



# **WALGETT SHIRE COUNCIL**

## **AGENDA**

***20 APRIL 2006***

*Stephen McLean*

***General Manager***



13 April 2006

Administrator  
Walgett Shire Council  
PO Box 31  
WALGETT NSW 2832

**NOTICE IS HEREBY GIVEN** that the Ordinary Meeting of Walgett Shire Council will be held in the Carinda Town Hall on **Thursday, 20 April 2006, commencing at 10.00am.**

## **AGENDA**

### **PUBLIC FORUM PRESENTATIONS**

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

### **WELCOME TO VISITORS**

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

### **CONFIRMATION OF MINUTES OF THE COUNCIL MEETING HELD 16 MARCH 2006 and EXTRAORDINARY MEETING HELD 6 APRIL 2006**

#### **1. ADMINISTRATOR'S REPORT**

- |    |                                   |     |
|----|-----------------------------------|-----|
| 1. | Council Meeting Dates             | 5   |
| 2. | Opal Street Park, Lightning Ridge | 6-7 |

#### **2. GENERAL MANAGER'S REPORT**

- |    |                               |       |
|----|-------------------------------|-------|
| 3. | Mining Compensation Fund      | 9     |
| 4. | Sale of Land for Unpaid Rates | 10-11 |

#### **3. MANAGER CORPORATE SERVICES REPORT**

- |    |  |       |
|----|--|-------|
| 5. | Monthly Management Report to 31 March 2006         | 12-13 |
| 6. | Report on Rates – 31 March 2006                    | 14    |
| 7. | Statement of Bank Account Balances – 31 March 2006 | 15    |
| 8. | Walgett Shire Tourism Summary                      | 16-18 |

## **SHIRE OF WALGETT - AGENDA**

### **4. MANAGER OF PLANNING AND REGULATIONS REPORT**

9.	Walgett Shire Growth Management Study and Draft Strategy	19-21
10.	Development and Complying Development Certificate Applications	22-23
11.	Development Application 2006004 – David Fleming	24-29
12.	Comprehensive Local Approvals Policy	30-36

### **5. MANAGER OF ENGINEERING'S REPORT**

13.	Road Maintenance – Grawin, Glengarry, Sheepyards Areas	37-38
14.	Strategic Regional Programme	39-40
15.	Street Tree – Fox Street, near Wee Waa Street, Walgett	41
16.	Street Trees – Arthur Street, Walgett	42-43

### **6. COMMITTEE MINUTES**

17.	Committee Minutes (No Reports Submitted)	44
-----	--	----

### **7. PRECINCT COMMITTEE REPORTS**

18.	Collarenebri Precinct Committee Meeting – 7 March 2006	45
19.	Lightning Ridge Precinct Committee Meeting – 7 March 2006	46-47
20.	Walgett Precinct Committee Meeting – 11 April 2006	48-51

### **8. REPRESENTATIVE REPORTS**

21.	Representative Reports (No Reports Submitted)	52
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<b>CONFIRMATION OF MINUTES – 16 MARCH 2006 AND 6 APRIL 2006</b>
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The Draft Minutes of the Council Meeting held on 16 March 2006 and 6 April 2006 were distributed to Council's Administrator.

<b>ADMINISTRATOR'S REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 1

**Subject:** Council Meeting Dates

**Author:** Hugh Percy - Administrator

**File No:** 245/02/15/00

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**Summary:**

This report advises a change in Council Meeting dates for the months of May and June 2006.

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

The Administrator will be unable to visit the Shire for the following meeting dates: -

- 18 May 2006
- 15 June 2006

Therefore an Extraordinary Meeting will be held in May 2006 to present the Draft Budget and the June Meeting will be rescheduled to be held one week later than the scheduled date.

**Stakeholders:**

- Walgett Shire Residents

**Financial Implications:**

Nil

**Recommendations:**

1. That the Council Meeting scheduled to be held on Thursday, 18 May 2006 be cancelled and an Extraordinary Meeting be held at 10.00 am on Tuesday, 9 May 2006 in the Walgett Shire Council Chambers to present the Draft Budget.
2. That the Council Meeting scheduled to be held on Thursday, 15 June 2006 be rescheduled for Thursday, 22 June 2006.

<b>ADMINISTRATOR'S REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 2

**Subject:** Opal Street Park, Lightning Ridge

**Author:** Kaye Stone – Secretary of the Reserve Trust

**File No:** 021/01/01/00

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**Summary:**

This report recommends that Council seeks appointment as reserve trust managers of Lot 4531 DP 76772 in Lightning Ridge.

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

It has been identified by the Department of Natural Resources that Council is in unauthorised occupation of Lot 4531 DP 767720 currently being used as a park in Opal Street, Lightning Ridge.

The park in Opal Street has seats, tables and flowerbeds. It is maintained by Council but has no name.

The Department has sent correspondence requesting that Council formalise its occupation of the Crown Land, or allow the land to be sold at public auction.

**Relevant Reference Documents:**

- Letter from the Department of Natural Resources

**Financial Implications:**

- Nil

**Stakeholders:**

- Walgett Shire Council
- Department of Natural Resources
- Community of Lightning Ridge

**Recommendations:**

- 1. That Council write to the Department requesting that the Crown Land Lot 4531 DP 767720 be issued with a reserve number and the purpose be set down as public recreation.**
- 2. That the Minister for Lands be requested to appoint Council as reserve trust manager of the reserve.**
- 3. That Council seed public submissions for the naming of the park.**



**SHIRE OF WALGETT - AGENDA**

Contact: Maurice Cenzato  
Phone: 02 6883 3005  
Our Ref: WL02H2  
Your Ref: M.G.;M.G.; 235-06-56



NSW Government  
DEPARTMENT OF NATURAL RESOURCES

The General Manager  
Walgett Shire Council  
PO Box 31  
WALGETT NSW 2832

Attention: Matthew Goodwin

Dear Matthew

**Proposed disposal of Lot 4531 DP 767720 by way of Public Auction at Lightning Ridge**

I refer to your recent telephone conversation with Maurice Cenzato of this Office concerning the above matter.

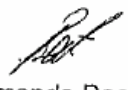
As discussed, available Crown land in Lightning Ridge is in high demand and the Department proposes to dispose of Lot 4531 by way of public auction. It is envisaged that the land will generate a fair amount of interest given its size and potential for development.

A recent inspection of the subject land by the Department's Land Management Officer has revealed that it is currently being used as a public park with established improvements including seats, tables and flowerbeds (Please see attached photo's). It is understood from our enquiries that the improvements belong to Council.

Council was referenced in June 2004 regarding the proposed disposal action. Your response of 31 August 2004 however, failed to mention the unauthorised occupation of the land.

Please advise if Council wishes to pursue formalisation of its occupation by either an acquisition or reservation process or alternatively if it is prepared to remove the improvements to enable the Department to proceed with the auction.

Yours faithfully

  
Amanda Beetson  
Sales and Leases Coordinator  
for Regional Director/Western Lands Commissioner

22 FEB 2006

**Walgett Shire  
Council**

REC'D

24 FEB 2006

FILE: 145/09/00/00

LETTER No: 1575

REFER: MPG

COPY: STM per NAD

<b>GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 3

**Subject:** Mining Compensation Fund

**Author:** Stephen McLean – General Manager

**File No:**

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**Summary:**

The Department of Planning has written to Council requesting that the funds held in Councils Mining Compensation Fund be made available.

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

Walgett Shire Council holds Permissive Occupancy 1985/19. This area encompasses many of the opal fields that surround the Lightning Ridge urban area. As the holder, Council receives compensation money as a result of mining titles being granted on these lands.

As there is movement to create a trust of the Permissive Occupancy area the Department of Planning is requesting that council make the funds available for use by a Trust over the Permissive Occupancy area, once established.

**Relevant Reference Documents:**

- Letter from the Department of Planning

**Stakeholders:**

- Walgett Shire Council and residents
- Department of Planning

**Financial Implications:**

The funds currently in reserve held by Council total \$117,000.00

**Recommendation:**

**That Council write to the Department of Planning informing them that upon establishment of a Trust the funds held as mining compensation will be made available for transfer.**

<b>GENERAL MANAGER'S REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 4

**Subject:** Sale of Land for Unpaid Rates

**Author:** Stephen McLean – General Manager

**File No:**

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**Summary:**

Following a Resolution passed by the Council in November 2005 an advertisement was published in the Government Gazette giving Notice that the Council proposed to sell 35 properties under Section 713 of the *Local Government Act* being a sale for unpaid rates.

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

Subsequently the Council Solicitor instructed to prepare the Contracts for Sale advised that in some cases the procedure for notifying parties who have an interest in the properties, particularly mortgagees and caveators had not been carried out and that more detailed searches would need to be undertaken to enable the required notifications to be made.

Acting on that advice the Council withdrew 16 of the original properties advertised for sale and commenced ordered the further searches with a view to rescheduling the sale of those 16 properties as soon as the formal notifications can be issued. The owners of one of those 16 properties situated at 15 Lappkalle Street Lightning Ridge have in fact paid the outstanding amount of \$8,222.48 in full.

