase the FAGs Local Government receives in 2012-13 to \$2.2 billion, with a corresponding reduction in 2013-14 to \$1.1 billion.
- FAGs continue to comprise two components: general purpose assistance grants; and untied local roads grants. Supplementary funding of South Australian councils for their local roads is also continued in the Budget 2013-14 (\$17.5million).

The FAGs allocations and forward estimates are set out in the tables below.

| Table 1: Commonwealth funding for local government 2013-14 (\$m) | |
|--|----------------|
| General Purpose Assistance | 787.3 |
| Untied Local Road Funding | 349.3 |
| Additional roads funding to South Australia | 17.5 |
| TOTAL LOCAL GOVERNMENT FUNDING | 1,153.5 |

WALGETT SHIRE COUNCIL AGENDA



Table 2 outlines total Financial Assistance Grants (FAGs) for the period 2012-13 to 2016-17.

| Table 2: Total Financial Assistance Grants to local government 2012-13 to 2016-17 | | | | | |
|---|----------------|----------------|----------------|----------------|----------------|
| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 |
| | \$m | \$m | \$m | \$m | \$m |
| General Purpose Assistance | 1,526.7 | 787.3 | 1,693 | 1,710.9 | 1,783 |
| Untied Local Road Funding | 677.5 | 349.3 | 727.5 | 759.2 | 791.5 |
| Total financial assistance | 2,204.2 | 1,136.6 | 2,367.1 | 2,470.0 | 2,575.2 |

FAGs are increased annually, based on an escalation factor determined by the Treasurer with reference to population growth and the consumer price index

| Table 3: Financial Assistance Grants to local government by jurisdiction 2013-14 | | | | | | | | | |
|--|--------------|--------------|--------------|--------------|-------------|-------------|-------------|-------------|----------------|
| Financial assistance grants | NSW \$m | VIC \$m | QLD \$m | WA \$m | SA \$m | TAS \$m | ACT \$m | NT \$m | TOTAL \$m |
| General Purpose Assistance | 252.5 | 195.3 | 158.5 | 85.0 | 57.2 | 17.6 | 13.0 | 8.1 | 787.3 |
| Untied Local Road Funding | 101.4 | 72.0 | 65.5 | 53.4 | 19.2 | 18.5 | 11.2 | 8.2 | 349.3 |
| TOTAL | 353.9 | 267.3 | 223.9 | 138.4 | 76.4 | 36.2 | 24.2 | 16.3 | 1,136.6 |

Federal Funding for Local Roads in 2013-14

Roads to Recovery: **\$373.2 million**

Identified Local Road Grants: **\$349.3 million**

Black Spots: **\$64.5 million**

Total road funding allocation for councils in 2013-14 is set out in the table below:

| Local roads funding - 2013-14 | | | | | |
|-------------------------------|------------------------|-----------------------------------|-----------------|-------------------------|------------------|
| State | Roads to Recovery \$m* | Identified local roads grants \$m | Black Spots \$m | Additional SA funds \$m | Total \$m |
| New South Wales | 119.7 | 101.4 | 20.2 | | 241.3 |
| Victoria | 74.6 | 72.0 | 16.1 | | 162.7 |
| Queensland | 66.8 | 65.5 | 12.5 | | 144.8 |
| Western Australia | 54.6 | 53.4 | 7.5 | | 115.5 |
| South Australia | 31.1 | 19.2 | 4.7 | 17.5 | 72.5 |
| Tasmania | 12.9 | 18.5 | 1.8 | | 33.2 |
| Australian Capital Territory | 0.0 | 11.2 | 0.9 | | 12.1 |
| Northern Territory | 13.4 | 8.2 | 0.8 | | 22.4 |
| Total: | 373.2 | 349.3 | 64.5 | 17.5 | 804.5 [1] |



Note: sum of the components may not add to the total due to rounding.

(*Funding for Roads to Recovery remains in place until 2019).

Specific road funding commitments to NSW include:

- The F3 Productivity Package
 - Widening sections of the F3 from Tuggerah to Doyalson and Kariong to Somersby.
 - Upgrading the Kariong Interchange Ramps and the Weakley's Drive Intersection.
- Upgrading road and rail connections to Port Botany.
- \$400 million for the 'missing link' between the F3 and the M2.
- \$1.8 billion to assist in the delivery of the M4 and M5 extensions.

Economic Indicators

| | 2012/13
Forecast | 2013/14
Forecast | 2014/15
Forecast | 20 15/16
Forecast | 2016/17
Forecast |
|--------------------------|---------------------|---------------------|---------------------|----------------------|---------------------|
| Real GDP Growth | 3% | 2.75% | 3% | 3% | 3% |
| Employment Growth | 1.25% | 1.25% | 1.5% | 1.5% | 1.5% |
| Unemployment Rate | 5.5% | 5.75% | 5.75% | 5% | 5% |
| CPI | 2.50% | 2.25% | 2.25% | 2.5% | 2.5% |

Further information is available on the ALGA website.

[\[Top\]](#)

CASH ON HAND & INVESTMENT REPORT

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

Summary:

This report summarises the cash on hand and investments held by Walgett Shire Council as at 30 April 2013.

Background:

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

Current Position:

As at 30 April 2013 the operational bank account's balance was \$781,093.85. The reconciliation of this balance is:

Operational Account Bank Reconciliation As at 30 April 2013

| | |
|---|-----------------------|
| | \$ |
| Opening Ledger Account Balance as at 1 April 2013 | 808,303.07 |
| Add: Receipts | 4,970,643.19 |
| Add: Recalled Investments | |
| Less: New Investments | |
| Less: Payments | (4,998,437.14) |
| Closing Ledger Balance as at 30 April 2013 | 780,509.12 |
|
Balance as per Bank Statement as at 30 April 2013 |
781,093.85 |
| Add: Receipts not banked | 2,874.76 |
| Less: Payments not presented | (3,459.49) |
| Closing Balance of Bank Account | 780,509.12 |
| 2 Term Deposits were recalled to the value of \$1,000,000.00 | |
| 2 new Term Deposits were made to the value of \$1,000,000.00. | |

WALGETT SHIRE COUNCIL AGENDA

2 transfers were made from the 24hour online account to the value of \$303,358.49.

1 transfer was made to the 24hour online account to the value of \$300,000.00.

As at 30 April 2013 Walgett Shire Council's investment register's balance was \$10,750,000.00.

The balance as per the attached investment report comprised:

| | |
|--|-----------------|
| Term Deposits | \$10,750,000.00 |
| Floating Rate Collateralized Debt Obligation (CDO) | \$ 0.00 |

The values disclosed for the Floating Rate Collateralized Debt Obligation (CDO) are market values as at 31 March 2013 and were supplied by the ANZ Group.

| | |
|--------------------------------|---------------|
| 24 Hour Online Account Balance | \$ 991,900.00 |
|--------------------------------|---------------|

Relevant Reference Documents/Policies:

| | |
|------------------|---|
| 09/1772-02/0003 | April 2013 bank reconciliation ledger 11.5010 |
| 09/1460-02/00026 | Investments Report To Council 2012-2013 |

Governance issues:

Nil

Environmental issues:

Nil

Stakeholders:

Walgett Shire Council
Residents of Walgett Shire Council

Financial Implications:

As per report

Alternative Solutions/Options:

NIL

Conclusion:

As at 30 April 2013 Walgett Shire Council's total available cash and invested funds were \$12,522,409.12 represented by:

| | |
|--|-------------------------|
| Reconciled Operational Account Balance | \$ 780,509.12 |
| Investments | \$10,750,000.00 |
| 24 Hour Online Saver Account | \$ 991,900.00 |
| | <u>\$ 12,522,409.12</u> |

CASH ON HAND AND INVESTMENT REPORT AS AT 30 APRIL 2013

Recommendation:

1. That the cash on hand and investment report as at 30 April 2013 be received.

Moved:

Seconded:

Attachments:

