



AGENDA FOR ORDINARY COUNCIL MEETING

TUESDAY, 28 SEPTEMBER 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 **Carinda Town Hall** on **Tuesday 28 September 2010**, commencing at 10.00am to discuss the items listed in the Agenda.

Don Ramsland
GENERAL MANAGER

WALGETT SHIRE COUNCIL AGENDA

CONFLICT OF INTERESTS

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

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

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

Remoteness

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

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

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

Relatives, Partners

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

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

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

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

No Interest in the Matter

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

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

Disclosure and participation in meetings

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

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

Participation in Meetings despite Pecuniary Interest (S452 Act)

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

Non-Pecuniary Interest – Must be disclosed in meetings.

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

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

Disclosure to be Recorded (S453 Act)

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

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## AGENDA

- 1. Opening of Meeting**
- 2. Acknowledgement of Traditional Owners**  
I would like to acknowledge the traditional owners of the lands within the Walgett Shire and I would also like to acknowledge the Aboriginal and Torres Strait Islander people who now reside within this Shire.
- 3. Apologies**
- 4. Welcome to Visitors**
- 5. Election of Mayor/Deputy Mayor**
  1. Determination of Method of Voting for Election of Mayor and Deputy Mayor by Councillors..... 5
  2. Election of Mayor for Ensuring Twelve (12) Months ..... 7
  3. Election of Deputy Mayor for Ensuring Twelve (12) Months..... 9
- 6. Public Forum Presentations**  
*(Limited to five minute presentations, and must relate to items listed within the Business Paper)*
- 7. Declaration of Pecuniary/Non Pecuniary Interests**
- 8. Confirmation of Minutes**
- 9. Reserve Trust Management Committee Reports**
  4. Collarenebri Lions Park (R230021) Reserve Trust..... 34
  5. Collarenebri Racecourse Toilet Block – Need to identify alternate source of funding ..... 38
- 10. Mayoral Minutes**
- 11. Motions of which Notice has been given**
- 12. Presentation of Petitions**
- 13. Councillor’s Questions with Notice**
- 14. Reports of Delegates and Representatives**
  6. Walgett Local Area Traffic Committee..... 41
- 15. Reservation of items for Debate**
- 16. Reports of Officers**

### **GENERAL MANAGER**

7. Council Decisions Action Report–24.08.10 ..... 47
8. Circulars received from the Local Government Department of Premier and Cabinet..... 53
9. Circulars received from the Local Government and Shires Association of NSW ..... 63
10. Introduction of Monthly Calendar ..... 65
11. Closedown of Administration over Festive Season ..... 70

## **WALGETT SHIRE COUNCIL AGENDA**

|     |                                                                                                                      |    |
|-----|----------------------------------------------------------------------------------------------------------------------|----|
| 12. | Ordinary Council Meetings – Time, Dates and Venues for 2010 .....                                                    | 72 |
| 13. | Designated Persons and the Submission of Written Returns .....                                                       | 74 |
| 14. | Delegates and Representatives to, and Members of, External Bodies .....                                              | 76 |
| 15. | Review of Code Of Meeting Practice (July 2008) – Notice of Meetings and Giving Notice of Business.....               | 79 |
| 16. | Review of Code of Meeting Practice (July 2008) – Councillors Questions without Notice.....                           | 81 |
| 17. | Review of Policy and WSC Procedures – Provision of Information to and Interaction between Councillors and Staff..... | 84 |
| 18. | Contractual Conditions of Senior Staff .....                                                                         | 89 |
| 19. | Matters Generally for Brief Mention or Information Only from General Manager .....                                   | 91 |

### **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

|     |                                                                                              |     |
|-----|----------------------------------------------------------------------------------------------|-----|
| 20. | Annual Financial Statements 2009 - 2010.....                                                 | 93  |
| 21. | Cash on hand and Investment Report as at 31 August 2010 .....                                | 95  |
| 22. | Collarenebri Skate park Shade Shelter- Council Seal required for Variation to Agreement..... | 98  |
| 23. | Community Assistance Scheme Donations -2010/2011 Budget.....                                 | 100 |

### **DIRECTOR PLANNING AND REGULATORY SERVICES**

|     |                                                                      |     |
|-----|----------------------------------------------------------------------|-----|
| 24. | Former Walgett Railway Station Building .....                        | 102 |
| 25. | Development Consent Modification, Supermarket .....                  | 105 |
| 26. | Development and Complying Development Certificate Applications ..... | 124 |

### **DIRECTOR URBAN INFRASTRUCTURE SERVICES**

|     |                                                                                                          |     |
|-----|----------------------------------------------------------------------------------------------------------|-----|
| 27. | Aboriginal Land Claim on Proposed Evaporation Pond at Burren Junction .....                              | 127 |
| 28. | Matters Generally for Brief Mention or Information Only from Director Urban Infrastructure Services..... | 130 |

### **DIRECTOR RURAL INFRASTRUCTURE AND SUPPORT SERVICES**

|     |                                        |     |
|-----|----------------------------------------|-----|
| 29. | Proposed Disposal of Bridge Asset..... | 131 |
| 30. | Brewon Road Bridges .....              | 134 |

### **17. Reports of Committees**

### **18. Questions without notice from Councillors**

### **19. Confidential Reports/Closed Council Meeting**

### **20. Close of Meeting**



### 3. Apologies

Nil

### 5. Election of Mayor/Deputy Mayor

#### 1. ***DETERMINATION OF METHOD OF VOTING FOR ELECTION OF MAYOR AND DEPUTY MAYOR BY COUNCILLORS***

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 09/1456

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#### **Summary:**

This report is prepared to allow Council to determine the Method of Voting for the Election of the Mayor and the Deputy Mayor by Councillors.

#### **Discussion (including issues and background):**

Schedule 7 of the local government (General) Regulation 2005 sets out the process to be followed for the election of a Mayor and Deputy Mayor by Councillors, including the methods of voting that may be determined by a resolution of Council. The methods of voting for the election of the Mayor and the Deputy Mayor, that Council may adopt are summarised below:-

- Open Voting – this is by show of hands or similar means
- Preferential Ballot – as per its normal interpretation the ballot papers are to contain names of all candidates and Councillors mark their votes 1, 2, 3 and so on against the various names, so as to indicate their order of preference for all of the candidates.
- Ordinary ballot – this is the usual method adopted in New South Wales. Ballots are secret with only one (1) candidate's name written on a ballot paper.

Where there are two (2) candidates, the person with the most votes is elected. If the ballots for the two (2) candidates are tied, the one to be elected is to be chosen by lots, with the first name out being declared elected.

Where there are three (3) or more candidates, the person with the lowest number of votes is eliminated and the process started again until there are only two (2) candidates. The determination of the election would then proceed as if the two (2) were the only candidates. In the case of three (3) or more candidates where a tie occurs the one (1) to be excluded will be chosen by lot.

- Choosing by Lot – to choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen, on the basis detailed above.

## WALGETT SHIRE COUNCIL AGENDA

\* NOTE: Ballot has its normal meaning of secret ballot.

### Relevant Reference Documents:

Schedule 7 "Election of Mayor by Councillors" of the Local Government (General) Regulations 2005.

### Stakeholders:

Councillors

### Financial Implications:

Nil

| Election of Mayor and Deputy Mayor                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>1. That Council adopt the ordinary ballot method for the election of the Mayor and Deputy Mayor.</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |



### Attachments:

Nil

## **2. ELECTION OF MAYOR FOR ENSURING TWELVE (12) MONTHS**

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 09/1456

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### **Summary:**

Section 225 of the Local Government Act 1993 states that each Local government area must have a Mayor elected in accordance with the provisions of the Act.

### **Discussion (including issues and background):**

The role of Mayor is defined as follows:

- To exercise, in case of necessity, the policy-making functions of the governing body of Council between meetings of the Council;
- To exercise such other functions of the Council as the Council determines;
- To preside at meetings of Council;
- To carry of the civic and ceremonial functions of the Mayoral office.

The Mayor for Walgett Shire Council is elected by the Councillors from among their own number.

The procedures for election of mayor by Councillors under Schedule 7 of the Local Government (General) Regulation 2005 are summarised below:

- The General Manager (or a person appointed by the General Manager) is the Returning Officer.
- A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.
- The nomination is to be made in writing by two (2) or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- The nomination is to be delivered or sent to the Returning Officer.
- The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.
- Nomination papers have been enclosed with the business paper and may be delivered or sent to the Returning Officer either prior to or at the commencement of the Ordinary meeting.
- If only one (1) Councillor is nominated, that Councillor is elected.
- If more than one (1) Councillor is nominated then the election will proceed in accordance with the method of voting determined by Council, at this meeting.
- The election is to be held at the Council meeting at which the Council resolves on the method of voting.

Nomination forms are circulated under separate cover with this report.

## WALGETT SHIRE COUNCIL AGENDA

### Relevant Reference Documents:

Local Government Act 1993

### Stakeholders:

Councillors

### Financial Implications:

Nil

| Election of Mayor for Ensuring Twelve (12) Months                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>1. That the report be received and noted and the election for the position of Mayor be held now.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |



### Attachments:

Nil

### **3. *ELECTION OF DEPUTY MAYOR FOR ENSURING TWELVE (12) MONTHS***

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 09/1456

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#### **Summary:**

Section 231 of the Local Government Act 1993 sets out the provisions of the Act for election of the Deputy Mayor

#### **Discussion (including issues and background):**

Section 231 of the Local Government Act 1993 states that:-

- The Councillors may elect a person from among their number, to be the Deputy Mayor.
- The person may be elected for the mayoral term or a shorter term
- The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of the Mayor.
- The Councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no Deputy Mayor has been elected..

Procedures for Nominations and the Election of Deputy Mayor are the same as set out for the election of Mayor.

Nomination forms are circulated under separate cover with this report.

#### **Relevant Reference Documents:**

Local Government Act 1993

#### **Stakeholders:**

Councillors

#### **Financial Implications:**

Nil

**Election of Deputy Mayor for Ensuring Twelve (12) Months**

**Recommendation:**

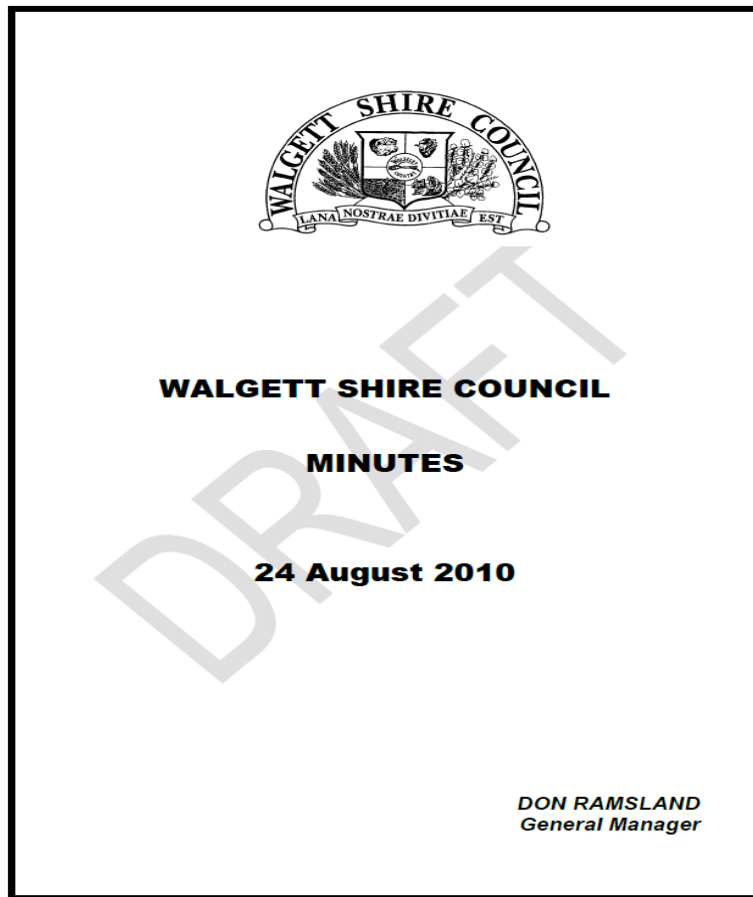
1. That the report be received and noted and the election for the position of Deputy Mayor be held now.

**Moved:**

**Seconded:**

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

**7. Confirmation of Minutes**



# WALGETT SHIRE COUNCIL AGENDA

## WALGETT SHIRE COUNCIL MINUTES

|                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE<br/>WALGETT COUNCIL CHAMBERS ON TUESDAY 24 AUGUST 2010<br/>COMMENCING AT 10.07AM</b></p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|

### PRESENT

|                 |                                                     |
|-----------------|-----------------------------------------------------|
| Clr I Woodcock  | (Mayor)                                             |
| Clr G Colless   | (Deputy Mayor)                                      |
| Clr L Walford   |                                                     |
| Clr R Greenaway |                                                     |
| Clr D Lane      |                                                     |
| Clr G Murray    |                                                     |
| Clr M Martinez  |                                                     |
| Clr J Keir      |                                                     |
| Clr K Smith     |                                                     |
| Mr D Ramsland   | (General Manager)                                   |
| Mr I Taylor     | (Director, Rural Infrastructure & Support Services) |
| Mr M Goodwin    | (Director, Planning and Regulatory Services)        |
| Mr F Coralde    | (Director, Urban Infrastructure Services)           |
| Mrs J Campbell  | (Minute Secretary)                                  |
| Mrs D Parker    | (Minute Secretary)                                  |

### Welcome to Visitors

The Mayor welcomed all visitors to the meeting and acknowledged the traditional owners of the land. The Mayor also welcomed the new General Manager, Mr Don Ramsland.

### Apologies

Nil

### Public Forum Presentations

#### Mr Rod White from the Gateway Hotel in relation to item 8 – Walgett Liquor Accord

Mr White spoke on the following:

- Raised concern in relation to the incorrect information contained in the report in relation to the operation of the Walgett Liquor Accord.
- Expressed that the conditions of the Liquor Accord agreement were lifted after the 2 month trial as these conditions were not working and that the Liquor Accord was still functioning.
- Expressed that there is a functioning Liquor Accord in Walgett and they meet monthly, he also explained that he had copies of all the minutes available for viewing.
- Expressed that there has been a delay between Police contacting other licensees in other towns in our Shire and therefore a meeting was not held until May 2009 and monthly meetings have taken place since then.
- The next meeting of the Walgett Liquor Accord is on Thursday 26<sup>th</sup> August at 11am at the Walgett Sporting Club.

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### **Declaration of Pecuniary/Non Pecuniary Interest**

- Councillor Martinez declared a Pecuniary interest in item 13 – Community Assistance Scheme donations – 2010/2011 Budget, as he works for the NSW Ambulance.

During the course of the meeting the following additional declarations were made:

- Councillor Colless declared a Pecuniary interest in item 23 – North West Weight of Loads Group – Withdrawal Option, as he is a stakeholder - a heavy vehicle operator
- Councillor Martinez declared a Pecuniary Interest in item 23 – North West Weight of Loads Group – Withdrawal Option, as he is a stakeholder - a heavy vehicle operator

#### **Confirmation of Minutes**

|                                                                                                                                                                             |                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| 249/10                                                                                                                                                                      | Amendment to Minutes of Council Meeting 27 July 2010 – Resolution 184/10 |
| <b>Motion:</b>                                                                                                                                                              |                                                                          |
| 1. That an amendment be made to resolution 222/10 to read: That Council renews the Acceler8 Technologies contract for a period of 12 months, commencing 1 August 2010 only. |                                                                          |
| <b>Moved:</b>                                                                                                                                                               | Clr Murray                                                               |
| <b>Seconded:</b>                                                                                                                                                            | Clr Walford                                                              |
| <b>CARRIED</b>                                                                                                                                                              |                                                                          |
| 250/10                                                                                                                                                                      | Confirmation of Minutes of Council Meeting 27 July 2010                  |
| <b>Motion:</b>                                                                                                                                                              |                                                                          |
| 1. That the minutes of the Council meeting held 27 July 2010 be confirmed with the above changes made.                                                                      |                                                                          |
| <b>Moved:</b>                                                                                                                                                               | Clr Murray                                                               |
| <b>Seconded:</b>                                                                                                                                                            | Clr Martinez                                                             |
| <b>CARRIED</b>                                                                                                                                                              |                                                                          |

Clr Keir had asked at the July Council meeting for a report on round 1, 2 and 3 of the Regional Infrastructure Grant funding to be brought back to this meeting. It was noted that this information had not been presented to the meeting.



## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| 251/10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Walgett Shire Council Chambers Reserve Trust 1 (R85180) and (R87167) 3 year license to RTA |
| <b>Motion:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                            |
| <ol style="list-style-type: none"><li>1. That a licence be issued to the Road and Traffic Authority to occupy part Lot 8 Section 15 DP759036 for use as a Motor Registry and general offices.</li><li>2. That the rent fee be \$25,436.63 plus GST per annum and subject to the Annual CPI (Sydney) Valuation for a three year term.</li><li>3. That the licensee pay a disabled access disbursement fee of \$1,666 per annum, plus GST and CPI to be paid monthly commencing 11 November 2010 and ending 10 November 2013.</li><li>4. That the Mayor and General Manager be authorised to sign the licence agreement</li></ol> |                                                                                            |
| <b>Moved:</b> Clr Greenaway<br><b>Seconded:</b> Clr Colless                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| 252/10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Collarenebri Swimming Pool (R86013) Reserve Trust 3 year license to Riley Aquatic Management Pty Ltd |
| <b>Motion:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                      |
| <ol style="list-style-type: none"><li>1. That a licence agreement be issued to Riley Aquatic Management Pty Ltd for a three year term for the management of the Collarenebri Swimming Pool (R86013) Reserve Trust being that part of Lot 58 DP 752673 subject to the grounds of the pool area being maintained by the pool contractor for the whole twelve months.</li><li>2. That the Mayor and General Manager be authorised to sign the Licence Agreement under the Common Seal of the Collarenebri Swimming Pool (R86013) Reserve Trust.</li></ol> |                                                                                                      |
| <b>Moved:</b> Clr Colless<br><b>Seconded:</b> Clr Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                      |
| <b>CARRIED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                      |

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

253/10 Walgett Baths (R82551) Reserve Trust 3 year license to Riley Aquatic Management Pty Ltd

**Motion:**

1. That a licence agreement be issued to Riley Aquatic Management Pty Ltd for a three year term for the management of the Walgett Baths (R82551) Reserve Trust subject to the grounds of the pool area being maintained by the pool contractor for the whole twelve months.
2. That the Mayor and General Manager be authorised to sign the Licence Agreement under the Common Seal of the Walgett Baths (R82551) Reserve Trust.

Moved: Clr Lane

Seconded: Clr Keir

CARRIED

### **Mayoral Minutes**

254/10 Walgett Shire Council Mayoral Minute – New Toilet block for Collarenebri Racecourse

**Motion:**

1. That the Mayoral Minute with regards to the Collarenebri Racecourse (new toilets) project be received and noted.

Moved: Clr Lane

Seconded: Clr Smith

CARRIED

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### **Motion of which Notice has been given**

Nil

#### **Presentation of Petitions**

Nil

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

##### **Councillor Greenaway**

##### **Question 1:**

Why was an advertisement placed in the local papers for a prefabricated toilet building to be supplied to Collarenebri when there are no manufacturers of prefabricated buildings within the Walgett Shire?

##### **Response:**

The Director Corporate & Community Services advised that Council's procedure, established at the request of Councillors, is to advertise locally as well as in other regions dependent on the issue.

##### **Question 2:**

Why weren't the local engineering firms asked to quote to build & supply a grand stand that is required for the Rowena Sports Grounds?

##### **Response:**

The Director Urban Infrastructure Services advised that Council obtained four quotes for a grant for a portable stand on skids with a seating capacity of 45-50 persons. Two of these quotes were from local companies which included one from Lightning Ridge and one from Walgett.

He further advised that Council was unsuccessful with the RLCIP grant application as portable equipment such as mobile grandstands are outside the project guidelines.

##### **Question 3:**

Why weren't the electrical contractors within the local area contacted to quote for rewiring the Rowena Hall?

##### **Response:**

The Director Corporate & Community Services advised that Council staff use to ring and request quotes from local suppliers. Councillors requested we stop doing that and instead advertise calling for expressions of interest

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### **Councillor Smith**

##### **Question 1:**

In Wilson Street Collarenebri, there have been 3 incidents where people have tripped and fallen over the footpath sustaining nasty bruises and cuts. The latest was on Thursday where an elderly lady tripped and hit her head and skinned her knee and was taken to hospital by a friend and because we have no doctor in Collarenebri she was kept in hospital for 4 hours for observation. Can we please have this sorted out before someone is seriously injured?

##### **Response:**

The Director Urban Infrastructure Service advised he found some soft and uneven spots on the paved footpath. Profile elevations in at least one driveway are steep with loose blocks, especially near the kerb and gutters. Considering that the footpath was constructed only three years ago, re-sanding and levelling needs to be done soon to arrest further deterioration.

He further advised that a budget of \$15,000 is available this year to start some remedial measures. The Collarenebri Team Leader has been advised to program the work for September 2010.

##### **Question 2:**

In relation to the Mungindi Road flood damage, has funding been received for repairs to be made to the road, as it is still only open for one lane of traffic to drive because of the condition of the road which is making it quite dangerous?

##### **Response:**

The Director Rural Infrastructure & Support Services advised that preliminary approval has been given to the assessment of the flood damage claim for Gundabloui Road and the works on Regional Roads have been programmed to be completed by September 2010 subject to the impacts of weather.

#### **Reports of Delegates and Representatives**

Nil

#### **Reservation of items for Debate**

Nil

# WALGETT SHIRE COUNCIL AGENDA

## WALGETT SHIRE COUNCIL MINUTES

### Reports of Officers

#### 255/10 Delegation of Authority by Council

**Motion:**

1. That Council delegate to the General Manager, Mr Donald Henry Ramsland, all powers and duties necessary to carry out the functions of that office under Section 335 of the Local Government Act 1993 with the exception of those functions listed under Section 377 (1) of the Local Government Act 1993 as being beyond the power to delegate.

**Moved:** Clr Murray

**Seconded:** Clr Keir

**CARRIED**

#### 256/10 Council decisions Action Report – 27.07.10

**Motion:**

1. That the report be received.

**Moved:** Clr Murray

**Seconded:** Clr Keir

**CARRIED**

#### 257/10 Naming of the Lightning Ridge Skate park

**Motion:**

1. That the Lightning Ridge Skate Park be named "Safari Park".
2. That Community Development staff facilitate consultation with youth to design a sign to be erected at the Park.
3. That the sign be purchased and erected by Urban Infrastructure staff.
4. That any further improvements to the park be carried out in line with community consultation procedures.

**Moved:** Clr Lane

**Seconded:** Clr Martinez

**CARRIED**

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### 258/10 Walgett Liquor Accord

**Motion:**

That Walgett Shire Council resolve to:

1. Defer consideration until after the Walgett Liquor Accord meeting which is scheduled for 26<sup>th</sup> August, 2010.
2. Authorise the General Manager and Mayor to make a decision in relation to offering support for the implementation of the Liquor Accord agreement in Walgett after the meeting on the 26<sup>th</sup> August 2010.

Moved: Clr Colless

Seconded: Clr Keir

**CARRIED**

#### 259/10 Cash on Hand and Investment Report as at 31 July 2010

**Motion:**

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

Moved: Clr Greenaway

Seconded: Clr Smith

**CARRIED**

#### 260/10 Debt Recovery Progress Report

**Motion:**

1. That Council note the Debt Recovery Flow Report and the Summary Report Information Comparison Graph.

Moved: Clr Martinez

Seconded: Clr Lane

**CARRIED**

10:59am Clr Keir left the meeting

11:00am Clr returned to the meeting



## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### 261/10 Carried Forward Projects as at 30 June 2010

##### Motion:

1. That Council fund the following capital items in the 2010-2011 budget.

|                                                   |               |
|---------------------------------------------------|---------------|
| • Burren Junction Bore Baths 2nd Evaporation Pond | \$ 70,000.00  |
| • Lightning Ridge Toilet Block                    | \$ 15,000.00  |
| • Collarenebri Pool Shade Structure               | \$ 19,000.00  |
| • Walgett Cemetery Memorial Wall                  | \$ 15,000.00  |
| • Rehabilitation of Walgett Levee Bank            | \$ 66,000.00* |
| • Lions Car Park Sealing                          | \$ 42,000.00  |
| • Walkway to Walli                                | \$ 13,000.00  |
| • Tree Replacement – Rowena                       | \$ 4,350.00   |
| • Acquisition HACC Dementia Day Care Site         | \$ 60,000.00  |
| • Meeting Room at Cumborah                        | \$ 60,000.00  |
| • Lightning Ridge Water Meter Installations       | \$112,000.00  |
| • Walgett Metered Standpipes Replacement          | \$ 60,000.00  |
| • Heating Lightning Ridge Diving Pool             | \$ 22,000.00  |
| • Carinda Water Mains Replacement Program         | \$ 17,000.00  |
| • Walgett Open Water Drains Up-grade              | \$115,000.00  |

Moved: Clr Greenaway

Seconded: Clr Colless

**CARRIED**

Clr Greenaway raised concern in relation to the variances in the figures for some of these carried over projects.

The General Manager advised that he will investigate further.

#### 262/10 Quarterly Budget Review as at 30 June 2010

##### Motion:

That Walgett Shire Council resolve to:

1. Note the quarterly budget review for the period to 30 June 2010 and adopt the changes as recommended.
  - a. Add a capital budget income ledger of \$1,637,430.00 for the regional timber bridge partnership program to the 2010-2011 budget.
  - b. Add a budget income ledger of \$480,000.00 for roads to recovery income to the 2010-2011 budget.

Moved: Clr Lane

Seconded: Clr Walford

**CARRIED**

# WALGETT SHIRE COUNCIL AGENDA

## WALGETT SHIRE COUNCIL MINUTES

11:10am Cllr Martinez declared an interest in the following item and left the meeting taking no part in discussion or voting in relation to this item.

### 263/10 Community Assistance Scheme Donations – 2010/2011 Budget

#### Recommendation:

- That Council applies funds for financial assistance under section 356 of the Local Government Act 1993 for the second round of 2010/2011 as follows:

|   | Organisation                                                                         | Project                                                                                       | Request            | Cost of Project / Activity | Recommended       | Beneficiaries                                                                                        |
|---|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|--------------------|----------------------------|-------------------|------------------------------------------------------------------------------------------------------|
| 1 | Collarenebri Jockey Club                                                             | Compulsory Ambulance costs for September 18th Race Meeting                                    | \$1,102.00         | \$1,102.00                 | \$1,102.00        | Local Collarenebri community and other attenders of the races                                        |
| 2 | Carinda and District Race Club                                                       | Advertising and Promotion of Race Day                                                         | \$500.00           | \$500.00                   | \$500.00          | Local Carinda community and attenders of Race day                                                    |
| 3 | Goodooga - Lightning Ridge CWA                                                       | Annual Wool Day - subsidy for cost of lunch                                                   | \$1,000.00         | \$3,000.00                 | \$1,000.00        | Local community groups including children with special needs, women and children in crisis and youth |
| 4 | Walgett District Pony Club                                                           | Annual Pony club Camp - costs of hiring the showground                                        | \$2,030.00         | \$2,030.00                 | \$1,900.00        | Young people engaging in equestrian activities                                                       |
| 5 | Anglican Counseling Service in conjunction with the Lightning Ridge Community Church | On-going counselling service visits to Lightning Ridge - 5 additional visits for 2010         | \$4,500.00         | \$18,900                   | \$1,900.00        | Lightning Ridge Community                                                                            |
| 6 | Parents and Friends Association of St Joseph's Catholic School                       | Regional Choir camps for the 13 Children who have been selected to sing in the regional Choir | \$1,000.00         | \$7,250                    | \$1,000.00        | St Joseph's Catholic School and community                                                            |
|   |                                                                                      | <b>TOTAL:</b>                                                                                 | <b>\$10,132.00</b> | <b>\$32,782.00</b>         | <b>\$7,402.00</b> |                                                                                                      |

Moved: Cllr Lane  
Seconded: Cllr Smith

#### AMENDMENT:

- That Council resolve to defer consideration until the September Council meeting with the exception of items 1, 2 and 3 which will each receive donations of \$500.00 each.

|   | Organisation                   | Project                                                    | Request    | Cost of Project / Activity | Recommended | Beneficiaries                                                                                        |
|---|--------------------------------|------------------------------------------------------------|------------|----------------------------|-------------|------------------------------------------------------------------------------------------------------|
| 1 | Collarenebri Jockey Club       | Compulsory Ambulance costs for September 18th Race Meeting | \$1,102.00 | \$1,102.00                 | \$500.00    | Local Collarenebri community and other attenders of the races                                        |
| 2 | Carinda and District Race Club | Advertising and Promotion of Race Day                      | \$500.00   | \$500.00                   | \$500.00    | Local Carinda community and attenders of Race day                                                    |
| 3 | Goodooga - Lightning Ridge CWA | Annual Wool Day - subsidy for cost of lunch                | \$1,000.00 | \$3,000.00                 | \$500.00    | Local community groups including children with special needs, women and children in crisis and youth |

Moved: Cllr Murray  
Seconded: Cllr Keir

**AMENDMENT BECAME MOTION AND WAS CARRIED**

11:18am Cllr Martinez returned to the meeting



## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

| 264/10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Community Land – Draft Plans of Management |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <b>Motion:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                            |
| That Walgett Shire Council resolves to:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                            |
| <ol style="list-style-type: none"><li>1. Exhibit the Draft Plans of Management for Community Land for<ul style="list-style-type: none"><li>* The former Walgett Shire Council Chambers</li><li>* Burren Junction Swimming Pool</li><li>* Walgett Youth Centre</li><li>* Nature Strip and Airport Buffer, Walgett</li><li>* Stormwater drainage channels in Pandora Street, Lightning Ridge and Fox Street, Walgett</li><li>* Parks in Carinda, Burren Junction, Walgett, Rowena and Collarenebri</li><li>* Car parks in Walgett</li><li>* Halls in Burren Junction and Carinda</li></ul>for a period of 44 days from the time the draft plans are put on public exhibition at the Shire Chambers, Walgett and Lightning Ridge libraries, Collarenebri Agency and Burren Junction service station.</li><li>2. Give public notice of the exhibition period and call for submissions regarding the draft Plans of Management from the community.</li><li>3. Investigate the provision for Plans of Management for Parks in Lightning Ridge, Collarenebri Hall and Rowena Hall</li></ol> |                                            |
| Moved:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Clr Greenaway                              |
| Seconded:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Clr Keir                                   |
| <b>CARRIED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                            |
| 265/10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Community Development Worker Position      |
| <b>Recommendation:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                            |
| <ol style="list-style-type: none"><li>1. That the Community Development Officer position be made a permanent position within the Community Development Team and the Tourism Officer position be deleted..</li></ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                            |
| <b>AMENDMENT:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                            |
| <ol style="list-style-type: none"><li>1. That consideration of this item be deferred until the General Manager further investigates the staff organisational structure.</li></ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                            |
| Moved:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Clr Greenaway                              |
| Seconded:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Clr Walford                                |
| <b>AMENDMENT BECAME MOTION AND WAS CARRIED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                            |

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### 266/10 Urban Addressing For Walgett Shire

**Motion:**

That Walgett Shire Council resolve to:

1. Note and endorse the draft street number maps for Burren Junction, Carinda, Cumborah and Rowena, as prepared by Council's Geographic Information Systems Coordinator.

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

11:27am Clr Smith left the meeting

11:29am Clr Smith returned to the meeting

#### 267/10 Development and Complying Development Certificate Applications

**Motion:**

That Walgett Shire Council resolve to:

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

**Moved:** Clr Lane

**Seconded:** Clr Keir

**CARRIED**

11:35am Clr Murray left the meeting

11:36am Clr Murray returned to the meeting

#### 268/10 Strata Sub division & Easement , Gilbert Street, Units

**Motion:**

That Walgett Shire Council resolve to:

1. Authorise the Mayor and General Manager to sign and affix the common seal of Walgett Shire Council to plans for the strata subdivision of lot 31 in DP 226373, located in Gilbert Street, Walgett, and the associated instrument under section 88B of the Conveyancing Act 1919 to establish an easement to drain sewage.

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### 269/10 Proposal for Relief Regulatory Officer Services

##### Motion:

That Walgett Shire Council resolve to:

1. Note the draft agreement from Narrabri Shire Council to supply relief regulatory officer services.
2. Endorse the General Manager entering into an agreement with Narrabri Shire Council to supply relief regulatory officer services for a twelve month period.
3. Make the following budget variations to fund the engagement of Narrabri Shire Council to provide relief regulatory officer services by:
  - (a) Creating a new expenditure line item titled "Relief regulatory officer" for \$13,000.
  - (b) Decreasing the existing budget for "Legal costs" from \$5,000 to \$3,000 (\$2,000 reduction).
  - (c) Decreasing the existing budget for "Pesticide pit remediation" from \$68,192 to \$57,192 (\$11,000 reduction).
4. Request the General Manager to provide a report on the effectiveness of the agreement for Narrabri Shire Council to supply relief regulatory officer services near the completion of the twelve month period.

Moved: Cllr Murray

Seconded: Cllr Keir

CARRIED

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### 270/10 Growth Strategy & Local Environmental Plan

**Motion:**

That Walgett Shire Council resolve to:

1. 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.
2. 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.
3. 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.

**Moved:** Clr Colless

**Seconded:** Clr Keir

**Planning Division:**

**For:** Clr Keir, Clr Colless, Clr Murray, Clr Greenaway, Clr Walford, Clr Smith, Clr Lane, Clr Woodcock, and Clr Martinez

**Against:** Nil

**CARRIED**

#### 271/10 Footpath Valuation Report

**Motion:**

That Walgett Shire Council resolve to:

1. Note the Footpath Valuation Report.
2. Approve to prepare a 10-Year Footpath Asset Management Plan to improve the current walking and public access conditions of footpaths.
3. Consider an allocation of \$150,000 per year starting 2011-12 financial year over the next 10 years.

**Moved:** Clr Colless

**Seconded:** Clr Greenaway

**CARRIED**

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### 272/10 December 2009 Flood Damage Grant

**Motion:**

1. That Council note the natural disasters grant for road flood damage restoration for the March 2010 Flood Event.

**Moved:** Clr Colless

**Seconded:** Clr Keir

**CARRIED**

12.03pm Clr Colless and Clr Martinez declared an interest in the following item and left the meeting taking no part in discussion or voting in relation to this item.

#### 273/10 North West Weight of Loads Group – Withdrawal Option

**Recommendation:**

1. That Council note the advantages and disadvantages of withdrawing from the North West Weight of Loads Group.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**AMENDMENT:**

That Walgett Shire Council withdraw its membership from the North West Weight of Loads Group

**Moved:** Clr Murray

**Seconded:** Clr Lane

**AMENDMENT WAS LOST**

**AMENDMENT:**

1. That Council note the advantages and disadvantages of withdrawing from the North West Weight of Loads Group.
2. That Council write to the North West Weight of Loads Group to note its concern as of the way they are booking trucks for overloading on axles which result in breaches being dismissed if contested in court.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**AMENDMENT BECAME MOTION AND WAS CARRIED**

12:13pm Clr Colless and Clr Martinez returned to the meeting.



## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### Questions without Notice

Clr Murray:

**Question 1:**

What is happening with the saleyard operations review?

**Response:**

The Director of Urban Infrastructure Services advised that this is an underperforming asset and not making any money. Council would have to continue to maintain this asset if it does not sell it but advice is to sell this asset as soon as possible. The Director further advised that he will prepare a report in regard to this matter.

**Question 2:**

What results have come from notices in the paper in relation to the saleyard operations?

**Response:**

The Director of Urban Infrastructure Services advised that there hasn't been anything received yet. The Director further advised that the agents have advised that Council could pay all reasonable outgoings.

Clr Martinez

**Question 1:**

Is the Saleyards income covering all the expenses?

**Response:**

The Director of Urban Infrastructure Services advised in the affirmative but there are a lot of OH&S issues that need addressing and the income does not resolve any of these issues.

The Director further advised that he will bring a report back to Council in relation the income and expenses incurred by the Saleyards and the associated OH&S issues that need to be resolved.

Clr Murray:

**Question 3:**

Brindabella Airlines will be having flights leave from Cobar from September are there any plans to have them operate from this area?

**Response:**

The General Manager advised that he will attending an OROC meeting with the Mayor and has arranged to speak to the General Managers of Interested Councils after that meeting.

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### Clr Keir

##### **Question 1:**

There has been a call for expressions of interest in regard to the Railway Station building. The Historical Society would like to put in an expression of interest can we extend the closing date as they have had illness and other ongoing issues and have not been able to prepare their submission?

##### **Response:**

The General Manager advised that he will be conducting a site inspection of the station building on 25 August, 2010 and also has a meeting scheduled with the Historical Society on Thursday morning, 26 August 2010.

The Director of Regulatory and Planning Services advised the councillor that the Historical Society should email or fax a statement that they will be lodging an Expression of Interest within a week of the closure date.

##### **Question 2:**

Was there correspondence sent to both parties involved in the sale of the units and advising what the situation was?

##### **Response:**

The Director of Urban Infrastructure advised that the letters were sent to both parties. The Director will check that these letters actually went out.

##### **Question 3:**

Road 7716 from the bitumen through to the first section of the Pilliga to Walgett road has been repaired but now there are the same bog holes which we started with. Could the Director please do an inspection of this section of road?

##### **Response:**

The Director of Rural Infrastructure Services advised that he will take this on notice.

#### Clr Greenaway

##### **Question 1:**

When will the EOI for the Collarenebri Agency be put out? Will there be a copy distributed around the town for people to read?

##### **Response:**

The General Manager advised that he will take on notice for the Director of Corporate and Community Services.

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### Question 2:

How much extra is Roadnet Pty Ltd charging to complete the traffic study on the B Double route and CBD area, which were extras on the original traffic study request?

#### Response:

The General Manager advised that he will take on notice for the Director of Corporate and Community Services.

#### Clr Colless:

#### Question 1:

Have we sorted out the Burren Junction evaporation pond issues? Is it likely that Council will need to close the bore?

#### Response:

The Director of Urban Infrastructure Services advised that it looks as though we may be able to hold off from closing the baths for another month depending on seasonal conditions. He further advised that they were doing everything possible to keep it operating and if the baths need closing they will be able to give more notice than last year.

#### Question 2:

The Auction signs on the units for sale have no date or time of the auction listed. Is it possible we can have this added?

#### Response:

The Director of Urban Infrastructure Services advised that all enquiries were being directed to the agent.

#### Question 3:

Have there been any advances with the BP driveway?

#### Response:

The Director of Urban Infrastructure Services advised that a meeting was conducted with the Director Corporate & Community Services, Co-op and Department of Industry and Investment who will be providing funding to the Co-op for the project. Co-op will then engage Council to complete all the Stormwater works.

The General Manager further advised that the owners of the BP services station will need to lodge a Development Application for the proposed project. He further advised that he will schedule a meeting with the Director Urban Infrastructure Services and the Co-op shortly.



## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### Question 4:

How is the industrial estate subdivision and sale of land going in Peel Street? Has there been any progress?

#### Response:

The Director of Urban Infrastructure Services advised that at this time there are no services or infrastructure facilities available in that area and that Council has not got the resources or funds at this stage for further development. The Director further advised that he will take the matter on notice and prepare a report for Council.

The Director Planning & Regulatory Services further advised that current 'villages' zoning would allow light industrial development.

#### Clr Murray

#### Question 4:

Is there any land for development in Walgett?

#### Response:

The Director Planning & Regulatory Services advised there is plenty of land available to develop. The Department of Planning won't let Council rezone unless there is significant evidence of a need for land for residential purposes.

#### Clr Colless

#### Question 5:

The Angeldool to Collarenebri Road is in need of some gravel sheeting and grading. Can this be done?

#### Response:

The Director of Rural Infrastructure Services advised that he will take this on notice.

#### Clr Martinez:

#### Question 2:

The Ridge road is damaged from the T intersection to the Lightning Ridge bore baths. Can this be reviewed?

#### Response:

The Director of Rural Infrastructure advised that he will take this on notice.

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### Clr Lane

##### **Question 1:**

With regards the Burren Junction to Rowena bitumen sealing is there a warranty?

##### **Response:**

The Director of Rural Infrastructure Services advised that rectification works have been scheduled for September.

##### **Question 2:**

The Preserved Opal Fields Trust has never held a meeting but the level of compensation payable to miners has been approved, can Council write to Land and Property Management Authority to ask them to explain the present position and possibly arrange to have a meeting before the end of September?

##### **Response:**

The Director of Planning and Regulatory Services advised that he will organise correspondence to be prepared under the General Manager's signature and that he may need to seek clarification from the Councillor.

#### Clr Smith:

##### **Question 1:**

With regard to Collarenebri pool shade structure, can we move that the \$19,000 in the budget be used for a shade on the children's pool?

**Moved:** Clr Smith

**Seconded:** Clr Greenaway

**Motion was not put.**

##### **Response:**

The Director of Urban Infrastructure Services advised that the Health and Safety Officer has reported that the money would be better spent on the larger pool but it should be a Council decision.

This matter will be the subject of a report to the September 2010 meeting.

##### **Question 2:**

The "Denyer's Original Store" building which has been burnt down in Collarenebri has had a fence erected around it. This fence looks disgraceful, can this been cleaned up?

##### **Response:**

The Director of Planning and Regulatory Services advised he will send a notice of intention and go through the process.

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

#### Question 3:

Should Cllr Smith have declared pecuniary interest in the voting for the Collarenebri toilet block as he has recently reapplied for his trainer's license?

#### Response:

The General Manager advised that he believed this would be drawing a long bow but will take the matter on notice and advise further.

#### Question 4:

Can we move a motion not to sell the saleyards?

#### Response:

The Director Urban Infrastructure Services advised that he will take on notice and submit a report to council detailing the income, expenditure and proposed cost of the sale yards.

#### Cllr Murray

#### Question 5:

What is happening with Carinda Pool?

#### Response:

The Director of Urban Infrastructure Services advised when the weather improves this will be fixed.

#### Cllr Martinez

#### Question 3:

With regard to the Round 3 Infrastructure Funding for the footpath in front of diving pool at Lighting Ridge, can this be sealed with bitumen and riverbed gravel?

#### Response:

The Director of Urban Infrastructure Services advised that he will take the matter on notice

#### Mayor Woodcock

#### Question 1:

With regard to the showgrounds, what is happening with the extra funds allocated?

#### Response:

The Director of Urban Infrastructure Services advised that he has had a message from the committee to advise that Yoemans is to be engaged to fix the roof on the grandstand.

12:20pm Cllr Keir left the meeting

12:33pm Cllr Keir returned to the meeting

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

|               |                                 |
|---------------|---------------------------------|
| <b>274/10</b> | <b>Move into closed session</b> |
|---------------|---------------------------------|

**Motion:**

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

- (a) personnel matters concerning particular individuals (other than councillors)

**Moved:** Clr Lane

**Seconded:** Clr Smith

**CARRIED**

|               |                                                        |
|---------------|--------------------------------------------------------|
| <b>275/10</b> | <b>Hire fees for the Burren Junction Public School</b> |
|---------------|--------------------------------------------------------|

**Motion:**

- 1. That Council receive this report.

**Moved:** Clr Lane

**Seconded:** Clr Greenaway

**CARRIED**

|               |                     |
|---------------|---------------------|
| <b>276/10</b> | <b>Open Session</b> |
|---------------|---------------------|

**Motion:**

- 1. That Council return to Open Session and adopt the report of the committee.

**Moved:** Clr Lane

**Seconded:** Clr Keir

**CARRIED**

## WALGETT SHIRE COUNCIL AGENDA

### WALGETT SHIRE COUNCIL MINUTES

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 277/10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Acquisition of the land comprising of the evaporation ponds at the Burren Junction Bore Bath |
| <b>Motion:</b><br>That Walgett Shire Council resolve that:<br><br>1. Council acquire the land described as Lot 1 DP 181329 and Lot 49 DP 40744.<br><br>2. A cheque be made payable to the Department of Lands for \$16,010.00<br><br>3. Upon acquisition, the subject land be classified operational land pursuant to section 31 of LGA Act 1993.<br><br>4. Any documentation be signed by the Mayor and countersigned by the General Manager under the seal of Walgett Shire Council.<br><br><b>Moved:</b> Clr Lane<br><b>Seconded:</b> Clr Keir<br><br><b>CARRIED</b> |                                                                                              |

| Disclosure Returns                                                                                                                                                                                      |                        |                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------------------------------------------|
| Pursuant to Section 450A of the Local Government Act 1993 the General Manager tabled disclosure returns completed and submitted pursuant to Section 449 of the Act by the following designated persons: |                        |                                                    |
| Clr Walford<br>Clr Woodcock                                                                                                                                                                             | Clr Lane<br>Clr Murray | Clr Greenaway<br>Donald Ramsland – General Manager |

The meeting closed at 1.02pm

To be confirmed at the meeting of Council to be held on Tuesday 28<sup>th</sup> September 2010

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

### Confirmation of Minutes of Council meeting 24 August 2010

#### Recommendation:

1. That the Minutes of the Council meeting held 24 August 2010 be confirmed.

**Moved:**

**Seconded:**

## 8. Reserve Trust Management Committee Reports

### 4. *COLLARENEBRI LIONS PARK (R230021) RESERVE TRUST*

**REPORTING SECTION:** Urban Infrastructure  
**AUTHOR:** Susan Hillier – Finance Lands Officer  
**FILE NUMBER:** 09/1128

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#### **Summary:**

Council has been successful in applying for funding from Recreational Fishing Trusts (NSW Department of Primary Industries) to stock the Barwon River at Collarenebri with Murray Cod and Golden Perch fingerlings.

#### **Discussion (including issues and background):**

Walgett Shire Council is the Trust Manager for Crown Reserve (R230021) containing the Lions Park at Collarenebri. The town of Collarenebri is the home of the Murray Cod fish.

Council has received grant funding from Department of Primary Industries to stock the Barwon River at Collarenebri with Murray Cod and Golden Perch fingerlings. The funds are provided under the Dollar for Dollar Native Fish Stocking Program 2010-2011. In the application Council offered \$2000 to be matched by Recreational Fisheries Trust. The application was a joint partnership with Collarenebri Fishing Club. The Collarenebri Fishing Club will apply for the stocking permit and Council will offer the \$2000 to be matched dollar for dollar. The ideal location for releasing the fingerlings is the Lions Park riverbank at Collarenebri.

The fingerlings will be ordered from Namoi Valley Aqua Farming Pty Ltd an approved supplier from Narrabri. The breeding season starts in September and the fingerlings will be ready for release approximately December/January/February depending on how quickly the breeding and growing stage is.

#### **Relevant Reference Documents:**

Grant application

#### **Stakeholders:**

Department of Land and Property Management (LPMA)  
Walgett Shire Council  
Collarenebri Fishing Club  
Community of Collarenebri and district

#### **Financial Implications:**

That Council will match the funding from Recreational Fisheries Trust from Council's Parks and Reserves Ledger 11.3052.3976.

The cost of Murray Cod inclusive of GST is \$0.66 each. The cost of Golden Perch inclusive of GST is \$0.30. We will spend \$3000 on Murray Cod and \$1000 on Golden Perch. There

## WALGETT SHIRE COUNCIL AGENDA

will be 4,545 Murray Cod and 3,333 Golden Perch fingerlings released into the Barwon River at Collarenebri.

Namoi Valley Aqua Farming Pty Ltd will deliver to Collarenebri for free due to the close proximity to Narrabri.

### **Collarenebri Lions Park (R230021) Reserve Trust**

#### **Recommendation:**

1. That Council endorse action to match the funding of \$2000 offered from Recreational Fishing Trusts, to be allocated from the Parks and Reserves Ledger Account on a dollar for dollar basis.
2. That Council notify Councillors and the community of Collarenebri of the date and time of the proposed release of fish into the Barwon River.

**Moved:**

**Seconded:**

#### **Attachments:**

Grant application



# WALGETT SHIRE COUNCIL AGENDA

## Dollar for Dollar Native Fish Stocking Program 2010 – 2011

### APPLICATION TO STOCK NSW WATERS

Please use BLOCK LETTERS to assist processing

|                                                                                                                                                                                                                                                                                                                                                                                                                    |              |                                                                                                                                                                                                                                       |                                                                        |                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <b>RETURN COMPLETED FORM TO:</b><br>Dollar for Dollar Native Fish Stocking Program<br>Locked Bag 1<br>NELSON BAY NSW 2315                                                                                                                                                                                                                                                                                          |              | <b>SPECIES TO BE STOCKED</b><br><input type="checkbox"/> Australian bass<br><input checked="" type="checkbox"/> Murray cod<br><input checked="" type="checkbox"/> Golden perch                                                        | <b>CLOSING DATE</b><br>19 March 2010<br>30 April 2010<br>30 April 2010 | Money offered.<br>Please DO NOT<br>send money<br>with the<br>application<br>\$ 2000.00 |
| <b>CHECKLIST</b><br>Please read and tick if you agree before posting your application.<br><input checked="" type="checkbox"/> I have attached a MAP to this application.<br><input checked="" type="checkbox"/> I give permission for my contact details to be provided to fish suppliers.                                                                                                                         |              | <b>NAME OF FISHING GROUP</b><br>COLLARENEBRI FISHING CLUB<br>Contact: Jason Ramien<br>Mob: 0428 677 484                                                                                                                               |                                                                        |                                                                                        |
| <b>STOCKING DETAILS</b><br>Aims of stocking<br>To stock the Barwon River with fish suitable for the region for recreational fishing. To ensure the future of Golden perch and Murray Cod, and the ecosystem of the Barwon River.<br>Describe fish habitat at the proposed release site(s)<br>The release site is above the weir, has a great water supply and abundant food supply. It is the ideal release point. |              | <b>CONTACT PERSON'S DETAILS</b><br>Name: WALGETT SHIRE COUNCIL<br>Address: PO Box 31 - Alf, Susan Hillier<br>Phone (BH): 6828 1399 or 6828 6117<br>Phone (AH): -<br>Mobile: -<br>Email: shillier@walgett.nsw.gov.au<br>Fax: 6828 1608 |                                                                        |                                                                                        |
| Waterway to be stocked                                                                                                                                                                                                                                                                                                                                                                                             | Nearest town | Pcode                                                                                                                                                                                                                                 | Catchment                                                              |                                                                                        |
| BARWON RIVER                                                                                                                                                                                                                                                                                                                                                                                                       | COLLARENEBRI | 2833                                                                                                                                                                                                                                  | BARWON - DARLING                                                       |                                                                                        |
| Detailed location description of proposed release site(s)<br>Collarenebri - 800km from Sydney.<br>Rockyford Bridge - Lions Park Collarenebri.<br>Crown Land Reserve R230021                                                                                                                                                                                                                                        |              |                                                                                                                                                                                                                                       |                                                                        |                                                                                        |
| Public access arrangements to release site(s)<br>Great public access in central location of tourist area of Lions Park. Easy access with parking close by.                                                                                                                                                                                                                                                         |              |                                                                                                                                                                                                                                       |                                                                        |                                                                                        |
| This application is a partnership between Walgett Shire Council and Collarenebri Fishing Club.                                                                                                                                                                                                                                                                                                                     |              |                                                                                                                                                                                                                                       |                                                                        |                                                                                        |



Industry & Investment

161 NSW 9748 1209









**5. COLLARENEBRI RACECOURSE TOILET BLOCK – NEED TO IDENTIFY ALTERNATE SOURCE OF FUNDING**

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 09/782

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**Summary:**

To identify an alternate source of funding for the Collarenebri Racecourse Toilet Block as advice has now been received that stand alone amenities blocks are outside the guidelines for round 3 of the Regional and Local Communities Infrastructure Programme.

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

This project has been the subject of several reports in recent months, the last of which was a Mayoral Minute submitted to the August, 2010 meeting. In summary, the project was deleted in error from the 2010/11 baseline capital budget and then restored as a project under round 3 of the Regional and Local Communities Infrastructure Programme.

Advice now to hand from the Federal Department is that stand alone amenities blocks are no longer eligible for funding. Whilst attempts have been made to have the toilet project recognised as part of an ongoing project to gradually upgrade the whole showground complex, unless other improvements are being made to the complex simultaneously that the toilet block would form part of, the project remains outside the guidelines.

Council has made a commitment to the Collarenebri community generally and the Showground Committee in particular to construct the new toilet block and it behoves Council to meet this commitment and to have the new facility fully operational by November 2010 when the next major event, the annual rodeo, is to be held.

The local committee is about to demolish the old toilets as part of its contribution in kind to the project. A potential supplier of the transportable toilet building proposed has also been identified and a firm quotation for supply obtained.

Accordingly, it is recommended 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

**Relevant Reference Documents:**

2010/11 Baseline Capital Budget  
Regional and Local Communities Infrastructure Programme – Round 3

**Stakeholders:**

Walgett Shire  
Users of the Collarenebri Racecourse

## WALGETT SHIRE COUNCIL AGENDA

### Financial Implications:

The budget for the project remains firm at \$50,000

|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <b>Collarenebri Racecourse Toilet Block – Need to identify alternate Source of Funding</b> |
|--------------------------------------------------------------------------------------------|

**Recommendation:**

1. 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

**Moved:**

**Seconded:**

**Attachments:**

Nil

## 9. Mayoral Minutes

Nil

## 10. Motions of which Notice has been given

Nil

## 11. Presentation of Petitions

Nil

## 12. Councillors Questions with Notice

### **Clr Greenaway:**

#### **Question 1:**

When will the expressions of interest for the operation of the Collarenebri Agency be advertised?

#### **Response:**

The Director Corporate & Community Services advised that the Expression of Interest will go out following the consultation with the Community currently scheduled for 19 October 2010.

#### **Question 2:**

What was the outcome of the quotes received for the electrical repairs to the Rowena Hall and the supplying of a toilet block for the Collarenebri Tennis Club?

#### **Response:**

The Director Corporate & Community Services advised that there were 3 quotes received for the electrical repairs to the Rowena Hall and waiting for decision, and 5 quotes were received for the toilet block for the Collarenebri Tennis Club and waiting for decision.

#### **Question 3:**

Would it be possible to have the Shire's Public Risk policy that would cover persons or organisations hiring Shire owned facilities such as halls & sports grounds?

#### **Response:**

The Director Corporate & Community Services advised that if we were taken on that liability it would significantly increase Council's premiums and liability risk. The Director further advises that it is not advisable.

**Question 4:**

Does Graincorp pay Shire rates on their silo sites and do they have permission to sell fuel from within the silo area to the public?

**Response:**

The Director Corporate & Community Services advises that Graincorp does pay rates on its sites.

The Director Planning & Regulatory Services further advised that Graincorp does not have development consent to sell fuel to the public from the Walgett silo site.

## **13. Reports of Delegates and Representatives**

### **6. WALGETT LOCAL AREA TRAFFIC COMMITTEE**

**REPORTING SECTION:** Director Rural Infrastructure & Support Services  
**AUTHOR:** Ian Taylor - Director Rural Infrastructure & Support Services  
**FILE NUMBER:** 09/62

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**Summary:**

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

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

The minutes of the recent meeting of the Local Area Traffic Committee in August 2010 are attached for consideration. The recommendations of these minutes may be noted and adopted by Council.

**Relevant Reference Documents:**

09/62-04/011 Minutes of the LATM meeting of 26 August 2010

**Stakeholders:**

Walgett Shire Council  
Road Users in Walgett Shire

**Financial Implications:**

Recommended works will be completed subject to available funding allocations.

**Walgett Local Area Traffic Committee**

**Recommendation:**

1. That Council note and adopts the recommendations of the meeting of the Local Area Traffic Committee on 26 August 2010 subject to the concurrence of NSW Police as follows:
  - a. Relocation/Implementation of Taxi Zone – Fox Street (HW18) Walgett – outside RSL Club

**Moved:**

**Seconded:**

**Attachments:**

Minutes of the LATM meeting of 26 August 2010

# WALGETT SHIRE COUNCIL AGENDA



## WALGETT LOCAL AREA TRAFFIC COMMITTEE MEETING

### MINUTES

Thursday 26 August 2010

Commencing at: 10.00 AM

Walgett Shire Council Administration Office, 77 Fox Street Walgett

PRESENT: Ian Taylor, Director Rural Infrastructure & Support Services, Walgett Shire Council,  
Chairman (IT)  
David Vant, Road Safety & Traffic, Western Region, RTA NSW (DV)  
Ian Woodcock, Local (State) Member's Representative  
Councillor Geoffrey Colless (Walgett Shire Council)  
Mark Hoath, NSW Police (MH)

APOLOGIES: Nil

|     |                                  |        |
|-----|----------------------------------|--------|
| 1.0 | CONFIRMATION OF PREVIOUS MINUTES | ACTION |
|-----|----------------------------------|--------|

|     |                                                                                                                                                                                      |  |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1.1 | Moved Ian Taylor, seconded David Vant that the minutes of the Walgett Local Area Traffic Committee Meeting of 17 June 2010 be accepted as a true and accurate record of proceedings. |  |
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| 2.0 | COUNCIL RESOLUTIONS | ACTION |
|-----|---------------------|--------|

|     |                                                                                                                                                                                        |  |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 2.1 | Moved Ian Taylor, seconded David Vant that the Committee note the resolutions of Walgett Shire Council in relation to the Walgett Local Area Traffic Committee Meeting of 17 June 2010 |  |
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| 3.0 | CONFIRMATION OF INTERIM BUSINESS | ACTION |
|-----|----------------------------------|--------|

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| 3.1 | Nil |  |
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| 4.0 | BUSINESS ARISING FROM PREVIOUS MINUTES | ACTION |
|-----|----------------------------------------|--------|

|     |     |  |
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| 4.1 | Nil |  |
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| 5.0 | INCOMING CORRESPONDENCE | ACTION |
|-----|-------------------------|--------|

# WALGETT SHIRE COUNCIL AGENDA



## WALGETT LOCAL AREA TRAFFIC COMMITTEE MEETING

|     |                                                                                                                                                                                                                                                                                      |  |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 5.1 | <b>Relocation/Implementation of Taxi Zone – Fox Street (HW18) Walgett – outside RSL Club</b><br>Moved Ian Taylor, seconded David Vant that a Taxi Zone for one taxi parallel to kerb in accordance with current standards be implemented in Fox Street outside the Walgett RSL Club. |  |
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| 6.0 | RESTRICTED ACCESS VEHICLE ROUTES | ACTION |
|-----|----------------------------------|--------|

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|-----|-----|--|
| 6.1 | Nil |  |
|-----|-----|--|

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|-----|-------------------|--------|
| 7.0 | INFORMAL BUSINESS | ACTION |
|-----|-------------------|--------|

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 7.1 | <b>Road Safety Infrastructure Assessment of Identified Aboriginal Communities – Gingie, Namoi, &amp; The Walli</b><br>Awaiting final report.                                                                                                                                                                                                                                                                                                                                                                                   | Note  |
| 7.2 | <b>Inquest into the death of Benjamin David Walford – MR426 Bill O'Brien Way Lightning Ridge</b><br>IT to confirm installation of intersection advance warning signs ASAP.<br>Further recommendations expected from RTA shortly.                                                                                                                                                                                                                                                                                               | IT/DV |
| 7.3 | <b>Walgett Community College Safety Issues – Warrena Street Walgett</b><br>Awaiting development of revised plan by WSC in consultation with RTA. RTA advised Bus Zone to be reduced to distance between last driveway and Peel Street.                                                                                                                                                                                                                                                                                         | IT    |
| 7.4 | <b>GrainCorp Silo Burren Junction – HW29 Kamilaroi Highway Burren Junction</b><br>GrainCorp have advised Council that they support realignment of HW29 around the silo complex, but are not prepared to contribute financially to the project at this stage. WSC to present proposal to RTA.                                                                                                                                                                                                                                   | IT    |
| 7.5 | <b>School Bus Pick-up Areas on MR7716 &amp; HW18</b><br>The school bus pick-up areas on HW18 between HW12 and Walgett, and on the sealed section of MR7716 be referred to the next meeting with details of their location and the number of residences served at each site for a review of their wet weather safety.<br>A single wet weather bus pick-up point has been proposed for MR7716 near the entrance to the irrigation block of the property "Crossdale" – pending further information (Quote/proposal) from council. | IT    |



# WALGETT SHIRE COUNCIL AGENDA



## WALGETT LOCAL AREA TRAFFIC COMMITTEE MEETING

|      |                                                                                                                                                                                                                                                                                                                                                                                                                              |       |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 7.6  | <b>School Zone Signs – Burren Junction</b><br>Missing sign to be reinstated by WSC. If new signs are required they can be ordered through Sharon Grierson (RTA)                                                                                                                                                                                                                                                              | IT    |
| 7.7  | <b>No Standing Signs</b><br>(1) any remaining "No Standing" signs will operate as "No Stopping" signs as of 1 December 2008 and to avoid confusion Council should expedite their replacement with R5-400 "No Stopping" signs or R5-40 "No Parking" signs as appropriate and (2) all parking regulatory signage zones must be closed across intersections (not around side street kerbs) for them to be enforceable. Ongoing. | IT    |
| 7.8  | <b>Line Marking – Intersection Pandora Street / Nettleton Drive Lightning Ridge</b><br>Awaiting design by Council.                                                                                                                                                                                                                                                                                                           | IT    |
| 7.9  | <b>Directional Signage – HW29 &amp; HW18 Through Walgett</b><br>Installation near complete.                                                                                                                                                                                                                                                                                                                                  | IT    |
| 7.10 | <b>Pedestrian Crossing and Pedestrian Crossing ahead signs on State Highways</b><br>Upgrade of the above to current standard (green signs) can be funded through RTA – send quote to DV for agreement. DV will provide listing as available in amongst existing projects                                                                                                                                                     | IT/DV |
| 7.11 | <b>GrainCorp Silo Walgett – Safety</b><br>Council is yet to receive a DA for an expansion of the site. Works to improve safety of rail crossing being implemented under the RMCC by November (after reseal completed). Recommend Council write to GrainCorp as a matter of urgency to improve the safety of their access to the site, including consideration of alternative access arrangements.                            | IT    |
| 7.12 | <b>Brilliant Street Lightning Ridge – School Zone</b><br>Complete.                                                                                                                                                                                                                                                                                                                                                           | Note  |
| 7.13 | <b>Heavy Vehicle Bypass Signage – Walgett</b><br>Signs and plan for signposting heavy vehicle bypass via Peel and Montkeila Streets have been received by Council and will be installed under the RMCC.                                                                                                                                                                                                                      | IT    |
| 7.14 | <b>'Silent Cops' recommended to be removed</b><br>Consideration should be given to the implementation of medians where traffic discipline is an issue at intersections. (Funding may be available where merited)                                                                                                                                                                                                             | IT    |

## WALGETT SHIRE COUNCIL AGENDA



### WALGETT LOCAL AREA TRAFFIC COMMITTEE MEETING

|      |                                                                                                                                                                                                                                           |      |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 7.15 | <b>Heavy Vehicle Route – Lightning Ridge</b><br>Recommended examination of heavy vehicle access through Lightning Ridge and current bypass proposal.                                                                                      | IT   |
| 7.16 | <b>HW29 / MR329 Intersection Priority – Burren Junction</b><br>Note that it was again raised by the public at a recent Council Meeting in Rowena and the RTA's basis for the current priority arrangement was explained to those present. | Note |

|     |              |        |
|-----|--------------|--------|
| 8.0 | NEXT MEETING | ACTION |
|-----|--------------|--------|

|     |                                                                                |    |
|-----|--------------------------------------------------------------------------------|----|
| 8.1 | Note: Scheduled for 9.00 AM Thursday 14 October 2010 unless advised otherwise. | IT |
|-----|--------------------------------------------------------------------------------|----|

## 14. Reservation of items for Debate

Nil

## 15. Reports of Officers

### 7. *COUNCIL DECISIONS ACTION REPORT-24.08.10*

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland - General Manager  
**FILE NUMBER:** 10/154

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#### **Summary:**

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

#### **Discussion (including issues and background):**

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

#### **Relevant Reference Documents:**

Agenda and Minutes of the August 2010 Council Meeting

#### **Stakeholders:**

Councillors and Executive Team

#### **Financial Implications:**

Nil

#### **Council decisions Action Report – 24.08.10**

##### **Recommendation:**

1. That the report be received.

**Moved:**

**Seconded:**

#### **Attachment:**

Action Schedule

## WALGETT SHIRE COUNCIL AGENDA

### COUNCIL DECISIONS: Meeting held 24<sup>th</sup> August 2010

#### Action Report

|               |                                                                                                             |
|---------------|-------------------------------------------------------------------------------------------------------------|
| <b>249/10</b> | <b>Amendment to Minutes of Council Meeting 27 July 2010 – Resolution 184/10</b>                             |
| <b>GM:</b>    | Minutes amended to reflect resolution                                                                       |
| <b>250/10</b> | <b>Confirmation of Minutes of Council Meeting 27 July 2010</b>                                              |
| <b>GM:</b>    | No Action Required                                                                                          |
| <b>251/10</b> | <b>Walgett Shire Council Chambers Reserve Trust 1 (R85180) and (R87167) 3 year license to RTA</b>           |
| <b>DUIS:</b>  | New license signed. To commence 11 <sup>th</sup> of November 2010 for 3 years                               |
| <b>252/10</b> | <b>Collarenebri Swimming Pool (R86013) Reserve Trust 3 year license to Riley Aquatic Management Pty Ltd</b> |
| <b>DUIS:</b>  | Contract documents underway. Contractor is preparing pool for opening in October.                           |
| <b>253/10</b> | <b>Walgett Baths (R82551) Reserve Trust 3 year license to Riley Aquatic Management Pty Ltd</b>              |
| <b>DUIS:</b>  | Contractual document is underway. Contractor is preparing the pool for opening in October.                  |
| <b>254/10</b> | <b>Walgett Shire Council Mayoral Minute – New Toilet block for Collarenebri Racecourse</b>                  |
| <b>GM:</b>    | No Action required                                                                                          |
| <b>255/10</b> | <b>Delegation of Authority by Council</b>                                                                   |
| <b>GM:</b>    | Being used as basis for review of all staff delegations                                                     |
| <b>256/10</b> | <b>Council decisions Action Report – 27.07.10</b>                                                           |
| <b>GM:</b>    | Outstanding issues have been followed up                                                                    |

## WALGETT SHIRE COUNCIL AGENDA

|                                                                             |                                                                                      |
|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>257/10</b>                                                               | <b>Naming of the Lightning Ridge Skate Park</b>                                      |
| <b>DCCS:</b>                                                                | Letter sent to applicants                                                            |
| <b>258/10</b>                                                               | <b>Walgett Liquor Accord</b>                                                         |
| <b>DCCS:</b>                                                                | Mayor and GM to make decision in relation to offering support                        |
| <b>259/10</b>                                                               | <b>Cash on Hand and Investment Report as at 31 July 2010</b>                         |
| <b>DCCS:</b>                                                                | No Action required                                                                   |
| <b>260/10</b>                                                               | <b>Debt Recovery Progress Report</b>                                                 |
| <b>DCCS:</b>                                                                | No Action Required                                                                   |
| <b>261/10</b>                                                               | <b>Carried Forward Projects as at 30 June 2010</b>                                   |
| <b>DCCS:</b>                                                                | Currently being transferred                                                          |
| <b>Carried Forward Projects as at 30 June 2010 – Amendments/ Variations</b> |                                                                                      |
| <b>GM:</b>                                                                  | Divisional works programs being amended to show timing for any works carried forward |
| <b>262/10</b>                                                               | <b>Quarterly Budget Review as at 30 June 2010</b>                                    |
| <b>DCCS:</b>                                                                | Completed                                                                            |
| <b>263/10</b>                                                               | <b>Community Assistance Scheme Donations – 2010/2011 Budget</b>                      |
| <b>DCCS:</b>                                                                | letters sent to approved organisations, follow up report presented to September      |
| <b>264/10</b>                                                               | <b>Community Land – Draft Plans of Management</b>                                    |
| <b>DCCS:</b>                                                                | Exhibition period notice drafter calling for Submissions and advertised              |
| <b>265/10</b>                                                               | <b>Community Development Worker Position</b>                                         |
| <b>GM:</b>                                                                  | Being reviewed in conjunction with overall review of organisation structure          |

## WALGETT SHIRE COUNCIL AGENDA

|               |                                                                                                                   |
|---------------|-------------------------------------------------------------------------------------------------------------------|
| <b>266/10</b> | <b>Urban Addressing For Walgett Shire</b>                                                                         |
| <b>DPRS:</b>  | No action required                                                                                                |
| <b>267/10</b> | <b>Development and Complying Development Certificate Applications</b>                                             |
| <b>DPRS:</b>  | No action required                                                                                                |
| <b>268/10</b> | <b>Strata Sub division &amp; Easement , Gilbert Street, Units</b>                                                 |
| <b>DPRS:</b>  | Strata plans sent to solicitors on 26/08/2010 to arrange registration with Land and Property Management Authority |
| <b>269/10</b> | <b>Proposal for Relief Regulatory Officer Services</b>                                                            |
| <b>DPRS:</b>  | Arrangement with Narrabri Shire Council to be signed on week commencing 06/09/2010                                |
| <b>270/10</b> | <b>Growth Strategy &amp; Local Environmental Plan</b>                                                             |
| <b>DPRS:</b>  | Request to vary MOU sent to Department of Planning on 30/08/2010                                                  |
| <b>271/10</b> | <b>Footpath Valuation Report</b>                                                                                  |
| <b>DUIS:</b>  | Completed, presented in August Council meeting. Has been approved                                                 |
| <b>272/10</b> | <b>December 2009 Flood Damage Grant</b>                                                                           |
| <b>DRISS:</b> | No action required (grant confirmed)                                                                              |
| <b>273/10</b> | <b>North West Weight of Loads Group – Withdrawal Option</b>                                                       |
| <b>DRISS:</b> | Letter has been sent                                                                                              |
|               | <b>Saleyard Operations review</b>                                                                                 |
| <b>DUIS:</b>  | Cleaning, welding, gate repairs and maintenance has been done.                                                    |
|               | <b>Brindabella Airlines operating from this area</b>                                                              |
| <b>GM:</b>    | Revision of all services for Walgett/Lightning Ridge being followed up                                            |

## WALGETT SHIRE COUNCIL AGENDA

| <b>Correspondence sent to both parties involved in sale of Units</b>                             |                                                                                                               |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>DUIS:</b>                                                                                     | The sale of the units is in the hands of Elders Real Estate Dubbo                                             |
| <b>Road 7716 – Pilliga to Walgett Road - Inspection</b>                                          |                                                                                                               |
| <b>DRISS:</b>                                                                                    | Roads Engineer inspecting                                                                                     |
| <b>EOI for the Collarenebri Agency</b>                                                           |                                                                                                               |
| <b>DCCS:</b>                                                                                     | EOI will go out following consultation with the community currently scheduled for 19 October 2010             |
| <b>Traffic Study – Roadnet Pty Ltd</b>                                                           |                                                                                                               |
| <b>DCCS:</b>                                                                                     | Correspondence sent to Roadnet advising their successful submission – sent 16/8/10                            |
| <b>Industrial Estate Subdivision and sale of land going in Peel Street</b>                       |                                                                                                               |
| <b>DUIS:</b>                                                                                     | Acting Director will take note and inform the Director                                                        |
| <b>Angeldool to Collarenebri Road – Gravel Sheeting and grading</b>                              |                                                                                                               |
| <b>DRISS:</b>                                                                                    | Roads Engineer incorporating with Flood Damage Repairs                                                        |
| <b>Damage to Road from T intersection to the Lightning Ridge Bore Baths</b>                      |                                                                                                               |
| <b>DRISS:</b>                                                                                    | Flood damage repairs being undertaken subject to weather. Roads Engineer preparing cost assessment of upgrade |
| <b>Letter to Land and Property Management Authority regarding compensation payable to miners</b> |                                                                                                               |
| <b>DPRS:</b>                                                                                     | Letter sent 1/9/10                                                                                            |
| <b>Collarenebri Pool Shade Structure</b>                                                         |                                                                                                               |
| <b>DUIS:</b>                                                                                     | Improvement and renovation of existing shade structure which has been approved by Councillors.                |
| <b>Fence around the burnt Denyer's Original Store building</b>                                   |                                                                                                               |
| <b>DPRS:</b>                                                                                     | Notice of intention to issue an order sent 03/09/2010                                                         |



## WALGETT SHIRE COUNCIL AGENDA

|                                                                                                        |                                                                                            |
|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>Pecuniary Interest in voting for the Collarenebri Toilet Block</b>                                  |                                                                                            |
| <b>GM:</b>                                                                                             | Issue reviewed – no further action required                                                |
| <b>Selling of Walgett Saleyards</b>                                                                    |                                                                                            |
| <b>DUIS:</b>                                                                                           | Discuss lease with local agents and further review of available options                    |
| <b>Footpath in front of diving pool at Lightning Ridge – Bitumen and Riverbed gravel</b>               |                                                                                            |
| <b>DUIS:</b>                                                                                           | Issue reviewed, further action will follow after inspection                                |
| <b>275/10 Hire fees for the Burren Junction Public School</b>                                          |                                                                                            |
| <b>DUIS:</b>                                                                                           | Fees have been donated back to the school                                                  |
| <b>277/10 Acquisition of land comprising of the evaporation ponds at the Burren Junction Bore Bath</b> |                                                                                            |
| <b>DUIS:</b>                                                                                           | Due to Land Council claim over the land the contract is on hold though it has been signed. |
| <b>Disclosure Returns</b>                                                                              |                                                                                            |
| <b>GM:</b>                                                                                             | Section 449 returns to be subject of report to September Meeting                           |

**8. CIRCULARS RECEIVED FROM THE LOCAL GOVERNMENT  
DEPARTMENT OF PREMIER AND CABINET**

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

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**Summary:**

Copies of circulars received 10-14 to 10-22 from the Local Government Division Department of Premier and Cabinet are attached for Councillors information.

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

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

10-17 – Integrated Planning and Reporting Self-Assessment Checklist  
10-19 – Strategic Tasks Guide 2010-2011 (NOTE: A laminated A3 copy of Strategic tasks has been provided for each councillor)  
10-21 – Annual Reporting and State of the Environment Reporting requirements of Local Councils  
10-22 – Revised Internal Audit Guidelines

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.

**Relevant Reference Documents:**

Nil

**Stakeholders:**

Councillors  
Walgett Shire Council staff

**Financial Implications:**

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

| Circulars received from the Division of Local Government                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>1. That the information contained in the Departmental circulars 10-14 to 10-22 from the Local Government Division Department of Premier and Cabinet be received and noted.</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |

## **WALGETT SHIRE COUNCIL AGENDA**

### **Attachments:**

Circular No 10-17 – Integrated Planning and Reporting Self-Assessment Checklist  
Circular No 10-19 – Strategic Tasks Guide 2010-2011 ( A3 copy of calendar circulated under separate cover)  
Circular No 10-21 – Annual Reporting and State of the Environment Reporting requirements of Local Councils  
Circular No 10-22 – Revised Internal Audit Guidelines



Circular No. 10/17  
Date 30 July 2010  
Doc ID. A219050

Contact IP&R Team  
02 4428 4220  
[ipr@dlg.nsw.gov.au](mailto:ipr@dlg.nsw.gov.au)

## **INTEGRATED PLANNING AND REPORTING SELF-ASSESSMENT CHECKLIST**

The Division of Local Government has developed a self-assessment checklist for use by councils to enable them to determine if they have met all the requirements of the Integrated Planning and Reporting framework.

