

WALGETT SHIRE COUNCIL

AGENDA

27 July 2010

CAROLE MEDCALF
Acting General Manager



13 July 2010

Walgett Shire Council
PO Box 31
WALGETT NSW 2832

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

Please note that there will be a bus leaving the Walgett administration building at 8.45am

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)

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ACTING GENERAL MANAGER

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19. Close of Meeting

3. Apologies

Nil

6. Declaration of Pecuniary/Non Pecuniary Interests

Nil

7. Confirmation of Minutes



WALGETT SHIRE COUNCIL

MINUTES

28 June 2010

RAY KENT
General Manager

WALGETT SHIRE COUNCIL MINUTES

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT SHIRE COUNCIL CHAMBERS ON MONDAY 28 JUNE 2010 COMMENCING AT 10:05 AM

PRESENT

Clr I Woodcock (Mayor)
Clr G Colless (Deputy Mayor)
Clr L Walford
Clr R Greenaway
Clr D Lane
Clr G Murray
Clr M Martinez
Clr J Keir
Ray Kent (General Manager)
Ms C Medcalf (Director, Corporate & Community Services)
Mr I Taylor (Director, Rural Infrastructure & Support Services)
Mr M Goodwin (Director, Planning and Regulatory Services)
Mr P Kc (Acting Director, Urban Infrastructure Services)
Mrs M Lovegrove (Manager Finance)
Mrs J Campbell (Minute Secretary)

Welcome to Visitors

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

Apologies

167/10 Apologies

Resolution:

An apology from Clr Smith be accepted and leave of absence granted.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

Public Forum Presentations

Kim Powell – Burren Junction Public School spoke on the following:

- The fees and charges associated with the hiring of the Burren Junction oval
- The handling of the situation, it could have been handled differently.
- Maintenance required on the grounds

WALGETT SHIRE COUNCIL MINUTES

168/10 Hire fees for the Burren Junction Public School

Resolution:

That

1. Council donate an amount of \$100 to the Burren Junction Public School to cover the \$100 temporary license fee.
2. A full report on this matter be brought back to the next Council meeting.
3. Council staff organise a meeting with the Burren Junction Public school.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

Anjali Palmer – Department of Aboriginal Affairs

Presentation on the "Close the Gap" Program

10:50 Clr Lane left the meeting

10:52 Clr Lane returned to the meeting

Declaration of Pecuniary/Non Pecuniary Interests

- Clr Greenaway declared a Pecuniary Interest in item 30 Tenders – Plant Hire
- Clr Keir declared a Pecuniary Interest in item 30 Tenders – Plant Hire
- Clr Colless declared a Pecuniary Interest in item 2 of the closed agenda – Future of the Walgett Saleyards
- Clr Keir declared a Non Pecuniary Interest in item 23 - Heritage Activities and reporting 2009/2010

169/10 Minutes of Council Meeting 25 May 2010

Resolution:

1. That the minutes of the Council meeting held 25 May 2010 be confirmed.

Moved: Clr Greenaway

Seconded: Clr Murray

CARRIED

Circulated under separate cover for Councillors are the minutes of the Extraordinary Meeting of Council held 5 June 2010.

WALGETT SHIRE COUNCIL MINUTES

170/1 Minutes of Extraordinary Council Meeting 5 June 2010

Resolution:

1. That the minutes of the Extraordinary Council meeting held 5 June 2010 be confirmed.

Moved: Clr Walford

Seconded: Clr Colless

CARRIED

Reserve Trust Management Committee Reports

171/10 Collarenebri Golf Course (R82811) Reserve Trust

Resolution:

1. That Council agree that a public meeting be held at Collarenebri to determine the level of interest in continuing the Golf Course.

Moved: Clr Greenaway

Seconded: Clr Lane

CARRIED

Mayoral Minutes

172/10 Mayoral Minute – National Deposit Legislation

Resolution:

1. Council support "in principle" the introduction of a National Beverage Container Deposit Scheme.
2. Council approve the Mayor sending letters of support for a Scheme to the Federal Minister for the Environment and the NSW State Minister for the Environment.

Moved: Clr Lane

Seconded: Clr Walford

CARRIED

WALGETT SHIRE COUNCIL MINUTES

173/10 Mayoral Minute – Future of Collarenebri Agency

Resolution:

That a report be presented to the July Council meeting which identifies both the options for privatising the delivery of the services currently delivered through the Collarenebri Agency and the issues associated with pursuing such a course of action.

Moved: Clr Lane

Seconded: Clr Greenaway

CARRIED

Councillors Questions with Notice

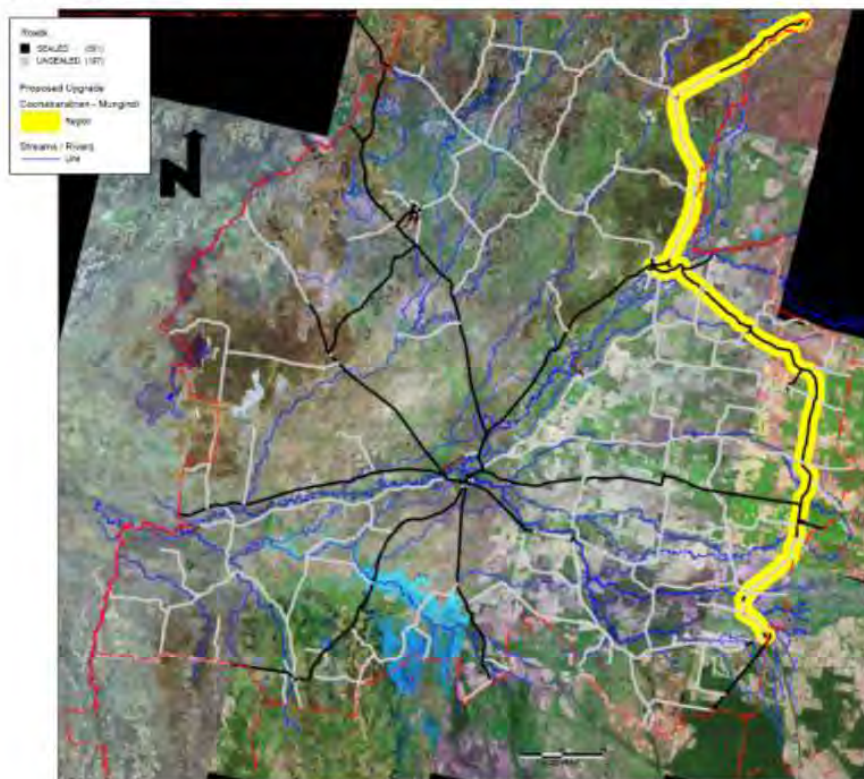
Councillor Keir

Proposed road Coonabarabran to Mungindi

Question 1:

Could we all please have a map showing the proposed route of this road through the Walgett Shire including the existing sealed/dirt roads within the shire?

Response:



WALGETT SHIRE COUNCIL MINUTES

Question 2:

Who is preparing the funding business case and/or feasibility study?

Response:

The Director Rural Infrastructure and Support Services advised that it is unknown at this stage.

Question 3:

When & where will there be community consultation meetings?

Response:

The Director Rural Infrastructure and Support Services advised that it is unknown at this stage.

Question 4:

Will this road on completion be maintained by the RTA or Walgett Shire Council?

Response:

The Director Rural Infrastructure and Support Services advised that it is unknown at this stage, however all but 10km of this road is currently maintained by Walgett Shire Council

Question 5:

If this application is successful will the allocation of funds for this road jeopardise the allocation of funding for further maintenance & improvements to existing roads within the Shire?

Response:

The Director Rural Infrastructure and Support Services advised that it is unknown at this stage but it is usual that Council would be contributing funds from existing revenue sources thus they would not be available to allocate to other projects as previously reported.

Shire road 7716

Question 1:

Where are we up to with the repairs to SR7716 from end of bitumen (Walgett end) to Maneroo, last week I note there are graders/ rollers & gravel being unloaded?

Response:

The Director Rural Infrastructure and Support Services advised that it is in progress. Forecast savings from other flood repairs on MR7716 are being channelled into improvements at the western unsealed end.

WALGETT SHIRE COUNCIL MINUTES

Question 2:

There is concern locally about the old bridge/ box culvert still being used at the 22km point, there is a side track for over 5 tonnes but the bridge has a big dip in it, will it be replaced & at what cost, the locals want it noted that the cement bridge at the 25km point was built to take the majority of water from the Cumberdoon & is much newer than that old bridge also there is a long causeway (also newer than the bridge) on the bitumen at the 20 km point which carries a large volume of water during flood?

Response:

The Director Rural Infrastructure and Support Services advised that he has noted the concern from residents, but was unaware of the existence of any flood/drainage analysis to support claim. In the current circumstances the bridge is not proposed to be replaced unless subsequent flooding proves a need for additional waterway area under the road in this location.

Question 3:

In other words does the bridge need to be replaced? If not can the money be allocated to repairing & upgrading the road?

Response:

The Director Rural Infrastructure Services advised that it is unknown at this stage whether the bridge needs replacing. He further advises that there is currently no money specifically allocated to repairing the bridge.

Walgett IGA Supermarket

I have received complaints about the dirty unkept state of the shop, floors, lino worn out & footpath are filthy, the building is very dilapidated & needs repairs, ceiling etc, the doors are open all day, no sliding doors like other supermarkets, allows flies & dust to enter the shop. Not a good look for Walgett town. I understand that this is a privately owned business & that we do have regular health checks but surely there are some standards. Are we able to do anything?

Response:

The Director Planning and Regulatory Services advised that Council's Senior Health and Building Surveyor inspected the premises on 13 April 2010. At that time they generally met the minimum standards required by the Australia/New Zealand Food Standards and the NSW Food Act 2003. The aesthetics of a building are not relevant to a food premises compliance inspection if the Standards and Act are being complied with.

He further advises that considerable works have been undertaken on the premises in the last year, including scouring of vinyl floors, patching of damaged tiles, renovation of deli area, replacement of most fridges/freezers and repairs to ceiling. Nevertheless additional work is required to address storage areas in particular, which is the subject of an ongoing dialogue with Council staff.

There is no formal requirement under the Standards or Act that automatic doors must be installed on a supermarket (or other food premises). Clause 24 of Australia/New Zealand Food Standard 3.2.2 states that a food business must "take all practicable measures to prevent pests entering the food premises". With a view to ensuring compliance with Clause 24, Council staff will make arrangements to prompt the business operator to install an automatic door, plastic strip door or other device to reduce the potential for insects to enter the main doors.

WALGETT SHIRE COUNCIL MINUTES

Councillor Greenaway

Question 1:

What is the result of the audit on the money (\$6,000.00) charged by Murdi Paaki to plant trees in Rowena?

Response:

The Director Corporate & Community Services advised that \$3300 was spent on the project, the leftover money was reallocated to other infrastructure projects.

Question 2:

What results has Council had from Murdi Paaki in regards to the water laying on all three concrete slabs on the skate board parks?

Response:

The Acting Director Corporate and Community Services advised that the Murdi Paaki builder has advised Council that the slab has lifted due to wet weather whilst curing. Investigations of other Councils with skate parks suggest that this is not an uncommon situation. She further advises that as skate parks are usually not in use during wet weather, the situation does not pose a barrier to young people

174/10 Work scheduled for Murdi Paaki

Resolution:

That no work is to be given to Murdi Paaki until the issue with the concrete slabs at the Skate Parks is resolved to Council's satisfaction.

Moved Clr Martinez
Seconded Clr Greenaway

CARRIED

Question 3:

Regarding the second round of infrastructure funding- what is the amount allocated to Rowena out of the \$192,000.00 and how are these funds being spent?

Response:

The Acting Director Corporate and Community Services advised that \$10,000 has been allocated to electrical upgrade to Rowena Hall.

Question 4:

Has Council plans to sell the Council owned house at the rear of the Collarenebri Agency?

Response:

In process of sub dividing to allow for sale

WALGETT SHIRE COUNCIL MINUTES

Question 5:

At the February Council meeting, Councillors were told that a report would be given at the March meeting regarding the employment of Mrs Emma Darcy. What has happened to this report?

Response:

The General Manager advised that a report was provided in the closed section of March 2010 meeting.

The Acting Director Corporate and Community Services further advised that Mrs Darcy's employment has now ceased.

Question 6:

What assurance can Councillors be given that Alana Douglas, who is on maternity leave, will be reinstated to the position of Tourist Development Officer when she returns to work from maternity leave and what will be her title or job description?

Response:

The Acting Director Corporate and Community Services advised that Alana Copelin commenced 12 months maternity leave in December 2009 in accordance with section 19F of the Local Government (State) Award 2007. A 12 Month temp replacement was appointed on 4 January 2010. Both positions are classified at the same grade. To date Mrs Copelin has not indicated her exact return to work date nor has she requested a flexible return to work as per section 20 of the award.

Question 7:

In regard to Namoi House- who is the new person in charge and is the Brewarrina Business Centre still involved with financial running of the organisation.

Response:

The Acting Director Corporate and Community Services advised that the Supervisor of Namoi House is Marinos Anagnostopoulos. She further advises that the Brewarrina Business Centre undertakes financial management duties for Namoi House Inc.

WALGETT SHIRE COUNCIL MINUTES

Reports of Delegates and Representatives

175/10 Minutes of Netwaste Meeting – May 2010

Resolution:

That Council notes the Minutes of the Netwaste Meeting held at Condobolin on 28 May 2010.

Moved: Clr Colless

Seconded: Clr Keir

CARRIED

176/10 Minutes of Namoi Peel CSO Meeting

Resolution:

1. That Council notes the Minutes of the Namoi-Peel Customer Service Committee Meeting held at Lake Keepit Sailing Club in Gunnedah on 12 May 2010.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

177/10 Walgett Local Area Traffic Committee

Resolution:

1. That Council note and adopts the recommendations of the meeting of the Local Area Traffic Committee on 17 June 2010 subject to the concurrence of NSW Police as follows:

* Temporary Road Closure – Fox Street (HW18) Walgett – NAIDOC Week March; and

* New GIVE WAY sign – Wooleroo Road Lightning Ridge

Moved: Clr Colless

Seconded: Clr Martinez

CARRIED

178/10 Western Slopes District Emergency Management Committee

Resolution:

1. That Council note the minutes of the Western Slopes District Emergency Management Committee meetings held March 2010.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

WALGETT SHIRE COUNCIL MINUTES

Reservation of items for Debate

Nil

Reports of Officers

179/10 Fees for Mayor and Councillors 2010/2011

Motion:

That:

1. the Councillor fee for 2010/11 be \$9,570
1. the Mayoral fee for 2010/11 be \$20,890
2. 25% of the Mayoral fee be allocated to the Councillor who occupies the position of Deputy Mayor

Moved: Clr Murray
Seconded: Clr Martinez

Amendment:

That there be no increase in payments to Councillors for 2010/2011.

Moved: Clr Lane
Seconded: Clr Keir

AMENDMENT BECAME MOTION AND WAS CARRIED

WALGETT SHIRE COUNCIL MINUTES

180/10 Acquisition of the site of the Lightning Ridge HACC Centre and proposed Dementia Day Care Centre

Resolution:

1. Council acquire by compulsory acquisition the land described as Lot 3 in Deposited Plan 1100315 pursuant to section 186 of the Local Government Act 1993 for Community Health Services Purposes.
2. Council apply to the Minister and/or Governor for approval to acquire the land by compulsory process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991.
3. All minerals are to be excluded from the compulsory acquisition of the subject land.
4. Upon acquisition, the subject land be classified operational land.
5. Any necessary documentation be signed by the Mayor and countersigned by the General Manager

Moved: Clr Keir
Seconded: Clr Lane

CARRIED

181/10 Council decisions Action Report – 11.05.10 & 25.05.10

Resolution:

1. That the report be received.

Moved: Clr Greenaway
Seconded: Clr Colless

CARRIED

182/10 Interim Financial Audit Management Letter Report

Resolution:

1. That the Audit Management Letter from Hills Rogers Spencer Steer be noted.

Moved: Clr Keir
Seconded: Clr Lane

CARRIED

WALGETT SHIRE COUNCIL MINUTES

183/10 Budget Submissions 2010/20011

Resolution:

That Council:

1. Reduce expected income in the 2010-2011 budget by \$1,180,099.00 resulting in a \$1,316,905.00 total deficit:
2. Amend the following budget line items to: Heritage Advisor expenditure \$15,000.00; heritage advisor grant income \$5,000.00; heritage projects expenditure \$21,000.00; heritage projects grant income \$7,000.00 and pesticide pit redemption \$18,000.00
3. Inform Barriekneal of the early payment discount provision provided by Council.

Moved: Clr Lane

Seconded: Clr Martinez

CARRIED

184/10 Management Plan and Budget 2010/20011 Report

Resolution:

That Council:

1. Adopts the Management Plan 2010 – 2014 as presented with any adopted changes.
2. Adopts a 2.6% increase in the total levy for General Fund Rates.
3. Adopts Fees and Charges 2010/2011 as listed in the Management Plan with Council reserving the right to vary fees and charges of a commercial nature as circumstances require.
4. Resolves to adopt the attached rates structure for ordinary rates.
5. Resolves in accordance with Section 563 of the Local Government Act 1993, to make the discount 3.6% for payment in full of total rates and charges (less any rebates) for ratepayers whose payments are received in full on or before the 29 August 2009.
6. Set the fees and charges as attached.

Moved: Clr Martinez

Seconded: Clr Keir

CARRIED

WALGETT SHIRE COUNCIL MINUTES

185/10	Cash on Hand and Investment report as at 31 May 2010
Resolution: That the cash on hand and investment report as at 31 May 2010 be received. Moved: Clr Kier Seconded: Clr Greenaway CARRIED	

Consideration of the report on proposals for Traffic Study of Wee Waa Street, Walgett was deferred until the end of the meeting.

186/10	National Local Government Award – Youth Engagement
Resolution: That the National Local Government Award Youth Engagement report be received and noted. Moved: Clr Lane Seconded: Clr Walford CARRIED	

187/10	Community Development and Tourism Quarterly Report (March – May 2010)
Resolution: That the Community Development and Tourism quarterly report (March – May 2010) be received and noted. Moved: Clr Lane Seconded: Clr Colless CARRIED	

188/10	Report on Youth Development and Services February 2010 to May 2010
Resolution: 1. That the report on Youth Development and Services for the period February 2010 – March 2010 be noted. Moved: Clr Keir Seconded: Clr Lane CARRIED	

WALGETT SHIRE COUNCIL MINUTES

189/10 Community Services – External Grants Received

Resolution:

1. That the Community Services External Grants Received report be received.

Moved: Clr Lane

Seconded: Clr Keir

CARRIED

190/10 Community Development Worker Position

Resolution:

1. That the consideration of this item be deferred until the new General Manager commences.

Moved: Clr Lane

Seconded: Clr Greenaway

CARRIED

191/10 Development and Complying Development Certificate Applications

Resolution:

That Walgett Shire Council resolve to:

1. Note the report on Complying Development Certificate and Development Applications dealt with under delegated authority by the Director Planning and Regulatory Services or General Manager during May 2010.

Moved: Clr Colless

Seconded: Clr Keir

CARRIED

192/10 Former Walgett Railway Station Building

Resolution:

That this item be deferred for consideration until the next meeting.

Moved: Clr Colless

Seconded: Clr Murray

CARRIED

WALGETT SHIRE COUNCIL MINUTES

193/10 Walgett Shire Local Approvals Policy

Resolution:

That Walgett Shire Council resolve to:

1. Adopt the Walgett Shire Council Local Approvals Policy, as publicly exhibited from 29 March 2010 to 10 May 2010.
2. Write to the Deputy Director General (Local Government), of the Department of Premier and Cabinet:
 - (a) Requesting consent for parts of the Walgett Shire Council Local Approvals Policy (March 2010 version) relating to local exemptions from the necessity to obtain activity approvals under Section 68 of the Local Government Act 1993.
 - (b) Noting that the Director General from the Department of Planning has not yet consented to the F4 and F5 activity exemption provisions, as proposed in the July 2009 version of the Walgett Shire Council Local Approvals Policy. Also, noting that these exemption provisions are also contained in the March 2010 version of the policy.
 - (c) Requesting that the Deputy Director General (Local Government), of the Department of Premier and Cabinet remind the Director General of the Department of Planning that Walgett Shire Council is waiting for consent for the F4 and F5 activity exemptions contained in the Walgett Shire Council Local Approvals Policy.
3. If consent is obtained from the respective Director General's for the local exemptions within the Walgett Shire Local Approvals Policy, then give public notice of the adoption of the March 2010 version of Walgett Shire Council Local Approvals Policy via advertisements in the Lightning Ridge News and the Walgett Spectator newspapers.

Moved: Clr Greenaway

Seconded: Clr Martinez

CARRIED

WALGETT SHIRE COUNCIL MINUTES

Clr Keir declared a non pecuniary interest in the following item

194/10 Heritage Activities and reporting 2009/2010

Resolution:

That Walgett Shire Council resolve to:

1. Note the report on the activities of Walgett Shire Council's Heritage Advisor, Ray Christison, during 2009-2010.
2. Endorse and adopt the following documents, as prepared by Walgett Shire Council's Heritage Advisor, Ray Christison:
 - (a) The Walgett Shire Heritage Strategy Annual Report 2009-2010.
 - (b) The Walgett Shire Local Heritage Fund Annual Report 2009-2010.
 - (c) The Walgett Shire Council Heritage Strategic Plan 2010-13.
3. Submit the adopted documents to the Heritage Branch of the Department of Planning.

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

195/10 Hotel License Application, Lightning Ridge RSL

Resolution:

That Walgett Shire Council resolve to:

1. Acknowledge receipt of the notification indicating that the Lightning Ridge RSL has applied for a "Hotel – General Bar" liquor licence on lot 15, section 16, DP 758612, in Harlequin St., Lightning Ridge.
2. Respond to the Lightning Ridge RSL by stating that Walgett Shire Council:
 - (a) Notes the RSL has been operating on the site since 1981 when development consent 1981/027 was issued.
 - (b) Notes that the dominant land use in the vicinity of the RSL premises is residential.
 - (c) Believes that, in order to maintain a balance between the interests of the community and RSL patrons, it would be appropriate to generally restrict trading hours to between 8:00AM and 5:00PM.
 - (d) Council has no objection to trading hours being extended for special events, such as ANZAC day.

Moved: Clr Lane
Seconded: Clr Martinez

CARRIED

WALGETT SHIRE COUNCIL MINUTES

196/10 Fire Safety, Tattersalls Hotel Collarenebri

Resolution:

That Walgett Shire Council resolve to:

1. Note the letter dated 24 May 2010 from the Building Compliance Unit of the NSW Fire Brigades regarding the adequacy of installed fire safety measures at the Tattersalls Hotel, Collarenebri (lot 10, section 3, DP 758262).
2. Send a notice of intention to issue order number 6 for fire safety issues under section 121B of the Environmental Planning and Assessment Act 1979 to Gavin D Grant, the owner of the Tattersalls Hotel, Collarenebri (lot 10, section 3, DP 758262), based on the draft provided to Council.

