

AGENDA FOR ORDINARY COUNCIL MEETING

TUESDAY, 21 December 2010

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council will be held in the **Walgett Shire Council Chambers** on **Tuesday 21 December 2010**, commencing at 10.00am to discuss the items listed in the Agenda.

Don Ramsland **GENERAL MANAGER**

CONFLICT OF INTERESTS

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

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

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

Remoteness

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

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

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

Relatives, Partners

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

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

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

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

No Interest in the Matter

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

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

Disclosure and participation in meetings

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

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

Participation in Meetings despite Pecuniary Interest (\$452 Act)

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

Non-Pecuniary Interest – Must be disclosed in meetings.

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

• It may be appropriate that no action be taken where the potential for conflict is minimal. However,

Councillors should consider providing an explanation of why they consider a conflict does not exist.

- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if
 the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary
 interest)

Disclosure to be Recorded (S453 Act)

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

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#### **AGENDA**

| 1.  | Opening of Meeting                                                                                                                                                                                                                                      |  |  |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| 2.  | Acknowledgement of Traditional Owners  I would like to acknowledge the traditional owners of the lands within the Walgett Shire and I would also like to acknowledge the Aboriginal and Torres Strait Islander people who now reside within this Shire. |  |  |
| 3.  | Apologies                                                                                                                                                                                                                                               |  |  |
| 4.  | Welcome to Visitors                                                                                                                                                                                                                                     |  |  |
| 5.  | Public Forum Presentations  • Presentation by Council's Auditors                                                                                                                                                                                        |  |  |
| 6.  | Declaration of Pecuniary/Non Pecuniary Interests                                                                                                                                                                                                        |  |  |
| 7.  | Confirmation of Minutes5                                                                                                                                                                                                                                |  |  |
| 8.  | Reserve Trust Management Committee Reports                                                                                                                                                                                                              |  |  |
| 9.  | Mayoral MinutesNil                                                                                                                                                                                                                                      |  |  |
| 10. |                                                                                                                                                                                                                                                         |  |  |
| 11. | resentation of Petitions                                                                                                                                                                                                                                |  |  |
| 12. | Councillor's Questions with Notice                                                                                                                                                                                                                      |  |  |
| 13. | Reports of Delegates and Representatives  1. Rural Fire Service North West Zone Service Level Agreement Committee Minutes – September 2010                                                                                                              |  |  |
| 14. | Reservation of items for Debate                                                                                                                                                                                                                         |  |  |
| 15. | Reports of Officers                                                                                                                                                                                                                                     |  |  |
|     | <ol> <li>GENERAL MANAGER</li> <li>Circulars received from the NSW Local Government and Shires Association of NSW – December 2010</li></ol>                                                                                                              |  |  |

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11. Round 3 – Regional Local Community Infrastructure Programme (RLCIP) –

12.

Approval of Projects. ......58

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|     | DIRE  | CTOR CORPORATE AND COMMUNITY SERVICES                                                               |     |
|-----|-------|-----------------------------------------------------------------------------------------------------|-----|
|     | 13.   | Update report on Draft community strategic plan                                                     | 67  |
|     | 14.   | Cash on Hand and Investment Report as at 30 November 2010                                           | 70  |
|     | 15.   | 2009-2010 Audited financial Statements and Audit Report                                             |     |
|     | 16.   | Change of Phone System – Telstra submission                                                         |     |
|     | 17.   | Walgett Main Street Beautification                                                                  |     |
|     | 18.   | GOV- Farmland for Rating Purposes Policy                                                            |     |
|     | 19.   | IT System Change proposal                                                                           |     |
|     | 20.   | Draft Annual Report                                                                                 | 94  |
|     | DIRE  | CTOR PLANNING AND REGULATORY SERVICES                                                               |     |
|     | 21.   | Development and Complying Development Certificate Applications                                      | 96  |
|     | 22.   | Growth Strategy & Local Environmental Plan                                                          |     |
|     | 23.   | Draft Walgett Local Environmental Plan 2011                                                         |     |
|     | 24.   | Walgett Shire Local Approvals Policy                                                                |     |
|     | 25.   | Pilot Contanimated Soil Treatment Trial, Walgett Airport                                            |     |
|     | 26.   | Development Application, Diesel Storage & Sales, Walgett                                            |     |
|     | 27.   | 2010/2011 Local Heritage Fund Applications                                                          | 148 |
|     | 28.   | Matters Generally for Brief Mention from the Director Planning & Regulatory Services                | 154 |
|     | DIRE  | CTOR URBAN INFRASTRUCTURE SERVICES                                                                  |     |
|     | 29.   | Matters Generally for Brief Mention or Information Only from Director Urban Infrastructure Services | 157 |
|     | DIRE  | CTOR RURAL INFRASTRUCTURE & SUPPORTSERVICES                                                         |     |
|     | 30.   | Review of Strategic Plant Replacement Program 2010 - 2024                                           | 162 |
| 16. | Rep   | orts of Committees                                                                                  |     |
| 17. | Ques  | tions without notice from Councillors                                                               |     |
| 18. | Confi | idential Reports/Closed Council Meeting  Northern Regional Library Agreement Report                 | 3   |
| 19. | Close | e of Meeting                                                                                        |     |

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## 3. Apologies

Nil

## 6. Declaration of Pecuniary/Non Pecuniary Interests

## 7. Confirmation of Minutes



# MINUTES FOR ORDINARY COUNCIL MEETING

**TUESDAY, 23 November 2010** 

**NOTICE IS HEREBY GIVEN** pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council will be held in the **Burren Junction RSL** on **Tuesday 23 November 2010**, commencing at 10.00am to discuss the items listed in the Agenda.

Don Ramsland
GENERAL MANAGER

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#### WALGETT SHIRE COUNCIL MINUTES

# MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE BURREN JUNCTION RSL CLUB ON TUESDAY23 NOVEMBER 2010 COMMENCING AT 10:03 AM

#### **PRESENT**

Clr K Smith

Clr I Woodcock (Mayor)

Clr L Walford Clr R Greenaway Clr J Keir

Don Ramsland (General Manager)

Ms C Medcalf (Director, Corporate & Community Services)
Mr I Taylor (Director, Rural Infrastructure & Support Services)

Mr A Wilson (Health & Building Surveyor)

Mr F Coralde (Director, Urban Infrastructure Services)

Mr T Colak (Roads Engineer)
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**

#### 345/10 Apologies

#### Motion:

- 1. That apologies from Clr Martinez, Clr Lane, Clr Murray, Clr Colless be accepted and that a leave of absence be granted for the 23 November Council meeting.
- 2. That an apology from Matthew Goodwin be noted.
- 3. That it be noted that Clr Lane may be absent from the December Council and that a leave of absence be granted for the 21 December Council meeting.

Moved: Clr Greenaway Seconded: Clr Smith

#### **Public Forum Presentation**

#### Mr Brett Stevens - Burren Junction Precinct Committee

- Mr Stevens firstly apologised on behalf of Precinct Committee who were going to be present at the meeting but were unable to attend due to harvest.
- Mr Stevens spoke about the pedestrian crossing in front of the school and the constant complaints that the community have presented to Council. He asked if Council can do something about it.
- Mr Stevens also presented a petition from residents and school users.

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#### **WALGETT SHIRE COUNCIL MINUTES**

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

Nil

#### 346/10 Confirmation of Minutes of Council Meeting 26 October 2010

#### Motion:

1. That the Minutes of the Council meeting held 26 October 2010 be confirmed.

Moved: Clr Greenaway
Seconded: Clr Smith

**CARRIED** 

#### **Reserve Trust Management Committee Reports**

Nil

#### **Mayoral Minutes**

Nil

#### Motions of which Notice has been given

Nil

#### **Presentation of Petitions**

Council received a presentation from residents of Burren Junction which referred to the following two statements:

"Parents of students of Burren Junction Public School request that Walgett Shire bring the current safety crossing up to RTA standards.

"We believe the crossing is inadequate, dangerous and in a poor state of repair. We request Council to develop the area into a safe and functional Pedestrian Crossing.

#### **Councillors Questions with Notice**

Nil

#### Reports of Delegates and Representatives

Nil

#### Reservation of items for Debate

Nil

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#### **WALGETT SHIRE COUNCIL MINUTES**

#### Reports of Officers

#### 347/10 Circulars received from the Division of Local Government – November 2010

#### Motion:

1. That the information contained in the Departmental circulars 10-25 to 10-27 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Clr Keir Seconded: Clr Walford

**CARRIED** 

# 348/10 Circulars received from the Local Government and Shires Association of NSW – November 2010

#### Motion:

1. That the information contained in the weekly circulars from the Local Government and Shires Association be received and noted.

Moved: Clr Walford Seconded: Clr Smith

**CARRIED** 

#### 349/10 Monthly Calendar – November 2010

#### Motion:

 That Council note the intention to produce a regular monthly calendar as an agenda item to the monthly meeting.

Moved: Clr Smith Seconded: Clr Keir

**CARRIED** 

#### 350/10 Council decisions Action Report – 26.10.10

#### Motion:

1. That the report be received.

Moved: Clr Walford Seconded: Clr Greenaway

**CARRIED** 

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#### WALGETT SHIRE COUNCIL MINUTES

#### 351/10 Meetings of the Collarenebri Precinct Committee - Minutes

#### Motion:

That the Minutes of the meetings of the Precinct Committee be noted.

Moved: Clr Smith Seconded: Clr Walford

**CARRIED** 

**Note:** A discussion was held regarding staff and Councillors having a look on Thursday evening at the shed at the Collarenebri Skate Park in the hope of removing the sides and using it as a shade structure. It was left to the General Manager to make appropriate arrangements.

#### 352/10 Meeting Report Format

#### Motion:

1. That Council formally adopt the revised format for meeting reports.

Moved: Clr Walford Seconded: Clr Keir

**CARRIED** 

#### 353/10 Public meeting to consider future operations of the Collarenebri Agency

#### Motion:

#### That:

- 1. Council recognise the concerns of the Collarenebri Community and that the General Manager carry out a detailed review of the Collarenebri Agency facility including an examination of the options for calling expressions of interest.
- 2. A further public meeting be held to consider the outcomes of the proposed review.
- 3. If possible that the public meeting be held in February 2011 and at least three week's notice be given of the meeting.

Moved: Clr Walford Seconded: Clr Keir

**CARRIED** 

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#### **WALGETT SHIRE COUNCIL MINUTES**

#### 354/10 Establishment of One Association

#### Motion:

1. That Council determine that its preferred model is Model 2 – 2 delegates each from 5 zones, for future representation when the "One" Association concept is introduced and advise the NSW Shires Association and Divisional Groups accordingly.

Moved: Clr Greenaway

Seconded: Clr Keir

**CARRIED** 

#### 355/10 Provision of Council Housing

#### Motion:

1. That the General Manager undertake a detailed review of Council's Housing Policy and supporting documentation and also report on the possible introduction of a housing maintenance levy.

Moved: Clr Keir

Seconded: Clr Greenaway

**CARRIED** 

#### 356/10 2011 National Aboriginal Rugby League Knockout

#### Motion:

1. That a letter of support should be forwarded to the Walgett Knockout Committee and as soon as Committee members are available, that a meeting be convened to discuss the proposal to upgrade the local September Knockout carnival.

Moved: Clr Walford Seconded: Clr Smith

**CARRIED** 

#### 357/10 Division of Local Government – Councillor Information Seminars

#### Motion:

1. That all available Walgett Shire Councillors attend the Division of Local Government Councillor Information Seminar being held at Gilgandra on Thursday morning 9 December, 2011 and that arrangements be made for Council's bus to depart the Walgett Shire Administration Centre at 7.30 am and return immediately following the conclusion of the seminar.

Moved: Clr Smith Seconded: Clr Keir

**CARRIED** 

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#### **WALGETT SHIRE COUNCIL MINUTES**

#### 358/10 Matters Generally for Brief Mention or Information only from General Manager

#### Motion:

1. That the matters listed by the General Manager for brief mention, or information only, be received and noted.

Moved: CIr Walford Seconded: CIr Greenaway

**CARRIED** 

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#### WALGETT SHIRE COUNCIL MINUTES

#### 359/10 Quarterly Budget Review as at 30 September 2010

#### Motion:

1. That Council note the quarterly budget review for the period to 30 September 2010 and adopt the changes as follows:

#### General fund Operational Budget:

#### Income

\* An increase in the Federal Assistance Grant for general use \$154,879

\* An increase to the roads component of the Federal Assistance Grant \$507,547

Total: \$662,426

Water and Sewer funds Operational budget:

#### Expense

\* An increase in the Valves and Hydrants repairs budget \$13,500

\* A decrease in the reservoirs Painting and minor control repairs budget (\$13,500)

\* A decrease in the sewer treatment repairs and maintenance budget (\$6,000)

Total (\$6,000)

#### General fund Capital budget:

#### Income

- \* Round 3 Regional Infrastructure projects
- \* Collarenebri Aerodrome Lighting grant

Total \$235,204

Total \$202,989

#### Expense

| * | Round 2 Regional Infrastructure projects with no current budget       | \$182,442 |
|---|-----------------------------------------------------------------------|-----------|
| * | An increase in the Bus Shelter construction project                   | \$5,343   |
| * | Further expense for the reconstruction and seal of streets in Walgett | \$57,833  |
| * | An increase for the Collarenebri Aerodrome Lighting expense           | \$70,408  |

- \* A reduction in expense for the Rowena Hall upgrade leaving \$20,000 for the nonregional infrastructure expense (\$15,000)
- A reduction in expense for the Come-by-Chance hall repairs leaving \$15,000 for the regional infrastructure expense (\$5,000)
- \* A reduction in Rural sealed pavement re-sealing (\$57,833)
- A reduction to the urban footpaths replacement program (\$35,204)

Water and Sewer funds Capital budget:

#### **Expense**

\* An increase for a new Sewer pump in Walgett \$6,000 **Total** \$6,000

Moved: Clr Smith Seconded: Clr Greenaway

**CARRIED** 

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#### **WALGETT SHIRE COUNCIL MINUTES**

#### 360/10 Cash on Hand and Investment Report as at 31 October 2010

#### Motion:

1. That the cash on hand and investment report as at 31 October 2010 be received.

Moved: Clr Walford Seconded: Clr Greenaway

**CARRIED** 

#### 361/10 Tourism Branding Billboards and Brochure

#### Motion:

1. That Walgett Shire Council defer any action with regards proposed Billboards until it undertakes a community consultation process for the proposed Billboard campaign and that all options be discussed at joint sessions with all representatives available from Lightning Ridge, Burren Junction, Collarenebri and Walgett.

Moved: Clr Smith Seconded: Clr Keir

**CARRIED** 

#### 362/10 DA – Caravan Park, Lightning Ridge

#### Motion:

That Walgett Shire Council resolve to:

1. Approve Development Application 2010/037 by the Land and Property Management Authority for the redevelopment and expansion of the Lightning Ridge Caravan Park (lot 1, 2 & 4 DP 1100315 and lot 25 DP 752756), Harlequin St, Lightning Ridge, subject to the conditions of development consent agreed to by that Authority in a letter dated 12 November 2010 and be subject to further negotiations with Land and Property Management Authority by the General Manager to undertake gravelling of the rear laneway in conjunction other infrastructure works forming part of the development consent.

Moved: Clr Walford Seconded: Clr Greenaway

#### **Planning Division:**

For: Clr Woodcock, Clr Smith, Clr Greenaway, Clr Walford and Clr Keir

Against: Nil

**Absent:** Clr Martinez, Clr Lane, Clr Colless, and Clr Murray

**CARRIED** 

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#### **WALGETT SHIRE COUNCIL MINUTES**

#### 363/10 2009/2010 State of the Environment Report

#### Motion:

That Walgett Shire Council resolve to:

- 1. Note and endorse the Walgett Shire State of the Environment Report for 2009-2010, as prepared by Council's Director of Planning & Regulatory Services.
- Submit the Walgett Shire State of the Environment Report for 2009-2010, to the Division of Local Government, Department of Premier and Cabinet, as a component of Walgett Shire Council's Annual Report.

Moved: Clr Greenaway Seconded: Clr Smith

#### **CARRIED**

#### 364/10 Growth Strategy & Local Environmental Plan

#### Motion:

- That this item be deferred until the December Council Meeting to allow the opportunity for a member from the Department of Planning to attend the next meeting to discuss the following issues.
  - \* the minimum size lots,
  - \* Preserved opal fields,
  - Workers accommodation issues

Moved: Clr Greenaway
Seconded: Clr Smith

#### **CARRIED**

#### 365/10 Development and Complying Development Certificate Applications

#### Motion:

That Walgett Shire Council resolve to:

- Note the report on:
  - (a) Development Applications approved under delegated authority by the Director Planning and Regulatory Services, Matthew Goodwin, during October 2010.
  - (b) Complying Development Certificate applications approved by Council's Senior Health and Building Surveyor, Len Smyth, as a Building Professionals Board Accredited Certifier during October 2010.

Moved: Clr Walford Seconded: Clr Keir

#### **CARRIED**

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#### WALGETT SHIRE COUNCIL MINUTES

#### 366/10 Matters Generally for Brief Mention or Information only from Director Planning & Regulatory Services

#### Motion:

1. That the matters listed by the Director of Planning & Regulatory Services for brief mention, or information only, be received and noted.

Moved: Clr Smith Seconded: Clr Greenaway

**CARRIED** 

#### 367/10 AFM – Water Restriction Policy Review

#### Motion:

 That this item be deferred until the next Council meeting so that further questions can be investigated.

Moved: Clr Smith Seconded: Clr Walford

**CARRIED** 

#### 368/10 Lighting Improvement at Collarenebri Airport

#### Motion:

- Council accept the \$35,000 grant offered by the Department of Infrastructure, Transport, Regional Development and Local Government based on the 1:1 funding arrangement for a project expenditure totalling \$70,000.
- 2. Council approve to reduce the 2010-2011 Footpath Rehabilitation Program to \$365,000 and use the amount of \$35,000 to fund the Collarenebri Aerodrome Lighting Improvement Project.

Moved: Clr Greenaway Seconded: Clr Smith

**CARRIED** 

11:56 pm Clr Smith left the meeting

11:58pm Clr Smith returned to the meeting

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#### **WALGETT SHIRE COUNCIL MINUTES**

369/10 Matters Generally for Brief Mention or Information only from Director Urban Infrastructure Services

#### Motion:

 That the matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted

Moved: Clr Smith Seconded: Clr Walford

**CARRIED** 

#### **Disclosure Returns**

#### Motion:

1. That the returns from the following staff be received:

Prafulla KC Clarence (Jeff) Chape

Len Smyth Tekin Colak

Moved: Clr Smith Seconded: Clr Greenaway

**CARRIED** 

#### **Questions from Councillors**

#### **CIr Smith**

#### Question 1:

We are having problems with horses at the Tennis Courts in Barwon Street, Collarenebri? They have an electrical fence up, and the horses are there illegally.

#### Response:

The General Manager advised that he will take the question on notice for the Director Planning & Regulatory Services.

#### Question 2:

Is there any chance of the culverts on the corners of the streets at Collarenebri where all the water is laying can be sprayed or cleaned out?

#### Response:

The Director Urban Infrastructure Services advised that he will look into it.

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#### **WALGETT SHIRE COUNCIL MINUTES**

#### Question 3:

Have we heard anymore on our power source in Collarenebri?

#### Response:

The General Manager advised that he is looking into it.

#### Question 4:

At the Ambulance base in Collarenebri, there is a tree that has fallen over in the front yard. Can Council have a look and maybe look into removing it.

#### Response:

The Director Urban Infrastructure Services advised that he will look into.

#### Question 5:

Can we have someone look at the bridges out near Grawin?

#### Response:

The Director Rural Infrastructure & Support Services advised he will take on notice and take a further look at the bridges.

#### Question 6:

We are having problems on the Mungindi Road; there is a bad culvert near Blair Hill. Vehicles are getting bogged when it rains. Can we get some white gravel put down and some grading done?

#### Response:

The Director Rural Infrastructure & Support Services advised that it is a work in progress but the weather is preventing them from completing it at the moment as resources are moved to other areas. There is no exact timeline at this stage, but the work should recommence again next week weather permitting.

#### **CIr Greenaway**

#### Question 1:

In relation to the electricity grids in the main street, did they get a certificate of compliance?

#### Response:

The General Manager advised that is could be a complying development and be exempt. He advised that he will ask the Director Planning & Regulatory Services to investigate further.

The Health & Building Surveyor advised that he will have a look on Thursday afternoon.

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#### WALGETT SHIRE COUNCIL MINUTES

|                     | Question 2:                                                                                                                                                                                                                                                            |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                     | What will the Roller drivers be doing in the wet weather?                                                                                                                                                                                                              |
|                     | Response:                                                                                                                                                                                                                                                              |
|                     | The Director Rural Infrastructure & Support Services advised that they will be doing various odd jobs. He also advised that they are also encouraging those staff who have leave to take some annual leave.                                                            |
|                     | Question 3:                                                                                                                                                                                                                                                            |
|                     | Every causeway on my drive over today has holes in them and I had to drive around them. Have we got the funds to fix them up?                                                                                                                                          |
|                     | Response:                                                                                                                                                                                                                                                              |
|                     | The Director Rural Infrastructure & Support Services advised that calculations have not been completed for the repair of the causeways. He also advised that they have been underprovided for in the renewal maintenance budget.                                       |
|                     | Question 4:                                                                                                                                                                                                                                                            |
|                     | The tank at the Tennis club at Burren Junction leaks about halfway up. Can it be replaced?                                                                                                                                                                             |
|                     | Response:                                                                                                                                                                                                                                                              |
|                     | The Director Urban Infrastructure Services advised that he inspected it this morning. At this stage they will make some repairs to the leaks. He further advised that a new tank will cost about \$3000 or \$4000 and can be added to the list for next year's budget. |
|                     | He further advised that he cannot guarantee that it will be replaced this year.                                                                                                                                                                                        |
|                     |                                                                                                                                                                                                                                                                        |
|                     | The meeting closed at 12:30pm                                                                                                                                                                                                                                          |
|                     | To be confirmed at the meeting of Council to be held on Tuesday 21 <sup>st</sup> December 2010                                                                                                                                                                         |
|                     |                                                                                                                                                                                                                                                                        |
|                     | Mayor General Manager                                                                                                                                                                                                                                                  |
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| (                   | Confirmation of Minutes of Council Meeting 23 November2010                                                                                                                                                                                                             |
|                     |                                                                                                                                                                                                                                                                        |
| Recommen            | dation:                                                                                                                                                                                                                                                                |
| That the Min        | outes of the Council meeting held 23 November 2010 be confirmed.                                                                                                                                                                                                       |
| Moved:<br>Seconded: |                                                                                                                                                                                                                                                                        |
|                     |                                                                                                                                                                                                                                                                        |

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## 8. Reserve Trust Management Committee Reports

Nil

## 9. Mayoral Minutes

Nil

## 10. Motions of which Notice has been given

#### Notice of Motion - Working with Landowners in Flood events in the Shire

#### Motion:

That Landholders and Walgett Shire Council work together for mutual benefit in repairing flood and rain damaged local and regional roads in the Shire.

Moved: Clr Murray

Seconded:

#### Notice of Motion -Flood events in the Shire

#### Motion:

In the event that we have a flood in the Walgett Shire in the near future and are declared a natural disaster area, can we work together with the RTA in assessing the roads, securing funding and that urgent repairs to roads are carried out in a more timely fashion.

Moved: Clr Keir

Seconded:

#### Notice of Motion -Mining Issues at Lightning Ridge

#### Motion:

That Walgett Shire Council write to the NSW Minister and Shadow Minister responsible for mines expressing councils concern at the Department Industry and Investment (Mines) lack of action or any apparent interest in mining related issues at Lightning Ridge. And that Walgett Shire Council invite the Minister, Shadow Minister and Local Members to visit Lightning Ridge in the New Year to discuss these concerns and possible options as a matter of urgency with councillors and Industry Representatives.

Moved: CIr Lane

Seconded:

#### Information:

At present the Department of Industry and Investment (Mines) is noticeable by its absence in Lightning Ridge.

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In 2009 they advised that the Lightning Ridge Mining Board was illegal as it had not been established correctly and ceased to have these meetings. As of today there is no apparent effort or evidence that they the Department are even considering re-establishing this group or an alternative to it.

This appears to then have become a reason not to continue with the Interdepartmental Camps on Claims committee meetings. And as we heard at the teleconference on the 13<sup>th</sup> December 2010 NSW Government Department are now saying its work is done, this is completely false.

At the last camps on claims meeting (2009) it was agreed the Land covering Grawin would be purchased, the current owner had agreed on a price and the purchase had been approved by the Valuer General and the money was available from a pool of money contributed to by claim holders and administered by the DII.

Since this time the purchase has not taken place and as far as I can ascertain the Department is now saying they have legal advice that they cannot hand over money held by them for the purchase of this property and have advised NSW treasury of this. This is despite the fact that at least two properties have been purchased in the past by the same process, using the same miner's fund. It could be argued that this is an attempt by the NSW Government to make the fund disappear using a slight of hand method, it should be pointed out that this fund amounts to many hundreds of thousands of dollars of fees paid by Lightning Ridge claim holders for the purpose of surveying residential claims for conversion to Western Lands Leases and the purchasing of mine effected properties as they become available.

The Department of Industry and Investment (Mines) have apparently decided they are no longer going to be involved in the miner's compensation scheme, the scheme that has been in place for at least a decade and which was the method where miners compensated landholders for the effects of mining. Their current approach seems to be, it's none of our business and you miners and farmers can fight it out the best way you can, and they won't be involved.

It is now becoming a matter of urgency that these issues are resolved; the Lightning Ridge Miners Association has had little success in getting the current Government interested in even considering what is going to happen at Lightning Ridge, and I ask council to use its influence to get the responsible Government Departments to take ownership of these issues.

#### 11. Presentation of Petitions

Nil

#### 12. Councillors Questions with Notice

#### **Councillor Greenaway**

#### Question 1:

Could Councillors be given the total cost of the expenses that the shire incurred in relation to the court hearing involving an ex-staff member in Dubbo in November? Costs are to include witness fees and/or wages, accommodation, meals and travelling expenses. Cost of legal fees relating to the two day court hearing and court costs.

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#### Response:

The Director Corporate & Community Services advises that a response will be provided at the Council meeting.

#### **Councillor Murray**

#### Question 1:

What is happening at the Basketball courts near No1 Oval? Who is the contractor?

#### Response:

The Director Corporate & Community Services advises that at the September Council the General Manager advised Council that the contractor is MPREC and that negotiations were ongoing to rectify an issue.

She further advises that contracts have been recently signed for work to recommence and were due to finish before end December but due to rain work has been delayed.

Councillors are reminded that this is not a Council project.

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## 13. Reports of Delegates and Representatives

# 1. RURAL FIRE SERVICE NORTH WEST ZONE SERVICE LEVEL AGREEMENT COMMITTEE MINUTES – SEPTEMBER 2010

**REPORTING SECTION:** Director Rural Infrastructure & Support Services

**AUTHOR:** Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 09/57

#### **Summary:**

Rural Fire Service (RFS) in Walgett Shire is managed by the North West Zone (Zone) under a service level agreement (SLA). This report provides Council with the draft minutes of the September 2010 SLA meeting.

#### Background:

Rural Fire Service in Walgett Shire is managed by the North West Zone under a service level agreement (SLA). The North West Zone includes the Councils of Coonamble, Warren, and Walgett.

#### **Current Position:**

The SLA Committee meeting occurs quarterly and reviews performance of Councils and the Zone against the agreement. Coonamble Shire Council administers the Group and all financial transactions applicable to the Zone occur through their accounts. Walgett is invoiced quarterly in line with the Emergency Services levy invoices.

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

Refer NSW Legislation for Rural Fire Service. Minutes RFS SLA 29 September 2010 09/57/023

#### **Governance issues:**

Governance is administered by NSW RFS and the SLA Committee.

#### **Environmental issues:**

The Zone exercises all of Council's responsibilities in respect of managing the bush fire threat.

#### Stakeholders:

All residents and land owners in Walgett Shire.

#### **Financial Implications:**

The Zone is part funded directly by NSW Government and partly by Council. Council has to anticipate the funding requirement in advance of the State Government budget. The Zone

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follows a long term strategic plan including a financial plan. Some additional funding will be required this financial year due to meet Council's contribution to the Emergency Services levy.

#### **Alternative Solutions/Options:**

An alternative would be for Council to undertake the management it RFS responsibilities independently of the Zone. However such a proposal would require further investigation to identify if any efficiency could be achieved by this approach.

#### **Conclusion:**

Council should remain in the North West Zone.

Rural Fire Service North West Zone Service Level Agreement Committee Minutes – SEPTEMBER 2010

#### Recommendation:

1. That the minutes of the September 2010 meeting of the Rural Fire Service North West Zone Service Level Agreement Committee be received and noted.

#### Moved: Seconded:

#### Attachments:

Minutes of 29 September 2010 RFS SLA Meeting

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# 2. NORTH WEST WEIGHT OF LOADS COMMITTEE MINUTES – SEPTEMBER 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 September 2010 committee meeting

#### 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.

#### **Current Position:**

NWWOLG meets quarterly. 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/Policies:**

Refer NSW Legislation for Vehicle Mass Management. Minutes NWWOLG 123 September 2010 09/65/031

#### **Governance issues:**

Governance is administered by Moree Plains Shire Council.

#### **Environmental issues:**

NWWOLG enforces relevant NSW Legislation outside the reach of "Chain of Responsibility" to constrain the consumption of road assets and thereby allowing Council's road maintenance and renewal dollars to go further.