Investment Report

WALGETT SHIRE COUNCIL AGENDA

| <u>Investment Institution</u> | <u>Type of Investment</u> | <u>Term (days)</u> | <u>Rate %</u> | <u>Ref</u> | <u>Reset Date</u> | <u>Maturity Date</u> | |
|---|---------------------------|--------------------|---------------|------------|-------------------|-----------------------------|------------------------|
| Term Deposits | | | | | | | |
| Credit Union Australia | Term Deposit | 210 | 4.73 | 804/13 | | 28-Aug-13 | \$250,000.00 |
| National Australia Bank | Term Deposit | 182 | 4.65 | 808/13 | | 22-May-13 | \$500,000.00 |
| National Australia Bank | Term Deposit | 189 | 4.65 | 809/13 | | 29-May-13 | \$500,000.00 |
| National Australia Bank | Term Deposit | 195 | 4.65 | 810/13 | | 05-Jun-13 | \$500,000.00 |
| National Australia Bank | Term Deposit | 202 | 4.67 | 814/13 | | 19-Jun-13 | \$500,000.00 |
| Bank of Queensland | Term Deposit | 132 | 4.70 | 817/13 | | 01-May-13 | \$500,000.00 |
| Suncorp | Term Deposit | 126 | 4.55 | 819/13 | | 15-May-13 | \$250,000.00 |
| Credit Union Australia | Term Deposit | 210 | 4.50 | 820/13 | | 07-Aug-13 | \$250,000.00 |
| IMB | Term Deposit | 133 | 4.20 | 821/13 | | 12-Jun-13 | \$500,000.00 |
| Suncorp | Term Deposit | 126 | 4.20 | 824/13 | | 26-Jun-13 | \$250,000.00 |
| Newcastle Permanent Building Society | Term Deposit | 91 | 4.10 | 825/13 | | 29-May-13 | \$500,000.00 |
| Bank of Queensland | Term Deposit | 175 | 4.40 | 826/13 | | 21-Aug-13 | \$250,000.00 |
| Credit Union Australia | Term Deposit | 273 | 4.20 | 827/13 | | 27-Nov-13 | \$500,000.00 |
| IMB | Term Deposit | 97 | 4.15 | 828/13 | | 05-Jun-13 | \$500,000.00 |
| Bankwest | Term Deposit | 83 | 4.00 | 829/13 | | 22-May-13 | \$500,000.00 |
| Bank of Queensland | Term Deposit | 182 | 4.45 | 830/13 | | 04-Sep-13 | \$500,000.00 |
| Newcastle Permanent Building Society | Term Deposit | 91 | 4.10 | 831/13 | | 05-Jun-13 | \$500,000.00 |
| Newcastle Permanent Building Society | Term Deposit | 91 | 4.10 | 832/13 | | 12-Jun-13 | \$500,000.00 |
| Suncorp | Term Deposit | 182 | 4.30 | 833/13 | | 11-Sep-13 | \$500,000.00 |
| IMB | Term Deposit | 182 | 4.20 | 834/13 | | 19-Sep-13 | \$500,000.00 |
| Bank of Queensland | Term Deposit | 182 | 4.50 | 835/13 | | 23-Oct-13 | \$500,000.00 |
| Bankwest | Term Deposit | 30 | 4.05 | 836/13 | | 29-May-13 | \$500,000.00 |
| Newcastle Permanent Building Society | Term Deposit | 92 | 4.20 | 837/13 | | 31-Jul-13 | \$500,000.00 |
| IMB | Term Deposit | 92 | 4.15 | 838/13 | | 31-Jul-13 | \$500,000.00 |
| | | | | | | | \$10,750,000.00 |
| Floating Rates Collateralized Debt Obligations (CDO) | | | | | | | |
| Zircon Finance Ltd | Floating Rate CDO | | 0.00 | | 20-Sep-14 | | \$0.00 |
| Morgan Stanley Aces SP | Floating Rate CDO | | 0.00 | | 20-Mar-12 | | \$0.00 |
| | Floating Rate CDO | | 0.00 | | | 20-Jun-15 | \$0.00 |
| | Floating Rate CDO | | 0.00 | | | 23-Jun-14 | \$0.00 |
| Helium Capital Ltd | | | | | | | \$0.00 |
| | | | | | | Term Deposit Ledger Balance | \$10,750,000.00 |
| | | | | | | 24 hour Online Bank Account | \$991,900.00 |
| | | | | | | | \$11,741,900.00 |

Note that this is a separate interest bearing account linked with the Main Bank Account Investment Report as at 30 April 2013


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

Signed



Brad Pascoe

Finance Manager



Prepared and Reconciled by Shane Roberts
Senior Finance Officer

MULTI-CULTURAL SUPPORT AND PROGRAMS

REPORTING SECTION: Corporate Services

AUTHOR: George McCormick – Manager Community Services

FILE NUMBER: 09/1763

Summary:

Due to the winding up of the TCC a need exists for the continuation of the Migrant Information, Referral and Support Services at Lightning Ridge. The report acknowledges the importance of this service to the CALD and NESB residents of the Walgett Shire. and recommends that Council apply for funding through the Community Relations Commission. Council's community development unit will administer the project with the funding directed towards wages for the CALD project worker. It is proposed that Council make available its office at the HACC building in Lightning Ridge three days per week.

Background:

TCC-Lightning Ridge and Region Transcultural Community Council Inc. is a not for profit non-religious organisation incorporated in 1996. The TCC, a volunteer managed organisation was established to respond to the specific needs of the large (40%) Culturally and Linguistically Diverse (CALD) and Non English speaking Background (NESB), migrant population in Lightning Ridge. At that time language, literacy and communication over the telephone were distinct issues with migrant services for people of non-English speaking backgrounds usually situated in Sydney, and therefore difficult to access.

The Migrant Information Referral and Support Service is based in Lightning Ridge and supports the Walgett Local Government area including surrounding opal-mining communities. Services to the CALD community are delivered through face-to-face information and referral, telephone consultation and casework provision.

Current Position:

Funding for the Migrant Information Referral and Support Service that has been in place for the last 15 years has ceased. The Department of Immigration and Citizenship (DIAC) has changed funding criteria, now concentrating on the Settlement Grants Program - (SGP) funding for newly arrived migrants which has resulted in the TCC losing its funding.

The migrant population in Lightning Ridge consists principally of longer settled migrants some of them residents in Australia for more than 40 years.

The Community Relations Commission CRC has been providing funding for 13 hours part time employment per week, since 2010, annually granted on application. No funding is provided for utilities, rent etc. TCC has endeavoured to source funding from other sources without success.

Partnership projects with Mission Australia and support from the Yawarra Meamei Women's Group (office space and electricity and one additional day client service in 2009 -2010) have helped to keep TCC in operation until now.

TCC are no longer able to continue servicing the migrant community and as an organisation will now cease. They have requested that Council give consideration to sourcing the funding available from CRC (\$20,000) and to continue to provide the referral and support service. The funding from

CRC is provided for paying the wages and on costs of a CALD support worker, employed between 13-18 hours per week. The worker would undertake face to face client service and case management, referral services and interpreter and support services. It is proposed that the position would form part of the Community Development Team and report to the Manager Community Development. The position would also play a key role in National events and days of recognition including Harmony Day, Senior's, Multi-Cultural Australia and other prominent and significant community development opportunities. It is proposed that the position be located at the Council office in the HACC building operating two / three days a week. This location would also allow enhanced co-operation with existing services delivered from this building. It is recommended that the Council consider the allocation of \$5000 in the 2013/14 budget and to make application to the CRC for grant funding.

Relevant Reference Documents/Policies:

Walgett Shire Council Community Plan 2010 – 2014

Walgett Shire Community Strategic Plan (Review), ref (C 1.6 / C 1.10)

Governance issues:

There are no governance issues relating to this proposal.

Environmental issues:

Nil.

Stakeholders:

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

Financial Implications:

A total budget of \$25,000 has been estimated for the Multi- Cultural support worker.
An allocation of \$5000 per year to support project and office space three days a week (Lightning Ridge - HACC Building). The TCC records and resources would be transferred to the new office at the Lightning Ridge HACC.

An application for CRC grants funding (\$20,000) to meet the employee wages and on - costs of support worker position would be lodged.

Alternative Solutions/Options:

That Council not assume responsibility for the Migrant Information, Referral and Support Service and that the service ceases to operate.

Conclusion:

Given the particular demographic of the Lightning Ridge area this service has played a key role in supporting the specific needs of the migrant community. With the demise of the TCC the service faces closure if another organisation doesn't take it over. Its importance to the migrant community has been demonstrated over many years and it has been the main support base for the Lightning Ridge community. It is believed that the service fits well into the community development area of Councils operations and it is recommended that Council take over the service as detailed in this report.

Multi - Cultural Support & Programs

Recommendation:

- 1 .That Council agree to provide a Migrant Information and Referral service through the Community Development unit subject to funding for employment of the worker being provided by the Community Relations Commission (CRC)
2. That a provision of \$5000 in 2013-2014 budget for administrative and office expenses associated with the position.

Moved:

Seconded:

Attachments:

Letter from Trans Cultural Council, Lightning Ridge



**LIGHTNING RIDGE AND REGION
TRANSCULTURAL COMMUNITY COUNCIL Inc.**

*PO BOX 1724, (1/28 MORILLA ST.) LIGHTNING RIDGE NSW 2834
*PHONE 02 6829 2014 *FAX 02 6829 0902 *EMAIL tccinc@lightningridge.net.au
ABN 99749104367 Est. 1996

TCC Profile

TCC-Lightning Ridge and Region Transcultural Community Council Inc. a not for profit non-religious organisation was incorporated in 1996. The TCC, a volunteer managed organisation was established to address the clearly identified and unmet needs of the large (40%), CALD, (Culturally and Linguistically Diverse), population in Lightning Ridge. At that time the question of language, literacy and communication over the telephone were distinct barriers. Any kinds of migrant services that may have existed for people of non-English speaking backgrounds were usually situated in Sydney, and therefore difficult to access.