Moved: Clr Lane

Seconded: Clr Walford

1:04pm Adjourned for Lunch

1:36pm Returned from lunch

197/10 Water Supply Backflow Prevention Procedures

Resolution:

That Walgett Shire Council resolves to:

1. Approve the Backflow Prevention Procedure effective 01 May 2010.

Moved: Clr Greenaway

Seconded: Clr Lane

CARRIED

198/10 Management of Aboriginal Communities Water and Sewerage Program

Resolution:

1. That Council notes this report.

Moved: Clr Lane

Seconded: Clr Walford

CARRIED

WALGETT SHIRE COUNCIL MINUTES

199/10 Country Towns Water Supply and Sewerage Program

Resolution:

That:

1. Agree to accept the \$6.5 million capital works program for the improvement of water and sewerage systems in Walgett and Namoi communities.
2. Agree to contribute one third of all costs in excess of the \$4.2 million originally funded by the federal government.
3. Agree that the NSW Department of Water be the Project Managers of the \$6.5 million project and allow this agency to commence detailed investigation and designs as soon as possible.

Moved: Clr Murray

Seconded: Clr Martinez

CARRIED

200/10 Australia Wide Rural Road Group

Resolution:

1. That Council become a member of the Australia Wide Rural Road Group and that membership be reviewed in 12 months.

Moved: Clr Lane

Seconded: Clr Murray

CARRIED

WALGETT SHIRE COUNCIL MINUTES

1:47pm Clr Greenaway and Clr Keir left the meeting

201/10 Tenders – Plant Hire

Recommendation:

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

- Chistopher Underwood
- JR Weate Pty Ltd
- Ken Sherar Contracting Pty Ltd
- Sherrin Rentals Pty Ltd
- Doncorp
- PR & JA Cochrane
- Bows Sand & Gravel
- Wax Grading
- J&J Fielding
- Ausroad Systems Pty Ltd
- Scott Stewart Earthmoving
- JWF & Y Muller
- MJ & GD Barton Transport
- RGT Cochrane
- Wintergreen Investments Pty Ltd
- Fred Walford
- Coates Hire Operations Pty Ltd
- Conplant
- Hunter's Agricultural Services
- GR & MA Freeman
- AE & NE Dewson
- McKrob Holdings Pty Ltd
- Josh Brett Contracting Services
- Ridgerock Earthmoving
- Billy T's Tippers
- MAAS Contracting
- Rollers Australia
- Batterline Earthmoving
- PG & ME Stewart
- Robert Rubie

Moved: Clr Colless

Seconded: Clr Murray

CARRIED

1:48pm Clr Greenaway and Clr Keir returned to the meeting.

WALGETT SHIRE COUNCIL MINUTES

202/10	December 2009 Flood Damage Grant
Resolution: 1. That Council note the natural disasters grant for road flood damage restoration for the December 2009 Flood Event. Moved: Clr Murray Seconded: Clr Greenaway CARRIED	
203/10	Proposals for Traffic Study of Wee Waa Street Walgett
Resolution: That consideration of this item be deferred until the July Meeting. Moved: Clr Colless Seconded: Clr Greenaway CARRIED	

Questions without Notice

Clr Murray

Question 1:

Can Council write a letter to Grain Corp in relation to the slowness it takes in loading and unloading grain and the stress this is causing on our roads?

Response:

The General Manager indicated that we can write a letter over the Mayor's signature. He further requested that Councillor Murray provide detailed points he wanted made in the letter.

Question 2:

In relation to the Carinda water supply, what is happening?

Response:

The Acting Director Urban Infrastructure Services advised that the pipes are ready to be installed and that work will commence in the first week of August.

Question 3:

In relation to the Walgett Showground amenities improvements and the Walgett Show Society's request, is a Development Application required?

WALGETT SHIRE COUNCIL MINUTES

Response:

The Director Planning & Regulatory Services advised that a letter has been forwarded to the Walgett Show Society last week advising that a Development Application and a Construction Certificate are required because the building was being structurally altered.

Question 4:

At a meeting with Carinda residents it was stated that Council did not feel that the Carinda Road was not number one priority anymore?

Response:

The Director Rural Infrastructure Services advised that he does not set the priorities and that Council is the one that allocates the funds and sets the priorities. He further advised that at this stage Council has not allocated any further funds for this project.

Clr Keir

Question 1:

Can we please have a report on how we determined the extent of the sealing at Come by Chance and explain why there is no sealing at the cemetery and why it is not in a straight line?

Response:

The Director Rural Infrastructure & Support Services advised yes.

Clr Greenaway

Question 1:

There was a news item on 2VM that stated that the RTA are not happy with the Walgett Shire Council. What was the story about?

Response:

The Director Rural infrastructure & Support Services advised that at the last meeting there was a report to Council advising of the issues that Rural Infrastructure were having. He further advised that Council had been struggling with its quarterly reporting to the RTA in relation to its road maintenance contract and some areas have been highlighted as needing improvement.

The Mayor also advised that at the last meeting Council allocated some funds towards Business Improvement in the road infrastructure area.

Question 2:

What is the status of the second evaporation pond at Burren Junction Bore baths?

Response:

The Acting Director Urban Infrastructure Services advised that the Development Application should be lodged with Regulatory Services in approximately in two weeks time .

WALGETT SHIRE COUNCIL MINUTES

Question 3:

In connection with the Burren Junction Sporting oval and the staff member that contacted police asking them to stop the Public School using the oval. Is something being done about it?

Response:

The Acting Director Urban Infrastructure Services advised that during the lunch break today he spoke with that staff member and he will continue to investigate the issue.

Question 4:

What is happening with the derelict carport associated with the former Lube Bay at Collarenebri?

Response:

The Director Planning & Regulatory Services advised that staff had contacted one of the property owners who indicated that they have been declared bankrupt and contending that Council can't pursue them in relation to the demolition order. Council staff are reviewing this contention at the present time.

Statement:

The Doctor in Collarenebri has left. There are two rumours as to why they have left and one seems to be the issue with their water connection and trying to deal with Council and the other is the lack of child care or babysitters.

Question 6:

Why is the name of the staff member at the Agency in Collarenebri not stated on the update organisation chart that Councillors receive?

Response:

The Director Corporate & Community Services advised that the circumstances behind that staff members situation is the reason why her name is not used.

Question 7:

In relation to the HR Officer, is that person on casual basis for 12 months and does that entitle that person to take annual leave?

Response:

The Director Corporate & Community Services advised that the HR officer is on a 12 month contract and in that time is entitled to accumulate annual leave.

Clr Martinez

Question 1:

In relation to the tourism booklet, how are we going with it?

WALGETT SHIRE COUNCIL MINUTES

Response:

The Director Corporate & Community Services advised that she will take the question on notice and will provide a response at the next Council meeting.

Question 2:

Can we get a proof?

Response:

The Director Corporate & Community Services advised that she will have a look. She further advised that she would assume the people involved in the process will be also be part of the proofing.

Question 3:

In relation to the Cumborah shed has there been any progress? Can Council staff give them some guidance?

Response:

The Mayor advised that he attended a meeting with the community of Cumborah. At that meeting the consensual decision was to have the shed built near the tennis club. Following the meeting a Cumborah resident contacted him and asked him for his opinion to where the meeting stated to have it built as one resident was of the view that it was to be built somewhere else. He advised the resident the consensual decision of the community is what the residents will have to go with.

The Director Corporate & Community Services advised that all the committee had to do was to get quotes for what they wanted built.

Question 4:

Can council staff go out and give them some guidance?

The Mayor advised that he will go out and see them again along with Council staff.

Question 5:

Can we have a review of staff in the field in Lightning Ridge? Concerned that we might be understaffed to what tasks they have to complete?

Response:

The Acting Director Urban Infrastructure Services advised that he will take on notice for the Director.

Question 6:

In closed session can we have a list of money that Council has loaned?

Response:

The Manager Finance advised that she will provide a response in closed session.

WALGETT SHIRE COUNCIL MINUTES

Question 7:

The railway sleepers near the silo, does the Council own them?

Response:

The Director Rural Infrastructure & Support Services advised no.

Clr Woodock

Question 1:

In relation to the giveaway sign in Lightning Ridge, I read somewhere in the agenda about it. Has it been sorted?

Response:

The Director Rural Infrastructure & Support Services advised yes it was in the Local Area Traffic Committee report.

204/10 Move into closed session

Resolution:

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

- (b) the personal hardship of any resident or ratepayer
- (c) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person

Moved: Clr Keir
Seconded: Clr Lane

CARRIED

205/10 Outstanding Carinda Golf Club Loans

Resolution:

1. That Walgett Shire Council write off both loans to the provision for doubtful debts.

Moved: Clr Colless
Seconded: Clr Lane

CARRIED

A discussion was held on loans that council had provided to organisations within the Shire.

Clr Colless spoke on the history of the saleyards and then left the meeting at 2:42 pm

WALGETT SHIRE COUNCIL MINUTES

206/10 Future of Walgett Saleyards

Resolution:

That Walgett Shire Council resolve to:

1. Undertake an expression of interest for lease or purchase of the Walgett Saleyards.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

2:49pm Clr Colless returned to the meeting

207/10 Contract for the Supply & Delivery of Bulk Fuel/Lubricants and above ground tanks – Regional Procurement Tender T11011OROC

Resolution:

That Walgett Shire Council resolve that:

1. Manildra Park be awarded the tender as the single source supplier of Bulk Diesel to Council for the period 1 July 2010 – 30 June 2012;
2. Port Batteries be awarded the tender as the single source supplier of Lubricants to Council for the period 1 July 2010 – 30 June 2012;
3. All tenders be accepted for supply of above ground storage tanks to Council for the period 1 July 2010 – 30 June 2012;
4. No tenders be accepted for the supply of an above ground storage tank (Walgett Specification) as no tender completely meets Council's requirements and Council enter into negotiations with Freedom Fuels, as the closest to acceptable tender, for an alternative offer meeting Council's requirements;
5. Provision be allowed for a 12 month extension based on satisfactory supplier performance which may take this tender through to June 2013; and
6. Council authorise the General Manager and Mayor to execute any necessary contract documentation.

Moved: Clr Lane

Seconded: Clr Martinez

CARRIED

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

208/10	Move back into Open Session
Resolution: That Council return to Open session. Moved: Clr Lane Seconded: Clr Walford CARRIED	

2:54 Clr Martinez left the meeting

209/10	Thank you to General Manager
Resolution: That we thank the General Manager for the time and effort that he has put into the Council during his time here. Moved: Clr Lane Seconded: Clr Keir CARRIED	

2:58pm Clr Martinez returned to the meeting

A discussion was held on the third round of the Regional Infrastructure funding.

The meeting closed at 3:04pm

To be confirmed at the meeting of Council to be held on Tuesday 27th July 2010

Mayor

General Manager

28 June 2010

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Minutes of Council Meeting 28 June 2010

Recommendation:

1. That the minutes of the Council meeting held 28 June 2010 be confirmed.

Moved:**Seconded:**

8. Reserve Trust Management Committee Reports

Nil

9. Mayoral Minutes

Nil

10. Motions of which Notice has been given

Notice of Motion: Letter to Health Minister regarding Walgett Hospital

Recommendation:

1. That Walgett Shire Council write a letter to the Federal Minister for health stating that Walgett hospital is currently a 24 hour acute bed hospital, providing valued and much needed services in a remote area. Can the Minister please detail what other potential services are envisaged to be operating at the hospital under the Minister's proposed revision of hospital service delivery.

Moved: Clr Keir

Seconded:

Notice of Motion: Letter to Minister for Agriculture, Fisheries and Forestry regarding Rural Financial Counsellors

Recommendation:

1. That Walgett Shire Council write to Tony Burke, the Minister for Agriculture, Fisheries and Forestry:
 - a) Noting his recent announcement of an increase in funding for Rural Financial Counsellors.
 - b) It understands that Counsellors are also having their hours reduced.
 - c) Reducing the working hours will prevent the Counsellors from completing their work which is vital for remote rural communities, such as those within the Walgett Shire which comes under the Rural and Remote area agreement.
 - d) Requests that the Minister not proceed with any action that may lead to a reduction in the hours worked by Counsellors.

Moved: Clr Murray

Seconded:

11. Presentation of Petitions

Nil

12. Councillors Questions with Notice

Councillor Colless

Question 1:

Would Council look at the proposed works for BP driveway with an outlook to share cost proposals as pointed out in the meeting brief with Walgett Special One Co-op?

Response:

The Director Urban Infrastructure Services advised that Council still need to officially receive the proposal as outlined in the two separate meeting minutes (22 June and 13 July 2010) with Walgett Special Group.

Question 2:

What solution has Council resolved with Murdi paaki over failure of slabs at skate parks?

Response:

The Director Corporate & Community Services advises that no solution has been reached as yet. She further advises that she tried to contact the CEO of Murdi Paaki on 30th June 2010 but has been unable to reach her. Contact will be attempted again prior to Council meeting.

Question 3:

Are Council any further advanced with the proposed sale of the 3 flats in Euroka Street?

Response:

The Director Urban Infrastructure Services advised that Council has signed an Auction Agency Agreement with the Elders (Dubbo) in accordance with the marketing plan provided. Advertising is due to end mid August with the auction taking place a week after.

Clr Greenaway

Question 1:

When is the Rowena Precinct Committee going to receive an itemised account for the cost of \$3,300 charged by MPREC for planting trees at Rowena? This was requested some time ago.

Response:

The Director Corporate & Community Services advises that Council does not provide itemized accounts for other people's work. If the Rowena Precinct Committee wishes an itemized account they will need to approach MPREC.

Question 2:

Who made the decision to reduce the amount of funding granted to Rowena from the second round of Regional Infrastructure Funding from \$15,000 to \$10,000?

Response:

The Director Corporate & Community Services advises that Council made the decision.

Question 3:

Has there been any negotiation with MPREC regarding the laying of the concrete slab for the basketball court at Walgett?

Response:

The Director Corporate & Community Services advises that negotiations were undertaken between Community Capability Committee and MPREC some 8 months ago. This is a Community Capability fund project fully funded by the fund with Council providing project management support.

Clr Murray

Question 1:

What was the overtime value for employees for Walgett Shire Council in the last financial year (including flex time)?

Response:

The Director Corporate & Community Services advises that Flex time is not paid because staff work in time which is their own (unpaid) and are then paid when they take the time off. Overtime paid was approximately \$198,871.

Question 2:

What gravel pit/s does the Council own or lease in the whole of the Shire?

Response:

The Director Rural Infrastructure and Support advises that the Shire has various rights, some formal, some informal, some historical, to numerous gravel pits throughout the Shire. Its register of same is incomplete and unreliable and the recommencement of use of any pit is considered on a case by case basis.

Question 3:

What revenue is obtained from these pits?

Response:

The Director Rural Infrastructure & Support advises that most, if not all, extraction licenses are on the basis of extraction for road making purposes and prohibit the sale of gravel for commercial purposes.

13. Reports of Delegates and Representatives

1. **WALGETT LOCAL EMERGENCY MANAGEMENT COMMITTEE MINUTES – JUNE 2010**

REPORTING SECTION: Director Rural Infrastructure & Support Services
AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services
FILE NUMBER: 09/50

Summary:

Walgett Local Emergency Management Committee (LEMC) is instituted under the State Emergency and Rescue Management Act 1989. This report provides Council with the minutes of the June meeting.

Discussion (including issues and background):

Walgett Local Emergency Management Committee is instituted under the State Emergency and Rescue Management Act 1989. It is tasked with the responsibility of ensuring preparedness for and coordinating the response to emergencies at the local level.

Relevant Reference Documents:

Walgett local Emergency Management Committee Minutes – 2 June 2010

Stakeholders:

All emergency response agencies
All persons in Walgett Shire

Financial Implications:

Nil

Walgett Local Emergency Management Committee Minutes – June 2010

Recommendation:

1. That Council note the minutes of the Walgett Local Emergency Management Committee meeting held 2nd June 2010

Moved:

Seconded:

Attachments:

Minutes of Local Emergency Meeting held June 2010

MINUTES OF THE WALGETT LOCAL EMERGENCY MANAGEMENT COMMITTEE

The following are minutes of the Walgett Local Emergency Management Committee Meeting held on Wednesday, 2 June 2010, commencing at 10.15 am in the Walgett Police Station Meeting Room.

1. PRESENT

Superintendent Bob Noble (Chair)	Local Emergency Operations Controller
Stuart Davies	Castlereagh Local Area Command – NSW Police Force
David Minehan	District Emergency Management Officer – NSW Police Force
Ian Taylor	Deputy Region Controller – State Emergency Service
Peter Holcombe	Local Emergency Management Officer – Walgett Shire Council
Natalie Dunstan	Captain - Burren Junction Volunteer Rescue Association
	Minute Secretary – NSW Police Force

2. APOLOGIES

Julie Marshall	Local Controller – State Emergency Services
Donnah Nicholls	New South Wales Ambulance Service – Walgett
Rod Thorne	New South Wales Fire Brigade – Walgett
James Hereford-Ashley	Mining Registrar – Industry and Investment New South Wales

3. WELCOME AND INTRODUCTION

Acting Superintendent Noble welcomed those representatives of the Emergency Services that were in attendance.

4. GENERAL BUSINESS

4.1 RECOVERY PLAN DISCUSSIONS

DEMO Stuart Davies advised that a meeting will be held with Assistant Commissioner Bradshaw and representatives from Brewarrina on Friday in regards to the recent flood operations.

Stuart sought comment from the emergency service representatives whether there were any matters that should be raised following the recent flood operations.

Mr Minehan advised that following the flood debrief meeting held in Lightning Ridge on 23 April 2010, the following matters were raised:-

- Rural Fire Service raised matters in reference to their involvement with the packing of groceries and the Rural Fire Service Communication Bus
- Greater Western Area Health Service raised a matter regarding lack of communication being received from Goolooga particularly relating to staff being required for staff shortages and the need for arrangements to be made for the transport of staff by air

Mr Minehan advised that information was being conveyed to both Mr Place of the Rural Fire Service and Ms Mills of the Greater Western Area Health Service of a contact for where further information should be forwarded regarding the matters outlined above.

Superintendent Noble advised that there were a number of factors that could have impacted on the flood operation, which included the fact that the flood covered two different local government areas, involved Police from two Commands, Emergency Management from different borders and this could have attributed to the communication lines not being clear at all times.

4.1 RECOVERY PLAN DISCUSSIONS - CONTINUED

The Committee discussed the benefits of having a local person being appointed to Chair the Emergency Management Recovery Meetings and the input that this could have towards the development of the Draft Recovery Plan.

4.2 REPORT FROM LOCAL EMERGENCY OPERATIONS CONTROLLER

Superintendent Noble informed the meeting that he would be absent from the Command from 24 June 2010 to 24 September 2010 and during this time Inspector Taylor would be relieving as Commander and therefore will undertake the role as Local Emergency Operations Controller.

Superintendent Noble advised that during this leave period, Inspector Mureau would be the alternate Local Emergency Operations Controller.

4.3 REPORT FROM DISTRICT EMERGENCY MANAGEMENT OFFICER

District Emergency Management Officer, Stuart Davies provided the following overview:-

Emergency Management Contact List

Mr Davies asked that the Walgett Shire Local Emergency Management Committee Contact List be circulated with the meeting notices so that agencies can check the recorded details and advise of any amendments.

Mr Davies advised that it was important for both mobile and email addresses to be recorded accurately for Emergency Services as the Police can now forward one SMS Message to all required emergency services for any emergency events / incidents etc.

Training Program Schedule

Mr Davies informed the meeting that a Training Program Schedule had been compiled and circulated outlining a number of training opportunities.

State DISPLAN Matters

Mr Davies advised that there were a number of changes occurring at present which included a change to legislation, a review of emergency management districts and a review of District Emergency Management Officer's Positions Descriptions.

Mr Davies said that District Emergency Management Officers were being requested to encourage the facilitation of combined Local Emergency Management Committee Meetings between Local Government areas / districts.

The Committee agreed that on a number of occasions combined meetings between Emergency Services from both Walgett and Coonamble Local Government areas had tried to be convened without success.

It was acknowledged that due to the diversity of both Local Government areas it was beneficial for Local Emergency Management Committee Meetings to be convened for the individual areas. This structure would also provide the opportunity for community decisions to be made.

Invitation to Department of Primary Industries

Mr Davies informed the meeting that an invitation had been extended to Department of Primary Industries to attend the next District Emergency Management Meeting on 17 June 2010 to discuss locusts and the potential for a plague during spring / summer.

4.3 REPORT FROM DISTRICT EMERGENCY MANAGEMENT OFFICER - CONTINUED

Royal Flying Doctors Service

Mr Davies advised that the Royal Flying Doctors Service had recently appointed a new base Manager at Dubbo.

Aged Care Facilities

Mr Davies informed the meeting that the introduction of Vulnerable Community Sub Plans would soon be rolled out across communities and will cover areas such as:-

- Aged Care Facilities
- Schools
- Child Care Centres
- Miscellaneous

Mr Davies stated that this process was being introduced so that profiles could be established for all facilities within the communities and allows the opportunity for these organisations / community groups to be assisted to ensure that safety plans are adequate and effective and provide the necessary information required.

4.4 REPORT FROM LOCAL EMERGENCY MANAGEMENT OFFICER

Mr Ian Taylor informed the meeting that General Manager, Ray Kent will be leaving employment with Walgett Shire Council at the end of June 2010 and recruitment of a new General Manager will be completed this weekend (5-6 June 2010).

4.5 REPORT FROM DEPUTY REGION CONTROLLER – STATE EMERGENCY SERVICE

Mr Minehan informed the meeting that the Flood Plan needed to be reviewed following the recent flood operation.

A new template is being developed and Mr Minehan will complete the new Flood Plan based on this information. A copy of the Plan will be circulated to Local Emergency Management Committee members prior to the next meeting.

Mr Minehan also advised the Committee that the State Emergency Service will be developing a Regional Plan and information will be sought as required from emergency services.

4.6 REPORT FROM BURREN JUNCTION VOLUNTEER RESCUE ASSOCIATION

Mr Holcombe informed the meeting that Burren Junction Volunteer Rescue Association currently had eight members, with four accredited.

Mr Holcombe advised that he had recently attended the mid year Volunteer Rescue Association Conference held in Coonabarabran.

4.7 RURAL SERVICE DELIVERY MODEL

DEMO Stuart Davies advised that Emergency Management New South Wales staff have drafted a number of matters for consideration relating to the Rural Service Delivery Model.

The Board have also advised that the same process will be applied to Vertical Rescue.

4.8 DISPLAN

Superintendent Noble sought comment from DEMO Stuart Davies regarding the status of the DISPLAN that had been submitted for endorsement.

Mr Davies advised that arrangements will be made in consultation with Local Emergency Management Operations Controller, Superintendent Noble and Local Emergency Management Officer Ian Taylor for a meeting to be held to discuss the content of the DISPLAN.

4.9 EMERGENCY EXERCISES

Discussions were held regarding the convening of emergency airport exercises and emergency operation centre exercises.

It was agreed that a combined Emergency Exercise and Emergency Operations Centre Exercise could be convened and would be discussed by Superintendent Noble and Mr Taylor in consultation with DEMO Stuart Davies when meeting to discuss the DISPLAN review.