#### Stakeholders:

All Heavy Vehicle Operators in Walgett Shire

#### **Financial Implications:**

Revenues and expenditures are variable over 12 months, but within expectations at this time.

#### **Alternative Solutions/Options:**

An alternative would be for Council to undertake the management of mass on its roads independently of NWWOLG, join another Weight of Loads Group, or not to manage vehicle mass, relying solely on chain of responsibility.

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To not manage vehicle mass would make it very difficult for Council to argue to Government that it was exercising proper stewardship of its road assets and/or significantly increase the cost of asset renewal to Council.

#### Conclusion:

Council should remain in NWWOLG.

#### North West Weight of Loads Committee Minutes - September 2010

#### Recommendation:

1. That the minutes of the September 2010 meeting of the North West Weight of Loads Group Committee be received and noted.

#### Moved:

Seconded:

#### **Attachments:**

Minutes of 13 September 2010 NWWOL Meeting

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# 3. WALGETT LOCAL AREA TRAFFIC COMMITTEE MINUTES – OCTOBER 2010

**REPORTING SECTION:** Director Rural Infrastructure & Support Services

**AUTHOR:** Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 09/62

#### **Summary:**

This report recommends that Council note and adopts the recommendations of the recent meeting of the Walgett Local Area Traffic Committee (Traffic Committee).

#### Background:

The Walgett Local Area Traffic Committee is constituted under State Government Legislation. It is a technical advisory committee to Council charged primarily with advising Council on the suitability of implementing regulatory traffic facilities and related changes to Regional and Local Roads.

#### **Current Position:**

Traffic Committee generally meets every second month or as required. Its membership comprises representatives of the NSW Roads and Traffic Authority, Local State Member of Parliament, NSW Police, and industry representatives as relevant.

Anyone may put forward an issue to be considered by the Committee and make a presentation to items on the agenda, however the Committee does not deliberate in public.

Recommendations made by the Committee are referred to Council for consideration. If Council resolves contrary to a recommendation of the Committee, there is a formal appeal process which must be allowed to take its course prior to Council implementing its resolution.

#### Relevant Reference Documents/Policies:

Refer NSW Legislation for Road Safety and Traffic Management Minutes Traffic Committee 14 October 2010 09/62-04/019

#### **Governance issues:**

Governance is administered by Walgett Shire Council and the NSW Roads and Traffic Authority.

#### **Environmental issues:**

Walgett Shire Council has responsibility for managing environmental issues in relation to the activities of Traffic Committee.

#### Stakeholders:

All road users in Walgett Shire Walgett Shire Council

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#### **Financial Implications:**

Recommended works are constructed subject available funding allocations. As no works have been recommended, there is nil impact.

#### **Alternative Solutions/Options:**

Not applicable.

#### **Conclusion:**

Council should receive and note the minutes of the Traffic Committee.

#### Walgett Local Area Traffic Committee Minutes - October 2010

#### Recommendation:

1. That the minutes of the October 2010 meeting of the Walgett Local Area Traffic Committee be received and noted.

#### Moved:

Seconded:

#### **Attachments:**

Minutes of 14 October 2010 Walgett Local Area Traffic Committee

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#### 4. NETWASTE FORUM MEETING MINUTES

**REPORTING SECTION:** Urban Infrastructure Services

**AUTHOR:** Siegfredo O Coralde – Director Urban Infrastructure Services

**FILE NUMBER:** 09/1508

#### **Summary:**

This report recommends that Council note the Netwaste Minutes of Meeting held at Narromine United Services Memorial Club on Friday, 27 August 2010.

Walgett Shire representative was unable to attend the meeting.

#### **Background:**

Netwaste is a non-profit organization composed of 28 member councils located in the central and western regions of New South Wales as shown below:

Bathurst Regional Council Forbes Shire Council
Bland Shire Council Gilgandra Shire Council
Blayney Shire Council Lithgow City Council
Blue Mountains City Council Lachlan Shire Council

Bogan Shire Council Mid-Western Regional Council Bourke Shire Council Narromine Shire Council

Brewarrina Shire Council
Broken Hill City Council
Cabonne Council
Central Darling Shire Council
Cobar Shire Council
Warren Shire Council

Coonamble Shire Council Warrumbungle Shire Council

Cowra Shire Council Weddin Shire Council

Dubbo City Council Wellington Council

The Netwaste area represents over one third of the State of New South Wales.

#### **Current Position:**

Walgett Shire Council is an active member of Netwaste. The following persons are nominated and approved by Council to participate in collaborative and cooperative discussions with other councils through Netwaste:

- Councillor Jane Kier
- Siegfredo Coralde Director Urban Infrastructure Services

Council have no dedicated Solid Waste Officer or a person in-charge of waste minimization activities not only for solid waste but in water and sewerage functional areas.

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

Nil

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#### Governance issues:

Landfills are not operationally and administratively managed effectively. Council is required to provide data and annual reports that are difficult to extract in this current situation.

#### **Environmental issues:**

Emanating issues Council need to gain understanding are in the following functional areas:

- Zero Waste Disposal to Landfill by introduction of several waste minimisation initiatives
- Oil disposal and recycling
- Paper and Plastic Recycling
- Green Waste Production and Disposal
- Landfill Post Closure Programs

#### Stakeholders:

Walgett Shire Council

#### **Financial Implications:**

Periodical meetings usually take 3 to 4 hours. Council representatives travel in early mornings but if the venue is more than 4-hour drive from Walgett; normally take an afternoon day travel the day before the scheduled meeting. Expenses are charged to the Directorate's annual budget allocation for meetings, training and conferences.

#### **Alternative Solutions/Options:**

Another Netwaste Meeting was held on 03 December 2010 in Orange PCYC Training Room at Orange. Once again, Walgett Shire representative was unable to attend the meeting. Meetings such as this are important for Council especially in the area of networking. It is recommended that another Urban Infrastructure Services staff should represent Council in future meetings when this happens.

Council need to be proactive in addressing solid waste problems around the shire. In coming years, waste disposals based on waste minimization strategies shall be implemented strictly by the government. It is recommended that Council consider creating a position of Solid Waste Minimization Officer or a person in a similar role to administer all landfills and waste minimization activities that will include educational programs and initiatives in water and sewerage functional areas.

#### Conclusion:

Council consider two alternative solutions provided in Section 9: Alternative Solutions/Options above.

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#### **Netwaste Forum Meeting Minutes**

#### Recommendation:

- 1. Council notes the Netwaste Minutes of the Meeting held at Narromine United Services Memorial Club, Narromine on 27 August 2010.
- 2. Council authorize the General Manager to advise officially Netwaste the nomination of Prafulla KC and/or Roy White as representatives to attend Netwaste Meetings in conjunction with elected representative.
- 3. That the creation of a Solid Waste Minimization Officer and the financial cost of this position be considered by Council in the formulation of the annual budget in 2011-12.

### Moved:

#### Seconded:

#### **Attachments:**

- a. Netwaste Minutes of Meeting 27 August 2010
- b. Netwaste Forum Agenda 03 December 2010

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#### 14. Reservation of items for Debate

Nil

## 15. Reports of Officers

# 5. CIRCULARS RECEIVED FROM THE NSW LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF NSW – DECEMBER 2010

**REPORTING SECTION:** General Manager

AUTHOR: Don Ramsland – General Manager

FILE NUMBER: 10/615

#### **Summary:**

Copies of weekly circulars received from the Local Government and Shires Association since 12 November 2010 have been distributed to Councillors.

#### **Background:**

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

#### Issue 45 - 19 November 2010

Item 2 – Shires Association Special Conference

Item 5 - Bush Fire Protection Package announced

#### Issue 46 - 26 November 2010

Item 2 - Large Grants available through Healthy Communities

Item 5 - Free Local Government Business Continuity Management Course

Item 10 - Cost Shifting Survey

Item 13 - Senior Executive Staff Remuneration

#### Issue 47 - 3 December 2010

Item 3 – NSW Aboriginal Lands Cleanup Program Funding 2011

Item 9 – Finance for Non-finance Managers

#### **Current Position:**

Councillors need to peruse these circulars and raise any matters of interest with the General Manager prior to the Meeting.

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

Nil

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#### **Governance issues:**

'The 'Finance' for Non-finance managers' may be of interest to some councillors

#### **Environmental issues:**

NSW Aboriginal Lands Clean Up programme funding 2011 should be brought to the attention of the Local Lands Council.

#### Stakeholders:

Councillors
Walgett Shire Council staff

#### **Financial Implications:**

Any course attendance fees would need to be drawn from current budget allocations.

#### **Alternative Solutions/Options:**

Not Applicable

#### **Conclusion:**

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

Circulars received from the NSW Local Government and Shires Association of NSW – December 2010

#### **Recommendation:**

1. That the information contained in the weekly circulars from the NSW Local Government and Shires Association be received and noted.

#### Moved: Seconded:

#### **Attachments:**

Nil

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# 6. CIRCULARS RECEIVED FROM THE LOCAL GOVERNMENT DEPARTMENT OF PREMIER AND CABINET – DECEMBER 2010

**REPORTING SECTION:** General Manager

**AUTHOR:** Don Ramsland – General Manager

FILE NUMBER: 10/616

#### **Summary:**

Copies of circulars received 10-28 to 10-31 from the Local Government Division Department of Premier and Cabinet are attached for Councillors information.

#### Background:

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

- 10/28 2011 Minister's Awards for Women in Local Government Call for Nominations
- 10/29 Guidelines for the Preparation of a Special Rate variation application to exceed the Minimum rate statutory limit 2011/12
- 10/30 Councillors access to Information
- 10/31 Release of Long Term Financial Plan Information

It is proposed to list all the circulars received from the Local Government Division each month so that all councillors are aware of the various issues being raised at a Departmental level.

#### **Current Position:**

These circulars address issues which may impact on Council in the first half of 2011.

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

Nil

#### **Governance issues:**

Circular 10/30 in part addresses concerns identified at Walgett with regards access to Information and deal with in the draft Code.

#### **Environmental issues:**

Not Applicable

#### Stakeholders:

Councillors

Walgett Shire Council staff

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#### **Financial Implications:**

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

In this case any special Rate variations will need to be considered early in 2011.

#### **Alternative Solutions/Options:**

Not applicable

#### Conclusion:

It is appropriate for Council to receive and note the advice contained in the circulars.

# Circulars received from the Local Government Department of Premier and cabinet – December 2010

#### Recommendation:

1. That the information contained in the Departmental circulars 10-28 to 10-31 from the Local Government Division Department of Premier and Cabinet be received and noted.

#### Moved:

#### Seconded:

#### Attachments:

- 10/28 2011 Minister's Awards for Women in Local Government Call for Nominations
- 10/29 Guidelines for the Preparation of a Special Rate variation application to exceed the Minimum rate statutory limit 2011/12
- 10/30 Councillors access to Information
- 10/31 Release of Long Term Financial Plan Information

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#### 7. COUNCIL DECISIONS ACTION REPORT – 23.11.10

**REPORTING SECTION:** General Manager

**AUTHOR:** Don Ramsland – 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.

#### Background:

Attached is the Action Report related to the October 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.

#### **Current Position:**

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

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

Agenda and Minutes of the October 2010 Council Meeting

#### Governance issues:

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

#### **Environmental issues:**

Nil

#### Stakeholders:

Councillors and Executive Team

#### **Financial Implications:**

Nil

#### **Alternative Solutions/Options:**

Nil

#### Conclusion:

That the action list be received and noted.

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# Council decisions Action Report – 23.11.10 Recommendation: 1. That the report be received. Moved: Seconded:

#### **Attachments:**

Action Schedule

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# 8. MONTHLY CALENDAR - DECEMBER 2010

**REPORTING SECTION:** General Manager

**AUTHOR:** Don Ramsland – General Manager

FILE NUMBER: 10/22

# **Summary:**

Monthly calendar of Council activities

# Discussion (including issues and background):

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

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

## **Current Position:**

The calendar for the months of December 2010 to February 2011 is attached. Councillors are requested to raise any queries prior to the meeting.

# **Relevant Reference Documents/Policies:**

Nil

# **Governance issues:**

Good governance centres in part on good communication and forward planning.

# **Environmental issues:**

Not applicable

### Stakeholders:

Councillors

Walgett Shire Council staff

# **Financial Implications:**

Nil

# **Alternative Solutions/Options:**

Not applicable

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# **Conclusion:**

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

# Monthly Calendar – December 2010

# **Recommendation:**

1. That Council receive and note the regular monthly calendar for the period December 2010 to February 2011.

# Moved:

Seconded:

# **Attachments:**

Calendar for December 2010 and January, February 2011

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# 9. REVEIW OF POLICY AND WSC PROCEDURES – PROVISION OF INFORMATION TO AND INTEREATION BETWEEN COUNILLORS AND STAFF

**REPORTING SECTION:** General Manager

**AUTHOR:** Don Ramsland – General Manager

FILE NUMBER: 10/355

# **Summary:**

To review Council's Policy and WSC Procedures – Provision of Information to and Interaction between Councillors and Staff.

# Background:

This matter was previously considered at Council's meeting on 28 September 2010.

At that time the following was resolved:

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# 295/10 Review of Policy and WSC Procedures – Provision of Information to and Interaction between Councillors and Staff

#### Resolution:

1. That, in accordance with the requirements of Sections 361, 362 and 363 of the Local Government Act 1993 (as amended) Council's Policy and WSC Procedures for the Provision of Information to and Interaction between Councillors and Staff be revised by making the following amendments:

#### "During Meetings

The interaction between councillors and staff at Council meetings and Committee Meetings is regulated by:

- \* Section 360 of the Local Government Act
- \* Clause 249 of the Local Government (Meetings) Regulation 2005
- \* Council's Code of Conduct and;
- \* Council's Code of Meeting Practice

Section 360 of the Local Government Act enables the council to make regulations in regard to the conduct of meetings, adopt codes of meeting practice and states that meetings must be conducted in accordance with the code of meeting practice.

Clause 249 of the Local Government (Meetings) Regulation 2005 details how, in council meetings, councillors can ask questions of the other councillors by going through the chairperson. The regulation also details the process councillors must follow if they wish to ask a question of Council staff, by going through the General Manager.

### Outside of Meetings

The Meetings Regulation (clause 249) makes provision for a councillor to obtain information at a council meeting, or by a Question on Notice at a council meeting.

- \* The General Manager is responsible to the council for performance and direction of all staff and day to day management of council. Therefore, it is appropriate that all requests for information and approaches to staff outside the forum of a council or committee meeting, be directed to the General Manager, or person/s nominated by the General Manager. (See Appendix A)
- \* Only those divisional directors (as defined in Section 332) and managers nominated by the General Manager can provide advice to councillors.
- \* It is within the discretion of the General Manger to require councillors to make an appointment with a divisional director, to put a request in writing, or to put it on notice to the council to obtain detailed or otherwise time consuming information. The General Manager must indicate in writing, the reasons for refusing a request.
- \* For all but straightforward advice on administrative matters, councillors should put their request for information or advice in writing to be answered by the General Manager or the appropriate divisional director. These written requests then form part of the council records and can be filed appropriately.
- \* A divisional director has the discretion to refer any request for information to the General Manager. The divisional director must indicate to the councillor their reasons for the referral.
- \* If a councillor is concerned about any refusal to provide information, they should firstly raise the matter with the General Manager (or the Mayor if it was the General Manager who refused to provide advice). If the councillor is still dissatisfied they should request the information by way of "Questions for the next meeting" to the Council.
- \* Councillors must not attempt to direct staff as to the performance of their work. Staff must report all such attempts immediately to their director or the General Manager.
- \* Councillors must not request staff to undertake work for the councillor or any other person.
- \* A councillor, member of staff or delegate must not take advantage of their official position to improperly influence other councillors, members of staff or delegates in the performance of their public or professional duties for the purpose of securing private benefit for themselves or for some other person."

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- 2. And then combining both documents to become a draft "Policy Councillors Access to Information and their Interaction with Council Staff" (Draft circulated to all Councillors)
- 3. And further that the revised Policy then be placed on public exhibition and public submissions invited.

Moved: Clr Murray Seconded: Clr Smith

**CARRIED** 

#### **Current Position:**

Subsequently the proposal was advertised in the local press during the weeks commencing 12 October, 25 October and 8 November respectively.

The proposal was also displayed on Council's website during the above periods.

No submissions were received during the period the proposed amendments were on public exhibition and accordingly it is now appropriate for Council to further consider and determine the matter.

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

Local Government Act 1993
Local Government (General) Regulation 2005
Council Code of Meeting Practice, 2008
Provision of Information To, And Interaction Between, Councillors and Staff Policy
Provision of Information To, And Interaction Between, Councillors and Staff WSC Procedure

# **Governance issues:**

Council's Policy and WSC Procedures for the Provision of Information to and Interaction between Councillors and Staff was originally introduced to regulate the flow of information between councillors and staff. However, similar policies throughout local government generally have been progressively modified because of a range of issues, including becoming a source of conflict, with the result that they no longer effectively serve their intended purpose – the timely, open and transparent flow of information and advice essential to Councillors to be able to meet public expectations with regards representing community matters.

When seeking to make reforms in this functional area, Councillors should also be mindful of the various privacy provisions, particularly with regards confidential discussions with regards development matters during the pre-application period when any breach of confidentiality could well put a development in jeopardy and also result in a reluctance of potential developers to operate within this Shire.

# **Environmental issues:**

Not Applicable

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# Stakeholders:

Councillors Staff Local Community

# **Financial Implications:**

Any costs involved in the process of amending the relevant legislation will be funded from existing budget allocations.

# Legal Issues

Sections 361, 362 and 363 of the Local Government Act 1993 (as amended) detail the process to be followed in amending Council's Policies and WSC Procedures.

# **Alternative Solutions/Options:**

Not applicable

### Conclusion:

Following exhibition and in view of the fact no submissions were received, it is now appropriate for Council to resolve, in accordance with the requirements of Sections 361, 362 and 363 of the Local Act 1993 as amended, to adopt the draft "Policy – Councillors Access to Information and their Interaction with Council Staff"

# Review of Policy and WSC Procedures – Provision of Information to and Interaction between Councillors and staff

# **Recommendation:**

1. That in accordance with the requirements of Sections 361, 362 and 363 of the Local Act 1993 as amended Council adopt the draft "Policy – Councillors Access to Information and their Interaction with Council Staff"

# Moved:

# Seconded:

# Attachments:

1. Policy - Provision of Information to and Interaction between Councillors and staff

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# GOV – COUNCILLOR ACCESS TO INFORMATION AND INTERACTION WITH COUNCIL STAFF POLICY

Adoption Date: 15 July 2008

Last Revision Date: 21 December 2010

Review Date: 21 December 2011

Responsible Officer: General Manager

### **POLICY STATEMENT**

WSC is committed to facilitating a respectful and harmonious relationship between Councillors and Council employees and seeks to provide clear guidelines for the provision of information to and interaction between Councillors and Council staff.

# Policy Implementation Procedures, Guidelines and Documents

GOV - Code of Meeting Practice

Local Government Act 1993

Local Government (General) Regulations 2005

Under Careful Consideration: Key Issues for Local Government (ICAC)

Good Conduct & Administrative Practice – Guidelines for Councils (NSW Ombusman)

Government Information (Public Access) Act 2009

Privacy and Personal Information Protection Act

Health Records & Information Privacy Act 2002

#### **Related WSC Policies**

Gov - Code of Conduct WR - Harassment Policy

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### 1. Aims

This policy will:

- Provide clear communication channels to ensure the speedy provision of accurate information;
- Recognize the particular circumstances of the council;
- Require adequate training of Council staff and councilors on the need for the policy and its requirements;
- Provide appropriate sanctions for non-compliance; and
- Be reviewed annually to monitor its effectiveness and compliance

# 2. Objectives

The objectives of this policy are to:

- Provide documented process on how councilors can access council records;
- Ensure councillors have access to all documents necessary for them to exercise their statutory
  role as a member of the governing body of the council;
- Ensure that councillors receive advice to help them in the performance of their civic duty in an orderly and regulated matter.
- Provide direction on councillors rights of access to council buildings;
- Provide a clear and consistent framework for the reporting of, and appropriate application of sanctions for breaches of this policy; and
- To provide clear guidelines for provision of information and interaction between Councillors and Council staff.

# 3. Statutory Provisions for Councillors and Council Staff

Chapters 9 and 11 of the Local Government Act set out the statutory roles and duties of Councillors and the General Manager. The introduction to Chapter 9 states that "each Council is a statutory corporation". The Councillors are the governing body of the corporation and they have the responsibility of directing and controlling the affairs of the Council in accordance with this Act. Chapter 9 includes the following provisions.

### 3.1 The Governing Body (s.222)

The elected representatives, called "Councillors," comprise the governing body of the Council.

# 3.2 The role of the Governing Body (S.223)

The role of the Governing body is to direct and control the affairs of the Council in accordance with this Act.

# 3.3 The role of the Mayor (s.226) and Planning and Reporting Manual for Local Government in NSW

The role of the Mayor is:

- (a) Act as the spokesperson for the Council in promoting the Community Strategic Plan and lead community engagement in the development of the Plan.
- (b) To exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council (for example, urgent demolition orders, authority to financially assist the community by the allocation of resources during natural disasters, commencement of urgent legal action);
- (c) To exercise such other functions of the Council as the Council determines (for example, approval of the General Manager's annual leave)
- (d) To preside at meetings of the council; and
- (e) To carry out the civic and ceremonial functions of the mayoral office.

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# 3.4 The role of a Councillor as a member of the Governing body (s.232 (1))

The role of a councillor is, as a member of the Governing body of the Council:

- (a) to provide a civic leadership role in guiding the development of the community strategic plan for the area and to be responsible for monitoring the implementation of the council's delivery program
- to direct and control the affairs of the Council in accordance with this Act (for example, input into preparation of Council's management plan, financial plan and organisational structure);
- (c) to participate in the optimum allocation of the Council's resources for the benefit of the area (for example, providing input into deciding priorities for construction and maintenance work):
- (d) to play a key role in the creation and review of the Council's policies and objectives and criteria relating to the exercise of the Council's regulatory functions; and
- (e) to review the performance of the Council and its delivery of services, and the management plans and revenue policies of the Council.

# 3.5 The role of a Councillor as an elected person (s.232 (2))

The role of a Councillor is, as an elected person:

- (a) To represent the interests of the residents and ratepayers;
- (b) To provide leadership and guidance to the community; and
- (c) To facilitate communication between the community and the Council.

# 3.6 The role of the General Manager (s.335 (7))

The General Manager is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.

# 3.7 The functions of the General Manager (s.335 (2))

The General Manager has the following particular functions:

- (a) to assist the council in connection with the development and implementation of the community strategic plan and the council's resourcing strategy, delivery program and operational plan and the preparation of its annual report and state of the environment report
- (b) To manage the Council on a day-to-day basis;
- (c) To exercise such of the functions of the Council as are delegated by the Council to the General Manager;
- (d) To appoint staff in accordance with an organisational structure and resources approved by the Council;
- (e) To direct and dismiss Council staff; and
- (f) To implement the Council's equal employment opportunity management plan.

# 3.8 Statutory Provisions

The Government Information (Public Access) Act 2009 came into force on 1 July 2010. Council's various policies and procedures are currently being updated to reflect the provisions of the new legislation.

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# 4. Access to Council records by Councillors

- a) Councillors can request the General Manager, the Public Officer or other persons nominated by the General Manager to provide access to a particular Council record. Access to such documents will be restricted to the Administration Building and is to be undertaken in the company of a Council staff member nominated by the General Manager.
- b) Councillors who have a personal interest (as distinct from civic) in a document of Council have the same rights of access as any other person under the provisions of the Government Information (Public Access) Act 2009.
- The General Manager must provide Councillors with information sufficient to enable them to carry out their civic office functions.
- d) Members of Council staff must provide full and timely information to Councillors sufficient to enable them to carry out their civic office functions and in accordance with Council procedures.
- e) Councillors are entitled to access all files, records or other documents identified under the provisions of The Government Information (Public Access) Act 2009 or to a matter currently before the Council.
- f) The General Manager or his nominee shall not unreasonably decide that a document is not relevant to the performance of the Councillor's civic duty and deny access to a Council document. The General Manager or his nominee must act reasonably and state his/her reasons for the decision if access is refused.
- g) Councillors can request access to other documents of the Council either by a Notice of Motion to the Council or an Access to Information application.
- h) The General Manager and his nominee will keep a record of all requests by Councillors for access to information. The record of these requests will be made available to any other Councillor who requests it. Any information that is given to a particular Councillor in the pursuit of their civic duties is also made available to any other Councillor who requests it and in accordance with council procedures. These requests must be reported regularly to Council.
- i) Confidential information must only be used for Council purposes.
- j) If the General Manager or his nominee refuses to allow a Councillor to inspect any record or document, the Councillor may, at a meeting of the Council, move for the production of the document. However, the Councillor must give notice of intention to move the motion.
- k) If Council passes a motion for the production of a Council record, the Council must ensure that the record:
  - Is produced immediately and laid on the table for inspection by the Councillors; and
  - Is made available for inspection by any Councillor on reasonable notice to the General Manager during the Council's ordinary office hours on any day that is within one month after the passing of the motion.

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### 5. Interaction between Councillors and Council Staff

## 5.1 During Meetings

The interaction between councillors and Council staff at Council meetings and Committee Meetings is regulated by:

- Section 360 of the Local Government Act
- Clause 249 of the Local Government (General) Regulation 2005
- · Council's Code of Conduct and:
- · Council's Code of Meeting Practice

Section 360 of the Local Government Act enables the council to make regulations in regard to the conduct of meetings, adopt codes of meeting practice and states that meetings must be conducted in accordance with the code of meeting practice.

Clause 249 of the Local Government (General) Regulation 2005 details how, in council meetings, councillors can ask questions of the other councillors by going through the chairperson. The regulation also details the process councillors must follow if they wish to ask a question of Council staff, by going through the General Manager.

### 5.2 Outside of Meetings

The General Regulation (Clause 249) makes provision for a councillor to obtain information at a council meeting, or by a Question for next meeting at a council meeting.

- The General Manager is responsible to the council for performance and direction of all Council staff and day to day management of council. Therefore, it is appropriate that all requests for information and approaches to Council staff outside the forum of a council or committee meeting, be directed to the General Manager, or person/s nominated by the General Manager. (See Appendix A)
- Only those divisional directors and managers nominated by the General Manager can provide advice to councillors.
- It is within the discretion of the General Manger to require councillors to make an appointment with a divisional director, to put a request in writing, or to put it on notice to the council to obtain detailed or otherwise time consuming information. The General Manager must indicate in writing, the reasons for refusing a request.
- For all but straightforward advice on administrative matters, councillors should put their request for information or advice in writing to be answered by the General Manager or the appropriate divisional director. These written requests then form part of the council records and can be filed appropriately. (Appendix B)
- A divisional director has the discretion to refer any request for information to the General Manager. The divisional director must indicate to the councillor their reasons for the referral
- If a councillor is concerned about any refusal to provide information, they should firstly
  raise the matter with the General Manager (or the Mayor if it was the General Manager
  who refused to provide advice). If the councillor is still dissatisfied they should request the
  information by way of "Questions on Notice to the Council".
- Councillors must not attempt to direct Council staff as to the performance of their work.
   Council staff must report all such attempts immediately to their director or the General Manager.
- Councillors must not request Council staff to undertake work for the councillor or any other person.
- A councillor, member of Council staff or delegate must not take advantage of their official
  position to improperly influence other councillors, members of Council staff or delegates in
  the performance of their public or professional duties for the purpose of securing private
  benefit for themselves or for some other person.

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# 6. Inappropriate Interactions

The following interactions between Councillors and Council staff are considered to be inappropriate:

- a) Councillors approaching any member of Council staff other than the General Manager or Divisional Director for information especially information that is sensitive or controversial without prior authorisation from the General Manager;
- b) Members of Council staff approaching Councillors directly on staffing, political or Council matters both within business hours and outside the Council building, outside work hours and at non work situations:
- c) Members of Council staff refusing to give information which is available to other Councillors to a particular Councillor because of the staff member's or Councillor's political view;
- d) Councillors approaching Council staff outside the Council building, outside work hours or in a non work situation to discuss Council business;
- e) Councillors with development applications or other application before Council discussing the matter with planning and regulatory staff in staff only areas of Council;
- f) Council staff being asked to answer questions or provide information to Councillors who are behaving in a threatening or intimidating manner;
- g) Councillors directing Council staff in their work performance or recommendations to Council;
- h) Council staff providing advice to Councillors without recording or documenting the interaction as they would if the advice was given to the general public.

# 7. Use of Council Resources

- Councillors must not use council resources ethically, effectively, efficiently and carefully in the course of theirpublic or professional duties and must not use them for private purposes (except when supplied as part of a contract or employment) unless this use is lawfully authorised and proper payment is made where appropriate.
- Councillors must be scrupulous in their use of council property, including intellectual property, official services and facilities and should not permit their misuses by any other person or body.
- Councillors must not avoid any action or situation which could create the impression that council property, official services or public facilities are being improperly used for their own or any other person or body's private benefit or gain.
- The interests of a councillor in their re-election are considered to be a personal interest and as such the reimbursement of travel expenses incurred on election matters is not appropriate. Council letterhead, council crests and other information that could give the impression it is official council material must not be used for these purposes.
- Councillors must not convert any property of the council to their own use unless properly authorised.
- Councillors must not use Council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

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# 8. Access to Council Premises

### 8.1 Access to Council Premises

- As elected members of the Council, Councillors are entitled to have access to the Council Chambers, committee room, Mayor's office (subject to availability) and public areas of the Council's buildings during normal business hours and for meetings.
- Councillors who are not performing their civic duties only have the same rights of access to Council buildings and premises as any other member of the public.
- A Councillor has no rights to enter staff-only areas without the approval of the General Manager or his delegate or by resolution of Council.