The Migrant Information referral and casework Service is based in Lightning Ridge and outreaches on needs basis to the Walgett Local Government area in rural and remote North West NSW, including surrounding opal-mining communities.

The Lightning Ridge and Region Transcultural Community Council Inc. (TCC) has lost its funding for the Migrant Information and Referral Service in June 2009, from DIAC (Department of Immigration and Citizenship) that it had in place since 1998. The funding included 10 hours per week Outreach service to opal fields plus all utilities.

The migrant population in our community is made up mainly of longer settled migrants some of them residents in Australia for more than 40 years. Although there is some newly arrived migrants and 457 visa holders with their families, this profile does not fit the criteria for DIAC SGP funding, and regardless of the identified needs in the community, funding will no longer be available for our service.

CRC (Community Relations Commission for a Multicultural NSW) has supported TCC since the establishment of TCC, as they always had a focus on the longer settled migrants, with 4 hours in the beginning advancing to 7 hours per week, wages only.

After the loss of DIAC funding, Community Relations Commission CRC has increased the funding to 13 hours part time employment per week, but not before 2011. In the meantime the Yawarra Meamei Women's Group has supported TCC with an extra day service. In that critical period some Rent Assistance was received from Walgett Shire Council.

The CRC funding is annually granted on application, but there is no funding for utilities, rent etc. TCC has since then tried very hard to continue with the service writing applications to diverse funding bodies to ask for additional funding.

Due to the lack of additional funding TCC is no longer able to maintain this free service and is forced to close the door by the end of June 2013.

Our migrant population has many issues that require ongoing assistance and casework provision. The face-to-face client service and migrant support has truly become a lifeline for many of the CALD people in our community.

WALGETT SHIRE COUNCIL AGENDA

The TCC aims and outcomes are:

- Overcome isolation of CALD people in Lightning Ridge and region
- Improve access and awareness to appropriate and mainstream services
- Provide assistance/support for CALD people in dealing with Government, non-government bodies
- Overcome language barriers through development/promotion of interpreter service
- CALD people become better aware/familiar with the Australian way of life
- Highly skilled workers providing a migrant service with great expertise
- Assist and network closely with the Walgett Shire Council
- Work with Government services and are the conduit to achieving good results: e.g. legal services, TAFE, health
- Inform and assist clients to access mainstream services
- Provides face-to-face information and referral, telephone consultation
- Casework provision
- Contribute greatly to organizing community events, activities for whole of community
- Developing and building on the positives of cultural awareness and diversity.
- Essential support service and lifeline for many CALD people in community.
- Ongoing support assisting clients with appointments, letter writing, Centerlink and pension issues, leases, mining- registrations, assessments, where simple phone enquiries to a service provider or government service presents a great problem to clients.

TCC has over the years actively contributed to community life, networking and bringing community together, and has a distinct role in community building. TCC is the only service in Far West NSW that assists newly arrived and longer settled migrants in this remote isolated region.

The need that exists for the longer settled migrants who seek our assistance is quite extensive due to geographical isolation in rural and remote NSW. Elderly migrants are often alone without any family structure for support and need assistance.

The question of language barrier and literacy, access to services, the distance to specialist health services, legal services, aged care remain current and ongoing issues.

Our CALD clients and communities with identified needs will not be absorbed by other local services as clients and we seek the Walgett Shire Councils to address the ongoing needs of our migrant community. We believe at least four days client service is needed per week to provide adequate support to this client group within the Local Government area.

After seventeen years of providing services within our community and region, we know from our experience and statistics that the need exists and is evidenced.

TCC Volunteer Management Committee - President, Christina Johansson

Migrant Support Worker

Lightning Ridge

REPORT ON INFORMATION AND ABORIGINAL AFFAIRS FEBRUARY 2013 – APRIL 2013

REPORTING SECTION: Corporate and Community Services
AUTHOR: Whitney Dennis – Aboriginal Liaison Officer
FILE NUMBER: 11 / 22 / 0001

Summary:

This report presents a brief overview of Aboriginal Liaison and Community development programs and services planned, implemented and completed for the period February 2013 – April 2013.

Background:

This is a report from the Aboriginal Liaison/ Community Development Officer highlighting progress in line with the Aboriginal Community Development and Reconciliation Plan (ACD & RP)

Current Position:

The Aboriginal Liaison Officer participated in numerous meetings and workshops throughout the Shire. In particular this included planning and capacity building for the community events listed below for the February - April reporting period,

- Friday Night Engagement Program
- International Women's Day
- Harmony Day
- Seniors Week
- Youth Week 2013
- Planning and Program development for NAIDOC Week 2013

Friday Night Engagement Program:

This program is conducted each fortnight and is well supported by young people in Walgett. The Community Development Team work together to implement the program which also supports the objectives of the ACD & RP.

International Women's Day:

Planning and Implementation of International Women's Day event for 2013 which was staged at the Country Women's Association Hall in Pitt St Walgett involved the CD team of which the ALO position plays a key role. There was a great attendance for this event which will continue to be recognised each year.

WALGETT SHIRE COUNCIL AGENDA

Walgett Shire Council's Aboriginal Liaison Officer and the Healthy Communities Coordinator worked in partnership with other community service providers including Walgett Aboriginal Medical Service, Thiyama-Li Family Violence Service Inc, Walgett Health Service (GWAHS) and Barwon Cottage Safe House offering an engaging event for women of the community to come along and join in this fun and informative day. Prizes were kindly donated by local community store's Bi-Rite Electrical and Walgett Pharmacy. There were over 60 prizes to be won between the two communities of Walgett and Collarenebri.

The event in Walgett staged games and trivia as entertainment throughout the morning and a light healthy continental breakfast and morning tea were provided. The event staged in Collarenebri hosted games and trivia which was then followed by an afternoon tea and healthy dinner which consisted of steak or chicken with their choice of veggies or salad. Feedback from participants indicated the event was very successful.

Harmony Day:

The CD team organised the Harmony Day event held at the Walgett Swimming Pool. Local Service Providers involved in the planning of this event were the Department of Human Services, Thiyama-Li Family Violence Service Inc. and Walgett Aboriginal Medical Service who contributed to staging the event.

Walgett Shire Council Youth Staff facilitated the games and activities for the event as our resident DJ entertained the crowd. All children that participated in the activities received a small package of Easter eggs. The Harmony Day event ran from 3pm to 7pm and the attendance for the day was approximately 85 community members.

Seniors Week:

The CD team presented the Seniors Week activity which was held in the Walgett RSL Club Auditorium for local community members to participate.

Youth Week 2013:

The Aboriginal Liaison Officer played a key role in assisting the Youth Team with the two Big Day Out events in Coonamble and in Walgett. These events again showcased the value of the CD team coming together to stage large events that benefit and showcase our youth.

Planning and Implementation of NAIDOC Week 2013:

This event is our peak activity for the Aboriginal Community each year. The theme for NAIDOC 2013 is - *We Value the Vision: Yirrkalá Bark Petitions 1963*. Submissions have been lodged by Council for NAIDOC Week 2013 through FAHCSIA. Following the planning meeting and dependent on funding outcomes, NAIDOC will consist of opening ceremony on the Council lawn, Community events will take place in Walgett, Collarenebri and Lightning Ridge and an event for the youth of each community will be included in which the ALO plays a lead role in bringing it together.

Relevant Reference Documents/Policies:

Walgett Shire Council Aboriginal Community Development and Reconciliation Plan 2007 – 2010, Walgett Shire Youth Development Youth Strategy 2009 – 2014, Walgett Shire Council Community Plan 2010 – 2014,

Governance issues:

Nil.

Environmental issues:

Nil.

Stakeholders:

Aboriginal organisations and residents of the communities within Walgett Shire with an interest in the social outcomes of people residing, working in and visiting our Shire.

Financial Implications:

Budgeted for in existing budget

Alternative Solutions/Options:

Not applicable.

Conclusion:

The Aboriginal Liaison Officer has continued to work with the CD team to achieve significant outcomes for the Aboriginal people and the wider communities. Community projects and programs were progressed this quarter in accordance with the Walgett Shire Council Aboriginal Community Development and Reconciliation Plan 2007 – 2010, Walgett Shire Council Community Plan 2010 – 2014, Walgett Shire Tourism Plan 2009 – 2011, Walgett Shire Youth Development Youth Strategy 2009 - 2014.