Of the remaining 19 properties Kevin and Brian Dickinson have paid in full the outstanding amount of \$17,485.01 in respect of their property in Nobby Road Lightning Ridge. Danwood Pty Ltd owner of 53 Harlequin Street, Lightning Ridge has made suitable arrangements with Council.

The following Ratepayers have paid substantial amounts and/or made arrangements satisfactory to the Council for the payment of the balance outstanding.

- *Ante Persa 39 Fantasia Street Lightning Ridge*
- *Estate of the late Arpad Ronai Shincracker Street Lightning Ridge*
- *David Wayne Smith Balaclava Street Burren Junction*

## SHIRE OF WALGETT - AGENDA

Fourteen Properties were auctioned on 1 April, 2006 and sold as detailed below:

Property	Rates Outstanding	Sale Price
Lot 3 DP 13603 Come By Change	\$2639.34	\$1500
Lot 1 DP 226811 Come By Chance	\$3502.00	\$1500
Lot 18 DP 15645 Burren Junction	\$3665.84	\$2100
Lot 2 Sec 5 DP 758199 Burren Junct	\$10654.07	\$5500
Lot 24 DP 15645 Burren Junction	\$8494.64	\$6500
Lot 8B DP 434300 Burren Junction	\$3644.99	\$2400
Lot 62 DP 753953 Rowena	\$4107.31	\$2000
Lot 9 Sec 2 DP 758889 Rowena	\$9479.15	\$2500
Lot 20 Sec 1 DP 758849 Pokataroo	\$3845.03	\$1500
Lot 10 Sec 17 DP 758227 Carinda	\$4319.32	\$1500
Lot 7 Sec 13 DP 758227 Carinda	\$6348.92	\$2000
Lot 7 Sec 17 DP758227 Carinda	\$2777.50	\$1500
Lot 1 DP 927418 Carinda	\$5183.28	\$700
Lot 5 DP 930461 Carinda	\$4879.94	\$600

The results of the sale highlight the importance of having efficient administrative procedures in place to ensure that rates collection action is an ongoing process and that rates are collected in full each year.

The satisfactory aspect of the Sale is that the Council will receive at least part of the amount outstanding and it achieves a new ratepayer who will hopefully pay the rates regularly each year especially if the Council improves its rate collection procedures.

It is a requirement of the *Local Government Act* that the proceeds of the Sale be generally applied firstly in the payment of the Council's expenses in conducting the Sale, secondly to the payment of the outstanding rates and finally if there is any over the balance to the original owner.

If after applying the proceeds as set out there are rates still outstanding they are required to be written off and the new ratepayers start out with a nil balance.

In accordance with the Contracts of Sale each matter is scheduled to be completed on 16 May 2006.

### Recommendations:

1. That the Report be noted and that a further Report be submitted in relation to the rescheduling of the Sale of the Properties, which were withdrawn from sale, when the necessary searches are received.
2. That authority be granted for the Transfers for the properties which have been sold to be executed under seal of the Council

<b>MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 5

**Subject:** Monthly Management Report to 31 March 2006

**Author:** John Burke – Acting Manager Corporate Services

**File No:** 145/04/27/00

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**Summary:**

This report is prepared to report on the operational performance against adopted estimates for the year ended 31 March 2006.

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

Department of Local Government report, recommendation 31, requires monthly reports be submitted to Council reporting on significant differences. This report analyses the financial performance of the Council for the period ending 31 March 2006 comparing actual expenditure and revenue against the budget.

Analysis of the data contained in this report realises a surplus result of \$871,236, and there is no evidence of abnormal items that are likely to have any significant impact on the budget for 2005/06.

It is acknowledged that this report is based on actual figures for income and expenditure, and reflects the expenditure incurred, for which Council has not received income.

It is also noted that 100% of rates income has been raised for the financial year.

## SHIRE OF WALGETT - AGENDA

<i>Management Review as at 31 March 2006</i>							
		Original Budget	Amended 2005/2006 Budget	YTD Actual	YTD Actual (Committed)	Budget Available Current Year	
Executive Revenue	(41,000)	(41,000)	(41,000)	(34,446)	(34,446)	(6,554)	84%
Executive Expenditure	847,500	847,500	847,500.00	717,278	736,377	111,123	87%
Corporate Services Revenue	(119,000)	(119,000)	(119,000)	(21,330)	(21,330)	(97,670)	18%
Corporate Services Expenditure	873,375	873,375	873,375	458,442	472,364	401,011	54%
Marketing & Promotions Revenue	(20,000)	(20,000)	(20,000)	(15,632)	(15,632)	(4,368)	78%
Marketing & Promotions Expenditure	223,750	223,750	223,750	177,735	178,470	45,280	80%
Financial Services Revenue	(7,607,512)	(7,607,512)	(6,789,237)	(5,601,626)	(5,601,626)	(1,187,611)	83%
Financial Services Expenditure	2,710,550	2,710,550	1,274,550	1,264,098	1,264,012	10,538	99%
Community Services Revenue	(256,500)	(256,500)	(255,500)	(333,828)	(333,828)	78,328	131%
Community Services Expenditure	589,827	589,827	649,827	344,537	344,512	305,315	53%
Developmental Services Revenue	(57,600)	(57,600)	(57,600)	(66,334)	(66,334)	8,734	115%
Developmental Services Expenditure	548,279	548,279	558,279	473,947	473,685	84,594	85%
Engineering Services Revenue	(58,000)	(58,000)	(58,000)	(25,655)	(25,655)	(32,345)	44%
Engineering Services Expenditure	96,525	96,525	96,525	74,950	110,764	(14,239)	115%
Engineer Works Revenue	(10,198,208)	(10,198,208)	(9,990,664)	(7,467,197)	(7,467,197)	(2,523,467)	75%
Engineer Works Expenditure	12,501,808	12,501,808	12,512,808	9,546,609	10,511,350	2,001,458	84%
Domestic Waste Revenue	(639,430)	(639,430)	(639,430)	(631,338)	(631,338)	(8,092)	99%
Domestic Waste Expenditure	712,919	712,919	712,919	461,229	477,651	235,268	67%
Public Order & Safety Revenue	(70,798)	(70,798)	(70,798)	(40,595)	(40,595)	(30,203)	57%
Public Order & Safety Expenditure	210,870	210,870	210,870	133,131	134,197	76,673	64%
Water Services Revenue	(1,111,185)	(1,111,185)	(1,111,185)	(1,050,205)	(1,050,205)	(60,980)	95%
Water Services Expenditure	965,296	965,296	965,296	1,033,958	1,135,437	(170,141)	118%
Sewerage Services Revenue	(491,618)	(491,618)	(491,618)	(532,763)	(532,763)	41,145	108%
Sewerage Services Expenditure	380,146	380,146	390,646	263,799	262,218	128,428	67%
	(10,006)	(10,006)	(327,687)	(871,236)	280,088		
Variance of Income Compared to Expenditure							
			Budget YTD	Actual YTD	% of Budget		
Income			(19,644,032)	(15,820,949)	81%		
Expenditure			19,316,345	14,949,713	77%		
Variance			(327,687)	(871,236)			

### Relevant Reference Documents:

- Monthly Management Report for the period ending 31 March 2006.

### Stakeholders:

- Walgett Shire Council

### Financial Implications:

Operations are still considered within Budget constraints.

### Recommendation:

**That Council note the Monthly Management report for the period ending 31 March 2006.**

**MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING  
20 APRIL 2006**

**Item No:** 6

**Subject:** Report on Rates – 31 March 2006

**Author:** Fiona McKenzie – Revenue Officer

**File No:** 180/09/00/00

**REPORT ON RATES - 31 March 2006**

	<b>Mar-05</b>	<b>Mar-06</b>
Arrears as at 30 June	1,339,457.28	1,395,484.94
Adjusted Levy	5,368,542.56	5,510,164.87
Interest	51,144.91	52,512.60
Payments	(4,330,833.83)	(4,340,519.33)
Adjustments	(16,142.14)	(94,093.93)
Discount	(49,219.95)	(53,661.41)
Legal Fees	23,478.90	1,192.02
<b>Total Outstanding</b>	<b>\$ 2,386,427.73</b>	<b>2,471,079.76</b>

**COMPARISON WITH 2004/2005**

	<b>Mar-05</b>	<b>Mar-06</b>
Current	1,358,825.86	1,389,561.50
Arrears	702,431.03	744,107.95
Interest	256,192.54	280,991.78
Legals	68,978.30	56,418.53
<b>Total Outstanding</b>	<b>\$ 2,386,427.73</b>	<b>2,471,079.76</b>

**Total YTD Collected**

	<b>Mar-05</b>	<b>Mar-06</b>
Collected YTD % of Arrears and Levy	66%	65%
Collected YTD % of Levy	82%	81%

**Recommendation:**

**That the Report on Rates as at 31 March 2006 be received.**

<b>MANAGER CORPORATE SERVICES REPORT TO COUNCIL MEETING 16 MARCH 2006</b>
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**Item No:** 7

**Subject:** Statement of Bank Account Balances – 31 March 2006

**Author:** Revenue Officer

**File No:** 180/02/00/00

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*Report to be tabled at Meeting*



<b>MANAGER CORPORATE SERVICES REPORT TO COUNCIL 20 APRIL 2006</b>
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**Item No:** 8

**Subject:** Walgett Shire Tourism Summary

**Author:** Alana Douglas – Tourism Development Officer

**File No:** 245/02/01/00

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**Summary:**

This report provides a summary of activities currently being carried out regarding tourism within the Walgett Shire.