5. NEXT MEETING

The next meeting of the Local Emergency Management Committee will be held on 6 October 2010 at the Walgett Police Station Meeting Room, commencing at 10.00 am.

There being no further business the meeting closed at 11.23 am.

2. NORTH WEST WEIGHT OF LOADS COMMITTEE MINUTES – JUNE 2010

REPORTING SECTION: Director Rural Infrastructure & Support Services
AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services
FILE NUMBER: 09/65

Summary:

Council is a member of the North West Weight of Loads Group. This report provides the minutes of their June 2010 committee meetings.

Discussion (including issues and background):

Council is a member of the North West Weight of Loads Group (NWWOLG). NWWOLG provides an enforcement capability to Council to police the compliance of heavy vehicle operators with statutory vehicle mass limits. The Group works in cooperation with RTA compliance officers, however their operations are not limited to State Highways.

Moree Plains Shire Council administers the Group and all financial transactions occur through their accounts. Walgett is invoiced quarterly when it is not in credit.

Relevant Reference Documents:

Minutes of NWWOLG 7 June 2010

Stakeholders:

All Heavy Vehicle Operators in Walgett Shire

Financial Implications:

Nil

North West Weight of Loads Committee Minutes – June 2010
<p>Recommendation:</p> <p>1. That Council note the minutes of the North West Weight of Loads Group meeting held 7 June 2010.</p> <p>Moved: Seconded:</p>

Attachments:

Minutes of 7 June 2010 NWWOL Meeting

WALGETT SHIRE COUNCIL AGENDA

REPORT & RECOMMENDATIONS OF THE NORTH WEST WEIGHT OF LOADS QUARTERLY MEMBER MEETING HELD IN THE NARRABRI SHIRE CHAMBERS ON MONDAY 7th JUNE 2010 @ 10.44AM.

START: 10:45AM

PRESENT: Clr Tim Wannan (Moree), Clr Denis Todd (Warrumbungle), Clr Michael Scherf (Glen Innes Severn), Clr Robyn Faber (Narrabri), , Richard Jane (Inverell), David Coulton (Gwydir), David Wolfenden (Moree), Della Barnes (Moree), Clr Ron Fernance (Moree), Justin Mann (Narrabri), Greg May (Moree), Leonard Hattenfels (Moree), Paul Keech (Narrabri), Clr Angela Doering (Gwydir)

Clr Robyn Faber (Narrabri Mayor) welcomed every-one to the Narrabri Shire and thanked every-one for traveling to the meeting.

Clr Robyn Faber left the meeting at 10.50am

i. **APOLOGIES:**

Clr Kevin Kneipp (Inverell), Vanessa Menzie (Glen Innes Severn) Clr Leon Mills (Gunnedah), Murray Erbs (Moree), David Carter (Moree), Geoff Girard (Moree), Ian Taylor (Walgett), Clr Bob Tremain (Gwydir), Wayne Kerr (Gunnedah)

<p><i>RECOMMENDATION:</i> That the apologies from Clr Kevin Kneipp (Inverell), Vanessa Menzie (Glen Innes Severn) Clr Leon Mills (Gunnedah), Murray Erbs (Moree), David Carter (Moree), Geoff Girard (Moree), Ian Taylor (Walgett), Clr Bob Tremain (Gwydir) and Wayne Kerr (Gunnedah) be received.</p>

RESOLVED: (Todd/Fernance)

ii. **CONFIRMATION OF MINUTES OF MEETING HELD MONDAY 1st MARCH 2010**

<p><i>RECOMMENDATION:</i> That the minutes of the meeting held on MONDAY 1st MARCH 2010 be accepted as a true record of proceedings.</p>

<p><i>RESOLVED:</i> - (Fernance/Doering)</p>
--

iii. **MATTERS ARISING FROM MINUTES OF MEETING HELD MONDAY 1st MARCH 2010**
NIL

iv. **GUEST SPEAKERS**
NIL

WALGETT SHIRE COUNCIL AGENDA

v. REPORTS

REPORT TITLE:	1. INSPECTORS VERBAL REPORT		
REPORT FROM:	NWWOL INSPECTOR		
FILE NUMBER:	94-3404	LETTER NO:	

INTRODUCTION:

This report is to update the committee on the operations carried out by the inspectors over the past quarter.

REPORT:

Inspector 019 gave a verbal report on behalf of the WOL Inspectors.

- Scales have recently all been calibrated
- Cars going well
- Due to the recent rain, things have been a little quiet of late
- Still catching the odd road train off route

Clr Doering (Gwydir) questioned whether damage caused by a known perpetrator on a Shire Road can be prosecuted after the perpetrator has left the scene. Inspectors advised that they cannot prosecute any-one unless they see the truck themselves and in a WOL capacity, they can only prosecute for being overweight, not for damaging a road. David Wolfenden (Moree) advised the group that the shire in which the damage took place, can, under the Roads Act, take steps to try to recover costs for damaged roads.

Richard Jane (Inverell) queried whether those other than the WOL inspectors can take photos of trucks causing damage and can these photographs be used as evidence? Again the inspectors advised that they have to physically see the truck and then only if the truck has been deemed to have committed an offence, can they take photographs which can be tendered as evidence.

RECOMMENDATION: That the Inspectors Verbal Report be received for information.

RESOLVED: (Todd/Doering)

REPORT TITLE:	2. FINANCIAL REPORT		
REPORT FROM:	ASSET MANAGER		
FILE NUMBER:	94-3404	LETTER NO:	

INTRODUCTION:

This report is to outline the 2009/2010 third quarter financial reports with the breakdown of expenditure for each member council.

BACKGROUND:

Minutes

NWWOL Committee Meeting
Monday 7th June 2010

WALGETT SHIRE COUNCIL AGENDA

Revenue received from the State Debt Recovery Office for the 2009/10 third quarter is as follows:

January 2010: \$ 12,833.00
February 2010: \$ 2,983.00
March 2010: \$ 3,124.00
Total \$18,940.00

The above amounts have been apportioned to the appropriate councils.

Clr D Todd queried the large difference between January's takings and the other months? David Wolfenden (Moree) advised that there is no correlation between the amounts obtained from the SDRO and the fines given that month.

Paul Keech (Narrabri) queried the discrepancies between the share of ordinance funding versus administrative expenses. David Wolfenden will speak to the finance department of MPSC and provide an answer at next meeting.

RECOMMENDATION: That the draft third quarter financial reports for 2009/2010 be received for information.

RESOLVED: (Doering/Keech)

REPORT TITLE: 3. STATISTICAL REPORT

REPORT FROM: ASSET MANAGER

FILE NUMBER: 94-3404

LETTER NO:

INTRODUCTION:

The statistical information details the breach breakdown by weight, the number of trucks stopped weighed and breached, the NWWOL group breach trend, and the number of trucks stopped by shire.

Clr Robyn Faber entered the meeting at 11.05am

Clr Fernance (Moree) queried the minor overloads fine? He believes that those who fall under 500kg overweight are often trying to do the right thing but obtain the same fine as some one who may be over 1 tonne overweight. David Wolfenden (Moree) advised that the Roads Act regulates fines and that he has found upon talking to customers who have been fined for being overweight, approximately half of those endeavour to make changes to their operations (e.g. scales) after receiving their first fine.

Richard Jane queried the dramatic decrease in the number of breaches issued over the course of several years? The Inspectors advised that with the introduction of Chain of Responsibility and also the lower tolerance stance taken at wheat receivable points (regarding overweight vehicles); the number of overloaded trucks fell dramatically. Generally trucks used to be severely overloaded but those high percentages have fallen.

Minutes

NWWOL Committee Meeting
Monday 7th June 2010

RECOMMENDATION: That the third quarter statistical draft reports be received for information.

RESOLVED: (Todd/Fernance)

vi. **GENERAL BUSINESS**

➤ **Rail versus Road**

Clr Fernance (Moree) mentioned the increased number of trucks bringing grain into the North West region because trains are less frequent and growers have time constraints so it is faster and more economical to transfer the grain via road.

Paul Keech (Narrabri) queried whether the NWWOL group were able to source the origin and destination of trucks that have been breached. Inspectors advised that once an offence has been deemed to have been committed, only then can they request information such as source and origin of the goods. However, often the information is not as forthcoming and is therefore not very accurate (e.g. from "up the road" to "the silo"). After general discussion about this issue, it was agreed that the NWWOL Support Officer would provide some information at the next meeting regarding origins and destinations and registered owner's locations of trucks breached in the North West Weight of Loads Region.

➤ **Volumetric Loading (VML)**

Clr Faber (Narrabri) at a recent meeting with the new Minister for Roads (David Borger) was advised that there was a draft policy being written in regards to VML for not only cattle but grain as well. Clr Faber suggested that the NWWOL group invite some one from the RTA or even the Minister himself to explain the intricacies of such a policy and how it would affect heavy grain producing areas in the North West.

There was general discussion about the merit and demerits of VML.

➤ **National Transport Commission (NTC)**

The National Transport Commission (NTC) is currently setting up an office in Toowoomba, Qld. Their head office is based in Melbourne, Vic. David Wolfenden advised that he had tried to get a representative from the NTC to come to this NWWOL meeting to discuss the efforts they are going to in order to standardise the Australian Trucking industry however no-one was available.

➤ **High Productivity Vehicle (HPV) Demonstration Day**

Moree's Heavy Vehicle Demonstration Day is tentatively scheduled for the Monday 2nd August 2010. David Wolfenden (Moree) advised that the Moree HPV Demonstration was still in the very early stages of planning and that once all the finer details had been confirmed; an invitation would be sent to all interested parties.

Dubbo City Council are hosting a HPV Demo on Monday 21st June from 11am-3.00pm, call Dubbo City Council on 02 6801 4000 for further information.

WALGETT SHIRE COUNCIL AGENDA

vii. NEXT MEETING

Monday 6th September 2010- Coonabarabran Shire Council @ 10:30am

CONCLUSION: There being no further business the meeting closed at 11.55am.

ACTION LIST PERTINENT TO NWWOL GROUP OPERATIONS

TASK	RESPONSIBLE BODY	COMPLETION DATE
Ascertain reasons for discrepancy between ordinance funding and administrative expenses for member councils	David Wolfenden	Monday 6 th Sept 2010
Produce list of origin/destination/registered owner town for all breaches in the 09/10 financial year.	NWWOL Support Officer (Della Barnes)	Monday 6 th Sept 2010

Minutes

NWWOL Committee Meeting
Monday 7th June 2010

14. Reservation of items for Debate

Nil

15. Reports of Officers

3. *CARINDA PRECINCT COMMITTEE - MINUTES*

REPORTING SECTION: General Manager
AUTHOR: Ian Taylor – Acting General Manager
FILE NUMBER: 09/1491

Summary:

Minutes of meetings of external bodies whose deliberations are relevant to Council are placed before Council for consideration and noting.

Discussion (including issues and background):

Minutes of the meeting of the Carinda Precinct Committee held in May 2010 are attached.

Relevant Reference Documents:

Nil

Stakeholders:

Council and Carinda residents

Financial Implications:

Nil

Meetings of the Carinda Precinct Committee - Minutes

Recommendation:

1. That the Minutes of the 7 May meeting of the Carinda Precinct Committee be noted.

Moved:

Seconded:

Attachments:

Minutes of the meeting of the Carinda Precinct Committee held 7 May 2010.

Carinda Precinct Committee Meeting 7th May, 2010

10.30 a.m.

1.

Minutes.

RECEIVED 24 JUN 2010

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Present: Walgett Shire Council guests: Ian Taylor, Tekin Colak, F. Coralde (replacement) Roy White.

Community: Dominic Warnock, Chairman, Judy Warnock, Gordon Priestley, Clare Priestley, Chris Priestley, P. Ham, Cheryl Yeo, Peggy Rankmore, Pat Regan, Judy Masman, John Lord, Joyce Lord, Dallas Coddington, Michelle Coddington, Toni Woods, Jodi Cleaver, Peter Fullerton, Camilla Lane, Rhonda McLellan, Rebecca McLellan, Lila Masman, Rachel Lamph, Annie Dayment, Margaret Johnstone- Minutes.

Apologies: John Ellis, Jan Currey, Yvonne Lewis.

The meeting opened with Dominic Warnock thanking the Shire representatives for attending and also the Carinda community. Dominic then mentioned that meetings such as today's are not called lightly with road issues and the town's water meters to be discussed.

Cumberdoon Way. Ian Taylor confirmed the RTA decision that this road would not come under the Natural Disaster Program. That the road would be restored to 'before flood' conditions with extra funding by Council. Sealing had begun again and is in progress.

When asked for a completion date for the road Ian Taylor was hopeful that it may be finished this year. He explained that Council has other priorities, including the Come-by-Chance road and these priorities will be the Council's decision. Dissension by the community generally was that Carinda should be of higher priority than Come-By-Chance.

Toni Woods as owner of the Megalo Store and only food outlet in Carinda, stated that trucks cannot deliver important supplies including milk and groceries when it rains and will not travel on the roads to Carinda well after rain has passed because of the bad state they are left in. Also, that Carinda receives no mail when the Coonamble Road is closed. Rachel Lamph, [as Carinda Community Nurse], asked what can be done to overcome these problems. Ian Taylor again explained that Council has to prioritise who is to receive road project support and that it is up to them. Council will make announcements with the Budget in late June.

Dominic asked for clarification of "priorities". Ian Taylor explained that what has not been damaged will proceed in normal schedule. That geo-textile roads in flood prone areas have a high risk of severe damage. He explained that the proposition to Council [for those parts in Cumberdoon Way] is that a gravel pavement be put down not geotextile.

Asked regarding bridges, Ian Taylor said the contracts had been taken to renew six bridges and those over the **Cumberdoon Creek** and the **Castlereagh River** are included.

Coonamble Road. Dominic Warnock explained that a section near "**Hadleigh**" of 200 metres goes under water after rain caused by a blocked culvert, adding that water lies there for a length of time in a low area and the road is impassable. Many people from Coonamble and local people travelling to Coonamble and onward to Dubbo use this road. He explained that the road needs building up and gravelling and wants the problem fixed, not necessarily the whole road, but the problem areas as this road is Carinda's main source for mail deliveries.

Camilla Lane, [who lives south of this damaged portion] told of the many phone calls she received from public asking for knowledge of the road because of the lack of public announcement. Ian Taylor explained that all road conditions in the Shire are on the Shire Council's web-site.

Rachel Lamph asked Ian Taylor for better information in future for emergency services. Camilla Lane also explained that the secondary access from Coonamble to Carinda by the **Gungahman Road** could also not be used in wet weather.

Miralwayn – Gingham Road.

Dominic Warnock explained that owing to crop planting that John Ellis from **Miralwayn** was unable to attend, also Peter Saunders from the same firm. He explained that the Gingham Road [used by Miralwyn] also had many problems as a result of wet weather. On this road a large wash-a-way on **Jan Currey's Buckingham paddock** near **Brewon** was brought to the attention of the Council staff. Ian Taylor explained that if flood-damage funds was probable their brief was to make the road trafficable until inspection took place. This was done as soon as possible although following rains affected the site again which had had further treatment. He said the site has been recently inspected for flood-damage.

Quambone Rd. A recent serious accident was described and a further incident which took place. Regarding Road Maintenance Dominic explained that roads are lower than surrounding paddocks. Council staff explained that Council has used laser buckets which makes it difficult to build up the roads.

Rachel Lamph explained that other Shires, after grading roads, water them and use compaction and that this needs to take place in the Walgett Shire. Council staff explained that mainly only grading is done, although they would like a change.

Billybingbone Road. Dominic Warnock asked if the 4kms of dirt road remaining between the two graveled areas on this road would be graveled. Council staff replied that no new road projects were being funded in the coming year's Budget. It was requested that this project be dealt with in next year's Budget.

Members of the community felt that Shire Councillors as a group should travel on the roads within the Shire to have an idea of their state. Ian Taylor said Council scheduled their meetings in the Shire's towns throughout the year which would make them aware.

Change in Staff Structure.

Ian Taylor explained that changes to staff structure regarding roads/bridges would see the whole area of the Shire in halves under the attention of two people instead of the whole area under one person as at present. That this would prove more satisfactory because of the great area of roads to be covered. The separate areas would virtually be east and west of Walgett.

Water Meters. The significant drop in water pressure after meters were recently installed in the town was discussed. It was asked how long before pressure improved. Roy White for Council said Council does want to replace the mains. It was resolved that Mr. White would see Mr. Fred Coralde (Council Urban Infrastructure) to suggest the meters be disconnected until the problem of poor pressure is fixed.

Swimming Pool/Sports Oval. The structural damage to the pool's shade was discussed and Mr. White told the meeting that the structure has to be completely removed. The **Shade & Net** firm, who put up the original structure, is in the process of reproducing it. Council is supplying a Zip Heater for the kitchen at the Oval.

Carinda Precinct Committee Meeting 7/5/10

3.

Safe Crossing to Park from Hotel.

The community felt that this part of Colin St. needs making safer for children accessing the park suggesting a striped crossing. Mr. White explained the Council's Traffic Committee would not approve this owing to low population numbers, and that a refuge in the centre may be possible and to contact that Committee. Jude Masman offered to write to the Traffic Committee.

Tennis Courts: As the community has already put forward the re-surfacing of the tennis courts as the requested project for the 2009 grants [2nd Round] the community would like Geo-textile sealing when this project takes place.

General problems

- Water is still laying in parts of Shakespear St. – Council will inspect.
- Pot holes in town - Council programmed to address these in a few days.
- Race Course broken windows – Council will fix.
- Park Play Equipment: The height of the platform (near 'fire-pole') from the ground was questioned as being too high for very small children. Roy White said the gap was to Australian standards although he offered to inspect it.

Meeting closed 11.50 am. Dominic Warnock thanked the Council's staff for their attention to the matters addressed. Morning tea followed.

*These Minutes have been approved by
Dominic Warnock (Chairman, Carinda
Precinct Committee).*

M. Johnstone 22/6/2010.

4. COUNCIL DECISIONS ACTION REPORT–28.06.10

REPORTING SECTION: General Manager
AUTHOR: Ian Taylor - Acting General Manager
FILE NUMBER: 10/154

Summary:

A Schedule will be provided to each Council Meeting which summarises action taken in respect of matters considered at the previous meeting of Council.

Discussion (including issues and background):

Attached is the Action Report related to the June 2010 Council Meeting. The Report summarises action in respect of all Resolutions as well as any other matter raised at the Meeting which required action. The Report does not repeat Resolutions etc as these are contained in the Minutes of the previous Meeting which are included elsewhere in the Agenda.

Relevant Reference Documents:

Agenda and Minutes of the June 2010 Council Meeting

Stakeholders:

Councillors and Executive Team

Financial Implications:

Nil

Council decisions Action Report – 28.06.10
<p>Recommendation:</p> <p>1. That the report be received.</p> <p>Moved:</p> <p>Seconded:</p>

Attachment:

Action Schedule

COUNCIL DECISIONS:
Meeting held 28th June 2010

Action Report

168/10	Hire fees for the Burren Junction Public School
DUIS:	Refund donation completed 8/7/10, a minute to councillors will be submitted at Council Meeting
171/10	Collarenebri Golf Course (R82811) Reserve Trust
DUIS:	Public meeting organised for 14 th August 2010
172/10	Mayoral Minute – National Deposit Legislation
GM:	letters finalised and sent 1/7/10
173/10	Mayoral Minute – Future of Collarenebri Agency
DCCS:	Report to July Council meeting - closed
174/10	Work scheduled for Murdi Paaki
DCCS:	No action required
175/10	Minutes of Netwaste Meeting – May 2010
DUIS:	No action required
176/10	Minutes of Namoi Peel CSO Meeting
DUIS:	No action required
177/10	Walgett Local Area Traffic Committee
DRISS:	Direction issued for work
178/10	Western Slopes District Emergency Management Committee
DRISS:	No action required

179/10	Fees for Mayor and Councillors 2010/2011
GM:	No action required
180/10	Acquisition of the site of the Lightning Ridge HACC Centre and proposed Dementia Day Care Centre
GM:	Resolution forwarded to Public Works
181/10	Council decisions Action Report – 11.05.10 & 25.05.10
GM:	No action required
182/10	Interim Financial Audit Management Letter Report
DCCS:	No action required
183/10	Budget Submissions 2010/20011
DCCS:	No action required
184/10	Management Plan and Budget 2010/20011 Report
DCCS:	Copy of Plan forwarded to Department Local Government 30/6/2010
185/10	Cash on Hand and Investment report as at 31 May 2010
DCCS:	No action required
186/10	National Local Government Award – Youth Engagement
DCCS:	No action required
187/10	Community Development and Tourism Quarterly Report (March – May 2010)
DCCS:	No action required
188/10	Report on Youth Development and Services February 2010 to May 2010
DCCS:	No action required

WALGETT SHIRE COUNCIL AGENDA

189/10	Community Services – External Grants Received
DCCS:	Report to July Meeting to add income and expenditure to budget
190/10	Community Development Worker Position
DCCS:	Report to August Meeting
191/10	Development and Complying Development Certificate Applications
DPRS:	No action required
192/10	Former Walgett Railway Station Building
DPRS:	Report to be resubmitted to July Council Meeting
193/10	Walgett Shire Local Approvals Policy
DPRS:	Policy submitted to Department of Premier and Cabinet on 30/6/2010
194/10	Heritage Activities and reporting 2009/2010
DPRS:	Reports submitted to Heritage branch, Department of Planning
195/10	Hotel License Application, Lightning Ridge RSL
DPRS:	Response letter sent 29/6/2010
196/10	Fire Safety, Tattersalls Hotel Collarenebri
DPRS:	Notice of intention to issue an order sent 29/6/2010
197/10	Water Supply Backflow Prevention Procedures
DUIS:	No action required
198/10	Management of Aboriginal Communities Water and Sewerage Program
DUIS:	Consultation in progress

WALGETT SHIRE COUNCIL AGENDA

199/10	Country Towns Water Supply and Sewerage Program
DUIS:	Consultation in progress
200/10	Australia Wide Rural Road Group
DRISS:	No further action required
201/10	Tenders – Plant Hire
DRISS:	No action required
202/10	December 2009 Flood Damage Grant
DRISS:	No action required
203/10	Proposals for Traffic Study of Wee Waa Street Walgett
DCCS:	Report to July Meeting
	Letter to Graincorp regarding stress on roads
DRISS:	No action at this stage
	Report on Sealing at Come By Chance
DRISS:	Memo issued to councillors 6/7/2010
	Burren Junction Sporting Oval hiring by Public School
DUIS:	Still in School holidays, will try and organise a meeting by 26 July 2010
	Tourism Booklet
DCCS:	Report to July meeting
	Meeting with Cumobrah residents
DCCS:	Mayor left message with residents, still trying to organise meeting

WALGETT SHIRE COUNCIL AGENDA

Review of staff in the field at Lightning Ridge	
DUIS:	In progress
205/10 Outstanding Carinda Golf Club Loans	
DCCS:	Debts written off, letter sent to the Golf Club
206/10 Future of Walgett Saleyards	
DUIS:	Currently conferring with Elders (Dubbo) Agent
207/10 Contract for the Supply & Delivery of Bulk Fuel/Lubricants and above ground tanks – Regional Procurement Tender T11011OROC	
DRISS:	Regional Procurement advised

5. RECORDS MANAGEMENT POLICY

REPORTING SECTION: Corporate and Community Services
AUTHOR: Helena Lovegrove – Records Manager
FILE NUMBER: 09/1409

Summary:

The Records Management Policy requires updating to reflect changes in legislation

Discussion (including issues and background):

On July 1 2010 the Government Information (Public Access) Act 2009 commenced and the Freedom of Information Act 1989 was repealed. As a result of this the Records Management Policy has been updated to reflect the legislative changes.