# 9. Breaches and Sanctions

# 9.1 Breaches of this Policy

- Any occasions where a Councillor or Council staff member is not complying with this
  policy should be immediately reported to the General Manager.
- Where the report relates to the conduct of a Councillor, the General Manager shall immediately report the matter to the Mayor and, if considered necessary, to the next Council meeting.
- Where the report relates to the conduct of Council staff, the General Manager shall deal
  with the matter according to the terms of employment of the Council staff member and in
  accordance with the Local Government (State) Award 2007.
- Where a Councillor believes that the General Manager has failed to comply with this
  policy, the Councillor should immediately report to the Mayor who will then discuss the
  matter with the General Manager and, if considered necessary, will report the matter to
  Council.
- Before a report is presented to Council by the General Manager (or the Mayor), the General Manager (or Mayor) should undertake preliminary inquiries to establish the facts. The preliminary investigations may take any form the Mayor or General Manager considers appropriate but must involve discussions with the Council staff member and Councillor involved. Natural justice principles need to be satisfied in dealing with an alleged breach and the evidence must be reviewed objectively.

#### 9.2 Sanctions

Council, having resolved that a Councillor has failed to comply with this policy can by resolution:

- Require the Councillor to apologise to the person adversely affected by the breach;
- Request a formal apology;
- · Counsel the Councillor;
- Reprimand the Councillor;
- Resolve to make its decision on the matter public;
- Pass a censure motion at a Council or Committee meeting;
- Make public disclosures of inappropriate conduct (such as making the community aware
  of the breach through the media or annual report);
- Refer the matter to an appropriate investigative body if the matter is serious, and/or
- Prosecute any breach of the law.

Sanctions for Council staff depending on the severity, scale and importance of the breach, may include:

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- · Counselling the Council staff member;
- Documentation of the behaviour being placed on his/her personnel file;
- Non-renewal of an employment contract;
- Instituting Council disciplinary proceedings;
- Dismissal;
- Prosecution.

(Note: Any disciplinary procedures, dismissal or action in relation to a Council staff member must be made in accordance with the provisions of the Local Government (State) Award 2007).



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# 10. Appendices

# 10.1 Appendix A – Nominated Persons by the General Manager

The General Manager has appointed the following Council staff to process Councillors Requests for information within their areas of responsibility pursuant to Clause 5.2 of this policy.

- 1. Director Corporate and Community Services
- 2. Director Planning and Regulatory Services
- 3. Director Urban Infrastructure Services
- 4. Director Rural Infrastructure and Support Services



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# 10.2 Appendix B – Councillor Enquiries/Work Requests

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# **Councillor Enquiries/Work Requests**

|                                    |                                    | REPOR'          | T RECEPTI   | <u>ON</u>      |              |         |
|------------------------------------|------------------------------------|-----------------|-------------|----------------|--------------|---------|
| For Action by:                     | GM □                               | DCCS 🗆          | DRPS □      | DUIS 🗆         | DRISS        |         |
| Councillor:                        |                                    |                 |             |                |              |         |
| Date:                              |                                    |                 | Tim         | e:             |              |         |
| Received from: .                   |                                    |                 | Pho         | ne:            |              |         |
| Address:                           |                                    |                 |             |                |              |         |
|                                    | oad No/Name:                       |                 |             |                |              |         |
| Describe Proble                    | m:                                 |                 |             |                |              |         |
|                                    |                                    |                 |             |                |              |         |
|                                    |                                    |                 | E USE ONLY  |                |              |         |
| Referred to:                       | GM □                               | DCCS 🗆          | DRP         | S□             | DUIS 🗆       | DRISS 🗆 |
| For Attention by:                  |                                    |                 |             |                |              |         |
| INODECTION.                        |                                    |                 |             |                |              |         |
| INSPECTION:                        |                                    |                 | Dve:        |                |              |         |
|                                    |                                    |                 |             |                |              |         |
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|                                    |                                    | COMPLI          | ETION REPOR | RT.            |              |         |
| Action Taken:                      |                                    |                 |             |                |              |         |
|                                    |                                    |                 |             |                |              |         |
|                                    |                                    |                 |             |                |              |         |
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| Date of Complet                    | ion:                               | Signed          | d:          |                | Date:        |         |
|                                    |                                    | OFF             | ICE ACTION  |                |              |         |
| Advised complai<br>Report required | nant when matter<br>on this matter | to receive atte | ention:     | Yes □<br>Yes □ | No □<br>No □ | N/A □   |
| Signed:                            |                                    |                 |             | Date:          |              |         |

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# **Policy Review History**

| Date                 | Changes Made                                        | Approved By                       |  |  |  |
|----------------------|-----------------------------------------------------|-----------------------------------|--|--|--|
| 15 July 2008         | Policy Developed                                    | Ray Kent – General Manager        |  |  |  |
|                      | Draft Procedure Developed                           | Ray Kent – General Manager        |  |  |  |
| 22 September<br>2010 | Policy and Procedure combined to make one Developed | Don Ramsland - General Manager    |  |  |  |
| 21 December<br>2010  | Adoption of revised policy                          | Don Ramsland – General<br>Manager |  |  |  |



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# 10. REVEIW OF CODE OF MEETING PRACTICE

**REPORTING SECTION:** General Manager

**AUTHOR:** Don Ramsland – General Manager

FILE NUMBER: 10/355

# **Summary:**

To review Council's Code of Meeting Practice.

# Background:

These matters were previously considered at Council's meeting on 28 September 2010.

At that time the following was resolved:

# 293/10 Review of Code of Meeting Practice (July 2008) – Notice of Meetings and Giving Notice of Business

#### Resolution:

- 1. That, in accordance with the requirements of Sections 361, 362 and 363 of the Local Government Act 1993 (as amended) Council's Code of Meeting Practice be revised by making the following amendments:
  - 1. By inserting the following additional subsection to Clause 7 Notice of Meetings:
    - 4. The Notice of Ordinary and Extraordinary meetings be by way of ordinary mail, delivery to Councillors at their place of residence or business, provided that in cases of emergency or by prior arrangement, notice may be given by way personal delivery, facsimile and/or telephone"
  - 2. By amending clause 19 (1) a by deleting the words "fourth working day preceding the meeting" and replacing them with the words "tenth working day preceding the meeting"
  - 3. And that the revised Code of Meeting Practice then be placed on public exhibition and public submissions invited.

Moved: Clr Walford Seconded: Clr Lane

CARRIED

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# 294/10 Review of Code of Meeting Practice (July 2008) – Councillor's Questions without Notice

#### Resolution:

- 1. That, in accordance with the requirements of Sections 361, 362 and 363 of the Local Government Act 1993 (as amended) Council's Code of Meeting Practice be revised by making the following amendments:
  - 1. By inserting the following clause following "clause 29 Questions may be put to Councillors and Council"

"Clause 29A QUESTIONS FOR NEXT MEETING

- (a) Prior to the end of each Ordinary Meeting of Council a Councillor may give notice of a question for the next meeting. Any such question should be in writing.
- (b Nothing shall prevent an answer to such a question being given either straight away or prior to the next meeting but details of any such response must be made available to all councillors in writing."
- 2. By amending the Table of Contents by inserting the words "Clause 29A QUESTIONS FOR NEXT MEETING" immediately following clause 29
- 3. By amending Attachment A Adopted Standing Orders by inserting the words "Questions for the Next Meeting" in place of the words "Questions without notice from Councillors" and
- 4. By inserting a new attachment Attachment B Questions for next Meeting pro-forma.
- 2. And that the revised Code of Meeting Practice then be placed on public exhibition and public submissions invited.

Moved: Clr Keir Seconded: Clr Smith

**CARRIED** 

### **Current Position:**

Subsequently the proposals were advertised in the local press during the weeks commencing 12 October, 25 October and 8 November respectively.

The proposals were also displayed on Council's website during the above periods.

No submissions were received during the period the proposed amendments were on public exhibition and accordingly it is now appropriate for Council to further consider and determine the matter.

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

Local Government Act 1993 Local Government (General) Regulation 2005 Council Code of Meeting Practice, 2008

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Provision of Information To, And Interaction Between, Councillors and Staff Policy Provision of Information To, And Interaction Between, Councillors and Staff WSC Procedure

# Governance issues:

Council's Code of Meeting Practice sets out the framework for the conduct of Council meetings and associated matters.

### **Environmental issues:**

Not Applicable

# Stakeholders:

Councillors Staff Local Community

# **Financial Implications:**

Any costs involved in the process of amending the relevant legislation will be funded from existing budget allocations.

# Legal Issues:

Sections 361, 362 and 363 of the Local Government Act 1993 (as amended) detail the process to be followed in amending Council's Code of Meeting Practice.

# **Alternative Solutions/Options:**

Not applicable

# **Conclusion:**

Following exhibition and in view of the fact no submissions were received, it is now appropriate for Council to resolve, in accordance with the requirements of Sections 361, 362 and 363 of the Local Act 1993 as amended, to adopt the proposed amendments to the Code of Meeting Practice

# **Review of Code of Meeting Practice**

### Recommendation:

1. That in accordance with the requirements of Sections 361, 362 and 363 of the Local Act 1993 as amended Council adopt the proposed amendments to the Code of Meeting Practice.

# Moved:

# Seconded:

#### Attachments:

Code of Meeting Practice (Provided under separate Cover)

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# 11. ROUND 3 – REGIONAL LOCAL COMMUNITY INFRASTRUCTURE PROGRAMME (RLCIP) – APPROVAL OF PROJECTS.

**REPORTING SECTION:** General Manager

AUTHOR: Don Ramsland – General Manager

**FILE NUMBER:** 10/717, 10/718, 10/720, 10/721, 10/722, 10/723, 10/725, 10/726,

10/727

# Summary:

To advise Council of approval for projects submitted for consideration under Round 3 of the Regional Local Community Infrastructure Programme totalling \$200,000.

# **Background:**

This matter was considered at Council's meeting on 27 July 2010 and again considered following the meeting at Carinda on 23 September 2010.

Council decided that the following projects totalling \$193,000 be put forward for consideration:

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# 228/10 Regional Infrastructure Projects Round 3 Allocations

#### Motion:

That Walgett Shire Council resolve to allocate the Round three infrastructure money as follows:

- 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 Collarenebri Skate Park.
  - c. 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
  - c. That an amount of \$15,000 be allocated to install steps at the Burren Junction Bore Baths
  - d. That an amount of \$15,000 be allocated to install a dump point at the Burren Junction Bore Baths.
  - e. That an amount of \$50,000 be allocated to install a toilet block at the Collarenebri Race course and any residue amount to be used to fix up the tennis courts.
  - f. That an amount of \$10,000 be allocated to the Rowena hall improvement project including the roof
  - g. That an amount of \$23,400 be allocated to improve the footpath in front of the Lightning Ridge diving Pool.

Moved: Cir Walford Seconded: Cir Colless

CARRIED

A minute was circulated to Councillors on July 30, 2010 outlining a change in projects for Burren Junction as per agreement with the Burren Junction Precinct Committee, as well informing Council's of a reinstated project for Round 2.

The following Changes were made:

- \$20,000 for Burren Junction Shade Shelter
- \$10,000 for Rowena Hall Improvement Project
- \$5,000 for Come By Chance Hall repairs

Subsequently, Council was advised that an additional \$7,000 was available but that items Toilet Block for Collarenebri Race Course (\$50,000) and the Collarenebri Tennis Club Toilet upgrade (\$6,000) were outside the programme guidelines and Council resolved to fund the toilet block from alternate sources and indentify replacement projects for RLCIP funding.

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# 283/10 Collarenebri Racecourse Toilet Block – Need to identify alternate Source of Funding

### Recommendation:

- That Council add the construction of the new Collarenebri Showground toilet block to
  its baseline capital works budget for 2010/2011 at an estimated cost of \$50,000 and
  that other works be deleted from the budget so as not to impact adversely on the
  original budget forecast. The works to be deleted shall be identified in conjunction
  with the September, 2010 quarterly financial review
- 2. That authority be given for the Mayor and General Manager to identify and submit replacement project(s) totalling \$63,000 for Round 3 of the Regional Local Communities Infrastructure programme as soon as possible.

Moved: Clr Greenaway
Seconded: Clr Smith

**CARRIED** 

Council then agreed to put forward the following three additional projects:

Walgett No 1 Oval Grandstand (\$35,000)
Len Cram park Lightning Ridge – Construction of Shelter Shed and BBQ (\$18,000)
Come By Chance restumping (\$10,000)

**Totalling \$63,000** 

Council was then advised the Come By Chance Hall repairs (\$5,000) project was similar to that in a previous round and that it was suggested to combine this project and the Restumping project together for Come By Chance (\$15,000).

# **Current Position:**

Council has now been advised that nine projects put forward, totalling \$200,000, have now been approved. Details of these approved projects are set out in the attached annexure.

# **Relevant Reference Documents/Policies:**

Round 3 – Regional Local Community Infrastructure Programme Agreement

# **Governance issues:**

Work on the actual projects cannot be commenced until Council receives back its copy of the signed agreement. Although planning is underway, the works will not be commenced until the New Year.

# **Environmental issues:**

Various projects may require either development approval or the endorsement of activity statements.

Where work is to be carried out on reserves, the concurrence of the LPMA may need to be obtained as well.

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## Stakeholders:

Council Various Community Organisations LPMA

# **Financial Implications:**

Payment of 50% of the grant (\$100,000) will be made released on the date the agreement is signed, with the balance being released once acceptable evidence is provided that the first 50% has been expended in accordance with the agreement.

# **Alternative Solutions/Options:**

Any amendments to any of the projects will need to be approved by the Department prior to any work on that particular project being undertaken.

### Conclusion:

It is proposed to exercise a lot tighter supervision over Round 3 of this programme than was the case with the earlier rounds. It is now appropriate for Council to formally adopt the approved programme and make the necessary alterations to the 2010/2011 Budget and allocations.

# Round 3 – Regional Local Community Infrastructure Programme (RLCIP) – Approval of Projects

### Recommendation:

1. That Council adopt the following projects, income and expenditure as Round 3 of the Regional Local Community Infrastructure Programme:

| Collarenebri Skate Park Upgrade – Installation of Lighting                | \$8,300   |
|---------------------------------------------------------------------------|-----------|
| Apex Park Playground                                                      | \$45,000  |
| Installation of a Shade Shelter at the Playground in Burren Junction      | \$20,000  |
| Walgett Skate Park Upgrade                                                | \$20,300  |
| Improvements at the Rowena Hall                                           | \$15,000  |
| Repair of Footpath at Lightning Ridge Dive Pool                           | \$23,400  |
| Len Cram Park Lightning Ridge – Construction of Shelter Shed and Barbeque | \$18,000  |
| Walgett Number 1 Oval Grandstand                                          | \$35,000  |
| Come By Chance Hall – Restumping and Improvements                         | \$15,000  |
| Project Total                                                             | \$200,000 |

And that necessary adjustments be made to the 2010/2011 Budget to incorporate

appropriate income and expenditure votes in respect of these projects totalling \$200,000.

Moved:

2.

Seconded:

### Attachments:

Annexure A Schedule of Projects Copy of Minute sent to Councillors – 30 July 2010

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# ANNEXURE A TO SCHEDULE 1

| निरर्ग <u>ी</u> वकारी | Project@iie                                                                     | મિલાહર રોક્કવૉમિકિક                                                                                                                                                                                                                                                                                                                                                                         | प्रस्तुमार्क्षकर्तः ।<br>विभागविष्यः | વિગાલેમાં<br>લુગ્યુઅલ્લ |
|-----------------------|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------|
| A000001934            | Collarenebri Skate Park<br>upgrade - installation of<br>lighting                | Purchase and install four x 400 watt lights and four x six metre poles at the Collarenebri Skate Park Complex to provide visitors to the facility with a safe and inviting recreational space to connect with their children, families and community.                                                                                                                                       | \$8,300                              | \$8,300                 |
| A000002349            | Apex Park Playground                                                            | Construct Stage II of the Apex Park 0 -5 years children's playground at Walgett NSW to provide residents and visitors with a safe and inviting space to play and connect with their children, families and the community. Works will include site preparation, installation of a 12m x 12m shade shelter, six x 400 watt lights on poles, two bench seats and two picnic tables with seats. | \$45,000                             | \$45,000 -              |
| A000002047            | Installation of a shade<br>structure at the<br>playground in Burren<br>Junction | Construct a 12m x 12m shade shelter at the Burren Junction playground including site preparation, supply of materials and installation to provide the community travellers with access to a safe, age appropriate recreation facility.                                                                                                                                                      | \$20,000                             | \$20,000                |
| A000002350            | Walgett Skate Park<br>Upgrade                                                   | Upgrade the Walgett Skate Park Complex to provide a safe and inviting recreational space for the community. Works will include approximately 200m of fencing around the facility and four x 400 watt lights on six metre poles to provide lighting to the basketball court and skate park.                                                                                                  | \$20,300                             | \$20,300                |
| A000002351            | Improvements at the<br>Rowena Hall                                              | Upgrade the Rowena Hall to provide a better quality of community meeting space to the residents of Rowena. Works will include site preparation, refurbishment of hall roof and entrance.                                                                                                                                                                                                    | \$15,000                             | \$15,000                |

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| A000002354 | Repair of footpath at<br>Lightning Ridge Dive<br>Pool.       | Upgrade the pedestrian access to the Lightning Ridge Dive Pool to ensure that residents and particularly people with mobility difficulties have safe access to the facility. Works include removing the existing path, installing form work and laying of a 10m x 8m concrete access area.                                                                                                                                               | \$23,400  | \$23,400  |
|------------|--------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
| A000003261 |                                                              | Construct a shelter shed and barbeque at Len Cram Park, Lightning Ridge, NSW to provide additional facilities for passing tourists and recreational opportunities for local families. Works will include site preparation, laying a concrete slab (6m x 3m), the purchase and installation of a barneque (1 x 2 plate), two picnic tables and a shade shelter (6m x 3m).                                                                 | \$18,000  | \$18,000  |
| A000003263 | Walgett Number 1 Oval<br>Grandstand                          | Install a five row grandstand seating area for spectators and visitors at the Walgett Number 1 Oval to provide the community with a high quality recreational and sporting facility. Works include site preparation (approximately 10m x 8m), laying concrete pad (8m x 6m), purchase and installation of a five row high powder-coated grandstand.                                                                                      | \$35,000  | \$35,000  |
| A000003262 | Come By Chance Hall -<br>restumping and hall<br>improvements | Re-stumping the Town Hall so that it is level and subsequent internal carpentry work to provide an appropriate facility for residents of Come By Chance, NSW and surrounding areas. Works include site preparation, removal of existing timber stumps and replacement with galvanised piers concreted into the ground at a regulation depth, and internal carpentry work as required (such as repainting and repairing skirting boards). | \$15,000  | \$15,000  |
|            |                                                              | Total:                                                                                                                                                                                                                                                                                                                                                                                                                                   | \$200,000 | \$200,000 |

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# **MINUTE**

| То:      | All Councillors                                           |
|----------|-----------------------------------------------------------|
| Cc:      |                                                           |
| From:    | Carole Medcalf, Director Corporate and Community Services |
| Date:    | 30 July 2010                                              |
| Subject: | Update Regional infrastructure                            |

### **Good morning**

We have received a request from Burren Junction Precinct Committee for an allocation of money towards a shade shelter for the playground rather than the Bore Baths projects in Round 3 (\$30,000). In addition, we have already submitted Round 2 money - LR \$10,000 for the Motocross project which was NOT rejected as stated at Council meeting. In fact, work has already commenced with the group on a D/A and the Federal Govt have approved the project. Council re-allocated that money to Rowena and Come By Chance (\$5,000) each.

I would suggest that as a matter of urgency Council amend Round 3 projects to \$20,000 for Burren Junction shade shelter and \$5,000 each to Come By Chance and Rowena for the current Round 2 projects and reinstate the Motocross project allocation to Round 2 as Round 3 is not yet submitted. However, we need to progress these today. That would mean that Round 3 is an allocation of \$20,000 to Burren (instead of \$30,000)\$15,000 to Rowena instead of \$10,000 and \$5,000 to Come by Chance instead of nil.

Regards

Carole Medcalf

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# 12. MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM GENERAL MANAGER

**REPORTING SECTION:** General Manager

**AUTHOR:** Don Ramsland – General Manager

**FILE NUMBER:** 09/1455

#### VISIT BY NSW GRANTS COMMISSION

As Councillors are aware, the NSW Grant Commission's visit to Walgett Shire on 2 December, 2010 was postponed due to flood warnings. It will now be rescheduled for early in the New Year, along with other western councils that weren't included in the last itinerary.

As this will be the first visit of the Commission since 2000 and it will represent a valuable opportunity for Council to discuss with the Commission the various disadvantages facing Council. It is proposed that the detailed submission for the Commission's December visit will be updated for the rescheduled meeting.

# **FLOOD DAMAGE**

From Thursday 29 November, 2010 the western region was subject to ongoing heavy rains and subsequent flooding in the Castlereagh and Namoi Rivers resulted in severe damage to local shire and regional roads. A large amount of property and crop damage also occurred.

A preliminary application for recognition for natural disaster funding was lodged on Wednesday 8 December which identified road damage totalling more than \$455,000.

Advice is new to hand advising that Walgett Shire has been declared a Natural Disaster Area – See attached

In the lead up to the Christmas shutdown Council staff were deployed in ensuring that both Collarenebri and Walgett were "flood ready" should the heavy rains and subsequent flooding pose a risk locally.

Early in the New Year an accurate assessment of flood damage will be carried out and claims lodged with the RTA. Action is also being planned to expedite flood damage works approvals with a view to being able to plan and advise local communities when restoration works will be undertaken..

This has been done in two ways. Firstly, Council staff have taken the opportunity to work closely with SES personnel during the current emergency and have been able to plot and photograph flooding and road damage from the air using SES tasked helicopters. Secondly, discussions have already been held RTA supervisory staff to work out the best approach to present flood damage claims to simplify the approval process and be able to initiate emergency repair works as early as possible.

A copy of the RTA Natural Disaster Arrangements (2008) have been circulated under separate cover for Councillors information. Particular attention is drawn to item 7 on page 7 - "Ineligible Works".

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# **ORGANISATIONAL STRUCTURE REVIEW**

In view of more pressing work priorities, a planned minor review of the organisational structure has been put on hold with the intention now being to carry out a more extensive review in the first half of 2011 coinciding with organisational requirements identified during the ten year strategic planning process.

## **MURRAY DARLING BASIN PLAN ISSUES**

A submission is currently being prepared with regards the recent release Murray Darling Basin Plan and subsequent wide ranging community briefings.

OROC is also putting together a submission for our region and hopefully the issues raised in our submission will be incorporated into the OROC submission as well.

# SHORT TERM UNIVERSITY UNDERGRADUATE PLACEMENTS

Plans for Council to host four UniNSW third and fourth engineering undergraduates during the January/February vacation period are well underway.

Ten projects have been identified

The hosting arrangement affords Council the chance to encourage undergraduates to seek work opportunities with Councils in regional areas on completion of their degrees. The opportunity exists for Council to develop an ongoing relationship with any outstanding placements.

# Matters Generally for Brief Mention or Information only from General Manager

# Recommendation:

1. That the matters listed by the General Manager for brief mention or information be received and noted.

Moved: Seconded:

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# 13. UPDATE REPORT ON DRAFT COMMUNITY STRATEGIC PLAN

**REPORTING SECTION:** Corporate and Community Services

AUTHOR: Carole Medcalf - Director

FILE NUMBER: 10/299

# **Summary:**

Council's Draft community Strategic Plan has been on exhibition and Council has conducted meetings across the Shire. There were no attendances at two of the meetings, Carinda and Walgett. The Plan will need to have additional work completed to make it compliant with the Department of Local Government's requirements.

# Background:

Council nominated to be in Group Two for the submission of its Integrated Plan. This means that it is currently required to be completed by June 30 2011. IN addition to the Plan, Council is required to produce its resourcing strategy in detail. This includes a ten year Long Term Financial Plan, a ten year Asset Management Plan and a four year Workforce Management Plan as well as the Community Strategic Plan, detailing projects for the next ten years.

Council's current draft is the result of consultations with an external facilitator, Councillors and senior staff. Council has received 59 submissions on the draft at the time of writing, 58 from Lightning Ridge and 1 from Victoria, which contained variations on the same themes. A table summarising the submission content is attached to this report. Where Council decides to support those projects suggested in the submissions, the projects will be included into the draft Community Strategic Plan.

Also attached is the latest version of the Draft Community Strategic Plan which includes an overview of the community consultation processes Council has engaged in to develop the Plan. This is a requirement of the Guidelines.

A small group of staff have been meeting to review all current approved plans and strategies, including the Growth Management Strategy, that are to be included into the Plan. Council does not start from scratch and has a number of existing Plans that need to become part of the overall guiding document. That will take some considerable amount of time.

At this point Council is yet to finalise which projects it will adopt and therefore which projects need to be costed, what assets are required and what human resources/staffing will be needed. All of that information needs to be included in Council's Strategic Plan in order for it to meet requirements.

Council staff are, in the view of the Director Corporate and Community Services, not close to being in a position to complete this work by the due date.

From advice received from the Department of Local Government in Sydney last week, there are a number of other Councils in a similar position. There was a suggestion that the Minister will announce a possible change of group nomination. There was also advice that Council can write to the Department requesting a change of Group, in this instance from Group 2 to Group 3, taking the submission date to 30 June 2012.

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# **Current Position:**

See attached draft and background provided above.

# **Relevant Reference Documents/Policies:**

Integrated Planning and Reporting Guidelines

### **Governance issues:**

Major governance issues. This is Council's guiding document for the next ten years and it needs to be adequately thought through, resourced and staffed.

### **Environmental issues:**

As contained in the LEP

### Stakeholders:

Walgett Shire Council and ratepayers

# **Financial Implications:**

There will be significant financial implications resulting from this work. Council currently is unable to determine what expenditure, particularly capital expenditure, will be needed over the next ten years. As this Plan comes together, there will be high levels of asset expenditure where there is insufficient funding. Of the thirty five Group One Councils, at least nine applied to the Department of Local Government for Special Rate Variations. It is highly likely that Walgett Shire Council will need to do the same.

### **Alternative Solutions/Options:**

Submit an incomplete Plan that is rejected by the Department or defer until Group 3.

# **Conclusion:**

See Recommendation

# Matters Generally for Brief Mention or Information only from General Manager

### Recommendation:

1. That Walgett Shire Council resolves to write to the Minister for Local Government, with a copy to the Chief Executive of the Division of Local Government, requesting that Council changes its nomination from Group 2 to Group 3 for the purposes of Integrated Planning and Reporting at the earliest possible time.

# Moved:

# Seconded:

# Attachments:

- 1. Table of Submissions received following community consultation meetings
- 2. Draft 2 Community and Strategic Plan (under separate cover)

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| Summary of Submissions for Community Strategic Plan                                      |       |
|------------------------------------------------------------------------------------------|-------|
|                                                                                          |       |
| Submission                                                                               | TOTAL |
| AGAINST Lightning Ridge Bore Baths Perimeter fence                                       | 52    |
| Seniors Village in Lightning Ridge                                                       | 49    |
| Town centre area with seating and a shade                                                | 48    |
| Lightning Ridge Town Hall                                                                | 47    |
| Retain 'Where freedom lives' and 'Home of the black opal'                                |       |
| slogans                                                                                  | 48    |
| Allow 'special' building codes for camps                                                 | 48    |
| Bus route from RTA round town to Bore Baths in LR                                        | 1     |
| Resort / Tourist Levy                                                                    | 1     |
| Outdoor camping sites on opal fields                                                     | 1     |
| Upgrade LR airport                                                                       | 1     |
| Promote LR as tourist destination internationally                                        | 1     |
| Enlarge fossicking area at LR Visitor information centre                                 | 1     |
| Develop LR Men's Shed Vegetable Garden                                                   | 1     |
| A new Dam off 3 mile road LR to help stop flooding of road, and water Men's Shed Gardens | 1     |
| Encourage Small mining operations                                                        | 2     |
| Make it an offence not to wear protective gear at Skate park                             | 1     |
| Review outcome of turning 'preserved opal fields' into town land                         | 1     |
| Improvement (including sealing) of roads around major tourist routes in LR               | 2     |
| Morilla St shops wheelchair and pram friendly                                            | 1     |
| Review estimates of population in LR to review growth management                         | 1     |
| Promote Bus links to Sydney and Brisbane with tourism deals                              | 1     |
| Promote aboriginal cultural heritage as an attraction to the area                        | 1     |

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# 14. CASH ON HAND AND INVESTMENT REPORT AS AT 30 NOVEMBER 2010

**REPORTING SECTION**: General Manager

AUTHOR: Shane Roberts– Finance Officer

**FILE NUMBER:** 09/1460

# **Summary:**

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

# Background:

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

## **Current Position:**

As at 30 November 2010 the operational bank account's balance was \$2,311,011.28. The reconciliation of this balance is:

# Operational Account Bank Reconciliation As at 31 November 2010

| Opening Ledger Account Balance as at 1 November 2010 | \$<br>2,671,290.58  |
|------------------------------------------------------|---------------------|
| Add: Receipts Add: Recalled Investments              | 2,550,962.34        |
| Less: New Investments Less: Payments                 | -<br>(2,911,241.64) |
| Closing Ledger Balance as at 30 November 2010        | 2,311,011.28        |
| Balance as per Bank Statement as at 30 November 2010 | 2,317,157.47        |
| Add: Receipts not banked                             | 11,486.91           |
| Less: Payments not presented                         | (17,633.10)         |
| Closing Balance of Bank Account                      | 2,311,011.28        |

As at 30 November 2010 Walgett Shire Council's investment register's balance was \$5,024,493.99. The balance as per the attached investment report comprised:

Term Deposits \$5,000,000.00 Floating Rate Collaterized Debt Obligation (CDO) \$ 24,493.99

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The market values disclosed for the Floating Rate Collaterized Debt Obligation (CDO) are market values as at 31 October 2010 and were supplied by the ANZ Group.