Aboriginal Liaison Officer Quarterly Report (February –April 2013)

| Report on Aboriginal Affairs February- April 2013 |
|---|
| <p>Recommendation:</p> <p>1. That the quarterly report on Aboriginal Information and Affairs be received and noted.</p> <p>Moved:</p> <p>Seconded:</p> |

Attachments:

Nil

WALGETT LEVEE REFURBISHMENT: GRANT OFFER FROM OFFICE OF ENVIRONMENT & HERITAGE

REPORTING SECTION: Urban Infrastructure Services

AUTHOR: Prafulla K.C.-Acting Director Urban Infrastructure

FILE NUMBER: 11/357

Summary:

This report recommends that Council endorse the General Managers' action to accept \$3 million grant funding offered by the Office of Environment and Heritage (OEH), NSW Government, for refurbishment of the Walgett Levee Project.

Background:

In April 2013, OEH offered \$3 million grant funding on a 6:1 ratio for the Walgett Levee Refurbishment. The grant offer is activated from a FY2012/13 reserve list which Council applied for grant funding under the Floodplain Management Program. Unfortunately, the application then was unsuccessful although Council was listed as a priority on the reserve list.

The offer agreement has to be accepted, signed and submitted by Tuesday, 4 June 2013.

As per the funding agreement on a 6:1 ratio, Council's contribution over the two year period (FY2013/14 and FY2014/15). Council shall allow a provision in the next two consecutive budgets to contribute \$333,333.33 on a 6:1 funding basis as part of their contribution.

Council's contribution towards the Levee refurbishment Stage 3 for the amount of \$166,666.67 has already been allocated in the current FY2012/13 budget.

Current Position:

Refurbishment of Stage 1 and 2 of the Walgett Levee is completed. A tender recommendation has been received from NSW Public Works for Stage 3, this stage will be funded from the currently offered \$3 million grant, \$1 million contributed for Stage 3 and remainder \$2 million over the next two year period.

Offered \$3 million grant will complete all the rehabilitation works to make township of Walgett safe from 1 in 100 year flood event.

Relevant Reference Documents/Policies:

OEH's grant funding Offer

Governance issues:

Nil

Environmental issues:

Review of Environmental Factors has been carried out.

Stakeholders:

Walgett Shire Council
Office of Heritage and Environment
Land and Property Management Authority
Residents of Walgett
Walgett Shire Council's rate payers
Levee adjoining land owners
Aboriginal Community

Financial Implications:

Should Council resolve to accept the grant offer on the basis of 6:1 ratio, Council will need to contribute \$333,333.33 as per the funding agreement for the next two years.

Alternative Solutions/Options:

Reject the Offer, and find it difficult to attract the funds in future.
Wait until total project cost is made available as a grant.
Do nothing.

Conclusion:

Walgett Levee protects the residents and property within the township. Council should accept the offer which will initiate the construction work.

Walgett Levee Refurbishment: Grant Offer from Office of Environment & Heritage

Recommendation:

1. That Council endorse the General Manager's action to accept the grant funding of \$3 million dollars offered by the Office of Environment and Heritage.
2. Council shall contribute \$333,333.33 on a basis of a 6:1 ratio for the Walgett Levee Refurbishment Program over a two year period.

Moved:

Seconded:

Attachment:

Office of Environment & Heritage Grant Offer Letter

WALGETT SHIRE COUNCIL AGENDA



Our reference: DOC13/14153
Your contact: Prafulla Bahadur

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

2 May 2013

Dear Mr Ramsland

RE: Application for funding under the 2012-13 Floodplain Management Program

Stage 2, CH.2900.0 to CH.3600.0, pump station and a detention basin
Grant Reference Number: 2012-13-FM-0280

I refer to Walgett Shire Council's application requesting financial assistance under the 2012-13 Floodplain Management Program for the above project, and earlier advice indicating this project had been placed on the reserve list.

I am now pleased to advise this application has been activated from the reserve list and you are being offered financial assistance of up to \$3,000,000 for this project. This offer is subject to you undertaking to meet the balance of funds for the project, as outlined in your application, and agreeing to the terms set out in the attached *Funding Agreement for Financial Assistance* (the Agreement). Please pay attention to the project-specific special conditions under clause 19, and return evidence of how you meet these conditions where appropriate.

Under the Agreement, OEH will make an initial payment of \$1,500,000 to Council in response to the submission of a Milestone Report and copy of the signed contract for works, which must be submitted **no later than 25 June 2013**. Failure to submit this documentation by the due date will see this Agreement terminated without payment.

You may accept this offer by signing both copies of the enclosed Agreement and returning one copy to the address noted at the bottom of the Agreement by **4 June 2013**. Please note that if the signed Agreement is not returned by this date, the offer of funding will automatically lapse.

I would like to draw your attention to condition 3.1 of the Agreement, which outlines the requirement to submit a Work Plan. To assist you in preparing this, I have arranged for an electronic link to the template to be emailed to Prafulla Bahadur of your office. The Work Plan should be prepared in consultation with your Office of Environment and Heritage regional contact, Neal Albert, and be submitted electronically by **25 June 2013**.

If you have any queries, please contact me on 02 9895 6472 or at rebecca.simpson@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Rebecca Simpson".

REBECCA SIMPSON
Grants Program Coordinator
Waters, Wetlands and Coast Division

Enclosure

PO Box 3720 Parramatta NSW 2124
10 Valentine Ave. Parramatta NSW
Tel: (02) 9895 6211 Fax: (02) 9895 7263
ABN 30 641 387 271
www.environment.nsw.gov.au

NEW PLANNING SYSTEM FOR NSW

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Director of Planning & Regulatory Services, Matthew Goodwin
FILE NUMBER: 10/763

Summary:

The NSW Government is currently undertaking public consultation regarding a proposed new planning system. It is recommended that Council make a submission regarding the proposed regulatory changes.

Background:

On 16 April 2013 the NSW Minister for Planning and Infrastructure, Brad Hazzard, commenced public consultation regarding a new planning act which will supersede the Environmental Planning and assessment Act 1979.

The planning white paper titled A New Planning System for NSW, draft Planning Bill 2013 and associated information have been published on the Department of Planning and Infrastructure's web site at <http://www.planning.nsw.gov.au/a-new-planning-system-for-nsw> . A printed copy of the planning white paper was provided to Councillors at the budget workshop meeting held on 7 May 2013.

The white paper and draft legislation are on public exhibition until 28 June 2013.

There is little doubt that the current planning system under the provisions of the Environmental Planning and Assessment Act 1979 is convoluted and complex. In that context major reform is warranted.

A key objective of the reform process is that within 5 years 80% of development within NSW will be approved as streamlined 'complying' or 'code' development. Code development is a new form of development. Currently only 23% of development within NSW falls within the streamlined system.

Current position:

Council's Planning and Regulatory Services staff have reviewed the planning white paper and the exposure draft of the Planning Bill 2013. Many of the proposed changes appear to be intended to facilitate development within NSW. In that context Gaden's lawyers (www.gadens.com.au) have noted that:

The change in emphasis between the existing Act and the proposed new legislation is best illustrated by some of legislation's new objects. The objects are important as they are frequently used as a reference point by decision-makers at all levels of the planning system.

The proposed new objects do not emphasise (as the current objects do) 'orderly' economic use and development of land. Instead the emphasis is on economic growth and efficient decision-making.

Also, the references in the current legislation to 'ecologically sustainable development' are replaced with 'sustainable development'. While this change may seem minor, it has the effect of removing any explicit statutory reference to the 'precautionary principle', which has been heavily criticised by many development proponents (particularly in greenfield areas and for heavy industry). Objectors often argue that the precautionary principle requires development consents to be refused even when there is only a modest risk of adverse environmental effects.

It is important for Council to be aware of the impending changes and how they may affect the Shire. Several mooted changes may have significant adverse and unnecessary impacts on development proposals and the local community. Accordingly it would be appropriate for Council to make a submission regarding the potential impacts, in the manner proposed in Attachment A.

The Director of Planning & Regulatory Services and Town Planner are scheduled to attend a presentation by the Department of Planning and Infrastructure at Dubbo on 29 May 2013 regarding the proposed new planning system. Additional information on the changes may become available from that presentation.

Relevant reference documents/policies:

- 'A New Planning System for NSW - White Paper', published by the Department of Planning and Infrastructure April 2013.
- Planning Bill 2013 – Exposure Draft.

Governance issues:

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

- to exercise community leadership
- to have regard to the long term and cumulative effects of its decisions
- to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

Environmental issues:

No significant issues known or expected.

Stakeholders:

Walgett Shire Council, Department of Planning & Infrastructure, public, developers.