Relevant Reference Documents:

Nil

Stakeholders:

Council Staff
General Public

Financial Implications:

Nil

Records Management Policy
<p>Recommendation:</p> <p>1. That the attached Records Management Policy be noted and adopted.</p> <p>Moved: Seconded:</p>

Attachments:

Records Management Policy



GOV - RECORDS MANAGEMENT POLICY

Adoption Date: 15 July 2008

Review Date: 15 July 2010

Responsible Officer: Director Corporate and Community Services

POLICY STATEMENT

WSC is committed to effectively recording, managing and enabling access to information stored in both physical and electronic format while ensuring compliance with legislative requirements.

OBJECTIVES:

- To ensure that at all times WSC complies with the Local N.S.W. Local Government Act 1993, NSW State Records Act 1998, NSW State Records Regulation 2005, Government Information (Public Access) Act 2009 and the Privacy and Personal Information Protection Act 1998 in relation to the provision of Records Management.
- To ensure that WSC staff have appropriate and timely access to information.
- To ensure information is managed throughout its lifecycle in a manner that ensures continuing access to information for all stakeholders.
- To clearly define best practice procedures for the guidance of Council staff and to meet the highest level of public accountability.

Policy Implementation Procedures, Guidelines and Documents

Sections 12, 12A, 12B, 13 of the Local Government Act 1993

State Records Act 1998

State Records Regulation 2005

Government Information (Public Access) Act 2009

Privacy and Personal Information Protection Act 1998

Gov – Records Management Procedures

Related WSC Policies

Gov - Code of Conduct

6. REVIEW OF INFORMATION TECHNOLOGY (IT) CONTRACT

REPORTING SECTION: Corporate and Community Services
AUTHOR: Carole Medcalf – Director Corporate and Community Services
FILE NUMBER: 09/1113

Summary:

The contract for the provision of IT services for Walgett Shire Council by Acceler8 Technologies is due to expire on 1 August 2010. This report provides a summary of the contract provision to date.

Discussion (including issues and background):

Acceler8 Technologies took over provision of the Shire's IT managed service on 1 August 2009. They conducted a handover prior to that date with Civica, the firm previously responsible for IT service provision. The handover was managed relatively smoothly, given the enormity of the task.

Since starting the contract we have received two review reports, the first following an online survey of staff/users in November 2009, covering such issues as response/resolution times, the technical knowledge of Acceler8 staff, the ease of reporting issues and getting assistance and the level of satisfaction with the move. All items were to receive a rating out of 5 and after tallying results the overall score was 4/5. The second report covered changes in issue reporting by staff, response time. Since then further work has been undertaken and Acceler8 have also conducted training of staff in the use of the systems and in solving some of the smaller issues themselves.

Support costs for IT have been reduced by over 50% and negated the need for onsite IT support, thereby reducing staff costs. We have commenced upgrading of equipment (within the budget allocation) and Walgett Shire is now operating up to date systems which assist with improving staff efficiencies. We have experienced no significant downtime since the contract commenced, as had occurred previously.

Due to the high level of service it is recommended that the contract be renewed for a further two year period.

Relevant Reference Documents:

Acceler8 Technologies Contract

Stakeholders:

Walgett Shire Council and staff
Acceler8 Technologies

Financial Implications:

Budget allocation for 2010/2011

Review of Information Technology (IT) Contract
<p>Recommendation:</p> <p>1. That Council renews the Acceler8 Technologies contract for a period of 2 years, commencing 1 August 2010</p> <p>Moved:</p> <p>Seconded:</p>

Attachments:

Nil

7. COMMUNITY SERVICES- EXTERNAL GRANTS RECEIVED

REPORTING SECTION: Corporate and Community Services
AUTHOR: Lianne Tasker– Manager Community Development & Tourism
FILE NUMBER: 09/1458

Summary:

Council has received grant funding from the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) to facilitate three youth related projects in Walgett. This report provides an overview of those grants.

Discussion (including issues and background):

Council has received funding from FaHCSIA, under its Indigenous Communities Strategic Investment Funding, for the total amount of \$145,000. The grants are specifically for youth development in Walgett as follows:

1. Shelter and seating for the basketball courts which are to be constructed at the Skate Park facility, Walgett - \$40,000.
2. Sporting and other equipment for the Walgett Youth Centre - \$20,000.
3. Youth Worker project aimed at assisting young people to connect to healthy recreational options. This will involve employment of youth workers to facilitate night street work and weekend sporting opportunities for young people in Walgett - \$85,000.

Each of these projects are in line with the Walgett Shire Youth Development Strategy.

Relevant Reference Documents:

Walgett Shire Council Community Plan 2010-2014
Aboriginal and Torres Strait Islander Reconciliation Plan 2007- 2010
Walgett Shire Youth Development Strategy 5 Year Plan 2009-2014

Stakeholders:

Walgett community members, visitors and young people

Financial Implications:

No direct cost will be incurred by Council as the projects are fully funded by the respective grants.

Community Services – External Grants received

Recommendation:

That Walgett Shire Council resolve to:

1. Note the recent grant of \$145,000 from the Department of Families, Housing, Community Services and Indigenous Affairs
2. Vary the 2010-2011 budget to include income and expenditure line items associated with the grant as follows:
 - (a) Walgett shade shelter and seating \$40,000
 - (b) Youth resources Walgett \$20,000
 - (c) Youth worker project Walgett \$85,000

Moved:

Seconded:

Attachments:

Nil

8. GRANT RECEIVED FOR SENIORS PROJECT

REPORTING SECTION: Corporate and Community Services
AUTHOR: Lianne Tasker– Manager Community Development & Tourism
FILE NUMBER: 10/391

Summary:

Council has received grant funding from the Ageing Disability & Home Care, Department of Human Services to facilitate a senior's intergenerational project. The Council Seal is required to be affixed to the funding agreement.

Discussion (including issues and background):

Council has received funding from Ageing, Disability & Home Care to facilitate *Art Across the Ages*, an intergenerational arts project. The project aims to engage and connect senior members of the community through textile arts development. The project will provide opportunities for development and fostering of positive relationships for older people of the Walgett community through the sharing of knowledge, skills and values. Strategies include workshops for seniors and young people to develop a collaborative piece of artwork for public exhibition. The artwork will involve a variety of textile and needlework methods to create a design expressing the theme of "positive aging".

The Council seal is required to be affixed in order to receive the funding of \$22,561. 00.

Relevant Reference Documents:

Walgett Shire Council Community Plan 2010-2014
Aboriginal and Torres Strait Islander Reconciliation Plan 2007- 2010
Walgett Shire Youth Development Strategy 5 Year Plan 2009-2014
NSW Department of Ageing, Disability & Home Care funding agreement
Project brief – Art Across the Ages

Stakeholders:

Walgett community members

Financial Implications:

No direct cost will be incurred by Council as the projects are fully funded by the respective grants.

Grant received for Seniors Project

Recommendation:

That Walgett Shire Council resolve to:

1. Authorise the Mayor and Acting General Manager to sign and affix the Council seal to two copies of the Funding Agreement for the grant of \$22,651 from Ageing, Disability & Home Care Department of Human Services for a Seniors Intergenerational project as well as completing any other documentation associated with the project.
2. Vary the 2010/2011 budget to create income and expenditure line items - Art Across the Ages project \$22,561.

Moved:

Seconded:

Attachments:

Nil

8.A. GRANT RECEIVED FOR COLLARENEBRI SKATE PARK SHADE SHELTER

REPORTING SECTION: Corporate and Community Services
AUTHOR: Lianne Tasker– Manager Community Development & Tourism
FILE NUMBER: 09/1458

Summary:

Council has received grant funding from the Department of Families, Housing, Community Services and Indigenous Affairs to construct a shade shelter at the Collarenebri Skate Park. The Council Seal is required to be affixed to the funding agreement.

Discussion (including issues and background):

Council has received funding from the Department of Families, Housing, Community Services and Indigenous Affairs (FHCSIA) to construct a shade shelter at the Collarenebri Skate Park. The funds are provided under FHCSIA's Indigenous Communities Strategic Investment program.

The Council seal is required to be affixed in order to receive the funding of \$11,550.00.

Relevant Reference Documents:

Walgett Shire Council Community Plan 2010-2014
Walgett Shire Youth Development Strategy 5 Year Plan 2009-2014

Stakeholders:

Collarenebri community members

Financial Implications:

Nil

Grant received for Collarenebri Skate Park Shade Shelter

Recommendation:

That Walgett Shire Council resolve to:

1. Authorise the Mayor and Acting General Manager to sign and affix the Council seal to two copies of the Funding Agreement for the grant of \$11,550.00 from Department of Families, Housing, Community Services and Indigenous Affairs for the construction of a shade shelter at Collarenebri Skate Park.
2. Vary the 2010/2011 budget to create income and expenditure line items – Collarenebri Skate Park Shade Shelter project \$11,550.

Moved:

Seconded:

Attachments:

Nil

9. COMMUNITY SERVICES- EXTERNAL GRANT RECEIVED “STRONG COLLI” PROJECT

REPORTING SECTION: Corporate and Community Services
AUTHOR: Lianne Tasker– Manager Community Development & Tourism
FILE NUMBER: 10/415

Summary:

Council has received grant funding from the NSW Attorney-General's Department to facilitate a project to divert young people from engaging in alcohol related activities in Collarenebri.

Discussion (including issues and background):

Council has received funding from Attorney-General's Department for the amount of \$147,164.16. The grant is one of only 14 successful applications from a total of 1200 submissions.

The *Strong Colli* project will aim to use capacity building and leadership development to divert young people from engaging in alcohol related activities and crime in Collarenebri. The funding provides for the creation of an Aboriginal and Torres Strait Islander identified Community Development Worker (CDO) for a period of eighteen (18) months. The CDO will facilitate a range of activities that will connect young people to traditional Aboriginal culture and strengthen individual capacity for self responsibility. Through social opportunities, education, support, encouragement and leadership development, this project will aim to address binge drinking by connecting young men and women to their cultural traditions.

This project relates to Council plans as follows:

Walgett Shire Council Community Plan 2010-2014-

- 9.4 – Responsiveness to cultural issues
- 11.9 – Strong safe communities

Walgett Shire Youth Development Strategy 5 Year Plan 2009-2012-

- Early intervention in relation to crime prevention
- Culturally sensitive services and culturally specific programs

Relevant Reference Documents:

Walgett Shire Council Community Plan 2010-2014
Walgett Shire Youth Development Strategy 5 Year Plan 2009-2014

Stakeholders:

Walgett Shire Council and ratepayers
Collarenebri community members and young people

Financial Implications:

No direct cost will be incurred by Council as the projects are fully funded by the respective grants.

Community Services – External Grant received “Strong Colli” Project

Recommendation:

That Walgett Shire Council resolve to:

1. Note the recent grant of \$147,166.16 from the Attorney General’s department for the Strong Colli project intended to divert young people from alcohol related activities and crime in Collarenebri.
2. Vary the 2010-2011 budget to create income and expenditure line items - Strong Colli project \$147,164.16.

Moved:

Seconded:

Attachments:

Nil

9.A. REGIONAL INFRASTRUCTURE PROJECTS

REPORTING SECTION: Corporate and Community Services
AUTHOR: Carole Medcalf – Director Corporate and Community Services
FILE NUMBER: 09/1149

Summary:

Regional Infrastructure projects Round II have been acquitted and approved by the Department of Infrastructure.

Round II funding has been received with some projects underway. Two of the Round II projects (Collarenebri and Carinda) have not been allocated sufficient funds to complete the projects decided by Council.

Applications for Round III funding are due on the 30th July. Community members have been asked to provide preferred options for Round III projects, but unfortunately the Federal Government deadline will preclude extensive submissions, although some submissions have been received. However, there are still a range of projects that have come from previous community consultations.

This report provides an overview of the Regional Infrastructure funded projects to date and makes recommendations for Round III funding allocations.

This report summarises the result of the Request for Quotation for production of the Walgett Shire Visitor Guide.

Discussion (including issues and background):Round II funding –

Round II funding has currently been allocated as follows:

Project	Funds	Project Description
Walgett Playground- 2-6 year olds	\$60,000	Installation of childrens' playground & seating
Collarenebri – Tennis Court Upgrade	\$23,000 Insufficient funds – committee asked to prioritise	Toilet block re-plumbed and reconnected. Painting of toilets. Netball courts to be marked out on part of existing tennis courts.
Carinda Tennis Court Resealing	\$15,000	Ground levelling and break up of existing court surface. Ground preparation. Reseal of court area.
Opal & Fossil Museum Stage 1 Storage Facility	\$27,000	Construction of spacious shed on AOC's Three Mile site
Construction of Motocross track outside Lightning Ridge	\$10,000	Ground preparation. Safety installations. Track markings
Cumborah development of park/playground	\$15,000	Preparation of Ground/Installation of shelter
Burren Junction playground upgrade	\$20,000 (plus \$30,000 replacement strategy funds)	Installation of playground
Rowena Hall	\$10,000	Upgrade of electrical
Come by Chance Hall	\$10,000	Repair of roof and doors to Come by Chance Hall

As noted in the table above, the Collarenebri project has been allocated insufficient funds to undertake the project agreed upon.

Collarenebri – repairing and upgrading the existing toilet block to standard is estimated to cost an amount of \$50,000-\$70,000. Discussions with a representative of the Collarenebri Precinct Committee has revealed that having amenities at the tennis court complex is a priority for the community, who believe that the complex is unusable without toilet facilities. Meeting this community need is achievable if a pre-fabricated toilet is installed at the complex. This is only possible if funds from Round III are allocated to the project, making up a \$6,000 shortfall.

Round III funding

The funding allocation for Round III must be determined by 30 July 2010 for lodgement of projects. In order to determine allocations the following information is provided:

Round I & II projects requiring further development:

Project	Estimated cost
Walgett skate park – lighting, seating and fencing	\$27,000
Collarenebri skate park – lighting & landscaping	\$10,000
Lightning Ridge skate park – lighting & landscaping	\$10,000
Apex Park – shade shelter, lighting and natural play space development	\$45,000
Burren Junction – playground shade shelter	\$25,000

Round III projects nominated by community:

Project	Estimated cost
Carinda – install concrete path from road to toilet and BBQs at Carinda Park	\$17,000
Rowena – install Playground at Hall	\$35,000
Collarenebri – toilet at Tennis Court	\$35,000
Come by Chance -	
Burren Junction – Shade shelter for playground	\$25,000
Lightning Ridge – Netball courts (2)	\$150,000
Cumborah – contribution towards completing meeting room construction	\$40,000
Walgett – Picnic area (BBQ, shade and seating) Walgett Skate Park.	\$10,000

Projects Identified by Community during consultations for the Walgett Shire Community Plan

Community Plan 7.2 – “Community Spaces: Ensure playgrounds are installed and maintained in each of the towns and villages”	
Playground at Collarenebri	\$75,000
Playground at Rowena	\$35,000
Playground at Come By Chance	\$35,000
Community Plan 7.3 “Community Spaces: Develop a network of BBQ areas in Walgett & Lightning Ridge	
Walgett	\$10,000
Lightning Ridge	\$10,000
Community Plan 7.3 “Community Spaces: Develop multipurpose community facilities”	
Repair of Walgett Library outdoor/pergola area	\$15,000

Unfunded New Expenditure Projects 2009/10 nominated by community precinct committees:

Project	Estimated Cost
Repair footpath in front of Collie Hospital	\$8,000
All weather road to rodeo area Collie	
Toilets in Collie Rodeo area	\$90,000
Welcome to Walgett sign on Moree Shire boundary	\$10,000
Pedestrian Crossing near Collie skate park	
Seating at Collie skate park	\$5,000
Air conditioning in main room of Collie Town hall	
Water tank for Lightning Ridge Historical Society	\$600
Sealed trail along 3 Mile Road Lightning Ridge	
Child protection for pond at Gem Park Lightning Ridge	
Security cameras and monitors for Lightning Ridge	\$80,000
Burren Bore Baths Upgrade/new toilet block	\$60,000
Burren Bore Baths caravan dump point	\$15,000
Burren Bore Baths – 2 sets of steps	\$15,000
Burren Bore Baths – gravel, tree, lawn beautification	\$30,000
Walkway/cycle way from Burren bore baths to town	\$90,000
Rain water tank at Burren Bore baths	\$9,500
Shade area with tables and chairs at each camp ground Burren Bore Baths	\$6,500
Sign prohibiting camping around toilet area at Burren Bore Baths	\$3,000
Top dress inside fence for lawns and grass – Burren Bore Baths	\$10,000
Coin operated BBQ at Burren Junction Bore Baths	\$8,500
Water outlet at each camping ground at Burren Junction Bore Baths	\$2,500
Collie main street banners to advertise up & coming events	\$15,000
Collie tree replacement	\$5,000
Collie installation of tree guards	\$30,000
Development of Collie Lawn Cemetery	\$50,000
Toilets for Collie Cemetery	\$90,000
Installation of water system at Collie Cemetery	\$35,000
Sign at Collie Weir	\$7,000
BBQ and picnic area at Collie Weir	\$20,000

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire community members, businesses and organisations with an interest in Walgett Shire Tourism

Financial Implications:

Nil

Regional Infrastructure Projects

Recommendation:

That Walgett Shire Council resolve to:

1. Allocate \$29,000 to the Collarenebri Tennis Court project to be completed in 2 stages. Stage 1 funded from Round II Regional Infrastructure \$23,000. Stage 2 funded from Round III Regional Infrastructure \$6,000.
2. Allocate from Round III funding to complete or enhance Round 1 and II projects. Specifically:
 - a. That an amount of \$20,300 be allocated to install fencing and lighting at Walgett Skate Park
 - b. That an amount of \$8,300 be allocated to install lighting at Lightning Ridge Skate Park.
 - c. That an amount of \$8,300 be allocated to install lighting at Collarenebri Skate Park.
 - d. That an amount of \$45,000 be allocated to complete stage II of the Apex Park upgrade with the installation of shade shelter, lighting and natural play space area for 0-5 year olds

Moved:

Seconded:

Attachments:

Nil

10. CASH ON HAND AND INVESTMENT REPORT AS AT 30 JUNE 2010

REPORTING SECTION: Corporate and Community Services
AUTHOR: Myrene Lovegrove – Finance Manager
FILE NUMBER: 09/1460

Summary:

This report summarises the cash on hand and investments held by Walgett Shire Council as at 30 June 2010.

Discussion (including issues and background):

Walgett Shire Council operates one primary transaction account with the Commonwealth Bank and invests funds surplus 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.

As at 30 June 2010 the operational bank account's balance was \$2,277,934.36. The reconciliation of this balance is:

Operational Account Bank Reconciliation As at 30 June 2010

	\$
Opening Ledger Account Balance as at 1 June 2010	4,198,091.10
Add: Receipts	3,772,273.21
Add: Recalled Investments	1,500,000.00
Less: New Investments	(4,000,000.00)
Less: Payments	(3,192,960.90)
Closing Ledger Balance as at 30 June 2010	2,277,403.41
 Balance as per Bank Statement as at 30 June 2010	 2,263,825.70
Add: Receipts not banked	14,273.29
Less: Payments not presented	(695.58)
Closing Balance of Bank Account	2,277,403.41
 Difference (A-B)	 -

As at 30 June 2010 Walgett Shire Council's investment register's balance was \$6,049,360.80. The balance as per the attached investment report comprised:

Term Deposits	\$6,000,000.00
Floating Rate Collateralized Debt Obligation (CDO)	\$ 49,360.80

The market values disclosed for the Floating Rate Collateralized Debt Obligation (CDO) are market values as at 30 June 2009 and were supplied by the ANZ Group. Quarterly interest coupons totalling \$6,393.51 were received in June 2010. The next interest is due in September 2010.

As at 30 June 2010 Walgett Shire Council's total available cash and invested funds were \$8,327,295.16 represented by:

Working Account Balance	\$2,277,934.36
Investments	\$6,049,360.80

Cash on hand and Investment report as at 30 June 2010
<p>Recommendation:</p> <p>1. That the cash on hand and investment report as at 30 June 2010 be received.</p> <p>Moved:</p> <p>Seconded:</p>

WALGETT SHIRE COUNCIL AGENDA

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

<u>Investment Institution</u>	<u>Type of Investment</u>	<u>Term (days)</u>	<u>Rate %</u>	<u>Ref</u>	<u>Reset Date</u>	<u>Maturity Date</u>		
Term Deposits								
Local Government Financial Services	Term Deposit	90	5.70	626/10		06-Jul-10	\$	500,000.00
Australian Defence Credit Union	Term Deposit	91	6.09	627/10		31-Aug-10	\$	500,000.00
Bank of Queensland	Term Deposit	91	5.85	628/10		31-Aug-10	\$	500,000.00
Credit Union Australia	Term Deposit	63	5.98	629/10		10-Aug-10	\$	250,000.00
Credit Union Australia	Term Deposit	42	5.90	630/10		20-Jul-10	\$	250,000.00
National Australia Bank	Term Deposit	95	5.95	631/10		14-Sep-10	\$	250,000.00
Newcastle Permanent Building Society	Term Deposit	109	6.06	632/10		28-Sep-10	\$	250,000.00
Newcastle Permanent Building Society	Term Deposit	123	6.02	633/10		12-Oct-10	\$	250,000.00
Newcastle Permanent Building Society	Term Deposit	137	6.02	634/10		26-Oct-10	\$	250,000.00
Newcastle Permanent Building Society	Term Deposit	151	6.05	635/10		09-Nov-10	\$	250,000.00
National Australia Bank	Term Deposit	165	6.00	636/10		23-Nov-10	\$	250,000.00
National Australia Bank	Term Deposit	186	6.35	637/10		14-Dec-10	\$	250,000.00
National Australia Bank	Term Deposit	193	6.35	638/10		21-Dec-10	\$	250,000.00
Macquarie Bank	Term Deposit	98	5.60	639/10		05-Oct-10		250,000.00
Macquarie Bank	Term Deposit	112	5.60	640/10		19-Oct-10		250,000.00
Bankwest	Term Deposit	126	5.75	641/10		02-Nov-10		250,000.00
Bankwest	Term Deposit	154	5.85	642/10		30-Nov-10		250,000.00
Bankwest	Term Deposit	161	5.85	643/10		07-Dec-10		250,000.00
Bankwest	Term Deposit	196	6.00	644/10		11-Jan-11		250,000.00
Credit Union Australia	Term Deposit	210	6.16	645/10		25-Jan-11		250,000.00
Credit Union Australia	Term Deposit	245	6.14	646/10		01-Mar-11		250,000.00
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	91	6.950		20-Sep-10	20-Jun-15	\$	12,165.59
Helium Capital Ltd	Floating Rate CDO	92	6.7417		23-Sep-10	23-Jun-14	\$	2,193.12
Magnolia Finance GLB Ltd	Floating Rate CDO	91	6.400		20-Sep-10	20-Mar-12	\$	35,002.09
							\$	6,049,360.80

Investment Report as at 30 June 2010

10.A. OFFER FOR MAGNOLIA FLINDERS CDO

REPORTING SECTION: Corporate and Community Services
AUTHOR: Myrene Lovegrove – Finance Manager
FILE NUMBER: 09/1460

Summary:

This report provides information on an offer by ANZ Investment Services to sell Council's holdings of the Magnolia Flinders CDO.