# **Relevant Reference Documents/Policies:**

09/1772/013 November 2010 bank reconciliation ledger 11.5010

## **Environmental issues:**

Nil

### Stakeholders:

Walgett Shire Council
Residents of Walgett Shire Council

# **Financial Implications:**

As per report

# **Alternative Solutions/Options:**

Nil

# Conclusion:

As at 30 November 2010 Walgett Shire Council's total available cash and invested funds were \$7,335,505.27 represented by:

Working Account Balance \$2,311,011.28 Investments \$5,024,493.99

# Cash on Hand and Investment report as at 30 November 2010

# **Recommendation:**

1. That the cash on hand and investment report as at 30 November 2010 be received.

Moved: Seconded:

# Attachments:

Signed copy of Investment Listing

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

| Investment Institution                             | Type of Investment | <u>Term</u><br>(days) | Rate % | Ref    | Reset Date | Maturity Date |      |              |
|----------------------------------------------------|--------------------|-----------------------|--------|--------|------------|---------------|------|--------------|
| Term Deposits                                      |                    | (,-,                  |        |        |            |               |      |              |
| 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   |
| 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   |
| Bank of Queensland                                 | Term Deposit       | 98                    | 5.75   | 648/11 |            | 07-Dec-10     | S    | 500,000.00   |
| National Australia Bank                            | Term Deposit       | 91                    | 5.82   | 649/11 |            | 14-Dec-10     | s    | 250,000.00   |
| Newcastle Permanent Building Society               | Term Deposit       | 100                   | 5.87   | 650/11 |            | 07-Jan-11     | \$   | 250,000.00   |
| Maquarie Bank                                      | Term Deposit       | 98                    | 5.50   | 651/11 |            | 11-Jan-11     | \$   | 250,000.00   |
| Newcastle Permanent Building Society               | Term Deposit       | 98                    | 5.75   | 652/11 |            | 18-Jan-11     | \$   | 250,000.00   |
| Maquarie Bank                                      | Term Deposit       | 91                    | 5.50   | 653/11 |            | 18-Jan-11     | \$   | 250,000.00   |
| Newcastle Permanent Building Society               | Term Deposit       | 91                    | 5.80   | 654/11 |            | 25-Jan-11     | s    | 250,000.00   |
| Bankwest                                           | Term Deposit       | 92                    | 5.65   | 655/11 |            | 02-Feb-11     | \$   | 250,000.00   |
| Newcastle Permanent Building Society               | Term Deposit       | 91                    | 5.93   | 656/11 |            | 08-Feb-11     | \$   | 250,000.00   |
| National Australia Bank                            | Term Deposit       | 92                    | 5.90   | 657/11 |            | 23-Feb-11     | s    | 250,000.00   |
| Australian Defence Credit Union                    | Term Deposit       | 99                    | 6.05   | 658/11 |            | 09-Mar-11     | \$   | 500,000.00   |
| Bankwest                                           | Term Deposit       | 92                    | 5.85   | 659/11 |            | 02-Mar-11     | \$   | 250,000.00   |
|                                                    |                    |                       |        |        |            |               |      |              |
|                                                    |                    |                       |        |        |            |               | -    | 5,000,000.00 |
| Floriday Dates Ordering a Date Obligations (ODO)   |                    |                       |        |        |            |               |      |              |
| Floating Rates Collaterized Debt Obligations (CDO) | Flooties Bata 000  |                       |        |        |            | 00.0 44       |      |              |
| Zircon Finance Ltd                                 | Floating Rate CDO  |                       | 0.00   |        | 00 0 40    | 20-Sep-14     | \$   | 0.00         |
| Morgan Stanley Aces SP                             | Floating Rate CDO  | 91                    | 6.950  |        | 20-Dec-10  | 20-Jun-15     | \$   | 3,032.81     |
| Helium Capital Ltd                                 | Floating Rate CDO  | 92                    | 6.7417 |        | 23-Dec-10  | 23-Jun-14     | \$ _ | 21,461.18    |
|                                                    |                    |                       |        |        |            |               | \$_  | 24,493.99    |
|                                                    |                    |                       |        |        |            |               | _    |              |
|                                                    |                    |                       |        |        |            |               | \$_  | 5,024,493.99 |

# Investment Report as at 30 November 2010

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

Signed

Susie Jones Finance Manager

# 15. 2009-2010 AUDITED FINANCIAL STATEMENTS AND AUDIT REPORT

**REPORTING SECTION:** Corporate and Community Services **AUTHOR:** Susie Jones – Finance Manager

FILE NUMBER: 10/178

# Summary:

That Council formally receives the Audited Financial Reports together with the Auditor's Reports for the period 1 July 2009 to 30 June 2010.

# Background:

Council's Audit to 30 June 2010 has been completed, and in accordance with the Local Government Act 1993, Section 418 (1) (b) public notice was given of the date so fixed for the presentation of the audited financial reports, together with the auditor's report and that under Section 420 of the Local Government Act 1993. Any person may make written submissions to Council with respect to these reports.

#### **Current Position:**

Copies of Council's Audited Financial Reports and Auditor's Report are provided under separate cover.

A summary of the Financial Reports is provided below:

|                                                      | 2010     | 2009     |
|------------------------------------------------------|----------|----------|
| Income Statement                                     |          | _        |
| Total Income from Continuing Operations              | 24,458   | 24,881   |
| Total Expenses from Continuing Operations            | (21,256) | (20,585) |
| Operating Result from Continuing Operations          | 3,202    | 4,296    |
| Net Operating Result for the year                    | 3,202    | 4,296    |
| Net Operating Result before Grants and Contributions |          |          |
| provided for Capital Purposes                        | 905      | 1,499    |
| Balance Sheet                                        |          |          |
| Total Current Assets                                 | 12,805   | 16,152   |
| Total Current Liabilities                            | (4,338)  | (3,453)  |
| Total Non Current Assets                             | 307,183  | 284,110  |
| Total Non Current Liabilities                        | (236)    | (304)    |
| Total Equity                                         | 315,414  | 296,505  |
| Other Financial Information                          |          |          |
| Current Ratio                                        | 2.95:1   | 4.68:1   |
| Unrestricted Ratio                                   | 1.26:1   | 1.88:1   |
| Debt Service Ratio (%)                               | 0.2%     | 0.5%     |
| Rates Coverage Ratio (%)                             | 26.9%    | 24.5%    |
| Rates and Annual Charges Outstanding Ratio (%)       | 7.9%     | 7.2%     |

For ease of understanding the following definitions apply:

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Current ratio - Used to assess the ability of council to meet its short term obligations. A measurement of greater than 1 is good;

Unrestricted ratio- Used to assess the adequacy of working capital after excluding all restricted assets and liabilities. A measurement greater than 2 is desirable;

Debt Service - Used to assess the degree to which revenues are committed to the repayment of debt. A measurement of less than 10% is viewed as good, greater than 15% is of concern;

Rates Coverage ratio - Used to assess the degree of dependence on revenues from rates and annual charges and an indicator of the level of dependence on grants;

Rates and Annual Charges Outstanding ratio - Used to assess the impact of uncollected rates and annual charges on liquidity and adequacy of recovery efforts. A measurement of less than 10% for rural councils is considered good.

#### Relevant Reference Documents/Policies:

Local Government Act (1993)
Financial Reports and Auditors Report to 30 June 2010

#### Governance issues:

N/A

#### **Environmental issues:**

N/A

#### Stakeholders:

Department of Local Government Spencer Steer, Chartered Accountants Walgett Shire Council

# **Financial Implications:**

N/A

# **Alternative Solutions/Options:**

N/A

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# 2009-2010 Audited financial statements and audit report

# **Recommendation:**

1. That Council receive the Audited Financial Reports together with the Auditor's Reports for the period 1 July 2009 to 30 June 2010.

# Moved: Seconded:

# **Attachments:**

Audited Financial Statements for year ended 30 June 2010 (Incorporated with Annual Report attachment)

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# 16. CHANGE OF PHONE SYSTEM – TELSTRA SUBMISSION

**REPORTING SECTION:** Corporate and Community Services

AUTHOR: Carole Medcalf - Director

FILE NUMBER: 10/640

# **Summary:**

Council's phone system has become inefficient and unreliable. Several attempts to have the system fixed have resulted in lengthy delays and inadequate resourcing from the host organisation.

# Background:

Council's phone system is the first point of contact for many ratepayers and visitors. The recorded messages have become faulty, referrals to numbers, particularly after hours, not being adequately transferred, being transferred to numbers of staff at all hours of the day and night regardless of whether they are on duty or not and finally, no responses to numbers at some times.

Council needs to ensure a reliable phone service, particularly in times of emergencies which the Shire has experienced quite frequently in the last twelve months. Replacement equipment has not improved the situation and the service to get the replacement equipment is often slow and inadequate.

#### **Current Position:**

Council has received some estimates for replacement equipment from Telestra. Documentation has been provided but because of costings are not provided at this time. No budget allocation has been made for the replacement equipment in this year's budget due to the problems arising after the budget process had been completed. Telestra has offered some genuine discounts on replacement of the system and offered reasonable rates on mobiles and equipment which would significantly reduce our current telephone expenditure. Should Council take up the offer however, it would exceed the Tender threshold. Therefore Council will need to go to Tender for a replacement system.

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

Local Government Tender Guidelines

# Governance issues:

Tender threshold consideration

#### **Environmental issues:**

Nil

# Stakeholders:

Walgett Shire Council and ratepayers

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# **Financial Implications:**

Additional budget expenditure. Depending on final costings and timing of purchase, if approved, some savings may be made on current system which is already allocated in this year's budget.

| Alternative | Solutions | /Options: |
|-------------|-----------|-----------|
|-------------|-----------|-----------|

Status Quo

# **Conclusion:**

See Recommendation

# Change of Phone System - Telstra Submission

# **Recommendation:**

1. That Walgett Shire Council lets a Tender for its phone system at the earliest possible time.

Moved:

Seconded:

# **Attachments:**

Nil

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# 17. WALGETT MAIN STREET BEAUTIFICATION

**REPORTING SECTION:** Corporate & Community Services

AUTHOR: Carole Medcalf— Director Corporate & Community Services

**FILE NUMBER:** 09/1525

# **Summary:**

Progress on the Main Street Beautification can be implemented without making major steps until final information has been obtained. The traffic survey results may be available prior to the Council meeting but are not available at the time of writing. However, the short term steps recommended by GMU do not relate to street changes but to infrastructure on the street.

# Background:

In July 2009 an Expression of Interest process resulted in GMU Design & Architecture being selected to develop a design strategy for the redevelopment of the area along Fox Street between Euroka and Warrena Streets Walgett.

GMU Design & Architecture conducted an urban study of the specified area. Community consultations were conducted with local groups, the Community Working Party and local businesses in Walgett during August 2009.

In September 2009 GMU Design & Architecture produced a report which provided an analysis of the study area, community consultations and draft suggestions for redevelopment. The report was accepted by Council at the November 2009 meeting.

Public submissions were received in response to GMU's draft report. Many positive comments regarding agreement with beautifying the area were received. Negative comments were related to:

- (a) one of the design suggestions which involved narrowing Wee Waa Street, between Fox and Pitt Streets, to provide for community social space and were received by business owners who would be affected by the change.
- (b) relocation of the War Memorial Monument located on the roundabout at Fox Street.

In response to community feedback, the design suggestion of relocating the Monument was rejected.

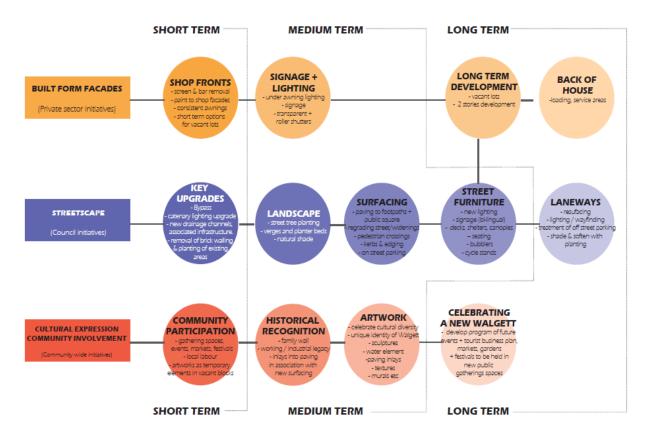
An Expression of Interest for a Traffic Study was advertised and at the July 2010 Council meeting RoadNet Pty Ltd, were accepted as the successful consultant. Representatives from RoadNet Pty Ltd attended Walgett in September 2010, began a traffic study, arranged for installation of traffic classifiers and consulted with affected business owners.

#### **Current Position:**

RoadNet Pty Ltd are currently analysing data and a report will be available in December 2010.

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GMU Design have provided suggestions for short, medium and long term improvements to the study area;



Further to the built form and streetscape upgrades, the following activities are recommended:

- Remove existing planter bed walling along Fox Street and locate temporary seating fixtures, surfacing and some robust native groundcover/ grass planting.
- Remove empty tree grilles with awnings over, grind out existing stumps and temporarily fill with a bound gravel surface or similar.
- Begin to mark out/edge town square possibly with planting or decking elements.
- Engage business and stakeholder co-operation with painting of shop facades, removal
  of bars and screens, removal of existing base posts where awnings are currently
  incomplete.
- Create a temporary space to inform and engage the community about the beautification project.
- Assist shop owners with subsidies for shutters that can be rolled down at night.

#### Relevant Reference Documents/Policies:

**GMU Main Street Beautification document** 

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### **Governance issues:**

The Director views this as an Operational matter. The General Manager has requested a report be brought to Council.

#### **Environmental issues:**

Nil

#### Stakeholders:

Walgett Shire Council and ratepayers

# **Financial Implications:**

There is a \$10,000 budget allocation to start the Main Street Beautification

# **Alternative Solutions/Options:**

Do nothing

#### Conclusion:

See recommendation

# **Walgett Main Street Beautification**

#### Recommendation:

- 1. That Walgett Shire Council resolves to progress the Main Street Beautification short term goals by:
  - a. Removing existing planter bed walling along Fox Street and locating temporary seating fixtures, surfacing and some robust native groundcover/ grass planting.
  - b. Removing empty tree grilles with awnings over, grind out existing stumps and temporarily fill with a bound gravel surface or similar.
  - c. Beginning to mark out/edge town square possibly with planting or decking elements.
  - d. Engaging business and stakeholder co-operation with painting of shop facades, removal of bars and screens, removing existing base posts where awnings are currently incomplete.

| Moved | :   |
|-------|-----|
| Secon | ded |

#### Attachments:

Nil

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# 18. GOV- FARMLAND FOR RATING PURPOSES POLICY

REPORTING SECTION: Corporate and Community Services **AUTHOR:** Carole Medcalf - Director FILE NUMBER: 10/354 Summary: Council has guidelines for rating purposes for farmland which are not yet contained in a policy. Background: Council has made some decisions over its term that define farmland properties for rating purposes. These decisions need to be reflected in a policy document. **Current Position:** N/A **Relevant Reference Documents/Policies:** Nil Governance issues: Nil **Environmental issues:** Nil Stakeholders: Walgett Shire Council and ratepayers **Financial Implications:** Financial implications have already been passed on to ratepayers following Council's earlier decisions. **Alternative Solutions/Options:** Already discussed and decided against. Conclusion:

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See recommendation

# Gov - Farmland for Rating Purposes Policy

# **Recommendation:**

1. That Walgett Shire Council resolves to adopt the attached policy.

# Moved:

Seconded:

# Attachments:

GOV - Farmland for Rating Purposes Policy

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# FARMLAND FOR RATING PURPOSES POLICY

| PΩ            | licv | Number | •• |
|---------------|------|--------|----|
| $\Gamma \cup$ |      | number |    |

Adoption Date:

Review Date:

Responsible Officer Director Corporate and Community Services

#### **POLICY STATEMENT**

WSC will consider applications from ratepayers for their land to be categorised as farmland for rating purposes in a fair and consistent manner and in accordance with the provisions of the Local Government Act and with adopted procedures.

# **OBJECTIVES:**

- To provide clear guidelines and procedures in relation to the assessment of rateable land parcels for the categorisation as Farmland for rating purposes and to ensure that all farmland assessments are determined using consistent measures
- To ensure that the guidelines and procedures are implemented efficiently and effectively.
- To provide staff with authority to assess rateable land parcels for the categorisation as Farmland for rating purposes.
- To afford efficient assessment of farmland rating entitlement for land which is readily to be accepted as farmland and to make transparent the criteria for assessment.
- Where a parcel of land is not initially accepted as qualifying for farmland rating further assessment criteria and methods are identified.

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# 19. IT SYSTEM CHANGE PROPOSAL

**REPORTING SECTION:** Corporate and Community Services

AUTHOR: Carole Medcalf – Director Corporate & Community Services

**FILE NUMBER:** 09/1455

# Summary:

Council needs to consider future organisational needs with respect to IT systems. Council's current systems do not deal adequately with increasing reporting requirements for assets and finance particularly but also planning and spatial information. Council Executive team has reviewed of a very few systems that are directed at integrating that information.

# Background:

Council's IT system has been improved substantially in the last two years. However, as indicated above, there is a need to maintain that standard in order to be able to produce the level of information required for reporting and more importantly for service delivery standards to be maintained and/or developed.

The Executive Team has reviewed the system being produced by SolOrient and found that the features it has would be suitable for Council's current and future purposes. A pamphlet is attached for the information of Councillors.

There are a number of current programs used by Council, dealing with financial information as well as Records Management, Human Resources and Asset Management. That part of the system dealing with financial and human resource information has now been upgraded by the company, Civica, and they are recommending Council step to the new upgrade. Council has experienced problems with this system, and the company, previously.

To upgrade to their new version of software will cost an additional \$50,000 on top of the current \$50,220 that is paid for existing service. SolOrient, although a pioneering product is available at a cost of an initial one off fee of \$31,689 (or less depending on the number of users Council has) and an Annual Fee thereafter of \$\$28,457.25.

SolOrient's product will eventually enable Council to reduce the number of other software programs that are required across its operations and therefore the ongoing costs.

#### **Current Position:**

Contract with Civica for Authority expires June 2011. Any new system must be purchased prior to that time to enable data to be transferred to the new system. The \$31,689 can be covered in the existing budget.

# **Relevant Reference Documents/Policies:**

Nil

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| Nil                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Environmental issues:                                                                                                                                      |
| Nil                                                                                                                                                        |
| Stakeholders:                                                                                                                                              |
| Walgett Shire Council, ratepayers and SolOrient                                                                                                            |
| Financial Implications:                                                                                                                                    |
| \$31,689 additional expenditure in this year's budget with reductions in subsequent years                                                                  |
| Alternative Solutions/Options:                                                                                                                             |
| Stay with current system and upgrade. More costly and less efficient                                                                                       |
| Conclusion:                                                                                                                                                |
| See recommendation                                                                                                                                         |
| IT System Change Proposal                                                                                                                                  |
| Recommendation:                                                                                                                                            |
| <ol> <li>That Walgett Shire Council resolve to change IT software systems and purchase the<br/>SolOrient software system at a cost of \$31,689.</li> </ol> |
| Moved:<br>Seconded:                                                                                                                                        |
| Attachments:                                                                                                                                               |

Letter from SolOrient dated 30 September 2010

**Governance issues:** 

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September 30<sup>th</sup> 2010

Ms Carole Medcalf Director Corporate and Community Services Walgett Shire Council PO Box 31 WALGETT NSW 2832

Dear Carole

Re: Pathway for the Future

Thanks for the time that you afforded me recently. As we discussed Walgett Council has another option as a pathway for the future available that will provide a transition to a modern, user friendly, enriched application environment.

The *Horizon* Browser Menu provides the first stage of this transition. The menu functions with your existing version of Authority providing a more intuitive navigation of available menu items through non-case sensitive global search, whilst the administration of user access is streamlined through role definition(s).

The development roadmap for *Horizon* enables council to transition to a new environment as application registers are made available. The benefit in this approach is that the users will function in one environment for the existing Authority applications and the *Horizon* registers through the same interface. This approach makes change management far simpler given that the manner in which users interact with Authority will be the same as for *Horizon*.

#### A Database with Content Management Built-In

*Horizon* is a powerful corporate software solution that meets the needs of today's business and can be used as an intranet, internet or extranet application.

Horizon is built on top of proven, open source technologies, using a modern, standards-based language and programming model that supports common design patterns providing a solution that deploys consistently on all major browsers, desktops, and operating systems.

The solution provides flexibility in the management of documents and corporate register data. It provides a single entry enquiry/search form that will display any register type in a browse form that can then be selected to drill down further into related data elements.

SolOrient Pty Ltd PO Box 5112 KAHIBAH NSW 2290 ABN 15 145 425 181

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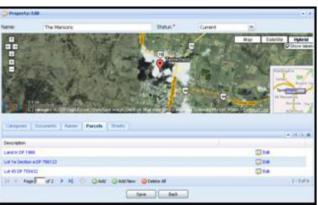


#### Horizon delivers:

- Common user interface
- Driven by a rules based engine
- Database independence interoperable with any JDBC-compliant database.
- Supports multiple SQL dialects including MySQL <sup>®</sup>, Microsoft SQL Server<sup>1</sup>, Oracle<sup>1</sup>
- Content Management built-in
- Client free installation
- Mapping component
- Open source or Microsoft server

Notes: 1 Additional connection fee applicable for Microsoft SQL Server and Oracle

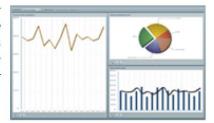
Information is enhanced through the use of the *Horizon* mapping component.



Identification of Properties, streets, animals presented through spatial representation in conjunction with textual information.

*Horizon* through its powerful data model, results in a solution designed using the principle that all module components (Registers) contain a list of accounts, properties, streets, ledgers, etc.

Users can work with data in a number of formats directly within *Horizon* whether textual, documents, pictures or graphs providing an intuitive easy to use interface that enriches the user experience.



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Display of financial information can quickly and easily be transformed into graphs or dashboards to provide a complete picture for analysis.

#### Experience

With over twenty five years' experience in Information Technology, SolOrient personnel provide a wide range of services that address many aspects of business. The SolOrient team has over 90 years combined experience in local government and corporate systems, enterprise software development, project management, ecommerce, support and training.

Our staff members bring a wealth of experience in the Australian IT industry in a number of senior roles in the application solution environment. We have a wide range of business analysis skills covering financials, payroll and human resources, revenue, land information systems, billing, ecommerce, knowledge and document management, and asset management.

Our developers have been developing enterprise software in the government, retail and telecommunications sectors and bring experience with development methodologies and processes ranging from traditional development models to agile development. Their skills include – Java, C, C++, Flex, Oracle, MySQL, Microsoft VB/VBA.

Our business analysts have consulted to a number of clients in Federal, State and Local Government, publicly listed companies and private companies. These include the NSW Attorney Generals Department, Harvey Norman, Department of Foreign Affairs and Trade, Publishing and Broadcasting Ltd and Towers Perrin. They are sought out for their skills in requirements gathering, functional design / specification, and data modelling. Each are degree qualified and are recognised as Practicing Computer Professionals (PCP's) by the Australian Computer Society.

Our consultants have many years of experience working in both corporate and government organisations. Particularly in Land Rating, Debtors, Creditors, Electronic Document Management, Applications and Database Administration functions. SolOrient methodology enables the application of information management and knowledge systems to enhance organisational performance.

#### Why go Horizon

There is an identified gap within Local Government software vendors to provide

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quality software that has been designed for use via an intranet or internet platform. Traditional vendors are faced with costly redevelopment of existing products to meet this need. Existing venders will provide a mix of client dependant software with a costly footprint on the client launched using a middleware application.

Horizon is designed and developed as a highly interactive, expressive web application from the outset enabling organisations to experience contemporary interfaces from inception.

As discussed with you, Walgett has the opportunity to have an involvement with the exciting development of *Horizon* as we go through our rapid development cycle over the next few months. We value your input into the evolution of this new solution for Local Government.

The first stage is to implement the *Horizon* Browser Menu for Authority that will enable users to begin the transition to the new environment. This implementation would also provide an evaluation of the Names, Streets, Parcels, and Property registers within *Horizon* that will further illustrate the user interface, global search, interaction with mapping (currently Google Maps), business rules, and data presentation.

#### Investment

Initial fee for *Horizon* (based on 60 named users) \$31,688.50 Annual fee from year two (based on 60 named users) \$28,457.25

By comparison the existing annual fees paid to Civica are:

Authority (31 concurrent licences) \$42,315.00

Third Party Product: (31 licences)

 Informix
 \$ 4,805.00

 4Js Windows Client
 \$ 3,100.00

 Total
 \$50,220.00

The upgrade cost to Civica's Version 6 of Authority is in the vicinity of \$50,000 (based on information available from similar Authority councils).

Horizon is designed and developed as a highly interactive web application from its inception providing Council quality software for use via an intranet or internet platform. Walgett can transition to the latest technologies in the market today at a lower initial investment saving a minimum of \$18,000 with ongoing savings of annuals of a minimum of \$21,000.

I look forward to discussing the options with you further.

Yours faithfully

Damien Ingle SolOrient Pty Ltd

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#### **Annexures**

# **Server Requirements**

Horizon can be deployed on to any server that has a Java virtual machine, such as Windows Enterprise Server, Linux or Mac OS.

#### **Hardware**

#### Servers:

The recommended hardware requirements for *Horizon* production server(s) vary depending on a number of factors including other server roles that may be installed on the same server and the anticipated load that will be placed on the servers. However, the following is the minimum recommended hardware configuration for a Linux or Windows Server;

| Component | Recommendation                                                                                                                                                               | Notes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Processor | x64 architecture-based computer with Intel processor that supports Intel 64 architecture (formerly known as Intel EM64T)  OR  AMD processor that supports the AMD64 platform | Horizon is supported on a 32bit processor                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Memory    | 4GB                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Disk      | RAID1 SAS for Operating<br>System<br>RAID1 or RAID5 SAS for<br>Application/Data                                                                                              | Option 1: - Effective low cost option  Operating System —  2 x 146GB drives in RAID1 (total 146GB of useable space) — add a 3rd disk as spare if budget suits  Application/data —  4 x 146GB drives in RAID5 — (total 438GB of useable space) — add a 5th disk as spare if budget suits  Option 2: - Where there is concern of RAID5 performance.  Operating System —  2 x 146GB drives in RAID1 (total 146GB of useable space) — add a 3rd disk as spare if budget suits  Application/data —  2 x 300GB drives in RAID1 — (total 300GB of useable space) — add a 3rd disk as spare if budget suits  Option 3: - Preferred RAID5  Operating System —  2 x 146GB drives in RAID1 (total 146GB of useable space) — add a 3rd disk as spare if budget suits  Application/data —  4 x 300GB drives in RAID1 (total 146GB of useable space) — add a 3rd disk as spare if budget suits  Application/data —  4 x 300GB drives in RAID5 — (total 900GB of useable space) — add a 5th disk as spare if budget suits |

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| Component            | Recommendation                                                                                                                                       | Notes                                                                                     |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| RAID Support         | Ensure that the server has the ability to support multiple RAID, including RAID5 – battery backup/cache support on the RAID card is also recommended |                                                                                           |
| Power                | Dual power supply and UPS protection                                                                                                                 |                                                                                           |
| Network<br>Interface | 100/1000Mbps                                                                                                                                         | Dual interfaces are a great addition.<br>Either bound for redundancy or load<br>balancing |
| Backup               | Any backup or imaging software that is 'database aware' and has the ability to back up the SQL database. I.e. SQL Agent is available                 |                                                                                           |

#### SAN Hardware:

SAN's are supported by *Horizon*. If the SAN is supported or is compatible with the tested Operating Systems below then *Horizon* can also utilise the storage. Contact SolOrient for further information.

#### **Software**

#### Operating System:

The *Horizon* server components can be deployed to any server that has Java virtual machine; such as Microsoft Windows, Redhat Linux or Mac OSX.

Tested and supported operating systems are as follows;

- Windows 2003 Server Standard & Enterprise both x86 & x64 editions
- Windows 2008 Server Standard & Enterprise both x86 & x64 editions
- Windows 2008 Server R2 Standard 7 Enterprise (R2 is x64 only)
- Redhat Linux 5.3 and above
- CentOS 5.3 and above

#### Mail Server support:

Any mail server that supports SMTP, POP & IMAP. E.g. Exchange 2003, 2007 or 2010 – Linux Sendmail and Postfix – Google Apps.

# Virtual Servers:

Horizon supports VMware, Citrix Xen, Linux Xen & Microsoft Hyper-V

#### **Client Requirements**

Horizon can be operated from any web browser interface and can be deployed either over the Internet or the council's internal LAN on Desktop, Notebook, Citrix, or Terminal server. Horizon supports all popular web browsers including Internet Explorer, Mozilla, Firefox and Safari.