Financial Implications:

The financial implications of the new planning system are unclear at this stage. In some ways the proposed changes will simplify the planning system, whilst in other ways there will be new complexities and potential additional costs for the community and Council.

Alternative solutions/options:

Not make a submission:- Council could choose not to make a submission regarding the proposed new planning system. This approach has not been recommended because some of the proposals appear likely to have a negative impact on the community and Council if they are implemented in the manner outlined within the white paper.

Conclusion:

In general terms the proposed new planning system has the potential to reduce the complexity of the current system. However it is important for Council to make the NSW Government aware of other potentially adverse impacts and encourage it to amend the system so that those impacts are avoided.

| New Planning System for NSW |
|---|
| <p>Recommendation:</p> <p>That Walgett Shire Council resolve to:</p> <ol style="list-style-type: none">1. Make a submission during the public consultation period regarding the planning white paper titled A New Planning System for NSW and draft Planning Bill 2013, regarding the issues outlined in Attachment A. <p>Moved:
Seconded:</p> |

Attachments:

A – Planning white paper & draft Planning Bill 2013 issues

ATTACHMENT A – PLANNING WHITE PAPER & DRAFT PLANNING BILL 2013 ISSUES

In general terms various planning system changes proposed via the planning white paper and the exposure draft of the Planning Bill 2013 have the potential to simplify parts of the land use planning system within NSW. However, there are some aspects of the reforms that may result in significant adverse impacts on the community, especially smaller developments in rural NSW, as outlined below.

1. EPLANNING SERVICES

Proposal

All NSW Government spatial datasets including planning, environmental and heritage data will have legal recognition and meet common quality standards (2nd dot point, p56, White Paper).

Discussion

This goal is desirable and should enable efficiency improvements for developers, Council and the community in general. Some data which the NSW Government holds for the Walgett Shire will be suitable for the proposed legal recognition. However Council's recent experience indicates that other data will be fundamentally inadequate in its current form, including:

- Cadastral data supplied by NSW Land and Property Information which commonly contains errors of ± 20 metres within local villages and ± 200 metres in rural areas.
- Vegetation data supplied by NSW Office of Environment and Heritage which maps significant areas with very low tree densities, or grasslands as "woodlands", etc.

From Council's perspective it is essential that only data that is fit for the proposed purpose be given legal recognition.

Request 1.1

That Council is provided with the opportunity to assess the quality of any NSW Government spatial data proposed to be given legal recognition for its Local Government Area.

Request 1.2

That any spatial data which contains significant errors not be given legal recognition.

2. DEVELOPMENT CONTROLS IN LOCAL PLAN

Proposal

All statutory planning controls will be incorporated within the Local Plan, so that relevant controls are easy to find and able to be delivered online (2nd dot point, p. 90, White Paper).

Discussion

Currently Development Control Plans (DCP) and Local Environmental Plans (LEP) serve different purposes and provide a different level of regulatory control. DCPs are capable of being modified in a reasonable timeframe by Council to reflect community expectation and issues which arise from the application of the respective planning controls contained therein.

Under the proposed changes LEPs and DCPs will be effectively merged into a single Local Plan document. It is Council's understanding that DCP provisions will effectively be contained within Part 3 of the document which comprises the 'development guides'.

Request 2

That provision be made to enable Councils to amend the Part 3 Development Guides of the Local Plan in a timely manner when required.

3. MAXIMUM 21 DAY STOP THE CLOCK PERIOD

Proposal

Councils will be able to stop the clock for a maximum of 21 days when requesting additional information to support a Development Application (2nd paragraph, p.141, White Paper).

Discussion

Council's experience has been that some applicants respond promptly and reasonably to requests for additional information, while others do not. Furthermore, for more complex developments, it may be effectively impossible to respond within the proposed maximum 21 day time frame. In that context it seems unlikely that there will be any significant public benefits arising from setting a maximum stop the clock period of 21 days.

Request 3

That a 21 day maximum stop the clock period not be applied, given that it is unlikely that there will be any significant public benefits.

4. LOCATION SURVEYS

Proposal

It is proposed that prescribed conditions of consent will require location surveys to be undertaken for building work completed under complying development and construction certificates (5th dot point, p187, White Paper).

Discussion

The nearest registered surveyors (2 only) to the main population centres within the Walgett Shire would need to travel for 500 kilometres or more to undertake a location survey. Assuming that a surveyor was available when required, this is expected to add a minimum of \$2,000 to the cost of each development, regardless of its nature or value.

Most development within the Walgett Shire occurs on relatively large urban or rural lots at a significant distance from the lot boundary.

Overall, it appears that the requirement for a location survey will significantly increase the cost of developments that are often located nowhere near the boundary of a lot. In that context it seems that there will not be any significant public benefits arising from requiring a location survey for all building work.

Request 4

That location surveys for building work are only required if a building is more than 2 storeys high or will be constructed less than 0.9 metre from any lot boundary.

5. COMPLYING DEVELOPMENT NOTIFICATION

Proposal

Neighbours will have to be notified before a complying development certificate (CDC) is issued (Final paragraph, p.127, White Paper).

Discussion

Notification will create an expectation that there is an opportunity for a neighbour to object to the issuing of a CDC, otherwise there is little point in letting them know in advance that the application is being assessed by a certifier. Ultimately the proposed notification is effectively a token gesture and represents unnecessary additional step in the approval process which does not have any

significant benefits. Neighbours already have reasonable notification via existing site signage requirements.

Request 5

That the proposed requirement for neighbours to be notified before a complying development certificate is issued, not be applied.

6. BUILDING MANUAL

Proposal

A building manual must be maintained for each affected class 1b to 9 building which includes information about use, fire safety, structural safety, 'critical building systems' and other matters (p 198-201, White Paper). The requirement will apply to new buildings initially, then to all existing class 1b to 9 buildings over time. Overall the building manual is intended to "increase confidence in the ongoing reliability of fire protection systems, alternative solutions and building safety generally" (last paragraph p200).

Discussion

In principle the concept of a building manual has some merit, especially for larger or more complex buildings. Issues which arise from the information provided in the white paper include:

- The white paper indicates that Council will hold the manual (2nd paragraph, p199) but also states that there will be electronic management of all approvals from a central point for NSW (last paragraph p202). It seems pointless to have the "approvals" managed electronically on a state wide basis while the building manual is held separately by Council. Ideally they should be held in a single repository to avoid waste and duplication of resources.
- Currently floor plans provided for an extension to a building will only show the parts of the building that are affected by the building works. The requirement for a building manual will create a situation whereby:
 - There are two floor plans relevant to the building manual, the original and the plan for the extended area, or;
 - An updated floor plan for the whole building must be provided for every CC or CDC application.

Either situation has significant complexity and/or cost implications.

In summary, imposing a regulatory requirement for all class 1b to 9 buildings to have a building manual will create major cost burdens on building owners and additional work for building certifiers.

Request 6.1

All building manuals should be held with construction certificate and complying development certificate information in the single NSW repository for planning and construction approvals to avoid waste and duplication of resources.

Request 6.2

That diligent consideration be given to practical issues associated with the implementation of a building manual requirement for class 1b to 9 buildings to avoid unnecessary and unreasonable costs being imposed on developments in rural NSW.

7. CERTIFICATION OF CRITICAL BUILDING SYSTEMS

Proposal

Installation and commissioning of certain building systems and elements will have to be certified for compliance by accredited persons such as accredited systems designers, and for some matters, by licensed builders/tradespersons (5th paragraph, p193, White Paper). Independent certification from an accredited or otherwise competent person of the compliance of the fire safety measures will be required (6th paragraph, p193).

Discussion

Walgett Shire, like many other smaller rural shires, is comparatively isolated and has a limited (negligible) range of people likely to receive accreditation to certify compliance for building systems and fire safety measures. If the accreditation and certification requirements are onerous, this would be likely to force developers to source accredited people (if available) from regional centres such as Dubbo (up to 700km round trip) or Tamworth (up to 850km round trip). This would result in significant increases in building costs.

Request 7

That diligent consideration be given to practical issues associated with the certification of critical building systems to avoid unnecessary and unreasonable additional costs being imposed on developments in rural NSW.

8. ACCESS CODE FOR BUILDINGS

Proposal

An accredited access consultant will prepare an access report or compliance certificate to certify certain new buildings and existing buildings, where an affected part is required to be upgraded, will comply with the Access Code for Buildings (under the Commonwealth Disability (Access to Premises – Buildings) Standards 2010 and/or the BCA (2nd paragraph, p188, White Paper).

Discussion

As for the certification of critical building systems, the isolation of Walgett Shire is likely to result in a situation whereby accredited access consultants will need to be sourced from regional centres such as Dubbo (up to 700km round trip) or Tamworth (up to 850km round trip). This would result in significant increases in building costs.