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

**Participation in the Following Events**

- 21-23 March 2006 O.R.T.O DSS Research Workshop
- 29-31 March 2006 Local Government Tourism Conference
- 18 April 2006 Great Inland Way Teleconference
- 22-30 April 2006 Sydney Caravan and Camping Show

**Summary of ORTO DSS Research Workshop held on 22 March 2006**

The Outback Regional Tourism Organisation recently undertook an in-depth research study with the Tourism Research Centre to identify who the Outback's potential visitors were, what they wanted and their current perception of the outback region.

The results were correlated and developed into an easy to use software program that can be manipulated to suit individual situations eg how the loss of a caravan park affects the number of visitors to an area.

This program is a first in the industry and will be an invaluable resource to the outback as a whole, individual regions and business operators alike.

As a member of the Outback Regional Tourism Organisation Walgett Shire is entitled to full use of the program including a report outlining the specific results from the research study, this information will allow the Walgett Shire to focus its money, energy and resources on establishing infrastructure or re-educating industry members that specifically affect our region, it will also compliment any funding applications with actual statistics.

**Summary of Local Government Tourism Conference held on 29-31 March 2006**

The Local Government Tourism Conference is a fantastic networking event with tourism officers, councillors and individual operators from all over the state working towards a common goal – to get the greatest benefit from a 23 billion dollar industry!

It is very beneficial to sit amongst people who have overcome the same problems you face and offer ideas on how to beat those challenges.

The conference appealed to all levels of tourism development it offered separate workshops such as Tourism in Regional NSW Heritage Tourism and Operating a Council Run Attraction all of which are relevant to all styles of the industry.

The conference was effective in its choice of speakers such as Barry Baillie CEO, Caravan and Camping Industry Association, the caravan and campervan market is our biggest market and has the biggest impact on our statistics.

Another fantastic seminar was “Not a holiday destination? Not a problem!” It spoke of how to brand your region and sell your destination to other visitors that may just be passing through and showed the potential that could be gained just from people stopping for 15 minutes.

Overall the conference was a success however the conference held in Forbes last year had a lot more information given out for future reference and speakers were not rushed through, skipping over important subjects.

**Attendance at the Caravan and Camping Trade Shows for 2006**

Last year Walgett Shire attended the Sydney Caravan and Camping Show as an individual exhibitor spending upwards of ten thousand dollars and the use of manpower for ten days.

This year it was decided that Walgett Shire Council would not attend as the cost did not match the benefit received however as a member of the Outback Regional Tourism Organisation, Walgett Shire was offered the opportunity to attend all three trade shows (Sydney, Melbourne & Brisbane) for a combined price of \$1500.00 plus travel accommodation etc.

The cost includes attendance at the show, stand hire costs and equipment needed: brochure stands, desks etc and to also have the ability to handout the Walgett Shire Tourism Brochures. It was decided that Lightning Ridges Visitor Information Centre Manager Richard Hoffman would attend the Sydney Trade Show in April for 3 days.

Richard will attend the Outback Regional Tourism Organisation stand as a member and will effectively sell the Outback region as a whole but will also be able to specifically sell the Walgett Shire area through conversation, presence and brochure distribution. The benefits in this arrangement can already be seen from the cost saving factor.

### **Visitor Numbers for March 2006**

The following visitor numbers have been recorded from both Lightning Ridge and Walgett Visitor Information Centres for the period, March 2006: -

- Walgett Visitor Information Centre 283 visitors (includes local and visitors)
- Lightning Ridge Visitor Information Centre 1057 visitors

In the last week Walgett Visitor Information Centre has seen a vast increase in both locals and visitors and it is vastly apparent that the tourism season is upon us. Many travellers are travelling specifically on the Great Inland Way from Queensland and the Darling River Run to Bourke. An increase in visitors with an interest in the history of the shire is extremely encouraging with many searching for information specifically on the floods and paddle steamers in response to this, information is being collected and correlated to meet these particular enquiries.

### **Impact from the Loss of Roontheben Caravan Park in Walgett**

Walgett Shires major tourist markets are Caravans & Campervans. This market visits the shire all year round and stays an average of two nights. Research from the Outback Regional Tourism Organisation show that without a caravan park the region stands to lose approximately 40,000 visitors per annum.

While this information was correlated on the area consisting of Bourke, Lightning Ridge and Walgett the impact is still fairly sizeable, in the last month the Walgett Visitor Centre has turned away over thirty caravaners and this is in our trough season and is expected to increase rapidly over the next 3 months.

Many campervans have been staying at Alex Trevallion Park which has a no camping sign, but caravans are being sent on to Coonamble and Brewarrina as there are no facilities including power that they require.

A request for the removal of the caravan park signage has been made however the cost of recalling all brochures and advertising is too great to be considered, instead a letter is to be sent to Visitor Information Centres in the state to inform potential visitors of this loss, also a note is to be put on the Walgett Shire Website and in all information packages sent out with alternatives to counteract this problem.

<b>MANAGER PLANNING AND REGULATIONS REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 9

**Subject:** Walgett Shire Growth Management Study and Draft Strategy

**Author:** Matthew Goodwin - Manager Planning and Regulation

**File No:** 315/01/02/00

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**Summary:**

Edge Land Planning recently completed a draft of the Walgett Shire Growth Management Study and Draft Strategy. This report recommends that Council release that document and seek public feedback at the earliest opportunity.

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

Some time ago Edge Land Planning was engaged by Walgett Shire Council to prepare a growth management study, strategy and draft Local Environmental Plan for the Shire.

The Walgett Shire Growth Management Strategy Issues Paper was posted to about 170 individuals, community groups and state government authorities with an invitation for written comments on 5 July 2005. A number of written comments were received.

In March 2006 the principal of Edge Land Planning, Ian Sinclair, submitted to Walgett Shire Council a draft document titled "Walgett Shire Growth Management Study and Draft Strategy". The document was prepared in consultation with the Department of Planning

The document consists of two parts:

- The **study** – This provides an overview of the natural environment, built environment, social profile, economic circumstances, existing development patterns, relevant planning legislation as well as the development and planning issues that arise in the Shire. A strategic environmental analysis of planning related matters is also provided.
- The **strategy** – In this section planning related recommendations are made that can be addressed via a Local Environmental Plan.

The draft "Walgett Shire Growth Management Study and Draft Strategy" was recently sent to state government agencies and adjoining Shires seeking their comments on it. That feedback is currently being reviewed in consultation with the Department of Planning.

## **SHIRE OF WALGETT - AGENDA**

Walgett Shire Council and the Department of Planning signed a memorandum of understanding in association with Council obtaining a \$70,000.00 planning reform grant. Part of that memorandum was a requirement for Council to get the Department's endorsement for the document prior to issuing it for public comment. It is expected that this support will be forthcoming in the short term.

As part of the process of developing a draft Local Environmental Plan, consideration of community feedback on the recommendations contained in the strategy section of the document will be important. Once Council has considered that feedback, then it can determine whether it wants Edge Land Planning to proceed with drafting a Local Environmental Plan that is:

- based exclusively on recommendations contained in the strategy, OR;
- whether variations are required to reflect matters raised in submissions made by the public.

It should be noted that the Department of Planning is unlikely to issue a Section 65 certificate under the Environmental Planning and Assessment Act 1979 to allow a draft Local Environmental Plan to be exhibited, unless relevant state government authorities generally support the plan.

### **Relevant Reference Documents:**

- "Walgett Shire Growth Management Study and Draft Strategy" dated March 2006 as prepared by Edge Land Planning.
- File 315-01-02-00.

### **Stakeholders:**

The community, government authorities and Walgett Shire Council.

### **Financial Implications:**

Preparation of the Walgett Shire Growth Management Study/Draft Strategy and draft Local Environmental Plan is being funded from existing budgets, which included a \$70,000 planning reform grant from the Department of Planning.