The checklist reflects the legislative requirements and essential elements of the framework, as identified in the Integrated Planning and Reporting Guidelines.

The checklist can be found on the Integrated Planning and Reporting page of the Division's website (under 'Development and Support') at [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au).

Councils are requested to use this tool to assist in the implementation of the Integrated Planning and Reporting framework. Councils will be asked to return a completed self-assessment checklist to DLG when they submit their Community Strategic Plan.

For further information about Integrated Planning and Reporting, please call 02 4428 4220 or email [ipr@dlg.nsw.gov.au](mailto:ipr@dlg.nsw.gov.au).

**Ross Woodward**  
**Chief Executive, Local Government**  
**A Division of the Department of Premier and Cabinet**

Department of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au) W [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au) ABN 99 567 863 195



Circular No. 10/19  
Date 9 August 2010  
Doc ID. A208410

Contact Sarah Gubb  
02 4428 4142  
sarah.gubb@dlg.nsw.gov.au

## STRATEGIC TASKS GUIDE 2010/11

The Strategic Tasks Guide for Councils has been updated and the new version is attached to this Circular.

The Guide has been revised to incorporate the legislative requirements for the implementation of Integrated Planning and Reporting. Councils should review Circular to Councils 10-01 for Integrated Planning and Reporting transitional arrangements.

The Guide includes key deadlines for strategic management tasks for all general purpose councils in NSW, but is not limited to these statutory requirements. The document reflects the financial year 2010/2011.

The Strategic Tasks Guide is also available on the Division's website at [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au) and will be updated on a regular basis.

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# WALGETT SHIRE COUNCIL AGENDA

| Strategic Tasks Guide 2010-2011 |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                 | July 10                                                                                                                                                                                                                                                                                                                                                             | August 10                                                                                   | September 10                                                                                      | October 10                                                                                                       | November 10                                                                                                                                                                                             | December 10                                                                                                                     | January 11                                                                                       | February 11                                                                                 | March 11 | April 11                                                                                                                   | May 11                                                                                                                                        | June 11                                                                                                                                                               |
| Finance Policy                  | Responsible Accounting Officer (RAO) should report material budget variances from the budget at the following Council meeting (L.OOR if 2009/10)                                                                                                                                                                                                                    |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | RAO to prepare a written report monthly for Council on money invested under s 625                                                                                                                                                                                                                                                                                   |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | 1 Financial Reports to be audited within 4 weeks (s 476(1))                                                                                                                                                                                                                                                                                                         | 1 Rates levied by service of rates and charges notice (s 548)                               |                                                                                                   |                                                                                                                  | 7 Last day for Audited Financial Statements, ABS return & PFR to be lodged                                                                                                                              | 5 Last day for audited reports to be presented to the public                                                                    |                                                                                                  |                                                                                             |          |                                                                                                                            | 03T Certificate to be presented to Council for lodgement to DLG                                                                               |                                                                                                                                                                       |
|                                 |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                             |                                                                                                   |                                                                                                                  | 7 Last day for lodgement of Statement of Compliance data return                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                             |                                                                                                   | 31 Last day for second quarter rates instalment notice to be sent (s 562)                                        | 28 Last day for presentation of audited Financial Reports (s 476(2))                                                                                                                                    |                                                                                                                                 |                                                                                                  |                                                                                             |          | 03T Certificate to be presented to Council for lodgement to DLG (by 31 May Council Closure 0500)                           | 31 Last day to submit 03T Certificate to DLG                                                                                                  |                                                                                                                                                                       |
| Governance                      |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                             | 30 Roads and Bridges Data Return due (Grants Commission)                                          |                                                                                                                  | 30 Second quarter rates instalment due (s 562)                                                                                                                                                          |                                                                                                                                 |                                                                                                  | 28 Last day for RAO to submit budget review to Council (L.OOR if 2009/10)                   |          |                                                                                                                            | 31 Last day for RAO to submit budget review to Council (L.OOR if 2009/10)                                                                     | 30 Last day for Council to object to the inclusion of parcel of land to be vested in public bodies (s 608(1))                                                         |
|                                 |                                                                                                                                                                                                                                                                                                                                                                     | 31 First quarterly rates instalment due (s 562)                                             |                                                                                                   | 31 ALGA's electronic lodgement of National Local Rates Data System Data Return (Grants Commission)               | 30 Last day for electronic lodgement of Grants Commission General Data Return                                                                                                                           |                                                                                                                                 | 31 Last day for third quarter rates instalment notice to be sent (s 562)                         | 28 Third quarterly rates instalment due (s 562)                                             |          | 30 Last day for fourth quarter rates instalment notice to be sent (s 562)                                                  | 31 Fourth quarterly rates instalment due (s 562)                                                                                              |                                                                                                                                                                       |
|                                 | 31 Last day for making rates (s 533)                                                                                                                                                                                                                                                                                                                                |                                                                                             |                                                                                                   | 31 Council's financial reports should be completed (s 476(1)) and forwarded to Director General & ABS (s 477(5)) | 30 Last day for RAO to submit budget review to Council (L.OOR if 2009/10)                                                                                                                               |                                                                                                                                 | 31 List of budget balances to be prepared for 6 monthly inspection by Auditor (L.OOR if 2009/10) | 28 National income for newly rateable Crown Land to be lodged (on 31/2 form)                |          | 30 Public bodies to provide Council with a list of parcels of land to which rate instalment applies (s 602)                | 31 Last day to request Valuer General to provide estimate of increase/decrease in value of rateable land for supplementary valuations (s 513) | 30 Last day for Valuer General to provide increase/decrease in values of rateable land (s 513(2))                                                                     |
|                                 |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                             |                                                                                                   | 1 Closing date for Pensioner Concession subsidies claims                                                         | 30 Last day for Council to adopt a policy on payment of expenses and provisions of facilities for Mayor & Councillors for 2009/10 (s 525) and to include this policy in Council's Annual Report (s 428) |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               | 1 Last day for Draft Management Plan to go on exhibition for at least 28 days (IPR Group 3 Councils)                                                                  |
|                                 | Reminder should be issued that completion of lodgement of Pecuniary Interest returns are due 30 September (s 449(3))                                                                                                                                                                                                                                                |                                                                                             |                                                                                                   |                                                                                                                  | Government Information (Public Access) Act 2009 annual reporting information to be included in Council's Annual report                                                                                  |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               | 30 Last day for adoption of Management Plan (IPR Group 3 Councils) (s 448)                                                                                            |
| Companion Animals               | 28 IPR Group 1 councils to have forwarded Community Strategic Plan to DLG                                                                                                                                                                                                                                                                                           |                                                                                             | 30 Financial returns on weeds grants to Dept of Primary Industries (address weeds@dpi.nsw.gov.au) |                                                                                                                  | 30 Annual Report to be furnished to the Minister (by submitting to the DLG) and posted on council's website (s 438(4)) *                                                                                | 31 Progress reports on the Delivery Program to be provided to Council at least every 6 months (s 406(5) (IPR Group 1 Councils)) |                                                                                                  |                                                                                             |          | 30 Nine week weeds grant application to Dept of Primary Industries with regional weeds plan (address weeds@dpi.nsw.gov.au) |                                                                                                                                               | 30 IPR Group 2 Councils Community Strategic Plan to be endorsed, Delivery Program and Operational Plan to be adopted (IPR Group 1 Councils to adopt Operational Plan) |
|                                 |                                                                                                                                                                                                                                                                                                                                                                     | 31 Quarterly report of Management Plan due to Council (s 407(1)) (IPR Group 2 & 3 Councils) | 30 Lodge completed Pecuniary Interest returns (s 449 (3))                                         |                                                                                                                  | 30 Quarterly report of Management Plan due to Council (s 407(1)) (IPR Group 2 & 3 Councils)                                                                                                             | 31 Progress reports on the Delivery Program to be provided to Council at least every 6 months (s 406(5) (IPR Group 1 Councils)) |                                                                                                  | 28 Quarterly report of Management Plan due to Council (s 407(1)) (IPR Group 2 & 3 Councils) |          |                                                                                                                            | 31 Quarterly report of Management Plan due to Council (s 407(1)) (IPR Group 2 & 3 Councils)                                                   | 30 General Manager to report to Council on contractual conditions of senior staff (s 339)                                                                             |
|                                 | All registration fees received during the month must be entered onto the Companion Animals Register in that month. Registration fees must be verified to the DLG as detailed on monthly invoices issued by DLG.                                                                                                                                                     |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | Councils are required to report any dog attacks they are made aware of to the DLG within 72 hours of being notified via the Companion Animal Register                                                                                                                                                                                                               |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | Regular reconciliation of the Companion Animals Register payments is to be completed                                                                                                                                                                                                                                                                                |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
| Local Government                |                                                                                                                                                                                                                                                                                                                                                                     | 30 Survey of Council securities of calls & dogs due to DLG                                  |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | General Manager to report to Council on Code of Conduct complaints in accordance with 12.33 of the Model Code of Conduct                                                                                                                                                                                                                                            |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | Training plan required under Local Government (State) Award following consultation with the Consultative committee                                                                                                                                                                                                                                                  |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | Review of General Manager's performance (s 339)                                                                                                                                                                                                                                                                                                                     |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | Local Government Directory - Councils should notify the Division of any senior staff or address changes via email to enable updating of the directory - email: dlgs@dpi.nsw.gov.au                                                                                                                                                                                  |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
| Other                           | Council must review its publication guide in the relation to the Government Information (Public Access) Act 2009 and adopt a new publication guide at intervals of not more than 12 months. An agency may update and amend its publication guide at any time                                                                                                        |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | Council Circulars are emailed to Council. Please advise the Division of any change of Council email address. Council Circulars can be downloaded from the DLG webpage: www.dlg.nsw.gov.au                                                                                                                                                                           |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | *Council's Annual Report must contain all the requirements outlined in Section 428 of the Act, s 217 of the Regulations and Schedule 8 of the Act, that were in place prior to the commencement of the Local Government Amendment Planning and Reporting Act (2009). See Circular to Council 10-01 for Integrated Planning and Reporting transitional arrangements. |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |
|                                 | All sections refer to the Local Government Act 1993 unless stated otherwise.                                                                                                                                                                                                                                                                                        |                                                                                             |                                                                                                   |                                                                                                                  |                                                                                                                                                                                                         |                                                                                                                                 |                                                                                                  |                                                                                             |          |                                                                                                                            |                                                                                                                                               |                                                                                                                                                                       |



Circular No. 10-21  
Date 23 August 2010  
Doc ID. A223687

Contact Karen Legge  
02 4428 4182  
karen.legge@dlg.nsw.gov.au

## ANNUAL REPORTING AND STATE OF THE ENVIRONMENT REPORTING REQUIREMENTS OF LOCAL COUNCILS

This circular advises local councils of current annual reporting and State of the Environment reporting requirements for the 2009-10 year. Councils are reminded that these are reports to the community, with a copy being made available to the Minister for Local Government (through the Chief Executive, Local Government – see below under ‘submitting reports’ for further information about lodgement).

The *Local Government Amendment (Planning and Reporting) Act 2009* commenced on 1 October 2009. However, it does not apply to a council until such time as that council commences under the new Integrated Planning and Reporting (IP&R) framework. As no councils had commenced under the new framework for the 2009-10 year, **all previous legislative requirements remain applicable**. This applies to both the Annual Report requirement and the supplementary State of the Environment Report requirement.

Similarly, although the *Government Information (Public Access) Act 2009* has commenced, councils are reminded that they need to report in their annual reports on Freedom of Information applications received prior to 30 June 2010.

Councils are encouraged to take the opportunity to use the work that is done to meet these requirements to assist and inform their transition to the IP&R framework.

Councils are reminded there are no specific provisions under the Act for granting extensions to individual councils for submitting reports and plans after the due date.

### **Annual reporting requirements**

Councils’ annual reporting requirements are set out in the historical version of the *Local Government Act 1993* (the Act) (section 428) and the Local Government (General) Regulation 2005 (the Regulation) (Part 9, Division 7). To refer to the legislation, go to the ‘historical version’ prior to 1 October 2009, <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N>.

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The legislative requirements for annual reporting are also included in the Division of Local Government's 'Annual Report Checklist' available under 'Program Tools' on the 'Local Government Reform Program – Promoting Better Practice' page of the Division's website ([www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au)).

### **Principal activities**

This section of the annual report is intended as a measure of how well councils achieve the outcomes anticipated in their management plans. It should align closely with the management plan's key activities and measures. It must provide sufficient information and be presented in such a way that it is meaningful to the community, and provides explanations about how council did or did not achieve the outcomes it intended.

### **Financial reports**

The legislation requires a copy of the council's full audited financial reports, including the general purpose financial reports (plus notes) and the special purpose financial reports (plus notes). These reports may be included in either the body of the report or as an appendix to the annual report.

### **Senior staff**

The General Manager is automatically classified as a senior staff member. According to section 332 of the Act, staff who are primarily responsible for the strategic direction of the council and currently receive a total remuneration package equal to or more than SES Level 1 are to be considered as senior staff.

The annual reporting requirements relating to the General Manager and senior staff are outlined in section 428(2)(g) of the Act, and clause 217(1)(b) of the Regulation (historical version).

### **Special variations**

Councils that received a special variation in 2009-10 (or a previous year that still applies in 2009-10) are reminded that there may be a condition attached to the approval requiring a specific report on projects being funded from the additional rate revenue raised. This information should be clearly identified in the annual report and include details of the outcomes of, and expenditures on, each relevant project.

### **Councillor expenses and facilities**

Reporting requirements regarding councillor expenses and facilities are included in section 428(2)(f) of the Act and clause 217 of the Regulation (historical version).

Councils are required to report on the total cost of all councillor expenses and facilities, and the total cost of each of the following types of councillor expenses and facilities:

- dedicated office equipment
- telephone calls
- attendance at conferences and seminars
- councillor training
- interstate visits
- overseas visits
- spouse/partner expenses
- carer expenses.

Whether these are reported for each councillor or all councillors as a group is a matter for councils to determine. However, councils should be mindful of community expectations in regard to accountability and transparency when determining the best format for reporting.

#### **State of the Environment reporting requirements**

All councils are required to prepare a supplementary State of the Environment report (SoE) for 2009-10 and submit this to the Division by 30 November 2010 [see section 428(2)(c) and clause 217(2) (historical version)].

SoE guidelines are available from the 'Publications' page on the Division's website. A checklist for the preparation of SoEs is also available on the website under the 'Local Government Reform Program – Promoting Better Practice' page.

The supplementary State of the Environment Report that is due by 30 November 2010 should be used as an opportunity to identify how the information currently being collected and reported may inform council's future planning and reporting for environmental issues. The collection and reporting of this information may need to be modified to meet Council's need to establish indicators to enable monitoring, evaluation and reporting on environmental objectives that are identified as part of its Community Strategic Plan development process, or for Group 1 councils, that have been identified in their Community Strategic Plans.

#### **Publishing options**

A number of councils have adopted the practice of providing a summary annual report to ratepayers, for example via a brochure included with rates notices. While this format provides a useful overview of activities for residents, it does not replace the annual report, nor absolve councils from their reporting obligations under the legislation.

The required information must still be available to the public in a form that is clearly identifiable and accessible. However, there is no specific requirement for the information to be published in hard copy format as a single document. It may, for example, take the form of a series of reports grouped together under the heading of 'Annual Report' on a council's website. If this format is adopted, the council must ensure that it is possible for people who do not have access to the Internet to view the full report at the council offices. It must also be possible

## WALGETT SHIRE COUNCIL AGENDA

4

to provide a printed copy of the annual report, or sections of it, to a member of the public upon request.

### **Submitting reports**

Councils are required to provide a copy of their annual report to the Minister for Local Government within five months of the end of the financial year (i.e. by 30 November 2010). In practice, this means sending the report to the Chief Executive, Division of Local Government, Department of Premier and Cabinet.

It is acceptable to provide an electronic copy by publishing the annual report on the council website. Where this option is chosen, the council must formally advise the Minister by letter or email that the report has been published and specify the URL for the document. Emails may be sent to [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au).

### **Retention of reports**

Councils are encouraged to keep their annual reports that are in an electronic format available on their website on an ongoing basis.



**Ross Woodward**  
**Chief Executive, Local Government**  
**A Division of the Department of Premier and Cabinet**



Circular No. 10-22  
Date 3 September 2010  
Doc ID. A209127

Contact Investigations and Review Branch  
02 4428 4100  
dlg@dlg.nsw.gov.au

## REVISED INTERNAL AUDIT GUIDELINES

The purpose of this circular is to announce the release of revised Internal Audit Guidelines for local councils in NSW. The revised Internal Audit Guidelines are Director General's Guidelines for the purposes of section 23A of the *Local Government Act 1993*.

In 2009 the Division of Local Government conducted a survey of councils to ascertain the progress made towards implementing the *Internal Audit Guidelines* issued in October 2008. Thank you to all councils that participated in that survey.

The results of the survey revealed that while considerable progress had been made toward the implementation of the *Internal Audit Guidelines*, there were some areas where further benefits could be achieved by strengthening or clarifying the Guidelines. These included:

- providing more guidance on the requirements for an independent audit committee – such as characteristics of an independent member; ensuring that staff are not members of the committee; recommending that the Mayor is not a member of the committee
- expanding the conflict of interests provisions of the Guidelines; and
- clarifying the role of the general manager in the internal audit function.

Revised Internal Audit Guidelines have now been prepared that take into account the findings of the survey.

In preparing the revised Guidelines, comments were sought from the Local Government Internal Auditors Network (LGIAN) and the Institute of Internal Auditors (NSW Chapter) (IIA). Their assistance in the revision of the Guidelines, to ensure that they comply with better practice internal audit, is gratefully appreciated.

I anticipate that the revised Internal Audit Guidelines will provide further assistance to local councils in implementing this most important component of the governance framework of local councils.

Councils should review and update their internal audit arrangements to ensure they are consistent with the revised Internal Audit Guidelines.

The revised Internal Audit Guidelines can be found on the Division's website (under "Recent Publications") at [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au).

**Ross Woodward**  
**Chief Executive, Local Government**  
**A Division of the Department of Premier and Cabinet**

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## **9. CIRCULARS RECEIVED FROM THE LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF NSW**

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

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### **Summary:**

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

It is proposed to email these circulars to all Councillors weekly, as quite often issues raised may need to be addressed at a Councillor level ahead of scheduled meetings. It also will serve to give Councillors more timely notice of coming issues.

### **Discussion (including issues and background):**

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

#### **Issue 25 – 2/7/2010**

Item 13 - Councillor Professional Development – In House training

#### **Issue 26 – 9/7/2010**

Item 5 - Launching the New Local Government Events Network Website

Item 29 – 2010 National Local Roads and Transport Congress (13-15 October – Bunbury, WA)

#### **Issue 27 – 16/7/2010**

Item 21 – Local Government Human Resources Conference

#### **Issue 28 – 23/7/2010**

Item 15 – National Broadband Network – Local Government national Principles

#### **Issue 29 - 30/7/2010**

Nil

#### **Issue 30 – 6/8/2010**

Item 11 – Proposed Local Health Networks in NSW

Item 15 – Important Information on plague locust season

Item 16 – Contaminated land Workshop for Council Officers

Item 20 – Preparing LEP's – Crown Land and other issues

#### **Item 31 – 13/8/2010**

Item 6 – Modernising Local Government focus groups (Dubbo, Tuesday 9 November)

Item 17 – Strategic Tasks guide 2010/2011

#### **Issue 32 – 20/8/2010**

Item 6 – One Association Convention Decision

Item 8 – Introduction to Crime Prevention Training Course

Item 13 – Habitat Action grants

Item 14 – Plague Locusts

## WALGETT SHIRE COUNCIL AGENDA

Item 16 - Sustainability training for Councils

### Issue 32 – 20/08/2010

Item 6 – One Association Convention Decision  
Item 8 – 2010 Introduction to Crime Prevention Training Course  
Item 13 – Habitat Action Grants  
Item 14 – Plague Locusts  
Item 16 – Sustainable Business Case Studies  
Item 23 – Nation Building and Jobs Plan Review

### Issue 33 – 27/08/2010

Item 8 – Major Upgrade for NSW Weather Forecasts  
Item 12 – Plague Locusts  
Item 13 – Crown Reserve Caravan Parks  
Item 21 – Transport NSW Corporate Plan released  
Item 23 – Productivity Commission Inquiry into Australia's Urban Water Sector

### Issue 34 – 03/09/2010

Item 11 – 2010 Excellence in Local Government Leadership Program  
Item 17 – Workforce Planning  
Item 20 – RTA Maintenance Council Contracts (RMCC)

### Issue 34 – 10/09/2010

Item 4 – Annual Reporting and SoE Reporting Requirements for Councils  
Item 11 – Free Councillor Workshops

### Relevant Reference Documents:

Nil

### Stakeholders:

Councillors  
Walgett Shire Council staff

### Financial Implications:

The circulars are a source of information to identify available grant funding.

### Circulars received from the Local Government and Shires Association of NSW

#### Recommendation:

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

#### Moved:

#### Seconded:

### Attachments:

Nil

## 10. INTRODUCTION OF MONTHLY CALENDAR

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

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**Summary:**

To introduce a monthly calendar of Council activities into Council's Agenda.

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

It has been noticed that there is a need for an in-house monthly calendar to be available as a central focus point to allow Councillors and Senior Management staff the ability to plan their activities and spread their work load having regard to upcoming commitments.

In recent times, some Councillors have missed meetings or not been aware of when they have been scheduled. In addition to requesting outside organisations 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.

It is believed that the monthly calendar will become a valuable strategic and operational tool.

**Relevant Reference Documents:**

Nil

**Stakeholders:**

Councillors  
Walgett Shire Council staff

**Financial Implications:**

Nil

| Introduction of Monthly Calendar                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>1. That Council note the intention to produce a regular monthly calendar as an agenda item to the monthly meeting.</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |



**Attachments:**

Calendar for September, October, November and December 2010.



# WALGETT SHIRE COUNCIL AGENDA



## STRATEGIC TASKS, EVENTS AND MEETINGS CALENDAR

September 2010

| Date of Meeting | Time    | What                                                                                                                                                                                                                                  | Who                            | Business Paper due Date |
|-----------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------|
| Wed, 1 Sep 10   |         | <i>DUIS on Annual Leave until 9 Sept</i>                                                                                                                                                                                              |                                |                         |
| Thu, 2 Sep 10   |         | District Emergency Management Committee                                                                                                                                                                                               | DRISS Woodcock                 | External                |
| Fri, 3 Sep 10   |         |                                                                                                                                                                                                                                       |                                |                         |
| Sat, 4 Sep 10   |         |                                                                                                                                                                                                                                       |                                |                         |
| Sun, 5 Sep 10   |         |                                                                                                                                                                                                                                       |                                |                         |
| Mon, 6 Sep 10   |         | North West Weight Of Loads Committee Meeting                                                                                                                                                                                          | DRISS, Cirs Colless & Martinez | External                |
| Tue, 7 Sep 10   |         |                                                                                                                                                                                                                                       |                                |                         |
| Wed, 8 Sep 10   |         |                                                                                                                                                                                                                                       |                                |                         |
| Thu, 9 Sep 10   |         |                                                                                                                                                                                                                                       |                                |                         |
| Fri, 10 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Sat, 11 Sep 10  |         | <i>DRISS on Annual Leave until 19 Sept</i>                                                                                                                                                                                            |                                |                         |
| Sun, 12 Sep 10  |         | LGSA Water Conference - Orange                                                                                                                                                                                                        | DUIS/KC                        | External                |
| Mon, 13 Sep 10  |         | LGSA Water Conference                                                                                                                                                                                                                 | DUIS/KC                        | External                |
| Tue, 14 Sep 10  |         | LGSA Water Conference<br>LGMA NSW Conference - Sydney                                                                                                                                                                                 | DUIS/KC<br>DCCS                | External                |
| Wed, 15 Sep 10  |         | LGMA NSW Conference - Sydney                                                                                                                                                                                                          | DCCS                           | External                |
| Thur, 16 Sep 10 |         | LGMA NSW Conference - Sydney                                                                                                                                                                                                          | DCCS                           | External                |
| Fri, 17 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Sat, 18 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Sun, 19 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Mon, 20 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Tue, 21 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Wed, 22 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Thu, 23 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Fri, 24 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Sat, 25 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Sun, 26 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Mon, 27 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Tue, 28 Sep 10  | 10.00am | Council Meeting (Carinda Town Hall)                                                                                                                                                                                                   | All Cirs and Directors         | 5.00pm 14 Sep 2010      |
| Wed, 29 Sep 10  |         |                                                                                                                                                                                                                                       |                                |                         |
| Thu, 30 Sep 10  |         | Roads and Bridges data Return Due (Grants Commission)<br>Financial Returns on weeks grants to Dept Primary Industries<br>Lodge competed Pecuniary Interest Returns – S449 (3)<br>Survey of Council seizures of cats & dogs due to DLG |                                |                         |

# WALGETT SHIRE COUNCIL AGENDA



## STRATEGIC TASKS, EVENTS AND MEETINGS CALENDAR

October 2010

| Date of Meeting | Time    | What                                                                                                                                                                                                                                                                                   | Who                                             | Business Paper due Date   |
|-----------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|---------------------------|
| Fri, 1 Oct 10   |         | Closing date for Pensioner Concession subsidies Claims                                                                                                                                                                                                                                 |                                                 |                           |
| Sat, 2 Oct 10   |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sun, 3 Oct 10   |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Mon, 4 Oct 10   |         | <b>Labour Day – Public Holiday</b>                                                                                                                                                                                                                                                     |                                                 |                           |
| Tue, 5 Oct 10   |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Wed, 6 Oct 10   |         | <b>Local Emergency Management Committee</b>                                                                                                                                                                                                                                            | <b>DRISS &amp; DUIS/Mayor</b>                   | <b>External</b>           |
| Thur, 7 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Fri, 8 Oct 10   |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sat, 9 Oct 10   |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sun, 10 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Mon, 11 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Tue, 12 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Wed, 13 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Thu, 14 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Fri, 15 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sat, 16 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sun, 17 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Mon, 18 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Tue, 19 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Wed, 20 Oct 10  |         | <b>Castlereagh Macquarie County Council Meeting</b>                                                                                                                                                                                                                                    | <b>Mayor &amp; Cllr Greenaway</b>               | <b>External</b>           |
| Thu, 21 Oct 10  |         | <b>Local Area Traffic Committee Meeting</b>                                                                                                                                                                                                                                            | <b>DRISS &amp; Cllrs Colless &amp; Martinez</b> |                           |
| Fri, 22 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sat, 23 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sun, 24 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Mon, 25 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Tue, 26 Oct 10  | 10.00am | <b>Council Meeting</b> (Walgett Council Chambers)                                                                                                                                                                                                                                      | <b>All Cllrs and Directors</b>                  | <b>5.00pm 12 Oct 2010</b> |
| Wed, 27 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Thu, 28 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Fri, 29 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sat, 30 Oct 10  |         |                                                                                                                                                                                                                                                                                        |                                                 |                           |
| Sun, 31 Oct 10  |         | Last day for Second quarter rates installment notice to be sent (S562)<br>ALGA's electronic lodgment of National Local Road Data System data return (Grants Commission)<br>Council's financial reports should be completed (S416(1)) and forwarded to Director General & ABS (S417(5)) |                                                 |                           |

Issued 21 June 2010

Page 2 of 4

# WALGETT SHIRE COUNCIL AGENDA



## STRATEGIC TASKS, EVENTS AND MEETINGS CALENDAR

### November 2010

| Date of Meeting | Time    | What                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Who                            | Business Paper due Date  |
|-----------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------|
| Mon, 1 Nov 10   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Tue, 2 Nov 10   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Wed, 3 Nov 10   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Thu, 4 Nov 10   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Fri, 5 Nov 10   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Sat, 6 Nov 10   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Sun, 7 Nov 10   |         | Last day for Audited Financial Statements, ABS return & FDR to be lodged<br>Last for Lodgment of Statement of Compliance data return                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                |                          |
| Mon, 8 Nov 10   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Tue, 9 Nov 10   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Wed, 10 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Thu, 11 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Fri, 12 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Sat, 13 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Sun, 14 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Mon, 15 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Tue, 16 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Wed, 17 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Thu, 18 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Fri, 19 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Sat, 20 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Sun, 21 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Mon, 22 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Tue, 23 Nov 10  | 10.00am | <b>Council Meeting – 10.00am – Burren Junction</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>All Cllrs and Directors</b> | <b>5.00pm 9 Nov 2010</b> |
| Wed, 24 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Thu, 25 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Fri, 26 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Sat, 27 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Sun, 28 Nov 10  |         | Last day to give notice for presentation of Audited Financial reports (S416(2))                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Mon, 29 Nov 10  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                          |
| Tue, 30 Nov 10  |         | Second quarter rates installment due<br>Last day for DRO to submit budget review to Council (LGR cl203(1))<br>Last day for council to adopt a policy on payment of expenses and provisions of facilities for Mayors & Councilors for 2009/10 (S252) and to include this policy in Council's Annual Report (S428)<br>Government Information (Public Access) Act 2009 annual reporting information to be included in Council's Annual report.<br>Annual Report to be furnished to the Minister (by submitting to the DLG) and posted on Council's website (S428(4))<br>Quarterly report of Management Plan due to Council (S407(1)) (IPR Group 2 & 3 Councils) |                                |                          |

Issued 21 June 2010

Page 3 of 4

# WALGETT SHIRE COUNCIL AGENDA



## STRATEGIC TASKS, EVENTS AND MEETINGS CALENDAR

December 2010

| Date of Meeting | Time    | What                                                                                                                                                                                                                                                                  | Who                    | Business Paper due Date |
|-----------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------|
| Wed, 1 Dec 10   |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Thu, 2 Dec 10   |         | District Emergency Management Committee                                                                                                                                                                                                                               | DRISS & Mayor          | External                |
| Fri, 3 Dec 10   |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Sat, 4 Dec 10   |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Sun, 5 Dec 10   |         | last day for Audited reports to be presented to the public                                                                                                                                                                                                            |                        |                         |
| Mon, 6 Dec 10   |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Tue, 7 Dec 10   |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Wed, 8 Dec 10   |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Thu, 9 Dec 10   |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Fri, 10 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Sat, 11 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Sun, 12 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Mon, 13 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Tue, 14 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Wed, 15 Dec 10  |         | Castlereagh Macquarie County Council Meeting                                                                                                                                                                                                                          | Mayor & Clr Greenaway  | External                |
| Thu, 16 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Fri, 17 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Sat, 18 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Sun, 19 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Mon, 20 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Tue, 21 Dec 10  | 10.00am | Council Meeting – 10.00am - Walgett                                                                                                                                                                                                                                   | All Cirs and Directors | 5.00pm 7 Dec 2010       |
| Wed, 22 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Thu, 23 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Fri, 24 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Sat, 25 Dec 10  |         | Christmas Day – Public Holiday                                                                                                                                                                                                                                        |                        |                         |
| Sun, 26 Dec 10  |         | Boxing Day                                                                                                                                                                                                                                                            |                        |                         |
| Mon, 27 Dec 10  |         | Boxing Day – Public Holiday                                                                                                                                                                                                                                           |                        |                         |
| Tue, 28 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Wed, 29 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Thu, 30 Dec 10  |         |                                                                                                                                                                                                                                                                       |                        |                         |
| Fri, 31 Dec 10  |         | Council must adopt its first publication within 6 months after the commencement of the Government Information (Public Access) Act 2009<br>Progress reports on the delivery Program to be provided to Council at least every 6 months (S404(5)) (IPR Group 1 Councils) |                        |                         |

Issued 21 June 2010

Page 4 of 4

## **11. CLOSEDOWN OF ADMINISTRATION OVER FESTIVE SEASON**

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

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### **Summary:**

It is considered efficient for the majority of Council's operations to close down for the work days between Christmas and New Year's Day. It also suits the needs of the majority of staff to plan holidays during the Festive Season.

### **Discussion (including issues and background):**

This year the Boxing Day public holiday falls on Monday 27<sup>th</sup> December, an additional Public holiday for Christmas Day has been set for Tuesday 28<sup>th</sup> December and New Year's Day is the following Saturday with the Public Holiday scheduled for Monday 3<sup>rd</sup> January 2011. It is proposed that Council operations close down for the three intervening days of Wednesday 29<sup>th</sup> to Friday 31<sup>st</sup> inclusive.

For the three days of the closedown staff are required to take leave and/or to utilise accumulated flexi-time.

During the closedown essential service staff remain on duty in the garbage and water/sewer service areas and emergency service staff are rostered to be on call in other areas of Council operations.

### **Relevant Reference Documents:**

Nil

### **Stakeholders:**

Council staff and residents

### **Financial Implications:**

Staff will be required to take either Annual Leave or accumulative Flex Time during this three day period, the three day shutdown will be revenue neutral. Staff rostered to work during the period attracts payment of normal rates of pay.

## WALGETT SHIRE COUNCIL AGENDA

### Closedown of Administration over Festive Season

**Recommendation:**

1. Council operations close for the three days 29th to 31st December 2010 and the General Manager make satisfactory arrangements for the maintenance of essential services and provision of emergency call out services.
2. The closedown be effectively notified to residents along with details of essential service and emergency call out arrangements

**Moved:**

**Seconded:**

**Attachments:**

Schedule of 2010 Public Holidays from NSW Government Industrial Relations Website

### NSW Public Holidays 2010-2012

Holidays for NSW under the [Banks and Bank Holidays Act 1912](#).

|                  | 2010                                           | 2011                                      | 2012                   |
|------------------|------------------------------------------------|-------------------------------------------|------------------------|
| New Year's Day   | Friday, 1 January                              | Saturday, 1 January<br>^Monday, 3 January | Monday, 2 January      |
| Australia Day    | Tuesday, 26 January                            | Wednesday, 26 January                     | Thursday, 26 January   |
| Good Friday      | Friday, 2 April                                | Friday, 22 April                          | Friday, 6 April        |
| Easter Saturday  | Saturday, 3 April                              | Saturday, 23 April                        | Saturday, 7 April      |
| Easter Monday    | Monday, 5 April                                | #Tuesday, 26 April                        | Monday, 9 April        |
| Anzac Day        | Monday, 26 April                               | Monday, 25 April                          | Wednesday, 25 April    |
| Queen's Birthday | Monday, 14 June                                | Monday, 13 June                           | *Monday, 11 June       |
| **Bank Holiday   | Monday, 2 August                               | Monday, 1 August                          | Monday, 6 August       |
| Labour Day       | Monday, 4 October                              | Monday, 3 October                         | *Monday, 1 October     |
| Christmas Day    | Saturday, 25 December<br>^Tuesday, 28 December | ##Monday, 26 December                     | Tuesday, 25 December   |
| Boxing Day       | Monday, 27 December                            | Tuesday, 27 December                      | Wednesday, 26 December |

^ Additional Holiday.

\* Yet to be proclaimed.

\*\* Not a state-wide public holiday.

# Substituted public holiday for Easter Monday.

## Transferred public holiday for Christmas Day.



## **12. ORDINARY COUNCIL MEETINGS – TIME, DATES AND VENUES FOR 2010**

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 10/657

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### **Summary:**

Council's Code of Meeting practice Clause 5 (2) requires "that Council shall, by Resolution set the Time, Date and place of Ordinary Meetings of the Council" It is desirable that Council determine its meeting schedule for the whole of 2011, to facilitate forward planning.

### **Discussion (including issues and background):**

Council has previously determined that Ordinary Meetings of Council should generally be held on the fourth Tuesday of each month and that "in any calendar year one Ordinary Meeting of Council be held in each of Lightning Ridge, Collarenebri, Rowena, Burren Junction and Carinda".

The following schedule provides for Meetings in 2011 to be held on the fourth Tuesday of the month other than in December, when it is proposed to be held on the third Tuesday (20<sup>th</sup> December). The locations are in the same sequence as for 2010. No meeting is scheduled for January. It is proposed that meetings continue to commence at 10.00am as has been the practice in the past.

22<sup>nd</sup> February – Walgett  
22<sup>nd</sup> March – Lightning Ridge  
26<sup>th</sup> April – Collarenebri  
24<sup>th</sup> May – Walgett  
28<sup>th</sup> June – Walgett  
26<sup>th</sup> July – Rowena  
23<sup>rd</sup> August – Walgett  
27<sup>th</sup> September – Carinda  
25<sup>th</sup> October – Walgett  
22<sup>nd</sup> November – Burren Junction  
20<sup>th</sup> December - Walgett

### **Relevant Reference Documents:**

Council's Code of Meeting Practice (15 July, 2008)

## WALGETT SHIRE COUNCIL AGENDA

### Stakeholders:

Councillors and staff

### Financial Implications:

Nil

#### Ordinary Council meetings – Dates and Venues for 2011

### Recommendation:

1. That the schedule of Ordinary Council Meetings for 2011 be outlined as follows:

22<sup>nd</sup> February – Walgett  
22<sup>nd</sup> March – Lightning Ridge  
26<sup>th</sup> April – Collarenebri  
24<sup>th</sup> May – Walgett  
28<sup>th</sup> June – Walgett  
26<sup>th</sup> July – Rowena  
23<sup>rd</sup> August – Walgett  
27<sup>th</sup> September – Carinda  
25<sup>th</sup> October – Walgett  
22<sup>nd</sup> November – Burren Junction  
20<sup>th</sup> December - Walgett  
and that the meetings commence at 10.00am

**Moved:**

**Seconded:**

### Attachments:

Nil

### **13. DESIGNATED PERSONS AND THE SUBMISSION OF WRITTEN RETURNS**

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland  
**FILE NUMBER:** 10/581

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#### **Summary:**

Divisions 1 and 2 of Part 2 (Duties of Disclosure) of the Local Government Act 1993, provide that "designated persons" are required to "submit written returns of interest" within three months of becoming a "designated person" and at least annually thereafter.

#### **Discussion (including issues and background):**

Designated persons include: "the General Manager", "other senior staff of Council", "a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as Regulatory functions or contractual functions) that, in their exercise could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest".

Designated persons (and Councillors) are required to lodge written returns of their interest (including interest in property and trusts, sources of income, persons to whom a debt is owed, interests and positions in Corporations, positions in trade unions and professional or business associations) which are to be tabled before Council and held in a Register to be controlled by the General Manager. The returns are to be updated at least annually.

Apart from the General Manager, it is recommended that Council resolve the occupants of the following positions be deemed "designated persons" because they are senior Management positions or because of the expenditure, contractual or regulatory authority associated with the position.

1. Director, Corporate and Community Services
2. Director, Planning and Regulatory Services
3. Director, Rural Infrastructure and Support Services
4. Director, Urban Infrastructure Services
5. Finance Manager
6. Technical Officers with expenditure authority of \$20,000 or greater
7. Stores Officer
8. Support Services Co-ordinator
9. Senior Tourism Development Officer
10. Roads Engineer
11. Urban Utilities Engineer
12. Manager Community Development and Tourism
13. Senior Finance Officer
14. Senior Health and Building Surveyor

#### **Relevant Reference Documents:**

Local Government Act 1993

## WALGETT SHIRE COUNCIL AGENDA

### Stakeholders:

Staff, councillors and citizens

### Financial Implications:

Nil

#### Designated persons and the Submission of written returns

##### Recommendation:

That the occupants of the following positions be deemed designated persons pursuant to Division 1 of Part 2 of the Local Government Act 1993:

1. Director, Corporate and Community Services
2. Director, Planning and Regulatory Services
3. Director, Rural Infrastructure and Support Services
4. Director, Urban Infrastructure Services
5. Finance Manager
6. Technical Officers with expenditure authority of \$20,000 or greater
7. Stores Officer
8. Support Services Co-ordinator
9. Senior Tourism Development Officer
10. Roads Engineer
11. Urban Utilities Engineer
12. Manager Community Development and Tourism
13. Senior Finance Officer
14. Senior Health and Building Surveyor

**Moved:**

**Seconded:**

### Attachments:

Nil

## **14. DELEGATES AND REPRESENTATIVES TO, AND MEMBERS OF, EXTERNAL BODIES**

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 09/1454

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### **Summary:**

The term of appointment of Council representatives and delegates is one year, terminating in September, unless indicated otherwise.

### **Discussion (including issues and background):**

Attached is a schedule identifying Councillors and staff who are currently involved in external bodies on behalf of Council. It should be noted that Councillors Woodcock and Greenaway have been elected to the Castlereagh Macquarie County Council for a term of four years.

It should be further noted that: the Barwon Darling Alliance is no longer operational; the Lightning Ridge/Goodooga Reference Group and the Walgett/Collarenebri Reference Group no longer exist; the Walgett Community College Board constitution now only makes provision for a Councillor member.

It should also be noted that at the 26 February 2010 Council meeting, Cllr Lane was appointed to the Management Committee for Crown Reserve 1024168, with the Director Planning and Regulatory Services to act as an advisor to the Councillor.

It is suggested that where only one councillor has been nominated in the past, an alternative council delegate also be nominated from 2010-2011 onwards to cover those occasions when the nominated delegate may be unavailable.

There have also been instances in the past when Council delegates have been unaware that meetings are being held and appropriate action is being taken to overcome this problem in the future.

Separate Community Working Parties operate in respect of Walgett, Lightning Ridge and Collarenebri.

### **Relevant Reference Documents:**

Nil

### **Stakeholders:**

Councillors and members of the Executive Team

### **Financial Implications:**

Nil

**Delegates and Representatives to, and members of External bodies**

**Recommendation:**

1. That members, representatives and delegates be as outlined in the attached schedule with the following amendments:  
  
*(To be determined at meeting)*
2. That the contact details of council's various delegates/representatives be provided to each organisation together with a request that all council delegates/representatives be given at least 7 days written notice of all meetings.

**Moved:**

**Seconded:**

**Attachments:**

Schedule of representatives and delegates for 2010/2011

# WALGETT SHIRE COUNCIL AGENDA

| COMMITTEE                                                             | OFFICER                                            | COUNCILLOR.                               |
|-----------------------------------------------------------------------|----------------------------------------------------|-------------------------------------------|
| Australian Airports Association                                       | Director Urban Infrastructure Services             | Not Required                              |
| Bushfire Management Committee                                         | Director Rural Infrastructure and Support Services | Clr Murray                                |
| Camps on Claims Working Group                                         | Director Planning and Regulatory Services          | Clr Lane                                  |
| Castlereagh Macquarie County Council                                  |                                                    | Mayor and Clr Greenaway                   |
| Collarenebri Community Working party                                  | Lianne Tasker                                      |                                           |
| Crown Reserve 1024168 Over Preserved Opal Fields Management Committee | Director Planning and Regulatory Services          | Clr Lane                                  |
| Floodplain Management Authorities Group                               | Director Urban Infrastructure Services             | Mayor and Clr Keir                        |
| Kamilaroi Highway Group                                               | Tourism Development Officer                        | Not Required                              |
| Lightning Ridge Mining Board                                          |                                                    | Delegate Clr Lane<br>Alternate Clr Murray |
| Lightning Ridge Tourism Board                                         | Director Corporate and Community Services          | Clr Martinez                              |
| Lightning Ridge Community Working Party                               | Alison Wheeler                                     |                                           |
| Local Emergency Management Committee                                  | Director Rural Infrastructure and Support Services | Mayor                                     |
| Local Government Group of the Namoi Catchment Management Authority    | Director Urban Infrastructure Services             | Clr Keir                                  |
| Namoi peel Catchment Customer Service Committee                       | Director Urban Infrastructure Services             | Clr Keir                                  |
| Mungindi Menindee Advisory Council                                    |                                                    | Clr Greenaway and Clr Murray              |
| Netwaste                                                              | Director Urban Infrastructure Services             | Not Required                              |
| Northern Regional Library                                             | Director Corporate and Community Services          | Clr Smith and Clr Greenaway               |
| Orana Area Consultative Committee                                     | Director, Corporate and Community Services         | Clr Lane                                  |
| Orana Regional Organisations of Council                               | General Manager                                    | Mayor and Clr Colless                     |
| Outback Arts Incorporated                                             | Director, Corporate and Community Services         | Clr Keir                                  |
| Outback Regional tourism Organisation                                 | Tourism Development Officer                        | Clr Martinez                              |
| Regional Procurement Initiative                                       | Director Rural Infrastructure and Support Services | Not Required                              |
| Rural Bush Fire Group Management                                      | Director Rural Infrastructure and Support Services | Clr Murray                                |
| Community Safety Precinct Committee                                   | General Manager                                    | Mayor and Clr Colless                     |
| Saleyards Advisory Committee                                          | Director Urban Infrastructure Services             | Clr Colless                               |
| Shire's Association of NSW C Division                                 | General Manager                                    | Mayor and Clr Colless                     |
| Western Division of the Shire's Association                           | General Manager                                    | Mayor and Clr Colless                     |
| Local Traffic Committee                                               | Director Rural Infrastructure and Support Services | Clr Colless and Clr Martinez              |
| Walgett and District Tourism Association                              | Tourism Development Officer                        | Clr Keir                                  |
| Walgett Community Working Party                                       | Carole Medcalf                                     |                                           |
| Walgett Community College Board                                       |                                                    | Clr Murray                                |
| Walgett Shire Interagency Group                                       | General Manager                                    | Clr Keir                                  |
| Weight of Loads Committee                                             | Director Rural Infrastructure and Support Services | Clr Colless and Clr Martinez              |



## **15. REVIEW OF CODE OF MEETING PRACTICE (JULY 2008) – NOTICE OF MEETINGS AND GIVING NOTICE OF BUSINESS**

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 09/1409

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### **Summary:**

To review Council's Code of Meeting Practice (July 2008) with regards notice of meetings and giving notice of business.

### **Discussion (including issues and background):**

The current procedures and processes actually being followed differ from the requirements of Council's adopted Code of Meeting Practice (July 2008) in that

- No provision is made for personal delivery in lieu of delivery by post with regards the meeting notice, and
- For some time Council has required ten working days notice to be given of any business being raised by Councillors whereas the current code only requires that four working days notice be given.

It is appropriate that the Code now be amended accordingly to reflect these current practices. However, before this can occur, Council must prepare a revised draft code and comply with the public consultation procedure set down in Sections 361 and 362 of the Local Government Act 1993 (as amended).

Section 362 states that if, after considering the submissions received during the public consultation process, a council wishes to amend the draft code before adopting it the council may either:

- Re-exhibit the draft code with the amendments, or
- If it considers that the amendments are not substantial, simply amend the draft and adopt it.

The only exception to these is, as noted in clause 12.2.1 of Practice Note 16 Meetings Practice, an amendment which is triggered by a change in the Act or the Local Government (General) Regulation 2005. In such cases the legislation effectively amends a code of meeting practice.

Accordingly it is proposed to amend the present Clause 7 (a) by adding an additional subsection (4) which reads:

*"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"*

In addition, it is proposed to amend 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"*

## WALGETT SHIRE COUNCIL AGENDA

### Relevant Reference Documents:

Local Government Act 1993 (as amended)  
Local Government (General Regulation 2005  
Practice Note 16 – Meeting Practice

### Stakeholders:

Councillors  
Local community  
Staff

### Financial Implications:

Any costs will be met from current budget allocations

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

##### Recommendation:

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:**

**Seconded:**

### Attachments:

A copy of the revised Code of Meeting Practice will be circulated under separate cover for Councillors information.

## **16. REVIEW OF CODE OF MEETING PRACTICE (JULY 2008) – COUNCILLORS QUESTIONS WITHOUT NOTICE**

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 09/1409

---

### **Summary:**

To review Council's Code of Meeting Practice (July 2008) with regards the handling of Councillors' questions without notice.

### **Discussion (including issues and background):**

Since commencing with Council I have been reviewing various Council policies, codes and operating procedures.

One issue that has caught my attention is the time and effort required by staff and councillors alike in addressing "Councillors' Questions" and "Councillors' Questions Without Notice". It is believed that what should be a relative simple process has become unnecessarily complicated, time consuming and unnecessarily drawn out. Part of the current process also appears to be contrary to the requirements of Practice Note 16 issued by the Division of Local Government, Department of Premier and Cabinet. These issues were addressed in circular 10/2010 issued on 21 May, 2010. A copy of this circular is attached for information.

The circular makes specific mention of the fact that there are other avenues of obtaining information other than by raising questions at council meetings:

*"The opportunity to raise questions at council meetings should not be abused. Councillors should bear in mind that there may well be other effective avenues of obtaining information, for example through the general manager outside the formal meeting cycle."*

*As in the case of putting forward notices of motion, councillors must, in submitting questions, balance their civic responsibility for representing the interests of their community with their obligation to use council's resources effectively and efficiently."*

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.

A revised process to seek information through the General Manager and Senior Management Staff is the subject of a following report and the changes being recommended in this report should be read in conjunction with that report also.

Circular 10/2010 makes the following comment with regards Questions without notice:

*"Clause 1.4.11 of the revised Practice Note explains that allowing questions without notice is inconsistent with the provisions of clause 241(1) of the Local Government (General) Regulation 2005 which require notice to be given of matters to be raised at council meetings."*

## WALGETT SHIRE COUNCIL AGENDA

*The purpose of the notice requirement is to enable all councillors and the public to be aware, by reading the agenda for the meeting, of matters that will be raised at the meeting. This in turn promotes openness and transparency in the conduct of council meetings.*

*The notice requirement also ensures that questions, when asked, are appropriately recorded and responded to. It should not stifle debate or constrain the asking of questions.*

*If the subject of a question is genuinely urgent and the question is not on the agenda, the question could be raised under clause 241(3) of the Regulation. That clause allows a matter to be raised before council, despite notice not having been given, if:*

- A motion is passed to have the matter brought before the meeting; and*
- The matter is ruled by the chairperson to be of great urgency.*

*It should be borne in mind that a councillor is at liberty to ask a question of another councillor or the general manager about a matter that is on the meeting agenda during debate on that matter.*

*The Division considers that it is acceptable for a council to adopt a practice of allowing councillors, just prior to the end of a meeting, to raise questions on the understanding that answers will be provided at the following meeting.*

*Such questions should be recorded in the minutes of the meeting. This could be formalised by way of an agenda item "Questions for Next Meeting". This would constitute a means of giving notice of the question for the following meeting, provided that there is sufficient time between the two meetings to meet the notice requirements of clause 241. When such questions are listed, there is nothing preventing an answer being given straight away, if it makes sense to do so."*

Accordingly it is now proposed that Council's Code of Meeting Practice be amended to fall in line with the requirements of Practice Note 16.

This can be done 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."*

It will also be necessary to amend the Table of Contents by inserting the words "Clause 29A QUESTIONS FOR NEXT MEETING" immediately following clause 29 and to also amend 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 to add a further Attachment B – Questions for next Meeting pro-forma.

### **Relevant Reference Documents:**

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

## WALGETT SHIRE COUNCIL AGENDA

### 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.

#### **Review of Code of Meeting Practice (July 2008) – Councillor’s Questions without Notice**

##### **Recommendation:**

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:**

**Seconded:**

### Attachments:

A copy of the revised Code of Meeting Practice will be circulated under separate cover for Councillors information.

## **17. REVIEW OF POLICY AND WSC PROCEDURES – PROVISION OF INFORMATION TO AND INTERACTION BETWEEN COUNCILLORS AND STAFF**

**REPORTING SECTION:** General Manager

**AUTHOR:** Don Ramsland – General Manager

**FILE NUMBER:**

---

### **Summary:**

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

### **Discussion (including issues and background):**

Elsewhere in the agenda for this meeting a report has been prepared addressing what should be a relative simple process that has become unnecessarily complicated, time consuming, drawn out and at times an area of conflict – the issue of keeping councillors well informed of ongoing issues. . One issue that has caught my attention is the time and effort required by staff and councillors alike in addressing "Councillors' Questions" and "Councillors' Questions Without Notice". Departmental circular 10/2010 issued on 21 May, 2010 addressed most of these issues and made the following specific observation:

*"The opportunity to raise questions at council meetings should not be abused. Councillors should bear in mind that there may well be other effective avenues of obtaining information, for example through the general manager outside the formal meeting cycle."*

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.

It is proposed that in future councillors be able to direct an enquiry or work request to the General Manager or any of the Divisional Directors provided the request is made in writing on the form specifically designed for this purpose. Any such enquiry or work requests will be processed within seven days of receipt and a formal response made to the lodging councillor.

All requests and responses will be circulated to all councillors in a monthly "General Manager's Newsletter", so that all councillors will be kept fully informed.

## WALGETT SHIRE COUNCIL AGENDA

Where Councillors are not satisfied with the responses received or the information given leads to further action being warranted, Councillors will be able to liaise the matter for discussion at a following meeting through the "Questions for next Meeting" Process.

It is proposed that section 4 of the WSC Procedures be deleted and replaced by the following:

### ***"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 (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.*

### ***"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 Manager 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.*



## WALGETT SHIRE COUNCIL AGENDA

- *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..”*

It is also proposed to combine the existing policy and existing procedures into one document to be titled “Policy – Councillors Access to Information and their Interaction with Council Staff”

In addition it is proposed to add two Appendices – Appendix A – Nominated Council Officers and Appendix B – Councillor’s Enquiries/Work Requests proforma.

A revised process to seek information through the Questions for the next meeting is the subject of a separate report and the changes being recommended in this report should be read in conjunction with that report also.

### **Relevant Reference Documents:**

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

### **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.

**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 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 Manager 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..”*

## WALGETT SHIRE COUNCIL AGENDA

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

**Moved:**

**Seconded:**

Attachments:

Draft revised policy – Councillors Access to Information and their interaction with Council Staff (Circulated under separate Cover)

## **18. CONTRACTUAL CONDITIONS OF SENIOR STAFF**

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

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### **Summary:**

Section 339 of the Local Government Act 1993 provides that:

“The general manager must, at least once annually, report to the council on the contractual conditions of senior staff.”

### **Discussion (including issues and background):**

Section 332 of the Local Government Act 1993 provides as follows:

A council must determine those positions within the organisation structure that are senior staff positions.

A council may not determine a position to be a senior staff position unless: (b) the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package payable with respect to senior executive office (SES) holders whose positions are graded Level 1 (General Management).

Note: the current remuneration range for an SES Level 1 position within the State Public Service is \$149,150 to \$174,650. No Director within the Council receives remuneration at this level and, therefore, no Director can be deemed to be Senior Staff pursuant to the Act.

Section 334 (1) provides that “The position of general manager is a senior staff position”

The significance of officers being designated “senior staff” is that:

- “senior staff” must be appointed on performance based contracts of not less than 12 months and not more than 5 years.
- “The General Manager may appoint or dismiss senior staff only after consultation with the council.”

The Contract of the current General Manager will be tabled at the meeting.

The total remuneration of the Former General Manager in 2009/10 is \$181,933 comprising:

Salary paid - \$157,411

Superannuation- \$14,167.00

Private use of Council vehicle - \$4,360.00

Accommodation allowance - \$5,995.00

In Financial Year 2010 the Former General Manager was paid \$155,504.49 plus \$13,995 Super contributions and a final payment of \$5,201 for untaken annual leave. He also had the non cash benefit of the house and car during this time.

## **WALGETT SHIRE COUNCIL AGENDA**

Contrary to advice being offered in some quarters, it is believed that staff other than “Senior Staff” maybe employed on fixed term contracts.

### **Relevant Reference Documents:**

Local Government Act 1993  
General Manager’s Contract of Employment

### **Stakeholders:**

Councillors

### **Financial Implications:**

Nil

| <b>Contractual Conditions of Senior Staff</b>                                                                     |
|-------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>1. That the report be received.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |



### **Attachments:**

Nil

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

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

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**a) ORGANISATIONAL STRUCTURE**

A review of Council's Organisational Structure is currently under way and it is planned to place a detailed report before Council within the next two months.

**b) COMMUNITY STRATEGIC PLAN**

A review of the process followed to date is presently be undertaken to ensure that the various community engagement requirements have been followed. It is anticipated that a report will be prepared for the October meeting, and possibly a workshop arranged to update Councillors on the draft plan.

**c) ELECTRICITY CONTRACTS**

A proposal to enter into a bulk buying group through LG Pro has been abandoned because of current commitments through OROC with Country Energy and because of uncertainty in future contractual arrangements which will become clearer once various Federal legislation initiatives with regards emissions trading schemes becomes law.

**d) AUSTRALIA DAY PREPARATIONS**

Over the next few weeks Councillors will notice planning for the coming Australia Day Celebrations getting underway. Shortly we will send out the Nominations forms to residents of the shire including as many local organisations as possible. We will also call for Expression of Interests for anyone wanting to be involved on the judging panel.

**e) REPORTING FORMAT**

As indicated to both Councillors and senior management staff, it is proposed to vary the format of reports for Council meetings slightly in coming months.

Each month each director will have the opportunity to report on matters generally for brief mention or information only as this will enable Councillors to be updated on progress being made in various areas without the need for a detailed report.

The headings for more detailed reports will be revised and address specific issues such as environmental concerns, governance issues, alternative solutions/outcomes and a formal conclusion to allow Councillors the advantage of having staff reports that are more focused on issues of greater importance.

**f) WORKS PROGRAMMES**

Details of works programmes for 2010/2011 will be submitted to the October, 2010 meeting. These will outline the timeframe for work being undertaken in each division.

They are currently being revised to incorporate any works carried forward from 2009/2010 and also to include round 3 of RCLIPs projects.

## WALGETT SHIRE COUNCIL AGENDA

| <b>Matters Generally for Brief Mention or Information only from General Manager</b>                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>1. That the matters listed by the General Manager for brief mention or information only be received and noted wording of the recommendation here</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |



**Attachments:**

Nil



## **20. ANNUAL FINANCIAL STATEMENTS 2009 - 2010**

**REPORTING SECTION:** Corporate and Community Services  
**AUTHOR:** Carole Medcalf – Director of Corporate and Community Services  
**FILE NUMBER:** 10/178

---

### **Summary:**

This report recommends the Draft Annual Financial Statements and Draft Special Purpose Financial Statements for the year ending 30 June 2010, be referred to audit. The Statements will be tabled at the Council Meeting in September 2010.

### **Discussion (including issues and background):**

Section 413, 415 and 416 of the Local Government Act 1993 requires the Council's General Purpose and Special Purpose Annual Financial Reports for the year ending 30 June 2010 to be prepared, referred to audit and audited by 31 October 2010.

Council is required to authorise the referral of the Annual Financial Reports consisting of the General Purpose Report and Special Purpose Report to Council's Auditor.

Section 413 of the Local Government Act 1993, also requires that the Financial Reports must be accompanied by a Statement by Council and Management made pursuant to section 413 (2)(c) of the Local Government Act 1993 and made pursuant to a resolution of Council.

Section 418 (2) of the Local Government Act 1993, states that as soon as practicable but not more than 5 weeks after the Audit Report is received, Council must give notice that a Meeting will be held to present the Financial Reports and the Auditor's Report to the public. Such public notice must include a summary of the Financial Reports. The Financial Reports and Auditors Reports will be presented at the Council meeting held in November 2010.

### **Relevant Reference Documents:**

Draft Annual Financial Statements and Special Purpose Financial Statements 2009/2010

### **Stakeholders:**

Walgett Shire Council  
Spencer Steer Chartered Accountants  
Walgett Shire Ratepayers

### **Financial Implications:**

Cost of Audit is provided for in the 2010/2011 Budget.

**Annual Financial Statements 2009 - 2010**

**Recommendation:**

That:

1. The Draft Annual Financial Reports for 2008/2010 be referred to Council's Auditor.
2. The Mayor, General Manager and Acting Finance Manager be authorised to sign the necessary Financial Statements.
3. On receipt of the Audited Report, a copy be forwarded to the Department of Local Government and the Australian Bureau of Statistics.
4. Council delegate to the General Manager the authority to set the date at which the Auditors report and the Financial Statements be presented to the public.
5. Public notice be given of the meeting date for formal presentation of the audited Annual Financial Reports for 2009/2010

**Moved:**

**Seconded:**

## 21. CASH ON HAND AND INVESTMENT REPORT AS AT 31 AUGUST 2010

**REPORTING SECTION:** Corporate and Community Services  
**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 31 August 2010.

### Discussion (including issues and background):

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

As at 31 August 2010 the operational bank account's balance was \$4,163,979.72. The reconciliation of this balance is:

#### Operational Account Bank Reconciliation As at 31 August 2010

|                                                               |                         |
|---------------------------------------------------------------|-------------------------|
|                                                               | \$                      |
| <b>Opening Ledger Account Balance as at 1 August 2010</b>     | <b>2,873,251.54</b>     |
| Add: Receipts                                                 | 4,060,398.59            |
| Add: Recalled Investments                                     | 285,002.09              |
| Less: New Investments                                         | -                       |
| Less: Payments                                                | (3,054,672.50)          |
| <b>Closing Ledger Balance as at 31 August 2010</b>            | <b>4,163,979.72</b>     |
| <br><b>Balance as per Bank Statement as at 31 August 2010</b> | <br><b>4,121,696.94</b> |
| Add: Receipts not banked                                      | 66,958.01               |
| Less: Payments not presented                                  | (24,675.23)             |
| <b>Closing Balance of Bank Account</b>                        | <b>4,163,979.72</b>     |

As at 31 August 2010 Walgett Shire Council's investment register's balance was \$5,014,358.71. The balance as per the attached investment report comprised:

|                                                    |                |
|----------------------------------------------------|----------------|
| Term Deposits                                      | \$5,000,000.00 |
| Floating Rate Collateralized Debt Obligation (CDO) | \$ 14,358.71   |

## WALGETT SHIRE COUNCIL AGENDA

The market values disclosed for the Floating Rate Collateralized Debt Obligation (CDO) are market values as at 31 August 2009 and were supplied by the ANZ Group. The Magnolia Flinders CDO, with a disclosed market value of \$35,002.09, was sold on 12 August 2010 for \$42,750.00. Council made a profit of \$7,747.91.

As at 31 August 2010 Walgett Shire Council's total available cash and invested funds were \$9,178,338.43 represented by:

|                         |                |
|-------------------------|----------------|
| Working Account Balance | \$4,163,979.72 |
| Investments             | \$5,014,358.71 |

### Cash on Hand and Investment Report

**Recommendation:**

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

**Moved:****Seconded:**

## WALGETT SHIRE COUNCIL AGENDA

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

| <u>Investment Institution</u>                               | <u>Type of Investment</u> | <u>Term<br/>(days)</u> | <u>Rate %</u> | <u>Ref</u> | <u>Reset Date</u> | <u>Maturity Date</u> |                               |
|-------------------------------------------------------------|---------------------------|------------------------|---------------|------------|-------------------|----------------------|-------------------------------|
| <b>Term Deposits</b>                                        |                           |                        |               |            |                   |                      |                               |
| National Australia Bank                                     | Term Deposit              | 95                     | 5.95          | 631/10     |                   | 14-Sep-10            | \$ 250,000.00                 |
| Newcastle Permanent Building Society                        | Term Deposit              | 109                    | 6.06          | 632/10     |                   | 28-Sep-10            | \$ 250,000.00                 |
| Newcastle Permanent Building Society                        | Term Deposit              | 123                    | 6.02          | 633/10     |                   | 12-Oct-10            | \$ 250,000.00                 |
| Newcastle Permanent Building Society                        | Term Deposit              | 137                    | 6.02          | 634/10     |                   | 26-Oct-10            | \$ 250,000.00                 |
| Newcastle Permanent Building Society                        | Term Deposit              | 151                    | 6.05          | 635/10     |                   | 09-Nov-10            | \$ 250,000.00                 |
| National Australia Bank                                     | Term Deposit              | 165                    | 6.00          | 636/10     |                   | 23-Nov-10            | \$ 250,000.00                 |
| National Australia Bank                                     | Term Deposit              | 186                    | 6.35          | 637/10     |                   | 14-Dec-10            | \$ 250,000.00                 |
| National Australia Bank                                     | Term Deposit              | 193                    | 6.35          | 638/10     |                   | 21-Dec-10            | \$ 250,000.00                 |
| Maquarie Bank                                               | Term Deposit              | 98                     | 5.60          | 639/10     |                   | 05-Oct-10            | \$ 250,000.00                 |
| Maquarie Bank                                               | Term Deposit              | 112                    | 5.60          | 640/10     |                   | 19-Oct-10            | \$ 250,000.00                 |
| Bankwest                                                    | Term Deposit              | 126                    | 5.75          | 641/10     |                   | 02-Nov-10            | \$ 250,000.00                 |
| Bankwest                                                    | Term Deposit              | 154                    | 5.85          | 642/10     |                   | 30-Nov-10            | \$ 250,000.00                 |
| Bankwest                                                    | Term Deposit              | 161                    | 5.85          | 643/10     |                   | 07-Dec-10            | \$ 250,000.00                 |
| Bankwest                                                    | Term Deposit              | 196                    | 6.00          | 644/10     |                   | 11-Jan-11            | \$ 250,000.00                 |
| Credit Union Australia                                      | Term Deposit              | 210                    | 6.16          | 645/10     |                   | 25-Jan-11            | \$ 250,000.00                 |
| Credit Union Australia                                      | Term Deposit              | 245                    | 6.14          | 646/10     |                   | 01-Mar-11            | \$ 250,000.00                 |
| Australian Defence Credit Union                             | Term Deposit              | 91                     | 5.66          | 647/10     |                   | 30-Nov-10            | \$ 500,000.00                 |
| Bank of Queensland                                          | Term Deposit              | 98                     | 5.75          | 648/10     |                   | 07-Dec-10            | \$ 500,000.00                 |
| <b>Sub-Total</b>                                            |                           |                        |               |            |                   |                      | <u>5,000,000.00</u>           |
| <b>Floating Rates Collateralized Debt Obligations (CDO)</b> |                           |                        |               |            |                   |                      |                               |
| Zircon Finance Ltd                                          | Floating Rate CDO         |                        | 0.00          |            |                   | 20-Sep-14            | \$ 0.00                       |
| Morgan Stanley Aces SP                                      | Floating Rate CDO         | 91                     | 6.950         |            | 20-Sep-10         | 20-Jun-15            | \$ 12,165.59                  |
| Helium Capital Ltd                                          | Floating Rate CDO         | 92                     | 6.7417        |            | 23-Sep-10         | 23-Jun-14            | \$ 2,193.12                   |
| <b>Sub-Total</b>                                            |                           |                        |               |            |                   |                      | <u>14,358.71</u>              |
| <b>Grand Total</b>                                          |                           |                        |               |            |                   |                      | <b>\$ <u>5,014,358.71</u></b> |

**Investment Report as at 31 August 2010**

## **22. COLLARENEBRI SKATE PARK SHADE SHELTER- COUNCIL SEAL REQUIRED FOR VARIATION TO AGREEMENT**

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

---

### **Summary:**

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

### **Discussion (including issues and background):**

Council has received funding from the Department of Families, Housing, Community Services and Indigenous Affairs (FHCSIA) to construct a shade shelter at the Collarenebri Skate Park. The funds (in the amount of \$11,550.00) are provided under FHCSIA's Indigenous Communities Strategic Investment program.

The project completion time has been varied from the 30<sup>th</sup> June 2010 to the 31<sup>st</sup> December 2010. The Council Seal is required to be affixed to the Variation of Agreement.

### **Relevant Reference Documents:**

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

### **Stakeholders:**

Collarenebri community members

### **Financial Implications:**

Nil

**Collarenebri Skate Park Shade Shelter – Council Seal required or Variation to Agreement**

**Recommendation:**

That Walgett Shire Council resolve to:

1. Authorise the Mayor and General Manager to sign and affix the Council seal to two copies of the Department of Families, Housing, Community Services and Indigenous Affairs *Deed of Variation to Standard Funding Agreement* for the variation of completion date of the construction of a shade shelter at Collarenebri Skate Park.

**Moved:**

**Seconded:**

Attachments:

Families, Housing, Community Services and Indigenous Affairs Deed of Variation of Standard Funding Agreement, in duplicate for signing.

## **23. COMMUNITY ASSISTANCE SCHEME DONATIONS -2010/2011 BUDGET**

**REPORTING SECTION:** Corporate & Community Services  
**AUTHOR:** Susie Jones – Senior Finance Officer  
**FILE NUMBER:** 10/405

---

### **Summary:**

This report identifies requests for financial assistance from Council through the Community Assistance Scheme 2010/2011 and under Section 356 of the Local Government Act 1993

This is the first (of two) rounds of requests for financial assistance for the 2010/2011 financial year.

### **Discussion (including issues and background):**

Applications have been received from community organisations for financial assistance under the Community Assistance Scheme. The scheme was advertised shire wide, with applications closing 2 August 2010.

Applicants must be non-profit organisations and based in, or affiliated with, Walgett Shire. Donations are generally in the region of \$500-\$1000, and are limited to one donation per organisation per year.

The Community Assistance Scheme objectives are to:

Support charities and community projects, events and activities which occur within the Walgett Shire area, and are a benefit to the community;

Foster or support new services, initiatives and resources within the Shire;

Improve awareness and use of community services and resources within the Shire;

Encourage increased participation in local community events within the Shire.

At the Council meeting held 24 August 2010 the following organisations were allocated \$500 each:

- Collarenebri Jockey Club
- Carinda and District Race Club
- Goodooga – Lightning Ridge CWA

### **Relevant Reference Documents:**

WSC Procedures – AFM – Requests for Assistance

Section 356 Local Government Act 1993

Local Government (General) Regulation 2005

Walgett Shire Council Management Plan 2009 - 2014

### **Stakeholders:**

Walgett Shire Council

Various community organisations



## WALGETT SHIRE COUNCIL AGENDA

### Financial Implications:

An amount of \$15,300.00 has been provided for in the 2010/2011 Budget in accordance with Section 356 of the Local Government Act 1993. This is to be utilised between the two rounds of funding as well as a nominal amount to be utilised in the advertising of the scheme (this came to \$324 in 2009/2010).

### Community Assistance Scheme Donations – 2010/2011 Budget

#### Recommendation:

1. That Council applies funds for financial assistance under section 356 of the Local Government Act 1993 for the second round of 2010/2011 as follows:

|   | Organisation                                            | Project                                                                              | Request           | Cost of Project / Activity | Recommended       | Approved      | Beneficiaries                                  |
|---|---------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------|----------------------------|-------------------|---------------|------------------------------------------------|
| 1 | Walgett District Pony Club                              | Annual Pony club Camp - costs of hiring the showground                               | \$2,030.00        | \$2,030.00                 | \$500.00          |               | Young people engaging in equestrian activities |
| 2 | Anglican Counseling Service                             | On-going counseling service visits to Lightning Ridge - 5 additional visits for 2010 | \$4,500.00        | \$18,900                   | \$500.00          |               | Lightning Ridge Community                      |
| 3 | Parents and Friends Association of St Joseph's Catholic | Regional Choir camps for the 13 Children who have been selected to                   | \$1,000.00        | \$7,250                    | \$500.00          |               | St Joseph's Catholic School and community      |
| 4 | Rowena CWA                                              | Cost of Hiring the Hall for the CWA meetings                                         | \$100.00          | \$100                      | \$100.00          |               | Local community of Rowena                      |
|   |                                                         | <b>TOTAL:</b>                                                                        | <b>\$7,630.00</b> | <b>\$28,280.00</b>         | <b>\$1,600.00</b> | <b>\$0.00</b> |                                                |

**Moved:**

**Seconded:**

#### Attachments:

Nil

## **24. FORMER WALGETT RAILWAY STATION BUILDING**

**REPORTING SECTION:** Planning and Regulatory Services

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

**FILE NUMBER:** 09/1165

---

### **Summary:**

Walgett Shire Council recently unsuccessfully sought expressions of interest for the demolition or removal of the former Walgett railway station building. It is recommended that Council resolve to proceed with demolition of the building.

### **Discussion (including issues and background):**

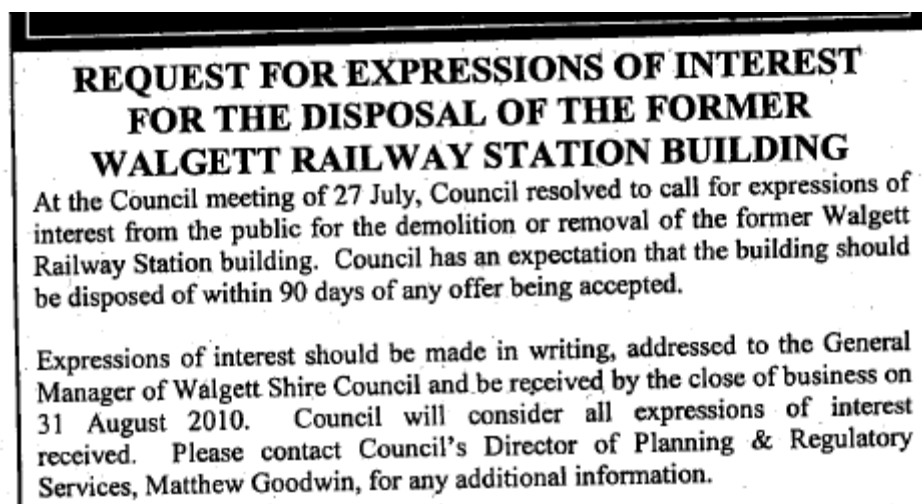
Walgett Shire Council was given the former Walgett railway station building in 1994 by the State Rail Authority. Detailed reports on the status of the building were provided to Council meetings held on 28 October 2008 and 27 July 2010. Two of the key issues noted in the reports were:

- (a) Given the history of the building and its condition, it appears quite unlikely that a cost effective new use can be found for it.
- (b) It remains desirable for Council to make progress toward having the building removed from the private land where it is presently located.

At the meeting held on 27 July 2010 Council resolved as follows:

That Walgett Shire Council re-advertise for expressions of interest in the demolition or removal of the former Walgett railway station within a ninety day timeframe from acceptance.

Advertisements were placed in the Walgett Spectator on the 4<sup>th</sup> and 18 of August 2010, as well as the Lightning Ridge News on the 5<sup>th</sup> and 19<sup>th</sup> of August 2010, as follows:



The advertisement resulted in several verbal inquiries, but no written submissions were received.

## **WALGETT SHIRE COUNCIL AGENDA**

### **Relevant Reference Documents:**

- Minutes and agenda of Walgett Shire Council meeting held on 15 July 2008, which address issues associated with the former Walgett railway station building.
- Minutes and agenda of Walgett Shire Council meeting held on 28 October 2008, which address issues associated with the former Walgett railway station building.
- Letter dated 19 November 2008 from Scott and Sarah Wickman to Walgett Shire Council accepting ownership of the building.
- Letter dated 20 May 2010 from Scott and Sarah Wickman to Walgett Shire Council indicating that they are unable to take ownership of the building.
- Minutes and agenda of Walgett Shire Council meeting held on 27 July 2010, which address issues associated with the former Walgett railway station building

### **Stakeholders:**

Walgett Shire Council, community, Wyn Lyons, Scott and Sarah Wickman

### **Financial Implications:**

There are no funds available within the current budget to enable the demolition. Based on the previous offer from Lightning Ridge Calweld Drill Hire in 2008, it is expected that demolition of the building will cost about \$2,500 to \$4,000.

The work could be funded by reducing the existing budget of \$57,192 for the Walgett Airport Pesticide Residue Pit Remediation by \$4,000. Note that the budget for that project was also reduced by \$11,000 (previously \$68,192) at the 24 August 2010 Council meeting). At this stage it is not clear how much money will be required for the remediation project until testing of remediation options has been completed (currently in progress).

**Former Walgett Railway Station Building**

**Recommendation:**

That Walgett Shire Council resolve to:

1. Write to Scott and Sarah Wickman thanking them for their efforts to re-use the former Walgett railway station building and state that Walgett Shire Council has now resumed ownership of the building.
2. Note that advertisements during August 2010 calling for written expressions of interest for the demolition or removal of the former Walgett railway station did not result in any submissions.
3. Establish a new budget line item for \$4,000 for the demolition and removal of the former Walgett railway station building and reduce the existing budget of \$57,192 for the Walgett Airport Pesticide Residue Pit Remediation by \$4,000.
4. Request the General Manager to obtain quotes and arrange for the demolition of the former Walgett railway station building by a suitably experienced and insured party. The project should include the removal of all associated materials from the site.
5. Write to Wyn Lyons, owner of the "Belmont" property, advising her of this resolution.

**Moved:**

**Seconded:**

Attachments:

Nil

## **25. DEVELOPMENT CONSENT MODIFICATION, SUPERMARKET**

**REPORTING SECTION:** Planning and Regulatory Services

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

**FILE NUMBER:** DA2009/005

---

### **Summary:**

An application to modify development consent 2009/005 for a supermarket and shops at Lightning Ridge has been lodged. It is recommended that Walgett Shire Council approve the modification application subject to appropriate conditions of development consent.

### **Discussion (including issues and background):**

Development consent 2009/055 in the name of Gary Lawrence was approved by Council on 28 July 2009. The consent was for a supermarket complex on land in Agate St., Lightning Ridge, owned by the Lightning Ridge Bowling Club (Lot 3 DP 40628, lot 150 DP 45069, lot 160 DP725281 and lot 79 DP 43258).

The total proposed building floor area was 2,457 square metres which included six shops, with floor areas between 55 and 85 square metres. One of the six shops was proposed to be a bottle shop.

On 16 September 2010 Walgett Shire Council received an application to modify development consent 2009/005. A report on that application is attached (Attachment A)

### **Relevant Reference Documents:**

Documents associated with Development Application 2009/005.

### **Stakeholders:**

Applicant, Lightning Ridge Bowling Club, adjoining landowners and occupiers, public

### **Financial Implications:**

Nil

**Development Consent Modification, Supermarket**

**Recommendation:**

That Walgett Shire Council resolve to:

1. Approve the application by Michael Swain to modify development consent 2009/005 for a supermarket, shops, bottle shop and car parking, subject to the conditions of development consent recommended by Walgett Shire Council's Director of Planning and Regulatory Services in the 'Development consent modification assessment report' dated 16 September 2010.

**Moved:**

**Seconded:**

Attachments:

A – Development consent modification assessment report

Attachment A – Development consent modification assessment report

|                                                           |
|-----------------------------------------------------------|
| <b>DEVELOPMENT CONSENT MODIFICATION ASSESSMENT REPORT</b> |
|-----------------------------------------------------------|

**APPLICATION DETAILS**

|                                 |                                                             |                             |                                                  |
|---------------------------------|-------------------------------------------------------------|-----------------------------|--------------------------------------------------|
| <b>Consent number</b>           | 2009/005                                                    | <b>Consent date</b>         | 28 July 2009                                     |
| <b>Application is for</b>       | Supermarket                                                 | <b>Value of development</b> | \$1,800,000                                      |
| <b>Land address</b>             | Agate St, Lightning Ridge                                   | <b>Lot/sec/DP</b>           | 3//40628, 150//45069,<br>160//725281 & 79//43258 |
| <b>Applicant name</b>           | Michael Swain                                               | <b>Ass</b>                  | 15966                                            |
| <b>Owner name</b>               | Lightning Ridge Bowling Club                                |                             |                                                  |
| <b>Land zoning</b>              | 2. Village or township                                      |                             |                                                  |
| <b>Current use /development</b> | Vacant land                                                 |                             |                                                  |
| <b>Report author</b>            | Matthew Goodwin, Director of Planning & Regulatory Services |                             |                                                  |

**APPROVED PROPOSAL**

Supermarket & bottle shop, 5 shops, public amenities and car parks.

**MODIFIED PROPOSAL**

The approved development included two public entrances into the supermarket area. The key modification proposed is that a public entry/exit to the supermarket building from the car park on lot 79 should be replaced with a fire exit, leaving a single main public entry/exit point in Agate St.

In effect the applicant contends that having a single entry point will:

- Improve security of the supermarket from shoplifting.
- Increase pedestrian traffic past the shops at the front of the building.

**DEVELOPMENT SITE**

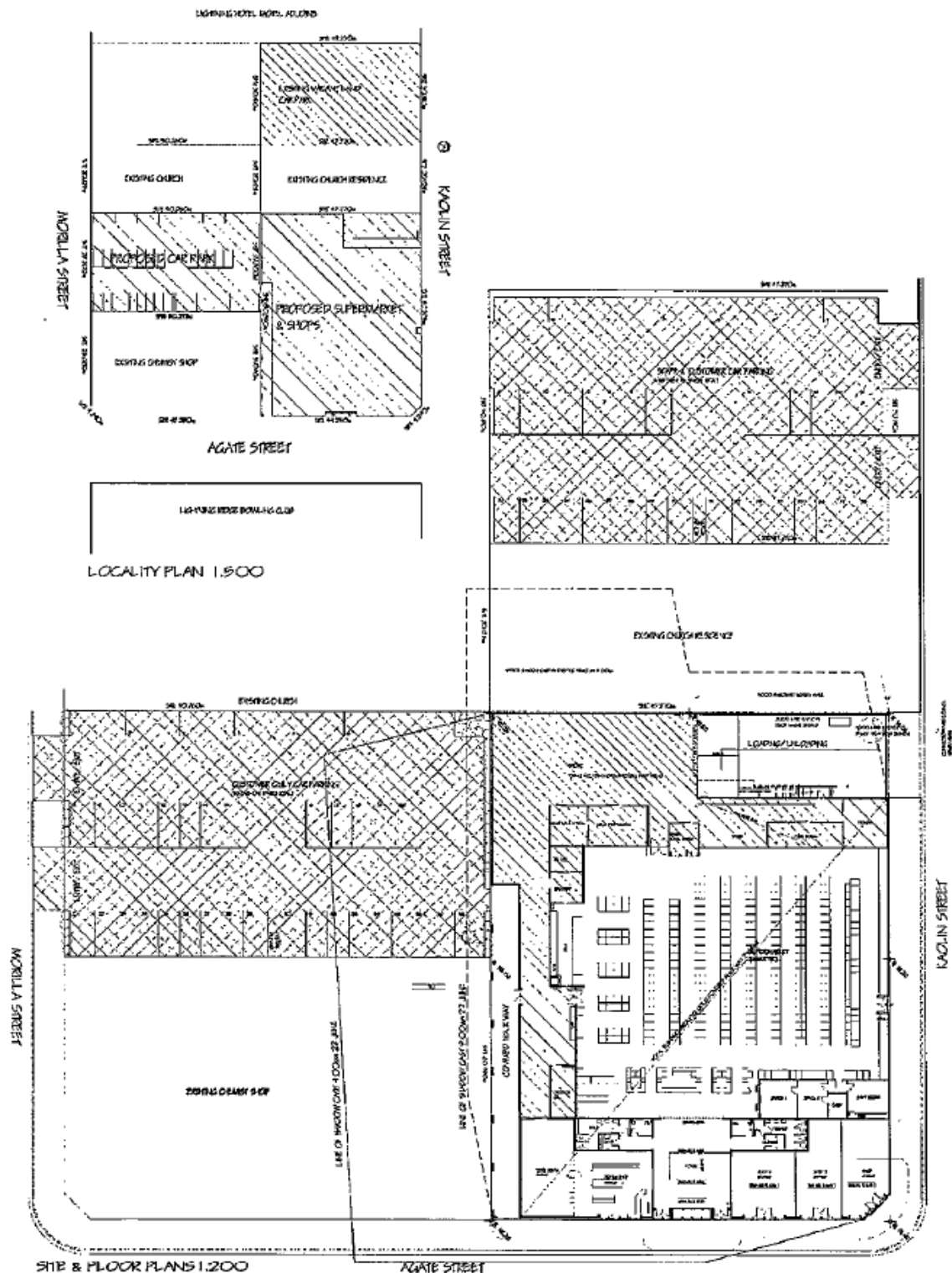
The location of the development site and surrounding land uses is highlighted in the plan below.

Building elevations and an amended floor plan are provided below also.

[illegible]



# MODIFIED PLAN

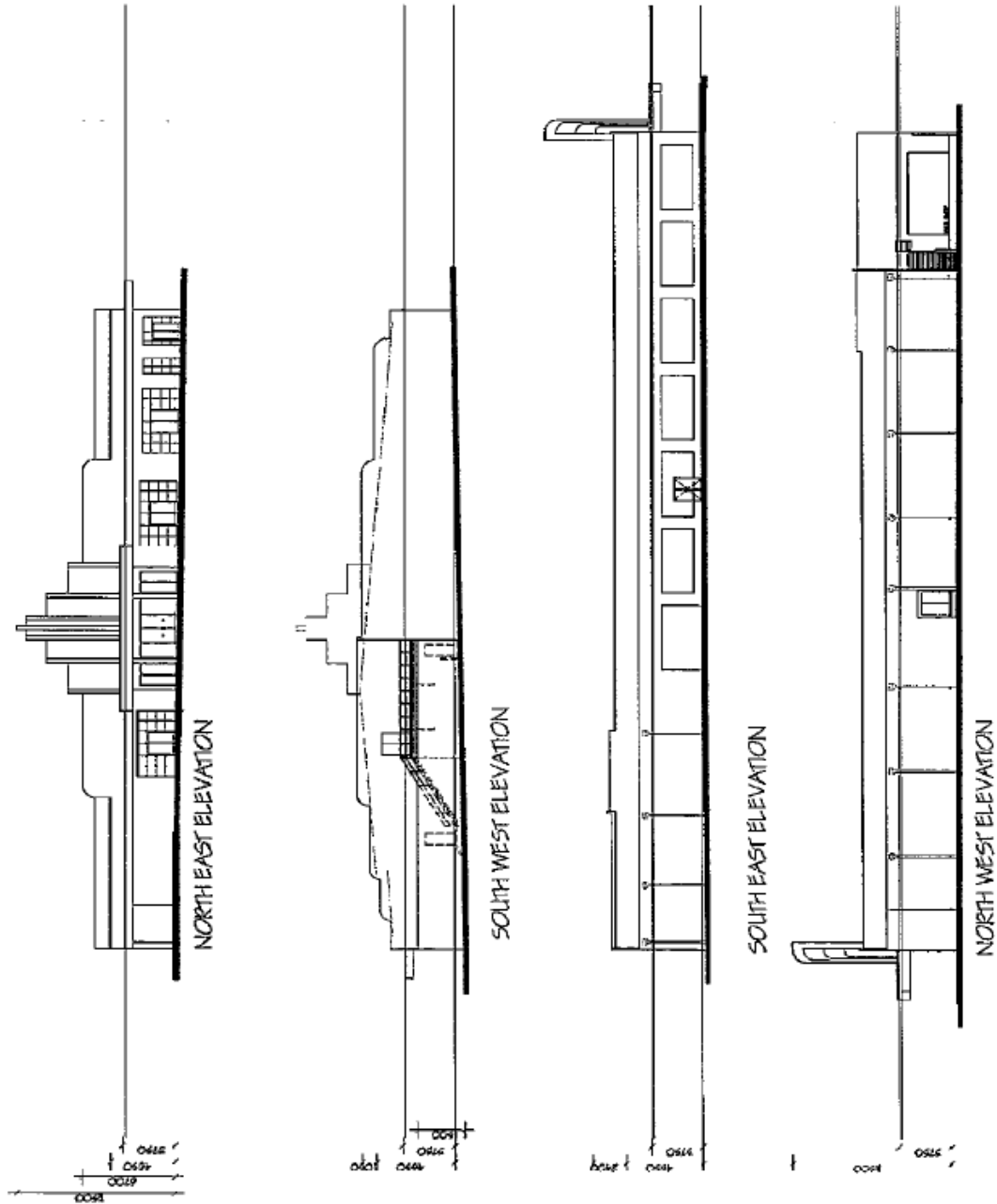


PROPOSED COMMERCIAL DEVELOPMENT & CAR PARKING  
AT CNR OF AGATE & KAOLIN STREETS, LIGHTNING RIDGE NSW



MAGNIFIED PART OF PLAN





PROPOSED COMMERCIAL DEVELOPMENT & CAR PARKING  
AT CNR OF AGATE & KAOLIN STREETS, LIGHTNING RIDGE NSW

**BLEKTON**  
ARCHITECTS  
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TEL: 02 9550 1234  
WWW.BLEKTON.COM.AU

## WALGETT SHIRE COUNCIL AGENDA

### SECTION 96 EVALUATION

Evaluation of whether application complies with relevant aspects of section 96.

|                                                                            | Comment where relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 96(1) Modification involving minor error, misdescription or miscalculation | Not relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 96(1A) Modification involving minimal environmental impact                 | Relevant. A consent authority may modify the consent if:<br>(a) satisfied that the proposed modification is of minimal environmental impact.<br><i>The proposed modification will clearly have minimal environmental impact.</i><br>(b) satisfied that development is substantially the same development.<br><i>No significant modification to the proposed use or scale of the development has been proposed, hence it is substantially the same.</i><br>(c) it has notified the application in accordance with:<br>(i) the regulations, if the regulations so require.<br>(ii) a DCP, if applicable.<br><i>Notification is not required in accordance with any regulation or DCP. The modification is also quite minor and unlikely to change the potential impacts of the development on nearby landowners or occupiers.</i><br>(d) it has considered any submissions<br><i>No submissions received, given that notification is not required and was not undertaken.</i> |
| 96(2) Other modifications                                                  | Not relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

### SECTION 79C EVALUATION

Sub-section 96(3) requires:

*"In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application."*

Consideration of the matters prescribed by section 79C are summarised below OR have been evaluated in the previous Development Application Assessment Report (delete irrelevant parts).

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**

Under the Interim Development Order No. 1 – Shire of Walgett 1968 (IDO) the land is located within "2. Village or Township" zone. The proposal is permissible with development consent.

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

On 27 July 2010 the Draft State Environmental Planning Policy (Competition) 2010 was placed on public exhibition. If gazetted, clauses 8 and 9 of the policy would explicitly exclude consideration of the

## WALGETT SHIRE COUNCIL AGENDA

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.**

Not applicable. There are no current Development Control Plans in Walgett Shire.

The effectively obsolete Walgett Shire Council off Street Parking Code, was used as a guide to determine the appropriate number of parking spaces. For a commercial development under the code 1 car park is required for each 37 square metres of floor space ( $2,457\text{m}^2 / 37 = 66.4$  spaces). The applicant's plans provide for 76 spaces, which is significantly more than the minimum Council has expected historically.

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

Not applicable. No planning agreement has been proposed.

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

The table below identifies clauses of the Environmental Planning and Assessment Regulation 2000 that should be considered. None of the clauses are relevant to the proposed development.

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

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

**Noise and light:-** There is potential for noise and light impacts to arise on adjoining land, especially the church residence.

It is recommended that a condition of development consent be imposed requiring the developer to erect and maintain a barrier to reduce the potential for noise and light to affect the church residence (recommended condition Env 005). Other conditions are recommended to minimise potential impacts from odour (Env 001), surface water (Env 020), lighting (Env 045) and general amenity (Env 040).

**Access:-** Anecdotal evidence suggests that Kaolin Street receives relatively low volumes of predominantly light traffic. It is proposed to establish a loading dock and car park that will both be accessed via Kaolin St. Increased traffic volume and weight is a likely result.

The current development consent includes a series of conditions requiring the upgrade of pedestrian and vehicle access to the site (Acc 010, 015, 016, 017 and 050) at the developer's expense. It is recommended that these conditions be maintained.

**Economic:-** Overall the economic impacts of a second large supermarket entering the local economy are likely to be positive for most of the community, providing employment opportunities and price

competition. Land values adjoining the site may increase due to the presence of the supermarket. Presumably the developer will not proceed unless their business plan indicates there is a viable opportunity.

**General:-** No significant adverse impacts on the natural or built environments are expected.

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

**Utilities:-** The site is serviced by Council water and effluent mains, and mains electricity.

**Stability:-** Opal mining may have occurred on the site, or in the vicinity, some time ago (more than 30 years?). If it did occur, it is likely to have been quite shallow in nature and hence pose minimal risk to the stability of the site.

**Contamination:-** No prior land use is known that is likely to be associated with any significant contamination.

**Context:-** The site is located within an urban block where the predominant land use is commercial (service station, caravan park, shop, chemist). Other non-commercial land uses also exist (historical museum, hall, church). The church residence is the only land use which could be regarded as inconsistent with the predominantly commercial character of the block. Overall the proposed use of the site is consistent with the predominant commercial uses in the vicinity. It is also relevant to note that the Walgett Shire Growth Management Study and Strategy adopted by Council proposes that this land be zoned Commercial.

**Stormwater drainage:-** Stormwater drainage in the vicinity of the development may be inadequate due to a lack of gutters and drains. This may require Council to improve drainage systems on streets in the vicinity if problems arise in future.

**General:-** Overall the site appears to be suitable for the proposed development.

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

Not applicable. Under the Environmental Planning and Assessment Act 1979 the proposal is local development' with no opportunity for submissions under the act or regulations.

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

Notification for the original development application resulted in six objection letters. Those letters raised a range of concerns, including:

- Noise disturbance.
- Light disturbance.
- Possibility of odour from rubbish and drainage systems.
- Loitering.
- Reduction in privacy.
- Competition with the existing supermarket.
- Vermin.
- Shading.
- Reflected heat.
- Community safety.
- Altered traffic patterns.
- Potential impacts on neighbouring residents and caravan park.
- Flooding.
- Potential impact of stormwater on neighbouring properties.

## WALGETT SHIRE COUNCIL AGENDA

The most significant issues can be managed by appropriate conditions of development consent.

### Note regarding recommended development consent conditions

The previous development consent issued on 28 July 2009 included a number of conditions relating to fire safety schedules, building inspections and compliance with the Building Code of Australia. Legislative changes and draft Development Assessment Guidelines published by the Department of Planning in June 2009 require that these conditions are no longer included in development consents (apart from a fire safety schedule for a Development Application involving building change of use and no building work).

Current best practice is to add a fire safety schedule and a list of critical stage inspections to the Construction Certificate as attachments, where Council is appointed the principle certifying authority, to comply with section 81A of the Environmental Planning and Assessment Act 1979 and clause 168 of the Environmental Planning and Assessment Regulation 2000.

The previous development consent also included a number of conditions relating to water, sewer and stormwater approvals under section 68 of the Local Government Act 1993, which are more appropriately addressed via conditions in those approvals.

In the above context inappropriate conditions have been removed and simplified where possible. Advisory notes have been added, where appropriate, to remind the applicant of related regulatory requirements not addressed via the development consent. For reasons of improved clarity, the recommended consent conditions have also been separated into those that are ongoing, those that must be complied with during construction and those that must be complied with prior to the issue of an occupation certificate.

### Conclusion

Development consent was previously issued on 28 July 2009 for a shopping complex and associated parking. The current application to modify that development consent involves removal of a public entry/exit to the supermarket building from the car park on lot 79 (to be replaced with a fire exit) leaving a single main public entry/exit point in Agate St.

Given the key modification is quite minor, it is recommended that development consent be issued, subject to the attached recommended development consent conditions. The recommended conditions will minimise the potential for significant adverse impacts on neighbours, the environment and the amenity of the locality.

### INTERNAL REFERRALS

Summary of responses from Council staff referrals, where applicable.

#### TOWN PLANNER

Comments \_\_\_\_\_

Recommendation

Signature

Approval with recommended conditions  
*[Signature]* Date 16/9/2010

## WALGETT SHIRE COUNCIL AGENDA

### HEALTH AND BUILDING SURVEYOR

Comments \_\_\_\_\_  
\_\_\_\_\_

Recommendation \_\_\_\_\_

Signature [Signature] Date 16/9/10

### DIRECTOR URBAN INFRASTRUCTURE

Comments A long walk for customers from the designated car park but is not of Council's concern.

Recommendation \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Siegfried Coralde**  
Director Urban Infrastructure Services  
Walgett Shire Council  
16/09/2010

### REFERRAL

This application is referred to Walgett Shire Council for determination because there were objections to the original application which was determined by Council.

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

X [Signature] Director Planning & Regulatory Services Date 16/9/2010

### Attachment - Recommended conditions of development consent

#### **PRESCRIBED CONDITIONS**

The Environmental Planning and Assessment Regulation 2000 prescribes the following conditions of development consent.

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

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

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

(2) This clause does not apply:

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



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

**98A. Erection of signs**

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

(2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

(3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 116G 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).*

|                                      |
|--------------------------------------|
| <b>CONDITIONS IMPOSED BY COUNCIL</b> |
|--------------------------------------|

The following development consent conditions are imposed by Council.

**CONDITIONS THAT ARE ONGOING REQUIREMENTS**

**GENERAL**

**Gen 020.**

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

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

**Gen 030.**

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.*

**Gen 070.**

Occupancy of the building is not to take place until the Principal Certifying Authority (PCA) has carried out a final inspection and an Occupation Certificate issued. All required trade certifications are to be available to the PCA before the final inspection will be carried out.

*Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.*

#### **APPROVED PLANS**

##### **Pln 010.**

The development shall be implemented in accordance with:

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

except as amended by the conditions of this development consent.

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

#### **HOURS OF OPERATION**

##### **Hrs 010.**

The approved hours of operation for this development are Monday to Sunday, 8:00am to 8:00pm.

*Reason: To protect and preserve the amenity of the locality.*

#### **PARKING & TRAFFIC**

##### **Par 001**

A minimum of 76 car parks must be maintained for the development.

*Reason: To ensure that car park spaces are maintained at the level proposed in the application, and at a level appropriate for the nature and scale of the development.*

##### **Par 020.**

The off street car parking area is to be sealed and car parking bays clearly line-marked to comply with AS2890.1-1993 (Parking Facilities – Part 1: Off-street car parking).

*Reason: To ensure off street parking is maintained in an appropriate manner.*

##### **Par 025**

Carpark lighting is to comply with the requirements of AS 2890.1 1993. (Parking Facilities – Part 1: Off-street car parking).

*Reason: To ensure that car park lighting does not interfere with adjoining properties.*

##### **Par 030.**

Parking facilities, including two (2) disabled car parks, are to comply with Part D3.5 of Building Code of Australia and the requirements of Australian Standard 2890.1 – Parking Facilities – Off-street Car Parking.

*Reason: To enable use of the car space by people with disabilities and to ensure compliance with the requirements of the Building Code of Australia.*

## ACCESS

### Acc 040.

All loading and unloading activities relating to the use of the premises are to be carried out wholly within the site.

*Reason: To ensure the amenity of the area is maintained and minimise the potential for interference with traffic flow on public streets.*

## ENVIRONMENTAL MANAGEMENT

### Env 001.

A designated wash bay is to be established for the cleaning, washing or degreasing of rubbish disposal bins. The bay shall be provided with a hose cock, sealed surface and interceptor or silt collection pit appropriate for the operations. The bay shall also be located at least five (5) metres from the property boundary.

*Reason: To minimise the potential for odours associated with bins to have an adverse impact on neighbouring properties.*

### Env 005.

A 3 metre high barrier is to be established and maintained between the loading bay and adjoining lot 78 DP 43257. The barrier must block light and reduce the potential for noise transmission to the satisfaction of Walgett Shire Council's Director of Planning and Regulatory Services.

*Reason: To minimise the potential for noise and light to adversely impact the residence located on Lot 78 DP43257.*

### Env 020.

The land surrounding any structure must be graded to divert surface water clear of existing and proposed structures and neighbouring properties.

*Reason: To minimise the potential for surface water to adversely impact the building on the development site or neighbouring properties.*

### Env 040.

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 045

All external lightning is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.

*Reason: To prevent the intrusion of light onto adjoining premises.*

## FOOD PREMISES

### Foo 011.

The fit out and operations of the food premises must comply with the requirements of:

- (a) Food Safety Standards.
- (b) Australian Standard 4674-2004 *Design Construction and Fit Out of Food Premises*.

- (c) The NSW Food Act 2003.
- (d) Council's Policy for Discharge of Liquid Trade Waste and Liquid Trade Waste Regulation Guidelines issued by the Department of Water and Energy – April 2009.

*Reason: To ensure that the building conforms to the relevant performance requirements of the Building Code of Australia and Food Act 2003.*

**Foo 030.**

Arrangements are to be put in place by the applicant for the collection, storage, and removal of garbage and unwanted materials from site on a regular basis. All garbage is to be stored in animal proof containers screened from public view and situated so as not to cause a nuisance to the occupants of the building or neighbouring properties.

*Reason: To maintain the amenity of the site and surrounds.*

**WATER, SEWER, AND STORMWATER**

**Plu 040.**

Provision shall be made for a water meter upstand within the confines of the property to be accessible to Council at all times.

*Reason: To provide access for periodic water meter reading.*

**Plu 130.**

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

- (a) It is graded to divert surface water to the street, and clear of existing and proposed structures and adjoining premises, or
- (b) It is to be collected and drained via a gravity system to a Council stormwater line, or
- (c) Disposed of in a manner, which will not create any additional nuisance to adjoining properties.

*Reason: To minimise the potential for detrimental impacts to buildings or neighbouring properties.*

**CONDITIONS THAT MUST BE COMPLIED WITH DURING CONSTRUCTION**

**SITING/SETOUT**

**Set 010.**

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

- (a) to meet the setback requirements of the approved plans,
- (b) to be located within the confines of the lot., and;
- (c) so that it does not interfere with any easements or covenants upon the land.

*Reason: To avoid any buildings being erected in a location where it would be inappropriate.*

**CONSTRUCTION**

**Con 010**

The applicant shall ensure that noise pollution is minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-

|                    |                    |
|--------------------|--------------------|
| Monday to Saturday | 7.00 AM to 5.00 PM |
|--------------------|--------------------|

## WALGETT SHIRE COUNCIL AGENDA

Sunday & public Holidays      No construction activities are to take place.

*Reason: To ensure that public amenity is not unduly affected by noise.*

### **Con 020.**

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

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

### **Con 030.**

The builder shall provide a temporary sanitary service to the building site before building operations are commenced.

*Reason: To provide effective sanitation of the site during building construction.*

### **Con 040.**

All construction materials, sheds, skip bins, spoil, temporary water closets etc, shall be kept wholly within the property and not placed on public land or in a position that may result in materials/debris being washed onto the roadway or into the stormwater drainage system.

*Reason: To preserve the amenity of the locality and protect stormwater systems.*

### **Con 050.**

Temporary kerb and gutter crossings shall be installed to protect existing kerbs, channels and/or laybacks. Such protection shall consist of timber, concrete, steel or the like and shall not cause any diversion or build-up of drainage flow. Materials that could cause interference with council's drainage system shall not be used.

*Reason: To ensure that Council's stormwater system is protected.*

### **Con 120.**

All glass installation shall comply with the requirements of AS 1288 *Glass in buildings*, and AS 2047 *Windows in buildings*, as applicable. The installer shall provide certification that the glazing complies with the requirements of AS 1288 and AS 2047 immediately following installation.

*Reason: To ensure compliance with appropriate standards.*

## **WATER, SEWER, AND STORMWATER**

### **Plu 140.**

Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.

- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
- (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted,
- (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
- (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin – mortar or concrete is not to be used.

*Reason: Requirement of Council as the Road Authority.*

**Plu 160.**

Roof water is to be disposed of:

- (a) By piping to the street gutter.

*Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.*

**SITE MANAGEMENT**

**Sim 010.**

Run-off and erosion controls must be implemented before construction, and maintained to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- (a) divert uncontaminated run-off around cleared or disturbed areas,
- (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) prevent tracking of sediment by vehicles onto roads,
- (d) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

*Reason: To prevent pollution from detrimentally affecting the public or environment.*

**CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF AN  
OCCUPATION CERTIFICATE**

**ACCESS**

**Acc 010.**

Any damage caused to kerb, guttering crossovers and/or footpaths during building operations shall be rectified by the developer to the satisfaction of Walgett Shire Council's Director of Urban Infrastructure.

*Reason: To ensure that public infrastructure is maintained.*

**Acc 015.**

The developer is establish access to Morilla Street shall from the car park located on lot 79 DP43258 and access to Kaolin Street from the car park located on lot 3 DP 40628..

Construction materials and methods are to be to the satisfaction of Walgett Shire Council's Director of Urban Infrastructure.

*Reason – To ensure that appropriate access is provided for delivery trucks and the cost of upgrading access is borne by the developer.*

**Acc 016.**

The developer is to meet the cost of reconstruction of Kaolin Street adjoining lot 150 DP45069, lot 78 DP 43257 and lot 3 DP 40628 to enable access for heavy vehicle traffic delivering goods to the site. This will include providing kerbing, guttering and driveway crossovers for the development site. Construction materials and methods are to be to the satisfaction of Walgett Shire Council's Director of Urban Infrastructure.

*Reason – To ensure that appropriate access is provided for delivery trucks and the cost of upgrading access is borne by the developer.*

**Acc 017.**

The developer is to establish a footpath from the car park located on lot 3, DP 40628 to the entry of the shopping complex located on lot 150 DP 45069. Construction materials and methods are to be to the satisfaction of Walgett Shire Council's Director of Urban Infrastructure.

*Reason – To ensure that there is pedestrian access from the isolated car park to the front of the shopping complex and that the cost of establishing this access is borne by the developer.*

**Acc 050.**

The developer is to meet the cost of and be responsible for the construction of vehicular entrances and exits in accordance with Council's requirements.

*Reason: To provide appropriate access to the site.*

**CONSOLIDATION**

**Sub 021.**

The following lots are to be consolidated into one (1) before an Occupation Certificate for the use of the buildings can be issued:

- Lot 79, DP 43258.
- Lot 150, DP 45069
- Lot 160, DP 725281.

*Reason: To ensure that the development occurs on a single lot which is appropriate to the nature of the proposed development.*

|                       |
|-----------------------|
| <b>ADVISORY NOTES</b> |
|-----------------------|

**CONSTRUCTION CERTIFICATE**

Prior to commencing any building works a Construction Certificate must be obtained from Council or a Principle Certifying Authority to certify that the building design complies with the Building Code of Australia and authorise construction.

**PLUMBING, STORMWATER AND SEWER DRAINAGE WORKS**

Section 68 of the Local Government Act 1993 requires that any plumbing, stormwater or sewer drainage works require prior approval from Council via an Activity Application.

**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.

**OPAL MINING DISTURBANCE**

Opal mining and prospecting operations may have been previously carried out on, or below, the land, which is the subject of this consent, or on adjoining lands. There are no official records of the extent of opal mining workings within the Lightning Ridge area. The developer should make their own enquiries to determine whether the land being developed might be adversely affected by such activities, prior to proceeding with the development.

END.

## **26. 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.

### **Discussion (including issues and background):**

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

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

### **Relevant Reference Documents:**

Files for the respective Development and Complying Development Certificate applications

### **Stakeholders:**

Public and applicants

### **Financial Implications:**

Nil

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



### **Attachments:**

A – Report on DAs and CDCs issued during August 2010



AUTHORITY

## Determined Applications



| 09/13/2010                |                                       | Parameters:                                                                                                                         |                                     | Date Range: Y<br>Start Date: 1/08/2010<br>End Date: 31/08/2010<br>As At Date: |            | Document Type:<br>Officer: ALL<br>Number of Days: 0<br>Stop The Clock: Yes |  | Page: 1 |  |
|---------------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------|------------|----------------------------------------------------------------------------|--|---------|--|
| Document                  | Applicant Name / Address              | Development Type<br>Property Address<br>Title Owner                                                                                 | Determination                       | Determined                                                                    | Received   |                                                                            |  |         |  |
| Document Type: 20         |                                       |                                                                                                                                     |                                     |                                                                               |            |                                                                            |  |         |  |
|                           | Stop the Clock                        | Total Elapsed Calendar Days: 24<br>Calendar Stop Days: 0<br>Adjusted Calendar Days: 24                                              |                                     |                                                                               |            |                                                                            |  |         |  |
| 020/2010/000000033/001    |                                       | 10 Class 1a - Single Dwelling/Dual<br>Occupancy<br>Pandora STREET LIGHTNING RIDGE<br>LOT: 954 DP: 872184<br>Mr M & Mrs C M Martinez | Approved - Staff Delegation         | 25/08/2010                                                                    | 02/08/2010 |                                                                            |  |         |  |
| Document Type: 17         |                                       |                                                                                                                                     |                                     |                                                                               |            |                                                                            |  |         |  |
|                           | Stop the Clock                        | Total Elapsed Calendar Days: 17<br>Calendar Stop Days: 0<br>Adjusted Calendar Days: 17                                              |                                     |                                                                               |            |                                                                            |  |         |  |
| 020/2010/000000034/001    |                                       | 90 Class 7b - Warehouse<br>Racecourse<br>LOT: 75 DP: 750291<br>Walgett Shire Council                                                | Approved - Staff Delegation         | 25/08/2010                                                                    | 09/08/2010 |                                                                            |  |         |  |
| Document Type: 2          |                                       |                                                                                                                                     |                                     |                                                                               |            |                                                                            |  |         |  |
| Officer: Ms J R Babić     | Average Elapsed Calendar Days: 20.50  |                                                                                                                                     | Total Elapsed Calendar Days: 41.00  |                                                                               |            |                                                                            |  |         |  |
| Number of Applications: 2 | Average Calendar Stop Days: 0.00      |                                                                                                                                     | Total Calendar Stop Days: 0.00      |                                                                               |            |                                                                            |  |         |  |
|                           | Average Adjusted Calendar Days: 20.50 |                                                                                                                                     | Total Adjusted Calendar Days: 41.00 |                                                                               |            |                                                                            |  |         |  |
| Document Type: 30         |                                       |                                                                                                                                     |                                     |                                                                               |            |                                                                            |  |         |  |
|                           | Stop the Clock                        | Total Elapsed Calendar Days: 30<br>Calendar Stop Days: 0<br>Adjusted Calendar Days: 30                                              |                                     |                                                                               |            |                                                                            |  |         |  |
| 020/2010/000000028/001    |                                       | 142 Class 10a - Shed<br>Colin ST CARINDA<br>LOT: 3 SEC: 18 DP: 758227<br>Mr J Smith                                                 | Approved - Staff Delegation         | 11/08/2010                                                                    | 13/07/2010 |                                                                            |  |         |  |
| Document Type: 1          |                                       |                                                                                                                                     |                                     |                                                                               |            |                                                                            |  |         |  |
| AUTHORITY                 |                                       |                                                                                                                                     |                                     |                                                                               |            |                                                                            |  |         |  |

AUTHORITY

## Determined Applications



|                                                              |                          |                                                                                                                   |                                                                         |                                                                                                             |            |
|--------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|------------|
| 09/13/2010                                                   | Parameters:              | Date Range:Y<br>Start Date:1/08/2010<br>End Date:31/08/2010<br>As At Date:                                        | Document Type:<br>Officer:ALL<br>Number of Days:0<br>Stop The Clock:Yes | Page:2                                                                                                      |            |
| Document                                                     | Applicant Name / Address | Development Type<br>Property Address<br>Title Owner                                                               | Determination                                                           | Determined                                                                                                  | Received   |
|                                                              |                          |                                                                                                                   |                                                                         |                                                                                                             |            |
| Document Type: 20                                            | Stop the Clock           | Total Elapsed Calendar Days: 28<br>Calendar Stop Days: 0<br>Adjusted Calendar Days: 28                            |                                                                         |                                                                                                             |            |
| 020/2010/00000030/001                                        |                          | 153 Class 10b - Antenna                                                                                           | Approved - Staff Delegation                                             | 11/08/2010                                                                                                  | 15/07/2010 |
|                                                              |                          |                                                                                                                   |                                                                         |                                                                                                             |            |
| Officer: Mr M P Goodwin<br>Number of Applications: 2         |                          | Average Elapsed Calendar Days: 29.00<br>Average Calendar Stop Days: 0.00<br>Average Adjusted Calendar Days: 29.00 |                                                                         | Total Elapsed Calendar Days: 58.00<br>Total Calendar Stop Days: 0.00<br>Total Adjusted Calendar Days: 58.00 |            |
|                                                              |                          |                                                                                                                   |                                                                         |                                                                                                             |            |
| Report Totals & Averages<br>Total Number of Applications : 4 |                          | Average Elapsed Calendar Days: 24.75<br>Average Calendar Stop Days: 0.00<br>Average Adjusted Calendar Days: 24.75 |                                                                         | Total Elapsed Calendar Days: 99.00<br>Total Calendar Stop Days: 0.00<br>Total Adjusted Calendar Days: 99.00 |            |
|                                                              |                          |                                                                                                                   |                                                                         |                                                                                                             |            |

AUTHORITY

## **27. ABORIGINAL LAND CLAIM ON PROPOSED EVAPORATION POND AT BURREN JUNCTION**

**REPORTING SECTION:** Urban Infrastructure Services  
**AUTHOR:** Prafulla KC – Utilities Engineer  
**FILE NUMBER:** 09/1315

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### **Summary:**

This report recommends Council submit a formal request to the LPMA to refuse the claims of the New South Wales Aboriginal Land Council's (NSWALC) on Crown Land at Burren Junction lodged on behalf of the Walgett Local Aboriginal Land Council.

### **Background:**

The existing evaporation pond while providing an important source of service to the Burren Junction community is in short of being fully available to the public 24 hours a day.

In order to maintain the uninterrupted service to the community, Council decided to construct a new evaporation pond on Lot 49 DP 40744 and Lot 1 DP 181329 (now identified as Lot 1 DP 1153934). These properties are Crown Land owned by The State of New South Wales and administered by the Land and Property Management Authority (LPMA).

### **Discussion:**

Council submitted a Development Application to the LPMA and this was approved on 17 November 2009 with specific conditions. One of the conditions is to buy the land for the proposed second evaporation pond from LPMA.

The LPMA accepted Council's offer to purchase the two lots for the sum of \$16,010.00 excluding GST. The sale contract was prepared by Council's solicitor.

Just before the contract exchanged between LPMA and Council on 25 August 2010 Council's solicitor advised that there have been two Aboriginal Land claims lodged over the properties currently in negotiation. The claims would definitely restrict Council's ability to start any activity on the land.

The Aboriginal Land Claims. Lot 49 DP 40744 and Lot 1 DP 181329 (now identified as Lot 1 DP 1153934) are included in the total of 127 land claims lodged by NSWALC to the Minister for Lands on 17 June 2010. The two claims over land at Burren Junction Bore Baths were lodged on behalf of the Walgett Local Aboriginal Land Council. The reason for NSWALC making the claims is unknown but there is a possibility that claims submitted by NSWALC are requested on a random basis. NSWALC have been lodging mass claims in recent years and in some occasions, have withdrawn claims upon proper requests.

Council discussed with the LPMA and arrived two options to address the matter as follows:

1. Option 1 – Council to directly seek a Withdrawal Agreement with NSWALC.  
Council need to arrange a meeting to officially request the New South Wales Aboriginal Land Council withdraw the claims. A clear explanation is required regarding the future operational benefits of continuing the existence of the Burren

## WALGETT SHIRE COUNCIL AGENDA

Junction Bore Baths to the community, the need to construct a new evaporation pond and the already completed purchase documentations of the land by Walgett Shire Council.

Should the NSWALC agree to Council's request, the issue would hopefully being resolved in a very short period according to Mr. David Baber, Land Management Officer with the LPMA. However, this scenario is quite dependent on the NSWALC attitude towards the claim and therefore, may not be reliable.

2. Option 2 – Council to request the LPMA refuse the Claims.

The LPMA on behalf of Council shall request the Minister of Lands to assess the claims and hopefully approve a report refusing the claims. The option would trigger a four month period in which the NSWALC can appeal the Minister's decision. Mr. Baber is confident that a decision to refuse the claims is defensible.

Mr. David Baber of the LPMA advised Council should be prepared to wait at least until January to exchange the contract should this option be pursued.

This approach will provide permanent solution. However, it should be noted that if NSWALC appeal against the rejection this matter could be in court for indefinite period.

### **Relevant Reference Documents:**

Contract document  
Aboriginal Land Claims

### **Stakeholders:**

Walgett Shire Council  
Burren Junction Residents

### **Social Implications**

Should the matter not be resolved successfully, it will delay the construction of proposed evaporation pond. This will have significant impact on the operation of Burren Junction Bore Baths. Furthermore it will affect the tourist flow and adversely affect local businesses. Failure to address this matter as soon as possible will create a negative image on the community about the Council.

### **Financial implications:**

Council to purchase the land at the cost of \$16,010, additional costs may be incurred.

**Aboriginal Land Claim on Evaporation Pond at Burren Junction**

**Recommendation:**

1. That Council resolves to approve Option 2 – Council to request LPMA to refuse the claims of NSWALC.
2. That Council authorizes the General Manager to write an official letter requesting LPMA to request Minister of Lands to refuse the claim submitted by the NSWALC.

**Moved:**

**Seconded:**

**Attachments:**

Email from LPMA

**28. MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR URBAN INFRASTRUCTURE SERVICES**

**REPORTING SECTION:** Urban Infrastructure Services  
**AUTHOR:** Danielle Osbourne – Assets Officer  
**FILE NUMBER:** 09/1455

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**1. Update on the Sale of Flat 32 Euroka Street, Walgett:**

The 3 one bedroom flats were offered for sale by auction 27 August 2010. There were two registered bidders. The opening bid was \$60,000 and the Vendor's bid \$80,000. The property was passed in at \$85,000 as it failed to reach the Reserve of \$120,000. After consultation with the opening bidder the Agent received a further offer of \$90,000.

Since Council's instructions are to accept \$120,000 Elders Real Estate suggested we offer the property by Private Treaty. The General Manager then approved the advertising for two weeks in the local Walgett Spectator at the listed price of \$120,000. Advertising is estimated to cost \$440.00

Two enquiries have been received with an inspection pending 15 September.

**2. Burren Junction Bore Bath – proposed Water Discharge**

Council is discussing with DECCAW and Office of Water regarding the possibility of discharging excess water from Burren Junction Bore Baths to nearby creek during high water flows.

Council already submitted water and soil test results to EPA. EPA advised that additional information such as quantity of water intending to be discharged and impact on the residents of downstream receiving the water are to be provided to continue its risk assessment. EPA further advised of the following:

- that they will only be involved if there is a detrimental effect on the environment or aquifer due to the release of water into the surface has been found.
- Council to seek advice and permission from Office of Water, Tamworth, regarding its intention to discharge excess water to a nearby creek.

Council contacted the Office of Water in Tamworth but unfortunately, the Manager of Licensing is still on annual leave.

| <b>Matters Generally for Brief Mention or Information only from Director Urban Infrastructure Services</b>                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>1. That the matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted wording of the recommendation here</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |

## **29. PROPOSED DISPOSAL OF BRIDGE ASSET**

**REPORTING SECTION:** Director Rural Infrastructure & Support Services  
**AUTHOR:** Ian Taylor - Director Rural Infrastructure & Support Services  
**FILE NUMBER:** 09/1601

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### **Summary:**

Moree Plains Shire Council has proposed the demolition of a disused boundary bridge which is understood to be part owned by Walgett Shire. It is recommended to proceed with this disposal to minimise council's public liability risk.

### **Discussion (including issues and background):**

Moree Plains Shire Council has proposed the demolition of a disused boundary bridge which is understood to be part owned by Walgett Shire. The bridge is at the end of Moree Plains' "Taroo Road" where it crosses the Meehi River, however Walgett Shire has not recognised a road at this location for more than 15 years.

The bridge is a four span, single lane structure, 38 metres in length. It is closed and its condition is unserviceable. Refer photos in attachment. It has no side track and no apparent vehicle movements in its vicinity. It is recommended to be demolished to reduce council's public liabilities.

Moree Plains Shire Council proposes that the demolition be funded on a 50:50 basis between the Shires. This is considered reasonable given its historical usage as an access route.

Alternatively, the bridge could be left to decay in a haphazard process. This could result in person(s) entering upon the structure at a point at which it was of insufficient strength to support them. The resultant fall may be fatal. At some point large portions of the structure would fall to the river bed, potentially creating an obstruction requiring removal. Signage and barriers are not considered to be an efficient means of averting these potential eventualities.

### **Relevant Reference Documents:**

09/965/001 Letter from Moree Plains Shire Council 20 August 2010

### **Stakeholders:**

Walgett Shire

### **Financial Implications:**

The cost of demolition is yet to be assessed, but will be subject to existing budgets.

## WALGETT SHIRE COUNCIL AGENDA

| Proposed Disposal of Bridge Asset                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <ol style="list-style-type: none"><li>1. That Council approve the disposal and demolition of the boundary bridge on Moree Plains Shire's Taroo Road over the Meehi River.</li></ol> <p><b>Moved:</b><br/><b>Seconded:</b></p> |



**Attachments:**

09/965/001 - Letter from Moree Plains Shire Council 20 August 2010



## WALGETT SHIRE COUNCIL AGENDA

RECEIVED 25 AUG 2010



20 August 2010

The General Manager  
Walgett Shire Council  
PO Box 31  
WALGETT NSW 2823

Our Ref: 94-3348      OUT10/226AC1B9

Attention: Mr Ian Taylor

Dear Mr Taylor

**Proposed demolition of disused boundary bridge: Parishes of Colymungle & Meei.**

Thank you for discussing the disused timber bridge shown on the enclosed extract of the 1:50,000 series topo-graphical map of Collarenebri. Some photographs of the structure are also provided on the attachment.

The bridge is listed in Moree Plains Shire Bridge Register as follows:

- Shire Road Name: Taroo
- Shire Road Number: 57
- Bridge Name: Stockroute
- Stream: Mehi River
- Current Owner: Moree Plains Shire council / Walgett Shire council
- Spans: (4) Four, Single Lane. Deck Length: 38 metres
- Material: Timber
- Built: 1900
- Condition Score: 5+
- Closed to all traffic for many years. There is no side track and no apparent traffic movements in the vicinity of the bridge.

Your comments are invited in relation to the proposed demolition of this structure on the basis of a 50/50 cost share basis between our two councils.

For further information, please contact Councils' Asset Manager, Mr David Wolfenden on (02) 6757 3256.

Yours sincerely

Murray Erbs  
DIRECTOR OF ENGINEERING SERVICES

ke:dw

PO Box 420, Moree NSW 2400  
Telephone (02) 6757 3222  
Facsimile (02) 6752 3934  
council@mpsc.nsw.gov.au  
mpsc.nsw.gov.au

ABN 46 566 790 582

### **30. BREWON ROAD BRIDGES**

**REPORTING SECTION:** Director Rural Infrastructure & Support Services  
**AUTHOR:** Ian Taylor - Director Rural Infrastructure & Support Services  
**FILE NUMBER:** 09/984

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#### **Summary:**

The Mayor has received correspondence requesting the above matter be placed on Council's meeting agenda.

#### **Discussion (including issues and background):**

Correspondence to the Mayor makes a number of statements about the bridges on Brewon Road and claims that they require Council's immediate attention.

I can advise as follows in relation to these statements as at 20 September 2010: The Brewon Road is in good condition, because the maintenance grading was completed last week. The maintenance grading has repaired the pre-existed scouring and potholes along the road and on the bridge approaches. Further, the depression existed on the Little Baroka Bridge has been repaired, and road surface is smooth now. The Wanourie Bridge has been repaired after December flood that caused its wing wall to collapse, and it will be open for traffic in this week. The Baroka Overflow and Harris Bridge are open for light vehicle traffic, which is less than 2 tonnes, and the approaches have weight limitation signs up. The side tracks for heavy vehicles have been graded. Gravel resheeting of sidetracks will be done as necessary. However, the Big Baroka Bridge is unsafe for traffic and funding has not been provided in the current budget for its replacement.

Matters for consideration:

- 1) Council does not maintain a bridge crew that is resourced to make structural repairs to timber bridges;
- 2) The replacement expenditure is in the region of \$3M (very preliminary estimate)
- 3) Council should plan its replacement of these bridges as part of its overall road asset management strategy which takes into account long term projected revenues and community expectations across the whole Shire - this process, subject to resourcing, should be completed by June 2011;
- 4) Current funding sources are primarily limited to the Roads Component of the Federal Assistance Grant, general rate income not spent on urban amenity and community services, and loans;
- 5) Alternative options to bridge replacement may be achievable to meet short and or long term needs; and
- 6) Current resources do not permit (3) and other options to be investigated in the short term.

#### **Relevant Reference Documents:**

09/75-03/064/001 Letter from Cieslak received 7 September 2010

#### **Stakeholders:**

Users of Brewon Road

**Financial Implications:**

Yet to be determined

| <b>Brewon Road bridges</b>                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendations:</b></p> <ol style="list-style-type: none"><li>1. That Council note the letter from Mr and Mrs Cieslak regarding the Brewon Road Bridges; and</li><li>2. That Council affirm its commitment to complete sound asset management and strategic planning before committing to significant capital expenditures on roads.</li></ol> <p><b>Moved:</b><br/><b>Seconded:</b></p> |



**Attachments:**

09/75-03/064/001

**WALGETT SHIRE COUNCIL AGENDA**

**“Rivervale”  
3266 Brewon Road,  
Walgett. 2832.**

Walgett Shire Council.  
P.O. Box 31,  
Walgett. 2832.

24 August 2010.

**Attention: The Mayor. Walgett Shire Council.**

**Re: The Dangerous state of the Bridges on the Brewon Road, Walgett.**

**To be listed on the Agenda for the next Council Meeting.**

Dear Sir,

It is imperative that the council improves the safety of the bridges on the Brewon Road.

One bridge has a full section of road missing and it is necessary to detour into frequently wet and sticky ground. Two others have a side stanchion missing. Each of these bridges also has a large pothole just before driving onto the old timber structure. The approaches are dangerous as well.

When going round one detour it is obvious that the bridge has a huge sag underneath and would not support too much weight.

These bridges are currently not safe for traffic due to the fact that they have been neglected for many years by council.

When coming out of each detour it is impossible to see up and round the corner which adds to the probability of an accident.

Each timber bridge needs to be strengthened and upgraded so that a vehicle is able to cross safely with clear visibility.

As ratepayers who live on the Brewon Road I find the above matter to be one of great concern that needs Council's immediate attention.

Yours sincerely,



Zoltan and Jennifer Cieslak.