Request 8

That diligent consideration be given to practical issues associated with the certification of disabled access for buildings to avoid unnecessary and unreasonable additional costs being imposed on developments in rural NSW.

9. PRESCRIBED CONDITIONS

Proposal

Complying development and construction certificates will be subject to prescribed and other limited conditions for standard construction matters, such as on site sedimentation controls, security fencing, hoardings and hours of construction (last paragraph, p186, White Paper).

Discussion

The concept of standardised prescribed conditions has appeal from the perspective of consistency and simplicity. However the imposition of standardised conditions on state wide basis with no regard for the site specific circumstances is pointless and wasteful. For example:

- A large proportion of the state has a semi-arid climate and the average ground coverage provided by vegetation is less than 50%. On slopes less than 1 degree, which includes

more than 70% of the Walgett Shire, there is little point in applying sedimentation controls because the low gradient means that there will be minimal erosion. Furthermore, exposed and disturbed soil on a building site, is unlikely to increase erosion when a significant proportion of soil is naturally exposed in the vicinity. Compliance with the mandatory site sedimentation controls in this context will literally achieve nothing, other than wasting money on materials and labour.

- Walgett Shire has an area of 22,000 square kilometres and it is not uncommon for rural dwellings to be located several kilometres from each other. Compliance with mandatory restrictions on hours of construction in this setting is pointless.

Request 8

That provision be made for prescribed conditions to be applied only in contexts where they are relevant.

END.

MATTERS FOR BRIEF MENTION, PLANNING & REGULATORY SERVICES

REPORTING SECTION: Planning & Regulatory Services
AUTHOR: Matthew Goodwin, Director Planning & Regulatory Services
FILE NUMBER: 10/434

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

1. RSPCA CAWS PROGRAM

The NSW RSPCA Community Animal Welfare Scheme (CAWS) was held in Walgett and Lightning Ridge from 6 to 10 May 2013. About 100 dogs and cats were desexed, vaccinated and microchipped. The program is supported by the Australian Veterinary Association, Enid Coupe, NSW RSPCA and Walgett Shire Council. Council's support included a \$8,000 grant, microchips and assistance with logistics via its Regulatory Officer.

2. NEW CORS AT LIGHTNING RIDGE

Last month it was reported that the General Manager had entered into an agreement for Council to host new Continuously Operating Reference Stations (CORS) at Burren Junction (Council depot), Collarenebri (water filtration plant) and Lightning Ridge (HACC Centre) on behalf of NSW Land and Property Information. The new stations were in addition to the station that has been operating from the Walgett Shire Council chambers since 2010.

The CORS at Lightning Ridge was installed during April and now operating. It is expected that the Burren Junction and Collarenebri CORS will be installed during late May or early June.

As part of the hosting agreement Council has free access to the correctional data generated by the system. This data is used by Council's GIS Coordinator for differential Global Positioning System (GPS) surveying. Council's current GPS hardware can generate sub-metre accuracy using the system on a 'post processing' basis.

3. DIFFERENTIAL GPS

Currently Council's GIS Coordinator is using a second hand differential GNSS (Global Navigation Satellite System) to undertake field surveys of Council assets such as sewer and water infrastructure. These surveys are generally accurate to within 0.5 metres.

The GIS Coordinator is in the early stages of a project to survey or re-survey all Council's urban sewer, water and stormwater infrastructure. The project has been prompted by significant gaps and errors in the existing data.

Initial inquiries have established that the accuracy of Council's equipment can be improved so that measurements are accurate to within 0.1m by acquiring a new GNSS receiver for a cost of about \$14,400. This amount has been included within the budget estimates for GIS Maintenance & Licensing for 2013/2014. It is desirable to maintain the most accurate data for Council's assets to facilitate asset maintenance.

4. POUND DOG REHOMING

Nell Thompson from the Getting to Zero organisation contacted Council recently to assist with applying strategies to reduce the number of unclaimed dogs from the Walgett pound being euthanised. This contact has led to Nina Hartland of Riverina Rescue offering to relocate and rehome unclaimed dogs. Riverina Rescue took 6 dogs on 1-5-2013 and 8 on 16-5-2013. Nina has been working with animal rescue organisations in southern NSW, Victoria and the ACT to place the animals with new owners. At this stage Nina has indicated that Riverina Rescue intends to continue rehoming dogs from the Walgett pound as they become available.

This appears to be the first time that significant numbers of dogs have been rehomed, other than through the NSW RSPCA.

5. EDAP CONFERENCE

Council's Planning & Regulatory Services staff facilitated the Environmental Development and Allied Professionals conference which was held on 2 & 3 May 2013 at Lightning Ridge. The conference was opened by the Mayor of Walgett Shire, Cr Bill Murray. Various speakers provided presentations on subjects related to building, environmental health and planning over the two days.

Matters Generally for Brief Mention or Information only from Director of Planning & Regulatory Services

Recommendation:

That Walgett Shire Council resolve to:

1. Receive and note the report by the Director of Planning & Regulatory Services on matters for brief mention, or information only, regarding:
 - RSPCA CAWS program.
 - New CORS at Lightning Ridge.
 - Differential GPS.
 - Pound dog rehoming.
 - EDAP Conference

Moved:

Seconded:

Attachments:

Nil

MONTHLY FLOOD WORKS REPORT FROM DIRECTOR ENGINEERING SERVICES – MAY 2013

REPORTING SECTION: Engineering Services
AUTHOR: Raju Ranjit – Director Engineering Services
FILE NUMBER: 11/211

Summary:

The purpose of this report is to inform Council of progress relating to the February 2012 flood restoration works in the period since the report was prepared in 6th May 2013.

Background:

Between December 2011 and February 2012, Walgett Shire suffered major flood disasters and significantly affected 62 Shire Roads, 7 Regional Roads and 3 State Highways.

The people of the Walgett, Collarenebri & Lightning Ridge and surrounding areas were particularly hard hit and the Shire's infrastructure sustained severe damage.

Roads and Maritime services (RMS) has assessed the flood affected roads and awarded Natural Disaster Assistance (NDA) to the Walgett Shire for the flood damage roads which involves the remediation & reconstruction.

Current Position:

Council's teams and Contractors are working in full swing to complete the work within the given time frame. A formal request has been forwarded to the RMS advising that all works will be completed by the 31 October and seeking an extension of time accordingly.

Relevant Reference Documents/Policies:

RMS approved schedule

Governance issues:

Nil

Environmental issues:

Nil

Stakeholders:

Walgett Shire Council

Walgett Residents
Tourist

Financial Implications:

As at 6th May 2013, \$ 8,425,285.13 (71.82%) has been spent from a total amount of \$ 11,731,235 provided in the 2012/2013 budget.

Alternative Solutions/Options:

Nil

Conclusion:

Council can monitor progress of monthly flood work program by reviewing the attached spread sheets and noting progress to date.

| Monthly flood works Report from Director Engineering Services |
|--|
| <p>Recommendation:</p> <p>1. That Council receive and note the monthly flood restoration works report for May 2013</p> <p>Moved:</p> <p>Seconded:</p> |

Attachments:

Flood restoration works progress summary.