Discussion (including issues and background):

Council was contacted by ANZ Investment Services on 21 July 2010 to enquire if it was interested in selling its holding in the Magnolia Flinders CDO.

Currently Council holds Magnolia Flinders CDO with a face value of \$50,000.00 and a disclosed value of \$35,002.09 in council's investment register. The product is due to mature in March 2012 and is currently paying 6.4% interest on the face value. At the current interest rate it has the potential to return approximately \$5,600.00 in interest between now and March 2012. At this point it is difficult to determine the expected payout of the face value at maturity. Any increase in value seems unlikely and a decline in value is possible.

ANZ securities have provided an indicative return of \$42,500.00 on Council's holding of \$50,000.00. This is only an indication and the final value would not be determined until after any sale. This offer has occurred as a result of someone in the open market seizing a perceived opportunity for profit.

The Department of Local Government places an obligation on Council to exercise care, diligence and the skill that a prudent person would exercise in investing council's funds. Under the Ministerial Investment Order Council may continue to hold to maturity or sell its holding in Magnolia Flinders CDO. It may be prudent for Council to consider engaging ANZ Investment Services to execute a sale of its holdings in Magnolia Flinders CDO whilst this opportunity exists.

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire Council
ANZ Investment Services
Rate payers

Financial Implications

1. An increase in cash on hand equal to the proceeds from the sale.
2. Any amounts received above the market value of \$35,002.09 would require disclosure as a profit on sale

Offer for Magnolia Flinders CDO

Recommendation:

1. That Council engage ANZ Investment Services to execute a trade of Council's holdings of \$50,000.00 in Magnolia Flinders CDO – ISIN – XS0210401930

Moved:

Seconded:

11. FORMER WALGETT RAILWAY STATION BUILDING

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Director Planning and Regulatory Services, Matthew Goodwin
FILE NUMBER: 09/1165

Summary:

In 2008 Scott and Sarah Wickman accepted ownership of the former Walgett railway station building from Walgett Shire Council. Recently they wrote to Council and advised that they cannot proceed with their planned re-use of the building. It is recommended that Council resume ownership of the building and proceed with its demolition at the earliest opportunity.

Discussion (including issues and background):

This report is predominantly based on one submitted to the 28 June 2010 Council meeting where it was resolved that consideration of the matter be deferred to the 27 July 2010 meeting (resolution 192/10).

At a meeting held on 28 October 2008 Walgett Shire Council considered a report on the former Walgett railway station building. The building was owned by Council and had been stored on the property "Belmont", about 2 km north of Walgett, since 1994. Council resolved to:

1. Write to Mrs and Mrs Scott Wickman to:

- (a) State that Walgett Shire Council has accepted their offer to takeover ownership of the former Walgett Railway Station building, as proposed in their letter dated 1st September 2008. Council's acceptance is based on the building being reused to extend their house on the "Kiel Kiel" property and that there will be no cost to Council.
- (b) Request that they:
 - (i) Confirm in writing that they accept ownership of the building.
 - (ii) Indicate a date by which the building will be moved to the "Kiel Kiel" property, while noting that Walgett Shire Council prefers that the building be moved as soon as possible.
 - (iii) Confer with Walgett Shire Council's Heritage Advisor, Ray Christison, regarding the adaptation of the building and the conservation of materials.
 - (iv) Create a full photographic record of the building's relocation and adaptation, and provide a copy of this record to Walgett Shire Council.
- (c) Note that prior to using the building to extend the existing house, Council approval will be required via a Complying Development Certificate application to ensure the extension complies with the Building Code of Australia.

2. Write to the Walgett District Historical Society Inc and Lightning Ridge Calweld Drill Hire thanking them for their expressions of interest regarding the former Walgett Railway Station Building and informing them of the above resolution.

Mr and Mrs Wickman subsequently accepted ownership of the building in a letter dated 19 November 2008.

Recently the landowner of "Belmont", Wyn Lyons, contacted Council's Director of Planning and Regulatory Services to inquire when the building would be removed. Subsequently Mr and Mrs Wickman wrote to Council on 20 May 2010 indicating that they were unable to take up ownership

of the building in accordance with their original intentions (Attachment A). Given that Mr and Mrs Wickman have not done anything with the building, and it previously belonged to Council, it would be appropriate for Council to resume ownership of the building.

In 2008 Walgett Shire Council advertised for two months seeking expressions of interest for the reuse or demolition of the building. Only three expressions of interest were received, as follows:

- Mrs and Mrs Scott Wickman - Proposed to relocate building to the "Kiel Kiel" property and use it as an extension to an existing home. No cost to Walgett Shire Council.
- Walgett District Historical Society Inc - Various tentative proposals offered with no indication of cost implications for Council.
- Lightning Ridge Calweld Drill Hire - Offered to demolish and remove the building if Walgett Shire Council pays \$2,500.

When contemplating options for the future of the building, it is relevant to note that:

- The State Rail Authority donated the building to the Walgett Shire Council in 1994, because it was no longer in use and surplus to its needs.
- About 1994 the building was moved from the inactive railway line site to the "Belmont" property. It appears that it was intended that the building should be temporarily stored at this site until a viable use was identified for it.
- No maintenance has been undertaken on the wooden building since 1994 and it is progressively decaying.
- Several tentative proposals for reusing the building have arisen, but no significant funding sources have been identified.
- No viable business case for an alternative use has been identified.
- Council's Senior Health and Building Surveyor, Len Smyth, inspected the building in 2008 and provided an estimate of \$100,000 to relocate and renovate the building (not including any fit out costs). He also indicated that it would be more cost effective to construct a new purpose designed building than to reuse this building.
- Council owns a number of relatively old buildings that require ongoing maintenance expenditure. Examples include the former Council Chambers, the old Masonic Hall and several town/village halls.
- Public buildings under Council management incur significant regulatory and duty of care obligations.
- The building was not proposed for listing as an item of local heritage because it is not 'fixed' on a site. As a result the local heritage fund cannot be used to assist with funding relocation and renovation.
- It remains desirable for Council to make progress toward having the building removed from the private land where it is presently located.

Given the history of the building and its condition, it appears quite unlikely that a cost effective use can be found for it.

Council's Heritage Advisor, Ray Christison (Highground Consulting), has been consulted regarding the proposed demolition (Attachment B).

Relevant Reference Documents:

- Minutes and agenda of Walgett Shire Council meeting held on 15 July 2008, which address issues associated with the former Walgett railway station building.
- Minutes and agenda of Walgett Shire Council meeting held on 28 October 2008, which address issues associated with the former Walgett railway station building.
- Letter dated 19 November 2008 from Scott and Sarah Wickman to Walgett Shire Council accepting ownership of the building.

- Letter dated 20 May 2010 from Scott and Sarah Wickman to Walgett Shire Council indicating that they are unable to take ownership of the building.

Stakeholders:

Walgett Shire Council, Wyn Lyons, Scott and Sarah Wickman

Financial Implications:

There are no funds available within the current budget to enable the demolition. Based on the previous offer from Lightning Ridge Calweld Drill Hire, it is expected that demolition of the building will cost about \$2,500 to \$3,000.

Former Walgett Railway Station Building

Recommendation:

1. Note the letter dated 20 May 2010 from Scott and Sarah Wickman indicating they are unable to take up ownership of the former Walgett railway station building in accordance with their original intentions.
2. Write to Scott and Sarah Wickman thanking them for their efforts to re-use the former Walgett railway station building and state that Walgett Shire Council has now resumed ownership of the building.
3. Proceed with the demolition and removal of the former Walgett railway station building at the earliest opportunity, after advertising in the Walgett Spectator and Lightning Ridge News for quotes for the demolition of the building and removal of all associated materials by a suitably experienced and insured party.
4. Fund the demolition via a \$3,000 increase in the expected 2010-2011 budget deficit.
5. Write to Wyn Lyons, owner of the "Belmont" property, advising her of this resolution.

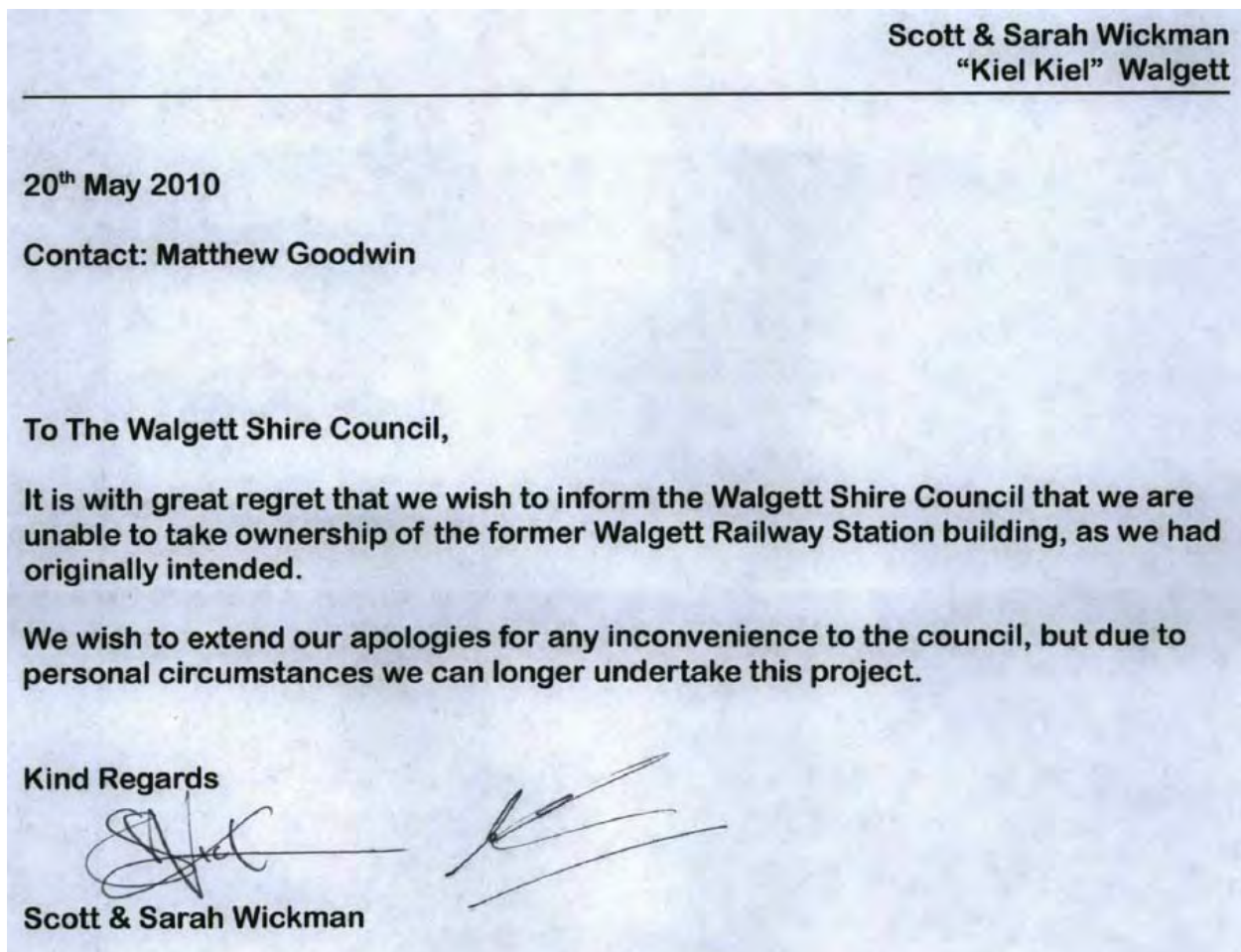
Moved:

Seconded:

Attachments:

- A – 20 May 2010 letter from Scott and Sarah Wickman
B – 4 June 2010 e-mail from Council's Heritage Advisor, Ray Christison

Attachment A – 20 May 2010 letter from Scott and Sarah Wickman



Attachment B – 4 June 2010 e-mail from Council's Heritage Advisor, Ray Christison.

Matt Goodwin

From: Ray Christison [highground@swiftdsl.com.au]
Sent: Friday, 4 June 2010 1:03 PM
To: Matt Goodwin
Cc: Janet Babic; Len Smyth; Andrew Wilson
Subject: TRIM: Re: Report to 28 June 2010 Council meeting on the former Walgett Railway Station Building

TRIM Record Number: 09/1165/027

Hello Matthew,

Do you require a formal response form me?

I don't really have much more to say on top of what you have included in the submission to Council. I support the proposed actions in relation to the building.

Regards
Ray

On 4/06/10 11:53 AM, "Matthew Goodwin" <MGoodwin@Walgett.nsw.gov.au> wrote:

Ray,

Can you please consider the attached draft report which I intend to submit to the 28 June 2010 meeting of Walgett Shire Council.

Please let me know if you have any comments or suggestions.

Regards,

Matthew Goodwin
Director Planning & Regulatory Services
Walgett Shire Council

Ph: 6828 6120

Ray Christison
Managing Director
High Ground Consulting
Tel: 02 6353 1812
Web: www.higround.com.au

12. DEVELOPMENT APPLICATION – GLENGARRY HILTON

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Matthew Goodwin – Director Planning and Regulatory Services
FILE NUMBER: DA2010/018

Summary:

Development Application 2010/018 is for a hotel, bottle shop, backpackers accommodation cabins and transportable kitchen at the premises commonly known as the Glengarry Hilton. It is recommended that Council resolve to approve the application subject to appropriate development consent conditions.

Discussion (including issues and background):

On 4 May 2010 a Development Application was lodged with Walgett Shire Council for a hotel, bottle shop, backpackers accommodation cabins and transportable kitchen on lot 1000, DP 1138091. This site is commonly known as the Glengarry Hilton and is located on the Glengarry opal field.

A development application assessment report has been prepared by Council's Director of Planning and Regulatory Services and is attached to this report.

Relevant Reference Documents:

Documents associated with Development Application 2010/018.

Stakeholders:

Applicant, Land and Property Management Authority, Department of Industry and Investment, public

Financial Implications:

Nil

Development Application – Glengarry Hilton

Recommendation:

That Walgett Shire Council resolves to:

1. Approve Development Application 2010/018 for a hotel, bottle shop, backpackers accommodation cabins and transportable kitchen on lot 1000, DP 1138091 (premises commonly known as the Glengarry Hilton) subject to the conditions of development consent recommended by Walgett Shire Council's Director of Planning and Regulatory Services.

Moved:

Seconded:

Attachments:

A – Development Application assessment report

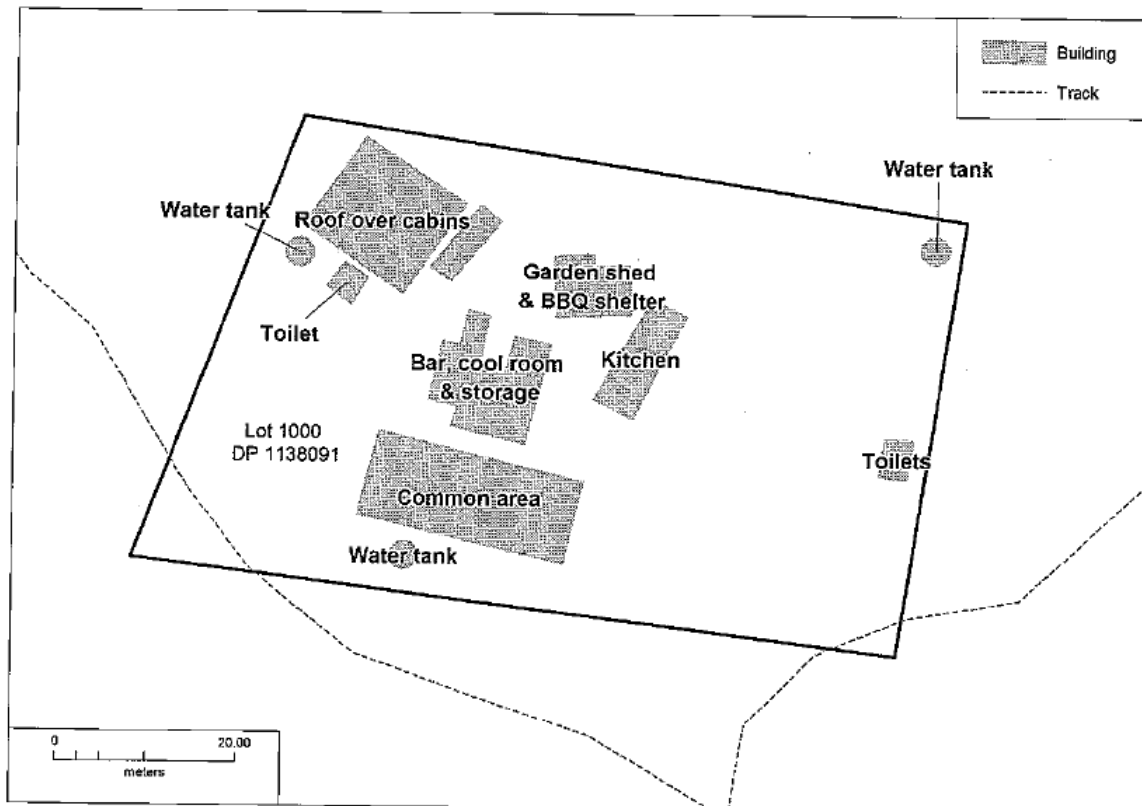
Attachment A – Development Application assessment report

DEVELOPMENT APPLICATION ASSESSMENT REPORT**APPLICATION DETAILS**

Application number	DA2010/018	Lodgement date	4-5-2010
Application is for	Hotel and bottle shop, backpackers' accommodation cabins, transportable kitchen	Value of development	Existing development
Land address	Glengarry opal field	Lot/Sec/DP	1000//1138091
Applicant name	Harald Gruenfeld	Ass	55962
Owner name	Harald & Gisela Gruenfeld		
Land zoning	1 Non-urban A		
Current use /development	Hotel and bottle shop, backpackers' accommodation cabins, transportable kitchen		
Assessment report author	Director Planning & Regulatory Services, Matthew Goodwin		
Statutory days	Deemed refusal after 40 days (Cl. 113 EPAR2000)		

PROPOSAL

Development consent is being sought for a hotel and bottle shop, backpackers' accommodation cabins and transportable kitchen as shown in the simplified site plan below. The development is commonly known as the Glengarry Hilton.



SUBJECT SITE AND LOCALITY

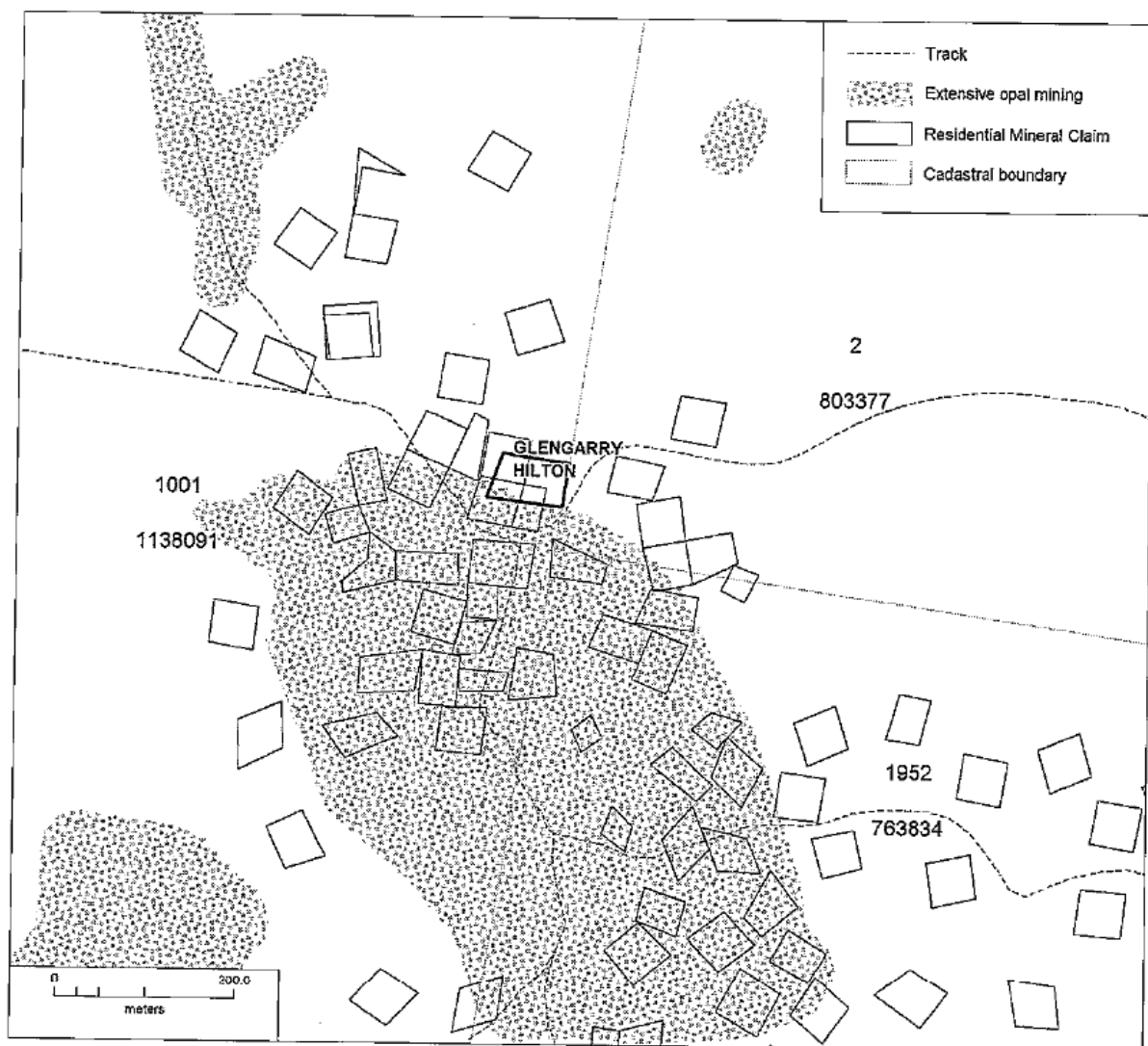
An inspection of the site and surrounding area was undertaken by Walgett Shire Council's Building Surveyors, Len Smyth and Andrew Wilson on 30 June 2010.

The site has a total area of about 3,987 square metres and currently contains the buildings and uses identified on the previous site plan.

The development is located on the Glengarry opal field, a 'preserved' opal field where quite extensive opal mining has occurred. Numerous mining camps are located on nearby residential Mineral Claims, as shown in the map below.