**Recommendations:**

**That Walgett Shire Council resolve:**

- 1. To note that the draft Walgett Shire Growth Management Study and Draft Strategy is presently awaiting endorsement by the Department of Planning.**
- 2. To publicly exhibit for 28 days the document titled “Walgett Shire Growth Management Study and Draft Strategy” dated March 2006 as prepared by Edge Land Planning, once it has been endorsed by the Department of Planning. This will include:**
  - (a) Advertising its exhibition in the Walgett Spectator, The Black Opal Advocate and The Ridge News and inviting written submissions on the document.**
  - (b) Issuing the document to Precinct committees and working parties to invite written submissions on the document.**
- 3. At a subsequent Council meeting, consider all submissions made on the Walgett Shire Growth Management Study and Draft Strategy.**

**MANAGER PLANNING AND REGULATIONS REPORT TO COUNCIL  
MEETING 20 APRIL 2006**

**Item No:** 10

**Subject:** Development and Complying Development Certificate Applications

**Author:** Matthew Goodwin - Manager Planning and Regulation

**File No:** 315/01/00/00

**Summary:**

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

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

The following tables provide a summary of Development (DA) and Complying Development Certificate (CDC) applications dealt with under delegated authority by the Manager Planning and Regulations and General Manager during March 2006.

CDC	DATE	TOWN	DESCRIPTION	ZONING	LAND (lot/sec/DP)	DECISION
2005040	8-Mar-06	Lightning Ridge	Construction of concrete slab and steel framed workshop	2. Village	6/18/758612	Approved
2006011	8-Mar-06	Cumborah	Construct new verandah on three sides of existing dwelling	1. Non Urban	1961//763843	Approved
2006012	21-Mar-06	Walgett	Construct two new verandahs	2. Village	34//226373	Approved
2006013	23-Mar-06	Walgett	Construct new boundary fence and gates	2. Village	16//925614 & 24//662291	Approved

DA	DEVELOPMENT	LAND (lot/sec/DP)	LOCATION	ZONING	DECISION	DATE
2006005	New fence around school	55//40677, 1//123133, 1//123134, 1//314282, A//382940, B//382940, 33//546981, 34//546981, 35//546981, 2//550780, Lots 6,7,8,9,13/11/759036	Walgett	2. Village	Approved	24-Mar-2006

## **SHIRE OF WALGETT - AGENDA**

### **Relevant Reference Documents:**

- Respective Development Application and Complying Development Certificate files.

### **Stakeholders:**

Public and applicants.

### **Financial Implications:**

Nil

### **Recommendation:**

**That Walgett Shire Council resolve to note the Development and Complying Development Certificate applications dealt with under delegated authority by the Manager Planning and Regulation and General Manager during March 2006.**



<b>MANAGER PLANNING AND REGULATIONS REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 11

**Subject:** Development Application 2006004 – David Fleming

**Author:** Janet Babic – Planner

**File No:** DA 2006004

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**Summary:**

David Fleming has lodged a Development Application to subdivide Western Lands Lease 193, being Lot 3360 in DP 765616, Lot 1 in DP 822040, Lot 3 in DP 822040, Lot 4377 in DP 767244 and Western Lands Lease 10348 being Lot 6108 in DP 762350. These lots will be divided into four lots.

**Background:**

Development Application 2006004 has been lodged by David Fleming to subdivide Lot 3360 in DP 765616, Lot 1 in DP 822040, Lot 3 in DP 822040, Lot 4377 in DP 767244 and Lot 6108 in DP 762350. The land is located on the Kamilaroi Highway approximately 26km west of Walgett and is all Crown Land held under Western Lands Leases. The proposed subdivision would occur in the following context:

1. The total area of the existing lots is about 7,188 hectares.
2. It is proposed to create four lots of about 3,856.14 hectares, 1,230 hectares, 1,427.476 hectares and 692.6 hectares.
3. No change of use has been proposed, the created lots will continue to be used for agriculture.

Diagrams of the existing and proposed lots are included below.

## SHIRE OF WALGETT - AGENDA

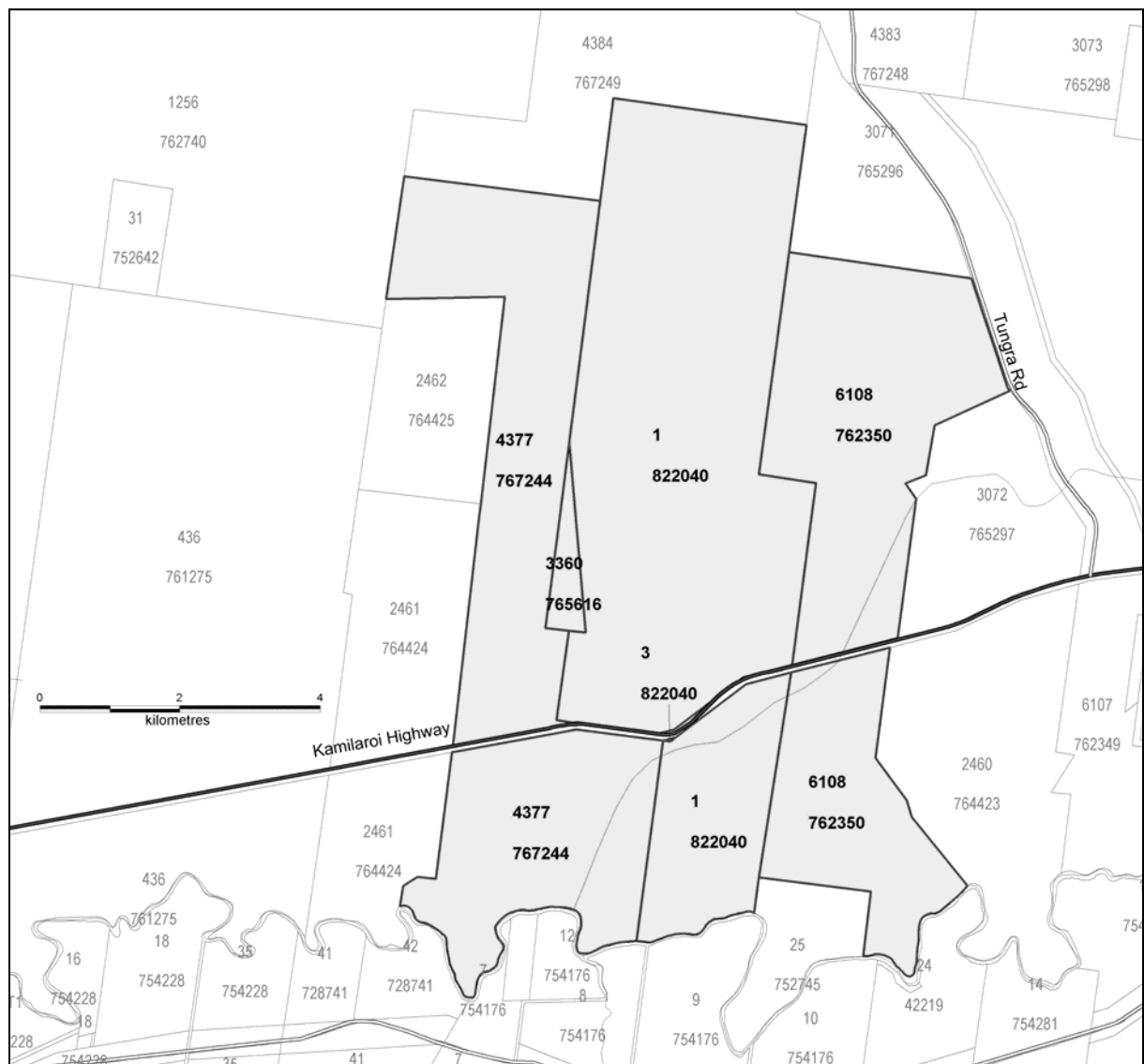
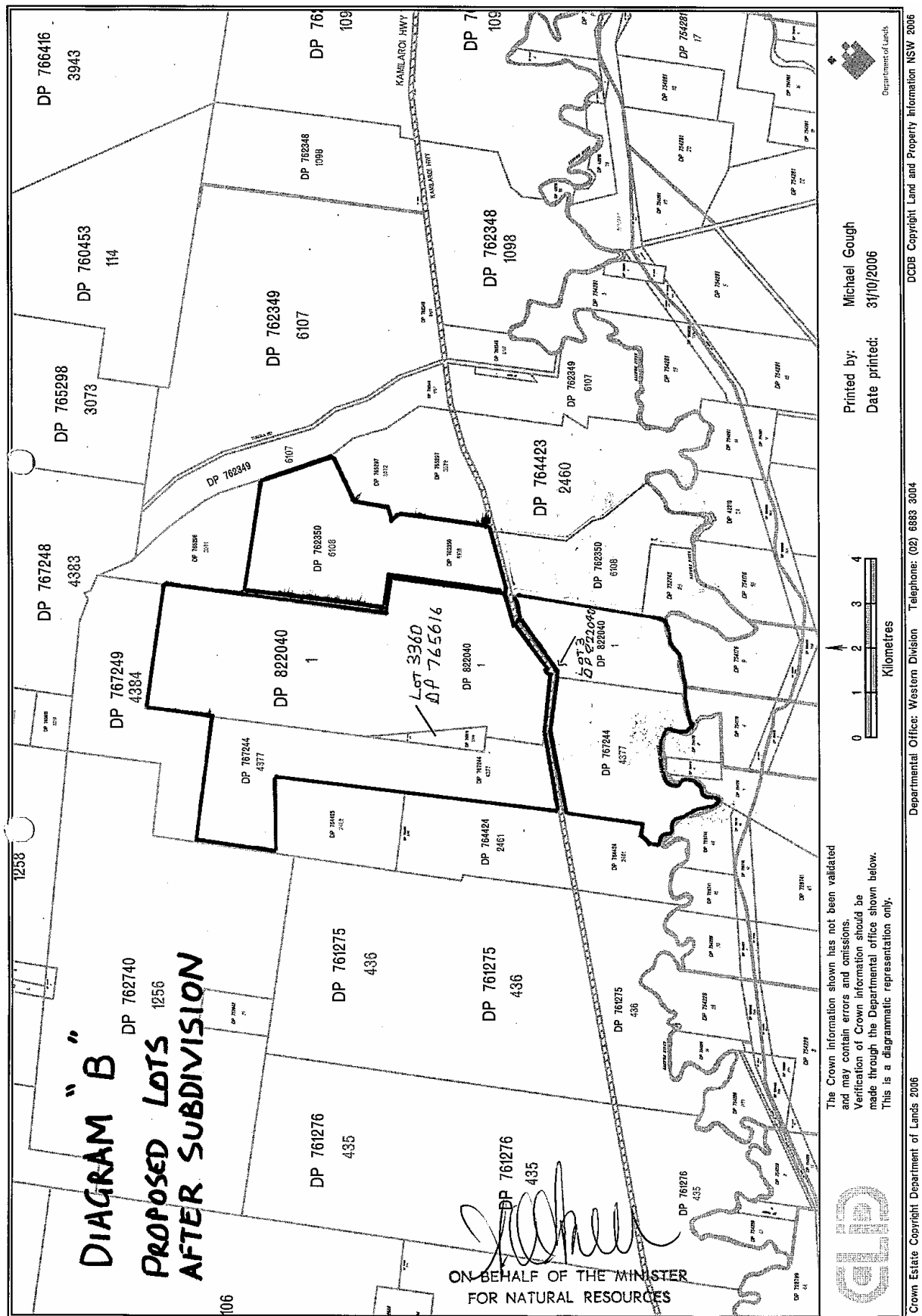


Figure – Existing Lots (shaded area).



**Figure – Proposed lots (bordered by thick lines).**

## SHIRE OF WALGETT - AGENDA

### Statutory matters for consideration:

- 79C (1)(a)(i) Provisions of any environmental planning instrument.**
- The only relevant environmental planning instrument is the Interim Development Order No. 1 – Shire Of Walgett 1968 (IDO). Under that order the land is located within “Non-urban 1a” and “Non Urban 1b” zones. Development consent is required to permit the subdivision.
- Clause 11 of the I.D.O. restricts the circumstances in which land can be subdivided, but the clause does “*not apply to land under the management and control of the Western Lands Commissioner*”. In this context the proposed subdivision is permissible under the I.D.O..
- 79C (1)(a)(ii) Provisions of any draft environmental planning instrument that is or has been placed on public exhibition.**
- Not applicable.
- 79C (1)(a)(iii) Any development control plan.**
- Not applicable.
- 79C(1)(a)(iiia) Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F**
- Not applicable.
- 79C(1)(a)(iv) The regulations.**
- Section 92 and 92A of the Environmental Planning and Assessment Regulation 2000 prescribe additional matters for consideration (see comments below).
- 79C (1)(b) Likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**
- Current land use on surrounding lots is agriculture. The proposed lots to be subdivided are also used for agriculture and since there is no proposal to change the use, the subdivision will not have a significant impact on the natural or built environments.
- 79C (1)(c) Suitability of the site for the development.**
- PUBLIC ROAD ACCESS:** Both created lots will have frontage access to the Kamilaroi Highway.
- FLOODING:** Although the land is located on a flood plain, no change in use of the land has been proposed.
- OVERALL:** There are no known environmental or other factors that make the site unsuitable for the proposed subdivision.
- 79C (1)(d) Submissions made in accordance with the Act or the regulations.**
- Not applicable. Under the Environmental Planning and Assessment Act 1979 the proposal is local development with no opportunity for submissions under the act or regulations (as opposed to designated or advertised development).
- 79C (1)(e) The public interest.**
- No objections from adjoining owners were received.
- Given that the proposed development is permissible with development consent, and essentially involves agricultural development within a non-urban zone, approval of the proposal appears to be in the public interest.

## SHIRE OF WALGETT - AGENDA

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

**92 (1) (a) Coastal areas.**

Not Applicable.

**92 (1) (b) Demolition.**

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

**92A Preliminary planning.**

Not applicable.

### Relevant Reference Documents:

- Development Application file 2006004
- Environmental Planning and Assessment Act 1979.
- Interim Development Order No. 1 – Shire Of Walgett 1968.

### Stakeholders:

- Applicant and Western Lands Lease holders.
- Department of Natural Resources .

### Recommendation:

**That Development Application 2006004 be approved subject to the following conditions of consent:**

#### SPECIAL CONDITIONS SET BY COUNCIL

#### Approved plans

##### Pln 010.

The development shall be implemented in accordance with:

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

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

except as amended by the conditions of this development consent.

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

##### Sub 010.

That four lots are created by the subdivision of subdivision of Lot 3360 in DP 765616, Lots 1 & 3 in DP 822040, Lot 4377 in DP 767244 and Lot 6108 in DP 762350. The created lots are to be about 3,856.14 hectares, about 1,230 hectares, about 1427.476 hectares and about 692.6 hectares.

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

## **SHIRE OF WALGETT - AGENDA**

### **Sub 020.**

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

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

### **PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT**

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

<b>MANAGER PLANNING AND REGULATIONS REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 12

**Subject:** Comprehensive Local Approvals Policy

**Author:** Matthew Goodwin - Manager Planning and Regulation

**File No:** 315/01/02/21

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**Summary:**

On 20 October 2005 Walgett Shire Council resolved to adopt a comprehensive Local Approvals Policy (LAP). Formalisation of the adoption was dependent upon endorsement from the Department of Local Government and the Department of Planning.

The endorsement of the Department of Planning has been withheld pending amendments to certain exemption provisions of the LAP. It is recommended that Walgett Shire Council make the necessary amendments and resubmit the LAP for endorsement by the Department.

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

Previously, at a meeting held on 20 October 2005, Walgett Shire Council resolved, amongst other things, to

- "4. Write to the Director General of the Department of Local Government seeking endorsement of the part of the LAP relating to exemptions from the necessity to obtain approval.*
- 5. If the Director General's endorsement is received, give public notice of the adoption of LAP by Walgett Shire Council. That notice will be via advertisements in the Black Opal Advocate and the Walgett Spectator."*

The LAP was sent to the Director General of the Department of Local Government and a response letter received dated 12<sup>th</sup> January 2006. That response indicated:

- The Department was endorsing certain exemption provisions within Part 1 of the LAP.
- On 11 February 2005 the Director General of the Department of Local Government had delegated their authority to approve LAP exemptions that relate to building and planning matters, to the Director General of the Department of Planning. Accordingly exemption provisions relating to building or planning related matters had been referred to the Department of Planning.

Subsequently, in a letter dated 20 March 2006 the Executive Director of the Department of Planning indicated that the Department did “*not grant consent to Council adopting a LAP that includes the exemption provisions in section 2.2.1 of Part 1 of the Draft LAP*” (section 2.2.1 is reproduced below). It suggested that certain matters associated with that section be reviewed if Council wished to continue to seek the exemptions.

**2.2.1 Exemptions – Temporary structure (A2 Activity) or public entertainment (A3 Activity)**

Exemption from approval to install a temporary structure on land (Activity A2) or to use of a building or temporary structure as a place of public entertainment or permit its use as a place of public entertainment (Activity A3) is available in the circumstances specified below:

- (a) The proposed activity is undertaken:
  - (i) by a non-profit community based organisation for less than three days; OR,
  - (ii) by a person or company for a private function of less than one day; OR,
  - (iii) by a company or organisation to provide entertainment for the general community, such as a circus, play or opera performance, for less than three days.
- (b) The activity occurs either:
  - (i) On Crown land, such a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land; OR;
  - (ii) On freehold land owned by Council with the prior written consent of the Council.
- (c) Any necessary approvals that may be required from any state government agencies are obtained prior to the event, such as:
  - (i) Liquor licence through the Licensing Court, via the Licensing Court Registry (Local Court House).
  - (ii) Fireworks approvals from the Workcover Authority of NSW.
- (d) In accordance with the Building Code of Australia, the structure is of adequate integrity, size and amenity, including fire fighting provisions and exits to ensure the rapid and orderly evacuation in the event of fire or other misadventure.
- (e) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (f) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (g) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (h) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.



The draft LAP has been reviewed in accordance with the suggestions of the Department of Planning, and Section 2.2.1 has been expanded to become Section 2.2.1 and 2.2.2. These sections now deal with temporary structures and public entertainment separately and with greater detail.

The revised sections are reproduced below, and it is recommended that Walgett Shire Council submit the revised LAP to the Department of Planning with a view to seeking its approval for the exemption provisions contained therein.

### 2.2.1 Exemptions – Temporary structure (A2 Activity)

Exemption from approval to install a temporary structure on land (Activity A2) is available for a tent or marquee in the circumstances specified below:

- (a) The structure is only used for a private function.

**NOTE:** *Examples of private functions include weddings or birthday party where attendance is by private invitation only.*

- (b) The structure is installed:

- (i) On Crown land, such as a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR;
- (ii) On freehold land owned by Council with the prior written consent of the Council, OR;
- (iii) On privately owned land with the consent of the landowner.

- (c) Any necessary approvals that may be required from any state government agencies are obtained prior to the event.

**NOTE:** *Examples of approvals that may be required include a liquor licence issued through the Licensing Court, via the Licensing Court Registry (Local Court House) or fireworks approvals from the Workcover Authority of NSW.*

- (d) The structure is no larger than 150m<sup>2</sup> in floor area and it is not used for human habitation.
- (e) The structure must not be installed as an alteration, addition or extension to an existing permanent building.
- (f) The ground or surface supporting a temporary structure must be sufficiently firm and stable so as not to become dangerous by reason of its slope, irregularity or some other factor.
- (g) The structure must possess the fire hazard properties required by Clause C1.10 and NSW Part H102 Volume One of the Building Code of Australia.
- (h) The structure must resist loads determined in accordance with Australian Standard 1170 – Minimum Design Loads on Structures.
- (i) Adequate sanitary and washing facilities must be provided in accordance with Part F of the Building Code of Australia.
- (j) Any liquid waste must be drained to a public sewer main or a Council approved sewage management system in accordance with Australian Standard 3500.2 – National Plumbing and Drainage Code.
- (k) There must be no emission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997.
- (l) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.

- (m) If the activity is being undertaken on Crown Land or freehold land owned by the Council, then the party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (n) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (o) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

**NOTE:** *Under some circumstances the erection and/or use of a temporary structure could require development consent under the Environmental Planning and Assessment Act 1979.*

## 2.2.2 Exemptions – Public entertainment (A3 Activity)

### Temporary structure

Exemption from approval for the **use of a temporary structure as a place of public entertainment or permit its use as a place of public entertainment (Activity A3)** is available in the circumstances specified below:

- (a) The proposed activity is undertaken:
  - (i) by a non-profit community based organisation for less than three days; OR,
  - (ii) by a company, individual or organisation to provide entertainment for the general community for less than three days.

**NOTE:** *An example of a relevant activity is a play or band performing within a marquee.*

- (b) The activity occurs:
  - (i) On Crown land, such as a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR;
  - (ii) On freehold land owned by Council with the prior written consent of the Council.
- (c) Any necessary approvals that may be required from any state government agencies are obtained prior to the event.

**NOTE:** *An example of an approval that may be required is a liquor licence issued through the Licensing Court, via the Licensing Court Registry (Local Court House).*

- (d) The venue is no larger than 150m<sup>2</sup> in floor area and it is not used for human habitation.
- (e) The structure must not be installed as an alteration, addition or extension to an existing permanent building.
- (f) The ground or surface supporting a temporary structure must be sufficiently firm and stable so as not to become dangerous by reason of its slope, irregularity or some other factor.
- (g) The use of the structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia.
- (h) The structure must resist loads determined in accordance with Australian Standard 1170 – Minimum Design Loads on Structures.
- (i) Adequate sanitary and washing facilities must be provided in accordance with Part F of the Building Code of Australia.

- (j) Any liquid waste must be drained to a public sewer main or a Council approved sewage management system in accordance with Australian Standard 3500.2 – National Plumbing and Drainage Code.
- (k) Adequate sanitary and washing facilities must be provided in accordance with Part F of the Building Code of Australia.
- (l) There must be no emission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997.
- (m) The use of a temporary structure as a place of public entertainment must comply with the relevant use and management provisions in Part 1 of Schedule 1 of the Local Government (General) Regulation 2005.
- (n) The party undertaking the activity must ensure that Council staff have full access, on demand, to all structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (o) If the activity is being undertaken on Crown Land or freehold land owned by the Council, then the party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (p) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.

#### Building

Exemption from approval for the **use of a building as a place of public entertainment or permit its use as a place of public entertainment**. Activity is available in the circumstances specified below:

- (a) The proposed activity is undertaken:
  - (i) by a non-profit community based organisation for less than three days; OR,
  - (ii) by a company, individual or organisation to provide entertainment for the general community for less than three days.

**NOTE:** *An example of a relevant activity includes a play or band performing within a community hall.*

- (b) The activity occurs:
  - (i) On Crown land, such as a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR;
  - (ii) On freehold land owned by Council with the prior written consent of the Council.
- (c) Any necessary approvals that may be required from any state government agencies are obtained prior to the event.

**NOTE:** *An example of an approval that may be required is a liquor licence issued through the Licensing Court, via the Licensing Court Registry (Local Court House).*

- (d) The venue, or that part of the venue being used for public entertainment, is no larger than 150m<sup>2</sup> in floor area.
- (e) The use of the building must comply with Part B1 and NSW Part H101 of Volume One of the Building Code of Australia.

## SHIRE OF WALGETT - AGENDA

- (f) The use of a building as a place of public entertainment must not reduce the fire protection or structural capacity of the building.
- (g) The use of a building or as a place of public entertainment must comply with the relevant use and management provisions in Part 1 of Schedule 1 of the Local Government (General) Regulation 2005.
- (h) Adequate sanitary and washing facilities must be provided in accordance with Part F of the Building Code of Australia.
- (i) There must be no emission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997.
- (j) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (k) If the activity is being undertaken on Crown Land or freehold land owned by the Council, then the party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (l) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.

### Relevant Reference Documents:

- Local Government Act 1993 – particularly Chapter 7.
- Local Government (General) Regulation 2005.
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
- Department of Local Government Practice Note 14 issued March 1996 titled Local Approvals Policies.
- Council file 315/01/02/21 - Corporate Management, Policy, Local Approvals Development.

### Stakeholders:

- Walgett Shire Council and the public.

### Financial Implications:

In theory, exemption provisions within the LAP could reduce the income derived from activity application fees. In reality, the elimination of non-essential approval processes will benefit the community by reducing red tape while allowing Council staff to focus resources on other issues.

**Recommendations:**

**That Walgett Shire Council resolve to:**

- 1. Note the Department of Planning has not consented to the exemption provisions contained in section 2.2.1 of the draft Local Approvals Policy endorsed by Walgett Shire Council on 20 October 2005.**
- 2. Endorse the amended version of the draft Local Approvals Policy, as per the altered sections included in this report.**
- 3. Determine that the amendments are not substantial, hence no further public consultation will be undertaken.**
- 4. Write to the Director General of the Department of Planning seeking their endorsement for the revised LAP exemption provisions that relate to that Department.**
- 5. If the Director General's endorsement is received, then give public notice of the adoption of LAP by Walgett Shire Council. That notice will be via advertisements in the Walgett Spectator, Black Opal Advocate and Ridge News.**

<b>MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 13

**Subject:** Road Maintenance – Grawin, Glengarry, Sheepyards Areas

**Author:** Alan Nelson – Manager Engineering

**File No:** 175/04/00/00

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**Summary:**

This report recommends that Council not intervene, as requested, in what appears to be a dispute between the operator of the Sheepyard Pub and the Glengarry Grawin Sheepyard Miners' Association.

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

A letter has been received from the operator of the Sheepyard Pub, relative to the financial contribution that Council makes on an annual basis to the Glengarry Grawin Sheepyards Miners' Association (GGsMA). The writer formally asks Council to repair the road in the vicinity of the Sheepyard Pub, owing to the lack of maintenance which the GGsMA have provided.

Council makes an annual contribution to the GGsMA, for that association to spend on community facilities as it sees fit. The GGsMA determines priorities for expenditure of these funds, which total \$25,000 in the current financial year, and Council has not sought to dictate to the GGsMA how these funds should be spent. Council does not have the resources to undertake any surveillance of GGsMA activities, relative to the spending of these funds and, if this were to change, then the surveillance costs would need to be funded from the \$25,000 contribution. In essence, this would mean a reduction in the contribution to the GGsMA.

Roads in the opal fields, in which the GGsMA operates, are not Council's responsibility to maintain. It is considered that the contribution made by Council towards the provision of services, not only roads, in the area by the GGsMA needs to be recognised as a social contribution. It is not intended to be a de-facto recognition that Council has some level of responsibility towards the maintenance of these roads.

The following options are put forward, as Council responses to the matters raised :

1. Do Nothing - indicate to both parties that this matter will need to be resolved between themselves as it is an area outside Council's responsibility.
2. Attempt to mediate a resolution between the two parties – perhaps threaten to withhold further support to the GGsMA unless both parties can reach an acceptable resolution.
3. Comply with the request to maintain the road in the vicinity of the Sheepyard Pub.

## **SHIRE OF WALGETT - AGENDA**

Of these options, Option One is the favoured course of action. Option Two would be more credible if complaints against the GGSMA were originating from numerous sources and Option Three is strongly recommended against on the basis that it could be interpreted as an admission of responsibility and would probably create a most undesirable precedent.

### **Relevant Reference Documents:**

- Letter from Proprietor, Sheeppyard Pub

### **Stakeholders:**

- Walgett Shire Council
- GGSMA
- Proprietor – Sheeppyard Pub

### **Financial Implications:**

Not Applicable

### **Recommendation:**

**That Council not intervene in the dispute between the Proprietor of the Sheeppyard Pub and the Glengarry Grawin Sheepyards Miners' Association (GGSMA) and that both parties be written to and urged to settle their differences.**

<b>MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 14

**Subject:** Strategic Regional Programme

**Author:** Alan Nelson – Manager Engineering

**File No:** 195/04/00/00

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**Summary:**

This report recommends that, in an effort to maximise chances of success, that Council pledge \$800,000 from Year Two of the current Five Year Road Plan, to any successful project submission under the Strategic Regional Programme.

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

At its March 2006 meeting, Council resolved that applications be submitted for the following projects under the Strategic Regional Programme:

1. Walgett to Carinda Road (RR333)
2. Collarenebri to Mungindi Road (RR457)
3. Collarenebri to Burren Junction Road (RR329)

The closing date for applications is 1 May next.

The programme provides for applications in one of two categories, these being projects seeking a grant of up to one million dollars and projects seeking a grant of up to ten million dollars. For grants in excess of one million dollars, a minimum 30% contribution from sources other than the Federal Government is mandatory.

\$127 million is available, Australia wide, under this programme. Accordingly, it must be appreciated that competition for funds will be intense and the chances of success are not great. It would be completely unrealistic to suggest that all three of Council's projects may achieve success. Council should not assign priorities and should allow each project to compete on its own merits.

It is not recommended that Council lodge any applications for projects up to one million dollars, despite the fact that the overall funding is very limited and projects seeking smaller amounts may be favoured. Each of these roads needs upgrading because of the fundamental fact that they become impassable in wet weather. A one million dollar grant will not change this, as it will only reduce the length of road, which becomes impassable. From a regional perspective, one million dollars will not achieve anything of significance on these roads.



## **SHIRE OF WALGETT - AGENDA**

To complete the Walgett to Carinda Road will cost an estimated \$6 million, whereas the completion costs for the other roads are \$10 million (RR457) and \$4.5 million (RR329). To comply with programme guidelines would necessitate a contribution from sources other than the Federal Government of at least \$1.8 million for RR333, \$3 million for RR457 and \$1.35 million for RR329. This amounts can come from Council, the State Government, local industry/business etc.

The adopted Five Year Road Plan provides in 2006/07 for \$800,000 expenditure on Regional Roads Nos 329, 402 and 7516. It is suggested that this amount be pledged for any or all of the abovementioned projects, in the event that they are successful in gaining funding under the Strategic Regional Programme. In theory, Council would not be able to provide \$800,000 for all three projects, however the chances of all projects being successful are considered so slim that this can be ignored. The actual funding applied for will depend upon the amount of funding pledged from other sources including the State Government and local industry/business. At the time of writing this report, these requests have not been answered.

### **Relevant Reference Documents:**

- Guidelines for Strategic Regional Programme
- Advice from The Hon John Anderson MP relating to Strategic Regional Programme
- Five Year Road Plan – Walgett Shire Council

### **Stakeholders:**

- Walgett Shire Council
- Federal Government
- Local Industry/Business
- State Government

### **Financial Implications:**

In the event that Council is successful in seeking funding under the Strategic Regional Programme, there will be a need to review Council's Five Year Road Plan. This report does not recommend that additional road funding be made available by Council.

### **Recommendation:**

**That Council make available \$800,000 from funds allocated in Year Two of the Five Year Road Plan, for use as a Council contribution to project costs for submissions made for Regional Roads Nos 333, 457 and 329 under the Strategic Regional Programme.**

<b>MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 15

**Subject:** Street Tree – Fox Street, near Wee Waa Street, Walgett

**Author:** Alan Nelson – Manager Engineering

**File No:** 011/07/01/48

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**Summary:**

This report recommends that an historic Coolabah tree, growing on the footpath in Fox Street near Wee Waa Street, be pruned but not removed.

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

This matter was first reported to Council in February 2006, at which stage Council resolved that the opinion of a qualified arborist be sought, prior to taking any action to remove or prune this tree.

This report has now been received and, in the opinion of the arborist, removal of the tree is not required. The arborist does recommend that some pruning of the tree be undertaken to sustain and enhance the tree for the future. It is proposed that, if Council is in agreement with this course of action, this pruning work be undertaken by the qualified arborist who supplied the report.

**Relevant Reference Documents:**

- Council File No 011/07/01/48
- Street Trees – Council Policy and Procedures (September 2005)
- Council Minutes 39/06 and 67/06
- Arborist's Report – A1 Tree Service (Dubbo)

**Stakeholders:**

- Walgett Shire Council
- Roads and Traffic Authority
- Residents of Walgett

**Financial Implications:**

Unknown at this stage but unlikely to exceed \$1,000 – pruning of the tree is unlikely to be very expensive, particularly if undertaken in association with other works.

**Recommendation:**

**That an historic Coolabah tree, growing on the footpath in Fox Street near Wee Waa Street, Walgett be pruned by staff from A1 Tree Service of Dubbo.**

<b>MANAGER ENGINEERING REPORT TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 16

**Subject:** Street Trees – Arthur Street, Walgett

**Author:** Alan Nelson – Manager Engineering

**File No:** 011/07/01/48

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**Summary:**

This report recommends that street trees, growing into overhead powerlines in front of the Walgett High School, be removed over the following two financial years and that they be replaced by more appropriate species.

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

Concern was expressed by Country Energy, that large eucalypt trees, growing along the frontage to Walgett High School in Arthur Street, were encroaching into overhead power lines. These trees have been pruned on previous occasions and an option to undertake further pruning is available. Current staff have only just become aware that a previous engineer had indicated to Country Energy that Council staff would regularly prune these trees, something which has not occurred.

Country Energy has looked into an option to use bundled conductors, however they stress that this option will simply reduce, but not eliminate the extent of pruning required. The cost of this option is approximately \$18,000. Country Energy has not invested the effort to produce a quote to place the power underground, considering the cost would be prohibitive.

The two public submissions received relating to these trees, sees one in favour of retaining the trees and another in favour of removal and replacement with other trees of a more appropriate species. It would appear that Country Energy staff hold the view that the trees should be removed and replaced.

There are eight (8) trees which are either already growing into powerlines or are at risk of doing so in the future. It is suggested that these trees be replaced over the next two financial years and, as each tree is removed, that it be replaced by a more appropriate species from the list of trees contained within Council's Street Trees Policy and Procedures document (September 2005).

A quote has not been obtained as yet for the staged removal of these trees, however it is likely to be less in total than the cost to provide bundled conductors. On the basis of tree removal quotes obtained recently for other locations, a cost of about \$1,000 per tree is envisaged.

**Relevant Reference Documents:**

- Council Minutes 33/06 and 66/06
- Walgett Precinct Committee Minutes – 14 February 2006
- Submission from Mrs D Gale

**Stakeholders:**

- Walgett Shire Council
- Residents of Walgett
- Country Energy

**Financial Implications:**

It is estimated that the cost of a staged removal of these trees, and their replacement with trees of a more appropriate species, will amount to about \$4,000 per year for the next two years. This money can be made available from routine maintenance budgets.