Clients that require access to GIS should comply with specific vendor recommendations.

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# Financial Registers:

Core:

Registers:

**GST** 

Purchasing

Stores

Creditors

**Plant** 

Assets Management

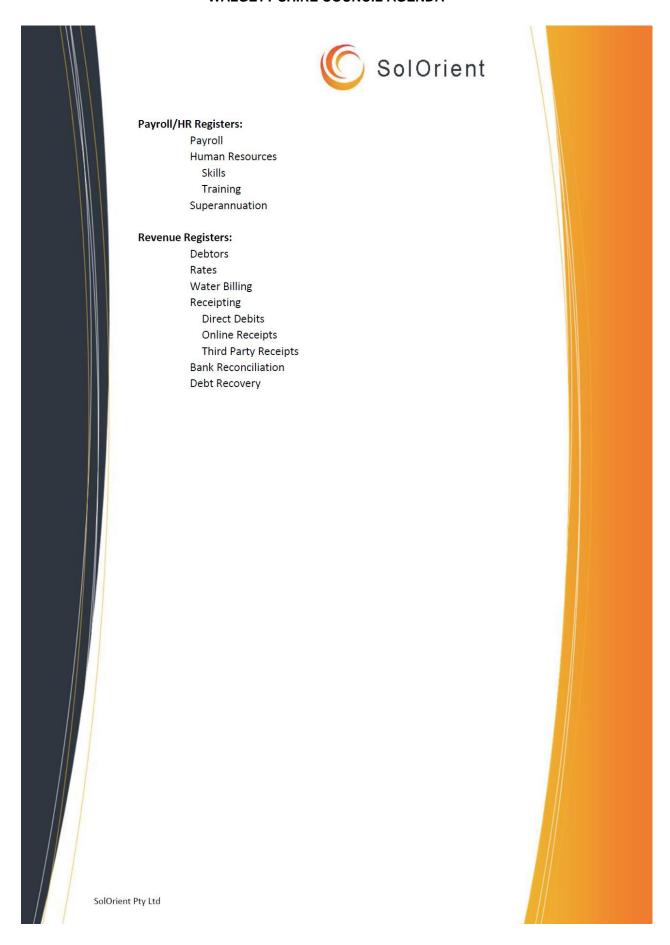
Contracts

**Trust Deposits** 

Loans

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# 20. DRAFT ANNUAL REPORT

**REPORTING SECTION:** Corporate and Community Services

**AUTHOR:** Carole Medcalf – Director Corporate & Community Services

FILE NUMBER: 09/884

#### **Summary:**

Section 428 of the Local Government Act 1993 requires councils to lodge an Annual Report to the NSW Department of Local Government by 30 November each year. An Audited Financial report is to be included.

# Background:

Council's Annual Report for 2009/10 has been completed and is forwarded under separate cover. Of significance is the report received from Council's auditors which gives Walgett Shire Council an unqualified financial audit report and, in which, significant financial improvements can be seen. Attached to this report is the Public Notice which meets the requirements of Section 418 (3) of the Local Government Act 1993.

Section 428 (4) states: An Annual Report must contain the following:

- (a) a copy of the council's audited financial reports prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting published by the Department, as in force from time to time,
- (b) such other information as the regulations or the guidelines under section 406 may require.
- (5) A copy of the council's annual report must be posted on the council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of a council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the council's website.

# **Relevant Reference Documents/Policies:**

Local Government Act 1993 Integrated Planning Guidelines Local Government Code of Accounting Practice and Financial Reporting

# Stakeholders:

Walgett Shire Council
Walgett Shire Council Ratepayers and Residents
NSW Minister and Department of Local Government

# **Financial Implications:**

As per Budget 2009/2010

# Conclusion:

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# **Draft Annual Report**

# Recommendation:

- 1. That Council adopts the Annual Report and a copy be forwarded to the Minister for Local Government
- 2. That Council endorses the provision of a separate State of the Environment document to Walgett Shire Council's annual report.

# Moved: Seconded:

# **Attachments:**

Annual Report (Under Sepearte Cover)

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# 21. DEVELOPMENT AND COMPLYING DEVELOPMENT CERTIFICATE APPLICATIONS

**REPORTING SECTION:** Planning and Regulatory Services

**AUTHOR:** Matthew Goodwin – Director Planning & 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 by Council staff.

# Background:

Most Development Applications (DA) lodged with Walgett Shire Council are assessed by Council's Town Planner and/or Director of Planning & Regulatory Services, then approved by the Director or General Manager under delegated authority. A minority of applications which are recommended for refusal, or where there are objections received from the public, are referred to Council for decision.

Complying Development Certificate (CDC) applications lodged with Walgett Shire Council are assessed by Council's Senior Health and Building Surveyor, Len Smyth, as a Building Professionals Board Accredited Certifier.

# **Current position:**

The table following this report provides details of recent:

DAs approved under delegated authority by the Director Planning and Regulatory Services. CDC applications approved by Council's Senior Health and Building Surveyor.

Document type 20 represents DAs while document type 24 represents CDCs.

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

Files for the respective DA and CDCs

Environmental Planning & Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

State Environmental Planning Policy No 60—Exempt and Complying Development, etc.

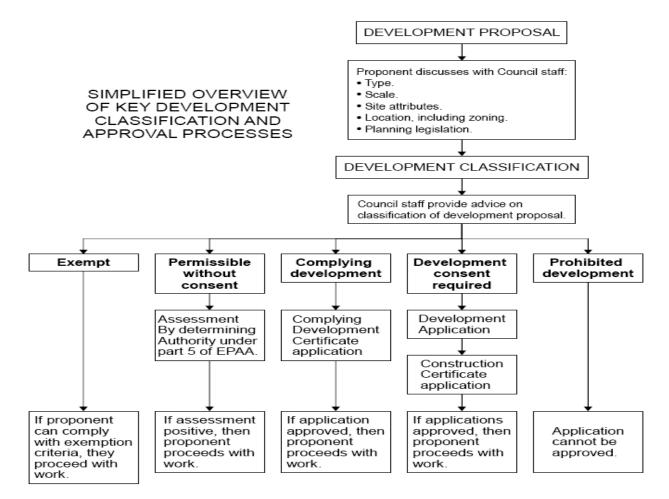
#### Governance issues:

DAs: DAs are assessed under against a series of "matters for consideration" specified under section 79C of the Environmental Planning and Assessment Act 1979 and any relevant statutory requirements (such as regulations, Interim Development Order No 1 – Shire of Walgett and State Environmental Planning Policies). Section 80A of the Act provides that Council may impose conditions of development consent. It is standard practice for any consent authority to impose conditions that are relevant to the nature and scale of the development, as well as the setting in which it is proposed to occur.

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CDCs: Types and standards for complying development are defined by the relevant State Environmental Planning Policy (SEPP). Sub-section 85A(7) of the Environmental Planning and Assessment Act 1979 provides that Council cannot refuse a CDC application which complies with the relevant development standards and regulatory requirements (eg plans and specifications demonstrate compliance with the Building Code of Australia). Conditions that apply to a CDC are specified by the SEPP under which the application is approved.

A simplified overview of development proposals are classification is provided in the diagram below.



#### **Environmental issues:**

DAs: Council requests a Statement of Environmental Effects to be lodged with DAs that contains environmental information that is appropriate for the nature and scale of the development, as well as the setting in which it is proposed to occur. Under statutory requirements, some developments of a large scale and/or proposed for a sensitive area may require significant additional supporting environmental assessment documentation.

<u>CDCs</u>: Complying development is restricted to certain types of land use, particular zones and may be excluded from environmentally sensitive areas, bush fire prone land, etc.

#### Stakeholders:

Public, applicants, Council, Department of Planning

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# Financial implications:

Part of the costs incurred assessing and inspecting respective developments is recovered from application and inspection fees.

# **Alternative solutions/options:**

Nil

#### Conclusion:

# **Development and Complying Development Certificate Applications**

# Recommendation:

It is recommended that Walgett Shire Council resolve to:

- 1. Note the report on:
  - a. Development Applications approved under delegated Authority by the Director Planning & Regulatory Services, Matthew Goodwin, during November 2010.
  - b. Complying Development Certificate applications approved by Council's Senior Health and Building Surveyor, Len Smyth, as a Building Professionals Board Accredited Certifier during November 2010.

Moved: Seconded:

#### **Attachments:**

A – Report on DAs and CDCs issued during November 2010

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| AUTHORITY                                   | YII                                                |                                                                            | Determined                                                                                                                                                                                    | Determined Applications                                        |                                                                                                           |                                                                                                          | CIVICA     | VICa   |
|---------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------|--------|
| 12/01/2010                                  | Parameters:                                        | Date Range:Y<br>Start Date:1/11/2010<br>End Date:30/11/2010<br>As At Date: |                                                                                                                                                                                               | Document Type: Officer:ALL Number of Days:0 Stop The Clock:Yes | ALL<br>:0<br>Yes                                                                                          |                                                                                                          | <u>a</u>   | Page:1 |
| Document                                    | Applicant Ne                                       | Applicant Name / Address                                                   | Development Type<br>Property Address<br>Title Owner                                                                                                                                           |                                                                | Determination                                                                                             | Determined                                                                                               | Received   |        |
| Docume nt Type: 20<br>020/2010/00000010/002 | e: 20<br>Stop the Clock<br>00010/002               | Total Elapse<br>Cal<br>Adjuste                                             | Total Elapsed Calendar Days: 4  Calendar Stop Days: 0  Adjusted Calendar Days: 0  Class 1a - Single Dwelling/Dual  Alma ST BÜRREKYUNCTION  LOT: 5 SEC: 2 DP: 758199  Mr S P & Mrs G M Josephs | welling/Dual<br>ION                                            | Approved - Staff Delegation                                                                               | 04/11/2010                                                                                               | 01/11/2010 |        |
| 020/2010/000000031/002                      | Stop the Clock                                     | Total Elapse Cal. Cal. Adjuste                                             | Total Elapsed Calendar Days: 4 Calendar Stop Days: 0 Adjusted Calendar Days: 4 10 Class 1a - Single Dwelling/Dual 317 Beanbrikt WALGETT LOT: 4 DP: 1009636 Pian Creek Pty Ltd                 | we lling/Dual                                                  | Approved - Staff Delegation 04/11/2010                                                                    | 04/11/2010                                                                                               | 01/11/2010 |        |
| Officer: Ms<br>Number of Ap                 | Officer: Ms J R Babic<br>Number of Applications: 2 | Average<br>Aven<br>Average                                                 | age Elapsed Calendar Days: 4.00<br>Average Calendar Stop Days: 0.00<br>age Adjusted Calendar Days: 4.00                                                                                       | s: 4.00<br>s: 0.00<br>s: 4.00                                  | Total Elapsed Calendar Days: 8.00<br>Total Calendar Stop Days: 0.00<br>Total Adjusted Calendar Days: 8.00 | Total Elapsed Calendar Days: 8.00<br>Total Calendar Stop Days: 0.00<br>otal Adjusted Calendar Days: 8.00 |            |        |
| Document                                    | Applicant Na                                       | Applicant Name / Address                                                   | Development Type<br>Property Address<br>Title Owner                                                                                                                                           |                                                                | Determination                                                                                             | Determined                                                                                               | Received   |        |
| Document Type: 24                           | ie: 24<br>Stop the Clock                           | Total Elapse<br>Calı<br>Adjuste                                            | Total Elapsed Calendar Days: 8<br>Calendar Stop Days: 0<br>Adjusted Calendar Days: 8                                                                                                          |                                                                |                                                                                                           |                                                                                                          |            |        |
| AUTHORITY                                   | ITY                                                |                                                                            |                                                                                                                                                                                               |                                                                |                                                                                                           |                                                                                                          |            |        |

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| AUTHORITY                                               |                                                                            | Determined                                                                                                       | Determined Applications                                        |                                                                                                             |                                                                                                          | CIVICA     |
|---------------------------------------------------------|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------|
| 12/01/2010 Parameters:                                  | Date Range:Y<br>Start Date:1/11/2010<br>End Date:30/11/2010<br>As At Date: | 710<br>2010                                                                                                      | Document Type: Officer:ALL Number of Days:0 Stop The Clock:Yes | :.<br>:.0<br>:Yes                                                                                           |                                                                                                          | Page:2     |
| Document Applican                                       | Applicant Name / Address                                                   | Development Type<br>Property Address<br>Title Owner                                                              |                                                                | Determination                                                                                               | Determined                                                                                               | Received   |
| Document Type: 24<br>024/2010/00000035/001              |                                                                            | 144 Class 10a - Verandah<br>43 Nettleton DR LIGHTNING RIDGE<br>LOT: 22 DP: 39545<br>Mr C A & Mrs A J Cheal       | dah<br>NG RIDGE                                                | Approved - Staff Delegation 26/11/2010                                                                      | 26/11/2010                                                                                               | 19/11/2010 |
| Officer: Mr L J Smyth<br>Number of Applications: 1      | Aver<br>A<br>Avera                                                         | Average Elapsed Calendar Days: 8.00<br>Av erage Calendar Stop Days: 0.00<br>Average Adjusted Calendar Days: 8.00 | s: 8.00<br>s: 0.00<br>s: 8.00                                  | Total Elapsed Calendar Days: 8.00<br>Total Calendar Stop Days: 0.00<br>Total Adjusted Calendar Days: 8.00   | Total Elapsed Calendar Days: 8.00<br>Total Calendar Stop Days: 0.00<br>otal Adjusted Calendar Days: 8.00 |            |
| Report Totals & Averages Total Number of Applications:3 | Avera<br>Av<br>Averag                                                      | Average Elapsed Calendar Days: 5.33<br>Average Calendar Stop Days: 0.00<br>Average Adjusted Calendar Days: 5.33  | s: 5.33<br>s: 0.00<br>s: 5.33                                  | Total Elapsed Calendar Days: 16.00<br>Total Calendar Stop Days: 0.00<br>Total Adjusted Calendar Days: 16.00 | l Elapsed Calendar Days: 16.00<br>Total Calendar Stop Days: 0.00<br>Adjusted Calendar Days: 16.00        |            |
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| AUTHORITY                                               |                                                                            |                                                                                                                  |                                                                |                                                                                                             |                                                                                                          |            |

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# 22. GROWTH STRATEGY & LOCAL ENVIRONMENTAL PLAN

**REPORTING SECTION:** Planning and Regulatory Services

**AUTHOR:** Matthew Goodwin – Director Planning & Regulatory Services

**FILE NUMBER**: 09/1109

# Summary:

This report provides an overview of recent progress with the Walgett Shire Growth Management Study and Strategy and Walgett Shire Local Environmental Plan project. It is recommended that Council note and endorse the various recent actions taken.

# Background:

At a meeting held on 24 August 2010, Walgett Shire Council considered a report which detailed the status of the Walgett Shire Growth Management Study and Strategy (GMSS) and Walgett Shire Local Environmental Plan (LEP) project. The report also provided background information the project being delayed. Council subsequently resolved to:

- Note the letter dated 27 July 2010 from the Regional Director, Western Region of the Department of Planning regarding Planning Reform Funding and the associated memorandum of understanding for Walgett Shire's land use strategy and Local Environmental Plan project. Also that the project was due for completion by 30 September 2008 and the Department has now requested that Council submit a Planning Reform Fund Project Variation Request.
- Defer development of a "Walgett Shire Rural Residential Strategy" pending finalisation of the Walgett Shire Growth Management Study and Strategy (in accordance with remaining amendments resolved by Council on 24 February 2009) and finalisation of the associated Walgett Shire Local Environmental Plan.
- Submit a request to the Department of Planning to vary the planning reform fund grant memorandum of understanding for the project to prepare the Walgett Shire Growth Management Study / Strategy and the Walgett Shire Local Environmental Plan. The key variation will be to extend the project for another two years.

A meeting was held on 14 October 2010 at the Western Region office of the Department of Planning in Dubbo. The following parties attended the meeting:

- Lois Gray, Regional Director, Western Region of the Department of Planning.
- Wayne Garnsey and Wade Morris, Department of Planning.
- Don Ramsland, General Manger, Walgett Shire.
- Matthew Goodwin, Director Planning & Regulatory Services, Walgett Shire.
- Ian Sinclair, principle of Edge land Planning, who has been engaged by Council to prepare the GMSS and LEP.

As a result of that meeting the Department of Planning wrote to Walgett Shire Council on 18/10/10 (see Attachment A). The key issue arising from that letter is that a relatively short time line is now proposed and expected for the finalisation of the GMSS and LEP project.

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# **Current position:**

Much of this report, including the recommendations and attachments, has been reproduced from a similar report submitted to the 23 November 2010 Council meeting. At that meeting Walgett Shire Council resolved:

That this item be deferred until the December Council Meeting to allow the opportunity for a member from the Department of Planning to attend the next meeting to discuss the following issues.

- the minimum size lots.
- Preserved opal fields.
- Workers accommodation issues

The Regional Director of the Western Region of the Department of Planning, Lois Gray, was invited to attend the 21 December 2010 Council meeting, but declined due to prior commitments. At the time of writing this report, an informal meeting was scheduled between Councillors and the Regional Director for 10.30AM at the Council chambers in Walgett on 13 December 2010.

# Relevant reference documents/policies:

The legal and policy framework associated with LEP development is, by necessity, quite complex. A summary of the framework has been provided in Chapter 3 (pages 63 to 85) of the GMSS.

Some of the more significant statute based documents include:

- Environmental Planning & Assessment Act 1979.
- \* Environmental Planning & Assessment Regulation 2000.
- \* Standard Instrument (Local Environmental Plans) Order 2006.
- Local Government Act 1993.
- \* Numerous State Environmental Planning Policies (SEPPS).
- \* Directions for LEP preparation issued by the Minister for Planning (Section 117 directions).
- \* Interim Development Order No 1 Shire of Walgett, 1968, as amended.

# Other relevant documents include:

- \* Walgett Shire Growth Management Strategy Community Consultation Report, July 2005.
- Walgett Shire Growth Management Strategy Issues Paper, July 2005.
- \* Walgett Shire Growth Management Study and Strategy, prepared by Edge Land Planning, dated November 2010 (Amended from the October 2008 version as detailed in Attachment B).
- \* Numerous Department of Planning circulars and guidelines regarding LEP development.
- \* Report on the Section 430 Investigation into Walgett Shire Council, by the Department of Local Government, dated 29 January 2004

#### **Governance issues**

<u>Council's charter</u>:- Section 8 of the Local Government Act 1993 establishes Council's charter, which includes:

- \* to exercise community leadership
- \* to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- \* to have regard to the long term and cumulative effects of its decisions
- \* to engage in long-term strategic planning on behalf of the local community

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\* to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

<u>Section 430 investigation</u>:- Substantial problems arise for Council and the public from a planning instrument (the Interim Development Order No 1 – Shire of Walgett 1968) that is outdated and inconsistent with the current planning legislation framework. It is also important to note that this deficiency was the subject of recommendation 29 within the Report on the Section 430 Investigation into Walgett Shire Council, by the Department of Local Government, dated 29 January 2004 (page 55). The recommendation was:

286 Recommendation 29: That council undertakes to develop a local environmental plan (LEP) as a matter of urgency. If existing staffing levels are insufficient to develop the LEP, council should utilise the services of an experienced consultant.

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

#### **Environmental issues**

Chapter 5 of the GMSS (pages 101 - 117) discusses ecologically sustainable development, which is an underlying theme of the document and the land use planning recommendations contained therein. Within NSW an LEP is an important tool to facilitate particular land uses within appropriate settings, while restricting or prohibiting them in inappropriate settings.

#### Stakeholders:

Walgett Shire Council, Department of Planning, State government agencies, community

# **Financial Implications:**

In 2004 Council committed \$140,000 (GST excluded) for the Walgett Shire land use strategy and Local Environmental Plan project. For 2010-2011 Council has allocated a budget of \$42,000 for Local Environmental Plan and Development Control Plan development. This is adequate to maintain the dollar for dollar commitment required under the MOU for the planning reform fund grant.

# **Alternative solutions/options:**

Do nothing:- This would stall the development of a LEP.

<u>Further amendments to the GMSS</u>:- This would delay endorsement of the GMSS by the Director General of the Department of Planning, hence also stall development of an LEP.

#### Conclusion:

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# **Growth Strategy & Local Environment Plan**

#### Recommendation:

It is recommended that Walgett Shire Council resolve to:

- Note the letter dated 18 October 2010 from the Regional Director, Western Region of the Department of Planning regarding the Walgett Shire Council Planning Reform Fund Project for the Walgett Shire Growth Management Study and Strategy and Local Environmental Plan. Also that the Department indicated that a finalisation date of 1 September 2012 is not acceptable.
- 2. Endorse and adopt the November 2010 version of the Walgett Shire Growth Management Study and Strategy as prepared by Edge Land Planning.
- 3. Note and endorse the letter dated 8 November 2010 from the General Manager to the Regional Director, Western Region of the Department of Planning which:
  - (a) Submitted the November 2010 version of the Walgett Shire Growth Management Study and Strategy and requested the Director General's endorsement for the document.
  - (b) Submitted a letter dated 19 October 2010 from the Department of Industry and Investment which endorsed Walgett Shire Council's proposal to have a 400 hectare minimum holding size for a dwelling entitlement on rural land.
  - (c) Submitted a modified 'Planning Reform Fund Request Variation to Project' which proposes completion of the Walgett Shire Growth Management Study and Strategy and Local Environmental Plan project by 30 June 2011.
- 4. Request that the General Manager proceed with the development of the Walgett Local Environmental Plan based on:
  - (a) Standard Instrument (Local Environmental Plans) Order 2006
  - (b) The land use planning recommendations contained in the November 2010 version of the Walgett Shire Growth Management Study and Strategy.

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#### **Attachments**

- 1 Letter dated 18-10-2010 from Regional Director, Department of Planning to Council
- 2 Letter dated 8-11-2010 from General Manager to Department of Planning

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Attachment 1 – Letter dated 18-10-2010 from Regional Director, Department of Planning



RECEIVED 19

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

RECEIVED 19 00 2010

Contact: Wayne Garnsey Phone: 02 68412180 Fax: 02 68848483

Email:

wayne.garnsey@planning.nsw.g

ov au

Our ref: S04/01250-2

Your ref:

File: 141010 letter re Walgett

meeting.doc

Dear Mr Ramsland

Subject: Walgett Shire Council Planning Reform Fund Project- Comprehensive Land use Strategy and Local Environmental Plan.

I am writing further to a meeting with you, Mr Matthew Goodwin, Council's Consultant Mr Ian Sinclair and the Department's Lois Gray, Wade Morris and Wayne Garnsey on 14 October 2010 at the Western Region office in Dubbo.

I would like to thank you, Mr Goodwin and Mr Sinclair for attending the meeting and working in a collaborative manner so as to seek a way forward to finalise the subject project. It is pleasing that Council is committed to the finalising the draft Walgett Growth Management Study and Strategy and new LEP as soon as possible.

A timeline to finalise this project is now proposed as follows:-

- By 12 November 2010 submission of the draft Walgett Growth Management Study and Strategy to the Department requesting final endorsement by the Director General. The draft Strategy is to be amended to include matters discussed at the meeting (refer to Attachment A) and including consultation with Department of Industry and Investment -Agriculture in relation minimum lot size for a dwelling on rural land.
- By 29 November 2010 submission of the draft LEP and maps for preliminary section 64 consultation to the Department.
- 21 December 2010 Council meeting to consider a formal section 64 submission to the Department and request a section 65 Certificate to allow public exhibition. Noting that the draft Strategy must be endorsed prior to the issue of the section 65 Certificate.
- February 2011 Council intends to publicly exhibit the draft LEP for 6 weeks commencing in February 2011.
- 5. April 2011 Council meeting to consider submissions to the draft LEP. Council to then forward section 68(4) Report and draft LEP to Department for finalising the draft LEP.

The Department looks forward to working closely with Council to finalise this Project and should you require any further information please contact Wayne Garnsey on 02 68412180.

Yours sincerely

Lois Gray

Regional Director, Western Region

Western Region Level 1 Area 1 No 188 Macquarie Street Dubbo NSW 2830 PO Box 58 Dubbo NSW 2830 68412180 Fax 02 68848483 Website planning.nsw.gov.au

(Wode Morris) 18/10/10

Phone 02

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#### Attachment A

# Matters discussed at with Walgett Shire Council on 13 October 2010

- GMSS amended document submitted 12/10/10 having regard to DoP correspondence dated 5 June 2008.
- Council wishes to progress and finalise the GMSS and new LEP as soon as possible.
   The hold up with the identification of new rural residential areas will be deferred until after the LEP is finalised and will be dealt with as a separate Planning Proposal. The principles and criteria for selecting rural residential land is to be included in the GMSS.
- Minimum lot size for a dwelling on rural land currently 40 ha Council proposing 400
  ha for reasons outlined in GMSS. Council needs to seek the views of the Department of
  Industry and Investment Agriculture and submit those comments with the request to
  endorse to the strategy.
- 4. Council wish to pursue further residential titles on the preserved opal fields. This is contrary to long standing government policy and would not be supported.
- Aboriginal settlements to be addressed in GMSS and appropriate outcomes to be assessed on merits in terms of location and facilities provided. This will facilitate zoen selection for the new LEP.
- NRM clauses and mapping Council to use latest model clauses and seek latest
  mapping and advice from relevant agencies. Noted Council's concerns with the
  accuracy and applicability of the NRM information.
- 7. Flooding there is a model clause however Council is of the opinion that this does not cater for circumstances in Walgett. The department will further investigate.
- 8. DoP to provide latest land use matrix.
- draft Codes SEPP for exempt and complying development and the buffers proposed for dwellings nears mining may affect use of complying development provisions. Council to make a submission to DoP.
- 10. Ensure local dwelling clause accommodates existing circumstances in the Preserved Fields in line with Government Policy.
- 11. Timeline for finalisation of GMSS and LEP discussed. Council at its December 2010 meeting wish to request section 65 Certificate then public exhibition for six weeks commencing February 2011. Consideration of submissions and send section 68(4) submission to DoP April 2011. Noting the GMSS will need to be endorsed prior to issue of the LEP s65 Certificate.
- 12. MOU to be amended. Council's request to vary project dated 30 August 2010 will need to be adjusted having regard to the discussions at this meeting. The requested finalisation date of 1 September 2012 is not acceptable.

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Attachment 2 – Letter dated 8-11-2010 to Department of Planning



# Shire of Walgett

Reference: M.G., D.R.; 09/1108/018

Your Reference:

Contact:

Matthew Goodwin

8 November 2010

Lois Gray Regional Director, Western Region Department of Planning P.O. Box 58 DUBBO NSW 2830

Dear Lois,

# RE. WALGETT SHIRE COUNCIL PLANNING REFORM FUND PROJECT - LAND USE STUDY/STRATEGY AND LOCAL ENVIRONMENTAL PLAN

Thank you for your letter dated 18/10/2010 regarding the Walgett Shire Council planning reform fund project which involves the Walgett Shire Growth Management Study and Strategy (GMSS), as well as the proposed Walgett Local Environmental Plan (LEP).

#### Please find enclosed with this letter:

- The Walgett Shire Land Use Study and Strategy (November 2010 version):- At a
  meeting held on 24 February 2009, Walgett Shire Council resolved to adopt the GMSS
  with certain amendments. The attached document includes the amendments resolved
  by Council, as well as various minor changes listed in Attachment A. The GMSS
  document is provided as an Adobe pdf file on CDR media.
- Letter from Department of Industry and Investment (DII):- As requested in point
  3 of Attachment A to your letter, Walgett Shire Council sought the views of the DII on
  the proposal for a 400 hectare minimum holding size for a dwelling entitlement on
  rural land. The Department responded by endorsing the proposal (Attachment B).
- 3. Modified 'Planning Reform Fund Request Variation to Project':- Point 12 of Attachment A to your letter indicated that the previously requested Planning Reform Fund project finalisation date of 1 September was not acceptable. In that context, with regard for the proposed time line in your letter, please find attached an amended variation request which proposes project completion by 30 June 2011.

- with the Windowski Wilman William of Arthresis Andrewski Strategic Committee (1881) and the Co

All communication to be addressed to the: General Manager PO Box 31, Walgett NSW 2832
Telephone: (02) 6828 1399 Facsimile: (02) 6828 1608 Email: admin@walgett.nsw.gov.au

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Walgett Shire Council now requests:

- (a) That the Director General of the Department of Planning endorse the November 2010 version of the Walgett Shire Growth Management Study and Strategy as soon as possible. This will enable Council to continue with the preparation of a draft Walgett Shire Local Environmental Plan based on the time line proposed in your letter.
- (b) That the Department endorse the request to vary the completion date for the Planning Reform Fund project to 30 June 2011.

Please contact Council's Director of Planning & Regulatory Services, Matthew Goodwin, if you require any additional information.