Lot 1001 DP 1138091 and lot 2 DP 803377 are part of the "Mundaroo" property held under a Western Lands Lease for grazing by Gordon Kelly.

Lot 1952 DP 763834 is part of Crown Reserve 1024168 for the purpose of "opal mining, exploration and public access".



DEVELOPMENT APPLICATION AND SITE HISTORY**Previous consents:**

A search of Council's records failed to locate any existing development consent.

Previous use/development:

The hotel has been in operation since about 1970, shortly after opal mining commenced on the Millionaires Gully opal field.

Previous enforcement action:

30-4-2008 Walgett Shire Council wrote to Harald and Gisela Gruenfeld regarding the unauthorised use of the site as a caravan park/camping ground.

17-2-2006 Walgett Shire Council wrote to Sapricon Pty Ltd, a company associated with Harald and Gisela Gruenfeld, regarding signs that had been erected along public roads without development consent. In a subsequent letter dated 10-10-2006 Council acknowledged that the signs had been removed.

REFERRALS

No referrals to other government authorities were undertaken.

The development is located on Western Lands Lease 16322 and the Land and Property Management Authority gave land owners consent to the application in a letter dated 19 April 2010.

SECTION 79C EVALUATION

Consideration of the matters prescribed by section 79C are summarised below.

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

79C(a)(i) the provisions of any environmental planning instrument

	Applicable Clauses	Compliance
State Environmental Planning Policies (SEPPs)	Nil	N/A
Regional Environmental Planning Policies (deemed SEPPs)	Nil	N/A
Local Environmental Plans (LEPs) <ul style="list-style-type: none"> Interim Development Order No 1 – Shire of Walgett 1988 	Zoning table	Proposed development requires development consent.

79C(a)(ii) the provisions of any draft environmental planning instrument

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

79C(a)(iii) any development control plan

	Applicable Clauses	Compliance
DCP name	Nil	N/A

79C(a)(iv) any matters prescribed by the regulations

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

Applicable Clauses	Compliance
92(1)(b) Demolition	N/A – no demolition proposed.
93 Fire safety and other considerations	<p>Clause 93 requires that <i>"the consent authority is to take into consideration whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use"</i>.</p> <p>If approved, Council's Senior Health and Building Surveyor recommends that a fire safety schedule be imposed which includes:</p> <ul style="list-style-type: none"> • Fire hose reel. • Smoke detection units in single occupancy units (SOUs) and kitchen. • Smoke detection in the bar and food preparation area. • Fire blanket in the kitchen. • Exit signs to common area (BCA E4.5). • Fire extinguishers in the kitchen, common area, bar, SOUs and barbecue areas. <p>If approved, it is recommended that development consent conditions be imposed requiring:</p> <ul style="list-style-type: none"> • Exit doors to Common area to be re-hung to open outwards. Remove pad bolts and provide latches which enable egress from the inside at all times without a key (see proposed condition Fir 042). • A minimum of 10,000 litres water storage capacity is to be reserved in the main water storage tank for fire fighting purposes and that the tank have a 38mm stortz fitting and valve capable of being connected to the rural fire service equipment (see proposed condition Fir 043). • Installation and maintenance of a fire pump (see proposed condition Fir 044).
94 Consent authority may require buildings to be upgraded	N/A. Only applies to development involving the rebuilding, alteration, enlargement or extension of an existing building.
94A Fire safety and other considerations applying to temporary structures	N/A – no temporary structures proposed.
95 Deferred commencement consent	N/A – no need for deferred commencement.
97A Fulfilment of BASIX commitments	N/A – no residential buildings proposed.

Applicable Clauses	Compliance
98C Conditions relating to entertainment venues	If approved, entertainment venues, such as hotels, are subject to the prescribed development consent conditions set out in Schedule 3A of the regulation.
98D Condition relating to maximum capacity signage	If approved, pubs must have a sign <i>"displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent, that are permitted in the building"</i> . Council's Senior Health and Building Surveyor states that the common area building has a floor area of about 100 square metres. The maximum density of people permitted under the Building Code of Australia is one person per square metre. This means that a maximum of 100 people should be permitted in the common area building.

79C(b) the likely impacts of that development

Likely impacts	Acceptable impact or steps taken to mitigate impact discussed in the "Assessment – Key issues" section of the report
Building design	The Glengarry Hilton consists of a series of buildings constructed from a range of materials, including galvanised iron and cypress pine logs, commonly used for mining camps in the vicinity. It appears to be a widely accepted, even iconic building.
Environmental impacts	The hotel has been operating for more than 30 years and Council does not appear to have received any significant complaints relating to noise, dust, light or traffic. See the key issues section for more analysis.
Economic impacts.	The business provides direct employment opportunities for the owners, bar staff and kitchen staff. It also provides indirect employment opportunities for tourism related businesses. It is unlikely that it would have any significant adverse impacts on businesses within established urban areas within the Shire. Overall it is believed that the business has a positive economic impact for the community.
Social impacts	It can be argued that alcohol has a negative social impact, hence any business involved in its supply is contributing to that impact. However anecdotal evidence suggests most local residents perceive the Glengarry Hilton, and other venues in the Grawin-Glengarry area supplying alcohol, as a focus point for social events and community interaction.
Resource sterilisation	There is some potential for the business and associated Western Lands Lease to sterilise potential opal bearing ground. See the key issues section for more analysis.
Public road access	There is no dedicated public road access to the site. It is effectively landlocked. See the key issues section for more analysis.

79C(c) the suitability of the site for the development

	Summary of site suitability issues
Does the development fit into the locality	The development is an established component of the Glengarry opal field and hence it is perceived to fit the locality. In many ways it is also a symbol of the uniqueness of the location.

	Summary of site suitability issues
Are the site attributes conducive for the development	A review of aerial photography and historical mineral claim maps suggests the site has not been subject to extensive mining activity, unlike some nearby areas. In addition it has been used by the business for more than 30 years, suggesting that the site is unlikely to have any significant stability issues.

79C(d) any submissions made in accordance with this Act or the Regulations

Under the Act this proposal is classified as 'local development', hence there is no opportunity for submissions under the Act or regulations.

79C(e) the public interest

	Summary of any detrimental impacts
Federal, state or local government interests	No significant impacts known or expected.
Community interests	No significant impacts known or expected.

It is relevant to note that Walgett Shire Council has adopted a recommendation within the Walgett Shire Growth Management Study and Strategy to make provision to enable all long established businesses on the preserved opal fields to obtain development consent (p. 191 of October 2008 version).

INTERNAL REFERRALS

Summary of responses from Council staff referrals, where applicable.

SENIOR HEALTH AND BUILDING SURVEYOR

Comments _____

Recommendation Approve with noted conditions

Signature [Signature] Date 8-7-10

DIRECTOR RURAL INFRASTRUCTURE

Comments _____

Recommendation Approve with conditions

Signature [Signature] Date 8/7/10

PUBLIC PARTICIPATION

The following parties were notified of the Development Application via letters dated 4-5-2010:

- Walgett Community Working Party.
- Walgett Ratepayers association.
- Gordon Kelly (holder of adjoining/surrounding Western Lands Lease).
- Una Ballard (holder of a nearby mining camp).

- NSW Rural Fire Service (Have a RFS depot close to the Glengarry Hilton).

No objections were received.

ASSESSMENT – KEY ISSUES

Impacts and mixed land use

It is poor planning practice to permit fundamentally incompatible land uses, such as opal mining and a hotel to become established on adjoining lands given the potential for conflict regarding noise, dust, light, traffic, etc. However, it is also important to note that in this case the hotel has operated on the site for more than 30 years and Council has not received significant ongoing complaints about such matters from any parties.

Resource sterilisation

Lot 1000 adjoins areas that have been extensively mined for opal since the early 1970s. Potentially opal bearing rock of the Cretaceous Griman Creek Formation underlies the hotel site, so the development may sterilise any opal mineralisation which could be present.

Unlike most mineral resources, there is no established method for reliably delineating the grade and extent of opal mineralisation prior to mining an area. Sometimes prospecting drill holes provide positive evidence of economic mineralisation, but they also often fail to disclose the typically small and sporadically distributed occurrences. Using currently available information it is not possible to determine whether the development is actually sterilising any opal resource.

Public road access

The nearest public roads to the Grawin and Glengarry opal fields, hence also the Glengarry Hilton, are the Wilby Wilby Road (Shire Road 101) and the Kurrajong Road (Shire Road 110). A series of tracks, exceeding 20 kilometres in length, then pass through several Western Lands Leases for grazing and effectively link the opal fields to the public road network. It is relevant to note that:

- Within the Western Division, a significant proportion of established Council (shire roads) and State controlled roads (state highways and regional roads) are not located within any public road corridors. This includes part of the Wilby Wilby Road.
- The tracks involved are predominantly maintained by the Grawin Glengarry Sheepyard Miners Association and individual miners.
- Under normal circumstances, permitting a hotel to be established on a site which does not have access via a public road corridor is poor planning practice.

Recently the Land and Property Management Authority established Crown Reserve 1024168 for the purpose of “opal mining, exploration and public access” over nearby Lot 1952 DP 763834, commonly known as the Sheepyard (opal fields) Paddock. It is expected that the State Government will continue to expand the Crown Reserve to cover the ‘preserved’ opal fields, including the:

- Main Grawin opal fields located on part of lot 2 DP 785669. Note that the process of acquiring this area commenced late in 2009.
- Part of the Glengarry 1 opal field (surrounding the Glengarry Hilton) located on part of lot 1001 DP 1138091.

Expansion of the Crown reserve will not automatically provide the Glengarry Hilton, or surrounding landlocked ‘preserved’ opal fields, with access via a public road corridor. Given that the Land and Property Management Authority has included public access as a purposes for Crown Reserve 1024168, it is clear that the State government is aware of the issue and is making some progress toward addressing it.

Given the circumstances described and an apparent historical reluctance by Council to regulate unauthorised commercial development on the opal fields, it seems likely that the State government may ask Council to participate in the provision and maintenance of public road corridors to the Grawin and Glengarry opal fields at some stage in the future.

Overall it would be unreasonable for Council to refuse development consent for the Glengarry Hilton on the basis that it does not have public road access given the current situation. No development consent conditions are warranted to address this matter which is beyond the reasonable control of the applicant.

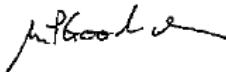
Conclusion

If a similar Development Application were received by Council for a new hotel within an existing opal mining field, with no public road access, then there are very strong reasons for the application to be refused. However the current proposal involves:

- A development that has been operating for more than 30 years.
- Defacto Council approval, given that it historically declined to address the unauthorised development via the provisions of the Environmental Planning and Assessment Act 1979 or previous Acts.

RECOMMENDATION

It is recommended that Council approve the development subject to the following conditions of development consent



Director Planning & Regulatory Services Date 8 July 2010

RECOMMENDED DEVELOPMENT CONSENT CONDITIONS

PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT

The following development consent conditions are imposed by the Environmental Planning and Assessment Regulation 2000.

98 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

(1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

(a) that the work must be carried out in accordance with the requirements of the *Building Code of Australia*,

~~(b) in the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.~~

~~(1A) For the purposes of section 80A (11) of the Act, it is prescribed as a condition of a development consent for a temporary structure that is used as an entertainment venue, that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the *Building Code of Australia*.~~

(2) This clause does not apply:

(a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or

(b) to the erection of a temporary building, other than a temporary structure to which subclause (1A) applies.

(3) In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application is made for the relevant:

(a) development consent, in the case of a temporary structure that is an entertainment venue, or

(b) construction certificate, in every other case.

Note. There are no relevant provisions in the *Building Code of Australia* in respect of temporary structures that are not entertainment venues.

Schedule 3A Entertainment venues

1. Nitrate film

An entertainment venue must not screen a nitrate film.

2. Stage management

During a stage performance, there must be at least one suitably trained person in attendance in the stage area at all times for the purpose of operating, whenever necessary, any proscenium safety curtain, drencher system and smoke exhaust system.

3. Proscenium safety curtains

If a proscenium safety curtain is installed at an entertainment venue:

(a) there must be no obstruction to the opening or closing of the safety curtain, and

- (b) the safety curtain must be operable at all times.

4. Projection suites

(1) (Repealed)

(2) When a film is being screened at an entertainment venue, at least one person trained in the operation of the projectors being used and in the use of the fire fighting equipment provided in the room where the projectors are installed (the projection room) must be in attendance at the entertainment venue.

(3) If the projection room is not fitted with automatic fire suppression equipment and a smoke detection system, in accordance with the Building Code of Australia, the person required by subclause (2) to be in attendance must be in the projection suite in which the projection room is located during the screening of a film.

(4) No member of the public is to be present in the projection suite during the screening of a film.

5–10. (Repealed)

11. Emergency evacuation plans

(1) An emergency evacuation plan must be prepared, maintained and implemented for any building (other than a temporary structure) used as an entertainment venue.

(2) An emergency evacuation plan is a plan that specifies the following:

(a) the location of all exits, and fire protection and safety equipment, for any part of the building used as an entertainment venue,

(b) the number of any fire safety officers that are to be present during performances,

(c) how the audience are to be evacuated from the building in the event of a fire or other emergency.

(3) Any fire safety officers appointed to be present during performances must have appropriate training in evacuating persons from the building in the event of a fire or other emergency.

12, 13. (Repealed)

COUNCIL IMPOSED CONDITIONS OF DEVELOPMENT CONSENT
--

The following development consent conditions are imposed by Council.

GENERAL

Gen 020.

Any future development on the subject site or use of the subject land in a manner inconsistent with this development consent (approval) will require separate development consent to be obtained from council in writing prior to the commencement of any work.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

APPROVED PLANS

Pln 010.

The development shall be implemented in accordance with:

- (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
- (b) the details set out on the plans approved and stamped by authorised officers of Council,

except as amended by the conditions of this development consent.

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

MAXIMUM CAPACITY

Cap 005

The common area of the hotel must have a sign displayed in a prominent position in the building stating that the maximum number of people permitted in building is one hundred (100) persons.

Reason: To ensure compliance with clause 98D of the Environmental Planning and Assessment Regulation 2000 and the Building Code of Australia.

FIRE SAFETY

Fir 060.

Fire Safety Equipment as per the attached Fire Safety Schedule, shall be installed and maintained on the premises and be the subject of the required annual Fire Safety Statement.

Fir 042

Exit doors from the Common area are to be re-hung to open outward and be fitted with latches which allow for exit from inside at all times without the use of a key. Pad bolts and other dead locking devices are to be removed.

Reason: To comply with Building Code of Australia requirements for exit doors.

Fir 043

A minimum of 10,000 litres water storage capacity is to be reserved in the main water storage tank for fire fighting purposes. The main water storage tank is to be fitted with a 38mm storz fitting and valve capable of being connected to the rural fire service equipment.

Reason: To ensure there is a water supply for fire fighting purposes.

Fir 044

A fire pump is to be installed and maintained that suitable for supplying water from the main water storage tank to installed fire hose reels.

Reason: To ensure that fire services are available.

Fir 051

On completion of required fire service installation, the developer is to provide the Principal Certifying Authority with a completed Fire Safety Schedule and Fire Safety Certificates which reflect all fire safety measures required to be installed in the building, prior to the final inspection and the issue of an Occupation Certificate.

At least once in each period of twelve months following completion, the owner shall provide Council with certification that each Essential Fire Service measure installed in the building is capable of performing to a standard not less than they were originally required to achieve and/or perform to a standard not less than that determined using Part I.1 Building Code of Australia.

This certification is to be in the form of an Annual Fire Safety Statement issued by or on behalf of the owner of the building.

A copy of the final completed Fire Safety Schedule and the Annual Fire Safety Statement must be prominently displayed in the building in accordance with Part 9 Division 4 of the Environmental Planning and Assessment Act 1979.

Reason: To ensure there are fire safety measures in place for the approved buildings and they are maintained.

FIRE SAFETY SCHEDULE

The following fire safety services are to be installed in the building;

- (a) Fire Hose Reels complying with the requirements of Part E1.4 of the building code of Australia and AS 1121 "Fire Hose Reels", and AS 2441 "Fire Hose Reels Installation".
- (b) Portable Fire Extinguishers complying with the requirements of Part E1.6 of the Building Code of Australia and AS 2444 "Fire Extinguishers Selection".
- (c) Exit signs complying with the requirements of Part E4.5 of the Building Code of Australia and AS 2293. "Emergency Evacuation Lighting". Such lighting to be located at each designated exit from the buildings.
- (d) An automatic smoke detection and alarm system complying with the requirements of Specification E2.2a (Clause 4) of the Building Code of Australia and AS 1670.1.

ADVISORY NOTES

OPAL MINING:- Opal mining and prospecting operations may have been previously carried out on, or below, the land, which is the subject of this consent, or on adjoining lands. The developer should make their own enquiries to determine whether the land being developed might be adversely affected by such activities, prior to proceeding with the development.

There are no official records of the extent of opal mining workings within the Lightning Ridge area. It is in the interest of the developer to ensure that there is no evidence that the land is detrimentally affected by mining activity.

END.

13. DEVELOPMENT APPLICATION – CRIB ROOM AND ACCOMMODATION

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Matthew Goodwin – Director Planning and Regulatory Services
FILE NUMBER: DA2010/022

Summary:

Council has received Development Application 2010/022 for a crib room and accommodation building on a Mining Purposes Lease. It is recommended that Council resolve to approve the application subject to development consent conditions that are appropriate for the development.

Discussion (including issues and background):

Michael Cooke has lodged Development Application 2010/022 to establish a transportable building, to be used as a crib room and for caretaker accommodation, on Mining Purposes Lease 269.

A development application assessment report has been prepared by Council's Director of Planning and Regulatory Services and is attached to this report. The application was not dealt with under delegated authority because the applicant is a friend of the Director.

Relevant Reference Documents:

Documents associated with Development Application 2010/022.

Stakeholders:

Applicant, Land and Property Management Authority, Department of Industry and Investment, public

Financial Implications:

Nil

Development Application – Crib Room and Accommodation

Recommendation:

That Walgett Shire Council resolve to:

1. Approve Development Application 2010/022 for a transportable building to be used as a crib room and for caretaker accommodation on Mining Purposes Lease 269 subject to the conditions of development consent recommended by Walgett Shire Council's Director of Planning and Regulatory Services.

Moved:

Seconded:

Attachments:

A – Development Application assessment report

Attachment A – Development Application assessment report

DEVELOPMENT APPLICATION ASSESSMENT REPORT**APPLICATION DETAILS**

Application number	2010/022	Lodgement date	2-6-2010
Application is for	Caretaker's accommodation/crib room	Value of development	\$5,000
Land address	Bill O'Brien Way, Lightning Ridge	Lot/sec/DP	MPL269
Applicant name	Michael Cooke	Ass	30379
Owner name	Crown Reserve		
Land zoning	1. Non-urban A		
Current use /development	Mining purposes, opal puddling, machinery storage & maintenance		
Assessment report author	Matthew Goodwin		
Statutory days	Deemed refusal after 40 days (Cl. 113 EPAR2000)		

PROPOSAL

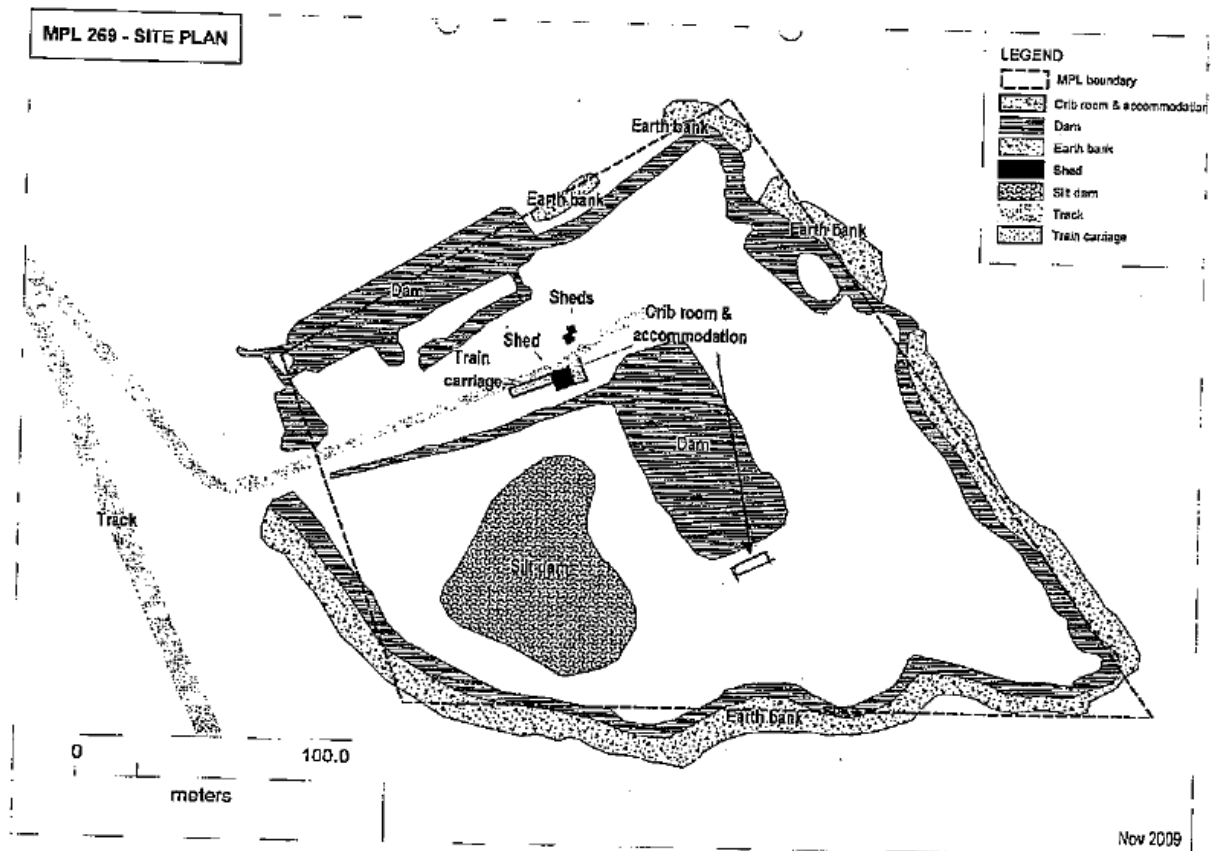
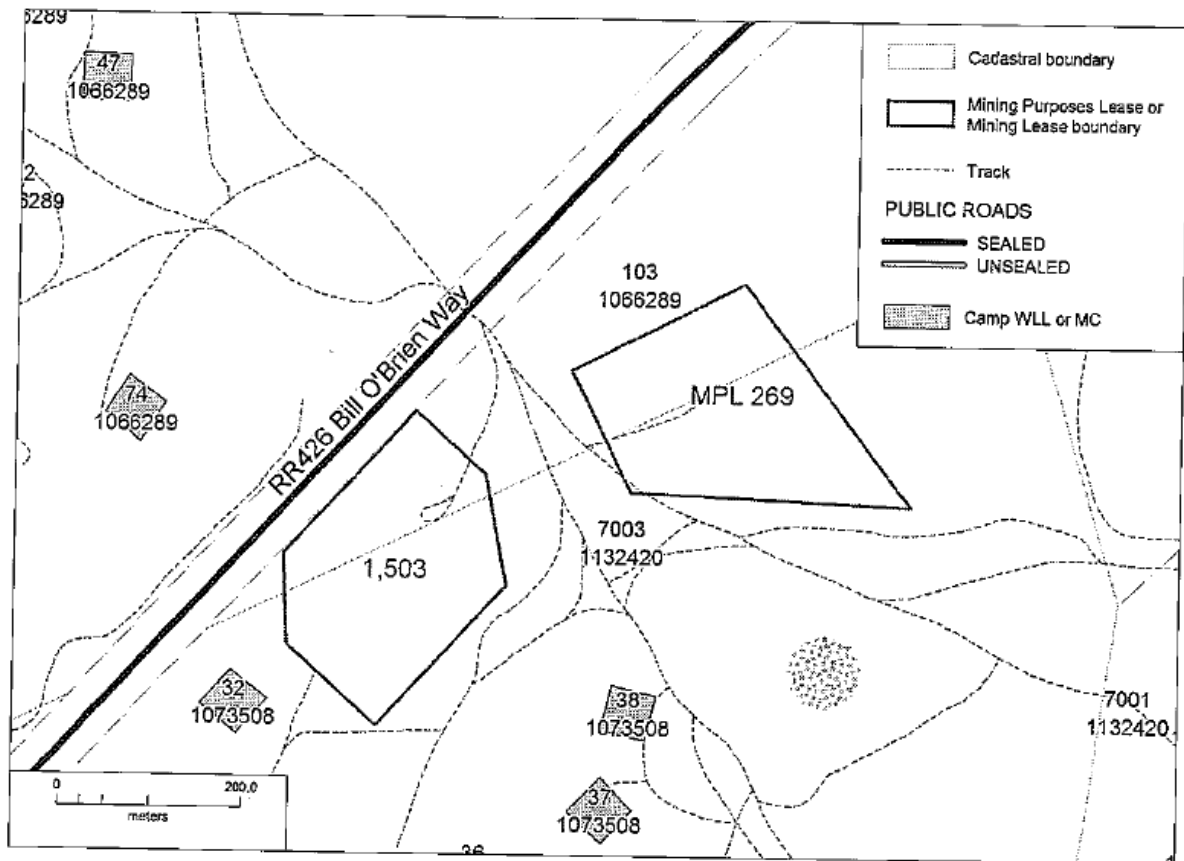
Transportable building to be used for caretaker's accommodation/crib (meal) room.