WALGETT SHIRE COUNCIL AGENDA

Shire Roads

| Item No. | | Work Order | Description of Works
(Road Name) | Amount to be contributed by RMS | Amount to be contributed by Council | Amount Spent By Council | Total Expenditure as per ledger | Total Actual Cost Expenditure to 6/05/2013 from RMS funding | Progress in %
(In terms of RMS) funding | Project Status | Balance Budget |
|----------|----|------------|-------------------------------------|---------------------------------|-------------------------------------|-------------------------|---------------------------------|---|--|----------------|----------------|
| SR | 1 | 2284 | Franxton Road | \$36,769 | | | 30,614.47 | \$30,614.47 | 83.26 | completed | \$6,154.13 |
| SR | 2 | 2285 | Belarra Lane | \$106,061 | | | 73,116.48 | \$73,116.48 | 68.94 | In progress | \$32,944.52 |
| SR | 3 | 2286 | Clarkes Lane | \$9,885 | | | 10,873.50 | \$10,873.50 | 110.00 | completed | -\$988.50 |
| SR | 5 | 2287 | Cryon Road | \$190,907 | | | 138,516.14 | \$138,516.14 | 72.56 | In progress | \$52,390.86 |
| SR | 12 | 2288 | Millie Road | \$143,025 | | | 157,327.50 | \$157,327.50 | 110.00 | completed | -\$14,302.50 |
| SR | 13 | 2289 | Woodvale Road | \$111,256 | | | 120,828.20 | \$120,828.20 | 108.60 | completed | -\$9,572.20 |
| SR | 14 | 2290 | Baroona Road | \$91,346 | | | 90,885.55 | \$90,885.55 | 99.50 | In progress | \$460.45 |
| SR | 15 | 2291 | Pokataroo Road | \$50,030 | | | 27,632.16 | \$27,632.16 | 55.23 | completed | \$22,397.34 |
| SR | 16 | 2292 | Mercadool Road | \$145,698 | | | 119,259.30 | \$119,259.30 | 81.85 | In progress | \$26,438.20 |
| SR | 19 | 2293 | Springs Road | \$3,630 | | | 3,630.00 | \$3,630.00 | 100.00 | completed | \$0.00 |
| SR | 21 | 2294 | Meadow Plains Road | \$17,000 | | | 17,000.00 | \$17,000.00 | 100.00 | completed | \$0.00 |
| SR | 24 | 2295 | Marlbone Road | \$20,716 | | | 13,383.52 | \$13,383.52 | 64.60 | completed | \$7,332.73 |
| SR | 27 | 2296 | Colrose Road | \$19,456 | | | 21,401.60 | \$21,401.60 | 110.00 | completed | -\$1,945.60 |
| SR | 28 | 2297 | Wingadee Road | \$10,140 | | \$ 812.97 | 11,966.97 | \$11,154.00 | 110.00 | completed | -\$1,014.00 |
| SR | 31 | 2298 | Gungalman Road | \$39,781 | | | 30,101.96 | \$30,101.96 | 75.67 | In progress | \$9,679.44 |
| SR | 38 | 2299 | Wanourie Creek Road | \$18,120 | | | 11,382.26 | \$11,382.26 | 62.82 | completed | \$6,737.74 |
| SR | 40 | 2300 | Ginghet Road | \$7,061 | | \$ 3,912.74 | 11,680.11 | \$7,767.38 | 110.00 | completed | -\$706.13 |
| SR | 43 | 2301 | Bushs Road | \$9,846 | | | 0.00 | \$0.00 | 0.00 | In progress | \$9,846.00 |
| SR | 45 | 2302 | Borehead Road | \$7,914 | | | 1,157.39 | \$1,157.39 | 14.62 | In progress | \$6,756.61 |

WALGETT SHIRE COUNCIL AGENDA

| Item No. | | Work Order | Description of Works
(Road Name) | Amount to be contributed by RMS | Amount to be contributed by Council | Amount Spent By Council | Total Expenditure as per ledger | Total Actual Cost Expenditure to 6/05/2013 from RMS funding | Progress in %
(In terms of RMS) funding | Project Status | Balance Budget |
|----------|----|------------|-------------------------------------|---------------------------------|-------------------------------------|-------------------------|---------------------------------|---|--|----------------|----------------|
| SR | 48 | 2303 | Boorooma Creek Road | \$25,252 | | | 17,898.83 | \$17,898.83 | 70.88 | completed | \$7,353.17 |
| SR | 51 | 2304 | Millencowbah Road | \$23,400 | | | 6,109.09 | \$6,109.09 | 26.11 | In progress | \$17,290.91 |
| SR | 52 | 2305 | Willis Road | \$6,570 | | | | \$0.00 | 0.00 | | \$6,570.00 |
| SR | 53 | 2306 | Koomalah Road | \$124,044 | | | 47,398.46 | \$47,398.46 | 38.21 | In progress | \$76,645.54 |
| SR | 57 | 2307 | Epping Road | \$50,889 | | | 28,532.61 | \$28,532.61 | 56.07 | In progress | \$22,356.39 |
| SR | 59 | 2308 | Moomin Road | \$60,342 | | | 62,413.51 | \$62,413.51 | 103.43 | completed | -\$2,071.51 |
| SR | 60 | 2309 | Marra Creek Road | \$7,512 | | | | \$0.00 | 0.00 | | \$7,512.00 |
| SR | 61 | 2310 | Cambo Road | \$34,365 | | | 98.87 | \$98.87 | 0.29 | Not started | \$34,266.13 |
| SR | 64 | 2311 | Wimbledon Road | \$26,028 | | | 18,504.35 | \$18,504.35 | 71.09 | completed | \$7,523.65 |
| SR | 67 | 2312 | Collarenebri Mission Road | \$13,000 | | | 180.01 | \$180.01 | 1.38 | not started | \$12,819.99 |
| SR | 70 | 2313 | Lone Pine Road | \$13,980 | | \$ 1,718.37 | 17,096.37 | \$15,378.00 | 110.00 | completed | -\$1,398.00 |
| SR | 71 | 2314 | Rossmore Lane | \$8,100 | | | 6,897.47 | \$6,897.47 | 85.15 | completed | \$1,202.53 |
| SR | 72 | 2315 | Middle Route Road | \$17,496 | | | 11,221.29 | \$11,221.29 | 64.14 | completed | \$6,274.71 |
| SR | 73 | 2316 | Miralwyn Road | \$10,554 | | | 0.00 | \$0.00 | 0.00 | Not started | \$10,554.00 |
| SR | 77 | 2317 | Nedgera Road | \$11,009 | | | 0.00 | \$0.00 | 0.00 | Not started | \$11,008.75 |
| SR | 79 | 2318 | Pagan Creek Road | \$5,916 | | | 0.00 | \$0.00 | 0.00 | Not started | \$5,916.00 |
| SR | 85 | 2319 | Tungra Road | \$47,510 | | \$ 18,395.28 | 70,656.28 | \$52,261.00 | 110.00 | completed | -\$4,751.00 |
| SR | 88 | 2320 | Fabians Road | \$24,990 | | | 772.63 | \$772.63 | 3.09 | Not started | \$24,217.37 |
| SR | 89 | 2321 | Belaba Road | \$17,007 | | | 15,394.69 | \$15,394.69 | 90.52 | completed | \$1,612.31 |
| SR | 90 | 2322 | Fairview Road | \$26,436 | | | 14,791.99 | \$14,791.99 | 55.95 | completed | \$11,644.01 |

WALGETT SHIRE COUNCIL AGENDA

| Item No. | | Work Order | Description of Works (Road Name) | Amount to be contributed by RMS | Amount to be contributed by Council | Amount Spent By Council | Total Expenditure as per ledger | Total Actual Cost Expenditure to 6/05/2013 from RMS funding | Progress in % (In terms of RMS) funding | Project Status | Balance Budget |
|----------|-----|------------|---|---------------------------------|-------------------------------------|-------------------------|---------------------------------|---|---|----------------|----------------|
| SR | 92 | 2357 | Strathmore Road | \$6,360 | | | 6,105.69 | \$6,105.69 | 96.00 | completed | \$254.31 |
| SR | 95 | 2323 | Banarway Crossing Road | \$22,360 | | | 24,271.65 | \$24,271.65 | 108.55 | completed | -\$1,911.65 |
| SR | 98 | 2324 | Lorne Road | \$72,913 | | | 77,818.17 | \$77,818.17 | 106.73 | completed | -\$4,905.67 |
| SR | 101 | 2325 | Wilby Wilby Road | \$1,084,467 | | | 203,069.84 | \$203,069.84 | 18.73 | In progress | \$881,397.16 |
| | | 2387 | Kurrajong Road under Wilby Wilby Road funding | \$350,000 | | | 293,714.61 | \$293,714.61 | 83.92 | completed | \$56,285.39 |
| SR | 102 | 2326 | Angledool Road | \$244,548 | | | 213,666.82 | \$213,666.82 | 87.37 | In progress | \$30,881.43 |
| SR | 103 | 2327 | Bugilbone Road | \$130,824 | | | 105,072.92 | \$105,072.92 | 80.32 | completed | \$25,751.08 |
| SR | 110 | 2328 | Kurrajong Road | \$5,040 | | \$11,823 | 17,367.15 | \$5,544.00 | 110.00 | completed | -\$504.00 |
| SR | 111 | 2329 | Narran Lake Road | \$20,170 | | \$4,047 | 26,233.88 | \$22,187.00 | 110.00 | completed | -\$2,017.00 |
| SR | 112 | 2330 | Brewon Road | \$72,024 | | | 26,181.62 | \$26,181.62 | 36.35 | In progress | \$45,842.38 |
| SR | 113 | 2331 | Binghi Road | \$13,168 | | \$2,876 | 17,360.35 | \$14,484.80 | 110.00 | completed | -\$1,316.80 |
| SR | 114 | 2332 | Bogewong Road | \$24,378 | | | 19,476.40 | \$19,476.40 | 79.89 | completed | \$4,901.60 |
| SR | 115 | 2333 | Aberfoyle Road | \$18,266 | | | 14,735.60 | \$14,735.60 | 80.67 | completed | \$3,530.15 |
| SR | 116 | 2334 | Goangra Road | \$185,711 | | | 81,007.05 | \$81,007.05 | 43.62 | completed | \$104,703.70 |
| SR | 117 | 2335 | Beanbri Road | \$499,530 | | | 1,241.07 | \$1,241.07 | 0.25 | Not started | \$498,288.93 |
| SR | 118 | 2336 | Yarraldool Road | \$140,365 | | | 97,006.36 | \$97,006.36 | 69.11 | completed | \$43,358.64 |
| SR | 121 | 2337 | Pian Creek Road | \$156,948 | | | 74,159.81 | \$74,159.81 | 47.25 | In progress | \$82,788.19 |
| SR | 122 | 2338 | Old Burren Road | \$54,015 | | | 91,376.97 | \$91,376.97 | 169.17 | In progress | -\$37,361.97 |
| | | | | | | | | | | | |

WALGETT SHIRE COUNCIL AGENDA

| Item No. | | Work Order | Description of Works
(Road Name) | Amount to be contributed by RMS | Amount to be contributed by Council | Amount Spent By Council | Total Expenditure as per ledger | Total Actual Cost Expenditure to 6/05/2013 from RMS funding | Progress in %
(In terms of RMS) funding | Project Status | Balance Budget |
|----------|-----|------------|-------------------------------------|---------------------------------|-------------------------------------|-------------------------|---------------------------------|---|--|----------------|--------------------|
| SR | 123 | 2339 | Rowena Road | \$131,288 | | | 74,157.48 | \$74,157.48 | 56.48 | completed | \$57,130.52 |
| SR | 124 | 2340 | Dundee Road | \$52,470 | | | 63,254.18 | \$63,254.18 | 120.55 | completed | \$10,784.18 |
| SR | 125 | 2341 | Glen Eden Road | \$145,997 | | | 147,029.33 | \$147,029.33 | 100.71 | completed | -\$1,032.33 |
| SR | 126 | 2406 | Purtles Road | \$53,486 | | | 0.00 | \$0.00 | 0.00 | Scheduled | \$53,486.00 |
| SR | 127 | 2342 | Boora Road | \$21,870 | | | 561.48 | \$561.48 | 2.57 | Not started | \$21,308.52 |
| SR | 128 | 2343 | Camerons Lane | \$36,389 | | 32,407 | 72,435.23 | \$40,028.18 | 110.00 | completed | -\$3,638.93 |
| SR | 129 | 2344 | George Sands Way | \$131,640 | | | 116,228.41 | \$116,228.41 | 88.29 | completed | \$15,411.59 |
| SR | 131 | 2345 | O'Neils Road | \$59,754 | | | 59,946.46 | \$59,946.46 | 100.32 | completed | -\$192.46 |
| | | 2346 | Tip Road | \$70,200 | | | 63,214.15 | \$63,214.15 | 90.05 | completed | \$6,985.85 |
| | | | Emergency Works | \$476,727 | - | | 476,727.00 | \$476,727.00 | 100.00 | completed | \$0.00 |
| | | | Council's Contribution | -\$29,000 | \$29,000 | | | | | | |
| | | | | \$5,844,948 | | \$75,992 | \$3,672,143 | \$3,596,151 | 61.53 | | \$2,277,797 |

WALGETT SHIRE COUNCIL AGENDA

Regional Roads

| Item No. | | Work Order | Description of Works
(Road Name) | Amount to be Contributed by Council | Contributed by RTA | Total Actual Cost Expenditure to 6/05/2013 | Progress % | Project Status | Balance Budget |
|----------|-----------|------------|-------------------------------------|-------------------------------------|--------------------|--|------------|----------------|----------------|
| 1 | RR329 | 2347 | MERRYWINE BONE ROAD | n/a | \$3,822,345 | \$2,952,873.00 | 77 | in progress | \$869,472.00 |
| 2 | RR333 | 2348 | CARRINDA ROAD | n/a | \$552,750 | \$626,180.34 | 113 | Completed | -\$73,430.34 |
| 3 | RR402 | 2349 | GINGIE/LLANILLO | n/a | \$628,763 | \$581,630.81 | 93 | in progress | \$47,132.19 |
| 4 | RR426 | 2350 | SHERMANS WAY | n/a | \$55,228 | | | in progress | \$55,228.00 |
| 5 | RR426 | 2351 | RIDGE ROAD | n/a | \$29,480 | \$14,374.62 | 49 | in progress | \$15,105.38 |
| 6 | RR457 | 2352 | GUNDABLOUI ROAD | n/a | \$348,161 | \$366,495.76 | 105 | Completed | -\$18,334.76 |
| 7 | RR7716 | 2353 | COME BY CHANCE | n/a | \$276,086 | \$114,105.49 | 41 | in progress | \$161,980.51 |
| | Emergency | | | | \$173,474.11 | \$173,474.11 | 100 | Completed | \$0.00 |
| | | | TOTAL | | \$5,886,287 | \$4,829,134.13 | 82 | | \$1,057,152.98 |

| Summary | | | |
|----------------|---------------------|--------------------------|------------------------|
| | Total | Expenditure To 5/03/2013 | Progress in Percentage |
| Local Roads | \$ 5,844,948 | \$ 3,596,151 | 61.53 |
| Regional Roads | \$5,886,287 | \$4,829,134.13 | 82 |
| Total | \$11,731,235 | \$8,425,285.13 | 71.82 |

***MONTHLY RMCC WORKS REPORT FROM DIRECTOR
ENGINEERING SERVICES – MAY 2013***

REPORTING SECTION: Engineering Services
AUTHOR: Raju Ranjit – Director of Engineering Services
FILE NUMBER: 11/211

Summary:

The purpose of this report is to inform Council of progress relating to the RMCC works in the period since the report was prepared on 30th April 2013.

Background:

RMS has awarded a contract of \$ 8,466,615 for 2013/2013 financial year. An additional work of \$ 198,500 and \$ 400,000 has been assigned respectively for HW29 West Geotextile rehab and February 2012 flood restoration works. The amended total contract is \$ **9,065,115**. The contract consisted of Flood works for February 2012 & December 2010 events, signage installation and maintenance works

Current Position:

At present, there are three teams (two council and one contractor) are working on State highways flood works and two council staff are working on Highway maintenance work. The expenditure up to date \$ 6,804,736.55 (75.06% of contract amount).

Relevant Reference Documents/Policies:

Nil

Governance issues:

Nil

Environmental issues:

Nil

Stakeholders:

Walgett Shire
Walgett Residents

Financial Implications:

As at 30th April 2013, \$ 6,804,736.55 has been spent from a total amount of \$ 9,065,115 now provided in the 2012/2013 budget.

Alternative Solutions/Options:

Nil

Conclusion:

Council can monitor progress of RMCC works programmed for 2012/2013 by reviewing the attached spread sheet and noting the progress to date.

| |
|---|
| Monthly RMCC works Report from Director Engineering Services – May 2013 |
| <p>Recommendation:</p> <p>That Council receive and note the monthly RMCC works report for May 2013.</p> <p>Moved:</p> <p>Seconded:</p> |

Attachments:

RMCC works summary.

WALGETT SHIRE COUNCIL AGENDA

Background:

The funding allocations for 2013/2013 RMCC works are \$ 9,065,115. The details are as follows.

| Description of works | HW12 | HW18 | HW29 | Total | Expenditure up to 30 th of April 2013 | Progress in percentage | Remarks |
|---|-----------|-------------|-------------|--------------------|--|------------------------|--|
| Resealing | \$150,000 | \$550,000 | \$500,000 | \$1,200,000 | \$576,813.68 | 48.06 | Work is in progress |
| Heavy patching | | \$426,000 | | \$426,000 | \$531,418.17 | 124.75 | Completed |
| HW29 West Walgett Geotextile Rehab | | | \$1,223,500 | \$1,223,500 | \$1,188,736.45 | 97.16 | Work is in progress(Commenced on 4/02/2013) |
| HW29 West Walgett widening | | | \$450,000 | \$450,000 | | | Programmed for May 2013 |
| HW29 East Pian Creek (stage 1) | | | \$50,000 | \$50,000 | | | RMS is working on it |
| Flood damage restoration (Dec 2010 event) | | \$1,141,000 | | \$1,141,000 | \$933,350 | 81.80 | Work is in progress |
| Flood damage restoration (Feb 2013 event) | \$580,645 | \$1,402,581 | \$1,416,774 | \$3,400,000 | \$2,534,461.25 | 74.54 | Work is in progress |
| Routine works (Pavement,corridor and signs) | | | | \$1,147,000 | \$1,012,342 | 88.26 | Work is in progress |
| Sign Installation on SH18 | | \$27,615 | | \$27,615 | \$27,615 | 100 | Completed |
| TOTAL | | | | \$9,065,115 | \$6,804,736.55 | 75.06 | |

Questions for the next Meeting

Confidential Reports/Closed Council meeting