Yours faithfully,

Don Mamsland General Manager

# ATTACHMENT A -AMENDMENTS TO THE DRAFT WALGETT SHIRE GROWTH MANAGEMENT STUDY AND STRATEGY

A series of amendments have been made to the October 2008 version of the Walgett Shire Growth Management Study and Strategy document (GMSS) to create the November 2010 version. Those amendments are summarised below:

- Amendments requested in an e-mail dated 22 February 2008 from the Department of Planning to Walgett Shire Council have been addressed.
- Amendments requested in a letter dated 20 October 2008 from the Department of Planning to Walgett Shire Council have been addressed as follows:
  - (a) Section 2.2.7, p.22:- Paragraph now completed.
  - (b) Dwelling numbers in 'Table 2.2 Settlement Population' (formerly Table 2.1) and 'Table 2.7 - Selected Comparative Characteristics' (former 2.6) now correlate.
    - Note that discrepancies between dwelling numbers in 'Table 8.2 Supply of Dwellings and Vacant Land in Settlements' and Tables 2.2 and 2.7, arise from the fact that dwelling figures were obtained from different methods. One source was a land use survey and the other was the ABS Census in 2006, as recorded in the GMSS alongside the tables. See the notes below table 8.2 for more information.
  - (c) 'Table 2.10 Details of Projected Population' (formerly Table 2.9) figures for 2001 and 2006 do not correlate with previous tables because the data are derived from different sources, as indicated in the text prior to the table.
  - (d) Section 3.2.3, p.65:— Numbering of section 117 directions has been fixed.
  - (e) Section 8.3.1, p.164:— Notation added that specific zoning for tourism use in Walgett is not regarded as necessary.
  - (f) Section 8.3.2, p.168:- Map 8.11 amended to show Lightning Ridge airport.
  - (g) Map 8.13:- Map title changed.
  - (h) Section 8.3.2, p.175:- Added information that Council engaged OzArk Environmental and Heritage Management to complete an ecological assessment in May 2008 and the assessment provides recommendations to minimise harm to threatened species.
  - Section 8.3.2, p.178:- Addition of information on tourism and recreation at Lightning Ridge.
  - (j) Section 5, p.235 (now p. 240-241):- Existing businesses now also included in recommendations.
  - (k) Section 8.8.3, p. 219:- Reference to Lachlan removed.
  - Section 9.5.2, p.237:- Recommendations regarding tourist zone added.
  - (m) Onsite effluent disposal:- Document has been amended to indicate 2,000m<sup>2</sup> is the appropriate minimum lot size for onsite effluent disposal within the Shire.
- At a meeting held on 24 February 2009 Walgett Shire Council resolved to make amendments to the October 2008 version of the GMSS, as follows:
  - (a) Establishing a minimum holding size of 400 Ha for a dwelling entitlement on rural land. Amendments have been made to section 8.7.2 (page 207), section 8.8.3 (pages 218 to 222) and section 9.5.2 (page 237). Previously the GMSS recommended a 2,000 Ha minimum in accordance with advice from the Agriculture unit of the former Department of Primary Industries.

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Note: Council resolved on 24 February 2009 to amend the GMSS to identify land in the vicinity of Walgett, Lightning Ridge and Collarenebri for new rural residential areas. Subsequently Council resolved on 24 August 2010 to defer this proposal pending finalisation of the GMSS and LEP. Information has been added to the GMSS regarding Council's intention to establish rural residential areas (pages 228-229).

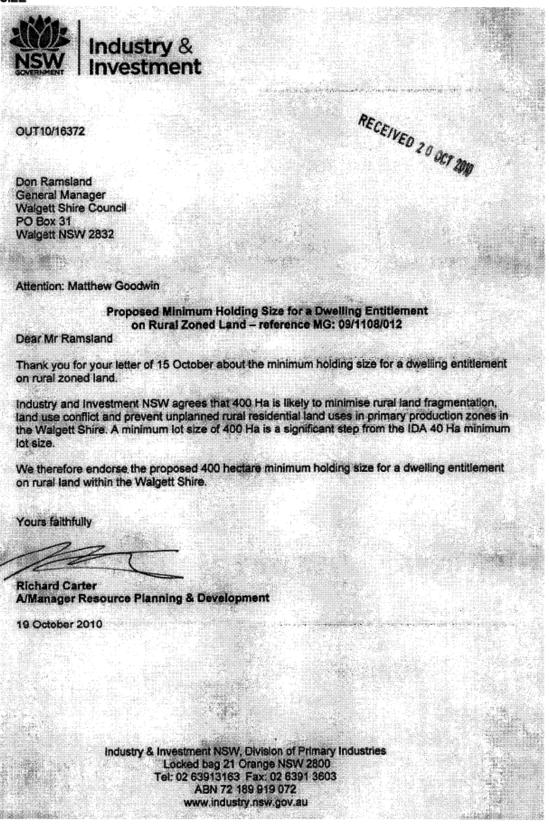
- (b) Including a recommendation that the NSW Government should continue to issue residential land titles on the preserved opal fields, so that people can continue to construct mining camps. An amendment has been included in section 8.4.3 to reflect the resolution (last dot point, page 190).
- (c) Land identified as "Area C" in Map 8.15 has been identified as Council's preferred location for the urban expansion of Lightning Ridge, beyond the rezoning proposed within the strategy (see section 8.3.2, pages 167 to 177).
- (d) Section 2.3.1 Demographic Profile, wording has been amended to improve clarity.
- (e) Agricultural production figures are updated with ABS 2006 Agriculture Census Data.
- (f) Recommending an improved Council policy for mains electricity connections on the preserved opal fields.
  - Section 8.4.5 has been amended to include a recommendation that "the establishment mains electricity and telecommunications infrastructure that could sterilise potentially opal bearing ridges on the preserved opal fields should be avoided". The policy wording reflects the fact that in some cases there may be a legal entitlement to establish such infrastructure and/or a compelling public benefit. Nevertheless in the normal course of events it is essential to avoid inappropriate land use conflict by not establishing such infrastructure on ridges in the preserved opal fields.
- 4. The following amendments have been made to address changes in circumstances since 2008:
  - (a) References to the Department of Primary Industries (DPI) have been changed to Department of Industry and Investment (DII), apart from the references to the methodology for determining minimum lot size for rural land.
  - (b) References to the Department of Lands (DOL) have been changed to Land and Property Management Authority (LPMA).
  - (c) References to Permissive Occupancy 1985/19 (PO) for opal mining administration have been changed to Crown Reserve 1024168 for opal mining, exploration and access. The reserve was gazetted on 4 December 2009.
  - (d) The title of Map 8.13 showing vacant land ownership in Lightning Ridge has been changed to indicate that it was prepared in 2008.
  - (e) Map 8.18 showing preserved opal fields has been updated to remove PO and add Crown Reserve 1024168.
  - (f) Map 8.21 showing proposed special activities zone for opal mining at Lightning Ridge has been updated to add Crown Reserve 1024168.
  - (g) Map 8.22 showing proposed special activities zone for opal mining at Coocoran has been updated.
  - (h) Map 8.23 showing proposed special activities zone for opal mining at Grawin/Glengarry has been updated to add Crown Reserve 1024168.
  - Table numbering within section 2 has been corrected.
  - (j) Dates in the header and footer have been changed to November 2010.

4

- Adding Duncan's bus depot, located on the Grawin opal fields, to the list of established businesses located on the preserved opal fields (pages 197 and 250).
- Addressing aboriginal settlements within the GMSS, as requested in the Department of Planning's letter dated 18/10/2010. Section 8.3.4 titled 'Aboriginal Settlements' (pages 184 to 189) has been added.

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# ATTACHMENT B – LETTER FROM INDUSTRY & INVESTMENT REGARDING MINIMUM HOLDING SIZE



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# Planning Reform Fund

# Request/Advise Variation to Project

| Organisation Name:<br>Walgett Shire Council   | Project Name: Walgett Shire Land Use Strategy and Local Environmental Plan |
|-----------------------------------------------|----------------------------------------------------------------------------|
| PRF Approved Allocation: \$77,000 incl. GST   | DoP Region: Western                                                        |
| Total Grants made to date: \$77,000 incl. GST | MOU agreed completion date: 30 September 2008                              |

# What progress has been made on the project to date? Which milestones have been completed?

The following milestones within the November 2004 memorandum of understanding for planning reform funding have been met.

- Project brief, completed 2003.
- Public meetings regarding issues (public consultation 1) and continuing research, completed November 2004.
- Public release of draft issues paper (public consultation 2) and continuing research, completed June 2005.
- Final issues paper, completed 2005.
- 5. Preparation of draft rural and urban land use strategy, completed 2005.
- Department of planning and state government agency endorsement of draft strategy.
- Council adoption of draft strategy for public exhibition, completed August 2007.
- Public exhibition of draft strategy (public consultation 3), completed 30 July 2007 to 30 September 2007.

# If any milestones have not been met, explain the reasons why?

The following milestones have not been met.

Finalise strategy:

In response to a letter dated 18/10/2010 from the Department of Planning, Walgett Shire Council submitted the November 2010 version of the Walgett Shire Growth Management Study and Strategy (GMSS) to the Department on 8 November 2010. The GMS includes various amendments requested by the Department of Planning, changes resolved by Council and minor alterations arising from changing circumstances.

Council has requested that the GMSS be endorsed by the Director General of the Department of Planning as soon as possible.

- State Government endorsement of final strategy:
- Council endorsement of final strategy.
- Department of Planning endorsement of strategy.
- Draft Local Environmental Plan and Development Control Plan process commencement.

#### What changes are proposed to the project?

It is now proposed that the project will be completed by 30 June 2011.

#### What is the justification to support this change?

Completion of the project has been drawn out due to a number of issues, including:

- Repeated consultation with state government agencies and the Department of Planning.
- Being a small rural Council, Walgett Shire does not have dedicated strategic planning staff available to focus exclusively on the project.
- Variations in the expectations of administrators and elected Councillors.
- Allocation of resources to the preliminary drafting of a rural residential strategy as an addendum to GMSS. At a meeting held on 24 August 2010 Council resolved to defer further consideration of a rural; residential strategy until after the GMSS and associated LEP have been finalised.

The project is nearing completion and now that Council has resolved to defer development of a rural residential strategy, greater staff resources will be able to be focussed on the current GMSS and LEP project.

If the change relates to the timeframe only – has the project methodology or milestones changed? If yes explain.

No

Any other comments/ issues in relation to the project? Please outline any risks or problems associated with the project.

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It appears that the most likely risk to the prompt completion of the project is extended or repeated consultation.

Signature:

Name:

**Matthew Goodwin** 

filloot v

Position:

**Director Planning & Regulatory Services** 

Date:

8 November 2010

# 23. DRAFT WALGETT LOCAL ENVIRONMENTAL PLAN 2011

**REPORTING SECTION:** Planning & Regulatory Services

**AUTHOR:** Director Planning & Regulatory Services, Matthew Goodwin

**FILE NUMBER:** 09/1109

# Summary:

This report summarises progress with preparing the draft Walgett Local Environmental Plan 2011. It is recommended that Council request the Department of Planning to issue a section 65 certificate under the Environmental Planning & Assessment Act 1979 to enable the LEP to be placed on public exhibition.

### Background:

The Department of Planning (DOP) has encouraged the preparation of a preliminary draft Walgett Local Environmental Plan 2011 in parallel with work to amend the Walgett Shire Growth Management Study and Strategy (GMSS). The GMSS is dealt with in a separate Council report in this agenda.

In a letter dated 18-10-2010 (Attachment 1) the DOP stated its expectations for LEP development as follows:

- 2. By 29 November 2010 submission of the draft LEP and maps for preliminary section 64 consultation to the Department.
- 21 December 2010 Council meeting to consider a formal section 64 submission to the Department and request a section 65 Certificate to allow public exhibition. Noting that the draft Strategy must be endorsed prior to the issue of the section 65 Certificate.
- February 2011 Council intends to publicly exhibit the draft LEP for 6 weeks commencing in February 2011.
- 5. April 2011 Council meeting to consider submissions to the draft LEP. Council to then forward section 68(4) Report and draft LEP to Department for finalising the draft LEP.

Sections 64 and 65 of the Environmental Planning and Assessment Act 1979 have been repealed, but the DOP has advised that they still apply to Walgett Shire's proposed LEP because it was in development prior to the introduction of the new 'gateway' provisions (Part 3, Division 4 of current Act). Sections 64 and 65 of the Act are reproduced below:

# 64 Submission of copy of draft local environmental plan to Department

When a draft local environmental plan has been prepared, the council shall submit a copy of the draft plan to the Director-General, together with a statement specifying the names of the public authorities, bodies and other persons the council has consulted with pursuant to section 62.

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#### 65 Certificate of Director-General

- (1) Where the Director-General receives a copy of a draft local environmental plan from a council under section 64, the Director-General may cause to be issued to the council a certificate certifying that the draft plan may be publicly exhibited in accordance with section 66.
- (1A) A certificate is not to be issued under this section unless the Director-General is satisfied that the draft local environmental plan has been prepared in accordance with any applicable standard instrument under section 33A. This subsection does not limit the grounds on which a certificate may be refused or the draft plan may be required to be amended under this section.

**Note.** Section 117 also empowers the Minister to give directions as to the principles to be observed in the preparation of, or the provisions to be included in, draft local environmental plans.

- (2) A certificate issued under this section may be granted subject to the condition that the draft local environmental plan be amended in the manner specified in the certificate before it is publicly exhibited in accordance with section 66.
- (3) Where a certificate is not issued under this section, the Director-General shall return the draft plan to the council, giving the reasons why the certificate was not issued, and directing the council to amend the draft plan in such a manner as to enable a certificate to be issued, or to take such other action as is appropriate.
- (4) The council shall comply with a direction given under subsection (3).

#### **Current Position:**

The draft Walgett Local Environmental Plan 2011 was submitted to the Dubbo regional office of the DOP on 10 December 2010 for preliminary section 64 consultation (Attachment 2). The draft included the text, maps and land use matrix. This was about two weeks later than requested by DOP in point 2 of its letter dated 18-10-2010.

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

The legal and policy framework associated with LEP development is, by necessity, quite complex. A summary of the framework has been provided in Chapter 3 (pages 63 to 85) of the GMSS.

Elements of LEP preparation are regulated by:

- \* Environmental Planning & Assessment Act 1979.
- \* Environmental Planning & Assessment Regulation 2000.
- Standard Instrument (Local Environmental Plans) Order 2006.
- Local Government Act 1993.
- \* Directions for LEP preparation issued by the Minister for Planning (Section 117 directions).

#### Other relevant documents include:

- \* Walgett Shire Growth Management Study and Strategy, prepared by Edge Land Planning, dated November 2010.
- \* Numerous Department of Planning circulars and guidelines regarding LEP development.
- \* Report on the Section 430 Investigation into Walgett Shire Council, by the Department of Local Government, dated 29 January 2004.

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#### **Governance issues:**

<u>Council's charter</u>:- Section 8 of the Local Government Act 1993 establishes Council's charter, which includes:

- \* to exercise community leadership
- \* to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- \* to have regard to the long term and cumulative effects of its decisions
- \* to engage in long-term strategic planning on behalf of the local community
- \* to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

<u>Section 430 investigation</u>:- Substantial problems arise for Council and the public from a planning instrument (the Interim Development Order No 1 – Shire of Walgett 1968) that is outdated and inconsistent with the current planning legislation framework. It is also important to note that this deficiency was the subject of recommendation 29 within the Report on the Section 430 Investigation into Walgett Shire Council, by the Department of Local Government, dated 29 January 2004 (page 55). The recommendation was:

286 Recommendation 29: That council undertakes to develop a local environmental plan (LEP) as a matter of urgency. If existing staffing levels are insufficient to develop the LEP, council should utilise the services of an experienced consultant.

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

#### **Environmental issues:**

Within NSW an LEP is an important tool to facilitate particular land uses within appropriate settings, while restricting or prohibiting them in inappropriate settings.

#### Stakeholders:

Walgett Shire Council, Department of Planning, State government agencies, community.

# **Financial Implications:**

In 2004 Council committed \$140,000 (GST excluded) for the Walgett Shire land use strategy and Local Environmental Plan project. For 2010-2011 Council has allocated a budget of \$42,000 for Local Environmental Plan and Development Control Plan development. This is adequate to maintain the dollar for dollar commitment required under the memorandum of understanding for the planning reform fund grant.

#### **Alternative Solutions/Options:**

Do nothing:- This would stall the development of a LEP.

## **Conclusion:**

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# **Draft Walgett Local Environmental Plan 2011**

#### Recommendation:

That Walgett Shire Council resolve to:

- 1. Endorse the submission on 10 December 2010 of a draft Walgett Local Environmental Plan 2011 to the Dubbo regional office of the Department of Planning for preliminary consultation under section 64 of the Environmental Planning and Assessment Act 1979.
- 2. Delegate authority to the Mayor and General Manager to authorise changes to the draft Walgett Local Environmental Plan 2011 which arise from preliminary consultation discussions with the Department of Planning.
- 3. At the earliest opportunity, formally submit the draft Walgett Local Environmental Plan 2011 (LEP) to the Dubbo regional office of the Department of Planning under section 64 of the Environmental Planning and Assessment Act 1979 and request a certificate under section 65 of the Act to permit the public exhibition of the draft LEP.

# Moved: Seconded:

# Attachments:

- 1 18-10-2010 letter, Regional Director, Department of Planning
- 2 10-12-2010 E-mail, submission of draft LEP for preliminary section 64 consultation

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Attachment 1 – 18-10-2010 letter, Regional Director, DepT. of Planning



RECEIVED 19

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



Contact: Wayne Garnsey Phone: 02 68412180 Fax: 02 68848483

Email:

wayne.garnsey@planning.nsw.g

ov.au

Our ref: S04/01250-2

Your ref:

File: 141010 letter re Walgett

meeting.doc

Dear Mr Ramsland

Subject: Walgett Shire Council Planning Reform Fund Project- Comprehensive Land use Strategy and Local Environmental Plan.

I am writing further to a meeting with you, Mr Matthew Goodwin, Council's Consultant Mr Ian Sinclair and the Department's Lois Gray, Wade Morris and Wayne Garnsey on 14 October 2010 at the Western Region office in Dubbo.

I would like to thank you, Mr Goodwin and Mr Sinclair for attending the meeting and working in a collaborative manner so as to seek a way forward to finalise the subject project. It is pleasing that Council is committed to the finalising the draft Walgett Growth Management Study and Strategy and new LEP as soon as possible.

A timeline to finalise this project is now proposed as follows:-

- By 12 November 2010 submission of the draft Walgett Growth Management Study and Strategy to the Department requesting final endorsement by the Director General. The draft Strategy is to be amended to include matters discussed at the meeting (refer to Attachment A) and including consultation with Department of Industry and Investment -Agriculture in relation minimum lot size for a dwelling on rural land.
- By 29 November 2010 submission of the draft LEP and maps for preliminary section 64 consultation to the Department.
- 21 December 2010 Council meeting to consider a formal section 64 submission to the Department and request a section 65 Certificate to allow public exhibition. Noting that the draft Strategy must be endorsed prior to the issue of the section 65 Certificate.
- February 2011 Council intends to publicly exhibit the draft LEP for 6 weeks commencing in February 2011.
- 5. April 2011 Council meeting to consider submissions to the draft LEP. Council to then forward section 68(4) Report and draft LEP to Department for finalising the draft LEP.

The Department looks forward to working closely with Council to finalise this Project and should you require any further information please contact Wayne Garnsey on 02 68412180.

Yours sincerely

Lois Gray

Regional Director, Western Region

Western Region Level 1 Area 1 No 188 Macquarie Street Dubbo NSW 2830 PO Box 58 Dubbo NSW 2830 68412180 Fax 02 68848483 Website planning.nsw.gov.au

(Wade Morris) 18/10/10

Phone 02

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#### Attachment A

## Matters discussed at with Walgett Shire Council on 13 October 2010

- 1. GMSS amended document submitted 12/10/10 having regard to DoP correspondence dated 5 June 2008.
- Council wishes to progress and finalise the GMSS and new LEP as soon as possible.
   The hold up with the identification of new rural residential areas will be deferred until after the LEP is finalised and will be dealt with as a separate Planning Proposal. The principles and criteria for selecting rural residential land is to be included in the GMSS.
- Minimum lot size for a dwelling on rural land currently 40 ha Council proposing 400
  ha for reasons outlined in GMSS. Council needs to seek the views of the Department of
  Industry and Investment Agriculture and submit those comments with the request to
  endorse to the strategy.
- 4. Council wish to pursue further residential titles on the preserved opal fields. This is contrary to long standing government policy and would not be supported.
- Aboriginal settlements to be addressed in GMSS and appropriate outcomes to be assessed on merits in terms of location and facilities provided. This will facilitate zoen selection for the new LEP.
- NRM clauses and mapping Council to use latest model clauses and seek latest
  mapping and advice from relevant agencies. Noted Council's concerns with the
  accuracy and applicability of the NRM information.
- 7. Flooding there is a model clause however Council is of the opinion that this does not cater for circumstances in Walgett. The department will further investigate.
- 8. DoP to provide latest land use matrix.
- draft Codes SEPP for exempt and complying development and the buffers proposed for dwellings nears mining may affect use of complying development provisions. Council to make a submission to DoP.
- 10. Ensure local dwelling clause accommodates existing circumstances in the Preserved Fields in line with Government Policy.
- 11. Timeline for finalisation of GMSS and LEP discussed. Council at its December 2010 meeting wish to request section 65 Certificate then public exhibition for six weeks commencing February 2011. Consideration of submissions and send section 68(4) submission to DoP April 2011. Noting the GMSS will need to be endorsed prior to issue of the LEP s65 Certificate.
- 12. MOU to be amended. Council's request to vary project dated 30 August 2010 will need to be adjusted having regard to the discussions at this meeting. The requested finalisation date of 1 September 2012 is not acceptable.

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Attachment 2 – 10-12-2010 E-mail, submission of draft LEP for preliminary section 64 consultation

## **Matt Goodwin**

From: Matt Goodwin

Sent: Friday, 10 December 2010 4:30 PM

To: 'Wayne Garnsey'

Cc: 'lan Sinclair'; Don Ramsland; Janet Babic

Subject: TRIM: Draft Walgett Local Environmental Plan 2011

Attachments: Draft Walgett LEP 2011 Land Use Matrix 271010.xls; Draft Walgett LEP 2011 TEXT

9-12-2010.docx; Draft Walgett LEP 2011 MAPS 9-12-2010.pdf

TRIM Record Number: 09/1109/054

Hello Wayne,

Please find attached Walgett Shire Council's preliminary drafts of the Walgett Local Environmental Plan 2011, including the land use matrix, text and all maps. These documents have been jointly prepared by Council's consultant land use planning firm (Edge Land Planning), and Council's planning staff. They are based on the:

- (a) Standard Instrument (Local Environmental Plans) Order 2006
- (b) Land use planning recommendations contained in the November 2010 version of the Walgett Shire Growth Management Study and Strategy.

The following matters still require further consideration by the Department of Planning:

- How to maintain provisions for exempt and complying development within Special Activities Opal Mining (SP1) zones. This was the subject of an e-mail from me to Lois Gray, etc, on 14 October 2010.
- Environmentally Sensitive Area/Natural Resource Management mapping Council has repeatedly sought
  the assistance of the Department of Environment Climate Change and Water to address the very poor
  quality mapping data supplied previously, as noted in my e-mail to you dated 15 October 2010.
- A clause for the Special Activities Opal Mining (SP1) zone which facilitates opal mining and enables dwellings on mining titles and Western Lands Leases. Ian Sinclair from Edge Land Planning sent you a clause for discussion via e-mail on 17 November 2010.
- 4. Clause 7.2 Flood planning clause. It is noted that Council and Ian Sinclair raised concerns about the applicability of the clause to the Walgett Shire at our meeting in Dubbo on 13 October 2010 and you advised that Council should use the current model clause. However, I would like to point out that the clause relies on determining a flood planning level and producing a flood planning map. Council does not have a flood study to determine a flood planning level, therefore does not have a flood planning map. To determine the 1:100 Average Recurrent Interval [ARI] it is necessary to carry out a flood study. Council has approached DECCW for funding assistance and was advised that there would be little point given the geomorphology of the Shire, the lack of accurate contour information, the generally long lead time for flood events, significant variability in the extent of flooding, etc. Council does not have sufficient funds nor is it a Council priority to prepare a flood study. Can the Department please advise how the clause will work in Walgett Shire? One other issue with the clause as it is currently written is that it applies to land shown on the flood planning map and to 'other land at or below the flood planning level'. The floodplain for the Namoi - Barwon River has a 50 m fall from east to west across the Shire, so a single flood planning level would be pointless because it would be too high or too low for the vast majority of the Shire!

#### Council needs to determine:

Whether an OHL constraint for airports needs to be mapped.

Walgett Shire Council requests that the Department of Planning review the documents as soon as possible.

I will be making a recommendation to the December 21 Council Meeting that the Council endorse the current version of the Draft LEP and send it to the Department of Planning requesting a section 65

1

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certificate to allow the plan to be exhibited in early 2011. I will also be recommending that the Mayor and General Manager be delegated authority to authorise any changes to the document that may eventuate as a result of the Department's deliberations on the draft LEP.

Regards,

Matthew Goodwin Director Planning & Regulatory Services Walgett Shire Council

Ph: 6828 6120 Fax: 6828 1608

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# 24. WALGETT SHIRE LOCAL APPROVALS POLICY

**REPORTING SECTION:** Planning and Regulatory Services

**AUTHOR:** Matthew Goodwin - Director Planning & Regulatory Services

**FILE NUMBER:** 09/1582

# **Summary:**

On 8 November 2010 the Director General of the Department of Planning provided conditional consent to exemption provisions within the March 2010 version of Walgett Shire Council Local Approvals Policy. It is recommended that Council adopt an amended Local Approvals Policy which reflects the conditional consent.

### Background:

A Local Approvals Policy (LAP) is a statutory policy established under Chapter 7 of the Local Government Act 1993 (LGA) which supplements the provisions of the Act and the Local Government (Approvals) Regulation 1999 by:

- Specifying the local circumstances in which approval is not required under Section 68 of the LGA (exemptions).
- Specifying criteria, which the Council must consider when determining whether or not to grant approval to a particular activity.
- Specifying other matters relating to such approvals that are not dealt with by the Act or Regulations.

The March 2010 LAP was placed on public exhibition from 29 March 2010 until 10 May 2010 (43 days) and advertised. No submissions were received during the public exhibition period.

Compared to the July 2009 version of the policy, the key change was the addition of a provision to exempt camping at the Burren Junction Bore Baths site (lot 49, DP 40744 and lot 1, DP 181329) from requiring approval under section 68 of the Local Government Act 1993 if the site is owned by Walgett Shire Council. The proposed exemption is included with this report as Attachment A.

At a meeting held on 28 June 2010, Walgett Shire Council resolved to:

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- Adopt the Walgett Shire Council Local Approvals Policy, as publicly exhibited from 29 March 2010 to 10 May 2010.
- 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.
- 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.

# **Current position:**

On 17 August 2010 the Chief Executive, Local Government, Department of Premier and Cabinet gave consent for exemption provisions for D1, D2, D4, D5, E2 and F7 activities within the March 2010 LAP (see Attachment B).

On 8 November 2010 the Director General, Department of Planning gave conditional consent for exemption provisions for F2 and F4 activities within the March 2010 LAP (see Attachment C).

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

- Department of Local Government Practice Note 14 titled Local Approvals Policies, issued March 1996.
- 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.

#### Governance issues:

Section 166 of the Local Government Act 1993 requires that Council must give public notice of the adoption of a LAP.

# **Environmental issues:**

Within the LAP exemption provisions, as well as criteria that Council must consider when determining applications, have been formulated with a view to minimising the potential for significant adverse environmental impacts from the respective activities.

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#### Stakeholders:

Public, Walgett Shire Council, Department of Local Government, Department of Planning

# **Financial Implications:**

There are no significant financial implications known, or likely, as a result of the recommended resolution.

# **Alternative solutions/options:**

One alternative is to take no further action. Amongst other things, this would mean that:

- The LAP would have no legal effect, although the previous LAP would remain in effect.
- When Council becomes the owner of the Burren Junction bore baths site, it would then
  need to obtain approval from itself under section 68 of the Local Government Act
  1993 to operate a caravan park or primitive camping ground. It would also be
  required to comply with the relevant provisions of the Local Government
  (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable
  Dwellings) Regulation 2005.

#### Conclusion:

# **Growth Strategy & Local Environment Plan**

#### Recommendation:

It is recommended that Walgett Shire Council resolve to:

- 1. Amend the March 2010 version of Walgett Shire Council Local Approvals Policy in accordance with the conditions of consent imposed by the Director General, Department of Planning, in a letter dated 8 November 2010.
- 2. Adopt the amended Walgett Shire Council Local Approvals Policy.
- Give public notice of the adoption of the Walgett Shire Council Local Approvals Policy via advertisements in the Lightning Ridge News and the Walgett Spectator newspapers.

# Moved: Seconded:

#### Attachments:

A – Local Approvals Policy clause to exempt the Burren Junction Bore Baths camp site from approval under section 68 of the Local Government Act 1993 (as submitted to Department of Planning)

B – 17 August 2010 letter from the Chief Executive, Local Government.

C – 8 November 2010 letter from the Director General, Department of Planning

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ATTACHMENT A – Draft Walgett Shire Council Local Approvals Policy clause to exempt the Burren Junction Bore Baths camp site from approval under section 68 of the Local Government Act 1993

# 2.2.7 Exemptions – Operate a caravan park or camping ground (F2 Activity)

Exemption from approval to operate a caravan park or camping ground is available for Walgett Shire Council (Activity F2) in the circumstances specified below

(a) The activity is being undertaken on lot 49, DP 40744 and lot 1, DP 181329 at the Burren Junction Bore Baths.

NOTE: Camping has occurred within these lots, which adjoin the Burren Junction Bore Baths, since about 1929.

- (b) Male and female toilets are maintained in a serviceable and safe condition.
- (g) The on site sewage management system is operated and maintained so that in normal operating conditions:
  - (i) Nutrients, contaminants, pathogens, insects or vermin are not dispersed from the system.
  - (ii) The system must not discharge into any watercourse or onto any land other than its related effluent application area.
  - (iii) Persons cannot come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned.

NOTE: Normal operating conditions do not include circumstances such as a fire, flood, storm, earthquake, explosion, accident, epidemic or warlike action.

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ATTACHMENT B – 17 August 2010 letter from the Chief Executive, Local Government.



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Department of Local Government 5 O'Keefe Avenue NOWRA NSW 2541 Locked Bag 3015 NOWRA NSW 2541 OUR REFERENCE YOUR REFERENCE CONTACT

A219970 MG; 09/1582/018 Martin Worthy 02 4428 4219

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

Attention: Mr Matthew Goodwin, Director Planning & Regulatory Services

#### Dear Mr Ramsland

I am writing in reply to Council's letter of 30 June 2010 regarding a request for my consent of the Walgett Shire Council draft Local Approvals Policy (LAP) under section 162 of the Local Government Act 1993 (the Act).

As the Division has no concerns regarding the exemptions proposed in the draft LAP, I am pleased to advise that I have consented to Council adopting the requested Part 1 exemption provisions identified in the attached Instrument of Consent.

The consent is subject to approval by the Director General of the Department of Planning to Parts F2, F4 and F5 under section 68 of the Act, under the Instrument of Delegation dated 11 February 2005. As advised in my letter to Council of 8 October 2009, I have referred the draft policy to the Department of Planning for consideration and direct reply.

Council should be aware that this consent will continue to be effective in relation to the submitted policy until such time as the exemption provisions are changed or 12 months after the next local government ordinary elections. In the event that it becomes necessary for Council to vary these provisions, consent may be sought to the adoption of any altered provisions by way of a further section 162 application.

Please direct any enquiries on this matter to Mr Martin Worthy, Policy and Research Officer, on telephone 02 4428 4219.

Yours sincerely

**Ross Woodward** 

Chief Executive, Local Government

M Hodered 1/8/10

A Division of the Department of Premier and Cabinet

τ 02 4428 4100 F 02 4428 4199 ττν 02 4428 4209 E dlg@dlg.nsw.gov.au w www.dlg.nsw.gov.au ABN 99 567 863 195





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# LOCAL GOVERNMENT ACT 1993 CONSENT – SECTION 162

I, ROSS WOODWARD, Chief Executive of the Division of Local Government, Department of Premier and Cabinet, pursuant to authority delegated to me by the Director General, Department of Premier and Cabinet, do give my consent under section 162 of the *Local Government Act 1993* to the adoption of Part 1 exemptions as set out in the attached Walgett Shire Council Local Approvals Policy.

Dated this NA day of August 2010

(ROSS WOODWARD)
Chief Executive

Title of document:

"Walgett Shire Council Local Approvals Policy 2010" adopted by Council 28 June 2010

Containing those approval exemption provisions included in the attached document as follows:

Parts D1, D2, D4, D5, E2, F7

Consent No.:

92 (ref A219970)

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ATTACHMENT C – 8 November 2010 letter from the Director General, Department of Planning.



**RECEIVED 1 2 NOV 2010** 

Office of the Director General

Mr Ray Kent General Manager Walgett Shire Council PO Box 31 WALGETT NSW 2832 10/18284

Dear Mr Kent

I refer to your letter to the Deputy Director General (Local Government), Department of Premier and Cabinet, seeking consent under section 162 of the *Local Government Act* (1993), (LG Act), to the exemption provisions of Part 1 of Walgett Shire Council draft Local Approvals Policy (March 2010 version), (the draft LAP). A copy of the draft LAP is enclosed.

Your request for consent was referred for my consideration by virtue of powers delegated to me under section 162 of the LG Act, in respect of Approval numbers F2, F4 and F5 in the table to section 68 of that Act.

I advise that I have consented to the adoption of the exemption provisions contained in Part 1 of the draft LAP in respect of Approval numbers F2, F4 and F5, subject to conditions requiring the adoption of a number of additional exemption criteria. The Instrument of Consent is attached.

The requirement for additional exemption criteria in respect of Activity F4 is for purposes of promoting safety, and limiting the emission of woodsmoke by domestic solid fuel heating appliances by precluding installation under Part 1 of any adopted LAP of old, non-compliant solid fuel heaters.

The additional exemption criteria required for the proposed exemption provision in respect of Activity F2 are for purposes of promoting fire safety and the health, safety and amenity of campers in any primitive camping ground on Lot 49 DP 40744 and Lot 1 DP 181329 at the Burren Junction Bore Baths.

If Council adopts the draft LAP and later proposes to change any of the Part 1 exemption provisions, a further section 162 request will be required for consent to adoption of those changes.

Should you have any further enquiries about this matter, I have arranged for Mr Tony Miller, Senior Planner, Policy, Planning Systems and Reform Branch to assist you. Mr Miller may be contacted at the Department's Head Office on telephone number (02) 9228 6428.

Yours sincerely

Sam Haddad Director General

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website planning.nsw.gov.au

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# LOCAL GOVERNMENT ACT 1993 CONSENT – SECTION 162

\_\_\_\_\_

Under Instrument of Delegation granted by the Director General, Department of Local Government on 11th February 2005, pursuant to section 745 of the Local Government Act 1993, I Sam Haddad, Director General, Department of Planning, do give my consent under section 162 of the Local Government Act 1993 to the adoption of the Part 1 exemptions set out in the attached Walgett Shire Council draft Local Approvals Policy.

This consent is granted subject to the conditions in Schedule 1.

Dated this 8 day of No Venture 2010

(SAM HADDAD)
Director General
Department of Planning

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#### Schedule 1

#### Conditions of Consent

#### Condition 1:

The circumstances in which exemption from approval to operate a caravan park or camping ground (F2 Activity) is available (as referred to in Subsection 2.2.7 in Part 1 of the attached Walgett Shire Council draft Local Approvals Policy) are to additionally include that:

- (a) The activity comprises the operation of a primitive camping ground only.
- (b) No person stays in a moveable dwelling in the camping ground for a total of more than 50 days in any 12 month period.
- (c) No caravan, annexe or campervan is installed closer than 6 metres to any other caravan, annexe, campervan or tent.
- (d) No tent is installed closer than 6 metres to any caravan, annexe or campervan or closer than 3 metres to any other tent.
- (e) The camping ground is at all times provided with a water supply, toilets and refuse disposal facilities.
- (f) The facilities in the camping ground are subject to ongoing inspection and maintenance by Walgett Shire Council in accordance with a program determined by the Council.
- (g) Unoccupied caravans, campervans and tents are not to remain in the camping ground for more than 24 hours.
- (h) If a fee is charged for camping, the operator of the camping ground keeps a register of occupiers that contains the following entries:
  - (i) the name and address of each person who alone camps in a moveable dwelling in the camping ground, or where more than one person camps in a moveable dwelling the name and address of at least one of those persons, and
  - (ii) the dates of arrival and departure of the person, and
  - (iii) the registration number (if any) of the moveable dwelling, in the case of a caravan or campervan.

#### Condition 2:

The circumstances in which exemption from approval to install a solid fuel heating appliance, other than a portable appliance (F4 Activity) is available (as referred to in Subsection 2.2.8 in Part 1 of the attached Walgett Shire Council draft Local Approvals Policy) are to additionally include that:

- (a) The device complies with AS/NZS 4013:1999, Domestic solid fuel burning appliances
   Method for determination of flue gas emission.
- (b) All installation is in accordance with AS/NZS 2918:2001, Domestic solid fuel burning appliances – Installation.

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# 25. PILOT CONTANIMATED SOIL TREATMENT TRIAL, WALGETT AIRPORT

**REPORTING SECTION:** Planning & Regulatory Services

**AUTHOR:** Director Planning & Regulatory Services, Matthew Goodwin

**FILE NUMBER:** 09/1110

### **Summary:**

A pilot soil treatment trial was recently completed on Council's behalf by Parsons Brinckerhoff Australia Pty Limited on the contaminated soil stockpile associated with the Walgett airport pesticide residue pit. It is recommended that Council note the results of the pilot trial and that arrangements are being made to proceed with a second trial in order to find the most cost effective way to remediate the soil contamination.

# Background:

Prior to 1999 Walgett Shire Council established a wash down and storage facility at the Walgett Aerodrome for use by aerial agricultural spraying operators. This included a relatively small earth dam/pond where water contaminated by pesticide residues was held and allowed to evaporate. The contaminated water resulted from the washing down of the pesticide tanks within crop dusting aeroplanes. The facility is located on land owned by Walgett Shire Council (Lot 11 DP 851116) which is part of the Walgett Airport site.

Use of the facility ceased in 1999 after numerous complaints to Council and the Environment Protection Authority (now Department of Environment Climate Change and Water [DECCW]) about noxious smells emanating from the pond and chemicals being dispersed from planes.

A detailed overview of the history of the site was provided in a report submitted to the 23 March 2010 Council meeting. After considering that report, Council resolved to:

- Note that work on removing contaminated soil from the Walgett Aerodrome Pesticide Residue Pit to the Walgett Waste Depot has ceased.
- Note that arrangements are being made to evaluate the effectiveness of mixing lime and/or uncontaminated soil with contaminated soil to reduce contamination levels to stage where the soil can be legally classified as "general waste".

#### **Current Position:**

Parsons Brinkerhoff Australia Pty Limited (PB) has provided a report titled 'Pilot Soil Treatment Trial for stockpile located in the vicinity of former crop duster wash down area at the Walgett Airport', dated 16 September 2010. A copy of the report has been provided to Councillors via e-mail. The report describes the results of a trial undertaken by PB to assess the potential for hydrate lime to be used to remediate the contaminated soil stockpile.

Issues arising from the report include:

- Adding hydrate lime to the soil was suitable to hydrolyse (ie. decompose by reacting with water) the two main contaminants in the soil (Chlorpyrifos and Endosulfan) and accelerate their degradation.
- The current recommendation is for the soil to be treated and remediated on site (as opposed to the previous recommendation of removing the contaminated to the Walgett waste disposal facility).

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The report recommends two possible treatment options, as follows:

- Option 1 Secondary Pilot Trial for 2% lime over six months.
- Option 2 Addition of 10% lime to stockpile over two months.

See the options in Attachment 1, or the whole report, for more detail.

Presently it is believed that the contamination on the site includes:

- About 1000 cubic metres of soil excavated from the base and sides of the former pond. This material is covered with black plastic and soil to minimise the potential for noxious odours to escape the site.
- Soil at the base of the former pond.
- Soil down slope from the site, where the pond historically overflowed with contaminated storm water.

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

"Final Report – Site Investigation and Management, Walgett Airport, NSW", dated 9 July 2003, prepared for Walgett Shire Council by URS.

"Final Report – Remediation Action Plan - Former Crop Dusting Washdown Area, Walgett Airport, NSW", dated 18 June 2008, prepared for Walgett Shire Council by URS.

- Report titled 'Waste Classification for Stockpile Located in the Vicinity of Former Crop Duster Wash Down Area at the Walgett Airport', dated 7 January 2010, prepared for Walgett Shire Council by Parsons Brinkerhoff Australia Pty Limited.
- Report titled 'Pilot Soil Treatment Trial for stockpile located in the vicinity of former crop duster wash down area at the Walgett Airport', dated 16 September 2010, prepared for Walgett Shire Council by Parsons Brinkerhoff Australia Pty Limited.

#### Governance issues:

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

- \* to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- \* to have regard to the long term and cumulative effects of its decisions
- \* to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

# **Environmental issues:**

Environmental issues that arise include:

- a) Options for future use of the land are limited by the contamination.
- b) There is significant concern from residents and landholders in the vicinity of the site about the ongoing presence of the soil contamination.

#### Stakeholders:

Walgett Shire Council, Department of Environment Climate Change and Water (DECCW), residents, landowners/residents in the vicinity.

# **Financial Implications:**

Council incurred costs of \$5,560 in association with the report provided by PB. There is \$45,632 remaining in the 2010-2011 budget established by Council for 'pesticide pit remediation'.

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# **Alternative Solutions/Options:**

- c) Do nothing. This is likely to prompt public concern that Council is not addressing a problem that it effectively created. The plastic presently covering the contaminated soil stockpile may degrade over time and, if it breaches, expose residents in the vicinity to noxious odours during periods of adverse weather conditions (especially during hot days with winds blowing from the south or east).
- d) Undertake secondary pilot trial for 2% lime over six months. If this is shown to be an effective way of remediating the soil, then Council can consider funding a project to remediate the contaminated soil stockpile and the remaining in-situ contaminated soil at the base of the former pond.
- e) Add 10% lime to stockpile over two months. It appears that this option is likely to be quite costly given that it would require at least 180 tonnes of lime to remediate the contaminated soil on the site.

# Conclusion:

# Pilot contaminated soil treatment trial, Walgett airport

#### Recommendation:

That Walgett Shire Council resolve to:

- 1 Note the report titled 'Pilot Soil Treatment Trial for stockpile located in the vicinity of former crop duster wash down area at the Walgett Airport', dated 16 September 2010, prepared for Walgett Shire Council by Parsons Brinkerhoff Australia Pty Limited.
- 2. Note that the General Manager is making arrangements to establish a secondary pilot trial to evaluate the effectiveness of using 2% hydrate lime to remediate the contaminated soil associated with the former pesticide residue pit at the Walgett airport.

| Moved:    |  |
|-----------|--|
| Seconded: |  |

#### Attachments:

1 – 16 September 2010 recommendations from Parsons Brinkerhoff

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# ATTACHMENT 1 - RECOMMENDATIONS FROM PARSONS BRINKERHOFF



6/7 2116992A LT\_2832\_revA

#### Recommendations

Based on the findings of the trial, PB recommends two possible treatment options for the stockpile.

#### Option 1 - Secondary Pilot Trial for 2% lime over six months

At present the results indicate that a 10% mix of lime to soils over two months should reduce the level of impact in the stockpile to a level that would meet General Solid Waste Criteria; however, 2% lime addition to soil may reduce the impact sufficiently over a longer period, subject to an additional trial and further laboratory analysis.

A second trial is recommended, if time is not a key factor, such that 2% lime should be mixed to approximately 1 m<sup>3</sup> of stockpiled soil and tested over a period of 6 months.

Further mixing of the soil, over a six month period is recommended to encourage the reaction to take place in the soil. Water may be added to facilitate the mixing of the soil if necessary.

Soil testing should be undertaken each month to classify the stockpile during the 6 month trial. This would also provide significant cost savings, if it proves to be successful. At this stage this cannot be certain.

# Option 2 - Addition of 10% lime to stockpile over two months

This option is such that 10% lime is mixed to the stockpile. As the stockpile is approximately 1000 m<sup>3</sup> in volume (1800 tonnes) a quantity of approximately 180 tonnes of lime would be required.

Further mixing of the soil, over a two month period is recommended to encourage the reaction to take place in the soil. Water may be added to facilitate the mixing of the soil if necessary.

Soil testing should be undertaken after one month to classify the stockpile and again after two months.

#### 10.1.1 Additional recommendations

As stated in the NSW EPA (2006) "Guidelines for the NSW Site Auditor Scheme (2nd edition)" the preferred order of options for site remediation and management is:

- "on-site treatment of the soil so that the contaminant is either destroyed or the associated hazard is reduced to an acceptable level"
- "off-site treatment of excavated soil so that the contaminant is either destroyed or the associated hazard is reduced to an acceptable level, after which the soil is returned to the site"
- "removal of contaminated soil to an approved site or facility, followed where necessary by replacement with clean fill"
- "consolidation and isolation of the soil on-site by containment within a properly designed barrier."

If the second proposed treatment option is applied, the contaminant concentrations in the stockpile may be reduced below the adopted site assessment criteria (URS 2003). The soil material would therefore be suitable for reuse onsite. As noted above, it is preferred by the NSW E DECCW to have the soil material remain on site if possible.

It may also be worth considering the use of the liming mix on the residual contaminate present onsite at the wash down area to facilitate remediation. If applied and mixed into the soil over a prolonged period

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(>2 months), the soil concentrations could potentially be reduced to below the adopted site assessment criteria (URS 2003).

It would be prudent to discuss these options with the DECCW.

Should you have any questions regarding this report and associated works, please contact the undersigned on (02) 9272 5688 or Kris Thomas on (02) 9272 5328.

Yours sincerely,

**Dave Hogberg** 

Environmental Scientist

Parsons Brinckerhoff Australia Pty Limited

Appendix A Waste classification tables

Appendix B Laboratory reports

Appendix C Limitations

Kris Thomas

K. Thomes.

Senior Environmental Scientist

Parsons Brinckerhoff Australia Pty Limited

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# 26. DEVELOPMENT APPLICATION, DIESEL STORAGE & SALES, WALGETT

**REPORTING SECTION:** Planning and Regulatory Services

**AUTHOR:** Director of Planning & Regulatory Services, Matthew Goodwin

FILE NUMBER: DA2010/039

# Summary:

A Development Application has been lodged for diesel sales from a containerised self bunded fuel tank at the Walgett grain silo. It is recommended that Council resolve to approve the application subject to appropriate development consent conditions.

# **Background:**

Nicholas Tsirindanis has lodged Development Application 2010/039 for diesel sales from a containerised self bunded fuel tank at the Walgett grain silo, Castlereagh Highway (lot 1, DP 819858).

# **Current position:**

A development assessment report has been prepared and is included as Attachment A. It is recommended that the Development Application be approved subject to appropriate conditions of consent.

### Relevant reference documents/policies:

- Documents associated with DA2010/039.
- Environmental Planning & Assessment Act 1979.
- Environmental Planning & Assessment Regulation 2000.
- Local Government Act 1993.
- \* Interim Development Order No 1 Shire of Walgett, 1968, as amended.
- \* Walgett Shire Growth Management Study and Strategy, prepared by Edge Land Planning, dated November 2010.

#### Governance issues:

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

#### **Environmental issues:**

See the attached Development Application assessment report.

# Stakeholders:

Walgett Shire Council, community.

#### **Financial Implications:**

Nil

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# Alternative solutions/options:

Refuse the application:- If the application was refused, it would be appropriate to provide clear reasons for refusal which relate to the evaluation criteria contained in section 79C of the Environmental Planning & Assessment Act 1979. The available information suggests that there is no reasonable basis for refusing the application.

#### Conclusion:

# **Development Application, Diesel Storage & Sales, Walgett**

#### Recommendation:

That Walgett Shire Council resolve to:

Approve Development Application 2010/039 by Nicholas Tsirindanis for diesel sales from a containerised self bunded fuel tank at the Walgett grain silo, Castlereagh Highway, Walgett (lot 1, DP 819858) subject to the conditions of development consent recommended by the Director of Planning & Regulatory Services.

# Moved: Seconded:

#### Attachments:

A – Development Assessment Report

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# ATTACHMENT A - DEVELOPMENT APPLICATION ASSESSMENT REPORT

# DEVELOPMENT APPLICATION ASSESSMENT REPORT

#### APPLICATION DETAILS

| Application number       | DA2010/039                                                                          | Lodgement date       | 25/10/2010 |
|--------------------------|-------------------------------------------------------------------------------------|----------------------|------------|
| Application is for       | Above ground diesel storage facility                                                | Value of development | \$280,000  |
| Land address             | Castlereagh Highway, Walgett                                                        | Lot/sec/DP           | 1//819858  |
| Applicant name           | Nicholas Tsirindanis                                                                | Ass                  | 26906      |
| Owner name               | NSW Grain Corporation Board                                                         |                      |            |
| Land zoning              | 1. Non-Urban B                                                                      |                      |            |
| Current use /development | Grain storage facility                                                              |                      |            |
| Assessment report author | Janet Babic, Town Planner & Matthew Goodwin Director Planning & Regulatory Services |                      |            |
| Statutory days           | Deemed refusal after 40 days (Cl. 113 EPAR2000)                                     |                      |            |

# **PROPOSAL**

Install an above ground, self-bunded, containerised diesel storage facility for commercial sale of fuel to vehicles operating on, or passing through, the grain silo site.

# SUBJECT SITE AND LOCALITY

An inspection of the site and surrounding area was undertaken on 10 November 2010 by Council's Health & Building Surveyor, Andrew Wilson and Town Planner, Janet Babic .

The site has a total area of about 17 hectares and currently contains grain storage bunkers, ancillary buildings, plant and a radio tower.

# 2009 AERIAL PHOTO OF THE SITE

NOTE: Cadastral boundary data (yellow lines) supplied by Land & Property Management Authority is not accurately aligned to the aerial photo.



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#### DEVELOPMENT APPLICATION AND SITE HISTORY

#### Previous consents:

DA 2007/058 for a Radio Tower, approved on 22-01-2008

DA 2000/052 for Extension to Bunkers, approved 30-06-2000

DA 1983/019 for Storage Bunker, approved 14-07-1983

# Previous use/development:

Anecdotal evidence indicates that the site has been used for grain storage for over 30 years.

#### Previous enforcement action:

No enforcement action found on Council records.

#### REFERRALS

The proposed development adjoins the Castlereagh Highway. The application was referred to the RTA for comment and it responded in a letter dated 2 December 2010 as follows:

Thank you for your email sent 11 November 2010 referring DA 2010/039 to the Roads and Traffic Authority for consideration.

The RTA does not object to the proposed development as provided for in the material referred; noting the proposed fuel facility is to be located, as provided for on the main site plan, so as not to obstruct the ingress, egress or circulation of traffic at the site.

# 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(1)(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)  Interim Development Order No 1 – Shire of Walgett 1968 | Zoning table.      | The proposal is located in a "1. Non-Urban B" zone and requires development consent. |

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#### 79C(1)(a)(ii) the provisions of any draft environmental planning instrument

On 27 July 2010 Draft State Environmental Planning Policy (Competition) 2010 was placed on public exhibition. Clauses 8 and 9 of the policy would explicitly exclude consideration of the economic viability of a proposed development, or the loss of trade for other commercial developments, from matters that could be considered in conjunction with any development application.

# 79C(1)(a)(iii) any development control plan

|                        | Applicable Clauses | Compliance |
|------------------------|--------------------|------------|
| DCP name               | Nil                | N/A        |
| Nil – no current DCPs. |                    |            |

# 79C(1)(a)(iv) any matters prescribed by the regulations

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

| Applicable Clauses                                                        | Compliance                             |
|---------------------------------------------------------------------------|----------------------------------------|
| 92(1)(b) Demolition                                                       | N/A - No existing buildings involved.  |
| 93 Fire safety and other considerations                                   | N/A - No existing buildings involved.  |
| 94 Consent authority may require buildings to be upgraded                 | N/A – No temporary structure proposed. |
| 94A Fire safety and other considerations applying to temporary structures | N/A – Not proposed or required.        |
| 95 Deferred commencement consent                                          | N/A - Not a residential development.   |
| 97A Fulfilment of BASIX commitments                                       | N/A - No existing buildings involved.  |

# 79C(1)(b) the likely impacts of that development

| Likely impacts          | Acceptable impact or steps taken to mitigate impact discussed in the<br>"Assessment – Key Issues" section of the report                                                                                                                                                                                                |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Traffic                 | See key issues below.                                                                                                                                                                                                                                                                                                  |
| Social/economic impacts | See key issues below                                                                                                                                                                                                                                                                                                   |
| Flood                   | An inspection of the site showed that significant earthworks have been carried out to protect the bunkers and other infrastructure from possible flooding. The proposed diesel tank is fully sealed except for a vent be located at the top of the unit, therefore it is not likely to be compromised by flood waters. |

# 79C(1)(c) the suitability of the site for the development

|                                            | Summary of site suitability issues                                                                                                                  |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| Does the development fit into the locality | The proposal would be ancillary to the existing grain storage facility and appears to be appropriate for the rural characteristics of the locality. |

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|                                                       | Summary of site suitability issues                                                                                                       |
|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Are the site attributes conducive for the development | The site is located on a flood plain, however the area where the diesel tank will be installed has been raised above known flood levels. |
|                                                       | There are no other known site attributes which would make the site unsuitable for the proposed development                               |

# 79C(1)(d) any submissions made in accordance with this Act or the Regulations

No opportunity for submissions under the Act or Regulations. The proposal is local development.

# 79C(1)(e) the public interest

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

# **INTERNAL REFERRALS**

Summary of responses from Council staff referrals, where applicable.

# SENIOR HEALTH AND BUILDING SURVEYOR

| Comments                                         |                                                                                                |
|--------------------------------------------------|------------------------------------------------------------------------------------------------|
| Recommendation Signature DIRECTOR RURAL Comments | 18 to grown on which the tent is sited subject to                                              |
|                                                  | Support List adopce in relation to traffic impacts de<br>Impacts upon Hogheray infrastructore. |
| Recommendation<br>Signature                      | Date 13-12-10                                                                                  |

# PUBLIC PARTICIPATION

Public notification was undertaken via a letter dated 16 September 2010 which was sent to:

- Six(6) nearby land owners,
- The Walgett Rate Payers Association,
- The Walgett Community Working Party and the
- Walgett Local aboriginal Land Council.

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No submissions were received from those notified within the 14 day notification period

#### ASSESSMENT - KEY ISSUES

#### TRAFFIC MOVEMENTS/GENERATION

The applicant has proposed that the diesel storage facility will be for "Sale of diesel for purpose of fuelling current vehicles on site and contractors who deliver grain".

In an email dated 10 November 2010 the applicant stated that:

"We do not envisage any noticeable increase in traffic from other vehicles to the site. Our clients business case is based around refueling the transport operators that use the site for grain deliveries / removal only. The fuel facility will only operate during depot hours ie gates are closed after hours. The fuel facility has been purposely located within the grain depot to fit in with internal grain delivery traffic flow process / considerations only as this was part of the Grain Corp conditions imposed on our client for putting the fuel facility in at Walgett. The subsequent location and internal traffic flow considerations do not lend themselves to any external transport users being able to access the fuel facility unless they are very familiar with the internal traffic flows within the grain depot ie it would be quite difficult for any external user to access the facility a) physically and b) time wise as it would take a non grain related transport user a considerable amount of time to access the fuel facility due to having to fit in with the grain users traffic process which would be a large deterrent to an external transport user unless he was desperate for fuel.

The fuel facility also has very limited visibility from the main road. For these reasons our client would not envisage any increase in the additional traffic to the site and at best any additional traffic generated by non associated transport companies would be 1 to 2 road trains a week if any."

Given that the applicant is effectively indicating that no additional traffic will be generated from the Castlereagh Highway to the development site, it is recommended that conditions of development consent be imposed to provide assurance that this will occur, as follows:

- Standard condition Pln 110, which requires the development to be carried out in accordance with the submitted plans and documents.
- Condition Sig 105 to prevent advertising signs from being erected which would draw additional traffic onto the site.

If the applicant wishes, they can lodge a separate Development Application for signage, but it would need to be supported by appropriate information on proposed methods to address traffic flow and safety.

#### SOCIAL/ECONOMIC

The new diesel storage facility could have negative effects on existing diesel suppliers in the Walgett urban area. However it is also likely to provide benefit significant benefits to many people by:

- Improving the potential for price competition between business operators, thereby reducing costs for truck operators.
- Possibly reducing heavy vehicle traffic within Walgett during grain harvests, benefiting roads users, pedestrians and residents.

#### Conclusion

Overall there is unlikely to be significant adverse impacts arise from the proposed development.

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# RECOMMENDATION

Approval.

Town Planner

Date 13-12-2010

# APPROVAL CERTIFICATE / REFERRAL

This application is referred to Walgett Shire Council for determination as requested by the General Manager.

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

x ploode

Director Planning & Regulatory Services

Date 13-12-2010

# ATTACHMENT - RECOMMENDED CONDITIONS OF DEVELOPMENT CONSENT

# CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

#### CONDITIONS THAT ARE ONGOING REQUIREMENTS

#### **GENERAL**

#### Gen 110.

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.

#### Gen 120.

Council is to be immediately informed in writing if arrangements for work are changed.

Reason: To enable Council to maintain an accurate record of approvals granted.

#### APPROVED PLANS

#### Pln 110.

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 and that no signage be erected indicating that fuel is being sold on the site.

# SIGNS

# Sig 105.

No signs are to be erected that are visible from the boundary of the site which indicate that fuel is being sold from the site.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and no significant additional traffic from the Castlereagh Highway to the site is generated by the development.

#### ENVIRONMENTAL MANAGEMENT

#### Env 120.

No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.

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

#### Env 130.

All external lighting is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises and to be in accordance with AS 4282-1997 – Control of obtrusive effects of outdoor lighting.

Reason: To prevent the intrusion of light onto adjoining premises.

# CONDITIONS THAT MUST BE COMPLIED WITH DURING CONSTRUCTION

# CONSTRUCTION

#### Con 220.

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.

# **ADVISORY NOTES – EPA regulation 2000**

#### BUILDING CODE OF AUSTRALIA

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

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

# **ERECTION OF SIGNS**

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

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- (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).

#### ADVISORY NOTES – LOCAL GOVERNMENT ACT

# STORMWATER WORKS

Section 68 of the Local Government Act 1993 requires prior approval from Council, via an Activity Application, for the stormwater works associated with the interceptor pit, as shown on the submitted plans.

#### ADVISORY NOTES – General

# COVENANTS

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

# **FLOOD**

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

END.

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# 27. 2010/2011 LOCAL HERITAGE FUND APPLICATIONS

**REPORTING SECTION:** Planning and Regulatory Services

**AUTHOR:** Matthew Goodwin – Director Planning & Regulatory Services

FILE NUMBER: 10/577

# Summary:

Walgett Shire Council recently wrote to the owners of private items that have been proposed for listing as a local heritage item and invited them to apply for a grant from Council's Local Heritage Fund to assist with conservation and restoration work. It is recommended that the grants be allocated from the fund based on the recommendations provided by Council's Heritage Advisor.