SUBJECT SITE AND LOCALITY

An inspection of the site and surrounding area was undertaken on 30 June 2010.

Mining Purposes Lease (MPL) 269 is located on part of lot 103 DP 1066289 and part of lot 7003 DP 1132420 within the Lightning Ridge 'preserved' opal fields about 2.5 kilometres south west of Lightning Ridge Post Office. Lot 7003 is part of Crown Reserve 1024168 for the purpose of "opal mining, exploration and public access". A plan showing cadastral and mining title boundaries is provided below.

The site has a total area of 5 hectares and currently contains dams, silt dams, shed and a train carriage, as shown in the site plan below.



DEVELOPMENT APPLICATION AND SITE HISTORY**Previous consents:**

A search of Council records failed to locate any previous development consent.

Previous use/development:

Opal puddling, machinery storage & maintenance since at least 1990. Previously grazing.

Previous enforcement action:

None evident in Assessment file or orders register.

REFERRALS

No referrals to external agencies were undertaken.

SECTION 79C EVALUATION

Consideration of the matters prescribed by section 79C are summarised below.

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

79C(a)(i) the provisions of any environmental planning instrument

	Applicable Clauses	Compliance
State Environmental Planning Policies (SEPPs) <ul style="list-style-type: none"> State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 	Sub-clause 5(3) indicates that the SEPP overrides any inconsistency with any other environmental planning instrument. Clause 6 does not include caretaker accommodation as development that is permissible without consent. Clause 10 does not include caretaker accommodation as exempt development.	Development consent is required as proposed activity is not one specified as permissible without consent or exempt.
Regional Environmental Planning Policies (deemed SEPPs)	Nil	N/A
Local Environmental Plans (LEPs) <ul style="list-style-type: none"> Interim Development Order No. 1 – Shire of Walgett 1968 	Clause 17 of the IDO provides that land can be used as an opal mine without development consent.	Clause 17 is overridden by the Mining SEPP

79C(a)(ii) the provisions of any draft environmental planning instrument

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

79C(a)(iii) any development control plan

	Applicable Clauses	Compliance
DCP name	Nil	N/A

79C(a)(iv) any matters prescribed by the regulations

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

Applicable Clauses	Compliance
92(1)(b) Demolition	N/A. No demolition proposed.
93 Fire safety and other considerations	N/A. New building.
94 Consent authority may require buildings to be upgraded	N/A. New building.
94A Fire safety and other considerations applying to temporary structures	N/A. Permanent structure.
95 Deferred commencement consent	N/A.
97A Fulfilment of BASIX commitments	N/A. The Basix web site states: <i>"The definition of a 'building' in the EP&A Act specifically excludes manufactured homes and moveable dwellings. BASIX therefore does NOT apply to these structures because they are not buildings as defined by the Act."</i>

79C(b) the likely impacts of that development

Likely impacts	Acceptable impact or steps taken to mitigate impact discussed in the "Assessment – Key Issues" section of the report
Sterilisation of mineral resources	See assessment – key issues.

79C(c) the suitability of the site for the development

	Summary of site suitability issues
Does the development fit into the locality	Caretaker buildings are quite common on Mining Purposes Leases on the Lightning Ridge opal fields.
Are the site attributes conducive for the development	There are no apparent site attributes that are likely to adversely affect the proposed development.

79C(d) any submissions made in accordance with this Act or the Regulations

No opportunity for submissions under the act or regulations as the development is local development (not advertised or designated).

79C(e) the public interest

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

INTERNAL REFERRALS

Summary of responses from Council staff referrals, where applicable.

SENIOR HEALTH AND BUILDING SURVEYOR

Comments Approve

Recommendation _____

Signature _____ Date 30-6-10

DIRECTOR RURAL INFRASTRUCTURE

Comments _____

Recommendation _____

Signature _____ Date _____

PUBLIC PARTICIPATION

The following parties were notified of the Development Application via letters dated 2-6-2010:

- Lightning Ridge precinct committee.
- Lightning Ridge working party.
- Pajrim Pty Ltd (holder of Mining Lease 1503).
- S. King (holder of residential Western Lands Lease over lot 38 DP 1073508).

No objections were received.

ASSESSMENT – KEY ISSUES**Resource sterilisation**

The site is partially located within Crown Reserve 1024168 for the purpose of “opal mining, exploration and public access”.

MPL 269 is partially located on flood plain and partially on the edge of a ridge. Potentially opal bearing rock of the Cretaceous Griman Creek Formation underlies the site. The closest known significant opal fields are about 1 kilometre away.

The development is located on a Mining Purposes Lease where the dominant land uses are mining purpose related, including:

- Washing opal bearing claystone to recover opal.
- Storing and maintaining opal mining and processing equipment.

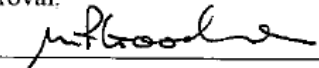
In the above context it is unlikely that any sterilisation of potentially opal bearing rock sill occur whilst MPL 269 is primarily used for mining purposes and the use of a prefabricated building as a crib (meal) room and for accommodation is an ancillary use of the site. If approved, it would be appropriate to impose a condition of development consent requiring that the building only be used on a basis that is ancillary to the mining purposes use of the site.

Conclusion

It would be appropriate to approve the development subject to the attached conditions of development consent.

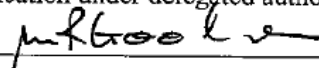
RECOMMENDATION

Approval.

X  Director Planning & Regulatory Services Date 30/6/2010

REFERRAL

This application is referred to Council for determination as the applicant is a personal friend of the Director of Planning and Regulatory Services and it would be inappropriate for the director to approve the application under delegated authority.

X  Director Planning & Regulatory Services Date 9/7/2010

Attachment – Development consent conditions

PRESCRIBED CONDITIONS – LOCAL GOVERNMENT ACT

The following development consent conditions are imposed by Council in accordance with the requirements of the Local Government Act 1993 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005.

1. INSPECTIONS

Inspections at the completion of stages as indicated below are required to be carried out by Council's Health and Building Surveyor.

- Underfloor drainage prior to covering.
- Prior to covering stormwater drainage pipe work and connection points.
- All external sewer drainage prior to covering in trenches, clearly visible and under hydrostatic test.
- Installation of septic tanks and effluent lines prior to backfilling, and
- Final Inspection after completion of all works.

48 hours notice of requirement for an inspection is to be given to Council. Work may not proceed past an inspection stage until approval is given by the Health and Building Surveyor.

3. CONSTRUCTION OF DWELLINGS

All building work must be carried out in accordance with the provisions of Division 4, Subdivisions 2, 3 and 4 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

5. EXCAVATIONS AND BACKFILLING

- (1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- (2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

6. RETAINING WALLS AND DRAINAGE

If the soil conditions require it:

- (1) Retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
- (2) Adequate provision must be made for drainage.
- (3) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

7. PROTECTION OF PUBLIC PLACES

- (1) If the work involved in the erection or demolition of a building:
 - (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

- (b) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
- (2) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (3) Any such hoarding, fence or awning is to be removed when the work has been completed.

8. TOILET FACILITIES

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

9. DRAINAGE

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

- (a) the land surrounding any structure is graded to divert surface water to the street, and is clear of existing and proposed structures and adjoining premises, and
- (b) if the water drains to the rear of the property, it is collected and drained via a gravity system to a council stormwater line or disposed of in a manner consistent with the council's soil and water management policy.

10. HOURS OF WORK

Any building work must be carried out between 7.00 a.m. and 7.00 p.m. Monday to Fridays and 8.00 a.m. to 7.00 p.m. on weekends and Public Holidays.

11. CONSTRUCTION WITHIN BOUNDARIES

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

- (a) to meet the setback requirements of the approved plans, and
- (b) to be located within the confines of the lot.

12. SITE ACCESS

If kerb and gutter is provided, driveways are to be a minimum of 500 millimetres clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure, including council drainage structures, unless prior approval is obtained from the relevant authority.

13. WATER SUPPLY, SEWER AND DRAINAGE

Prior to commencement of works on site a Section 68 Activity Approval for proposed plumbing and drainage works must be obtained from Council.

<p>PRESCRIBED CONDITIONS – ENVIRONMENTAL PLANNING AND ASSESSMENT ACT</p>

The following development consent conditions are imposed by Council in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

98A Erection of signs

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.

- (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

COUNCIL IMPOSED CONDITIONS OF DEVELOPMENT CONSENT

The following development consent conditions are imposed by Council.

GENERAL

Gen 005.

The use of a transportable building as crib (meal) room and for accommodation must remain ancillary to the mining purposes use of the site.

Reason: The application proposed establishing the development in conjunction with the use of the site for mining purposes.

Gen 020.

Any future development on the subject site or use of the subject land in a manner inconsistent with this development consent (approval) will require separate development consent to be obtained from council in writing prior to the commencement of any work.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

APPROVED PLANS

Pln 010.

The development shall be implemented in accordance with:

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

- (b) the details set out on the plans approved and stamped by authorised officers of Council, except as amended by the conditions of this development consent.

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

CONSTRUCTION

Con 020.

All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.

Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.

Con 070.

All footings and/or slabs shall be constructed as per engineer's details.

Reason: To ensure compliance with the Building Code of Australia.

WATER, SEWER, AND STORMWATER

Plu 010.

Before any plumbing, stormwater or sewer drainage works are commenced an Activity Application and Annexure accompanied by a diagram of proposed works and the appropriate fees is to be submitted and approval granted in accordance with the requirements of Section 68 of the Local Government Act 1993.

Reason: To ensure compliance with the Local Government Act 1993, Council's On Site Sewage Management Guidelines, Australian Standard 3500.1-4 and the Plumbing and Drainage Code of Practice.

Plu 070.

All plumbing and drainage works are to be carried out by licensed tradesmen.

Reason: To ensure compliance with AS 3500-2003.

Plu 080.

All plumbing and drainage works are to be completed in accordance with Australian Standards 3500.1-4 and the Plumbing and Drainage Code of Practice.

Reason: To ensure that plumbing and drainage works are completed in a professional manner.

FIRE SAFETY

Fir 020.

A smoke detection system consisting of hard-wired smoke detectors with battery back up that complies with AS 3786 – 1993 Smoke Alarms and Building Code of Australia Part 3.7.2 (Smoke Alarms), must be installed in the building.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and Building Code of Australia.

Fir 040.

A fire extinguisher complying with AS 2444 – Fire Extinguisher Selection, and a 1.8m x 1.2m fire blanket are to be installed adjacent to any cooking facilities.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

Fir 050

On completion of the building the developer is to provide the Principal Certifying Authority with a completed Fire Safety Schedule and Fire Safety Certificates which reflect all fire safety measures required to be installed in the building, prior to the final inspection and the issue of an Occupation Certificate.

At least once in each period of twelve months following completion, the owner shall provide Council with certification that each Essential Fire Service measure installed in the building is capable of performing to a standard not less than they were originally required to achieve and/or perform to a standard not less than that determined using Part 1.1 Building Code of Australia. This certification is to be in the form of an Annual Fire Safety Statement issued by or on behalf of the owner of the building.

A copy of the final completed Fire Safety Schedule and the Annual Fire Safety Statement must be prominently displayed in the building in accordance with Part 9 Division 4 of the Environmental Planning and Assessment Act 1979.

Reason: To ensure that adequate fire safety measures are in place for the building/s being constructed under this Development Consent and to ensure ongoing compliance.

FIRE SAFETY SCHEDULE

The following fire safety services are to be installed in the building;

- **Portable Fire Extinguishers** complying with the requirements of Part E1.6 of the Building Code of Australia and AS 2444 "Fire Extinguishers Selection".
- **An automatic smoke detection and alarm system** complying with the requirements of Specification E2.2a (Clauses 3) of the Building Code of Australia and AS 3786.
- **Fire Blanket**

END.

14. DEVELOPMENT AND COMPLYING DEVELOPMENT CERTIFICATE APPLICATIONS

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Matthew Goodwin – Director Planning and Regulatory Services
FILE NUMBER: 09/1367

Summary:

This report provides a summary of the Development and Complying Development Certificate applications recently processed under delegated authority.

Discussion (including issues and background):

The table following this report provides details of Development Applications (DA) and Complying Development Certificate (CDC) applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during June 2010.

Document type 20 represents Development Applications, while document type 24 represents Complying Development Certificates.

Relevant Reference Documents:

Files for the respective Development and Complying Development Certificate applications

Stakeholders:

Public and applicants

Financial Implications:

Nil

Development and Complying Development Certificate Applications
<p>Recommendation:</p> <p>That Walgett Shire Council to:</p> <ol style="list-style-type: none">Note the report on Complying Development Certificate and Development Applications dealt with under delegated authority by the Director Planning and Regulatory Services or General Manager during June 2010. <p>Moved: Seconded:</p>

Attachments:

A – Report on DAs and CDCs issued during June 2010

AUTHORITY

CIVICA

Determined

Applications

07/09/2010

Parameters:

Date Range:Y
Start Date:1/06/2010
End Date:30/06/2010
As At Date:

Document Type:
Officer:ALL
Number of Days: 0
Stop The Clock:Yes

Page:1

Document	Applicant Name / Address	Development Type Property Address Title Owner	Determination	Determined	Received
Document Type: 20					
Stop the Clock					
Total Elapsed Calendar Days: 46 Calendar Stop Days: 0 Adjusted Calendar Days: 46					
020/2010/000000019/001	151 Class 10b - Fence 19 Namoi ST W ALGETT LOT: 3 DP: 35671 Mr K D Matheson	Approved - Staff Delegation	21/06/2010		07/05/2010
Officer: Mr A Wilson					
Number of Applications: 1					
Average Elapsed Calendar Days: 46.00 Average Calendar Stop Days: 0.00 Average Adjusted Calendar Days: 46.00					
Total Elapsed Calendar Days: 46.00 Total Calendar Stop Days: 0.00 Total Adjusted Calendar Days: 46.00					
Stop the Clock					
Total Elapsed Calendar Days: 87 Calendar Stop Days: 50 Adjusted Calendar Days: 37					
020/2010/000000008/001	10 Class 1a -Single Dwelling/Dual Occupancy Pandora STREET WINNING RIDGE LOT: 953 DP: 872184 Fire Opals Mining & Trading Co Pty Ltd	Approved - Staff Delegation	10/06/2010		16/03/2010
Stop the Clock					
Total Elapsed Calendar Days: 43 Calendar Stop Days: 0 Adjusted Calendar Days: 43					
020/2010/000000014/001	153 Class 10b - Antenna LOT: 102 DP: 707804 Mr L R Moy	Approved - Staff Delegation	03/06/2010		22/04/2010
AUTHORITY					

AUTHORITY

Determined Applications



07/09/2010		Parameters:		Date Range:Y		Document Type:		Page:2	
				Start Date:1/06/2010		Officer:ALL			
				End Date:30/06/2010		Number of Days: 0			
				As At Date:		Stop The Clock:Yes			
Document	Applicant Name / Address	Development Type	Determination	Determined	Received				
Document Type: 20									
Stop the Clock									
Total Elapsed Calendar Days: 42									
Calendar Stop Days: 0									
Adjusted Calendar Days: 42									
020/2010/000000016/001	160 Subdivision/Consolidation	Approved - Staff Delegation	08/06/2010	28/04/2010					
68-70 Wee Waa ST WALGETT									
PT: 101 DP: 878481									
Ms H H Gao & Mesdames W V Azevedo & L M Schmetzer									
Stop the Clock									
Total Elapsed Calendar Days: 39									
Calendar Stop Days: 0									
Adjusted Calendar Days: 39									
020/2010/000000017/001	140 Class	Approved - Staff Delegation	11/06/2010	04/05/2010					
10a - Garage/Carport/Shed/Verandah									
1 Warrena ST WALGETT									
LOT: 23 DP: 579731									
Mr C R & Mrs M P Bow									
Stop the Clock									
Total Elapsed Calendar Days: 21									
Calendar Stop Days: 0									
Adjusted Calendar Days: 21									
020/2010/000000020/001	143 Class 10a - Carport	Approved - Staff Delegation	09/06/2010	20/05/2010					
55 Fox ST WALGETT									
LOT: 3 DP: 519379									
Ms S L Kelly & Mr M R Price									
Officer: Ms J R Babic									
Number of Applications: 5									
Average Elapsed Calendar Days: 36.40						Total Elapsed Calendar Days: 232.00			
Average Calendar Stop Days: 10.00						Total Calendar Stop Days: 50.00			
Average Adjusted Calendar Days: 36.40						Total Adjusted Calendar Days: 182.00			
AUTHORITY									

AUTHORITY		Determined Applications		CIVICA		Page:6
07/09/2010	Parameters:	Date Range:Y Start Date:1/06/2010 End Date:30/06/2010 As At Date:	Document Type: Officer:ALL Number of Days: 0 Stop The Clock:Yes			
Report Totals & Averages		Average Elapsed Calendar Days: 44.14 Average Calendar Stop Days: 16.50 Average Adjusted Calendar Days: 27.64		Total Elapsed Calendar Days: 618.00 Total Calendar Stop Days: 231.00 Total Adjusted Calendar Days: 387.00		
Total Number of Applications : 14						
AUTHORITY						

15. WALGETT CEMETERY MEMORIAL GARDEN PROPOSAL

REPORTING SECTION: Urban Infrastructure Services
AUTHOR: Siegfredo Coralde – Director Urban Infrastructure Services
FILE NUMBER: 09/763

Summary:

Council received a proposal from the Dharriwaa Elders on 1 April 2009 requesting for the establishment of an Aboriginal Memorial Garden at the Walgett Cemetery. At the Council Meeting held 23 March 2010 Council resolved to establish the proposed garden after public consultation with all parties involved and the Walgett community on the preferred site location in the Walgett Cemetery. This report recommends Council approve the establishment of the Aboriginal Memorial Garden on the agreed site location.

Discussion (including issues and background):

On 23 March 2010, Council approved the following:

77/10	Walgett Cemetery Memorial Garden proposal
Resolution:	
That Walgett Shire Council resolve to:	
1.	Approve the establishment of an Aboriginal Memorial Garden in Walgett cemetery for the purpose of reburial of Aboriginal human remains returned to the district from institutions, in the event that they cannot be reburied in their original burial locations
2.	Initiate public consultation regarding the memorial garden development, with the aim of determining the location of the Aboriginal Memorial Garden.
3.	Approve, in principle, expansion to the west and south of the currently fenced cemetery area of approximately 12,000m ² .
4.	Consider funding cemetery extension in the formulation of 2010/11 budget.
5.	Advise the Dharriwaa Elders Group of this decision.
6.	Disseminate its decision to the public through Council's newsletter and newspaper notices.
Moved:	Clr Walford
Seconded:	Clr Lane
CARRIED	

After a series of informal consultations with interested parties, Council held a public consultation meeting on 22 June 2010 at Walgett Shire Council Chambers. The following options were discussed:

- **Option 1:** Western end of cemetery, area facing the present aboriginal monumental and the Church of England's lawn. This is Council's preferred option.
- **Option 2:** Area where the Dharriwaa Elders Group requested, which is the current Methodist burial ground.
- **Option 3:** Area facing the present Aboriginal and Chinese burial grounds.

The above options are shown in the Attachment 1: Aboriginal Memorial Garden Options.

On 30 June 2010 Mr Richard Lake, Speaker for and on behalf of the Dharriwaa Elders Group, sent Council a letter to Council advising their decision to accept Option 1 with a proviso to expand the garden once Council move the fence further to the western side of the cemetery.