**Recommendation:**

**That Council stage the removal of trees, growing into powerlines in front of the Walgett High School in Arthur Street, Walgett over the 2006/07 and 2007/08 years and that, as each tree is removed, it be replaced with a tree of a more appropriate species type.**

<b>COMMITTEE MINUTES TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 17

**Subject:**

**Author:**

**File No:**

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*No reports submitted.*

**PRECINCT COMMITTEE REPORTS TO COUNCIL MEETING  
20 APRIL 2006**

Item No: 18  
Subject: Collarenebri Precinct Committee Meeting – 7 March 2006  
Author: Collarenebri Precinct Committee  
File No: 004/09/09/92

An example of the report format used by Precinct Committees

**REPORT FROM PRECINCT COMMITTEES**

Name of Precinct: COLLARENEBRI Number: 7  
Date of Meeting: 7.3.06 Numbers Present: 9  
Item Number: \_\_\_\_\_ File Number: \_\_\_\_\_  
Subject: ① TENNIS COURTS ③ SEATS  
② SHARPS BIN ④ DOGS  
Recommendation: ① THAT THE COURTS BE BROUGHT BACK TO PLAYING STANDARD & THE TOILET BLOCK BE MADE USEABLE.  
② THAT A SHARPS BIN BE PLACED IN PUBLIC TOILETS.  
③ THAT SEATS BE PLACED IN WALGETT STREET BETWEEN WILSON STREET AND THE HOSPITAL.  
④ THAT THE STRAY DOG PROBLEM BE SEEN TO. WITH A SUGGESTION THAT THE MAN COME EARLIER IN MORNING OR LATER IN AFTERNOON IN SUMMER MONTHS, NOT IN MIDDLE OF DAY.  
Signature of Chair: M. Greenaway  
Signature of Secretary: B. Webb

Walgett Shire Council

REC'D

04 APR 2006

FILE: 004/09/09/92

LETTER NO: 3307

REFER: 3511 004/09/92

COPY: ALLEN & MPE

<b>PRECINCT COMMITTEE REPORTS TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 19

**Subject:** Lightning Ridge Precinct Committee Meeting – 7 March 2006

**Author:** Lightning Ridge Precinct Committee

**File No:** 004/09/09/92

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**LIGHTNING RIDGE PRECINCT (ADVISORY) COMMITTEE**

**PRESENT** - Nick Cook, Herman Kreller, Harry Parada, Gyorgyi Nyers, Heather Landini  
Noni Rutherford and Christina Johansson.

Meeting chaired by Heather Landini opened 7.05

**Minutes from meeting 6 March 2006**

Moved: Harry Parada Seconded: by Heather Landini.

**BUSINESS ARISING FROM MINUTES:**

No business arising

**CORRESPONDENCE:**

**INWARDS:**

1. DA 2006007 Lot 85/2A Black Prince Drive, DA 2006008, Lot 16 Section 9 DP 758612.
2. Letter from Alan Nelson, Street Signs Audit.
3. Letter from Alan Nelson re Lightning Ridge Waste Depot
4. Example of the report format used by Precinct Committees "Report from Precinct Committees" forms.

**OUT:**

Nil

**BUSINESS ARISING FROM CORRESPONDENCE**

1. DA 2006007 – Approved. Carried
2. DA 2006008 – Motion DA approved as long as Buffalo Lodge have given their approval. Moved: Herman Kreller Seconded: Harry Parada
3. Street Signs Audit - Request for "additional information" needed – the Precinct Committee believes details have been documented at previous meeting, and will address this at next Precinct Committee meeting with Secretary Debbie Dwyer and Chair David Lane. Moved: Harry Parada Seconded: Heather Landini
4. Lightning Ridge Waste Depot – Recommendations put forward by Precinct Committee – Motions as follows -
  - a) Recommends that there be an extension of current tip
  - b) Behind the LR Cemetery, where it is close to water and power  
Moved: Haywood Little Seconded: Noni Rutherford

**GENERAL BUSINESS:**

Gyorgyi Nyers wishes to bring to the Shires attention to a large and deep body of water that has been lying all throughout summer at corner of Fantasia and Lappkalle Street, creating a large hole, which is getting bigger. The Shire has occasionally come and put tar on the spot, but later in the day the tar is all over the road

Two issues arise from this –

## SHIRE OF WALGETT - AGENDA

- a) Where does this water come from
- b) Drainage needs to be restructured

Question asked about costs incurred for Precinct Committee's – Noni informed that there is \$3000 in Shire budget for Precinct Committees..

Question raised again re the lengthening of the Lightning Ridge Airport runway.

Dogs – Fred Reece Way, Morilla St, recommendation from

Dog's Fred Reece, Morilla Ranger should do a blitz at spring time

Subsidize de-sexing emphasise max 2 dogs

Healthy discussion held on the current matter of Shire boundaries

Meeting closed 8.15

**Next Meeting Monday 24 April at Lightning Ridge Bowling Club.**



<b>PRECINCT COMMITTEE REPORTS TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 20

**Subject:** Walgett Precinct Committee Meeting – 11 April 2006

**Author:** Walgett Ridge Precinct Committee

**File No:** 004/09/09/92

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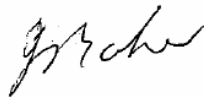
**REPORT FROM PRECINCT COMMITTEE**

**Name of Precinct :** WALGETT  
**Date of Meeting :** 11<sup>th</sup> April  
:

**number 61.**  
**Number Present :** 9

**Subject.** Shire of Walgett 3<sup>rd</sup> March 2006 DA 2006004 Rural Subdivision by David Fleming

Noted



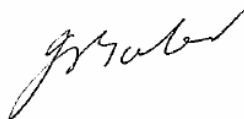
**REPORT FROM PRECINCT COMMITTEE**

**Name of Precinct :** WALGETT  
**Date of Meeting :** 11<sup>th</sup> April  
:

**number 62**  
**Number Present :** 9

**Subject.** Shire of Walgett 21st March 2006 DA 2006010 - Construction of Car Park by Walgett RSL Club

Noted



**REPORT FROM PRECINCT COMMITTEE**

**Name of Precinct :** WALGETT  
**Date of Meeting :** 11<sup>th</sup> April  
:

**number 63**  
**Number Present :** 9

**Subject.** Shire of Walgett advising of Public Meeting to consider Classification of Land in the Council Chambers, 10am 24<sup>th</sup> April 2006

Moved Shirley Mitchell seconded Marion Ward that the Chairman attend and seek representatives from the Historical Society to attend and to state the case previously adopted by Council for the land known as Eloura Park

Carried



## SHIRE OF WALGETT - AGENDA

### REPORT FROM PRECINCT COMMITTEE

Name of Precinct : WALGETT  
Date of Meeting : 11<sup>th</sup> April

number 64  
Number Present : 9

Subject. Shire of Walgett 30<sup>th</sup> March 2006 DA 2006012 Department of Housing to convert flats  
Shire of Walgett 29<sup>th</sup> March, 2006 advising of an Extra Ordinary Meeting of Council on 6<sup>th</sup> April  
Noted



### REPORT FROM PRECINCT COMMITTEE


Name of Precinct : WALGETT  
Date of Meeting : 11<sup>th</sup> April

number 65  
Number Present : 9

Subject

15<sup>th</sup> February Council is seeking comment on it's budget for 2005/2006 – A copy of the budget and strategic plan is on Council's website

Mr. Alan Friend stated that it was not available at the Council and would not be available for at least a fortnight.  
Noted



### REPORT FROM PRECINCT COMMITTEE

Name of Precinct : WALGETT  
Date of Meeting : 11<sup>th</sup> April

number 65  
Number Present : 9

Subject

22<sup>nd</sup> February – Precinct Meeting – the community voice – advising of local contacts - please note that I am listed with the wrong phone number.

Moved Alan Friend Seconded Helen Wright that Council be asked to ensure that the correct telephone numbers are given for the Chairman of this Precinct Committee.



REPORT FROM PRECINCT COMMITTEE

Name of Precinct : WALGETT

number 66

Date of Meeting :11<sup>th</sup> April

Number Present : 9

:

Subject Next meeting

That as most people will be busy with the Annual Show that the May meeting not be held.  
Carried.

REPORT FROM PRECINCT COMMITTEE

Name of Precinct : WALGETT

number 67

Date of Meeting :11<sup>th</sup> April

Number Present : 9

:

Subject

Extra Ordinary Meeting of Council - 6<sup>th</sup> April, 2006

A copy of the Minutes of the Extra Ordinary Meeting of Council was tabled.

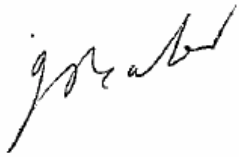
The Chairman suspended Standing Orders to allow full and detailed discussion.

On resumption of standing orders

That this committee advise Council that the Minutes of the Extraordinary Meeting of Council appear to be deliberately written so as to show that the Administrators subsequent recommendation was framed and agreed to by the public gallery. Of the eleven speakers only two spoke in favour of the deferment of the September Election. The other nine wanted an election held. **Moreover**, it should be shown that Mr. Edward Colless Junior should be shown as CEO of the Walgett Special One Co-Operative, an enterprise with about six hundred members.

## SHIRE OF WALGETT - AGENDA

Moreover the Committee are disappointed that the Administrator made public statements that the gallery was not representative of the whole Shire and the numbers were not very great. It is known that two hundred and ninety seven (297) persons signed a book wanting to attend the meeting and that people stood three deep in the gallery, many stood on the landing outside the doors and also on the lawn. Moreover the speakers showed that they were speaking on behalf of organisations throughout the Shire.

A handwritten signature in black ink, appearing to be 'J. M. A. B.', is written below the text.

<b>REPRESENTATIVE REPORTS TO COUNCIL MEETING 20 APRIL 2006</b>
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**Item No:** 21

**Subject:**

**Author:**

**File No:**

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*No Reports Submitted*