# Background:

In a letter dated 26 August 2010 Walgett Shire Council wrote to 88 owners of private properties in the proposed Walgett Shire local heritage schedule to be included in a Local Environmental Plan. Letters were not sent for items located on land owned by State Government, Council, or a public authority (eg railway land). Owners were invited to obtain an information and application package regarding the local heritage fund (Attachment A).

The letter indicated that grants of up to \$3,000 were available from the Walgett Shire Local Heritage Fund to assist owners undertake conservation and maintenance works on heritage buildings and places. Owners are required to at least match Council's contribution.

If Council manages the fund in accordance with the requirements of the Heritage Branch Department of Planning, that agency will reimburse one third (33%) of this amount via a grant at the end of the financial year. One of the key requirements is that the fund be dispersed with regard for the recommendations of Council's Heritage Advisor.

Five applications for grants were received relating to the following buildings:

- "Epping" shearing shed, Epping Rd., Pilliga
- "Moongulla" outbuildings, Boora Rd, Collarenebri
- · Walford house, Opal St, Lightning Ridge
- Former Walgett Post Office (now Best Employment office), Fox St., Walgett
- Come-by-Chance hall, Colless St., Come-by-Chance

Walgett Shire Council's Heritage Advisor, Ray Christison of High Ground Consulting, evaluated the applications and has recommended that the grants be dispersed as shown in the table below.

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| Address                    | Study<br>No. | Applicant                                   | Works                                    | Cost     | Request  | Recommended |
|----------------------------|--------------|---------------------------------------------|------------------------------------------|----------|----------|-------------|
| "Epping"<br>shearing shed  | 156          | Jack Slack-<br>Smith                        | Replace rotted timbers & weatherboards   | \$7,023  | \$3,000  | \$3,000     |
| "Moongulla" outbuildings   | 150          | Brian & Kay<br>Gibbons                      | Repair quarters & laundry                | \$6,000  | \$3,000  | \$3,000     |
| Walford house              | 66           | Lightning<br>Ridge<br>Historical<br>Society | Repair street frontage, & termite damage | \$8,000  | \$4,000  | \$4,000     |
| Former Walgett Post Office | 39           | Best<br>Employment                          | Repair brickwork & paint windows         | \$6,400  | \$3,000  | \$3,000     |
| Come-by-<br>Chance hall    | 37           | Jane Keir                                   | Repaint hall interior                    | \$6,000  | \$3,000  | \$3,000     |
|                            | ·            |                                             |                                          | \$20,400 | \$16,000 | \$16,000    |

The total value of the recommended grants is \$16,000, from a budget of \$21,000, which will leave an additional \$5,000 for any appropriate additional projects that may be identified by Council's Heritage Advisor.

# **Current Position:**

# **Relevant Reference Documents:**

Report of the Community Based Heritage Study of Walgett Shire, April 2008.

# Stakeholders:

Owners of items proposed for listing as items of local heritage, Walgett Shire Council, public.

# **Financial Implications:**

There is an established budget of \$21,000 for the Local Heritage Fund. At the end of the financial year it is expected that Council will receive a grant equivalent to one third (33%) of the money dispersed from the fund.

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# 2010/2011 Local heritage Fund Applications

# Recommendation:

It is recommended that Walgett Shire Council resolve to:

- 1. Disperse \$16,000 from the Walgett Shire Council Local Heritage Fund 2010-2011 via the following grants:
  - (a) \$3,000 for the "Epping" shearing shed, Epping Rd., Pilliga
  - (b) \$3,000 for the "Moongulla" outbuildings, Boora Rd, Collarenebri
  - (c) \$4,000 for the Walford house, Opal St, Lightning Ridge
  - (d) \$3,000 for the former Walgett Post Office (now Best Employment office), Fox St., Walgett
  - (e) \$3,000 for the Come-by-Chance hall, Colless St., Come-by-Chance

# Moved: Seconded:

#### Attachments:

A – Walgett Shire Local Heritage Fund Guidelines – 2010/2011

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# Attachment A – Walgett Shire Local Heritage Fund Guidelines – 2010/2011



Walgett Shire Council local heritage fund guidelines

Local heritage fund purpose

#### Funding for projects

- for conservation works and maintenance works
- works to meet Building Code Australia upgrades (fire, services, and access) for ongoing and new uses

#### for heritage items in the Walgett Shire Council draft Local Environmental Plan

For example

A local community group manages a building, which is a local heritage item on the Walgett Shire draft LEP. They are planning to do maintenance works to repair the exterior roof and replace guttering and downpipes. These works will cost \$15,000. They apply for a grant of \$2,500 and will contribute \$2,500 themselves towards the project

**Funding** 

A dollar for dollar grant from \$500.00 up to \$3,000.00

Application closing date

Applications open on 10 August 2010 and close on 31 August 2010

Applications are called for once every year. The next call for applications for the 2011 Local Heritage Fund will be in August 2011

Who can apply

All owners and managers of heritage items in the Walgett Shire draft Local Environmental Plan

However you CAN NOT apply for funding if you are a state government agency (but may be involved as a project partner)

Recently funded projects

During 2009-2010 Council's Local Heritage Fund was used to assist with:

- Repainting of a house in Collarenebri
- Rewiring of the Come-By-Chance Hall
- Restoration works on the Epping Woolshed

Funding available for

Heritage items that are either

- · Listed as a heritage item in the Local Environmental Plan, or
- Supported by your local council's heritage advisor or other heritage specialist as being of heritage significance

**Priorities** 

Projects that are

For heritage item/s in a well maintained heritage streetscape or landscape setting

For a heritage item/s with public access and visibility

For urgent maintenance works to avert management risks (eg severe deterioration, demolition, or demolition by neglect)

Part of a heritage group or a precinct

Fire, service and access upgrades for Building Code Australia compliance for ongoing

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or adaptive reuse of your heritage item/s

Have not received previous council funding support in the last 5 years

Projects that will NOT be funded

New buildings

Routine maintenance (eg lawn mowing, gutter cleaning or carpet cleaning)

Projects where adequate funding is available from the applicant or other sources

New commemorative monuments or works

Purchase of heritage buildings

Relocation of buildings or work to relocated buildings

Private headstones, unless there is no possibility of descendent support for the project

Flood lighting of heritage buildings

Purchase of equipment

Movable railway heritage items

Common selection criteria all projects

Funding is targeted to projects with

- · Sustainable long term heritage benefits
- Public benefit and enjoyment
- Innovation and leadership
- Capacity and commitment to undertake the project
- Funding equity and cost effectiveness

Questions?

For advice about projects contact:

Ray Christison, Walgett Shire Heritage Advisor phone 6353 1812 or email highground@swiftdsl.com.au

Project application

The application form is available at Council's website or directly from Council.

To obtain application forms contact Lyn Douglas, Walgett Shire Council phone 6828 6144 or email Idouglas@walgett.nsw.gov.au

What you need to do to apply for funding

- Do some background research on your heritage item and project proposal
- Read the application form so you know what information you need and if your project fits the funding offered
- Prepare a list of project tasks to be completed
- Get quotes for the all of the projects tasks
- Plans and sketches depending on the size of the project you may need to include these to show what your intend to do
- Take before photographs
- Fill in the application form, (keep a copy for your records)
- Then talk with your council heritage officer or heritage advisor about your project

2

Before you submit your application Before your submit your application for funding, you must discuss your project with Council's heritage advisor contact Ray Christison phone 6353 1812 or email highground@swiftdsl.com.au

Submitting your application

Please don't send twice!!! Email OR post Email your completed project application with attached digital images and other information to admin@walgett.nsw.gov.au

#### OR

Post to Walgett Shire Council PO Box 31 Walgett NSW 2832

Processing your project application Walgett Shire Council will acknowledge receipt of your application within 21 days of the closing date

In assessing your application, the quality and clarity of information provided will be taken into account

Projects will be assessed and approved by Council.

A funding offer and contract will be sent to successful applicants in September 2010.

On your acceptance of this offer, funding will commence on 1 October 2010. All projects must be completed and all funding claimed by 30 April 2011 at the latest

We will advise unsuccessful applicants after 15 September 2010

The Walgett Shire Council Local Heritage Fund 2010 is a targeted funding program. Projects must meet eligibility criteria, funding priorities and common selection criteria. However in exceptional circumstances, the Walgett Shire Council reserves the right to recommend funding for projects that may not fully meet these requirements

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# 28. MATTERS GENERALLY FOR BRIEF MENTION FROM THE DIRECTOR PLANNING & REGULATORY SERVICES

**REPORTING SECTION:** Planning & Regulatory Services

**AUTHOR:** Matthew Goodwin, Director Planning & Regulatory Services

FILE NUMBER: 10/434

#### a) URBAN ADDRESSING PROJECT

Council is undertaking a project to review urban addresses and provide street number plates to all urban building owners within the Shire. The status of the project within the respective towns and villages is summarised below:

- <u>Collarenebri</u> Placement of street numbers on buildings commenced on 8-11-2010 and is being undertaken by volunteers from the Collarenebri Men's Group. Number placement is more than 95% complete.
- <u>Burren Junction</u> Placement of street numbers on 91 buildings is complete, courtesy
  of the Burren Junction unit of the Rural Fire Service. One building is yet to be
  numbered.
- <u>Lightning Ridge</u> Public consultation has commenced regarding proposed changes to street number allocations in Pandora St and Harlequin St, as resolved by Council at the 26 October 2010 Council meeting. Council's GIS Coordinator has personally delivered a letter to 13 out of 13 residents/landowners, and a letter has been posted to 3 non-resident landowners, whose address is proposed to change. A report is expected to the submitted to the February 2011 Council meeting regarding the proposed change and any submissions received.
- Rowena The Rowena unit of the Rural Fire Service has been provided with street numbers and they are expected to be placed on buildings when the members have time available.
- <u>Cumborah</u> The Cumborah unit of the Rural Fire Service has been provided with street numbers and has commenced fixing them.
- Carinda Placement of numbers has not yet commenced.
- Walgett Review of numbering has not yet commenced.

#### b) CONTAMINATED LAND WORKSHOP

The author attended a Contaminated Land Workshop in Dubbo on 19 November 2010 which was convened for Council staff by the Department of Environment Climate Change and Water (DECCW). Significant issues and topics that were covered include:

- Underground Petroleum Storage Systems (UPSS) installed since 1 June 2008 must have:
  - Procedures for regular monitoring & detection of leaks.
  - o Groundwater monitoring wells installed and a program to test them.
  - An adopted Environmental Protection Plan (EPP).
  - The required record keeping procedures.
- UPSS installed prior to 1 June 2008 will also be required to meet the above requirements in a staggered manner. For example, groundwater monitoring wells must be installed on all service station sites by 1 June 2011 and ground water testing must be undertaken at least every 6 months in accordance with the written procedure within the EPP).
- Presently DECCW is the appropriate regulatory authority (ARA) overseeing the implementation and enforcement of the UPSS regulatory requirements. This role will be devolved to Councils at a time that is yet to be determined.

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- UPSS must be abandoned if not used for a continuous period of 2 years (Workcover requirement). Only a Workcover licenced contractor can undertake abandonment works which involve either tank removal (preferred option) or filling the tank in-situ with concrete, sand or foam. Report must be sent to Workcover and detailed validation report must be sent to the ARA (DECCW or Council, depending on circumstances) in accordance with State Environmental Planning Policy 55 Remediation of Land.
- Clause 7 of State Environmental Planning Policy 55 Remediation of Land imposes a requirement on Council to not to give development consent on any land unless the Council has considered whether the land is contaminated.

# c) FIRE SAFETY, TATERSALLS HOTEL, COLLARENEBRI

Walgett Shire Council resolved at a meeting on 28 June 2010 to send a notice of intention to issue an order regarding fire safety issues, under section 121B of the Environmental Planning & Assessment Act 1979, to the owner of the Tatersalls Hotel, Collarenebri. Subsequently Council has received correspondence indicating that actions were being taken to address fire safety issues. An inspection on 18 November 2010 by Council's Health and Building Surveyors showed that significant progress has been made in completing the required works and indicated that the upstairs area of the building was not being used for commercial accommodation.

#### d) ABORIGINAL HERITAGE STUDY

Australian Museum Business Services (AMBS) undertook a second round of consultation meetings with Aboriginal stakeholders and groups within the Shire during November 2010. AMBS expect to have a draft study available for stakeholder comment early in 2011 and expect to have the project completed by 30 July 2011.

#### e) HERITAGE ADVISOR

Council's Heritage Advisor, Ray Christison, has been responding to inquiries associated with applications for local heritage fund grants. Advice has been provided on prioritising works, material selection, colour schemes, etc.

# f) FLOOD SUPPORT

Council's Geographic Information Systems Coordinator, James Able, provided mapping support to Council staff, emergency services and land holders during the flood events in the Castlereagh and Namoi Rivers.

# g) STORMWATER DISPOSAL AUDITS

In conjunction with recent rainfall events, Council's Health and Building Surveyor, Andrew Wilson, has been continuing work to identify and rectify sites where there is inappropriate stormwater entry into the Walgett sewerage system and the Lightning Ridge effluent system. Overloading and sediment entry to both systems continues to be a significant problem during storm events. In some areas overloading results in sewerage discharges from man holes, hence it poses a significant public health risk.

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

# **Recommendation:**

1. That the matters listed by the Director of Planning & Regulatory Services for brief mention, or information only, be received and noted.

Moved: Seconded:

# **Attachments:**

Nil

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# 29. MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR URBAN INFRASTRUCTURE SERVICES

**REPORTING SECTION:** Urban Infrastructure Services

**AUTHOR:** Siegfredo Coralde – Director Urban Infrastructure Services

FILE NUMBER: 10/585

#### STRATEGIES AND POLICIES

- <u>a.</u> <u>Waste Management Advisory Group</u>. Public nominations to join the Waste Management Advisory Group will be opened on January 17, 2011.
- <u>b.</u> <u>NAMS (Asset Management).</u> Council's Asset Management Officer attended another training session early this month in Dubbo. The first draft of the Asset Management Plan is expected to be released in March 2011.

#### **SPECIAL PROJECTS:**

- a. <u>Walgett Levee Design.</u> The plan and specifications is due to release from the Department of Commerce at the end of December 2010 as advised. Once released, a report shall be prepared to Council in February 2011.
- b. <u>Interim Management of Gingie, Namoi and Walli Aboriginal Water and Sewerage</u>
  <u>System.</u> Now in place for twelve months. The NSW Office of Water is the Principal of these projects.

# **WATER AND SEWERAGE**

- **a.** Collarenebri Water Treatment Plant Failure. The Water Boil Alert was lifted by the NSW Department of Health on 06 December 2010 after two weeks of continuous monitoring.
- **Proposed Collarenebri Water Treatment Plant Up-Grade.** Veola Industries who designed and installed the existing plant submitted a schematic diagram of future expansion to improve the quality and monitoring system of the town's water supply. Special features of this proposed up-grade are:
  - Construction of a water clarifier with a nominal rate flow of 40 m<sup>3</sup>/hr
  - Construction of a 40-kl water clarifier storage tank
  - Installation of a new pH dosing device
  - · Installation of a new coagulant dosing device
  - Installation of a new polymer dosing system
  - Installation of a new forwarding a VSD-controlled pump
  - Replacement of the existing control board system

The advantages of the proposed up-grades are:

 The new clarifier shall remove 99% of the suspended matter coming from the Raw Water Supply Tank.

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- Utilize the new clarifier as a pre-filtration system feeding the CMF with clarified water most advantageous in times of high suspended load and demand during high rain inflow events.
- Cleaning needs of CMF will be greatly reduced by introduction of a new clarifier.
- CMF or the clarifier could either be operated independently to supply the town water.
- Variations in pH can easily be detected and corrected
- The new coagulant dosing device will improve the tastes and minimize the water odour
- Unexpected telemetry stoppage problems will be removed by the complete replacement of running parts to conform the required monitoring standards.

The cost of the proposed up-grade is not yet known as at this report. A copy of this diagram is attached for information (Appendix 1).

c. <u>RFQ10055 Footpath Construction and Rehabilitation Program</u>. The tender will close on 20 December 2010 and can be awarded after the February Council meeting 2011.

#### **BUILDINGS AND AMEMITIES**

**a.** <u>Air Conditioning Servicing.</u> Annual service is currently being carried out by LRE of Lightning Ridge on the following building assets:

| Residential | Collarenebri                  | 1  |  |
|-------------|-------------------------------|----|--|
|             | Lightning Ridge               | 4  |  |
|             | Walgett                       | 20 |  |
| Commercial  | Walgett Commercial Properties | 6  |  |
|             | Collarenebri Agency           | 1  |  |
|             | Lightning Ridge Library       | 1  |  |
| Total       |                               | 33 |  |

- b. <u>Flats at 32 Euroka Street Walget</u>. The flats have been withdrawn from the market. Moree Real Estate Valuers valued the property at \$100,000 with a range of valuation between \$85,000 \$110,000. The building requires extensive maintenance including painting, guttering and roof repairs to bring it up the standard.
- Walgett Medical Centre Wee Waa Street Walgett
  A quote was accepted from Col Verrall of Walgett amounting to \$2,882 including GST to repair the damaged ceiling. Due to pressure of work he is unable to commence the work until after Christmas.

Moree Real Estate valued the building, including the Public Toilets at \$160,000 with a reasonable range from \$150,000 to \$170,000.

d. <u>Collarenebri Agency Building/Manager's Residence</u>. No final decisions yet on how these assets are to be managed in the future. Both buildings are still on one title but can be sub-divided at any time as all relevant requirements have been met. Council needs to engage Country Energy for the installation of a new connection, at an estimate of \$1,500, a separate electricity meter and rewiring of the Agency building at a further estimate of \$3,000.

Moree Real Estate valued the Agency property at \$65,000 and the Residence at \$60,000.

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e. Rental Matters. Council have still vacancies in the following 6 properties:

1. 2/32 Euroka Street flats: Still vacant (one bedroom)

45 Namoi St: vacated by Len Smyth (Health & Building)
 3 Montkeila St . Vacated by Myrene Lovegrove (Finance

Manager)

Unit 2/15a Gilbert St.
 Unit 5/15a Gilbert St.
 Vacated by Helena Lovegrove (Records)
 Vacated by Sam Bandula (H R Manager)
 Vacated by Dr Nashid (Rural & Remote)

Doctors). OCHRE PTY LTD are interested in leasing this property for a new Doctor and is

currently under negotiation with Council.

**f.** Available For Sale. Units 3 & 6/15a Gilbert St and Unit A/18a Arthur St Walgett. The properties have been listed with Elder's Real Estate Dubbo.

- **g.** Requests For Walgett Accommodation. Council received requests from the following interested parties:
  - 1) Coolibah Kids for Teacher Housing.
  - 2) Rural Financial Counselling Service Employee (single person Mon-Fri. Would prefer a lock up garage.

#### **CROWN RESERVE MATTERS**

- <u>A. New Toilet Block Collarenebri Racecourse</u> Building of the new portable toilet building has been completed and is ready for transport and delivery to Collarenebri. Mr David Furnell, President of the Collarenebri Racecourse reported that the site preparation work prior to installation of has been held up due to the current flood situation. The following are yet to be satisfied prior to delivery and installation of the new toilet:
  - Activity Plan Approval of Plumbing and electrical works by Council's Planning and Regulatory Department (David Furnell to provide)
  - LMPA to approve Council's late request to build a new toilet structure. This is not an alarming issue for Council.
- <u>b.</u> <u>Carinda Swimming Pool Crown Reserve No. 80297</u>. The new shade structure was damaged once again due to high winds but had been repaired by Council staff.

#### OTHER MATTERS:

**a. Skeletal Urban Staff (Christmas Period).** Already arranged to most urgent priorities like cleaning of streets, rubbish collection and operations of the landfills.

Media and other informative releases were already made for the benefit of the general public. The Director of Urban Infrastructure Services will defer his leave but will apply to go on holidays at the end of January 2011. The Director shall work with the General Manager to manage the Local Emergency Management affairs during the holiday period as the Acting LEMO.

b. <u>Wet Weather Season (December Period).</u> Cleaning of important stormwater structures, strategic waterway locations and canals are almost completed. Urban staff is assisted by the Roading Department in completing the tasks required to minimize clogging and flooding of streets around the shire.

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It is now becoming evident that global modelling is required for stormwater and drainage systems to be implemented in stages over the next 10 years.

c. <u>Attendance Reports – Organizations.</u> Netwaste, ASIC (Aerodrome), Namoi Committee, FMA and other Annual Return Reports shall be submitted at the February 2011 Council Meeting.

Matters Generally for Brief Mention or Information only from Director Urban Infrastructure Services

# Recommendation:

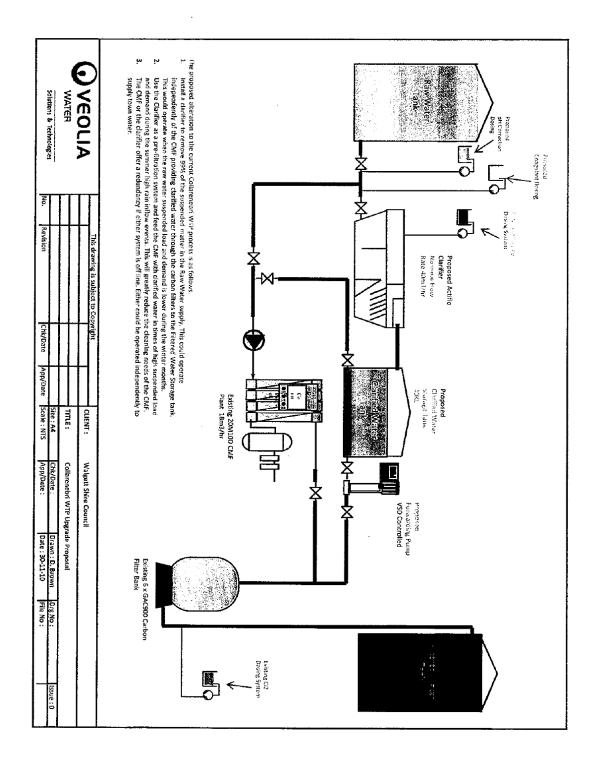
1. That the matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted.

# Moved: Seconded:

#### **Attachments:**

Appendix 1: Collarenebri WTP Up-grade

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# 30. REVIEW OF STRATEGIC PLANT REPLACEMENT PROGRAM 2010 - 2024

**REPORTING SECTION:** Director Rural Infrastructure & Support Services

**AUTHOR:** Ian Taylor - Director Rural Infrastructure & Support Services

**FILE NUMBER:** 09/1260

# **Summary:**

Council insures approximately \$7.5M of Plant, including motor vehicles, earthmoving plant, and other minor equipment. To ensure than this plant is serving council's needs for delivering services a strategic plan is required for their acquisition and replacement. This report provides Council with the review of the Strategic Plant Replacement Program 2010 – 2024 (Program) and recommends approval to procure identified plant in the current financial year.

# Background:

Council insures approximately \$7.5M of Plant, including motor vehicles, earthmoving plant, and other minor equipment. To ensure than this plant is serving council's needs for delivering services a strategic plan is required for their acquisition and replacement.

A Review of the Program is conducted at least annually. It includes a review of all internal Plant Hire Rates.

Internal Plant Hire Rates provide income to the Program for plant replacement and should cover both fixed and operational depreciation.

The Program is prepared in accordance with the Plant and Vehicle Management Manual produced by the Institute of Public Works Engineers Australia (IPWEA).

The Program provides Council with a break-down of its plant assets by Department and service area. The Program provides indicative utilisation and age of the current plant and identifies the forecast annual replacement revenue from the plant. It identifies plant that is proposed to be decommissioned without replacement, and new or modified plant requirements. Finally, it identifies the forecast expenditures on plant replacement over the following 15 years.

The desirable goal of the Program is that the provision of plant for the delivery of council services is sustainable, meaning that the costs of providing plant today are not 'shifted' into future years by unrealistically low plant hire rates or the acquisition and replacement of lower cost plant items such as light motor vehicles.

Council owns a number of plant items which are of high value and are retained for extended periods. Hence the Program extends well beyond the life of most equipment. Graders and heavy trucks are typical examples of these items.

The Program is a strategic plan, and therefore the values in the plan are intended to be conservative. The procurement process should, on average, undercut the forecast changeover costs identified in the plan. Likewise, the replacement revenue from the plant hire rates should, on average, exceed the forecast revenue in the Program.

It must also be noted that there are a number of reasons for owning plant apart from lowest operating cost. These include:

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- 1) Plant assets or plant related services which are not readily available within the Shire from external contractors. These include: bitumen patching, pavement stabilisation (especially for repair/rehabilitation works), waste collection vehicles, water & sewerage repair truck, mobile mechanics vehicle, potable water registered water cart, full-service road construction and repair to Specification, and short term vehicle hire.
- 2) Plant assets that are required to deliver services of an urgent nature, requiring council to have the plant on-hand and not be delayed in mobilising subcontractors. These include: backhoe/loaders (water & sewerage repair), generators (airport lighting), and road incident response equipment including traffic control, debris clearing, and mobilising minor repair equipment (including graders). The Rural Fire Service and State Emergency Service also approach Council as there first "port of call" for providing assistance in delivering additional support in the form of transport, water carts, pumps, and graders.

#### **Current Position:**

Considerable progress has been achieved in 2009-2010 and first half 2010-2011 in replacing a number of major plant items and improving the efficiency of delivering plant for road maintenance and renewal applications. These acquisitions have included: 2x Graders, 3x Rollers, Garbage Collection Vehicle, Stabilisation Plant, 2x Bitumen Repair Vehicles.

Acquisitions in 2009-2010 to date have been maintained close to forecast expenditure and within budget allocations. There is potential for revenue from plant disposals to exceed budget in 2010-2011.

There remains however a number of plant items in critical need of replacement. The most significant of these is the replacement of the heavy tipper / trailer combination used in combination with the Heavy Front End Loader and Stabilising Plant.

Net expenditure of \$500,000 has been provided in the program in 2010-2011 to replace the heavy tipper / trailer combination with a 500hp Prime Mover, 'full sized' Plant Float, and a sliding bogie A-Trailer. This will allow Council to move its Stabilising Plant around efficiently between jobs (which are usually short duration, start/stop work), whilst still maintaining a similar gravel carting capacity. A new bogie tipper, suitable for tight working spaces, is planned to be acquired in 2011-2012. The existing bogie tipper will be retained and replace the low utilisation tipper in Collarenebri prior to its renewal. The Collarenebri tipper is used for hauling the backhoe in the east of the Shire.

Plant is generally acquired using one of a range of panel contracts provided through Local Government Procurement, Procurement Australia, Regional Procurement, NSW Buy, and similar organisations. These contracts have continually improved market access, price, and efficiency of procurement over the last few years.

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

Plant Replacement Program 2011 Version 06 Motor Vehicle Policy and Procedures Procurement Policy and Procedures

#### Governance issues:

Council must approve acquisitions over \$150,000 and these must be tendered in accordance with the Local Government Regulation.

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# **Environmental issues:**

In preparing the Program, and in preparing the detailed quotation specifications for plant, council officers assess the environmental impacts of available options. The objective is to minimise the whole of life environmental impact of the plant operations.

Significant improvement has already been achieved with the staff vehicles. Almost all are now small diesel vehicles and returning fuel consumption of 7.5 - 8.5 L/100km. The internal hire rate for these vehicles has been reduced accordingly.

#### Stakeholders:

#### Council Staff

The Program is strategic in nature. Detail consultation is had with Directors, and through them Managers, and Operators as relevant during the procurement process for each plant item

#### **Financial Implications:**

The Strategic Plan is funded through internal hire rates charged to users/program/project areas.

A comprehensive review of internal hire rates has not been carried out for a number of years. The review has identified that these rates require revision upwards, and this will be implemented as part of the administrative process.

Proposed expenditure for 2010-2011 is within/close to the approved budget allocation of \$2,485,000.

Expenditures will be maintained within approved limits by, if necessary, delaying replacement of one or two items until 2011-2012 or revising the specification downwards of less critical plant items.

The forecast expenditure for 2011-2012 are still higher than average due to the backlog of replacements required. This may require further consideration during the formulation of the 2011-2012 Operation Plan / Budget.

# Alternative Solutions/Options:

Alternative solutions to the provision of plant for Council's works include:

- 1) Dry Hire already used for peak plant demands, profit goes to large national firms;
- 2) Outsourcing already used for approximately 25% of maintenance work and specialist services, minimises financial risk with changing work loads;
- 3) Exclusive Plant Servicing contract places all risk with a sole supplier of plant, limits choice and competition in the market, profit goes to large national firm, and can be difficult to transition to a new contract / set up a fair and competitive contract.

# **Conclusion:**

- 1) Council should endorse the Review of Strategic Plant Replacement Program 2010 2024;
- 2) Council should maintain its plant ownership at about the proposed level; and
- Council should endorse the acquisition of the remaining plant items exceeding \$150,000 for 2010-2011 – namely a 500hp Prime Mover, 'full sized' Plant Float, and a sliding bogie A-Trailer

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# Review of Strategic Plant Replacement Program 2010 - 2024

# **Recommendations:**

- 1. Council should endorse the Review of Strategic Plant Replacement Program 2010 2024;
- 2. Council should maintain its plant ownership at about the proposed level; and
- 3. Council should endorse the acquisition of the remaining plant items exceeding \$150,000 for 2010-2011 namely a 500hp Prime Mover, 'full sized' Plant Float, and a sliding bogie A-Trailer.

# Moved: Seconded:

#### Attachments:

Plant Replacement Program 2011 Version 06

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