Relevant Reference Documents:

Public Consultation Paper
Minutes of Consultation Process

Stakeholders:

Walgett Shire Council
Dharriwaa Elders Group
Walgett Community

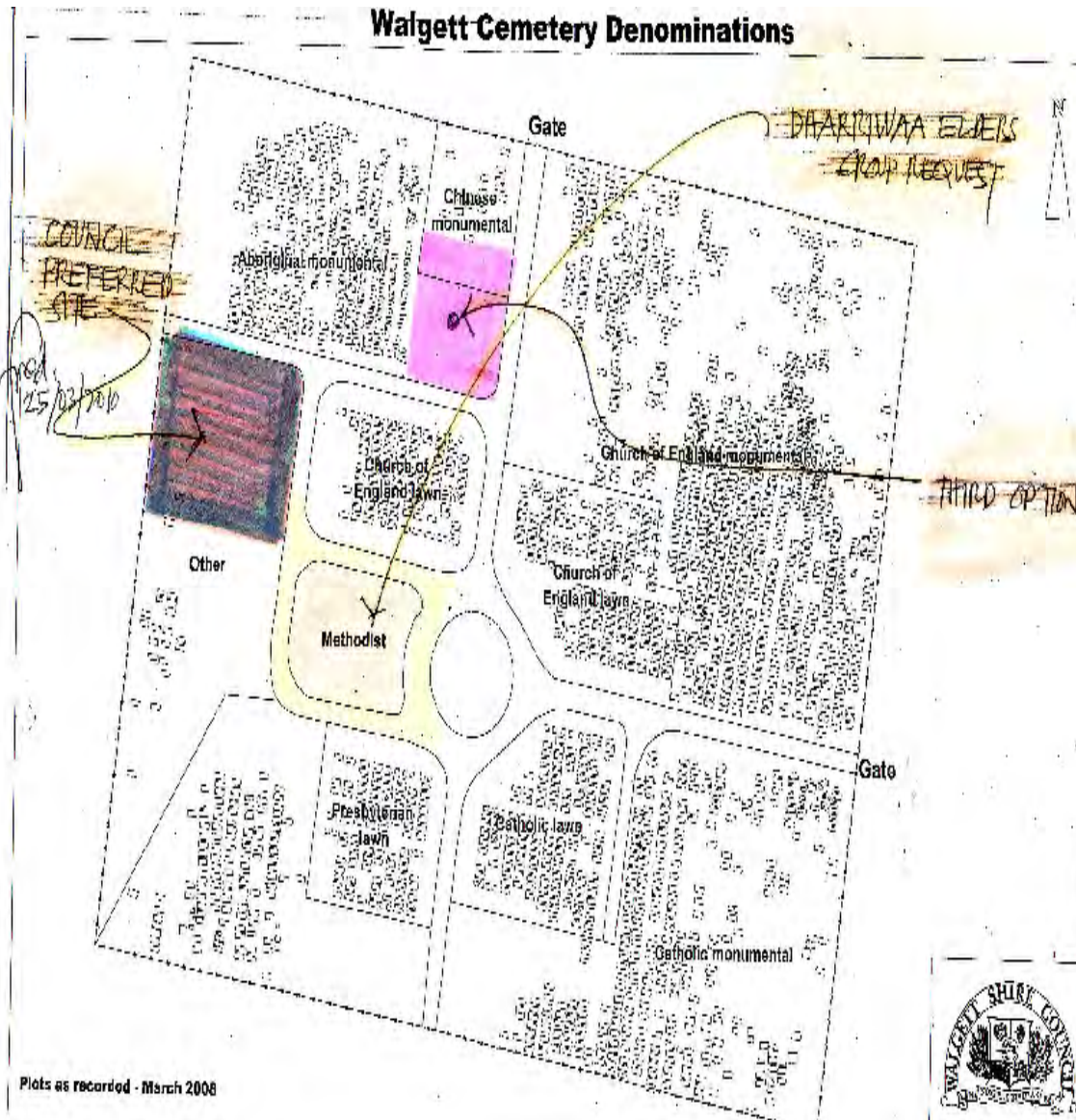
Financial Implications:

No contribution from Council for the establishment of the Aboriginal Cemetery.
Council to allocate funds once a decision has been made to expand the cemetery in the near future.

Walgett Cemetery Memorial Garden Proposal
<p>Recommendation:</p> <p>That Council:</p> <ol style="list-style-type: none">1. Accept and allocate Option 1 area for the Dharriwaa Elders Group to establish their Aboriginal Memorial Garden excluding the proviso of future expansion.2. Identify the boundaries of Option 1 in agreement with the Dharriwaa Elders Group.3. Advertise its decision in the local newspapers for the information of the Walgett community. <p>Moved: Seconded:</p>

Attachments:

Dharriwaa Elders Group – Site Option
Confirmation Letter from Dharriwaa Elders Group



Dharriwaa Elders Group ABN: 26 795 240 946
a tax-deductible gift recipient

Danielle Osborne
Walgett Shire Council
PO Box 31 Walgett NSW 2832

30 June 2010

Danielle at its meeting of Friday 25 June 2010, the Dharriwaa Elders

Group Elders Council considered a new location for the proposed Aboriginal Memorial Garden, after being informed that the original location was no longer possible due to the "Methodist" section being needed for burials shortly. The Elders Council resolved that

"the Aboriginal Memorial Garden be located as near as possible to the centre of the western end of the current cemetery and be expanded once the fence is moved further west."

The Dharriwaa Elders Group thanks the Council for its endorsement of the proposal for the Aboriginal Memorial Garden.

Regards



Richard Lake

Speaker for and on behalf of the Dharriwaa Elders Group

ABN: 26 795

240 948, PO Box 174 Walgett NSW 2832, ph: 02 6828 2619 fx: 02 6828 [2519. www.dharriwaaeldersorouo.org.au](http://2519.www.dharriwaaeldersorouo.org.au)

16. WALGETT LEVEE DESIGN STATUS REPORT

REPORTING SECTION: Urban Infrastructure Services
AUTHOR: Siegfredo O Coralde – Director of Urban Infrastructure Services
FILE NUMBER: 09/1505

Summary:

Walgett Shire Council commissioned the NSW Department of Public Works to undertake the Walgett Levee Rehabilitation Program on 15 March 2005.

This report recommends Council note the May 2010 Status Report prepared by the NSW Services, Technology and Administration (formerly the NSW Department of Public Works).

Background:

The Walgett Levee Rehabilitation Program is divided into five stages as follows:

- Stage 1 – Submission of Strategy Report
- Stage 2 – Submission of Desktop Flood Review Report
- Stage 3 – Submission of Preliminary Environmental Planning Overview (PEPO)
- Stage 4 – Submission of Design and Documentation
- Stage 5 – Construction

Stages 1 to 3 have been completed by the NSW Public Works in August 2008 when the original flood modelling report was presented to Council. Following some concerns and comments regarding this report, a meeting was held between representatives of Council, Office of Water and Public Works (formerly Commerce) in September 2008. Pursuant to this, Stage 4 was held in abeyance pending completion of the revised Remodelling Report.

Discussion (including issues and background):

Subsequent discussions between the two NSW Government Departments culminated when Council approved the additional survey works to refine the modelling of flood events in December 2009. This survey was required to determine overland flows and the required crest levels for the Walgett levee system to protect the township against a 100 year ARI flood event.

The additional survey and flood modelling has now been completed. A fully copy of this Draft Remodelling Report will be circulated via email. Once the Department of Water concurred to this report, Stage 4 is expected to commence. The projected time completion of this activity is December 2010.

Relevant Documents:

Walgett Levee Strategy Report
Desktop Flood Review
Preliminary Environmental Planning Overview
Walgett Modelling Report 2008
Walgett Remodelling Report (Mike 11) 2010

Stakeholders:

Walgett Shire Council

Financial Implications:

The total project cost is \$500,000. Council shared \$50,000 (10%) while the State and the Federal governments equally contributed the remaining balance of \$450,000 (90%) of the project.

Walgett Levee Design Status Report
<p>Recommendation:</p> <p>1. That Council note the May 2010 status report on the Walgett Levee Rehabilitation and Refurbishment project.</p> <p>Moved:</p> <p>Seconded:</p>

Attachments:

Status report on Walgett Levee Rehabilitation and Refurbishment

Walgett Shire Council

Walgett Levee Rehabilitation and Refurbishment



Status Report - May 2010



Services,
Technology &
Administration

WALGETT LEVEE REHABILITATION & REFURBISHMENT

REPORT MAY 2010

PROJECT SCOPE:

Walgett is located on the Namoi River near its confluence with the Barwon River and is currently protected from flooding by an 8.7km long levee system, which surrounds the town. Following an audit of the existing town levee in 1991, Walgett Council has decided to rehabilitate & refurbish the existing levee.

Council's has selected a preferred alignment (Alignment 2a) which allows for the refurbishment of the existing 8.7 km levee and a 3.2km extension of the levee to protect Council's sewerage treatment plant and the garbage tip (located west of the sewerage treatment plant).

The project is being undertaken in stages to allow a more detailed and accurate approach to determining the full extent of the project scope:

- Stage 1 Review of existing data and preparation of Strategy Report
- Stage 2 Desktop flood study
- Stage 3 Preliminary Environmental Planning Overview (PEPO)
- Stage 4 Design and documentation
- Stage 5 Procurement.

KEY PROJECT CONTACTS:

Walgett Shire Council (WSC):

Siegfredo (Fred) Coralde (Director Urban Infrastructure Services)	Tel: 6828 6125
NSW Office of Water:	
Neil Albert:	Tel: 6701 9624
Department of Commerce (DoC):	
Chris Evans (Risk Manager):	Tel: 6885 9301
Greg Wilkinson (Project Manager):	Tel: 6885 9322
John Dixon (Design Manager):	Tel: 9372 7846

PROGRAM

The anticipated program is as follows:

Stage 1 - Strategy Report

Stage 2 - Desktop Flood Review

Stage 3 - PEPO

Stage 4 - Design & Documentation

Stage 5 - Construction

	Anticipated Start	Anticipated Completion	Status
Stage 1	July 04	Aug 04	Complete
Stage 2	Dec 04	Dec 05	Complete
Stage 3	Jan 06	May 06	Complete
Stage 4	May 07	24/12/10	
Stage 5	TBA		

PROJECT FUNDS: (exclusive of GST)

tem	Approved Funds	Cost to Date
Current Approved Project Funds:		
Review of existing data	\$ 15,000	\$ 15,000
PEPO	\$ 8,900	\$ 8,900
Desktop flood study	\$ 10,000	\$ 10,000
Project Management	\$ 58,800	\$ 37,256
Design & documentation	\$ 528,900	\$ 308,355
- V01 - Additional geotech	\$ 12,680	\$ 12,680
- V02 - Additional survey and flood modelling.	\$ 25,246.45	\$ 13,330
Total Funds (App'd + Pending)	\$ 659,526.45	\$ 405,521

PROJECT SUMMARY:

- ◆ Approval was received from Council on 15/03/05 to undertake a review of existing data and prepare an initial Strategy Report for the project. The final Strategy Report was issued to Council on 01/12/2005.
- ◆ A desktop flood study (review of available data plus add gauge data) was approved by Council on 29/08/05 and the resultant findings (DC05151) was issued to Council on the 21/11/2005.
- ◆ As requested by Council at a meeting of 21/11/2005 a proposal to undertake Project Management of the Investigation, Design and Environmental Assessment was submitted to Council on 05/01/2006. Approval to proceed was received from Council on 19/01/2006.



Contact: Fred Coralde
Telephone: 02 6828 6125
fcoralde@walgett.nsw.gov.au



Public Works
Project Management

Contact: Greg Wilkinson
Telephone: 02 6885 9322
greg.wilkinson@services.nsw.gov.au

WALGETT LEVEE REHABILITATION & REFURBISHMENT REPORT MAY 2010

- ◆ Council approved the undertaking of a Preliminary Environmental Planning Overview (PEPO) on 19/01/2006. The PEPO was required to determine the level of Environmental Assessment needed for the project. The completed PEPO report was presented to Council on 03/05/2006.
- ◆ A proposal for design and documentation was submitted to Council on 20/11/2006. Conditional approval was received from Council on 20/12/2006 however, following discussions with Council and DNR a revised proposal (P06083 Rev 1) was submitted on 17/04/2007. Approval to proceed was received from Council on 19/04/2007.
- ◆ Following discussions with Council regarding the option for further geotechnical investigation, a revised proposal was submitted to Council on 16/08/2007. Subsequent approval for the variation was received from Council on 28/08/2007.
- ◆ Approval for additional survey work and flood modelling was received from Council on 09/12/09.

- ◆ Following delays of some 75 days due to minor flooding, the additional survey work to allow additional flood modelling has now been completed and has been submitted to designers.
- ◆ Preliminary drawings of the levee have been prepared and forwarded to Council, the design and documentation can now be completed once flood modelling is complete.

ISSUES & ACTIONS TO BE RESOLVED:

- ◆ Significant delays have occurred in overall program due to several factors outlined above.
Issues have now been resolved and a revised program is attached for completion of the design phase.
- ◆ A program for construction needs to be established in accordance with available cashflows. This will determine the contract packaging of works.
- ◆ Rural Lands Protection Board (RLPB) to discuss location of borrow areas on TSR south of Walgett.

WALGETT LEVEE REHABILITATION & REFURBISHMENT REPORT MAY 2010

PROJECT STATUS:

- ♦ A site inspection of the levee and proposed borrow areas was undertaken by the designers on the 14-15/06/07.
- ♦ Stage 1 (Strategy Report), Stage 2 (Desktop Flood Review) & Stage 3 (PEPO) are complete
- ♦ Survey field work for the levee rehabilitation and flood study commenced on the 20/08/07 and has been completed.
- ♦ All Geotechnical investigation work has been completed;
- ♦ An Archaeological, Aboriginal Heritage Assessment and Flora/Fauna survey has been carried out and the draft Environmental Assessment has been prepared. A Public Submission has been exhibited at Council.
- ♦ The Flood study is 85% complete. A Draft Flood Study Report was issued to Council and Office of Water on 11/02/08. Following concerns from Office of Water a revised Flood Study was issued on 12/08/2008.
- ♦ A proposal for additional works for survey and Flood modelling was submitted to Council on 03/05/2009. Approval was received on 09/12/09.



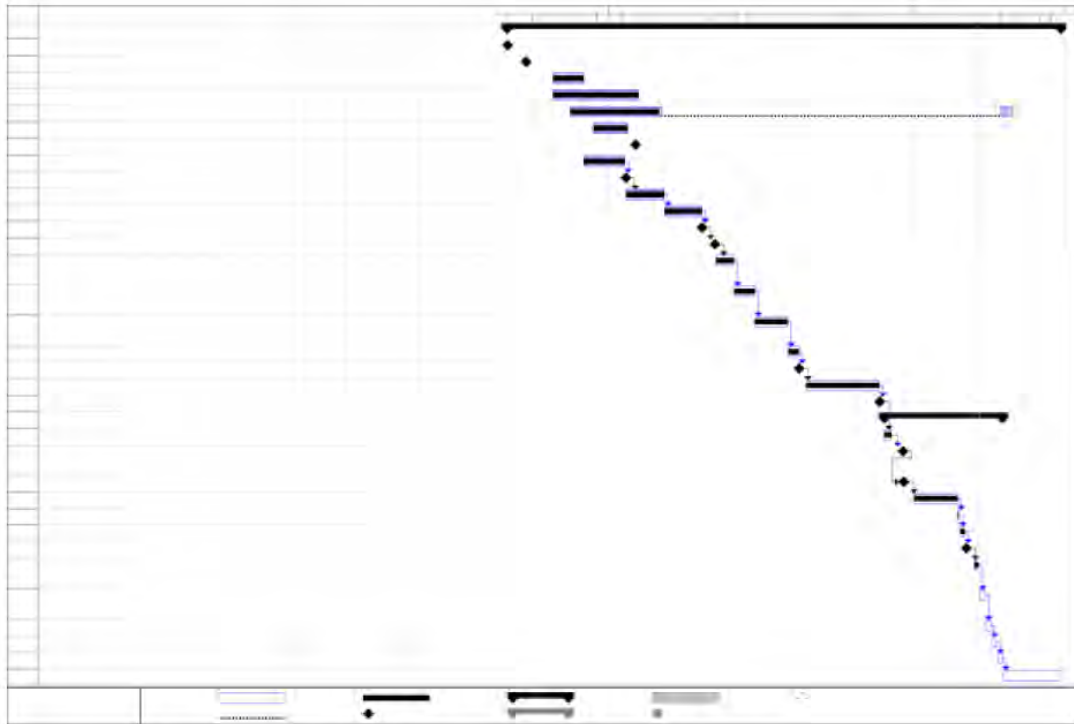
Contact: Fred Coralde
Telephone: 02 6828 6125
fcoralde@walgett.nsw.gov.au



Public Works
Project Management

Contact: Greg Wilkinson
Telephone: 02 6885 9322
greg.wilkinson@services.nsw.gov.au

WALGETT LEVEE REHABILITATION & REFURBISHMENT REPORT MAY 2010



From: Fred Coralde
Sent: Monday, 12 July 2010 1:48 PM
To: 'Neal Albert'
Cc: 'Greg Wilkinson'; KC; Roy White; Donna Ruttley
Subject: TRIM: RE: Walgett Remodelling Report
Importance: High

Neal:

Your comments are noted. Best regards.

Siegfredo 'Fred' Coralde
Director - Urban Infrastructure Services
Walgett Shire Council

P O Box 31 • Walgett, New South Wales • Australia 2832
Telephone: 02 68286125 • Cell: 0429455932 • Fax: 02 68281608
E-mail: fcoralde@walgett.nsw.gov.au • Website: www.walgett.nsw.gov.au

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WALGETT SHIRE COUNCIL AGENDA

WALGETT LEVEE REHABILITATION & REFURBISHMENT REPORT MAY 2010

From: Neal Albert [mailto:Neal.Albert@environment.nsw.gov.au]

Sent: Monday, 12 July 2010 8:33 AM

To: 'Greg Wilkinson'; Fred Coralde

Cc: Andrew Falkenmire

Subject: Walgett Remodelling Report

Hi Greg

Please find below comments in regards to the Walgett Remodelling Report

It is good to see that the flood levels and corresponding levee heights have been reduced by up to nearly 1m from the original modelling and are much closer to what would be considered reasonable.

However there are still concerns that the model has not been set up to properly reflect the topography and flood patterns. The following comments and issues should be considered before finalising the modelling.

- Model setup –
 - the cross sections along the river are set up to include floodplain flows adjacent, but follow the river distances. The majority of flow is on the floodplain where the distances between cross sections would be much shorter and slopes steeper. This would normally be resolved where there is a significant difference in distances and a lot of flow on the floodplain by having a separate branch for the floodplain.
 - The bypass branch is linked directly to the river at Dangar Bridge. Flood images show that the flow is heading to the southwest away from the river.
 - The bypass branch takes off from the Namoi River at a significant distance upstream of the Walgett levee, when the flood image shows flows around Walgett adjacent to the levee. This would lead to the offtake from the river being at a higher water level than actually occurs near Walgett. While this may be compensated by the averaging of the full cross section for flows out of the Namoi, if there were increased water levels along the river near Walgett, the offtake level in the model would be higher than actual.
 - The key issue is whether these simplifications in the model are able to adequately reflect the actual flood flow patterns?
- There is no consideration of the source of flows. All the flow at Dangar Bridge is assumed to come down the Namoi. This is the worst case analysis for Walgett which is affected by the Namoi mainly and so would at least be conservative and lead to higher level of protection.
- Cross sections - there is a sudden rise in the profile of about 0.5m between sections 15 and 16, which does not seem justified on the general topography – there is no evident constriction at this location. Again this would lead to higher levee and protection levels. The previous model was setup with unrealistic floodplain levels and widths based on inaccurate assumptions. The analysis should report/plot cross sections with flow widths and depths, especially around the area of Sections 15 and 16, but showing for the other sections also for consistency and how the recent survey has been used.
- The last two points can both lead to higher flood levels and so a higher levee and greater safety and level of protection, but may also lead to a higher levee and greater costs than required.
- Calibration – the models are only calibrated to the gauge levels at Dangar Bridge. Are there any other calibration points which can be used? Information should be shown as to how the model fits with the 1976 gaugings which have been provided and also the flood images in 1971 and 1998 which show the extent and width of flooding and can be compared with the cross section data above for calibration/comparison.

WALGETT LEVEE REHABILITATION & REFURBISHMENT REPORT MAY 2010

- There is no specific consideration of climate change. According to the Floodplain Development Manual, climate change needs to be considered and model runs should at the minimum vary discharges than those adopted for the 100 year event to provide better information on the expected/possible changes in flood levels. It is acknowledged that some sensitivity analysis has been undertaken which shows that the flooding is not very sensitive to changes in roughness values or downstream boundary levels.

While the current model results appear to be more reasonable than the previous model setup, the doubts about the modelling do not allow us to just accept them without further analysis.

Thus there are concerns that the model is not set up properly. These issues should be considered before the modelling report is finalised and the flood levels adopted.

It is the responsibility of the consultant undertaking the modelling study to ensure that the model is adequate to properly reflect on the ground flows and topography and to provide reliable model results.

If there are any further questions please do not hesitate to contact myself or Andrew Falkenmire.

Regards
Neal Albert
DECCW
TAMWORTH NSW
02 67019624

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17. INVITE TO NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

REPORTING SECTION: Director Rural Infrastructure & Support Services
AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services
FILE NUMBER: 09/1824

Summary:

The Australian Local Government Association hosts an annual National Local Roads and Transport Congress. This year's Congress theme is 'Building the Case for Transport Investment' and it is scheduled for 13-15 October 2010 in Bunbury WA.

Discussion (including issues and background):

The Australian Local Government Association hosts an annual National Local Roads and Transport Congress. This year's Congress theme is 'Building the Case for Transport Investment' and it is scheduled for 13-15 October 2010 in Bunbury WA.

The centrepiece will be the report by consultants commissioned by ALGA to estimate the funding gap on local roads over the next 10 years.

Delegates will also hear from speakers on a wide range of transport issues relevant to Local Government including COAG Road transport reforms; the next ten year road safety strategy and its impact on local roads; and the Australian National Audit Office audit of the Roads to Recovery program and the Government's response.

The keynote speaker, Professor Greg Smith, a member of the Henry Tax review Committee, will be speaking on road pricing.

As in previous years, there will be separate dedicated sessions for urban councils and rural councils. Urban councils have not attended in great numbers in recent years and are urged to attend. There will be a range of speakers, including Paul Mees, discussing urban transport issues and the role Local Government can play. Representatives of all the major political parties have been invited.

Relevant Reference Documents:

www.alga.asn.au/policy/transport/congress

Stakeholders:

Walgett Shire Council

Financial Implications:

Attendance at the congress would be funded from within relevant conference budgets for staff and/or councillors.

Invite to National Local Roads and transport Congress

Recommendation:

That Council:

1. Note the National Local Roads and Transport Congress for 2010
2. Endorse attendance at the conference as follows:

Moved:

Seconded:

18. ROADS & TRAFFIC AUTHORITY - BLOCK GRANT AGREEMENT

REPORTING SECTION: Director Rural Infrastructure & Support Services
AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services
FILE NUMBER: 09/1159

Summary:

The Roads and Traffic Authority of NSW (RTA) has offered council the 2010/11 Block Grant Agreement for funding Regional Roads maintenance and Traffic Facilities. This report advises Council of the revised funding levels under this agreement.

Discussion (including issues and background):

The Roads and Traffic Authority of NSW (RTA) has offered council the 2010/11 Block Grant Agreement for funding Regional Roads maintenance and Traffic Facilities.

The amount of this agreement for 2009/10 is \$ 2,010,000 comprising:

Roads Component	\$ 1,871,000
Traffic Facilities	\$ 51,000
Supplementary Component	\$ 145,000

The roads component is \$15,360 below than forecast in the budget. It is recommended that this shortfall in funding is deducted from Rural Regional Roads Reshape Formation.

Relevant Reference Documents:

Roads and Traffic Authority 2010/11 Block Grant Agreement

Stakeholders:

Walgett Shire Council

Financial Implications:

Budget for Regional Roads Reshape Formation reduced to \$184,640. Net change – nil.

Roads & Traffic Authority – Block Grant Agreement

Recommendation:

That Council:

1. Note the 2010/11 Block Grant agreement
2. Decrease its budget items for revenue Regional Roads in accordance with the grant items and expenditure Regional Roads Reshape Formation to \$184,640.

Moved:

Seconded: