



WALGETT SHIRE COUNCIL

AGENDA

2 September 2008

RAY KENT
General Manager

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27 August 2008

Administrator
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

NOTICE IS HEREBY GIVEN that the Ordinary Meeting of Walgett Shire Council will be held in the **Walgett Shire Council Chambers commencing at 12NOON**.

AGENDA

1. Opening of Meeting

2. Acknowledgement of Traditional Owners

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

3. Apologies

4. Welcome to Visitors

5. Public Forum Presentations

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

6. Declaration of Pecuniary/Non Pecuniary Interests

7. Confirmation of Minutes

8. Reserve Trust Management Committee Reports

Nil

9. Mayoral Minutes

Nil

10. Motions of which Notice has been given

Nil

11. Presentation of Petitions

Nil

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Nil

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1. Tender T030809OROC – Panel Tender Supply & Delivery of Bitumen Spray Sealing
2. Appointment of 'Conduct Reviewers' pursuant to Council's Code of Conduct

19. Close of Meeting

6. Declaration of Pecuniary/Non Pecuniary Interests

7. Confirmation of Minutes

WALGETT SHIRE COUNCIL MINUTES

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD IN THE WALGETT SHIRE COUNCIL CHAMBERS ON TUESDAY, 5 AUGUST 2008 COMMENCING AT 9.35 am

PRESENT

Mr Vic Smith	Administrator
Mr Matthew Goodwin	Director, Planning and Regulatory Services
Mrs Carole Medcalf	Acting General Manager
Mr Ian Taylor	Director, Rural Infrastructure and Support Services
Mr Fred Coralde	Director Urban Infrastructure
Miss Jodie Gates	Minute Secretary

Acknowledgement of Traditional Owners

Administrator Vic Smith acknowledged the traditional owners of the land within the Walgett Shire and acknowledged the present Aboriginal and Torres Strait Islander people who now reside within this Shire.

Apologies

Mr Raymond Kent	General Manager
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Welcome to Visitors

Administrator Vic Smith acknowledged that in the absence of any community members there would be no call for public presentations.

Public Forum Presentations

Nil

Declaration of Pecuniary/Non Pecuniary Interests

Confirmation of Minutes

165/08	Confirmation of Minutes
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RESOLUTION:

It was resolved on the motion of the Administrator that the minutes of the Council meeting held on 15 July 2008 be confirmed.

CARRIED

Reserve Trust Management Committee Reports - Nil

Mayoral Minutes - Nil

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Motions of which Notice has been given - Nil

Presentation of Petitions - Nil

Councillor's Questions with Notice - Nil

Reports of Delegates and Representatives - Nil

Reports of Officers

166/08	Investment Report as at 31 July 2008
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RESOLUTION:

It was resolved on the motion of the Administrator that the Investment report as at 31 July 2008 be received.

CARRIED

167/08	Occupational Health & Safety
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RESOLUTION:

It was resolved on the motion of the Administrator that Council receive and note the report on the installation of the security system.

CARRIED

168/08	Progress report on the recommendations of the Walgett Shire Council Social Plan 2007-2010
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RESOLUTION:

It was resolved on the motion of the Administrator that this item be deferred until the September meeting to allow for further discussion between the Director Corporate and Community Services and the Manager Community Services.

CARRIED

169/08	Quarterly Management Review as at 30 th June 2008
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RESOLUTION:

It was resolved on the motion of the Administrator that this report be deferred until the next Council meeting in September.

CARRIED

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

170/08	Landowners Consent for a development Application to create an Easement
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council consent to Development Application 2008018 to create an 11 metre wide easement over part of Lot 162 in DP 862540 for the purpose of supplying electricity to the owners of aircraft hangars at the Lightning Ridge Aerodrome.

CARRIED

171/08	Easement for Electricity Supply, Lightning Ridge Aerodrome
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RESOLUTION:

It was resolved on the motion of the Administrator that the proposed development be approved subject to the following conditions of development consent:

PREScribed CONDITIONS OF DEVELOPMENT CONSENT

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

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

GENERAL

Gen 010.

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.

Reason: To avoid breaching the requirements of any covenant.

Gen 011

Any electricity reticulation is to be underground and set back at least 1metre from the existing road and fence.

Reason: To minimise interference with existing and future Council infrastructure on the site.

SUBDIVISION

Sub 040.

That an 11 metre wide easement is created over Lot 162, DP 862540 which enables electricity supply to all aircraft hangars at the Lightning Ridge aerodrome.

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

Sub 131

The created easement is to be of a nature that allows access to mains electricity for other land owners at the Lightning Ridge aerodrome.

Reason: To ensure that the easement benefits all land owners at the aerodrome.

Sub 120.

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

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

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

Sub 130.

The subdivision certificate will not be released until development consent conditions under this section (titled "Subdivision") have been complied with.

Reason: To ensure compliance with the terms of the development consent.

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.

NOTE - 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. 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.

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

CARRIED

172/08	Development Application for Villas
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RESOLUTION:

It was resolved on the motion of the Administrator that the proposed development be approved subject to the following conditions of development consent:

PRESCRIBED CONDITIONS

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

97A. Fulfilment of BASIX commitments

- (1) This clause applies:
 - (a) on and from 1 July 2004, to all land within the initial BASIX area, and
 - (b) on and from 1 July 2005, to all land within New South Wales.
- (2) This clause applies to all development:
 - (a) that involves the erection (but not the alteration, enlargement, extension or relocation) of a BASIX affected building, or
 - (b) that involves a change of building use by which a building becomes a BASIX affected building.
- (3) For the purposes of section 80A (11) of the Act, fulfilment of the commitments listed in each relevant BASIX certificate for development to which this clause applies is a prescribed condition of any development consent for the development.

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.

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(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).

98B. Notification of Home Building Act 1989 requirements

(1) For the purposes of section 80A (11) of the Act, the requirements of this clause are prescribed as conditions of a development consent for development that involves any residential building work within the meaning of the Home Building Act 1989.

(2) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

(3) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

(4) 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.

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

GENERAL

Gen 020.

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

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

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 040.

Prior to commencing any building works a Construction Certificate must be obtained from Council to authorise construction.

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

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.

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.

FENCING AND LANDSCAPING

Fen 010.

All boundary fencing and landscaping works are to be carried out in accordance with the approved plans and specifications.

Reason: To ensure the appearance of the development is consistent with the existing streetscape.

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:-

Weekdays	7.00 a.m. to 7.00 p.m.
Weekends & Public Holidays	8.00 a.m. to 7.00 p.m.

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.

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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 070.

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

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

Con 080.

All timber framing shall comply with the NSW Timber Framing Manual and the Building Code of Australia.

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

Con 090.

All steel framing shall comply with Part B1 of the Building Code of Australia and associated standards.

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

Con 100.

Roof trusses are to be designed and certified by the manufacturer for Region A, Category 2.5, 41metres per second. Details of the manufacturers design and certification are to be submitted to Council prior to erection.

Reason: To ensure compliance with manufacturers specifications and Building Code of Australia.

Con 120.

All glass installation shall comply with the requirements of Australian Standard 1288 and 2047 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 the Building Code of Australia.

Con 130.

All wet areas are to be waterproofed in accordance with Australian Standard 3740.

Reason: To ensure that the waterproofing of the wet areas comply with the relevant Australian Standards and the Building Code of Australia.

Con 151.

A person access opening at least 450x 600mm is to be provided to afford access to the roof cavity of each residence and electrical wiring over ceiling areas.

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Reason: To permit access to the roof cavity for maintenance purposes.

Con 160.

Party or common walls are required to be carried through to underside of the roof covering with no combustible material crossing such walls.

Reason: To prevent to spread of fire and to ensure compliance with the Building Code of Australia.

Con 200.

The door to the fully enclosed sanitary compartment must:

- (a) Slide, or
- (b) Open outward, or
- (c) Be readily removable from the outside of the compartment.

NOTE: If lift-off hinges are used adequate space is to be provided between the top of the door and the doorway to allow the door to be removed from the hinges.

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

Con 210.

All electrical work must be carried out by a licensed electrician in accordance with Australian Standard 3000 – SAA Wiring Rules and Australian Standard 3002.

Reason: To ensure compliance with Australian Standards.

TERMITE CONTROL

Ter 010.

Treatment against termites is to be carried out in accordance with AS 3660.1. Upon completion of the selected method of treatment:

- (a) a certificate is to be issued to Council by the licensed installer of the system certifying that the system installed is in accordance with the specific requirements of Council and AS3660.1.
- (b) A durable notice must be permanently fixed within the meter box indicating:
 - The method of protection
 - The date of installation of the system
 - Where a chemical barrier is used, it's life expectancy as listed on the National Registration Authority label and
 - The need to maintain and inspect the system on a regular basis.

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

VENTILATION

Ven 020.

Kitchen exhaust installation must not be discharged into an enclosed ceiling space.

Reason: To ensure that kitchen gases are not retained in the ceiling space.

WATER, SEWER, AND STORMWATER

Plu 010.

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

WALGETT SHIRE COUNCIL AGENDA

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

Plu 020

A number of existing water and sewer mains traverse the property boundaries. The developer is to ensure that protection is afforded to these services during construction works.

Reason: To ensure that public infrastructure is maintained.

Plu 080.

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

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

Plu 130.

The land surrounding the completed buildings 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.

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 150.

All new heated water installations shall, at the outlet of all sanitary fixtures used primarily for personal hygiene (bath, shower and hand basins) deliver heated water not exceeding 50° C.

Notes:

Temperature control devices require routine maintenance and performance testing. Information on maintenance can be found in AS 4032.2

It is the property owner's responsibility to ensure that the routine maintenance is carried out.

Reason: Temperature limits are required to minimise the risk of scalding.

Plu 160.

Roof water is to be disposed of:

- (a) To a rainwater tank and then via the overflow to the street gutter.

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

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

Plu 170.

The applicant shall lodge with Council, for prior approval, the intended method of connection of the town water supply to the rainwater tank/s

Reason: To ensure that cross contamination of the town water supply does not occur.

PUBLIC ROADS

Rds 010.

Any damage caused to kerb, guttering crossovers and/or footpaths during building operations shall be rectified by the building developer.

Reason: To ensure that public infrastructure is maintained.

Rds 050.

Where works are carried out on Council or public lands (ie public roads) by or on behalf of the applicant, the following conditions shall be satisfied:

- (a) The person or company proposing to carry out the works shall obtain approval from Council prior to works commencing.
- (b) The person or company carrying out the works will be required to carry appropriate public liability insurance to a value of ten million dollars (\$10M) for the full period during which works are being undertaken. Proof of the policy is to be provided to Council prior to work commencing.
- (c) If requested, the person or company carrying out the works shall submit to Council references demonstrating experience in the type of work proposed to be undertaken.

Reason – To ensure that any works undertaken on public lands are of an adequate standard and appropriate insurance is held by the party undertaking the works.

ENVIRONMENTAL MANAGEMENT

Env 021.

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

Reason: To reduce the potential for surface water to have an adverse impact on structures or neighbouring properties.

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INSPECTIONS

The applicant is to advise Council of the name and address of the body nominated to act as the Principal Certifying Authority, on the "Notice of Commencement Form" forty eight (48) hours prior to work commencing.

Inspections at the completion of stages as indicated below are required to be carried out by the Principal Certifying Authority.

Critical Stage Inspections

- At the commencement of the building work, and
- After excavation for, and prior to the placement of, any footings, and
- Underfloor drainage prior to pouring concrete.
- Footings/piers and slab after placement of moisture barrier, reinforcement and prior to pouring any in-situ reinforced concrete building element, and
- Prior to covering of the framework for any floor, wall, roof or other building element, and
- On completion of plumbing pipe installation (hot & cold water service) prior to covering.
- On completion of waterproofing of wet areas and prior to commencement of wall and floor tiling.
- Prior to covering any sewer or stormwater drainage pipe work and connection points.
- All external sewer drainage prior to covering in trenches, clearly visible and under hydrostatic test.
- Fence post holes prior to concreting.
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Reason: Occupation Certificates cannot be issued if the Principal Certifying Authority does not carry out the designated inspections, and to ensure compliance with the approved plans.

Fir 030.

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

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

END.

CARRIED

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

173/08	Heritage Advisor Appointment Review
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council resolve to:

1. Write to Council's current Heritage Advisor, Graham Hall, indicating:
 - a. That Walgett Shire Council is giving one month's notice that it will be terminating the agreement dated 6 February 2002 whereby it engaged him to act as Council's Heritage Advisor.
 - b. Walgett Shire Council's appreciation for the heritage advisory services provided during the term of the agreement.
 - c. Prior to the termination of the agreement, Walgett Shire Council will be seeking expressions of interest from suitably skilled people to be appointed as Council's Heritage Advisor.
2. In accordance with the guideline titled "How to Establish a Heritage Advisor Service" published by the Department of Planning in June 2007, seek expressions of interest from suitably skilled people to be appointed as Council's Heritage Advisor.

CARRIED

174/08	Heritage Strategic Plan 2009-11
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council resolve to endorse and adopt the draft amended Walgett Shire Council: Heritage Strategic Plan 2009-11, prepared by Council's Heritage Adviser, Graham Hall in July 2008.

CARRIED

175/08	Walgett Shire Growth Management Study & Strategy
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council resolve to:

1. Adopt and endorse the Walgett Shire Growth Management Study and Strategy document dated July 2008, as amended by Edge Land Planning to address issues raised by the Department of Planning in June 2008.
2. Forward the Walgett Shire Council Growth Management Study and Strategy document, dated July 2008, to the Department of Planning for formal endorsement.
3. Continue with the preparation of a Local Environmental Plan for the whole of the Walgett Shire Local Government Area in accordance with:
 - a. The Standard Instrument (Local Environmental Plans) Order 2006; and
 - b. The recommendations contained in the Walgett Shire Growth Management Study and Strategy, as prepared by Edge Land Planning.

CARRIED

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Reports of Committees - Nil

Questions without Notice from Councillors - Nil

Confidential Reports/Closed Council Meeting

176/08	Closed Council Meeting
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RESOLUTION:

It was resolved on the motion of the Administrator that the public be excluded from the meeting pursuant to Section 10A (2) (c) and (g) of the Local Government Act 1993.

The following resolutions were brought forward from the Closed Council Meeting:-

177/08	Community Economic Development Conference Submission
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RESOLUTION:

It was resolved on the motion of the Administrator that the Administrator endorses the lodging of the submission to the NSW Department of State and Regional Development.

CARRIED

Close of Meeting

The meeting closed at 9.40am

To be confirmed by Council at its ordinary meeting to be held on Tuesday, 2nd September 2008.

Administrator

General Manager

5 August 2008

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RECOMMENDATION:

That the minutes of the Council meeting held on 5 August 2008 be confirmed

2nd September 2008

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8. Reserve Trust Management Committee Reports

9. Mayoral Minutes

10. Motions of which Notice has been given

11. Presentation of Petitions

12. Councillor's Questions with Notice

13. Reports of Delegates and Representatives

1. CAMPS ON CLAIMS WORKING GROUP MEETING

REPORTING SECTION: Director Planning and Regulatory Services
AUTHOR: Matthew Goodwin, Director Planning & Regulatory Services
FILE NUMBER: 135/02/01/03

Summary:

The Director Planning and Regulatory Services attended a Camps On Claims Working Group meeting on Wednesday, 13 February 2008 as Walgett Shire Council's delegate. This report provides an overview of the matters discussed by Council's delegate. It is recommended that Council resolve to note those discussions.

Discussion (including issues and background):

The Camps On Claims Working Group meeting was held at 12.30PM on Wednesday, 13 February 2008 at the Lightning Ridge Bowling Club.

Bob Hewlett attended the meeting as an adviser on behalf of Walgett Shire Council, whilst the Director Planning and Regulatory Services attended as Walgett Shire Council's delegate.

A number of matters were discussed that are directly relevant to Council's core responsibilities, as detailed below.

RATING INEQUITIES ON THE 'PRESERVED' OPAL FIELDS

There was discussion about the recent issuing of rates notices by Walgett Shire Council for residences on the 'preserved' opal fields. Significant adverse public reaction had arisen from alleged variations of up to 100% in the amount of general rate levied for apparently identical premises.

I advised the working group that Council staff would soon be holding a public meeting in Lightning Ridge to discuss the situation.

Concerns were raised that this issue would not assist the working group to achieve its objective of ensuring the smooth and complete conversion of residential Mineral Claims to Western Lands Leases for residential purposes. For example, some people may interpret this as an act of bad faith and as a reason not to participate in the conversion process.

WALGETT SHIRE GROWTH MANAGEMENT STUDY AND STRATEGY

The Director Planning and Regulatory Services informed the working group that at a meeting held on 5 August 2008, Walgett Shire Council had resolved to adopt and endorse the July 2008 version of the Walgett Shire Growth Management Study and Strategy (GMS). The latest version had been amended to address a number of matters raised by the Department of Planning. Subsequently the GMS has been sent to the Department of Planning for its endorsement.

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LOCAL ENVIRONMENTAL PLAN

The Director Planning and Regulatory Services advised the working group that in the last week Walgett Shire Council had sent a draft Walgett Local Environmental Plan 2008 to the Department of Planning. It also requested a Section 65 certificate under the Environmental Planning and Assessment Act 1979 so that it could publicly exhibit the draft plan.

LAND ACQUISITION

The Director Planning and Regulatory Services informed the working group that in recent months an ecological study had been undertaken of land proposed for residential rezoning near Fantasia St and other land proposed for industrial rezoning near the Three Mile Road. Although the study had identified two threatened species, one bird and one bat, rezoning was still feasible.

The working group was also advised that Walgett Shire Council's planning consultant had revised the section of the GMS dealing with options for future expansion of Lightning Ridge. If the GMS is endorsed by the Department of Planning, this would enable Council to agree to relinquish part of the policy reserve area where opal mining and prospecting is not currently permitted. Areas identified as not being required for urban expansion include a 52Ha airport buffer and a 11Ha swampy/silt dam affected area. I advised the group that more detail was available on page 176 of the July 2008 GMS, available from Council's web site.

Relevant Reference Documents:

Walgett Shire Growth Management Study and Strategy prepared by Edge Land Planning, dated July 2008.

Stakeholders:

Walgett Shire Council, public.

Financial Implications:

Nil.

RECOMMENDATION:

That Walgett Shire Council resolve to:

1. Note the report provided by the Director Planning and Regulatory Services, Matthew Goodwin, on his attendance as Walgett Shire Council's delegate at the Camps on Claims Working Group meeting held on 13 August 2008.

2. LIGHTNING RIDGE MINING BOARD MEETING

REPORTING SECTION: Director Planning and Regulatory Services
AUTHOR: Matthew Goodwin, Director Planning & Regulatory Services
FILE NUMBER: 135/02/01/03

Summary:

The Director Planning and Regulatory Services attended a Lightning Ridge Mining Board meeting on 14 August 2008 as Walgett Shire Council's delegate. This report provides a summary of the matters discussed that were directly related to Council's core responsibilities and recommends that Council note those discussions.

Discussion (including issues and background):

The Lightning Ridge Mining Board meeting was held at 10.30AM on 14 August 2008 at the Lightning Ridge Bowling Club. The Director Planning and Regulatory Services, Matthew Goodwin, attended as Walgett Shire Council's delegate.

A number of matters were discussed that are directly relevant to Council's core responsibilities, as detailed below.

RESERVES

The Mining Board requested an update on the status of discussions between the Lightning Ridge Miners Association (LRMA) and Walgett Shire Council regarding the policy reserve located between Fantasia St and the Lightning Ridge aerodrome. In the early 1990s Walgett Shire Council requested that this land be excluded from further opal mining and prospecting activities by the Department of Primary Industries, because it had been identified as the most suitable land for future urban expansion at Lightning Ridge. The Department of Primary Industries subsequently applied a policy of not permitting any new mining titles within this area (a "policy reserve").

The Director of Planning and Regulatory Services advised the Board that on 5 August 2008 Walgett Shire Council had endorsed and adopted an amended version of the Walgett Shire Growth Management Study and Strategy. The amended strategy identified two areas within the policy reserve that are not amenable to urban development. They are:

52 hectares located within 500m of the Lightning Ridge aerodrome, which should be left as a buffer.

11 hectares which is subject to periodic inundation and has two large silt dams located on it.

I also advised the Board that If the Department of Planning endorsed the amended version of the Walgett Shire Growth Management Study and Strategy, this would enable Council to request revocation of the policy reserve over the 52 and 11 hectare areas.

ROADS WITHIN PERMISSIVE OCCUPANCY 1985/19

Residential Mineral Claims located within Permissive Occupancy 1985/19 (PO) are progressively being converted into Western Lands Leases for residential purposes. The Department of Primary Industries collects a road levy of \$10 per year for each Mineral Claim. For claims located in the PO, that money is distributed to the Lightning Ridge Miners Association to pay for maintenance grading of access tracks used by opal miners and others.

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Residential Mineral Claim numbers are steadily being reduced as people convert their titles to Western lands Leases. As of 12 August 2008 the Department of Lands advised that 489 Western Lands Leases had been granted, thereby reducing the road levy available to the Lightning Ridge Miners Association by \$4,890 each year. As other people convert their titles, this amount will increase to about \$10,000 each year in the foreseeable future.

LRMA representatives raised a concern with the Board that their ability to maintain access tracks is being hindered as the pool of road levy money progressively decreases. They indicated a desire for holders of Western Lands Leases for residential purposes to contributing to road maintenance in some way.

I advised the Board that:

Walgett Shire Council has made a monetary contribution to the Grawin Glengarry Sheeppark Miners Association for several years, partly to assist with the maintenance of access tracks. I believed that the basis for the contribution was that it represented a 'service' initiated in response to the levying of rates on residential Mineral Claim holders.

If the LRMA wrote to Walgett Shire Council requesting financial assistance with track maintenance then any submission would be considered on its merits, with regard to the resources that are available to Council.

Relevant Reference Documents:

Agenda papers for the Lightning Ridge Mining Board meeting of 14 August 2008

Stakeholders:

Walgett Shire Council, public.

Financial Implications:

Nil.

RECOMMENDATION:

That Walgett Shire Council resolve to:

- 1. Note the report provided by the Director Planning and Regulatory Services, Matthew Goodwin, on his attendance as Walgett Shire Council's delegate at the Lightning Ridge Mining Board meeting held on 14 August 2008.**

14. Reservation of items for Debate

15. Reports of Officers

3. POLICY IN RESPECT OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS

REPORTING SECTION: General Manager
AUTHOR: Ray Kent - General Manager
FILE NUMBER: 145080100

Summary:

At the Council Meeting held on 15th July 2008, it was resolved to place a Draft Policy on exhibition for a period of 28 days and invite submissions. This report recommends adoption of the Policy subject to a number of minor editorial changes.

Discussion (including issues and background):

A notice advising of the Draft Policy and inviting submissions was placed in local newspapers on four occasions (see attached). Apart from being available on Council's web site, copies of the Draft Policy were also available for viewing at: the Lightning Ridge Library and Community Centre; Collarenebri Council Agency; Walgett Administration Centre and Burren Junction General Store. Approximately 55 copies of the Draft Policy were also distributed to persons attending evening Election Information Sessions conducted by the General Manager.

No submissions were received in respect of the Draft Policy and it is considered that it is now appropriate for the Policy to be formally adopted subject to some minor editorial amendments on page 5 under the heading "Spouses and Partners Expenses". In the first sentence of this section "Partners" is defined as meaning "spouses, partners or accompanying persons ie a person who has a close personal relationship with the Councillor and/or provides carer support to the Councillor". In the following text the terms spouse and accompanying person are used unnecessarily.

Relevant Reference Documents:

Local Government Act 1993 and Regulations; various Department of Local Government Guidelines.

Stakeholders:

Councillors and citizens

Financial Implications:

Provision for costs has been made in the 2008/09 Budget

RECOMMENDATIONS:

That:

- 1. The attached Policy, "Payment of Expenses and provision of Facilities for Councillors", be adopted.**
- 2. The Policy be submitted to the Director General of the Department of Local Government prior to the 30th September 2008**

Attachments:

Report on the subject considered at the 15th July 2008 Council meeting: exhibited Policy incorporating editorial amendments as detailed in report; example of public notices placed in respect of the Draft Policy.

3. PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS

REPORTING SECTION: General Manager
AUTHOR: Ray Kent - General Manager
FILE NUMBER: 145/08/01/00

Summary:

Council must review and submit a Policy on "Expenses and Facilities" to the Director General of the Department of Local Government each year. Before adopting a new or substantially amended Policy, Council must give public notice of at least 28 days and call for public submissions.

Discussion (including issues and background):

Attached is a new Policy which is proposed to replace the current Policy (also attached). The new Policy:

1. Quantifies a range of expenses and allowances that are not quantified in the current policy
2. Adopts Australian Taxation Office guidelines for the determination of the maximum limits for accommodation and meal expenses
3. Provides for "carer" costs and financial assistance for the disabled
4. Provides for the provision of additional facilities, services and allowances such as printer, telephone line, allowance for internet/email
5. Provides guidance for the standard of vehicle to be made available to the Mayor and allows for the Mayor to be provided with a mobile phone

A summary of key proposed provisions is as follows:

1. Councillors paid a mileage rate for use of private vehicle on Council business as prescribed in the Local Government State Award
2. Council will supply: combined phone/fax/answering machine; laptop computer and printer; telephone line
3. Council will pay: rental of one telephone line; allowance of \$60 per month to cover phone calls; allowance of \$30 per month if Councillors have internet/email and make available for Council business
4. Councillors can claim Carer expenses up to \$2,000 per annum
5. Councillor assistance to a limit of \$2,000 per annum is available to assist overcome disability, access problems
6. Councillors provided with comprehensive insurance cover
7. Councillors provided with access, at the Walgett Administration Centre, to: photocopier; facsimile machine; telephone; internet enabled computer; meeting room
8. Councillors provided with secretarial support and access to Council pool car
9. Council will meet postal costs if mail directed through Council mailing system
10. Councillors provided with four drawer filing cabinet for home use
11. Councillors provided with: business cards; name badge; all stationery including writing pads, pens, diaries, folders, paper for facsimiles and printers, ink cartridges
12. All Councillors entitled to attend Annual Conference of Shires Association with spouse/partner and the Annual C Division Conference of the Shires Association. Female Councillors entitled to attend the Annual Australian Local Government Women's Association NSW Branch Conference.

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13. Councillors entitled to attend maximum of three conferences/seminars in addition to those identified in 12. above
14. In addition to the entitlements of a Councillor the Mayor will be provided with: a fully serviced, fueled and maintained vehicle for Council business to a standard equivalent to a Holden Berlina or Ford Fairmont; a mobile phone; a dedicated office in the Administration building at Walgett with computer and phone.

Relevant Reference Documents:

Local Government Act 1993 and Regulations; Various Department of Local Government Guidelines

Stakeholders:

Councillors and citizens

Financial Implications:

- Provision for all costs has been made in the 2008/09 Budget

Recommendations:

That:

1. The Draft Policy, "Payment of Expenses and Provision of Facilities for Councillors", be placed on public exhibition for a period not less than 28 days and submissions on its provisions be invited.
2. The Draft Policy be further considered at the September 2008 Ordinary Meeting of Council, along with any submissions received during the public exhibition period .



GOV - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS

Adoption Date: 2 September 2008

Review Date: 28 August 2009

Responsible Officer: General Manager

PART 1 INTRODUCTION

Purpose of the Policy

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors. The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

Policy Objectives

The objectives of this policy are:

- To ensure that the details and range of expenses paid and facilities provided to the Councillors by the Council are clearly and specifically stated, fully appropriate to the importance of office, are consistently applied and transparent, and are acceptable to the community.
- To ensure that the Councillors are reimbursed for expenses reasonably incurred in the performance of their roles as a Councillor.
- To ensure that election to Council is open to all by ensuring that no one would be financially or otherwise disadvantaged in undertaking the civic duties of a Councillor.

Making and Adoption of the Policy

Councils are required on an annual basis to review and submit their policy to the Director General of the Department of Local Government within 28 days of adoption by Council. Council must adopt a policy each year even if the policy is the same as its existing policy. Current policies must be submitted by 30 November each year.

Before adopting or amending a policy, Council must give public notice of its intention and allow at least 28 days for public submissions. All submissions received will be considered and appropriate changes made prior to the adoption of the policy.

Council is not required to give public notice of a proposed amendment if the amendment is not substantial. The term "not substantial" should be taken to mean minor changes to wording of the policy or changes to monetary provisions or rates that are less than 5%. It also means minor changes to the standard of the provision of equipment and facilities. Any new category of expenses, facilities and equipment included in the policy will require public notice.

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Reporting Requirements

Section 428 of the *Local Government Act 1993* requires Council to include in their annual report:

- The council's policy on the provision of facilities for, and the payment of expenses to, the Mayor and Councillors
- The total amount of money expended during the year on providing those facilities and paying those expenses
- Additional information as required by the Local Government (General) Regulation 2005

The additional annual reporting information is for the purposes of transparency and accountability. Council is now required to report separately on the following:

- The total cost of expenses and the provision of facilities for the Mayor and all Councillors
- The cost of the provision of dedicated office equipment allocated to Councillors on a personal basis such as laptop computers, mobile phones, telephones and facsimile machines and internet installed in the Councillors' home (including line rental and internet access)
- The cost of phone calls including mobiles, home located landlines, facsimile and internet services
- Spouse/partner/accompanying person expenses (limited to circumstances outlined on page 14 of the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director General of Department of Local Government)
- Conference and seminar guidelines
- Training and skill development expenses
- Interstate travel expenses (including subsistence and out-of-pocket expenses)
- Overseas expenses (including subsistence and out-of-pocket expenses)
- Care and other related expenses (of dependants to enable a councillor to undertake his or her civic functions)

In addition to the statutory requirements, Councils should report costs where they are significant. That is, the provision of facilities and equipment that are above what would normally be required for the day to day running of the Council.

Legislative Provisions

- Section 252-254 of the *Local Government Act 1993* – Payment of expenses and provisions of facilities
- Section 12 of the *Local Government Act 1993* – What information is publicly available?
- Section 23A of the *Local Government Act 1993* – Director-General's guidelines
- Section 428 of the *Local Government Act 1993* – Annual Reports
- Clause 217 of the Local Government (General) Regulation 2005 – Additional information for inclusion in Annual Reports
- Clause 403 of the Local Government (General) Regulation 2005 – Payment of expenses and provision of facilities

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Other Government Policy Provisions

- Department of Local Government Guidelines issued under section 23A of the *Local Government Act 1993*
- Department of Local Government Circulars to Councils:
 - Circular 05/08 Legal assistance for Councillors and Council employees
 - Circular 02/34 Unauthorised use of Council resources
- Model Code of Conduct for Local Councils in NSW, Use of council resources being particularly relevant
- ICAC Publication – No Excuse for Misuse, preventing the misuse of council resources

Approval arrangements for claiming expenses and use of facilities

The General Manager, in consultation with the Mayor, is responsible for authorising the payment of expenses or the provision of facilities in accordance with this policy. If there is disagreement the matter is to be referred to Council for determination.

PART 2 PAYMENT OF EXPENSES

General Provisions

Payment of expenses

Walgett Shire Council is committed to ensuring that Councillors are reimbursed for expenses reasonably incurred in the performance of their duties so that they are not financially or otherwise disadvantaged in undertaking their civic duties.

All expenses and costs must be claimed in accordance with this policy.

Council operates a purchase order system that will enable most expenses associated with attendance at conferences, seminars and training to be directly invoiced to Council. This system can be used to cover expenses relating to accommodation, registration and travel. Where possible, provision will be made for the cost of meals and incidental costs not covered by registration fees, to be invoiced directly to Council.

To seek reimbursement for expenses not directly invoiced to Council, Councillors should submit a Claim for Reimbursement of Expenses form within four (4) weeks of the expense being incurred. The Claim form must be itemised and should not be general in nature. All appropriate receipts and tax invoices must be attached. Reasonable out of pocket or incidental expenses may not require specific receipts provided that it can be demonstrated that the expenses were actually incurred, not general in nature and the Councillor certifies that the expenditure was for the purpose intended. Generally, it will be expected that a tax invoice or receipt will accompany all claims for reimbursement.

Reasonable out of pocket expenses will be limited to parking fees, taxi fares, internet charges, telephone calls, meals not included in the conference program and the reasonable cost of drinks accompanying a meal. Council will not meet the cost of laundry or the cost for the use of a bar fridge in a hotel room.

The Mayor and Councillors may request an advance payment in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. In most cases the advance payment will be in the form of petty cash and will need to be pre arranged with the General Manager. On their return, Councillors must reconcile all expenses against the cost of the advance within two (2) weeks. Generally, it is expected that tax invoices and/or receipts will accompany all reconciliations of advance payments.

A general expenses allowance will not be available under any circumstance.

Establishment of monetary limits and standards

The limit for daily accommodation, meal and incidental expenses will be in accordance with the Australian Taxation Office determination in relation to what are reasonable expenses, provided that such expenses are subject to a period of stay not exceeding the period for the conference or authorised business plus one day each way of travel (if required as determined by the General Manager and Mayor).

The Taxation Determination is available on the ATO legal database and is reviewed and updated annually.

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Spouses and Partner Expenses

On occasions it is considered appropriate for partners (meaning spouses, partners or accompanying persons ie a person who has a close personal relationship with the Councillor and/or provides carer support to the Councillor) of Councillors to attend official Council functions within the local government area that are of a formal and ceremonial nature. Such functions would be those that a Councillor's partner could be reasonably expected to attend. Examples include (but are not limited to) Australia Day award ceremonies, Citizenship ceremonies, civic receptions and charitable functions for charities formally supported by Council. In these instances certain costs incurred by the Councillor on behalf of their partner are properly those of the Councillor in the performance of his or her function and Walgett Shire Council will meet the reasonable costs of the partner attending these functions.

When the Mayor (or a Councillor representing the Mayor) attends an official function of Council or an official ceremonial duty outside the local government area, but within the State, and it is considered appropriate for their partner to attend, Council will also meet the reasonable costs of the partner.

The payment for partners to attend appropriate functions as permitted above are limited to the ticket, meal and/or the direct cost to attend the function. Peripheral expenses incurred by partners such as grooming, special clothing and transport are not considered reimbursable items.

Where partners accompany Councillors interstate, or to seminars, conferences and the like, the Councillor will be personally responsible for all additional costs associated with their partner's attendance, including travel, accommodation, meals, partner tours etc. The exception is the Annual NSW Shires Association Conference where Council will cover the cost of registration and attendance at the official conference dinner of a partner.

Specific Expenses for Councillors

Attendance at seminars and conferences

Requests to attend seminars and conferences should generally be in writing outlining the benefits for Council. The approval for discretionary trips and attendance at conferences, seminars and training, should be approved by a full meeting of the Council. If this is not possible, then the approval must be given jointly by the Mayor and the General Manager.

After returning from a conference or seminar, Councillors may provide a written report to Council on the aspects of the conference or seminar relevant to Council business and/or the local community.

Where attendance at a conference or seminar has been approved, Council will pay the conference registration fee including costs of related official lunches and dinners, and associated tours where they are relevant to the business and interests of Council. The reasonable cost of transportation and accommodation associated with the attendance at the seminar or conference, and meals when they are not included in the conference fee, will also be met.

All Councillors are entitled to attend the Annual Conference of the NSW Shires Association and the Annual C Division Conference of the Association. All female Councillors are entitled to attend the Annual Australian Local Government Women's Association NSW Branch Conference. Apart from the forementioned, Councillors will generally be limited to attendance at a maximum of three additional conferences or seminars in any Financial Year.

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Training and educational expenses

Walgett Shire Council supports and encourages an active learning process and skills development of Councillors to ensure that they carry out their functions as effectively as possible. It is essential where Council is paying these expenses that the training or educational course is directly related to the Councillor's civic functions and responsibilities. Requests to attend training should be in writing outlining the benefits for Council. The approval for training must be given jointly by the Mayor and the General Manager who will consider the appropriateness of the training for each Councillor and the budgetary constraints.

The General Manager will arrange training and briefing sessions for newly elected Councillors as required by the Department of Local Government. The cost to provide this training is provided for in the Annual Budget.

Travel arrangements and expenses

All travel by Councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

It may be necessary for Councillors to travel both within and outside the local government area in order to represent Council at meetings or events, attend conferences or undertake training. With limited public transport the majority of travel will be by motor vehicle. Council will provide a motor vehicle where possible. Where a Council motor vehicle is not available Councillors may be requested to use their own motor vehicle. Travel arrangements shall be agreed between the General Manager and the Councillor prior to the travel taking place.

Where Councillors use their own private vehicle as part of their official duties they will be reimbursed at a rate determined by the Notional Agreement Preserving the Local Government (State) Award 2004 for Vehicle Allowance and should claim reimbursement within four (4) weeks. Official duties include: meetings of Council and Council Committees (whether a Committee member or not); Council inspections; civic functions; Council related meetings, seminars and engagements; meetings with staff and constituents on Council business.

When a Council vehicle is required by a Councillor travelling both within and outside the local government area, the vehicle must be booked through the General Manager. If the vehicle is required before 8.15am the Councillor must make arrangements with the General Manager to collect the vehicle the evening before. Likewise if the Councillor returns after 5.00pm the Councillor must arrange with the General Manager to return the vehicle the following morning.

The driver is personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.

All travel to meetings and events outside the Shire should only be undertaken with the General Managers consent.

Travel to destinations outside NSW requires the joint approval of the General Manager and Mayor. The application for approval should include full details of the travel, including itinerary, costs and reasons for the travel. Council will provide a motor vehicle where possible.

In some circumstances it may be necessary for Councillors to travel by air due to the remoteness of the Walgett Shire. Travel by air is only available with the consent of the General Manager.

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Telecommunication expenses and related

On request, Council will supply a Councillor with a combined phone/fax/answering machine.

On request, Council will supply a Councillor with a laptop computer and a printer.

On request, Council will install a telephone line in a Councillors residence.

Councillors are entitled to the payment of the rental cost of one telephone line.

Councillors will receive an allowance of \$60 per month to cover phone call costs. Should Councillors business related costs exceed this amount they will need to submit a claim for reimbursement along with evidence of total incurred cost.

A Councillor who has an internet service and email address which is available for Council business will receive an allowance of \$30 per month.

Care and other related expenses

Councillors can claim for the reimbursement for the cost of carer arrangements, including childcare expenses and the care of the elderly, disabled and/or sick immediate family members of Councillors to allow Councillors to undertake their Council business obligations. A limit of \$2,000 per annum per Councillor is allowed.

The reimbursement for care and other related expenses should be calculated at the end of each month and submitted to Council within four (4) weeks for reimbursement.

A limit of \$2,000 per annum will also be available for related expenses associated with the special requirements of Councillors such as disability and access needs, to allow performance of normal civic duties and responsibilities.

Insurance expenses and obligations

Pursuant to Section 382 of the *Local Government Act 1993* Councillors will receive the benefit of insurance cover for the following matters arising out of their civic duties:

- Public Liability – for matters arising out of Councillors performance of their civic duties and/or exercise of their council functions
- Professional Indemnity – for matters arising out of Councillors performance of their civic duties and/or exercise of their council functions.
- Personal injury – for injury whilst on council business. Note that councillors are not covered by workers compensation payments or arrangements.
- Travel insurance – for approved interstate and overseas travel on council business.

Legal expenses and obligations

Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are to be distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. An example of the latter are expenses arising from an investigation as to whether a Councillor has acted corruptly.

Council may disburse money only if the disbursement is authorised by the Local Government Act 1993. Therefore, if a Councillor has a legal matter that they believe merits assistance, then the matter is to be reported to Council for determination. In considering such a matter Council will be guided by the contents of Department of Local Government circular 05/08 "Legal assistance for councillors and council employees".

PART 3 PROVISION OF SERVICES AND FACILITIES

Provision of facilities generally

Walgett Shire Council will provide facilities, equipment and services that are appropriate to support the Mayor and Councillors in undertaking their roles as elected members of Council. Facilities will be provided to ensure the safety of Councillors. Council facilities, equipment and services are not to be used to produce election material or for any other political purpose. Councillors should not obtain private benefit from the provision of equipment or facilities including any travel bonus schemes or other such loyalty programs.

Private use of equipment and facilities

It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment.

Where more substantial private use has occurred the Councillor must reimburse Council for the actual cost to council of the private use in question. This reimbursement will be made on a full cost recovery basis and in accordance with Councils Schedule of Fees and Charges.

Provision of Equipment and Facilities for Mayor and Councillors

Office Equipment

Councillors will be provided access to photocopiers, facsimile machines, telephones and other relevant office equipment, located at the Council Administration building in Walgett, for official Council business.

Dedicated computer equipment

An internet connected computer dedicated for use by Councillors will be provided at the Council Administration building in Walgett for official Council business.

Office space and meeting rooms

Councillors wishing to conduct formal meetings that are related to Council business will have access to meeting rooms at the Council Administration building in Walgett. All bookings are to be made through the Executive Assistant to General Manager.

Secretarial and administration support

All Councillors will be provided with secretarial support so that official duties can be carried out in a professional manner. Secretarial support will be provided upon request to the General Manager.

Postage

Council will meet the cost of all official postage provided mail is directed through the Council mailing system.

Business cards

All Councillors will be issued with business cards for use during their official duties.

Filing

On request, a four drawer filing cabinet will be provided for use in a Councillor's residence.

Council vehicle

Councillors will have access to a Council pool car, if available, for use on official council business. All bookings for Council vehicles are to be made through the Executive Assistant to General Manager.

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Meals and refreshments

Food and refreshments may be provided for official Council meetings and functions as determined by the General Manager.

Name badges

All Councillors will be issued with a Council name badge.

Stationery

Council shall provide Councillors with stationery including writing pads, pens, diaries, folders, paper for facsimiles and printers, and ink cartridges.

Provision of Additional Equipment and Facilities for Mayor

The Mayor will be provided with additional facilities to those identified for Councillors to recognise the special role, responsibilities and duties of the position both in the Council and the community.

Provision of a dedicated motor vehicle

The mayor will be provided a fully serviced, fuelled and maintained vehicle to a standard equivalent to a Holden Berlina or Falcon Fairmont for business use.

Mobile phone

The Mayor will be provided with a mobile phone as specified by the General Manager. A limit of \$200 per month applies to the maximum cost to be borne by Council.

Furnished mayoral office

The Mayor will be provided with a dedicated office located in the Administration building in Walgett. A refreshment cabinet will be maintained and stocked by Council within budgetary constraints. The Mayor will have access to a computer located in the Mayoral office.

PART 4 OTHER MATTERS

Acquisition and returning of facilities and equipment by Councillors


On the completion of their term of office, extended leave of absence or the cessation of civic duties, Councillors are required to return all equipment and other facilities issued by Council within four (4) weeks

Dedicated phone lines issued for official Council business will be disconnected within seven (7) working days of the cessation of duties.

Councillors will be given the option to purchase Council equipment previously allocated to them at the cessation of their duties at an agreed fair market price or written down value.

Status of the Policy

Adopted
Amended



Walgett Shire Council News

ENQUIRIES TO COUNCIL'S ADMINISTRATION CENTRE:
77 Fox Street PO Box 31 Walgett 2832 Phone: 6828 1399 Fax: 6828 1606
Email: admin@walgett.nsw.gov.au Web: www.walgett.nsw.gov.au

DISPOSAL OF THE FORMER WALGETT RAILWAY STATION BUILDING

At a meeting held on 15 July 2008 Walgett Shire Council resolved to advertise its intention to dispose of the former Walgett railway station building. Council was given the building in 1994 by the State Rail Authority, but has not yet identified a clearly viable use for it. Written expressions of interest for the re-use, or demolition, of the building are sought from the community. Submissions will be accepted until the close of business on Monday 29th September 2008. Please contact Council's Director Planning and Regulatory Services, Matthew Goodwin, for more information.

WALGETT RAW WATER SUPPLY

Council would like to advise the residents of Walgett that starting Monday 28th July they will experience low raw water pressure due to reservoir maintenance.
Normal pressure should resume Tuesday 5th August

ALCOHOL FREE ZONES

The existing Alcohol free zones in the towns of Walgett, Lightning Ridge and Collarenebri were due to expire on 30 August 2008. At a meeting held on 15 July 2008, Walgett Shire Council resolved to re-establish alcohol free zones in each town for another three years (until 15 July 2011). The zones apply to all streets and public car parks.

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

**EXPRESSIONS OF INTEREST FROM PERSONS
INTERESTED IN BECOMING
"CONDUCT REVIEWERS"**

At its July 2008 meeting, Council adopted a new Code of Conduct for staff and councillors. Among other things, the Code requires that Council have a panel of not less than three (3) independent persons who, if required and available, would be prepared to sit alone or as a member of a Panel to investigate complaints regarding alleged breaches of the Code of Conduct by councillors, staff, the Mayor and the General Manager. Conduct Reviewers would be appointed for a renewable term of one (1) year and would have all their expenses met but would not receive a sitting fee.

Persons interested in being considered for appointment as Conduct Reviewers are invited to request a copy of Council's Code of Conduct, and the associated report, from Ms Jodie Gates (phone 6828 1399) or alternatively the documents can be downloaded from Council's website.

Expressions of interest from persons interested in becoming Conduct Reviewers, along with a brief Resume, should be received by the General Manager no later than 4.30 pm Friday 29th August 2008.

**REVIEW OF DRAFT POLICY: PAYMENT OF
EXPENSES AND PROVISION OF FACILITIES FOR
COUNCILLORS**

Submissions are invited on a new Policy which proposes an expansion in the assistance which will be available to Councillors, particularly in the areas of Carer Expenses and Disability Support. Additional allowances, and assistance for Councillors, are also proposed in respect of computing/internet and communication generally. The Policy also provides for a motor vehicle to be made available to the Mayor for use on Council business.

The Draft Policy and Council report on the Policy can be viewed on Council's website or at: the Lightning Ridge Library and Community Centre; Collarenebri Council Agency; Walgett Administration Centre; Burren Junction General Store.

Submissions on the Draft Policy are invited and should reach Council no later than 4.30 pm Friday 22nd August 2008.

For more information, please contact Council's Customer Service Office on telephone 6828 1399.

NOTICE TO LIGHTNING RIDGE RESIDENTS

Council's Health and Building Surveyor has relocated from the Lightning Ridge Miners Association boardroom to the new Health and Community Services Building in Pandora Street adjacent to the hospital. Office hours will remain 9:30 AM to 10:30 AM Tuesdays. Other times by appointment only. Phone 6828 6144

4. COLLARENEBRI PRECINCT COMMITTEE MINUTES

REPORTING SECTION: General Manager
AUTHOR: Collarenebri Precinct Committee
FILE NUMBER:

MINUTES OF THE COLLARENEBRI PRECINCT COMMITTEE
2ND JULY 2009 AT 6.50pm

Present R.Greenaway
D.Winters.
D.Hartog.
M.Cuttler.
M.Bow.
L.Simpson.

Apologies B.Cable.
C.Smith.
R.McGrath.
S.McGrath.
N.Thomas.
C.Thomas.

Previous Minutes Read mvd.D.Winters sec D.Hartog.

Business Arising Could our new and old trees be mulched
watered and fertilized more frequently
this summer?

General Business The old shed in the laneway between Wilson
St.and Church st. still needs to be made safe
Also a pile of dirt on the same site is a
danger with bits of pipe sticking out.
We are very pleased with our trees and
thank the council for the work attened to on
our behalf.
The new notice board was discussed.Points
Raised were
A map of the river for people wishing to canoe.
Fishing spots and how to access these
Open air theater can be viewed by appointment.

Meeting closed at 7.20pm.

RECOMMENDATION:

- 1. That Council note and receive the Collarenebri Precinct Committee meeting minutes held on 2 July 2008.**

5. INVESTMENT REPORT AS AT 31 AUGUST 2008

REPORTING SECTION: Director of Corporate & Community Services
AUTHOR: John Burke - Senior Finance Officer
FILE NUMBER: 180/02/01/00

Summary:

This report summarises the investments of Walgett Shire Council as at 31 August 2008.

Discussion (including issues and background):

The investment summary as at 31 August 2008 is enclosed

RECOMMENDATION:

That the investment report as at 31 August 2008 be received.

WALGETT SHIRE COUNCIL AGENDA

INVESTMENTS - CONSOLIDATED

Council investments have been made in accordance with the Local Government Act 1993 No 30, the Regulations and Council's Investment Policy

<u>Investment Institution</u>	<u>Type of Investment</u>	<u>Term (days)</u>	<u>Rate %</u>	<u>Ref</u>	<u>Reset Date</u>	<u>Maturity Date</u>		
National Australia Bank	Term Deposit	182	7.80	493/08		26-Aug-08	\$	500,000.00
Citibank	Term Deposit	182	8.24	494/08		02-Sep-08	\$	500,000.00
Newcastle Permanent Building Society	Term Deposit	182	8.41	495/08		09-Sep-08	\$	500,000.00
Westpac	Term Deposit	182	7.56	498/08		16-Sep-08	\$	500,000.00
National Australia Bank	Term Deposit	175	7.80	499/08		16-Sep-08	\$	500,000.00
Suncorp	Term Deposit	175	7.97	500/08		23-Sep-08	\$	500,000.00
Bank of Qld	Term Deposit	175	8.20	501/08		30-Sep-08	\$	500,000.00
Local Govt Financial Services	Term Deposit	169	7.95	502/08		07-Oct-08	\$	500,000.00
Westpac	Term Deposit	216	7.60	503/08		08-Dec-08	\$	500,000.00
Suncorp	Term Deposit	154	7.86	504/08		14-Oct-08	\$	500,000.00
Local Govt Financial Services	Term Deposit	154	7.80	505/08		21-Oct-08	\$	500,000.00
Newcastle Permanent Building Society	Term Deposit	154	8.06	506/08		28-Oct-08	\$	500,000.00
Bankwest	Term Deposit	154	8.26	507/08		04-Nov-08	\$	300,000.00
Bank of Qld	Term Deposit	154	8.45	508/08		11-Nov-08	\$	250,000.00
Citibank	Term Deposit	154	7.80	509/08		18-Nov-08	\$	500,000.00
CBA	Term Deposit	92	7.50	510/08	16-Sep-08	16-Dec-10	\$	500,000.00
Royal Bank Canada	Term Deposit	92	7.70	511/08	16-Sep-08	16-Mar-11	\$	500,000.00
Citibank	Term Deposit	154	8.02	512/08		25-Nov-08	\$	300,000.00
Savings & Loans Credit Union (FIIG Securities)	Term Deposit	154	8.52	513/09		02-Dec-08	\$	500,000.00
IMB Ltd	Term Deposit	168	8.28	514/09		16-Dec-08	\$	500,000.00
ACCU (FIIG Securities)	Term Deposit	182	8.50	515/09		06-Jan-09	\$	500,000.00
Comminvest (FIIG Securities)	Term Deposit	182	7.95	516/09		13-Jan-09	\$	500,000.00
Bankwest	Term Deposit	182	8.40	517/09		20-Jan-09	\$	300,000.00
Suncorp	Term Deposit	182	7.95	518/09		27-Jan-09	\$	500,000.00
Bank West	Term Deposit	7.89	7.89	519/09		27-Jan-09	\$	500,000.00
National Australia Bank	Term Deposit	7.5	7.50	520/09		03-Feb-09	\$	300,000.00
CBA	Term Deposit	175	7.91	521/09		10-Feb-09	\$	250,000.00
Grange Securities - Zircon Finance Limited	Floating Rate CDO	92	9.12		22-Sep-08	20-Sep-14	\$	500,000.00
Grange Securities - MAS6-7	Floating Rate CDO	94	9.82		22-Sep-08	20-Jun-15	\$	255,932.50
Grange Securities - Helium	Floating Rate CDO	92	9.14		23-Sep-08	23-Jun-14	\$	203,798.00
Grange Securitit- Magnolia	Floating Rate CDO	92	9.32		22-Sep-08	20-Mar-12	\$	50,638.00
							\$	13,210,368.50

Recommendation:

6. LEHMAN BROTHERS INVESTMENT REPORT

REPORTING SECTION: Corporate and Community Services
AUTHOR: Myrene Lovegrove - Finance Manager
FILE NUMBER: 180/02/02/00

Summary:

This report recommends Council continue to monitor its investments with Lehman Brothers and includes the revised Ministerial Investment Order on investments procedures.

Local Councils, charities, churches and hospitals throughout Australia have generally suffered capital losses in their investment portfolios due to the collapse of some structured investment products. Walgett Shire Council, whilst suffering some loss has limited exposure and has been able to minimise the impact. This report provides an update.

Discussion (including issues and background):

On 18 August 2008, the Department of Local Government released circular 08-48. This circular confirmed the adoption of the recommendations of the Review of NSW Local Government Investments. The Minister for Local Government has issued a revised Order pursuant to section 625 of the Local Government Act 1993. This amended order has been signed and was gazetted on 15 August 2008.

Walgett Shire Council implemented the recommendations of the Review of NSW Local Government Investments at its June 2008 meeting. The investment portfolio with Lehman Brothers has been held and all new investments have been interest bearing deposits (term deposits) with authorised deposit-taking institutions.

As part of Walgett Shire Council audit preparation an independent valuation of the four products held with Lehman Brother was sort from FIIG Securities. This information formed the basis for completion of an investment return for the Department of Local Government and is reproduced below.

All these products continue to pay quarterly interest coupons earning between 9.075% and 9.7833% on their face value. Currently term deposits are returning around 7.8% for 6 month terms. To date the Lehman Brothers coupon earnings have not been impaired and the income is linked to the BBSW index. These products have medium to long-term investment profiles and in the current climate would incur capital loss if sold prior to maturity.

The next coupons are due in September 2008. Currently Walgett Shire Council has \$12,200,000 invested in term deposits and \$1,000,000 in the Lehman Brothers portfolio. The Lehman Brothers investment is not impeding Walgett Shire Council's service delivery.

WALGETT SHIRE COUNCIL AGENDA

Walgett Shire Council is awaiting notification from the Department of Local Government on the impairment disclosure requirement for our annual financial statements.

Issuer	Name (or Nickname) of Product	Issue Date	Purchase Price (if not par) \$	Face Value \$	Current Fair Value \$	Legal Maturity Date	Rating at Issue Date	Current Rating	Current Interest Rate Actually Being Received
Helium Series 64	Scarborough AA	Jul-07	203798	200000	105800	Jun-14	AA	BBB+	9.075
Managed ACES	Parkes AA-	Jun-07	255932	250000	64670	Jun-15	AA-	AA	9.7833
SPC	Coolangatta	Mar-07	500000	500000	175275	Sep-14	AA	BBB	9.075
ZIRCON	Flinders AA	Jun-07	50638	50000	36500	Jun-15	AA	B+	9.2833
Magnolia 2005-14									

Relevant Reference Documents:

Department of Local Government Circular No: 08-10
 Department of Local Government Circular No: 08-48
 Local Government Act 1993 -Investment Order, dated 31st July 2008

Stakeholders:

Walgett Shire Council
 Walgett Shire Ratepayers

Financial Implications:

Quarterly interest coupon of approximately \$23,000 is due in September 2009.
 Nil realised loss until sold.

RECOMMENDATION:

- Council continues monitoring their investments with Lehman Brothers and includes the revised Ministerial Investment Order in its investments procedures.**

7. QUARTERLY BUDGET REVIEW AS AT 30 JUNE 2008

REPORTING SECTION: Corporate and Community Services
AUTHOR: Myrene Lovegrove - Finance Manager
FILE NUMBER: 180/01/01/00

Summary:

This report presents to Council the final quarterly financial review for the year ending 30 June 2008.

Discussion (including issues and background):

At the Walgett Shire Council extraordinary meeting held on 28th June 2007, council adopted the 2007/2008 - 2011/2012 Management Plan incorporating the annual budget for 2007/08. This report details the pre-audit position for the 2007/08 financial year.

During the fourth quarter of the financial year considerable cost savings have been achieved.

The Corporate and Community Services division received additional interest income and was highly successful in obtaining additional youth program grant funding. Cost savings were achieved in community services, corporate services and financial services.

Planning and Regulatory Services received additional funding for the rural addressing project. The rural addressing project and the local environmental plan projects will continue into the 2008/09 financial year.

Engineering Services were very busy during the fourth quarter gaining additional funding for operational road works from the Roads and Traffic Authority resulting in a significant increase in operational income and expenditure.

A capital grant payment of \$660,000 for the Strategy Road Program Grant for the RR457 Collarenebri to Mungindi road was received, with the balance of \$1,440,000 to be received in the 2008/09 financial year. This road project was still in progress at the end of June 2008 with the completion costs shifting to the new financial year.

The Strategy Road Program Grant of \$2,800,000 received in June 2007 for capital works on RR333 Walgett to Carinda was partially completed in 2007/08 using funds obtained in 2006/07 financial year and externally restricted for this purpose. This project and the associated costs will continue into the 2008/09 financial year. As previously reported Walgett Shire Council received a total of \$5,600,000 on 27th June 2007 for capital road works through the Strategy Road Program Grant with a time frame of three years to complete the works. This early payment is reflected in the significant difference between capital revenue originally budgeted and the amended budget.

The format and presentation of the quarterly budget review has been updated and improved to provide a clearer vision of operational and capital works within Walgett Shire Council and is attached. One of the changes is a more transparent disclosure of capital income and expenditure.

Relevant Reference Documents:

Quarterly Budget Review to 30 June 2008
Walgett Shire Council Management Plan 2007/2008 - 2011/2012

Stakeholders:

Walgett Shire Council
Walgett Shire Ratepayers

Financial Implications:

Overall, the result of the quarterly review indicates the financial position of Walgett Shire Council is satisfactory. The quarterly budget review and recommended changes are attached.

The operation surplus has increased by \$2,188,459.00 and capital revenue has decreased by \$1,545,000, giving a net budget variance of \$649,800.

RECOMMENDATION:

1. That Council note the quarterly budget review for the year ending 30 June 2008 and adopt the changes attached.

Attachments

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 30 June 2008				
ORGANISATION DIVISION:	All Division Summary				
RESPONSIBILITY:	General Manager - Ray Kent				
	Original Budget	Amended Budget	Actual Income/Costs	Recommended Changes	Amended Budget
<u>OPERATING REVENUE</u>					
Members and Executive	0	0	0	0	0
Corporate & Community Services	7,139,511	7,298,986	7,716,682	448,000	7,746,986
Planning & Regulatory Services	90,750	110,750	140,706	29,300	140,050
Engineering & Infrastructure Services	9,622,780	10,273,841	12,009,963	1,731,500	12,005,341
TOTAL	16,853,041	17,683,577	19,867,351	2,208,800	19,892,377
<u>OPERATING EXPENDITURE</u>					
Members and Executive	835,423	879,223	867,957	(8,000)	871,223
Corporate & Community Services	4,189,041	4,302,901	4,053,881	(241,000)	4,061,901
Planning & Regulatory Services	916,856	916,856	812,874	(105,000)	811,856
Engineering & Infrastructure	9,263,971	11,766,314	12,125,897	368,000	12,134,314
TOTAL	15,205,291	17,865,294	17,860,609	14,000	17,879,294
NETT OPERATING SURPLUS/(DEFICIT)	1,647,750	(181,717)	2,006,742	2,194,800	2,013,083
<u>CAPITAL REVENUE</u>					
Members and Executive	0	0	0	0	0
Corporate & Community Services	0	0	0	0	0
Planning & Regulatory Services	0	0	0	0	0
Engineering & Infrastructure Services	8,030,000	2,510,000	965,231	(1,545,000)	965,000
TOTAL	8,030,000	2,510,000	965,231	(1,545,000)	965,000
<u>CAPITAL EXPENDITURE</u>					
Members and Executive	0	0	0	0	0
Corporate & Community Services	36,000	67,000	55,165	(12,000)	55,000
Planning & Regulatory Services	0	0	0	0	0
Engineering & Infrastructure Services	8,920,833	7,445,977	6,585,386	(864,000)	6,581,977
TOTAL	8,956,833	7,512,977	6,640,551	(876,000)	6,636,977
NETT CAPITAL SURPLUS/(DEFICIT)	(926,833)	(5,002,977)	(5,675,320)	(669,000)	(5,671,977)
NETT DIVISION SURPLUS/(DEFICIT)	720,917	(5,184,694)	(3,668,578)	1,525,800	(3,658,894)

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 30 June 2008				
ORGANISATION DIVISION:	Members and Executive				
RESPONSIBILITY:	Council and General Manager - Ray Kent				
	Original Budget	Amended Budget	Actual Income/Costs	Recommended Changes	Amended Budget
<u>OPERATING REVENUE</u>					
Members and Civic	0	0	0	0	0
Executive	0	0	0	0	0
TOTAL	0	0	0	0	0
<u>OPERATING EXPENDITURE</u>					
Members and Civic	526,286	526,286	523,482		526,286
Executive	309,137	352,937	344,475	(8,000)	344,937
TOTAL	835,423	879,223	867,957	(8,000)	871,223
NETT OPERATING SURPLUS/(DEFICIT)	(835,423)	(879,223)	(867,957)	8,000	(871,223)
<u>CAPITAL REVENUE</u>					
Members and Civic	0	0	0	0	0
Executive	0	0	0	0	0
TOTAL	0	0	0	0	0
<u>CAPITAL EXPENDITURE</u>					
Members and Civic	0	0	0	0	0
Executive	0	0	0	0	0
TOTAL	0	0	0	0	0
NETT CAPITAL SURPLUS/(DEFICIT)	0	0	0	0	0
NETT DIVISION SURPLUS/(DEFICIT)	(835,423)	(879,223)	(867,957)	8,000	(871,223)

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 30 June 2008				
ORGANISATION DIVISION:	Corporate and Community Services				
RESPONSIBILITY:	Director of Corporate and Community Services - Carole Medcalf				
	Original Budget	Amended Budget	Actual Income/Costs	Recommended Changes	Amended Budget
<u>OPERATING REVENUE</u>					
Community Services	334,947	284,947	362,188	72,000	356,947
Corporate Management	81,500	73,682	71,907	0	73,682
Financial Management	58,920	103,920	130,317	26,000	129,920
Insurance-General	0	0	0	0	0
Interest Received	407,465	474,305	823,254	350,000	824,305
Rates -Ordinary	3,866,453	3,866,453	3,867,429		3,866,453
Untied Grants	2,390,226	2,495,679	2,461,587		2,495,679
TOTAL	7,139,511	7,298,986	7,716,682	448,000	7,746,986
<u>OPERATING EXPENDITURE</u>					
Community Services	1,304,234	1,389,075	1,354,115	(31,000)	1,358,075
Corporate Management	1,529,892	1,374,706	1,225,789	(148,000)	1,226,706
Financial Management	996,901	1,128,106	1,076,575	(48,000)	1,080,106
Insurance-General	350,725	403,725	387,953	(16,000)	387,725
Interest Received	7,289	7,289	9,449	2,000	9,289
Rates -Ordinary	0	0	0	0	0
Untied Grants	0	0	0	0	0
TOTAL	4,189,041	4,302,901	4,053,881	(241,000)	4,061,901
NETT OPERATING SURPLUS/DEFICIT	2,950,470	2,996,085	3,662,801	689,000	3,685,085

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 30 June 2008				
ORGANISATION DIVISION:	Corporate and Community Services				
RESPONSIBILITY:	Director of Corporate and Community Services - Carole Medcalf				
	Original Budget	Amended Budget	Actual Income/Costs	Recommended Changes	Amended Budget
<u>CAPITAL REVENUE</u>					
Community Services	0	0	0	0	0
Corporate Management	0	0	0	0	0
Financial Management	0	0	0	0	0
Information Technology	0	0	0	0	0
Insurance-General	0	0	0	0	0
Interest Received	0	0	0	0	0
Rates -Ordinary	0	0	0	0	0
Untied Grants	0	0	0	0	0
TOTAL	0	0	0	0	0
<u>CAPITAL EXPENDITURE</u>					
Community Services	6,000	29,000	21,481	(7,000)	22,000
Corporate Management	30,000	38,000	33,684	(5,000)	33,000
Financial Management	0	0	0	0	0
Information Technology	0	0	0	0	0
Insurance-General	0	0	0	0	0
Interest Received	0	0	0	0	0
Rates -Ordinary	0	0	0	0	0
Untied Grants	0	0	0	0	0
TOTAL	36,000	67,000	55,165	(12,000)	55,000
NETT CAPITAL SURPLUS/(DEFICIT)	(36,000)	(67,000)	(55,165)	12,000	(55,000)
NETT DIVISION SURPLUS/(DEFICIT)	2,914,470	2,929,085	3,607,636	701,000	3,630,085

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 30 June 2008				
ORGANISATION DIVISION:	Planning & Regulations				
RESPONSIBILITY:	Director of Planning & Regulatory Services - Matthew Goodwin				
	Original Budget	Amended Budget	Actual Income/Costs	Recommended Changes	Amended Budget
OPERATING REVENUE					
Community Programs	3,200	23,200	25,512	2,000	25,200
Development Management & Support	85,450	85,450	114,789	29,000	114,450
Environmental Programs	2,100	2,100	405	(1,700)	400
TOTAL	90,750	110,750	140,706	29,300	140,050
OPERATING EXPENDITURE					
Community Programs	134,526	134,526	128,890	(7,000)	127,526
Development Management & Support	692,630	692,630	602,826	(90,000)	602,630
Environmental Programs	89,700	89,700	81,158	(8,000)	81,700
TOTAL	916,856	916,856	812,874	(105,000)	811,856
NETT OPERATING SURPLUS/(DEFICIT)	(826,106)	(806,106)	(672,168)	134,300	(671,806)
CAPITAL REVENUE					
Community Programs	0	0	0	0	0
Development Management & Support	0	0	0	0	0
Environmental Programs	0	0	0	0	0
TOTAL	0	0	0	0	0
CAPITAL EXPENDITURE					
Community Programs	0	0	0	0	0
Development Management & Support	0	0	0	0	0
Environmental Programs	0	0	0	0	0
TOTAL	0	0	0	0	0
NETT CAPITAL SURPLUS/(DEFICIT)	0	0	0	0	0
NETT DIVISION SURPLUS/(DEFICIT)	916,856	916,856	812,874	(105,000)	811,856

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 30 June 2008				
ORGANISATION DIVISION:	Engineering & Infrastructure Services				
RESPONSIBILITY:	Director of Engineering Services				
	Original	Amended	Actual	Recommended	Amended
	Budget	Budget	Income/Costs	Changes	Budget
<u>OPERATING REVENUE</u>					
Emergency Services	61,157	0	19,723	20,000	20,000
Engineering Management	521,961	440,062	566,237	128,000	568,062
Plant Operations	55,960	55,960	58,403	0	55,960
Recreation & Community Assets	41,000	102,272	117,144	14,500	116,772
Roads & Bridges	6,010,000	6,792,845	8,434,176	1,640,000	8,432,845
Domestic Waste Management	845,064	845,064	791,285	(50,000)	795,064
Water Supplies	1,474,206	1,424,206	1,376,753	(51,000)	1,373,206
Sewerage Supplies	613,432	613,432	646,242	30,000	643,432
TOTAL	9,622,780	10,273,841	12,009,963	1,731,500	12,005,341
<u>OPERATING EXPENDITURE</u>					
Emergency Services	208,018	271,018	260,114	(11,000)	260,018
Engineering Management	943,853	901,653	894,558		901,653
Plant Operations	1,047,000	1,087,551	1,069,024		1,087,551
Recreation & Community Assets	1,479,571	1,780,106	1,544,923	(200,000)	1,580,106
Roads & Bridges	3,384,185	5,365,436	5,959,625	563,000	5,928,436
Domestic Waste Management	567,145	678,600	668,308	(10,000)	668,600
Water Supplies	1,067,053	1,091,553	1,119,186	24,000	1,115,553
Sewerage Supplies	567,146	590,397	610,159	2,000	592,397
TOTAL	9,263,971	11,766,314	12,125,897	368,000	12,134,314
NETT OPERATING SURPLUS/(DEFICIT)	358,809	(1,492,473)	(115,934)	1,363,500	(128,973)

WALGETT SHIRE COUNCIL AGENDA

CAPITAL REVENUE	Quarterly Budget Review to 30 June 2008				
Community Services	Engineering & Infrastructure Services				
Corporate Management	Director of Engineering Services				
	Original	Amended	Actual	Recommended	Amended
	Budget	Budget	Income/Costs	Changes	Budget
CAPITAL REVENUE					
Emergency Services	0	0	0	0	0
Engineering Management	0	0	0	0	0
Plant Operations	0	0	0	0	0
Recreation & Community Assets	330,000	410,000	305,231	(105,000)	305,000
Roads & Bridges	7,700,000	2,100,000	660,000	(1,440,000)	660,000
Domestic Waste Management	0	0	0	0	0
Water Supplies	0	0	0	0	0
Sewerage Supplies	0	0	0	0	0
TOTAL	8,030,000	2,510,000	965,231	(1,545,000)	965,000
CAPITAL EXPENDITURE					
Emergency Services	0	0	0	0	0
Engineering Management	0	0	0	0	0
Plant Operations	1,480,000	1,030,000	733,944	(295,000)	735,000
Recreation & Community Assets	3,252,833	2,017,977	1,984,753	(33,000)	1,984,977
Roads & Bridges	3,400,000	3,610,000	3,171,778	(440,000)	3,170,000
Domestic Waste Management	0	0	0	0	0
Water Supplies	669,000	669,000	551,762	(120,000)	549,000
Sewerage Supplies	119,000	119,000	143,149	24,000	143,000
TOTAL	8,920,833	7,445,977	6,585,386	(864,000)	6,581,977
NETT CAPITAL SURPLUS/(DEFICIT)	(890,833)	(4,935,977)	(5,620,155)	(681,000)	(5,616,977)
NETT DIVISION SURPLUS/(DEFICIT)	(532,024)	(6,428,450)	(5,736,089)	682,500	(5,745,950)

8. ANNUAL FINANCIAL STATEMENTS 2007/2008

REPORTING SECTION: Corporate and Community Services
AUTHOR: Myrene Lovegrove - Finance Manager
FILE NUMBER: 180/01/00/00

Summary:

This report recommends the Annual Financial Statements and Special Purpose Financial Statements 2007/2008 be referred to audit. The statements will be tabled at the Council Meeting on 18 November 2008.

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 2007/2008 to be prepared, referred to audit and audited by 31 October 2008.

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 Councillors 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 2008.

Relevant Reference Documents:

Draft Annual Financial Statements and Special Purpose Financial Statements 2007/2008

Stakeholders:

Walgett Shire Council
Spencer Steer Chartered Accountants
Walgett Shire Ratepayers

Financial Implications:

Cost of Audit is provided for in the 2008/2009 Budget.

RECOMMENDATIONS:

That Council resolve:

- 1. That the Annual Financial Reports for 2007/2008 be referred to Council's Auditor.**
- 2. That the Administrator, General Manager and Director Corporate and Community Services be authorised to sign the necessary Financial Statements.**
- 3. That on receipt of the Audited Report, a copy be forwarded to the Department of Local Government and the Australian Bureau of Statistics.**
- 4. That Council set Council Meeting of 18 November 2008 as the meeting date for the formal presentation of the audited Annual Financial Reports.**
- 5. That public notice is given of the meeting date for formal presentation of the audited Annual Financial Reports for 2007/2008.**

9. SECTION 713 AUCTION 2009

REPORTING SECTION: Corporate and Community Services
AUTHOR: Renee Reynolds-Finance Officer (Debt Recovery)
FILE NUMBER: 025/05/01/77

Summary:

This report details the properties eligible for sale of land for overdue rates and seeks Council's authorisation to submit the land for auction sale for overdue rates in accordance with Section 713 of the Local Government Act, 1993.

Discussion (including issues and background):

Under Chapter 17 Part 2 Division 5 Section 713, Council may

"sell any vacant land on which any rate or charge has remained unpaid for more than one year but not more than 5 years from the date on which it became payable, but only if:

- (i) the council obtains a valuation of the land from the Valuer-General, and*
- (ii) the total amount of unpaid rates or charges on the land exceeds the valuation, and*
- (iii) the council sells the land within 6 months after the date when the council received the valuation.*

In such cases the General Manager must certify in writing the details of the overdue rates and charges and advertise these details in the Government Gazette and in at least one (1) newspaper circulating in the area prior to the auction proceeding.

The General Managers Certificates are currently being prepared containing the relevant information and Council's authorisation is now sought to proceed with the sale of the properties listed.

All attempts to recover the overdue rates and charges, for the properties listed, have proved unsuccessful and this is the only remaining option for Council to recover the outstanding rates and charges.

Whilst it is recommended to submit the listed properties for auction, should the rates and charges be paid out, or satisfactory arrangements made, the properties can be withdrawn from the proposed sale anytime prior to 5.00PM the day before the auction.

Relevant Reference Documents:

See attached table for eligible properties.

Stakeholders:

Walgett Shire Council

Financial Implications:

Sale of land for overdue rates effectively reduces the amount of rates and charges outstanding to council, with any remaining balance of sale proceeds being returned to the owner.

RECOMMENDATIONS:

1. That the land detailed in the following document be submitted for sale at public auction on Friday 16th January 2009 at 10am at the Council Chambers, 77 Fox Street Walgett 2832.
2. That each person ascertained as having an interest in the land be notified of the Councils intention to sell the land under Section 713 of the Local Government Act, 1993
3. The auction sale be conducted by a licensed auctioneer and should the lots be unsold at the auction that they be listed for sale by private treaty.
4. The reserve price for the lots be determined by the current land value as set by the Valuer General.
5. Council authorises the execution of contracts and transfer documents under its Common Seal.

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT

Table of properties recommended for sale by section 713 auction

Ass. number	Owner Surname	Address	Lot/Sec/DP	Amount owing	Land Value
6312	Pallier	76 Keepit street Walgett	Lots 45 & 46/847451	\$ 8,420.89	\$ 2,670.00
21766	Stuart	Carinda	1/927418	\$ 1,129.39	\$ \$150.00
8961	Dimopoulos	Colin street Carinda	1/309612	\$ 6,800.08	300.00
56101	Coyne	George street MOGUL via Walgett	1/119090	\$ 401.04	\$ 160.00
4242	Maguire	Montkeila street walgett	21/233003 + 1/4/759036	\$ 4,754.46	\$ 2,000.00
31161	Aboriginal Housing Office	Church street Collarenebri	Pt lot 8/16/758262	\$ 3,472.36	\$ 890.00
7500	White	63 Neilly street Walgett	32/534846	\$ 9,433.99	850.00
53520	Bruin and Houlton	Narran street Collarenebri	Lots 34 & 35/238593	\$ 13,834.77	\$ 1,000.00
9308	D W Smith	Warren street Carinda	2/2/758227	\$ 11,932.27	400.00
11874	A M Smith	Colless street Come by Chance	3/13603	\$ 306.31	\$ 91.00
11882	A M Smith	Colless street Come by Chance	1/226811	\$ 284.22	\$ 18.00
20339	A M Smith	Middle street Rowena	9/2/758889	\$ 1,049.88	\$ 140.00
20354	A M Smith	Middle street Rowena	62/753953	\$ 323.56	150.00
8896	A M Smith	Colin street Carinda	7/17/758227	\$ 523.74	\$ 400.00
9423	A M Smith	Wilga street Carinda	10/17/758227	\$ 469.56	400.00
20180	A M Smith	Collarenebri road Pokataroo	20/1/758849	\$ 308.53	100.00
TOTAL as of 21/8/08				\$63,445.05	

10. COMMUNITY ASSISTANCE SCHEME DONATIONS -2007/2008 BUDGET

REPORTING SECTION: Corporate & Community Services
AUTHOR: John Burke - Senior Finance Officer
FILE NUMBER: 180/08/00/00

Summary:

This report identifies requests for financial assistance from Council through the Community Assistance Scheme 2008/2009 and under Section 356 of the Local Government Act 1993

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 31 July 2008.

Applicants must be non-profit organisations and based in, or affiliated with, Walgett Shire.

As stated in the Community Assistance application, all applications received must be for the charitable purpose for either:-

The relief of poverty, or
The advancement of education or
Any other purpose for which there is agreement by resolution of Council

Categories for assistance include the following:-

- | | | |
|----|---------------------------|---------------------------------|
| A. | Sports Assistance | Grants up to maximum \$ 500.00 |
| B. | Cultural Arts Assistance | Grants up to maximum \$ 500.00 |
| C. | General Assistance Scheme | Grants up to maximum \$1,000.00 |

Relevant Reference Documents:

Local Government Act 1993
Walgett Shire Council Management Plan 2008/2009 - 2012/2013

Stakeholders:

Walgett Shire Council
Various community organisations

Financial Implications:

An amount of \$15,600.00 has been provided for in the 2008/2009 Budget in accordance with Section 356 of the Local Government Act 1993.

WALGETT SHIRE COUNCIL AGENDA

RECOMMENDATION:

1. That Council applies funds for financial assistance under section 356 of the Local Government Act 1993 for 2008/2009 as follows:-

ORGANISATION	DETAILS OF PROJECT/ACTIVITY	COST OF PROJECT/ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Carinda P&C Association MacNamara Street Carinda 2831 Contact: Loretta Robinson	Purchase of high jump mats for students to train & compete in carnivals	\$2,558.00	\$500.00	Category A \$500.00
Rowena Community Oval Ibon Street ROWENA 2387 Contact: Anna Sevil	Half share in insurance premium for use of Rowena Oval	1,182.61	\$500.00	Category C \$300.00
Rowena Progress Association Shaw Street ROWENA 2387 Contact: Anna Sevil	Half share in insurance premium for use of Rowena Oval	\$1,182.61	\$500.00	Category C \$300.00
Lightning Ridge Improvement & Beautification Committee PO Box 781 LIGHTNING RIDGE 2834 Contact: Karin Thurston	Concrete of entrance and pathway to allow wheel chair access to Nginyaningu gardens (Bush tucker garden)	\$2,400.00	\$1,000.00	Category B \$500.00
Walgett Pre-School & Long Day Care Centre Incorporated PO Box 97 WALGETT 2832 Contact: Rachel Noffke	To visit and source University Graduates to make them aware of the need for teachers at centres in country areas. To let them know of the advantages of living and working in remote rural centres	\$2,000.00	\$1,000.00	Category C \$1,000.00

WALGETT SHIRE COUNCIL AGENDA

ORGANISATION	DETAILS OF PROJECT/ACTIVITY	COST OF PROJECT/ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Lightning Ridge Historical Society Trust PO Box 1 LIGHTNING RIDGE 2834 Contact: Len Cram	The Society are doing a reprint of the 1936 Spectator' items-30 Years at Lightning Ridge	\$1,056.00	\$300.00	Category C \$150.00
Lightning Ridge Race Club PO Box 1102 LIGHTNING RIDGE 2834 Contact: Denise O'Brien	Purchase and install a public address system at the Lightning Ridge racecourse	\$2,500.00	\$1,000.00	Category A \$500.00
Walgett Tourist Association PO Box 560 WALGETT 2832 Contact: Daniel Gale	Assist in the organising and production of 'Co-Opera in Walgett'	Not stated	\$500.00	Category B \$500.00
Yawarra Meamei Women's Group 1/28 Morilla Street LIGHTNING RIDGE 2834 Contact: Joan Treweeke	Lightning Ridge Neighbourhood Centre provides computers/internet services to the community. They need to install adobe photo shop to increase the service required	\$3,000.00	\$1,000.00	Category C \$1,000.00
Walgett and District Pony Club PO Box 107 WALGETT 2832 Contact: Sally Duncan	To pay for the daily fees of the Walgett Race Course/Showground charged by Council to conduct its annual pony camp	\$1,128.80 (\$34,800.00 to conduct Camp for 1 week for up to 130 children. Done by volunteers)	\$1,000.00	Category A \$500.00

WALGETT SHIRE COUNCIL AGENDA

ORGANISATION	DETAILS OF PROJECT/ACTIVITY	COST OF PROJECT/ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Lightning Ridge Arts and Crafts Council Incorporated PO Box 448 LIGHTNING RIDGE 2834 Contact: Marie Wilde	Lightning Ridge Arts and crafts Council Annual Spring Exhibition/Competition- Celebrating the Arts and Crafts works by the artists in the community Shire wide	\$6,000.00	\$800.00	Category B \$500.00
Lightning Ridge Gymnastics Club Incorporated PO Box 1291 LIGHTNING RIDGE 2834 Contact: Edna Davidson	The Gymnastics Club needs to recover their safety mats, which are over 10 years old.	\$880.00	\$500.00	Category A \$500.00
BAC Rugby League Walgett Incorporated PO Box 2018 COFFS HARBOUR 2450 Contact: Mark DeWeerd	Participation of a team of young men representing the Walgett Community in an Aboriginal Rugby League Carnival	\$15,000.00	\$2,000.00	Category A \$500.00
St Joseph's Catholic School PO Box 505 WALGETT 2832 Contact: Chris Star	Students have been selected to participate in singing workshops. Children living in remote areas would not normally get this opportunity to attend these workshops	\$4,000.00	\$500.00	Category B \$500.00

WALGETT SHIRE COUNCIL AGENDA

ORGANISATION	DETAILS OF PROJECT/ACTIVITY	COST OF PROJECT/ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Walgett Jockey Club PO Box 154 WALGETT 2832 Contact: Chris Clemson	To assist with costs of holding annual race meeting in Walgett, specifically the cost of Ambulance service	\$1,054.56	\$1,054.56	Category A \$500.00
The Grawin Opal Miners Sports & Recreation Club Grawin Via WALGETT 2832 Contact: Angela McGeough	The community of Grawin are looking at developing the 'Grawin Outback Arts Festival' and need to purchase paints and canvas for a two day training course	\$875.00	\$500.00	Category B \$500.00
The Grawin Opal Miners Sports & Recreation Club Grawin Via WALGETT 2832 Contact: Angela McGeough	Plumbing of community water tank from roof of Grawin Club to lessen need for drought assistance	\$2,200.00	\$1,000.00	Category C \$1,000.00
			TOTAL	\$9250.00

11. WALGETT SHIRE YOUTH COUNCIL CONSTITUTION

REPORTING SECTION: Corporate and Community Services
AUTHOR: George McCormick - Youth Development Officer
FILE NUMBER: 013/06/01/44

Summary:

The Walgett Shire Youth Council has prepared its Constitution.

Discussion (including issues and background):

At the recent August Youth Council meeting it was moved and voted unanimously in favour to present this document to Council for acknowledgement and endorsement. The constitution will be tabled at the meeting.

Relevant Reference Documents:

Walgett Shire Council Management Plan 2007/2008-2011/2012
Walgett Shire Youth Council Constitution document

Stakeholders:

Walgett Shire Council
Youth and young people of Walgett Shire
Communities of Walgett Shire

Financial Implications:

Nil

RECOMMENDATION:

- 1. Council acknowledges and endorses the Walgett Shire Youth Council Constitution document which is in accordance with Councils Code of Conduct, mission and objectives.**

Attachments

Walgett Shire Youth Council meeting minutes {August 2008}
Support letter from Lightning Ridge Community Working Party
Support letter from Jane Cavanagh - School Education Director

WALGETT SHIRE COUNCIL AGENDA

Walgett Shire Youth Council Meeting - 14th August 2008

Venue; Lightning Ridge Youth Centre Ella Nagy Hall

Present: Representing Walgett, **Marcus Weatherall**
Representing Collarenebri, **Jackie Burke**
Representing Lightning Ridge, **Mark Winch, Melinda Ciprian**

Others present, George McCormick **WSC YDO**
Leanne McEwen **Murdi Paaki Y/L Project Officer**
Dianne Holz **L/Ridge /Goodooga Facilitator**
Cheryl Kinchela **Youth off the Streets**
Lynn Field **Youth off the Streets**

Apologies: Dylan Adams, Josh Pitt {**Youth Council Reps**}

Meeting opened 10.30

Minutes from 26th June meeting reviewed and passed- **George** second-**Mark Winch**
Marcus elected chairman for meeting

Monthly status,

Collarenebri

Reps from Collarenebri presented opportunity for funding through **INDENT GRANT**, in regards to staging our Triple 3 Youth and Community Festival.

Action : George to scan and email out to all ...each sub-group to get together proposal submission draft to bring to next meeting and place together for final decision on application. Other discussion around the Youth Festival and opportunities and interest from youth bands. **Draft Program attached.**
Collarenebri report alls going well with young people in Collarenebri

Lightning Ridge

Lightning Ridge reps discuss they, with help of others need to change the Ridge schools prospective about things and opportunities involved with the school.. a genuine need for the school to be more involved with activities than just school work.

Action: Situation may warrant a meeting with YDO and other community stakeholders to encourage school to allow opportunities to the young people other then just school work. We need their support for youth functions and workshops etc,
Moved Marcus Seconded Mark Winch

Walgett

Skate park surveys been handed out and returned..just need to be collated. Action: will have this finalised by next meeting.
Moved George seconded Melinda

SKATE PARK

George and members have identified areas that skate parks could and should be be situated near existing "Youth Hot Spots"
Suggested areas **Walgett**_ opposite Youth Centre {where old caravan Park once was}
Lightning Ridge _ rear of Youth Centre
Collarenebri- Lions Park near Bridge

WALGETT SHIRE COUNCIL AGENDA

It was noted that all these areas have ample room, toilet facilities close at hand, and in close proximity to existing Youth Centres and Youth Hot Spots

Action: need to identify land and place proposal to Council/Reserve Trust /all concerned. General discussion around Skate Parks could possibly place walking/exercising area near skate Park area to make a more family friendly area with BBQ and other activities. Something a whole family would be able to access and utilise.

Unanimous!!!

NEW BUISNESS

Draft copies of WSYC Constitution were handed out for all to review and comment, several changes needed/identified.

Put to the vote to present to Working Parties .then September Council meeting for approval and endorsement as a Genuine document and Council Committee / voice of our youth and young people.

Moved by Jackie seconded by Melinda

Introduction /Cheryl Kinchela and Lynn Field Youth Off The Streets.

General discussion around the Anti –Graffiti initiative the Youth Council has planed. The poster Comp with the slogan

“DON’T TRASH OUR TOWN..WE LIVE HERE!!

Cheryl informed all that her organisation is happy to come on board as partners with the Youth Council, Youth Development

as major sponsors of this initiative and cover costs associated with printing, and prizes

The final format/program is still to be finalised but at this stage the initiative will involve;

Poster Comp in three communities. Poster must have the slogan **Don’t trash our town We live here!!** incorporated on them.

Two categories Secondary and Primary. Three prizes in each community 1st in each category ,and peoples choice.

Prizes to be clothing vouchers or simular. Winning posters will be reprinted in size A 3, min 30 in each community endorsement with youth council, supporters on bottom of poster /placed/hung in all schools, hot spots, youth areas around our communities

Youth Council all thanked Cheryl and YOTS for their support and look forward to forming a valuable partnership in programs and issues for our young peoples benefit.

Butt out Bullying

All agreed Youth Council to act as support for the initiative by way of helping at the door /set up etc for each show.

In the Bin

George informed all of the In The Bin film festival and what it will consist of, informed all that the schools Lightning Ridge, Collarenebri and Walgett will support this project by sending 10 young people in to Walgett for the three days of the Project.

Holiday Programs

George suggested if Youth Council representatives {sub-groups} would take on the challenge of programming the holiday activities in their communities for a one week period during the October school holiday period. George will support etc.

General discussion around what to do etc followed

Jackie moved to all support this and put to the vote **all** in favour

WALGETT SHIRE COUNCIL AGENDA

ACTION: Youth Council representatives to program a full week of activities/workshops at their communities Youth Centres during the October school holiday period.
There will be discos in each community during this week. To be finalised at a later date.

George informed all of a deal with local newspaper Ridge News to have a regular blurb/segment in their paper. This will more than likely be fortnightly and have a heading of **YOUTH RAP**

In this space Walgett Shire Youth Development can promo all up and coming events, outcomes, funding and points of interest to our young people. It was also suggested that each sub-group has a small write up, in turns with youth related info offered to all, like time wasters or best fishing spots ,book reviews etc.

ACTION : Youth Council to look at sending letter of thanks and submitting first instalment first week in September.

Meeting closed .

NEXT MEETING 23rd September 10am Walgett Shire Council Chambers. Unless notified.

Lightning Ridge Community Working Party

Chairperson: Kerry McBride
PO Box 651 Lot 8 Opal St
Lightning Ridge, N.S.W 2834

email: kerrymcbride@bigpond.com.au
Ph: 02 68294034 Fax: 6829 1206

22.08.08.

To Walgett Shire Council- Mr Vic Smith,

I am writing on behalf of the Lightning Ridge Community Working Party to offer our support to the Walgett Shire Youth Committee.

It is our understanding that the group wishes to be recognised and have their constitution accepted and passed through Council.

We believe this would provide excellent opportunity for both council and our local youth.

We applaud the fact that this group is made up of youth from the three communities Walgett, Lightning Ridge and Collarenebri, and as the name suggests would look at encompassing the other communities in our shire such as Rowena, Burren Junction, and Carinda.

These young people are looking at some activities and projects around their respective towns. They are applying and have applied for funding. This Group understands the importance of and have gone to the huge effort of drawing up a constitution.


The Lightning Ridge CWP offers their support and endorsement because having this document passed through council and accepted will ensure this groups longevity and credibility.

The acceptance and recognition of this group by Council will encourage and reinforce the unifying and working together of the communities in our shire, making our own shires bonds and relationships stronger for many years to come and this is reinforced by encouraging the youth in this direction.

The acceptance or passing of the Constitution of the Youth Council at Walgett Shire Council will be a first in the Murdi Paaki Region and will be a huge tick in the process of implementation of the Community Action Plan. This recognition will support the importance the CWP, and we are sure Walgett Shire Council, holds in the empowerment of its youth.

We trust you will consider their submission favourably.

Kind Regards



Kerry McBride

Lightning Ridge CWP Chairperson

WALGETT SHIRE COUNCIL AGENDA

BOURKE SCHOOLS OFFICE

Walgett Shire Council
PO Box 31
WALGETT NSW 2832

NEW SOUTH WALES
DEPARTMENT
OF EDUCATION
AND TRAINING



Secondary Education
Technical and Further Education
Vocational Education and Training
Higher Education
Adult and Community Education

WALGETT SHIRE COUNCIL YOUNG LEADERS

I am writing in support of the proposal to formally recognise the Walgett Shire Council Young Leaders.

I have read the draft constitution for this group and information about what this group is trying to achieve. In particular I am impressed by the goal for this group to ensure that priorities within the community action plan in relation to the youth in these communities and services supporting youth will be a focus.

Yours sincerely



Jane Cavanagh
School Education Director
Bourke

23 August 2008

BOURKE SCHOOL EDUCATION OFFICE

• PO Box 8 • Bourke NSW 2840 Australia •
• telephone 02 6870 1777 • fax 02 6870 1333 • www.det.nsw.edu.au •

12. COMMUNITY GARDEN

REPORTING SECTION: Corporate and Community Services

AUTHOR: Carole Medcalf - Director Corporate and Community Services

FILE NUMBER: 235/06/34/00

Summary:

Council received an approach from community members interested in starting a community garden in Walgett. Council has a number of parcels of vacant land.

Discussion (including issues and background):

Community gardens have been successful in various parts of Victoria and NSW in recent years as a means of providing local communities with access to fresh vegetables and also an activity that provided people with exercise and an opportunity to develop relationships in the community. A steering committee has been established and several parcels of Council land have been looked at with a view to possible suitable places should WSC decide to support this community initiative.

As the land is not currently earmarked by Council for any other purpose it appears that the land would be suitable for such a community use. In addition the steering group is looking to conduct a community meeting to gather support for the activity. External funding is available to establish community gardens which can be applied for once a group has established itself properly.

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire Council and ratepayers

Financial Implications:

Minimal use of tools and equipment on occasion

RECOMMENDATION:

- 1. That Walgett Shire Council support the establishment of a community garden on part of Lot 11 DP 851116 vacant land (operational) near the police housing in Howards Way.**

Attachments

Minutes of the Steering Group meeting.

MINUTES OF MEETING HELD AT THE WSC TO DISCUSS THE POSSIBILITY OF ESTABLISHING A COMMUNITY GARDEN



DATE	12 August 2008
FROM	V Robinson
TO	Lewis Beale (DEG); Lynn Field (YOTS); Barbara Francis (Community member) and Carole Medcalf (WSC).
SUBJECT	Establishing a Community Healthy Eating Garden

Commenced: 5.00pm
Present: C Medcalf, L Beale, L Field, B Francis and V Robinson.

1.0: Purpose of meeting:

1.1: To gauge the town's interest in a project to establish a community healthy eating garden for Walgett and how to promote it to get people involved/attached to this project.

1.2: To discuss ways of covering the costs involved in a community gardening project; looking at community funding, etc, through proposals to the Dept of Housing for example/elsewhere.

1.3: Some examples of this type of project have been successful in places like Dural (near Sydney) and Bellingen (North Coast). Carole has been talking with the Dural project about possibility of them providing us with some start-up plants and useful ideas.

1.4: Lynn discussed a further source of funding from the dollars planned for garden use with the High School students. Funds would be useful for a community garden and to get the students better interested (as they currently are not).

1.5: Carole asked for our thoughts on the project and whether we go ahead and start it or promote it first. All agreed on starting it; that the garden is an excellent project that would provide fresh fruit and vegetables for healthier living.

1.6: Lewis said that previous gardens in Walgett (some years ago) had been boycotted because of conflicts with commercial enterprises coming into the town so the town gardens were abolished. These gardens were for private individual profits. This would not be the case with a community healthy eating garden because of the argument around the word "community" rather than a private enterprise, and for gardening as a hobby or exercise or healthy food for chronic diseases, etc, etc.

2.0: Ideas:

2.1: Terms of Reference: Barbara suggested that some sort of guidelines be developed for what sort of garden it will be: from a vegies and fruit section to possibly flowers, organic section, native plants, etc.

2.2: Formation of a garden committee: It was suggested that a committee be formed for aims, etc, initial steps in set up, who will want to work the garden, progress & advice, guidelines for the garden, some admin' support, etc.

2.3: Need to develop our rationale for having a community garden – benefits of.

2.4: Carole stated that the WSC would loan equipment to clear site and build garden beds, etc. Lynnn said that YOTS can also supply or make tools available as well as shed(s).

2.5: Water? How to do this? Water is available just needs to be installed on the site for the garden. (Agenda next meeting).

2.6: OH & S: Meeting suggested that a general local application of OHS elements for gardening be developed applied and observed. (Agenda next meeting).

2.6: Liability issues: Meeting suggested that all who work in the garden do so at own risk [sign a waiver?]- Carole said that the WSC would investigate this. (Agenda next meeting).

2.7: Fence/Shade? How to do this? – Put to next meeting.

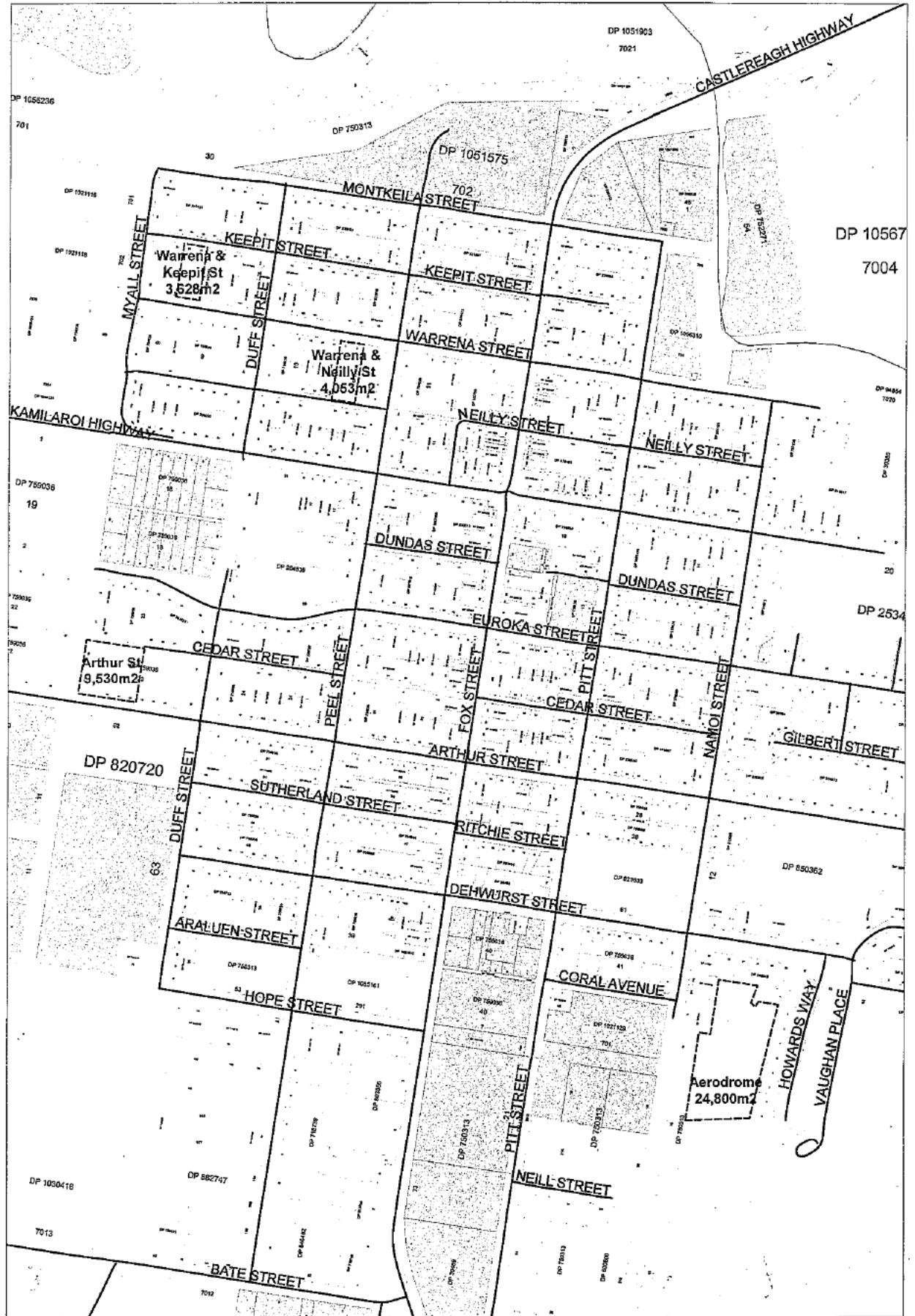
These were just some of the items discussed at this meeting - there certainly are other issues that would also need discussion.

3.0: Agreement to hold another meeting in a couple of weeks to progress ideas further – maybe make a start?

4.0: Next meeting: 10 September 2008 at 11.00am at the WSC Chambers.

Closed: 5.40pm

WALGETT SHIRE COUNCIL AGENDA



13. CHILDCARE IN WALGETT SHIRE

REPORTING SECTION: Corporate and Community Services

AUTHOR: Carole Medcalf - Director Corporate and Community Services

FILE NUMBER: 180/08/00/00

Summary:

Walgett Shire residents in need of childcare appear to be experiencing difficulties in obtaining services due to shortage of places. The number of places is limited due to services being unable to attract and retain appropriately qualified staff.

Discussion (including issues and background):

WSC made a decision to phase out its Family Day Care Service because we could not retain staff and as such the service is no longer viable. In a recent meeting hosted by WSC, the Department of Community Services, and representatives from Coolibah Kids (aka Walgett Preschool and Long Day Care Centre) Child Care Service discussed some of the options that may be available to try and assist to meet the needs of residents, including members, and potential members, our own staff. The second child care service, Koolyangarra, was also contacted and although staff were unable to attend the meeting they are in a similar position. Lightning Ridge is also experiencing similar problems.

Coolibah Kids staff indicated they were travelling to Dubbo TAFE to try to recruit staff and requested assistance from the Shire. More specifically they were requesting that the Shire provide a house at a subsidised rent as an added attraction for possible staff. Given the state of childcare services in the Shire it is recommended that Council support moves by any of the services to attract and retain staff which would then increase the number of childcare places available.

Relevant Reference Documents:

Nil

Stakeholders:

WSC, ratepayers, childcare services

Financial Implications:

Rent subsidy for council accommodation and assistance with travel

RECOMMENDATIONS:

- 1. That WSC support the need for Childcare Services in the Shire by initialling providing subsidised accommodation for qualified staff who move to Walgett to take up a position in childcare services.**
- 2. That WSC continue to work with the Department of Community Services to ensure that access to childcare services across the Shire is improved.**

WALGETT SHIRE COUNCIL AGENDA

Attachments

Letter from Coolibah Kids.

180/08/00/00 RN: 3425. 4



Walgett Preschool & Long Day Care Centre Inc.
Cnr Pitt Street & Coral Ave
(PO Box 97) Walgett NSW 2832
Phone: 02 6828 3387 Fax: 02 6828 3397
Email: coolibahkids@bigpond.com

2nd June 2008

Mr Raymond Kent /carole / Vic Smith
General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2832



Dear Mr Kent

Request for Financial Assistance

Coolibah Kids Long Day Care Centre commenced operation in Walgett during February 2007 and has employed over thirty people and provided a viable service to over one hundred families. Our Centre is community based, meaning that we are a non profit organisation who are working to maintain and deliver an affordable service to the community.

Coolibah Kids Long Day Care Centre is licensed to provide care for fifty children per day based on the employment of two Early Childhood Trained Teachers. We have been fortunate up until April 2008 to have employed two qualified Early Childhood Teachers, but unfortunately following the resignation of one of our teachers we have now had to reduce our numbers per day to no more than thirty nine to comply with licensing requirements. This has also resulted in families being declined care due to our inability to attract a qualified staff member and to maintain licensing requirements.

At a recent Management Committee meeting it was resolved that in order to attract trained teachers to our Centre and to the township of Walgett and to maintain the quality of service we have been providing to the community, consideration needed to be given to introducing incentives such as the following:-

- a) Provision of accommodation with minimal rent
- b) Bonus Incentive at the completion of 2 years employment (\$5,000 per year)
- c) An additional one weeks annual leave per year

The incentives we are proposing are in line with those offered by other remote centres and also with other local employers and are essentially viewed as a standard package for a Child Care Centre such as ours. We are therefore seeking financial assistance from Walgett Shire Council to assist us with being able to offer such incentives to prospective employees.

We would be happy to meet with you to discuss our request or to provide any further information if required.

We look forward to your favourable reply to assist us to continue to provide and deliver a necessary service to our community.

Yours sincerely


Sarah Evans
Director


Rachel Noffke
Treasurer

President: Jane Clemson Vice Presidents: Jillian Friend & Erin McGrath Secretary: Natalie Dunstan Treasurer: Rachel Noffke
Committee: Simon Logan & Karen Ricardo Director: Miss Sarah Evans Administration Officer: Melissa Perrin

14. RURAL ADDRESSING ROAD NAME AMENDMENTS

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: James Abel, Geographic Information Systems Co-ordinator
FILE NUMBER: 100/03/00/00

Summary:

Recently Council publicly exhibited information on a proposal to change the names of certain rural roads as part of its rural addressing program. This report recommends that Council note the submissions received during the second round of public consultation and adopt a series of road names that comply with the Australian Standards.

Discussion (including issues and background):

Walgett Shire Council is in the process of implementing rural addressing throughout the Shire. Rural addressing is an Australia wide initiative with its main objective to provide a unique address for all rural properties. Name changes were proposed for a number of rural roads in order to comply with Australian Standard 4819: 2003 Geographic Information – Rural and Urban Addressing.

In this context Walgett Shire Council resolved at a meeting held on 20 November 2007 to undertake public consultation about the proposed rural road name changes. The consultation was delayed pending discussions with adjoining shires about the status of the names of several roads. A detailed information package was made available to the public during May 2008 via:

- Council's website www.walgett.nsw.gov.au
- Walgett Shire Council Chambers
- Lightning Ridge Library
- Collarenebri Post Office and Council agency
- Carinda General Store
- Burren Junction General Store
- Rowena General Store

The first round of public consultation ended on 29 May 2008 and thirteen submissions were received. These submissions were considered in a report to a Council meeting held on 17 June 2008. Council resolved to enter a second round of public consultation regarding road names amended in response to public submissions.

The second round of consultation ended on 26 July 2008. Three submissions were received. None of the suggestions provided are regarded as warranting further amendments to road names or a further round of public consultation. A list of the submissions and an assessment of the suggested alternative road names is attached to this report.

As a result of two phases of public consultation, a unique name for the 109 rural roads within Walgett Shire can be established that complies with the Australian Standard AS/NZ 4819:2003 Geographic Information - Rural and Urban Addressing and Guidelines for the Naming of Roads, as published by the Geographic Names Board of NSW.

A final list of the proposed names and a detailed map showing the location of each road has been supplied with this report as attachments.

WALGETT SHIRE COUNCIL AGENDA

The road names adopted by Council will need to be referred to the Geographical Names Board for gazettal.

The next phase of the rural addressing program will involve updating of the road name signage throughout Walgett Shire and the implementation of rural address numbers.

Relevant Reference Documents:

Australia/New Zealand Standard. Geographic information - Rural and urban addressing. AS/NZS 4819:2003

"Guidelines for the naming of roads", published by the Geographical Names Board of NSW.

Stakeholders:

Walgett Shire Council, community.

Financial Implications:

Costs associated with road signage will be met from budgets established for that purpose. The full cost has not yet been determined.

RECOMMENDATIONS:

That Walgett Shire Council resolve to:

- 1. Note the submissions received during the second round of public consultation regarding proposed rural road name changes associated with the Walgett Shire rural addressing project.**
- 2. Endorse and adopt the 109 unique road names shown in Attachment 1 - Proposed Road Names and Attachment 2 - Road Locations.**
- 3. Submit the names to the Geographical Names Board of NSW and request that they be gazetted as formal road names.**
- 4. Proceed to implement signage and rural address numbering throughout Walgett Shire, in compliance with the Australian Standard AS/NZ 4819:2003 Geographic Information - Rural and urban addressing.**

Attachment 1 – Proposed road names

SH12	Gwydir Highway	SR61	Cambo Road
SH18	Castlereagh Highway	SR64	Wimbledon Road
SH29	Kamilaroi Highway	SR66	Perrottets Lane
RR202	Merri Merri Road	SR67	Collarenebri Mission Road
RR329	Merrywinebone Road	SR68	Haines Hut Road
RR333	Carinda Road	SR69	Woolooroo Road
RR333	Cumberdoon Way	SR70	Lone Pine Road
RR383	Pilliga Road	SR71	Rossmore Lane
RR402	Gingie Road	SR72	Middle Route Road
RR402	Llanillo Road	SR73	Miralwyn Road
RR426	Bill Obrien Way	SR74	Lochlomond Road
RR426	Ridge Road	SR75	Gidginbilla Road
RR426	Shermans Way	SR76	Maroubra Road
RR437	Bangate Road	SR77	Nedgara Road
RR457	Gundabloui Road	SR79	Pagan Creek Bridge Road
RR7516	Billybingbone Road	SR81	Mac Masman Road
RR7716	Come By Chance Road	SR82	Proctors Road
SR1	Fraxton Road	SR83	Drilldool Road
SR2	Belarra Lane	SR84	Fred Reece Way
SR3	Clarks Lane	SR85	Tungra Road
SR5	Cryon Road	SR86	Kia-Ora Road
SR7	Pampas Road	SR87	Burren Junction Bore Road
SR12	Millie Road	SR88	Fabians Road
SR13	Woodvale Road	SR89	Belaba Road
SR14	Baroona Road	SR90	Fairview Road
SR15	Pokataroo Road	SR91	Three Mile Road
SR16	Mercadool Road	SR92	Strathmore Road
SR17	Tareela Lane	SR94	Ivanhoe Crossing Road
SR19	Springs Road	SR95	Bananway Crossing Road
SR21	Meadow Plains Road	SR96	Saleyards Road
SR24	Marlbone Road	SR98	Lorne Road
SR25	Wombo Lane	SR101	Wilby Wilby Bridge Road
SR26	Hardies Lease Lane	SR102	Narran Road
SR27	Colrose Road	SR103	Bugilbone Road
SR28	Wingadee Road	SR110	Kurrajong Road
SR30	Nilma Road	SR111	Narran Lake Road
SR31	Gungalman Road	SR112	Brewon Road
SR32	Giltwarney Road	SR113	Binghi Road
SR33	Teranyan Road	SR114	Bogewong Road
SR34	Bowra Lane	SR115	Aberfoyle Road
SR38	Wanourie Creek Road	SR116	Goangra Road
SR40	Ginghet Road	SR117	Beanbri Road
SR41	Green and Branders Road	SR118	Yarraldool Road
SR45	Bore Head Road	SR119	Hollywood Road
SR46	Bonanza Road	SR121	Pian Creek Road
SR47	Schmalkuche Road	SR122	Old Burren Road
SR48	Boorooma Creek Road	SR123	Rowena Road
SR51	Millencowbah Road	SR124	Dundee Road
SR52	Willis Road	SR125	Glen Eden Road
SR53	Koomalah Road	SR126	Purtles Road
SR55	Burrabaa Road	SR127	Boora Road
SR57	Epping Road	SR128	Camerons Lane
SR58	Regans Road	SR129	George Sands Way
SR59	Moomin Road	SR131	Oneils Road
SR60	Marra Creek Road		

Attachment 3 – Second round of public consultation submissions and assessments.

SUBMITTER	DATE	ROAD NO.	PROPOSED NAME	SUBMITTED NAME	SUBMISSION ASSESSMENT
James & Christine McDonnell	8-July 2008	RR329	Merrywinebone Road	Rowena Bypass or Thalaba Way	Previous submissions suggest that there is more community support for Merrywinebone Road.
Kevin Searle & Francine Mateer	21-July 2008	RR402	Llanillo Road	May Searle Way	The name Llanillo Road previously passed the public consultation period without comment. It is recommended that the originally proposed name be maintained to ensure continuity and familiarity. It is also noted that the proposed name does not comply with the preferred sources for road names, as defined in the Geographical Names Board's 'Guidelines for the naming of roads'.
Helen Gleeson	29-July 2008	SR24	Marlbone Road	None offered - suggested using local family name or item in past history	Previous submissions suggest that there is more community support for Marlbone Road.
		SR103	Bugilbone Road	None offered - Concerned that by naming this road Bugilbone it will create confusion	Previous submissions suggest that there is more community support for Bugilbone Road.
		SR7	Pampas Road	Moore Road	The name Pampas Road previously passed the public consultation period without comment. It is recommended that the originally proposed name be maintained to ensure continuity and familiarity.

15. WESTERN LANDS LEASE APPLICATION 15057

REPORTING SECTION: Director Planning and Regulatory Services
AUTHOR: Matthew Goodwin, Director Planning & Regulatory Services
FILE NUMBER: 180/09/19/00

Summary:

The Department of Lands has written to Council seeking its comments on a revised proposal for a residential Western Lands Lease over part of an existing Mining Purposes Lease located near the Lightning Ridge urban area. It is recommended that Council respond by not objecting to the proposal.

Discussion (including issues and background):

In a letter dated 1 February 2008, the Department of Lands (DOL) sought Council's comments on an application by John Joseph Molyneux for a Western Lands Lease for the purpose of "residence". The area applied for was the same as existing Mining Purposes Lease 107, which is about 6,872 square metres.

Walgett Shire Council responded in a letter dated 20 March 2008, which is reproduced as Attachment A.

Subsequently the Lightning Ridge Mining Board supported a reduced Western lands Lease area of 2,790 square metres, as outlined in a letter from the Department of Lands to Walgett Shire Council, dated 31/7/2008 (reproduced as Attachment B). That support was conditional upon Walgett Shire Council's approval.

Walgett Shire Council has maintained a policy of not supporting proposals for Western Lands Leases that are more than 2,500 square metres for several years. The relevant extract from Council's current policy, adopted at a meeting held on 15 July 2008, is:

Residential land use on 'preserved' opal mining fields

On the 'preserved' opal fields Walgett Shire Council:

6. Only supports the grant of a Western Lands Lease for residential purposes in the following circumstances:

- a) To formalise residential land title over an existing mining camp, and;

Note: Council does not support the establishment of any new land titles for mining camps because they will invariably have an adverse impact on opportunities for opal exploration and mining.

- b) The granted lease is no larger than 2,500m² in area.

- c) There is no current Western Lands Lease for grazing over the area.

The 2,790 square metre area recommended by the Department of Lands, and conditionally endorsed by the Lightning Ridge Mining Board, is 11.6% larger than Walgett Shire Council's desired maximum. Given the position taken by the Lightning Ridge Mining Board and the fact that the proposed variation is minor, there appears to be no substantial reason why Walgett Shire Council should maintain an objection to the 2,790 square metre proposal.

Relevant Reference Documents:

Walgett Shire Council P & R - Opal Mining Related Policies, adopted 15 July 2008.
Letter from Department of Lands to Walgett Shire Council dated 1 February 2008.
Letter from Walgett Shire Council to Department of Lands dated 20 March 2008.
Letter from Department of Lands to Walgett Shire Council dated 31 July 2008.

Stakeholders:

The public, opal miners, Walgett Shire Council, Department of Lands, Department of Primary Industries, Western Lands Lease holders and applicants.

Financial Implications:

Nil.

RECOMMENDATIONS:

That Walgett Shire Council resolve to:

- 1. Write to the Department of Lands and state that:**
 - a. It does not object to the revised proposal to grant a 2,790 square metre Western Lands Lease for residential purposes to John Joseph Molyneux over part of the area currently held under Mining Purposes Lease 107 at Lightning Ridge.**
 - b. This variation from Council policy is based on the Lightning Ridge Mining Board's acceptance on 22 May 2008 of the Department of Lands recommendations that an area 2,790 square metres would be suitable in this case. Also that the variation from the 2,500 square metre standard is relatively minor.**

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT A - RESPONSE LETTER FOR ORIGINAL PROPOSAL



Shire of Walgett

ABN 88 769 076 385

134

Rn: 746

Reference: M.G.: M.G.: 180-09-19-00; Ass

Your Reference: WLL15057

Contact: Matthew Goodwin

20 March 2008

Maurice Cenzato
Senior Land Administration Officer
Sales and Leases
Western Region, Crown Lands Division
Department of Lands
P.O. Box 1840
DUBBO N.S.W. 2830

Dear Maurice,

RE: PROPOSED WESTERN LANDS LEASE 15057 – JOHN JOSEPH MOLYNEUX

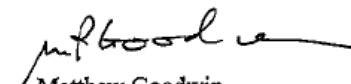
Thankyou for your letter dated 1-2-2008 which sought any matters that Council would like considered in relation to the above application for a Western Lands Lease for a residence.

Walgett Shire Council considered the matter at a meeting held on 18 March 2008, where it resolved to write your Department and state that:

1. It objects to the application on the basis that the area being sought is larger than 2,500 square metres.
2. Council's policy regarding such matters was established at a Council meeting held on 21 September 2006, and there is no reason to vary from that policy in this case.

Please contact me if you require any additional information.

Yours faithfully,


Matthew Goodwin
Director Planning and Regulatory Services

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

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT B - REVISED WESTERN LAND LEASE PROPOSAL

**Walgett Shire
Council**
REC'D

04 AUG 2008

FILE: 180/09/19/00

Department of Lands

*Land Administration & Management
Property & Spatial Information*



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

LETTER No: 4649 . 45 Wingewarra Street, Dubbo NSW 2830
PO Box 1840, Dubbo NSW 2830
Phone (02) 6883 3000
Fax (02) 6883 3099
www.lands.nsw.gov.au

REFER: MPG

Atten: Matthew Goodwin **COPY:**

Our Ref: WLL15057

Your Ref: M.G:M.G: 180-09-19-00; Ass

Dear Sir

**Re: Proposed Western Lands Lease 15057 at Lightning Ridge
J J Molyneux – Mining Purpose Lease 107**

I refer to your letter of 20 March 2008 concerning the above matter.

As you may be aware, the Lightning Ridge Mining Board (the Board) at its meeting of 22 May 2008 accepted this Department's recommendation that a revised area of 2790m², to accommodate the residential component of the MPL, be suitable for the grant of the above lease in this instance.

The Board advised that the acceptance of the recommendation was subject to Walgett Shire Council's approval.

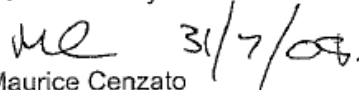
The Board also acknowledged that the area was marginally greater than the 2500m² limit, which is the adopted "Camps on Claims" and Council policies.

It is envisaged that the grant of the Western Lands Lease with an area of 2790m² will more than provide for the structures (house, shed, dog yard etc) with the residual remaining as a MPL.

In light of the Board's previous decisions on similar matters, does Council have any objections to the grant of the subject lease with an area of 2790m², in order to accommodate all of the non-related mining improvements.

Should you require any further information or wish to discuss the matter, please do not hesitate to contact me on (02)6883 3005.

Yours faithfully


Maurice Cenzato
Senior Land Administration Officer
Sales and Leases
for Regional Manager/Western Lands Commissioner
Western Region, Crown Lands Division

16. DA 2008016 – SHED AND MECHANICS WORKSHOP

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Janet Babic - Town Planner

FILE NUMBER DA 2008/0016

Summary:

A Development Application has been lodged to erect a shed and carry out commercial mechanical repairs in Pandora Street, Lightning Ridge. It is recommended that Walgett Shire Council approve the Development Application, subject to appropriate conditions of development consent.

Discussion (including issues and background):

Mr Lawrie Cree has lodged a Development Application to erect a shed and carry out low scale commercial mechanical repairs at Lot 16 Section 21 in DP 758612, Pandora Street, Lightning Ridge as shown in Figure 1 below.

Two objections to the proposal were received, one of which was subsequently withdrawn. The remaining objection was received from an adjoining landowner whose key concerns appear to be:

- The size of the proposed shed impeding views,
- Commercial use is out of character with the residential nature of the area.
- Noise from the mechanical operations.
- Fire safety and the 1 metre setback from the adjoining boundary.

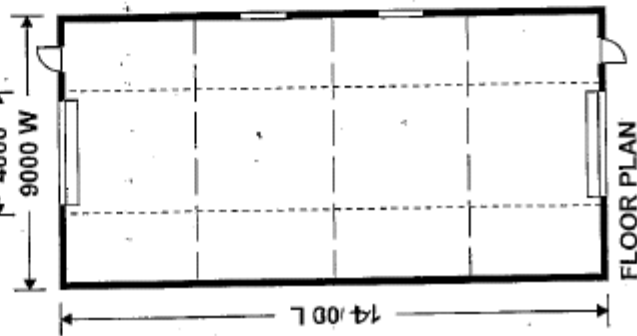
Details of the proposed shed are provided below (Figures 2 and 3).



FIGURE 1 - LOCATION PLAN

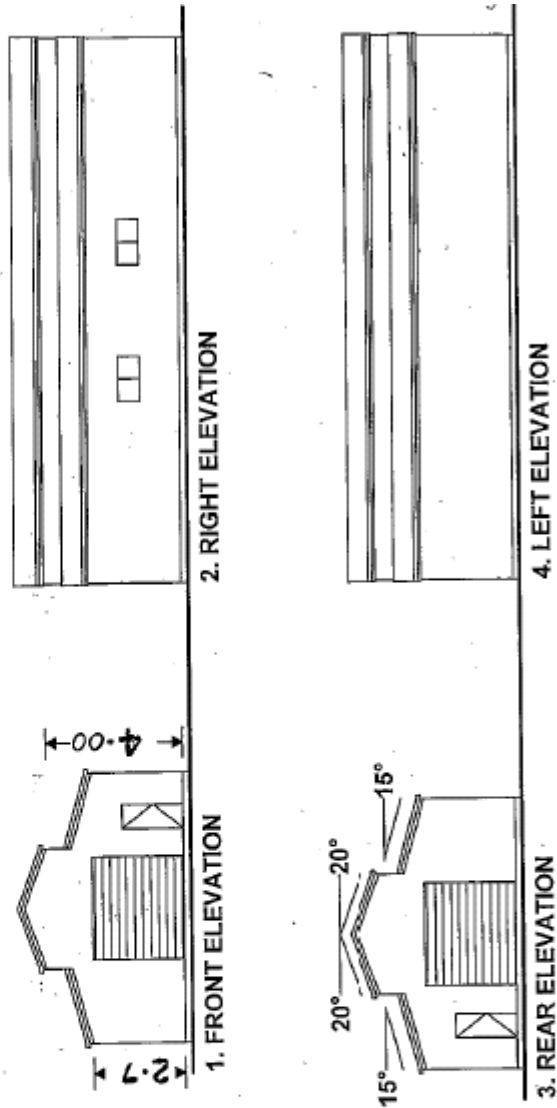


For
Project No. : Mr CREE
Lot No. : 2207-0-CREE
RP No. :
Site Area : W41n NSW
Site Address :
Parish :
County : W41N1N3
Windspeed : 4000 W
9000 W



Plan Sheet

These drawings are to be read in conjunction with
Garage World standard structural detail drawings.
Use figured dimensions only. Drawing is NOT to scale.



2207-2311-CREE Mr Cree v15.22.04.20070304

Printed Tue, 20 May 2008

Page 1

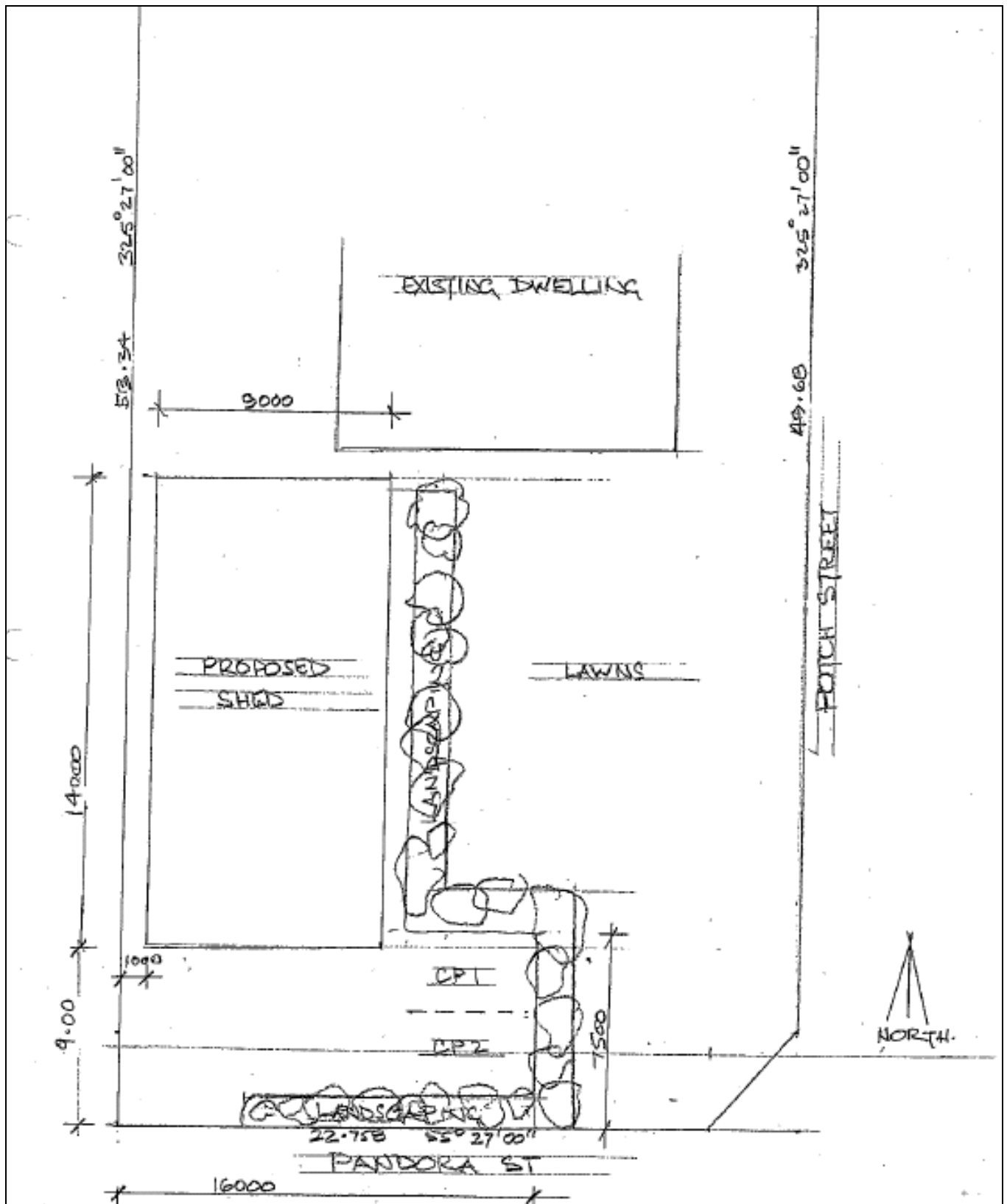


FIGURE 3 - SITE PLAN (INCLUDING PROPOSED LANDSCAPING)

WALGETT SHIRE COUNCIL AGENDA

STATUTORY MATTERS FOR CONSIDERATION:

79C (1)(a)(i) 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 where the predominant landuse is residential. 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.

Not applicable. There are no relevant draft environmental planning instruments on public display.

79C (1)(a)(iii) Any development control plan.

Not applicable. There are no current Development Control Plans in Walgett Shire. However the effectively obsolete Walgett Shire Council off Street Parking Code, was used as a guide to determine the appropriate number of parking spaces for the mechanical workshop operations (i.e. 1 parking space per 90 square metres of floor space is required, the proposed floor space will be 126 square metres requiring 2 off street parking spaces).

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

Not applicable. No planning agreement has been proposed.

79C(1)(a)(iv) The regulations.

Section 92 and 92A of the Environmental Planning and Assessment Regulation 2000 prescribe additional matters for consideration (see comments below).

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

Natural and built environments:

Residential buildings dominate the vicinity. A significant number are quite old and/or relatively poorly maintained. On the opposite side of Potch St there is an inactive pottery gallery/studio located in railway carriages. Nearby in Pandora St there is an aboriginal artefact display located in a large metal building at the front of the site facing Pandora Street.

It is proposed that the shed will be constructed of all new colour-bond materials. It has been, argued that the shed at the front of the lot is out of character with the local context. Nevertheless a colour bond shed has already been established elsewhere in the street at the front of a lot.

The existing house is located at the rear of the lot, thereby eliminating the option of locating the shed ‘behind’ the house. Demolishing the house to enable establishment of the shed at the rear of the lot is not economically viable or practical in the context of this proposal.

Although the establishment of a shed at the ‘front’ of a lot is not an ideal outcome, the limitations of the site mean that there is no better alternative location within the lot.

It has been argued by a neighbour that there will be an adverse impact on the views from their property. The proposed shed will have an overall height of approximately 4.5 metres, however 1.5 m to the uppermost roof ridge will be offset a further 4.5m from the adjoining neighbour’s boundary. The adjoining neighbour’s dwelling is located 6 metres from the boundary on the western side of the proposed shed (i.e. a total of 12.5 metres from the uppermost roof height of the shed). In this context there is unlikely to be any significant overshadowing from the shed. Any potential visual impact to the neighbour would be further reduced by an existing 2 metre high fence between the properties.

To reduce potential impacts on streetscapes it is recommended that, if the proposal is approved, to impose a condition of development consent requiring that:

- Vegetation be established at the front boundary onto Pandora Street and on the eastern side of the new shed, as per the site plan submitted with the Development Application.

No other significant adverse impacts on the natural or built environments are likely.

Social and economic impacts:

Some positive (employment) and negative (streetscape will not meet everyone's expectations) social impacts may rise, but they are likely to be of a comparatively minor nature. Positive economic impacts will arise from the proposed mechanical business generating income and employment for the owner. It will also provide a vehicle maintenance service for the local community.

An objector has argued that the business and shed may devalue their property. No evidence has been provided to demonstrate that this would be the case. It is also quite possible that it could contribute to an increase in value, especially if the development is implemented in such a way that it makes a positive impact on the streetscape.

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

The proposed shed is to be a "barn style" building. The size of the shed (14 metres by 9 metres by about 4.5 metres high) is larger than a typical residential garage. However there appears to be ample open space and well maintained and attractive landscaping on the site. Proposed additional landscaping would have an aesthetic softening and screening affect. The 2 metre high boundary fence would also minimise any potential visual impacts on the adjoining property.

The proposed shed will be located towards the Pandora Street frontage. There is no viable alternative location to place the building. The back yard is not large enough for a garage and is inaccessible (without demolishing existing buildings).

An objector is concerned about the 1 metre set-back from the adjoining boundary in relation to fire rating of the shed. Under the Building Code of Australia, a fire rated wall is not required for this class of building when the set-back is a minimum of 1 metre from the boundary.

OVERALL: There are no other known environmental or other factors that make the site unsuitable 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.

Two objections were submitted, but one was subsequently withdrawn.

The remaining objection was received from an adjoining owner who is concerned about the size of the proposed shed impeding views, possible noise from the mechanical operations and the 1 metre setback from the adjoining boundary. However, the applicant has reduced the size of the building after being informed of the concerns and, as noted, potential impacts can be reduced by the application of appropriate mitigation measures and conditions of consent.

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

92(1)(a) Coastal areas - Not Applicable.

92(1)(b) Demolition - Not applicable, no demolition work is proposed.

93 Fire safety and other considerations - Fire schedule attached to conditions of consent.

94 Consent authority may require buildings to be upgraded - Not applicable.

94A Fire safety and other considerations applying to temporary structures - Not applicable.

95 Deferred commencement consent - Not applicable.

97A Fulfilment of BASIX commitments - Not applicable.

CONCLUSION

The proposed development is permissible with development consent in a 2 Village zone. Council received an objection to the proposal primarily based on aesthetic issues and potential impacts on the residential character of the area.

To assess the merits of the application I have considered a wide range of issues, including:

- Matters raised in the objection.
- Existing land use patterns in the area,
- The existing streetscape.
- The scale and nature of the proposed development,
- Positive and negative impacts that could reasonably be expected to arise from the proposed development,
- The potential for mitigation measures to be used to reduce potential adverse impacts.
- The feasibility of locating the shed somewhere else on the site.
- Whether it would be appropriate to refuse the application.

In the above context I formed the opinion that:

- It would not be reasonable to refuse the application.
- It is not feasible to locate the shed elsewhere on the site.
- Potential visual impacts will not be substantial in the context in which the development is proposed to occur.
- Potential visual impacts can be managed by imposing conditions of development consent that require a vegetation buffer in strategic locations.
- The operation of a mechanical workshop on limited scale will not have a significant adverse impact on the environment.
- The scale of the workshop can be managed by conditions of development consent that restrict hours of operation and significantly limit the numbers of vehicles kept on the site in association with commercial workshop operations.

Relevant Reference Documents:

DA 2008016 file

Interim Development Order No 1 - Shire of Walgett, 1968

Stakeholders:

Applicant, objector, public.

Financial Implications:

Nil

RECOMMENDATION:

- 1. It is recommended that Development Application 2008016 for a shed and commercial mechanical workshop be approved subject to the following conditions of development consent:**

CONDITIONS OF 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)*

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

GENERAL

Gen 020.

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

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

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.

APPROVED PLANS

Pln 010.

The development shall be implemented in accordance with:

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

except as amended by the conditions of this development consent.

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

CONSTRUCTION

Con 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:-

Weekdays

7.00 a.m. to 7.00 p.m.

WALGETT SHIRE COUNCIL AGENDA

Weekends & Public Holidays 8.00 a.m. to 7.00 p.m.

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 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 070.

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

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

Con 090.

All steel framing shall comply with Part B1 of the Building Code of Australia and associated standards.

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

Con 120.

All glass installation shall comply with the requirements of Australian Standard 1288 and 2047 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 the Building Code of Australia.

Con 140.

All external lighting 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.

Con 210.

All electrical work must be carried out by a licensed electrician in accordance with Australian Standard 3000 – SAA Wiring Rules and Australian Standard 3002.

Reason: To ensure compliance with Australian Standards.

WATER, SEWER, AND STORMWATER

Plu 010.

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

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

Plu 080.

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

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

Plu 140.

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.

PARKING & TRAFFIC

Par 010.

Two off street parking bays are to be provided within the site.

Reason: So adequate off street parking is provided for the commercial mechanical workshop.

Par 011.

The maximum number of vehicles that may be kept on the site in association with the commercial mechanical work is to be three.

Reason: To restrict commercial operations to minimise potential impacts on the amenity of the local area.

ENVIRONMENTAL MANAGEMENT

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 ensure compliance with the Environmental Planning and Assessment Act 1979.

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 050

Noise from the development (LA10) shall not exceed the background (LA90) by more than 5dB (A) at any time including any allowance for impulsiveness and tonal characteristics, when measured at the most affected residence.

Reason: To prevent the generation of a noise nuisance.

Env 055

Vegetation to be planted at front boundary to Pandora Street and on eastern side of the new shed.

Reason: To reduce potential visual impacts on the streetscape.

Env 056

Commercial mechanical workshop operations are only to be conducted between the hours of 8.00am and 5.00pm, Monday to Friday

Reason: To reduce potential impacts on the amenity of the area.

INSPECTIONS

The applicant is to advise Council of the name and address of the body nominated to act as the Principal Certifying Authority, on the "Notice of Commencement Form" forty eight (48) hours prior to work commencing.

Inspections at the completion of stages as indicated below are required to be carried out by the Principal Certifying Authority. **Work must not proceed past any inspection stage until approval is given by the Certifier.**

Critical Stage Inspections

- At the commencement of the building work, and
- After excavation for, and prior to the placement of, any footings, and
- Prior to pouring any in-situ reinforced concrete building element, and
- Prior to covering any stormwater drainage connections, and
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Reason: Occupation Certificates cannot be issued if the Principal Certifying Authority does not carry out the designated inspections, and to ensure compliance with the approved plans.

FIRE SAFETY

Fir 010.

The shed is to be fitted with an outward opening Personnel Access door fitted with a latch which permits egress from inside at all times without a key using a single downward movement.

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

NOTE: 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. 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.

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

NOTE: 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.

Reason: To avoid breaching the requirements of any covenant.

FIRE SAFETY SCHEDULE – Class 10 and Class 2-9 only.

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

Portable Fire Extinguishers complying with the requirements of Part E1.6 of the Building Code of Australia and AS 2444 *Fire Extinguishers

On completion of the building and at least once in each period of twelve months following completion, the owner shall cause council to be furnished with Certification that each essential fire service installed in the building is capable of performing to a standard not less than they were originally required to achieve and perform to a standard not less than that determined using the corresponding Part 1.1 Building Code of Australia provisions.

END

17. DEVELOPMENT AND COMPLYING DEVELOPMENT CERTIFICATE APPLICATIONS

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Matthew Goodwin, Director Planning & Regulatory Services
FILE NUMBER: 007/02/05/35

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 July 2008.

Relevant Reference Documents:

Respective Development Application and Complying Development Certificate files.

Stakeholders:

Public and applicants.

Financial Implications:

Nil.

RECOMMENDATION:

- 1. That Walgett Shire Council resolve to note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during July 2008.**

AUTHORITY

Determined Applications



08/22/2008 Parameters: Date Range: Y Document Type: 20 Page: 1
 Start Date: 1/07/2008 Officer: ALL
 End Date: 31/07/2008 Number of Days: 0
 As At Date: Stop The Clock: Yes

Document	Applicant Name / Address	Development Type	Determination	Determined	Received
	Property Address	Title Owner			

Document Type: 20

Stop the Clock
 Total Elapsed Calendar Days: 77
 Calendar Stop Days: 68
 Adjusted Calendar Days: 9

020/2008/000000012/001	120 Class 9b - Assembly Building	Approved by Council	16/07/2008	01/05/2008
	Mining LIGHTNING RIDGE LOT: 1 DP: 1103508 WLL: 14607 Lightning Ridge Opal & Fossil Centre Incorporated			

Stop the Clock
 Total Elapsed Calendar Days: 54
 Calendar Stop Days: 46
 Adjusted Calendar Days: 8

020/2008/000000015/001	140 Class 10a - Garage/Carport Shed/Vegandah Hastings ST BURREN JUNCTION LOT: 33 DP: 753926 Walgett Shire Council	Approved - Staff Delegation	15/07/2008	23/05/2008
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Officer: Ms J R Babic
 Number of Applications: 2

Average Elapsed Calendar Days: 8.50
 Average Calendar Stop Days: 57.00
 Average Adjusted Calendar Days: 8.50

Total Elapsed Calendar Days: 131.00
 Total Calendar Stop Days: 114.00
 Total Adjusted Calendar Days: 17.00

Document	Applicant Name / Address	Development Type	Determination	Determined	Received
	Property Address	Title Owner			

Document Type: 24

AUTHORITY

AUTHORITY

Determined Applications



08/22/2008 Parameters: Date Range: Y Start Date: 1/07/2008 End Date: 31/07/2008 As At Date: Document Type: 20 Officer: ALL Number of Days: 0 Stop The Clock: Yes Page: 2

Document	Applicant Name / Address	Development Type	Determination	Determined	Received
Document Type: 24 Stop the Clock Total Elapsed Calendar Days: 43 Calendar Stop Days: 41 Adjusted Calendar Days: 2					
024/2008/000000015/001		140 Class 10a - Garage/Carport/Shed/V erandah LOT: 50 DP: 1057617 WLL: 14418 Mr M Steiner	Approved - Staff Delegation	09/07/2008	28/05/2008
Stop the Clock Total Elapsed Calendar Days: 9 Calendar Stop Days: 0 Adjusted Calendar Days: 9					
024/2008/000000021/001		150 Class 10b - Fence/Antenna/Swimming Pool 21 Wee Waa ST WALGETT LOT: 2 DP: 507646 Women's Legal Resources Ltd	Approved - Staff Delegation	09/07/2008	01/07/2008
Stop the Clock Total Elapsed Calendar Days: 6 Calendar Stop Days: 0 Adjusted Calendar Days: 6					
024/2008/000000022/001		10 Class 1a -Single Dwelling/Dual Occupancy 7 Patch ST LIGHTNING RIDGE LOT: 13 SEC: 22 DP: 758612 IP: 400056 Barriekneal Housing & Community Ltd	Approved - Staff Delegation	09/07/2008	04/07/2008
Stop the Clock Total Elapsed Calendar Days: 6 Calendar Stop Days: 0 Adjusted Calendar Days: 6					

AUTHORITY

AUTHORITY

Determined Applications



08/22/2008 **Parameters:** **Date Range: Y** **Document Type: 20**
Start Date: 1/07/2008 **Officer: ALL**
End Date: 31/07/2008 **Number of Days: 0**
As At Date: **Stop The Clock: Yes**

Page:3

Document	Applicant Name / Address	Development Type	Determination	Determined	Received
Document Type: 24 024/2008/00000023/001					
		10 Class 1a -Single Dwelling/Dual Occupancy: 211 Lapplelle ST LIGHTNING RIDGE LOT: 11 DP: 83 7866 Aboriginal Housing Office	Approved - Staff Delegation	09/07/2008	04/07/2008
Stop the Clock Total Elapsed Calendar Days: 6 Calendar Stop Days: 0 Adjusted Calendar Days: 6					
024/2008/00000024/001		10 Class 1a -Single Dwelling/Dual Occupancy: 25 Butterfly AN LIGHTNING RIDGE LOT: 26 DP: 39545 Barriekneal Housing & Community Ltd	Approved - Staff Delegation	09/07/2008	04/07/2008
Stop the Clock Total Elapsed Calendar Days: 6 Calendar Stop Days: 0 Adjusted Calendar Days: 6					
024/2008/00000025/001		10 Class 1a -Single Dwelling/Dual Occupancy: 15 Cardinal RD LIGHTNING RIDGE LOT: 51 DP: 803512 Aboriginal Housing Office	Approved - Staff Delegation	09/07/2008	04/07/2008
Stop the Clock Total Elapsed Calendar Days: 6 Calendar Stop Days: 0 Adjusted Calendar Days: 6					
024/2008/00000026/001		10 Class 1a -Single Dwelling/Dual Occupancy: 54 Black Prince DR LIGHTNING RIDGE LOT: 112 DP: 45077 Aboriginal Housing Office	Approved - Staff Delegation	09/07/2008	04/07/2008

AUTHORITY

AUTHORITY

Determined Applications



Document	Applicant Name / Address	Development Type	Determination	Determined	Received
08/22/2008 Parameters: Date Range: Y Start Date: 1/07/2008 End Date: 31/07/2008 As At Date: Document Type: 20 Officer: ALL Number of Days: 0 Stop The Clock: Yes					
Document Type: 24 Stop the Clock Total Elapsed Calendar Days: 1 Calendar Stop Days: 0 Adjusted Calendar Days: 1					
024/2008/000000027/001	150 Class 10b - Fence/Antenna/Swimming Pool Pandora ST LIGHTNING RIDGE LOT: 954 DP: 872184 Mr M & Mrs C M Martinez	Approved - Staff Delegation	09/07/2008	09/07/2008	
Stop the Clock Total Elapsed Calendar Days: 3 Calendar Stop Days: 0 Adjusted Calendar Days: 3					
024/2008/000000028/001	150 Class 10b - Fence/Antenna/Swimming Pool 9 Vaughan PL WALGETT LOT: 16 DP: 263545 NSW POLICE FORCE	Approved - Staff Delegation	24/07/2008	22/07/2008	
Stop the Clock Total Elapsed Calendar Days: 5 Calendar Stop Days: 0 Adjusted Calendar Days: 5					
024/2008/000000029/001	140 Class 10a - Garage/Carport/Shed/Verandah 6B Nobby RD LIGHTNING RIDGE LOT: 2 DP: 802575 Frammor Constructions Pty Ltd	Approved - Staff Delegation	28/07/2008	24/07/2008	
Stop the Clock Total Elapsed Calendar Days: 6 Calendar Stop Days: 0 Adjusted Calendar Days: 6					

AUTHORITY

AUTHORITY

Determined Applications



08/22/2008

Parameters:

Date Range:Y
Start Date:1/07/2008
End Date:31/07/2008
As At Date:

Document Type: 20
Officer:ALL
Number of Days:0
Stop The Clock:Yes

Page:5

Document	Applicant Name / Address	Development Type	Determination	Determined	Received
	Property Address				
	Title	Owner			

Document Type: 24 024/2008/000000030/001	140 Class 10a - Garage/Carport/Shed/Verandah 19 Narnoi ST WALGETT LOT: 3 DP: 35671 Mr K D Matheson	Approved - Staff Delegation	29/07/2008	24/07/2008	
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Officer: Mr L J Smyth
Number of Applications: 11

Average Elapsed Calendar Days: 5.09
Average Calendar Stop Days: 3.73
Average Adjusted Calendar Days: 5.09

Total Elapsed Calendar Days: 97.00
Total Calendar Stop Days: 41.00
Total Adjusted Calendar Days: 56.00

Report Totals & Averages

Total Number of Applications : 13

Average Elapsed Calendar Days: 17.54
Average Calendar Stop Days: 11.92
Average Adjusted Calendar Days: 5.62

Total Elapsed Calendar Days: 228.00
Total Calendar Stop Days: 155.00
Total Adjusted Calendar Days: 73.00

AUTHORITY

18. DRAFT WALGETT LOCAL ENVIRONMENTAL PLAN 2008

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Matthew Goodwin, Director Planning & Regulatory Services
FILE NUMBER: 315/01/02/00

Summary:

This report provides an update on progress toward developing a Local Environmental Plan and recommends that Walgett Shire Council note and endorse the recent submission of a draft plan to the Department of Planning.

Discussion (including issues and background):

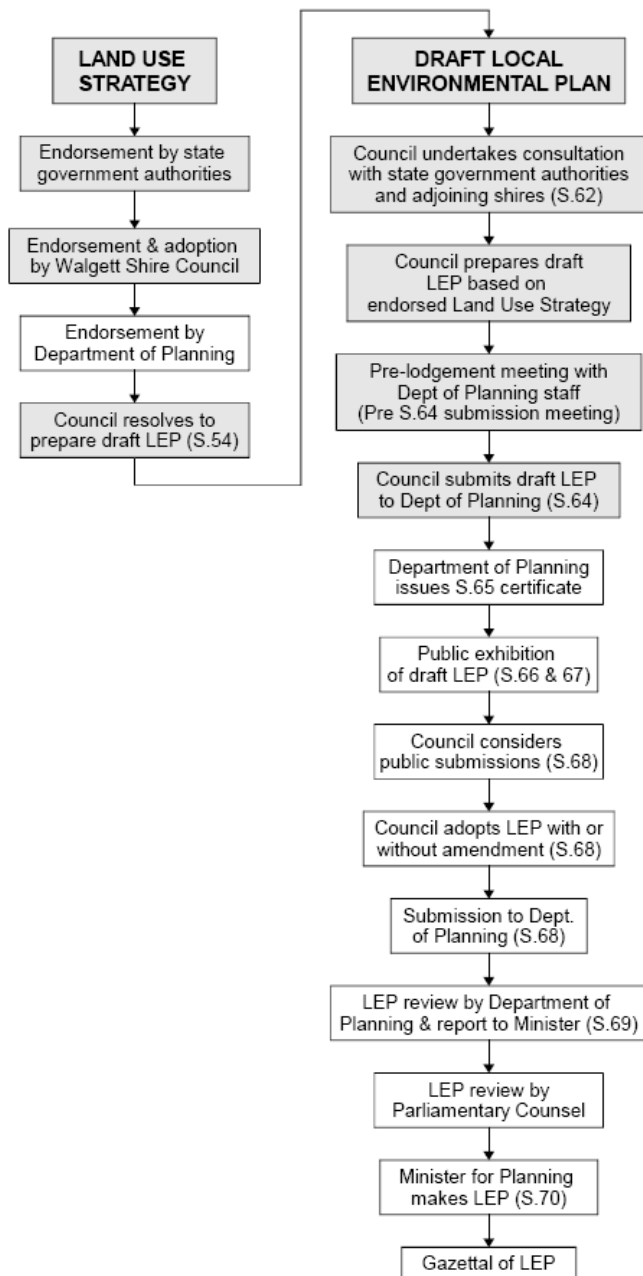
For several years Walgett Shire Council has been working with a consultant planning firm, Edge Land Planning, to develop a Local Environmental Plan (LEP) to supersede its current environmental planning instrument, Interim Development Order No 1 - Shire of Walgett which was gazetted on 20th September 1968.

On 20 June 2008 the Dubbo regional office of the Department of Planning indicated that endorsement of the Walgett Shire Growth Management Study and Strategy (GMS) was imminent, but dependent upon further refinement of the document. That refinement was made, resulting in the July 2008 version of the document.

The Department of Planning has stated that it must endorse the GMS before it will be prepared to issue a Section 65 certificate under the Environmental Planning and Assessment Act 1979 that will enable Council to publicly exhibit a comprehensive draft Local Environmental Plan.

The flow chart below provides a simplified overview of the key stages of developing a LEP. Stages that have already been completed are shaded. The 'land use strategy' referred to is the Walgett Shire Growth Management Study and Strategy.

WALGETT SHIRE COUNCIL AGENDA



It is relevant to note that at a meeting held on 5 August 2008 Walgett Shire Council resolved to:

1. Adopt and endorse the Walgett Shire Growth Management Study and Strategy document dated July 2008, as amended by Edge Land Planning to address issues raised by the Department of Planning in June 2008.
2. Forward the Walgett Shire Council Growth Management Study and Strategy document, dated July 2008, to the Department of Planning for formal endorsement.
3. Continue with the preparation of a Local Environmental Plan for the whole of the Walgett Shire Local Government Area in accordance with:
 - a. The Standard Instrument (Local Environmental Plans) Order 2006; and
 - b. The recommendations contained in the Walgett Shire Growth Management Study and Strategy, as prepared by Edge Land Planning.

WALGETT SHIRE COUNCIL AGENDA

It is also relevant to note that at a meeting held on 15 April 2008 Walgett Shire Council resolved to:

4. Endorse the submission of a preliminary draft Walgett Local Environmental Plan and maps to the Dubbo regional office of the Department on 28 March 2008 by the Director Planning and Regulatory Services.
5. Authorise the General Manager to continue with the preparation of the draft Walgett Local Environmental Plan in consultation with the Administrator, and in accordance with:
 - a. The Standard Instrument (Local Environmental Plans) Order 2006; and
 - b. The recommendations contained in the Walgett Shire Growth Management Study and Strategy document.
6. Authorise the General Manager to seek a certificate from the Department of Planning under Section 65 of the Environmental Planning and Assessment Act 1979 to permit the public exhibition of the draft Walgett Local Environmental Plan

In parallel with refinement of the GMS, Edge Land Planning has worked with Council staff to prepare the draft LEP and associated maps. Key reference documents (other than the GMS and Standard Instrument) considered in the course of developing the draft LEP include:

- Planning Circular PS 07-019 - Certification of draft comprehensive local environmental plans for public exhibition.
- LEP Practice Note PN 06-001 - Preparing LEPs using the standard instrument: standard clauses.
- LEP Practice Note PN 06-002 - Preparing LEPs using the standard instrument: standard zones.
- LEP Practice Note PN 06-003 - Preparing LEPs using the standard instrument: definitions.
- LEP Practice Note PN 08-002 - Zoning for infrastructure in LEPs
- LEP Practice Note PN 08-003 - Transitional arrangements for exempt and complying development.
- Standard Requirements for LEP GIS Data, version 1.0, September 2007.
- Standard Technical Requirements for LEP Maps, version 1.0, April 2007.

The July version of the GMS and the draft LEP were submitted to the Department of Planning as per the letter dated 8 August 2008 (attached to this report). Two key requests were made of the Department in the letter, as follows:

- That it endorse the July 2008 version of the GMS.
- That it issue a certificate under Section 65 of the Environmental Planning and Assessment Act 1979 to enable the public exhibition of the draft LEP.
-

Relevant Reference Documents:

- Environmental Planning and Assessment Act 1979.
- Environmental Planning and Assessment Regulation 2000.
- Walgett Shire Growth Management Study and Strategy prepared by Edge Land Planning, dated July 2008.
- Council file 315-01-02-00 – Local Environmental Plan
- Standard Instrument (Local Environmental Plans) Order 2006.
- Various practice notes, planning circulars and requirements published by the Department of Planning which relate to LEP development.
- Draft Walgett Local Environmental Plan 2008 (as submitted to the Department of Planning).

Stakeholders:

The community, Walgett Shire Council and State government.

Financial Implications:

Fees associated with planning consultancy services provided by Edge Land Planning are being met from the existing budget for Local Environmental Plan development.

RECOMMENDATIONS:

- 1. That Walgett Shire Council resolve to:**
 - a. Note and endorse the letter sent to the Central West Region office of the Department of Planning in Dubbo by the Acting General Manager, dated 8 august 2008, which:**
 - b. Submitted, and requested the Department endorse, the July 2008 version of the Walgett Shire Growth Management Study and Strategy.**
 - c. Submitted a draft Walgett Local Environmental Plan 2008 and draft zoning maps.**
 - d. Requested that the Department issue a Section 65 certificate under the Environmental Planning and Assessment Act 1979 to enable public exhibition of the draft Walgett Local Environmental Plan 2008.**

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT - LETTER TO DEPARTMENT OF PLANNING



Shire of Walgett

ABN 88 769 076 385

Reference: M.G.: C.M.: 315-01-02-00

Your Reference: Matthew Goodwin

Contact:

8 August 2008

Team Leader Land Use Planning
Central West Region
Department of Planning
PO Box 717
DUBBO NSW 2830

Attn: Wayne Garnsey

Dear Wayne,

RE: DRAFT WALGETT LOCAL ENVIRONMENTAL PLAN 2008

Walgett Shire Council wishes to submit the draft Walgett Local Environmental Plan 2008 (LEP) to the Department of Planning (DoP) in accordance with Section 64 of the Environmental Planning and Assessment Act 1979.

In circular PS 07-019 dated 30 November 2007 the DoP outlined its requirements for Section 64 submissions. Those requirements are addressed under the respective headings below.

1 ATTACHMENTS

Please find enclosed, as digital files on CDR media:

- a) An copy of the LEP in MS Word format with red coloured text used to distinguish local provisions from the standard instrument text.
- b) An copy of all maps prepared in accordance with the DoP's 2007 *Standard Technical Requirements for LEP Mapping and Standard Requirements for Local Environmental Plan GIS Data*.
- c) A copy of the *Walgett Shire Growth Management Study and Strategy*, dated July 2008.
- d) A copy of draft minutes dated 5 August 2008 showing that Walgett Shire Council resolved to adopt and endorse the *Walgett Shire Growth Management Study and Strategy* document dated July 2008.
- e) Copies of the Section 62 consultation submissions received by Walgett Shire Council from public authorities.
- f) A copy of minutes dated 15 April 2008 showing that Walgett Shire Council resolved to prepare a Local Environmental Plan.
- g) A copy of a letter dated 18 June 2008 from the Department of Lands indicating that it has no objection to the proposed rezoning of Crown land at Lightning Ridge.

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

ATTACHMENT - LETTER TO DEPARTMENT OF PLANNING

2 CONSISTENCY WITH S.117 DIRECTIONS

On 19 July 2007 the Department of Planning published a document titled Local Planning Directions which contains a series of directions issued by the Minister for Planning under Section 117 of the Environmental Planning and Assessment Act 1979. These directions are listed in the table below, with Council's comments the relevance of particular directions and whether the LEP is consistent with them.

Table – Consistency of draft LEP with Section 117 directions

DIRECTION	CONSISTENCY
1. Employment and Resources	
1.1 Business and Industrial Zones	The draft LEP is consistent with the direction.
1.2 Rural Zones	<p>The draft LEP proposes to rezone two areas of existing rural zoned land at Lightning Ridge:</p> <ul style="list-style-type: none"> Approximately 7.7 hectares will be rezoned "IN1 General Industrial". Approximately 26.8 hectares will be rezoned "R1 General Residential". <p>Reasons for rezoning are documented in the Walgett Shire Growth Management Study and Strategy dated July 2008, which has been adopted by Council. This has been submitted to the DoP for the Director General's Endorsement.</p> <p>Given that the rezoning is both of minor significance and is justified by a strategy, it complies with the intent of the Section 117 direction for rural zones.</p>
1.3 Mining, Petroleum Production and Extractive Industries	<p>In total approximately 34.4 hectares of land at Lightning Ridge will be rezoned from rural zoning to urban zoning. Mining will be prohibited, hence some potentially opal bearing land may be sterilised.</p> <p>Reasons for rezoning are documented in the Walgett Shire Growth Management Study and Strategy dated April 2008, which has been adopted by Council.</p> <p>Walgett Shire Council has not formally consulted with the Director General of the Department of Primary Industries. It has consulted with land use assessment staff within that Department regarding the strategy and no objections were offered to the proposed rezoning. In the above context any inconsistency with the 117 direction is of minor significance. A copy of the correspondence is attached.</p>
1.4 Oyster Aquaculture	Not applicable.
2. Environment and Heritage	
2.1 Environmental Protection Zones	The draft LEP is consistent with the direction.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	The draft LEP is consistent with the direction. It proposes that 124 items be listed as local heritage.

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT - LETTER TO DEPARTMENT OF PLANNING

DIRECTION	CONSISTENCY
2.4 Recreation Vehicle Areas	Not applicable.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The draft LEP is consistent with the direction. It is proposed to make a wide range of residential accommodation permissible with development consent within General Residential zones.
3.2 Caravan Parks and Manufactured Home Estates	The draft LEP is consistent with the direction.
3.3 Home Occupations	The draft LEP is consistent with the direction.
3.4 Integrating Land Use and Transport	The draft LEP has not proposed any new residential areas that are not in close proximity to the commercial areas and this allows for access to jobs via walking and cycling. Public transport is very limited in Walgett Shire
3.5 Development Near Licensed Aerodromes	The draft LEP does not propose any new development in the vicinity of licensed aerodromes. A local provision has been included which provides for the ongoing operations of the airports.
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Not applicable.
4.2 Mine Subsidence and Unstable Land	The draft LEP is consistent with the direction.
4.3 Flood Prone Land	It is Walgett Shire Council's intent that the draft LEP should be consistent with the direction. At this stage the Department of Planning has not yet provided a clause that could be used to manage development on flood prone land.
4.4 Planning for Bushfire Protection	The draft LEP is consistent with the direction.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not applicable.
5.2 Sydney Drinking Water Catchments	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	
5.6 Sydney to Canberra Corridor	
5.7 Central Coast	
5.8 Second Sydney Airport: Badgerys Creek	
6. Local Plan Making	
6.1 Approval and Referral Requirements	The draft LEP is consistent with the direction.

ATTACHMENT - LETTER TO DEPARTMENT OF PLANNING

DIRECTION	CONSISTENCY
6.2 Reserving Land for Public Purposes	Not applicable.
6.3 Site Specific Provisions	Not applicable.

There are no relevant regional or subregional strategies, hence they have not been considered during development of the draft LEP.

The draft LEP is consistent with the Rural Planning Principles and rural subdivision principles of the SEPP Rural Lands 2008.

3 DRAFT LEP

3.1 Background

The current environmental planning instrument for the Walgett Shire is the Interim Development Order No. 1 – Shire of Walgett (IDO), gazetted on 20th September 1968. This is a deemed Environmental Planning Instrument pursuant to the provisions of the EP & A Act. Significant issues arise for Walgett Shire Council and the community because the IDO provisions are out of step with current planning practice and the Environmental Planning and Assessment Act 1979.

In the late 1980s and early 1990s Council made attempts to develop a draft LEP which were subsequently aborted.

Key milestones in the development of the current draft LEP include;

- Community consultation meetings regarding planning issues associated with the development of a Growth Management Strategy were held during November 2004 in Walgett, Lightning Ridge and Collarenebri.
- Publication of the Walgett Shire Growth Management Strategy – Community Consultation Report in July 2005.
- Publication of the Walgett Shire Growth Management Strategy - Issues Paper in July 2005.
- A draft Walgett Shire Growth Management Study and Draft Strategy (GMS) was prepared in 2005 and this was the subject of extended discussions between Walgett Shire Council, the Department of Planning and government authorities especially during April 2006 and March 2007.
- The GMS was the subject of public consultation during August and September 2007 after being endorsed for exhibition by the Department of Planning.
- At a meeting held on 19 February 2008 Walgett Shire Council, after considering a report on the submissions received as a result of the public exhibition, adopted and endorsed the GMS with the amendments proposed by Edge Land Planning in the documents titled "Analysis of Submissions", dated November 2007, and "Additional Considerations" dated 11 February 2008.
- In February 2008 refinement of the GMS was requested by the regional office of the Department of Planning.
- At a meeting held on 15 April 2008 Walgett Shire Council adopted and endorsed the April 2008 version of the GMS which includes amendments prepared by Ian Sinclair of Edge Land Planning to address the issues raised by the Department of Planning in the document titled "Comments on Walgett Growth Management Study, dated Feb 08.
- Council officers and its consultant attended a pre section 64 submission meeting with officers of the DoP in accordance with Circular PS07 019.

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- On 20 June 2008 further refinement of the GMS was requested by the regional office of the Department of Planning. Key elements of the refinement included enhancements to land use planning analysis, addressing several referencing errors and improving maps.
- At a meeting held on 5 August 2008 Walgett Shire Council adopted and endorsed the July 2008 version of the GMS which included amendments prepared by Ian Sinclair of Edge Land Planning to address the issues raised by the Department of Planning in June 2008.

3.2 Endorsement of GMS

In the above context Walgett Shire Council requests that the Director General of the Department of Planning endorse the July 2008 version of the *Walgett Shire Growth Management Study and Strategy* document.

4 PUBLIC AUTHORITIES CONSULTED

Walgett Shire Council undertook Section 62 consultation via a letter sent to 33 government authorities and adjoining Councils which are listed in the table below.

Table – Government authorities consulted under Section 62.

Name	Title	Organisation Name	Address	City
Allen Young	Chief Executive Officer	Balonne Shire Council	P.O. Box 201	St George, Qld
Lisa Roberts	General Manager	Border Rivers-Gwydir Catchment Management Authority	PO Box 411	Inverell
	General Manager	Brewarrina Shire Council	P.O Box 125	Brewarrina
Tim Ferraro	General Manager	Central West Catchment Management Authority	PO Box 1344	Orange
Kevin Dyer	Aerodrome Inspector	Civil Aviation Safety Authority	P.O Box CP57	Condell Park
John Griffiths	General Manager	Coonamble Shire Council	P.O Box 249	Coonamble
Mark Shervashidze	Director of Partnerships and Planning	Department of Community Services	PO Box 865	Dubbo
Michael Kronk	School Education Director Warrumbungle	Department of Education and Training	PO Box 865	Dubbo
Chris Marshall	Senior Programs Officer	Department of Environment and Climate Change	PO Box 1388	Bathurst
Mike Allen	Director General	Department of Housing	Locked Bag 4001	Ashfield BC
Jennifer Mason	Director General	Department of Juvenile Justice	P.O Box K399	Haymarket
Geoff Woods	Western Lands Commissioner	Department of Lands	P.O Box 692	Broken Hill
Lindsay Usher	Team Leader	Department of Planning	P.O. Box 717	Dubbo
Cameron Ricketts	Team Leader - Land Use - Geoscientist	Department of Primary Industries	PO Box 344	Hunter Region Mail Centre
Doug Richard	Agricultural Environment Officer	Department of Primary Industries	P.O Box 546	Gunnedah

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Name	Title	Organisation Name	Address	City
Loftus Harris	Director General	Department of State and Regional Development	GPO Box 5477	Sydney
Christie Jackson	Environment Review Co-Ordinator	Department of Water and Energy	PO Box 550	Tamworth
Randall Hart	Regional Director, Barwon Region	Department of Water and Energy	155-157 Marius St	Tamworth
David Ferrall	Senior Environmental Health Officer	Greater Western Area Health Service	PO Box 4061	Dubbo
Vinca Sicari	Principle Heritage Officer	Heritage Office Department of Planning	Locked Bag 5020	Parramatta
Carolyn Dunn	Regional Transport Coordinator	Ministry of Transport	C/- P.O Box 865	Dubbo
David Aber	General Manager	Moree Plains Shire Council	P.O Box 420	Moree
Bruce Brown	General Manager	Namoi Catchment Management Authority	P.O Box 546	Gunnedah
Max Kershaw	General Manager	Narrabri Shire Council	PO Box 261	Narrabri
Jodie Broun	Director General	NSW Dept of Aboriginal Affairs	Tower B/ Level 13, 280 Elizabeth street	Surry Hills
David Ward	Conservation Manager	NSW Fisheries	P.O Box W47	Tamworth
Debora Picone	Director General	NSW Health	Locked Mail Bag 961	North Sydney
David Simmons	Superintendent	NSW Police	57 Wee Waa St.	Walgett
Lew Short	Manager, Development Control Services	NSW Rural Fire Service	Locked Mail Bag 17	Granville
Warwick Bratby	Manager Planning	NSW State Forests	P.O Box 865	Dubbo
Bob Wagg	Road Safety and Traffic Operations Manager	Roads and Traffic Authority	P.O. Box 334	Parkes
Ashley Wielinga	General Manager	Warren Shire Council	P.O Box 6	Warren
Daryl Green	General Manager	Western Catchment Management Authority	P.O Box 1840	Dubbo

Copies of the Section 62 submissions that were received are included as pdf files on the enclosed CDR media. Those submissions came from the following twelve organisations:

- Department of Environmental and Climate Change.
- Department of Aboriginal Affairs.
- Department of Lands.
- Central West Catchment Management Authority.
- Housing NSW.
- Department of Primary Industries.
- Border Rivers-Gwydir CMA.

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- Heritage Council (a unit within the Department of Planning).
- Rural Fire Service.
- Namoi Catchment Management Authority.
- Roads and Traffic Authority.
- Department of Water and Energy.

5 VARIATIONS FROM STANDARD INSTRUMENT

5.1 Local provisions

The draft LEP attached to this letter is in MS Word format and red coloured text has been used to distinguish local provisions from the standard instrument text.

5.2 Exempt and complying development

Walgett Shire Council has considered:

- LEP Practice Note PN 08-003 titled "Transitional Arrangements for Exempt and Complying Development dated 5 August 2008.
- The exempt and complying development provisions within the draft NSW Housing Code and the draft NSW Commercial Building Code.

In the context of the practice note and the draft codes Walgett Shire Council has **not** submitted any local provisions within the draft LEP for exempt and complying development. It proposes to continue applying State Environmental Planning Policy 60 – Exempt and Complying development, pending the implementation of the Housing Code and the Commercial Building Code by the Department of Planning.

5.3 Rural dwelling clause

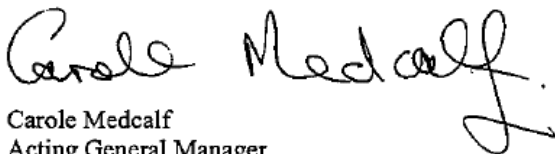
In July 2008 the Department of Planning supplied a model clause which deals with rural dwellings. That clause has been adopted within the draft LEP as Clause 4.2A.

6 PUBLIC EXHIBITION

Walgett Shire Council requests that the Department of Planning assess the documentation supplied with a view to promptly issuing a certificate under Section 65 of the Environmental Planning and Assessment Act 1979 to enable public exhibition of the draft Walgett Local Environmental Plan 2008.

Please contact Council's Director Planning and Regulation, Matthew Goodwin, on 6828 6120 if you require any additional information.

Yours faithfully,



Carole Medcalf
Acting General Manager

19. HERITAGE ADVISOR APPOINTMENT REVIEW

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Matthew Goodwin, Director Planning & Regulatory Services
FILE NUMBER: 235/06/26/01

Summary:

Walgett Shire Council recently called from expressions of interest from suitable parties to be appointed as Council's Heritage Advisor. This report recommends that Council make an offer to appoint one of those parties.

Discussion (including issues and background):

At a meeting held on 5 August 2008 Walgett Shire Council resolved to give one month's notice to Graham Hall that it was terminating the agreement dated 6 February 2002 whereby it engaged him to act as Council's Heritage Advisor. A letter was sent on 5 August 2008 via e-mail (and mail) giving notice of the termination. His term of appointment now ends on 5 September 2008.

Walgett Shire Council receives an annual grant from the Heritage Branch of the Department of Planning to assist with costs arising from a part time Heritage Advisor. The current budget makes provision for \$8,200 to be spent on heritage advisory services (supported by a \$4,000 grant from the Heritage Branch). A condition of the annual grant from the Heritage Branch is that Council must engage a recognised Heritage Advisor to provide advice on heritage matters.

At the meeting held on 5 August 2008, Walgett Shire Council also resolved to:

2. In accordance with the guideline titled "How to Establish a Heritage Advisor Service" published by the Department of Planning in June 2007, seek expressions of interest from suitably skilled people to be appointed as Council's Heritage Advisor.

A summary of the role of a Heritage Advisor, as noted by the Heritage Branch, is:

The main objectives of the heritage advisor program are to assist local councils and communities with professional advice to ensure that appropriate measures and management are in place to conserve and present the heritage of the local government area.

A second and important objective is to provide the best possible advice in relation to urban design matters.

Heritage advisors provide regular and ongoing expertise to councils, communities and owners of heritage properties and assist in promoting urban design and heritage in the area.

The outcomes of this program have been very positive. Many successful and ongoing partnerships between local and state governments and communities have been developed. Most local councils across NSW have access to a part-time heritage advisor or employ a full-time heritage officer.

The Heritage Branch of the Department of Planning provided details of trained heritage advisors. From that list a series of parties were identified that have worked for rural councils in the region and/or are based in rural areas. The identified parties are listed in a table attached to this report (Attachment 1). On 7 August 2008 an e-mail was sent to each party in the list inviting them to submit an expression of interest to be appointed as Walgett Shire Council's heritage advisor. The invitation, as well as the draft heritage advisor offer and duty statement (Attachment 3), were based on the templates required to be used by the Heritage Branch of the Department of Planning.

A summary of the responses is provided in the table below. Only three expressions of interest were received.

FIRST NAME	LAST NAME	FIRM	RESPONSE	DATE
Christo	Aitken	Christo Aitken & Associates	Nil	-
John	Arnes	John Arnes & Associates	Not available	17-8-2008
Ray	Christison	High Ground Consulting	EOI submitted	17-8-2008
Jillian	Comber	Comber Consultants Pty Ltd	Not available	19-8-2008
Margaret	Fallon	Integrated Design Associates	Nil	-
Graham	Hall	Graham Hall & Partners	EOI submitted	21-8-2008
Barbara	Hickson	Barbara Hickson Architect	Nil	-
Catherine	Neilson	Magoffin & Deakin	Nil	-
Graham	Wilson		Nil	-
Steven	Ring	Heritage Management Services	EOI submitted	21-8-2008

The table below provides an overview of the expressions of interest submitted by each of the each potential heritage advisors. A summary of the fees, previous Council work and referee comments are provided.

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NAME	FEES	PREVIOUS COUNCIL WORK	COMMENTS
Ray Christison	\$880/day \$110/hour Travel \$200/trip	Broken Hill, Orange, Gilgandra, Warrumbungle, Young	Experience – Undertaken several community based heritage studies and worked as a heritage advisor for several rural councils. Cost – Appears to represent the best value for money on per visit basis (\$1080). Referees – Contacted staff at Warrumbungle and Gilgandra Councils who spoke very highly of his professionalism and quality of work.
Steven Ring	\$1,000/day \$65/hour Travel \$350/trip	N/A – Recently established consultancy.	Experience – Significant heritage related work, but has not yet worked on community based heritage studies or as a heritage advisor. Cost – Mid range per visit rate. Cheapest hourly rate. Referees – Don Truman, from Truman Zaniol and Associates Pty Ltd who is a heritage advisor to several Sydney Councils. Stated that Mr Ring was pragmatic, adaptable and had the skills and experience to be a good heritage advisor.
Graham Hall	\$880/day \$121/hour Travel \$500/trip	Walgett, Coonamble, Fairfield, etc.	Experience – Undertaken several community based heritage studies and worked as a heritage advisor for rural and city based councils. Cost – Most expensive on any basis. Referees – Known to Walgett Shire Council staff, capable of completing required work.

Based on the available information it appears that the expressions of interest can be ranked in the following manner:

1. High Ground Consulting (Ray Christison).
2. Heritage Management Services (Steven Ring).
3. Graham Hall & Partners (Graham Hall).

Relevant Reference Documents:

- Heritage Information Series - How to Establish a Heritage Advisor Service, published by NSW Heritage Office, Department of Planning, June 2007.

Stakeholders:

The public and Walgett Shire Council.

Financial Implications:

Costs associated with the Heritage Advisor will be met from the existing budget for heritage advisory services.

RECOMMENDATIONS:

That Walgett Shire Council resolve to:

- 1. Offer appointment as Walgett Shire Council's Heritage Advisor from 5 September 2008 to High Ground Consulting (Ray Christison), in accordance with the guideline titled "How to Establish a Heritage Advisor Service" published by the Department of Planning in June 2007.**
- 2. If the initial offer of appointment is declined, then subsequently make an offer to Heritage Management Services (Steven Ring).**

ATTACHMENT 1 - INVITATION LIST FOR HERITAGE ADVISOR

HERITAGE CONSULTANTS

The following people have worked as Heritage Advisors with the listed Councils and/or are based in rural areas.

FIRST NAME	LAST NAME	FIRM	STREET	TOWN	PCODE	E-MAIL	COUNCILS
Christo	Aitken	Christo Aitken & Associates	P.O. Box 1051	Bathurst	2795	christoaitken@bigpond.com	Dubbo
John	Armes	John Armes & Associates	60 Laidlaw Street	Yass	2582	james@bigpond.com	Goulburn, Queanbeyan
Ray	Christison	High Ground Consulting	116 Hassans Walls Rd	Lithgow	2790	highground@swiftsl.com.au	Gilgandra, Warrumbungle
Jillian	Comber	Comber Consultants Pty Ltd	99 Edwin Street North	Croydon	2132	jillian.comber@comber.net.au	Bourke, Cobar, Parkes, Cowra, Lachlan
Margaret	Fallon	Integrated Design Associates	10 Asquith Avenue	Wentworth Falls	2782	marq@integrateddesign.com.au	
Graham	Hall	Graham Hall & Partners	263 Trafalgar St	Annandale	2038	hallct@ozemail.com.au	Walgett, Coonamble, Fairfield
Barbara	Hickson	Barbara Hickson Architect	P.O. Box 610	Mudgee	2850	barbarahickson@winsoft.net.au	Bathurst, Lithgow
Catherine	Neilson	Magoffin & Deakin	PO Box 100	Uralla	2358	magoffindeakin@bluepin.net.au	
Graham	Wilson		14 Todd Close	Armidale	2350	g.wilson42@bigpond.com	Armidale, Glen Innes, Guyra
Steven	Ring	Heritage Management Services	16 Rownsell St	Portland	2847	sring@bigpond.net.au	

ATTACHMENT 2 - INITIAL E-MAIL INVITING EXPRESSIONS OF INTEREST

Matthew Goodwin

From: Matthew Goodwin
Sent: Thursday, 7 August 2008 4:30 PM
To: 'highground@swiftsl.com.au'; 'christoaitken@bigpond.com'; 'hallct@ozemail.com.au'; 'jillian.comber@comber.net.au'; 'barbara@winsoft.net.au'; 'g.wilson42@bigpond.com'; 'margi@integrateddesign.com.au'; 'james@bigpond.com'; 'magoffindeakin@bluepin.net.au'; 'planningimages@bigpond.com'
Cc: Email Records
Subject: Expressions of interest sought - Heritage advisor for Walgett Shire Council
Importance: High
Attachments: Attachment B - Heritage Advisor offer & duty statement.pdf

I am pleased to invite you to express an interest in the above position. Council is seeking to appoint a heritage advisor to positively promote and manage heritage and urban design in this area.

The council's area includes some 124 items which are proposed to be listed for protection under a draft Local Environmental Plan. The area also includes unlisted heritage items. Council has also budgeted for an Aboriginal Heritage Study and a 'Preserved' Opal Fields Heritage Study.

It is proposed that the heritage advisor will visit the area about once a month.

The primary objective of the heritage advisor is to provide professional heritage advice to assist council to work with the community to manage and present the heritage of this local government area. The full description of the position is set out in the attached duty statement.

If you are interested, please send a written expression of interest by the close of business on Friday 22nd of August 2008 which includes the following:

- your curriculum vitae;
- details of your completion of the Heritage Office heritage advisor training and refresher workshop;
- brief statement outlining why you would be a good advisor for this area;
- provide written statements demonstrating how you meet the heritage advisor eligibility criteria (refer to the Heritage Office publication 'How to establish a heritage advisor service');
- details of two referees that will support your suitability as a heritage advisor;
- a fee proposal for an eight-hour visit (include all your expenses), inclusive of GST;
- a fee to cover your travel costs, inclusive of GST (*Please note that there is 1 commercial flight to Walgett 6 days/week, 2 to Narrabri 7 days /week and 3 to Dubbo 7 days/week. Flights to Narrabri and Dubbo are cheaper and hire cars are available for transport to Walgett*);
- an hourly rate for any advice requested between visits to the area, inclusive of GST.

Please contact me if you have any queries.

Regards,

Matthew Goodwin

Director Planning and Regulatory Services
Walgett Shire Council

Ph: 6828 6120 Fax: 6828 1608

ATTACHMENT 3 - DRAFT HERITAGE ADVISOR OFFER AND DUTY STATEMENT

Dear

Letter of Offer for the Heritage Advisor Consultancy for Walgett Shire Council

I am pleased to advise that you have been selected for this position. This position has been jointly funded by the Heritage Office, Department of Planning and this Council.

The main benefits of the heritage advisory program is that the heritage advisor works with council staff, councillors and the community and provides an in-house consultancy service and access to the best possible educational, management and promotional management for heritage and urban design in the local government area.

ROLE OF A HERITAGE ADVISOR

The primary objective for the heritage advisor is to provide professional heritage advice that assists council to work with the community to ensure that heritage and urban design are well managed and presented in this local government area.

DUTIES TO BE UNDERTAKEN BY THE HERITAGE ADVISOR

In line with the objectives for the advisor stated above, the heritage advisor will:

1 Work with Council to implement its heritage strategy

The heritage advisor is responsible, along with council, to ensure that the heritage strategy is successfully implemented and must provide an annual report on progress to the council and the Heritage Office.

The heritage strategy will incorporate and direct activities and tasks to be undertaken in the following areas.

2 Heritage education, management and promotion

The heritage advisor will review all educational, management and promotional material for heritage and urban design in the area and develop specific tasks to be included in the heritage strategy:

Education: The advisor will review the heritage and urban design educational needs for all stakeholders including council staff, local councillors, local professionals and trades people, schools and the community generally.

Management: The advisor will review the current arrangements for heritage and urban design for:

- the survey of all heritage items;
- the protection of all heritage items through LEP and DCP planning controls;
- the guidance of new development through LEP and DCP controls and guidelines;
- the dissemination of adequate and appropriate information to owners about the listing, protection and general care of heritage items; and
- the management of change to heritage items and sites managed by the council.

ATTACHMENT 3 - DRAFT HERITAGE ADVISOR OFFER AND DUTY STATEMENT

Promotion: The advisor will review current practice and design pro-active steps to promote heritage conservation and urban design in the area. Such measures may include:

- the commissioning of main street studies
- the local heritage fund
- the preparation and distribution of appropriate information to assist the local community to understand and conserve heritage items
- the establishment of heritage trails
- the interpretation of specific sites
- the active pursuit of cultural tourism in the area

3 Previous studies and implementation

The heritage advisor will review all previous heritage and urban studies prepared for the area and ensure all recommendations, where appropriate, are implemented.

4 Provide free advice to property owners

The heritage advisor will provide free advice to property owners about alterations and conservation work to be undertaken to heritage items. Advice given the time constraints and role of the heritage advisors, may be general in nature but should be sufficient to ensure that the owner knows how to undertake the project with positive outcomes for their heritage item/s.

It is not intended that the advisor replace the role of consultancy services, such as an architect to supply designs and working drawings. Where the advice required is extensive, the heritage advisor can assist by directing the owners to seek out and engage appropriate professional skills available in the area.

It is accepted that a somewhat greater level of advice and support may be provided for items owned by non-profit community groups or for isolated or remote locations with limited access to appropriate heritage services.

5 Managing change

The heritage advisor will assist the council to manage change in a positive manner and seek to conserve heritage and urban design features and incorporate new uses or requirements. Heritage advisors will provide advice on all development and building applications involving heritage items and urban design issues.

6 List of local heritage consultants and specialist products and services

The heritage advisor will compile a list of suitably qualified and experienced local architects, engineers and other conservation tradesmen and suppliers for the purpose of providing advice to heritage owners.

7 Monitoring heritage items

The heritage advisor will monitor the condition and maintenance of heritage items in the area and, with council assistance, take positive action where necessary to assist owners to manage their heritage better.

8 Supervising studies

The heritage advisor will, where necessary, supervise council commissioned heritage conservation or urban design studies.

ATTACHMENT 3 - DRAFT HERITAGE ADVISOR OFFER AND DUTY STATEMENT

9 Assist owners on funding

The heritage advisor will promote, encourage and assist heritage owners, where necessary, to apply for funding under local heritage funding and Heritage Office and other funding programs.

10 Advice to the Heritage Office

The heritage advisor will provide advice concerning matters for action under the *Heritage Act 1977 (NSW)* when requested by the Heritage Office.

11 Resource material

The heritage advisor will establish, in consultation with the local libraries and historical societies, the collection of heritage resource material including photographs to assist heritage management and promotion in the area.

SUPERVISION

The heritage advisor will generally be responsible to the following person at the council: Director Planning and Regulatory Services.

To achieve the objectives of the heritage advisor role, within the framework set by the council heritage strategy, the advisor will be given reasonable freedom of operation including direct negotiation with the local community, councillors, owners, developers, government and the Heritage Office and the making of recommendations to the council.

BACK-UP FACILITIES

Telephone, office space, computer access, appointment taking facilities, use of council vehicles and photographic supplies will be provided by the council.

TERMS OF PAYMENT

According to the fee for service proposal, Council has agreed to a daily payment of \$ for an eight hour day which includes all your expenses and a payment of \$ to cover your travel costs.

While in the area the advisor will be paid cents per kilometre for using your own vehicle on inspections, etc, unless council supplies a vehicle.

When advice is required from your office in between visits you will be paid at the rate of \$ per hour.

Council agrees to a performance review every 12 months to assess the performance of the heritage advisor and to review the agreed fee for service. Remuneration will be reviewed within the context of satisfactory performance and increases in hourly rates and travel costs.

PROCEDURE FOR PAYMENT

You will be required to lodge a claim for payment with the Director Planning and Regulatory Services every month.

ATTACHMENT 3 - DRAFT HERITAGE ADVISOR OFFER AND DUTY STATEMENT

RESTRICTION ON OTHER PAID WORK DUE TO CONFLICT OF INTEREST.

While employed as an advisor you, or other persons or firms with which you have a formal and/or financial association, may not undertake other paid work in this local government area. However you may seek council agreement to the following exemptions:

- (i) completion of an existing heritage project for architectural services commenced prior to appointment as the advisor;
- (ii) work on any heritage or urban design matter provided it does not:
 - involve a heritage item, a heritage site or an item in an urban conservation area whether listed or not; or
 - involve any item which might reasonably be expected to be the subject of advice by a heritage advisor; or
 - lead to a conflict of interest with your role as the heritage advisor.

GENERAL CONDITIONS

Either party may terminate this agreement with one month's written notice. The terms of this contractual letter may be varied with the agreement of both parties and the endorsement of the Heritage Office.

REPORTING

The advisor must keep a diary in relation to all work carried out. It should record visit days, the jobs carried out through each day, the person/s seen and the issues involved. This diary is to be used as the basis for preparing reports, including an annual report to the council and the Heritage Office.

Reporting requirements for heritage advisors from 2006-07 require the heritage advisors to work with the council heritage officer, where there is one, to prepare an annual report against the 2006-08 heritage strategy. The Heritage Office has prepared an annual reporting template that must be used for this purpose. The template is available to download from the Heritage Office website www.heritage.nsw.gov.au/funding. Click on the left hand menu item titled Local Government Heritage Management.

COMMENCEMENT

Council requires that you commence work on and visit this council every

ACCEPTANCE OF THIS OFFER

If you would like to accept this consultancy in accordance with the above terms and conditions, please initial each page and sign and date a copy of this letter and return to the council not more than two (2) weeks from the date of this letter.

Yours sincerely,

Matthew Goodwin
Director Planning and Regulatory Services

16. Reports of Committees

17. Questions without Notice from Councillors

18. Confidential Reports/Closed Council Meeting

19. Close of Meeting